CITY COUNCIL AGENDA
CITY OF HEMET, CALIFORNIA

Tuesday, February 23, 2021
City Council Chamber
450 E. Latham Ave., Hemet, California 92543
REGULAR MEETING AT 7:00 P.M.
AMENDED AGENDA
(please note amendments to this Agenda, which include: cancelling the 6:00 P.M. Work Study Session and Regular Meeting item regarding appointments of Measure U applicants. Also, please note that the time for Closed Session was changed from 5:00 P.M. to 6:00 P.M.)

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the City of Hemet is providing alternative measures for the public to attend/view City Council Meetings.

Council Chamber: In-person participation is limited in the Council Chamber in order to maintain social distancing room capacity.

Live stream: This meeting will be live streamed on the City's website at hemetca.gov/agenda.

Public Comments: Members of the Public who wish to comment on matters before the Council, in lieu of attending in person, may submit comments on or before 2:00 p.m. the day of the meeting by using the following link: Online Comment Form. Comments will be recorded in the official meeting record.

Teleconference: Residents may also submit public comments by teleconference during Communications from the Public by using the following teleconference number: (888) 585-9008, when prompted dial: 768-176-038, please mute your phone when not providing public comment. The teleconference line will be deactivated after public comments have been provided.

We appreciate your understanding during this unprecedented time of social distancing under the Safer at Home orders. These procedures may be modified in the future as social and public gathering protocols change. Thank you.

Notice Regarding Americans with Disability Act

In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting or if you need agenda documents provide in an alternate format, please contact the City Clerk's Office at (951) 765-2307 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made (28CFR 35.102-35.104 ADA Title II)

CLOSED SESSION - 6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT PERIOD - RULES OF DECORUM, RESOLUTION NO. 4545

At this time, members of the public may only comment on an item appearing on the agenda.
Please adhere to the following when addressing the Council:
Comments will be limited to 3 minutes or less.
Comments should be directed to the Council as a whole and not directed to individual Council Members.
Please follow the adopted rules of decorum: Resolution No. 4545.

4. DISCUSSION ITEMS

4.A. CONFERENCE WITH LABOR NEGOTIATORS
Government Code Section 54957.6
Agency Designated Representative: Christopher Lopez, City Manager
Employee Organization: HMMA, SEIU, and Confidential

4.B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant Exposure
Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9
Number of Cases (2)

4.C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9
Name of Case: Kenneth J. Graff v. Joe Males
Riverside County Superior Court Case No. CVSW2001682

5. ADJOURNMENT OF CLOSED SESSION

REGULAR MEETING - 7:00 P.M.

6. CALL TO ORDER

7. ROLL CALL

8. INVOCATION

9. PLEDGE OF ALLEGIANCE

10. CITY ATTORNEY CLOSED SESSION REPORT

10.A. City Attorney's Report regarding Closed Session

11. COMMUNICATIONS FROM THE PUBLIC

Welcome to a meeting of the Mayor and City Council of the City of Hemet

- Anyone who wishes to speak during public comment or on a particular item will be required to fill out a speaker slip and turn it in to the City Clerk. Each request will cover one speaker.
- **There is a 3-minute-per-person time limit for all general public comments on non-public hearing items**.
- All who wish to speak, including Council members and staff, need to be recognized by the Mayor before speaking.
- Members of the public shall comply with the adopted Rules of Decorum, Resolution No. 4545. A copy of which can be requested through the City Clerk's Office.
- You may also fill out a form and submit your comments online at www.hemetca.gov and it will be read aloud. Submittal must be done before 2:00 p.m. the day of the meeting.
- For those that wish to join by teleconferencing, you will be able to join by calling (888) 585-9008, when prompted dial: 768-176-038. Reminder, if you are joining by teleconference, please mute your phone to prevent noise interference until you are given time to provide public comment.
- Please state your name and item you are commenting on before speaking.

11.A. Public Comment for Items Listed on the Agenda: Consent and Discussion Items

11.B. Public Comment for Items Not Listed on the Agenda, but within Jurisdictional Matter

12. PUBLIC HEARING

The City Council's Procedures for Public Hearing will be as follows:

- Staff will provide a report and clarification of items presented.
- The public hearing will be opened for comments for those IN FAVOR of or IN OPPOSITION to the item: followed by rebuttal to any comments made.
- The Public Hearing will be closed, and the City Manager may respond to any questions raised by the public (the public will not have an opportunity to respond.).
- Discussion will be brought back to the City Council for direction or action.

12.A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, APPROVING AN AMENDMENT TO THE HEMET MUNICIPAL CODE, CHAPTER 46, ARTICLE VI RELATED TO THE PROHIBITION OF FIREWORKS IN THE CITY OF HEMET 11 - 19

Staff Report #21-050 - Pdf

Recommendation:

It is respectfully recommended that the City Council:

1. After the City Clerk reads the title of the Ordinance, waive full reading of the Ordinance, introduce on first reading, and conduct a public hearing on the Ordinance Amending Hemet Municipal Code, Chapter 46, Article VI related to the prohibition of fireworks in the City of Hemet; and

2. Direct staff to schedule the Ordinance for second reading and adoption at the next regularly scheduled City Council meeting.

12.B. Draft Community Development Block Grant-Coronavirus (CDBG-CV3) Substantial Amendment to 2020-25 Consolidated Plan and 2020/21 Annual Action Plan — 21 - 45

Staff Report #21-045 - Pdf

Recommendation:

It is respectfully recommended that the City Council:

1. Conduct the public hearing and accept public comments regarding the draft Substantial Amendment to the 2020-2025 CDBG Consolidated Plan and 2020/21 Annual Action Plan;
2. Approve these documents and authorize the City Manager to sign the certifications and substantial amendment application for submission to the United States Department of Housing and Urban Development (HUD); and
3. Authorize the Finance Department to add an appropriation in the amount of $535,773 to Fund 240 Community Development.

12.C. GENERAL PLAN AMENDMENT (GPA) 15-002 , SPECIFIC PLAN AMENDMENT (SPA) 15-001 OF THE PAGE RANCH SPECIFIC PLAN, TENTATIVE TRACT MAP NO. 36841 (MAP 15-008) and SUBSEQUENT ENVIRONMENTAL IMPACT REPORT) — 47 - 962

Staff Report #21-043 - Pdf

Recommendation: It is respectfully recommended that the City Council:

1. Adopt a Resolution approving Subsequent Environmental Impact Report, Mitigation Monitoring and Reporting Program and Overriding Considerations for the Page Ranch Specific Plan Amendment (SPA) 15-001 (Rancho Diamante Phase II), General Plan Amendment (GPA) 15-002, and Tentative Tract Map No. 36841 (MAP 15-008); and
2. Adopt an Ordinance to amend the Page Ranch Specific Plan (SPA) 15-001 (Rancho Diamante Phase II); and
3. Adopt a Resolution approving General Plan Amendment (GPA) 15-002 and Tentative Tract Map No. 36841 (MAP 15-008) subject to the Findings and Conditions of Approval; and
4. Direct staff to file a Notice of Determination with the County Clerk

13. PRESENTATIONS

13.A. Highlight Reel of Recent Accomplishments in Hemet — 963

Staff Report #21-051 - Pdf

13.B. Proclamation Honoring Rick Bishop, Executive Director of WRCOG upon his retirement

13.C. Black History Month Presentations

14. RECEIVE AND FILE

14.A. Approval of the Closed Session and Regular City Council Meeting Minutes of December 8, 2020. 965 - 978

Staff Report #21-041 - Pdf

Recommendation: Approval of Minutes of the Closed Session and Regular City Council Meeting Minutes of December 8, 2020

14.B. Approval of the Closed Session and Regular City Council Meeting Minutes of February 9, 2021. 979 - 987

Staff Report #21-042 - Pdf

Recommendation: Approval of Minutes of the Closed Session and Regular City Council Meeting Minutes of February 9, 2021.

14.C. Treasurer's Monthly Report #3 989 - 1005

Staff Report #21-049 - Pdf

Recommendation: Receive Discuss File

15. CONSENT CALENDAR

All Consent Calendar items will be acted upon by a single action of the City Council unless otherwise requested by an individual Council Member for separate consideration.

15.A. Resolution Authorizing the City Manager as a Signatory to Maintain the Fiscal Year 2019/20 Homeland Security Grant Program 1007 - 1012

Staff Report #21-032 - Pdf

Recommendation: That the City Council approve a Resolution authorizing the City Manager as a signatory to maintain the Fiscal Year 2019/20 Homeland Security Grant Program.

15.B. Consideration of Allocations for 2021-2022 Program Year Community Development Block Grant Entitlement and Previously Unexpended Funding 1013 - 1015

Staff Report #21-044 - Pdf

Recommendation: It is respectfully recommended that the City Council accept and approve the City Council Ad Hoc Committee's recommended allocations of $922,109 in 2021-2022 Community Development Block Grant (CDBG) funding and previously unexpended funding of $196,044

15.C. A Resolution Accepting the FY19-20 State COPS Supplemental Law Enforcement Services Account (SLESA) Allocation 1017 - 1025

Staff Report #21-053 - Pdf

Recommendation: Adopt a Resolution Accepting the FY19-20 State COPS Supplemental Law Enforcement Services Account (SLESA) Allocation and Authorizing the Finance Department to Increase the

Operating Budget to Allocate and Appropriate the funds in the amount of $201,311.92.

15.D. Adopt Resolution for Credit Agreement for Don McCoy on Development Impact Fees (DIF) and Transportation Uniform Management Fee (TUMF) for Storm Drain Installation at the Hemet Auto Mall Specific Plan and submit the TUMF Credit Agreement to Western Riverside Council of Governments (WRCOG). 1027 - 1109

Staff Report #21-040 - Pdf

Recommendation:

It is respectfully recommended that the City Council:

1. Adopt the Credit Agreements for Don McCoy on Development Impact Fees (DIF) and Transportation Uniform Management Fee (TUMF) for Storm Drain Installation at the Hemet Auto Mall Specific Plan.
2. Authorize the Finance Department to record a supplemental appropriation in the Sewer and Storm Drain Fund in the amount of $100,511.59.
3. Authorize the City Manager to utilize the Sewer and Storm Drain Fund as the source for Development Impact Fee (DIF) credit.
4. Authorize the City Manager to submit the Transportation Uniform Management Fee (TUMF) Credit Agreement to Western Riverside Council of Governments (WRCOG).

16. DISCUSSION - ACTION ITEMS

16.A. A Resolution to enter into an agreement with Riverside County Public Safety Enterprise Communication System to provide primary public safety radio communication services for the Hemet Police Department and an agreement to provide emergency radio communication services to the Hemet Fire Department, and authorizing the City Manager to execute these agreements and purchase orders in support of the agreements. 1111 - 1173

Staff Report #21-047 - Pdf

Recommendation:

It is respectfully recommended that the City Council adopt a Resolution to enter into an agreement with Riverside County Public Safety Enterprise Communication System to provide primary public safety radio communication services for the Hemet Police Department and an agreement to provide emergency radio communication services to the Hemet Fire Department, and authorizing the City Manager to execute these agreements and purchase orders in support of the agreements.

16.B. A Resolution Awarding a Contract to Purchase 6 Motorola MCC7500e Dispatch Consoles, Supporting Equipment, and Warranty to Motorola Solutions in an Amount not to Exceed $1,351,096.80 and Authorizing the City Manager to Execute the Agreement and Purchase Orders in Support of the Agreement 1175 - 1319

Staff Report #21-046 - Pdf

Recommendation:
It is respectfully recommended that the City Council adopt a Resolution awarding a contract to purchase 6 Motorola MCC7500e dispatch consoles and supporting equipment to Motorola Solutions in an amount not to exceed $1,351,096.80 and authorizing the City Manager to execute the agreement and purchase orders in support of the agreement.

16.C. Novel Coronavirus (COVID-19) Emergency Declaration Update 1321 - 1322
Staff Report #21-052 - Pdf

Recommendation: That the City Council receive the following information.

16.D. 2nd Quarter Fiscal Year 2020/2021 Budget Update and Mid-Year Review 1323 - 1346
Staff Report #21-037 - Pdf

Recommendation:
1. Receive and File the 2nd Quarter FY2020/2021 Budget Report.
2. Adopt a Resolution Amending the Budget and Approving Appropriations for FY2020/2021.

16.E. Acceptance and Approval to Initiate the 6th Cycle Housing Element Update (2021-2029), Addendum to the City's General Plan Safety Element, and Addition of Environmental Justice Element and Adoption of a Resolution Approving Agreement with Kimley-Horn and Associates, Inc. 1347 - 1430
Staff Report #21-039 - Pdf

Recommendation:
It is respectfully recommended that City Council:

1. Adopt a Resolution Approving an Agreement with Kimley-Horn and Associates, Inc., and Authorizing the City Manager to utilize the General Fund with equal amount reimbursement from the Local Early Action Planning (LEAP) Grant funding program up to $250,000 for the 6th Cycle Housing Element Update, addendum to the City's Safety Element, and addition of Social Justice Element.

17. CITY COUNCIL AND STAFF REPORTS

COUNCIL MEMBER BROWN

1.Infrastructure Commission
2.League of California Cities
3.Riverside Transportation Commission - Alternate

4.Riverside County Habitat Conservation Agency - Main Rep
5.Hemet San Jacinto Water Master Board * - Alternate
6.Western Community Energy - Main Rep
7.Western Riverside Council of Governments * - Main Rep
8.CAJPIA Board - Main Rep

COUNCIL MEMBER KRUPA

1.Hemet Housing Authority
2.Investment Oversight Committee
3.Hemet Public Library Board of Trustees
4.Riverside County Airport Land Use Commission * - Main Rep
5.League of California Cities
6.Riverside County Transportation Commission * - Man Rep
7.Riverside Transit Agency - Main Rep
8.Ramona Bowl Board of Directors - Main Rep
9.Hemet San Jacinto Water Master Board * - Main Rep

COUNCIL MEMBER LILIENTHAL

1.Hemet Housing Authority
2.Community Outreach Committee
3.Skate Park Committee - Main Rep
4.League of California Cities
5.Riverside Transit Agency * Alternate
6.Western Riverside Council of Governments * Alternate

MAYOR PRO TEM MALES

1. Skate Park Committee -Alternate
2. Community Outreach Committee - Main Rep
3. Planning Commission
4. Community Action Commission of Riverside County - Main Rep
5. League of California Cities
6. Ramona Bowl Board of Directors - Alternate
7. Western Community Energy - Alternate

MAYOR MEYER

1.Investment Oversight Committee
2.League of California Cities
3.CAJPIA Board - Alternate

AD-HOC COMMITTEE REPORTS

1. Council Protocols Ad-Hoc Committee (Brown/Krupa, Feb 25, 2020)
2. CDBG-CV Ad-Hoc Committee (Krupa/Brown, Jan 26, 2021)
3. Banking RFP Ad-Hoc Committee (Krupa/Lilienthal)
4. Vision and Mission Statement Ad-Hoc Committee (Lilienthal/Meyer)

CITY MANAGER LOPEZ

18. FUTURE AGENDA ITEMS
If Members of Council have items for consideration at a future City Council meeting, please state

the agenda item to provide direction to the City Manager.

1. Street Vendor Permit Regulations and Enforcement
2. Review of Penalties for Fireworks, Section 46-104 of the Hemet Municipal Code
3. Broadcasting of City Council Meetings
4. Vagrancy and Pan Handling Laws
5. Investment Portfolio Audit
6. Council Protocols
7. Animal Control Regulations for Businesses
8. Solar Feasibility
9. Consider Local Banking Options
10. Review of Resolution No. 4703
11. Legal Review of Hemet Youth Baseball
12. Code Enforcement Efficiency Plan

19. ADJOURNMENT

AFFIDAVIT OF POSTING

I, Daryl A. Betancur, Interim City Clerk for the City of Hemet, declare under penalty of perjury that the foregoing agenda was posted at City Hall located at 445 E. Florida Ave., the Council Chamber located at 450 E. Latham Ave., Hemet, CA, and the City Website.

Date & Time: _____

Meeting Schedule: The City Council of the City of Hemet regularly meets on the second and fourth Tuesdays of each month at 7:00 p.m., unless otherwise noted. Closed and Special Sessions will be duly noticed as needed.

Council Agendas: Agendas for Regular Meetings are available for public review on the City's website at hemetca.govand in the City Clerk's Office, 445 E. Florida Ave. typically by 4:00 p.m. on the Thursday prior to the meeting, but no later than 72 hours prior to the meeting. Agendas for Closed and Special Sessions are made available at least 72 hours prior to the meeting when possible, but no later than 24 hours prior to the meeting.

Livestream: Regular City Council Meetings are available for viewing during the meeting at hemetca.gov.

Use of Equipment: Please contact the City Clerk's Office if requesting to use the chamber equipment as part of a scheduled presentation 24 hours prior to the meeting at (951) 765-2307

City of Hemet
City Council Meeting

STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: City Attorney
Submitted by: Christopher Lopez, City Manager
Steven Graham, Interim City Attorney;

☐ **Receive and File** ☐ **Consent Calendar** ☒ **Business Item** ☐ **Public Hearing**

TITLE:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, APPROVING AN AMENDMENT TO THE HEMET MUNICIPAL CODE, CHAPTER 46, ARTICLE VI RELATED TO THE PROHIBITION OF FIREWORKS IN THE CITY OF HEMET

RECOMMENDED ACTION:

It is respectfully recommended that the City Council:

1. After the City Clerk reads the title of the Ordinance, waive full reading of the Ordinance, introduce on first reading, and conduct a public hearing on the Ordinance Amending Hemet Municipal Code, Chapter 46, Article VI related to the prohibition of fireworks in the City of Hemet; and
2. Direct staff to schedule the Ordinance for second reading and adoption at the next regularly scheduled City Council meeting.

BACKGROUND:

In 2020, the City of Hemet received and responded to multiple complaints regarding persons setting off fireworks in the weeks leading up to and following the Fourth of July holiday, despite all fireworks, including safe and sane fireworks, being prohibited within the City of Hemet. The current fireworks ordinance authorizes fines beginning at $100 for the first offense up to $500 for third and subsequent offenses. In July 2020, the City Council directed the City Attorney's Office to review the existing fireworks ordinance to determine if the fine could be increased to $1,000 per violation.

On January 12, 2021, the City Council appointed a new Interim City Attorney who has undertaken a review of the outstanding Future Agenda Items list to present these to the City Council for consideration. The fireworks ordinance was determined to be a high priority as the ordinance needs to be adopted; staff needs to be trained; and, public education must occur before the 2021 Fourth of July holiday.

ANALYSIS:

The City Attorney's Office review of the existing Hemet Municipal Code provisions related to fireworks resulted in the following proposed revisions to assist the City in enforcing its fireworks prohibition:

1. Revised definitions within Hemet Municipal Code Section 46-98 to reference State law, instead of restating it. This is because as State law changes, the restatements in the definitions become out-of-date. There were also minor inconsistencies that may have hindered prosecution.
2. Added Hemet Municipal Code Section 46-99(b) which authorizes enforcement against the property owner or person in charge of property where a fireworks violation is occurring, even if the property owner is not the specific person engaging in the behavior. This should ease enforcement and has the effect of encouraging property owners to be responsible for what is happening at their property.
3. Revised Hemet Municipal Code Section 46-104 to increase the fine to $1,000 per occurrence, which is the maximum amount authorized under State law. This fine amount was confirmed by an Office of the Attorney General Opinion issued to the City of San Bernardino (No. 07-503 December 20, 2011) which states, "If a city enacts an ordinance regulating fireworks activities within city limits, the city may impose an administrative fine pursuant to Government Code section 53069.4 of up to $1,000 for each violation."

ATTACHMENT(S):

Hemet - Fireworks Ordinance

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, APPROVING AN AMENDMENT TO THE HEMET MUNICIPAL CODE, CHAPTER 46, ARTICLE VI RELATED TO THE PROHIBITION OF FIREWORKS IN THE CITY OF HEMET

THE CITY COUNCIL OF THE CITY OF HEMET DOES ORDAIN AS FOLLOWS:

SECTION 1. MUNICIPAL CODE AMENDMENT.

Article VI of Chapter 46 of the Hemet Municipal Code related to the Prohibition of Fireworks is hereby amended to read as follows:

"**ARTICLE VI. - FIREWORKS PROHIBITED**

Sec. 46-98. - Definitions.

For the purposes of this article, the following definitions shall apply:

"Agricultural and wildlife fireworks" means fireworks designed and intended by the manufacturer to be used to prevent damage to crops or unwanted occupancy of areas by animals or birds through the employment of sound or light, or both.

"Dangerous fireworks" has the same meaning as ascribed to it under Health and Safety Code § 12505.

"Exempt fireworks" has the same meaning ascribed to it under Health and Safety Code § 12508.

"Fire chief" shall mean the fire chief of the City of Hemet Fire Department or his or her authorized designee.

"Fireworks" has the same meaning ascribed to it under Health and Safety Code § 12511.

"Fireworks kit" has the same meaning ascribed to it under Health and Safety Code § 12512.

"Police chief" shall mean the police chief of the City of Hemet or his or her designee.

"Public display of fireworks" means an entertainment feature whether the public or private group is admitted or permitted to view the display or discharge of dangerous fireworks.

"Pyrotechnic operator" means any licensed pyrotechnic operator, who by examination, experience, and training has demonstrated the required skill and ability in the use and discharge of fireworks as authorized by the license granted.

"Pyrotechnic special effects material" means a low explosive material, other than detonating cord, commonly used in motion picture, television, theatrical or group entertainment production for which a permit from the fire and police chief is required for use or storage.

"Safe and sane fireworks" has the same meaning ascribed to it under Health and Safety Code § 12529.

Sec. 46-99. - Prohibition.

(a) No person shall have in his or her possession, or keep, store, use, shoot, discharge, set off, ignite, explode, manufacture, sell, offer to sell, give, or transport any fireworks, dangerous fireworks, or safe and sane fireworks, except for use as agricultural and wildlife fireworks, or for use in a public display of fireworks pursuant to a permit obtained under the provisions of Health and Safety Code §§ 12640—12654 and this Article.

(b) No property owner or person in control of property shall allow, cause, create, maintain, suffer, or permit a person to possess, keep, store, use, shoot, discharge, set off, ignite, explode, manufacture, sell, offer to sell, give, or transport any fireworks, dangerous fireworks, or safe and sane fireworks on the property owned by such a person or under such person's control except for use as agricultural and wildlife fireworks, or for use in a public display of fireworks pursuant to a permit obtained under the provisions of Health and Safety Code §§ 12640—12654 and this Article. Any such person shall be in violation of this Article, regardless of such person's intent, knowledge or negligence, such violation being hereby expressly declared a strict liability offense.

Sec. 46-100. - Displays.

(a) Permits are required to conduct a public display of fireworks. Permit application shall be made to the fire chief and the police chief not less than 14 days prior to the scheduled date of the display. The permit application shall include a diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location

of buildings, highways and other lines of communication; the lines behind which the audience will be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions. At the time of permit application, the fire chief shall be consulted regarding the requirements for standby fire apparatus.

(b) Public display of fireworks operations shall be under the direct supervision of a pyrotechnic operator. The pyrotechnic operator shall be responsible for all aspects of a display related to pyrotechnics.

(c) The permittee shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire chief and the police chief for the payment of damages which could be caused either to a person or persons or to property by reason of the permitted display and arising from acts of the permittee, agents, employees or subcontractors.

Sec. 46-101. - Fireworks display—Additional requirement.

Every applicant for a permit to conduct a fireworks display shall submit evidence of having a fireworks public display license or a fireworks general public display license granted by the state fire marshal.

Sec. 46-102. – Exceptions.

(a) Nothing in this section shall be construed to prohibit the use of fireworks by railroads or other transportation agencies for signal purposes of illumination, or for use by military organizations or for religious organizations that conduct fireworks displays under permit by the fire chief and police chief and in accordance with the provisions of the Health and Safety Code of the State of California.

(b) Nothing in this section shall be construed to prohibit the use of fireworks by city staff who obtain city manager approval and who conduct fireworks displays under permit by the fire chief and police chief and in accordance with the provisions of the Health and Safety Code of the State of California.

Sec. 46-103. – Seizure and disposal.

(a) It shall be the duty of the fire chief and the police chief and their authorized designees to enforce the provisions of this section. The fire chief and the police chief and their authorized designees shall have the authority to seize, take, and remove any fireworks, dangerous fireworks, and safe and sane fireworks.

(b) The fire chief and the police chief and their authorized designees may charge any person whose fireworks are seized pursuant to this section, a reasonable amount which is sufficient to cover the cost of transporting, storing, handling, and disposing of the seized fireworks.

Sec. 46-104. - Penalties.

(a) Each and every violation of this Article shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by this Code.

(b) Civil Enforcement

i. Each and every violation of the provisions of this Article is hereby deemed unlawful and a public nuisance.

ii. As a nuisance per se, any violation of this Article shall be subject to injunctive relief, and any permit issued pursuant to this Article deemed null and void.

iii. Any monies unlawfully obtained as a result of violation of this Article shall be disgorged and paid to the City.

(c) Administrative Enforcement

i. Any person causing, permitting, aiding, abetting, suffering or concealing a violation of this Article shall be subject to administrative citation and to a fine not to exceed one thousand dollars ($1,000).

ii. The City Attorney may, in his or her sound discretion, utilize all processes or remedies legally available to collect amounts owing hereunder.

(d) Criminal Enforcement

i. Any person causing, permitting, aiding, abetting, suffering or concealing a violation of this Article shall be guilty of a misdemeanor, and may, in the discretion of the City Attorney, be prosecuted as a misdemeanor and upon conviction be subject to a fine not to exceed one thousand dollars ($1,000) or imprisonment in the city or county jail for a period of not more than six (6) months, or by both such fine and imprisonment.

ii. The City Attorney, in his or her sound discretion, may prosecute a violation of this Article as an infraction, rather than a misdemeanor, or reduce or agree to the reduction of a previously filed

misdemeanor to an infraction. Any person convicted of an infraction under the provisions of this Article shall be punished by a fine not exceeding one hundred dollars ($100) for the first violation, a fine not exceeding two hundred dollars ($200) for a second violation within one year, and a fine not exceeding five hundred dollars ($500) for a third violation within one year. A fourth violation of this Article within one year shall be charged as a misdemeanor and may not be reduced to an infraction.

iii. Each day a violation is committed or permitted to continue shall constitute a separate offense.

iv. In the case of a prosecution for violation of Section 46-99(b) of this Article, each person the defendant allows, suffers, or permits to possess, keep, store, use, shoot, discharge, set off, ignite, explode, manufacture, sell, offer to sell, give, or transport any fireworks, dangerous fireworks, or safe and sane fireworks on the property owned or controlled by such defendant or under that defendant's control shall constitute a separate offense.

(e) The remedies provided herein are not to be construed as exclusive remedies. The City is authorized to pursue any proceedings or remedies provided by law. The penalties herein are in addition to any other remedies provided by law and the payment of any penalty herein shall not relieve a person of the obligation to correct the violation.

(f) Nothing in this section shall be intended to limit any of the penalties provided for under the California Health and Safety Code or Penal Code with regard to the sale, use, possession, delivery, and/or transportation of dangerous fireworks.

(g) The prevailing party in any judicial action, administrative proceeding, or special proceeding to enforce this Article may recover its reasonable attorneys' fees, provided that the City elected, at the initiation of such individual action or proceeding, to recover its own attorneys' fees. In no judicial action or administrative or special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the City in the action or proceeding. A "judicial action" includes, but is not limited to, any civil or criminal action, inspection or abatement warrant or appeal. An "administrative proceeding" includes, but is not limited to, any public nuisance hearing, administrative citation or appeal(s) therefrom, revocation of permits by the City, or cost recovery hearing. Any recovery of attorneys' fees for abatement of a nuisance shall be in accordance with this section."

SECTION 2. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any

reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days following its adoption.

SECTION 4. PUBLICATION AND POSTING. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause the ordinance or a summary thereof to be published in accordance with state law.

[SIGNATURE PAGE FOLLOWS]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, APPROVING AN AMENDMENT TO THE HEMET MUNICIPAL CODE, CHAPTER 46, ARTICLE VI RELATED TO THE PROHIBITION OF FIREWORKS IN THE CITY OF HEMET

THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA ORDAINED THE ABOVE REFERENCED ORDINANCE BY THE FOLLOWING ROLL CALL VOTE.

PASSED, APPROVED, AND ADOPTED this ____th day of _____, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Karlee Meyer, Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

By: _____

Dated:
CITY CLERK

_____

City of Hemet
City Council Meeting
STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Finance
Submitted by: Christopher Lopez, City Manager
Lorena Rocha, Finance Director, Veronica Allen, Management Analyst;

☐ **Receive and File** ☐ **Consent Calendar** ☐ **Business Item** ☒ **Public Hearing**

TITLE:

Draft Community Development Block Grant-Coronavirus (CDBG-CV3) Substantial Amendment to 2020-25 Consolidated Plan and 2020/21 Annual Action Plan

RECOMMENDED ACTION:

It is respectfully recommended that the City Council:

1. Conduct the public hearing and accept public comments regarding the draft Substantial Amendment to the 2020-2025 CDBG Consolidated Plan and 2020/21 Annual Action Plan;
2. Approve these documents and authorize the City Manager to sign the certifications and substantial amendment application for submission to the United States Department of Housing and Urban Development (HUD); and
3. Authorize the Finance Department to add an appropriation in the amount of $535,773 to Fund 240 Community Development.

BACKGROUND:

On March 27, 2020, President Trump signed into law the Coronavirus Aid, Relief and Economic Security Act (CARES Act). This law makes available $5 billion in supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants). The City of Hemet has been allocated $535,773 in CDBG-CV funds during round 3 on a formula basis from HUD. The activities must be measurable, well documented, and reportable and be used to prevent, prepare for, and respond to coronavirus. The CDBG-CV activities will continue to follow regular CDBG program requirements and meet a National Objective. HUD is allowing a waiver on the 15% Public Services cap for CDBG-CV activities. To apply for CDBG-CV grants, the City may follow existing regulatory requirements for a substantial amendment to the 2020-25 Consolidated Plan and 20/21 Annual action plan that describes the amount of CDBG-CV funds available in the allocation and planned use of the funds, in accordance with existing requirements and the flexibilities in the CARES Act.

The draft Substantial Amendment to the 2020-25 Consolidated Plan and 20/21 Annual Action Plan have been available for public review and comment for a period of 5 days (from February 15 through

February 19, 2021) after publication of notices in La Prensa and the Press Enterprise on February 12, 2021, as required by HUD. To date no written public comments have been received.

The City of Hemet is an entitlement of the Community Development Block Grant program and as such, receives annual grants on a formula basis from HUD. The purpose of CDBG is to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services, with maximum feasible priority given to activities which benefit low-and-moderate income persons. The City of Hemet is responsible for developing their own programs and funding priorities within the CDBG (HUD) requirements, as well as monitoring sub-recipients of the funds awarded under this grant.

DISCUSSION:

The funding recommendations presented in Attachment 1, are a result of these discussions and the City of Hemet's 2020-2021 Program Year CDBG-CV3 Allocation of $535,773.

FISCAL IMPACT:

There is no general fund impact. Approval of the recommendation of the Ad Hoc Committee will provide CDBG-CV funds to prevent, prepare for, and respond to coronavirus (COVID19) to benefit the City of Hemet residents and community. Appropriations of $535,773 will be added into Fund 240 Community Development in the City of Hemet's FY2020-21 Budget pending Council approval of Item 3 in the Recommended Action.

REVIEWED BY LEGAL:

☒ Staff report ☐ Resolution
☐ Ordinance ☐ Agreement

ATTACHMENT(S):

2-23-21 CDBG-CV3 staff report attachment 1
PY 2020 City of Hemet CARES Act Amendment2

Attachment 1
CDBG-CV3 2020/21 Funding Allocation
Project Descriptions
(round 3 funding allocation)

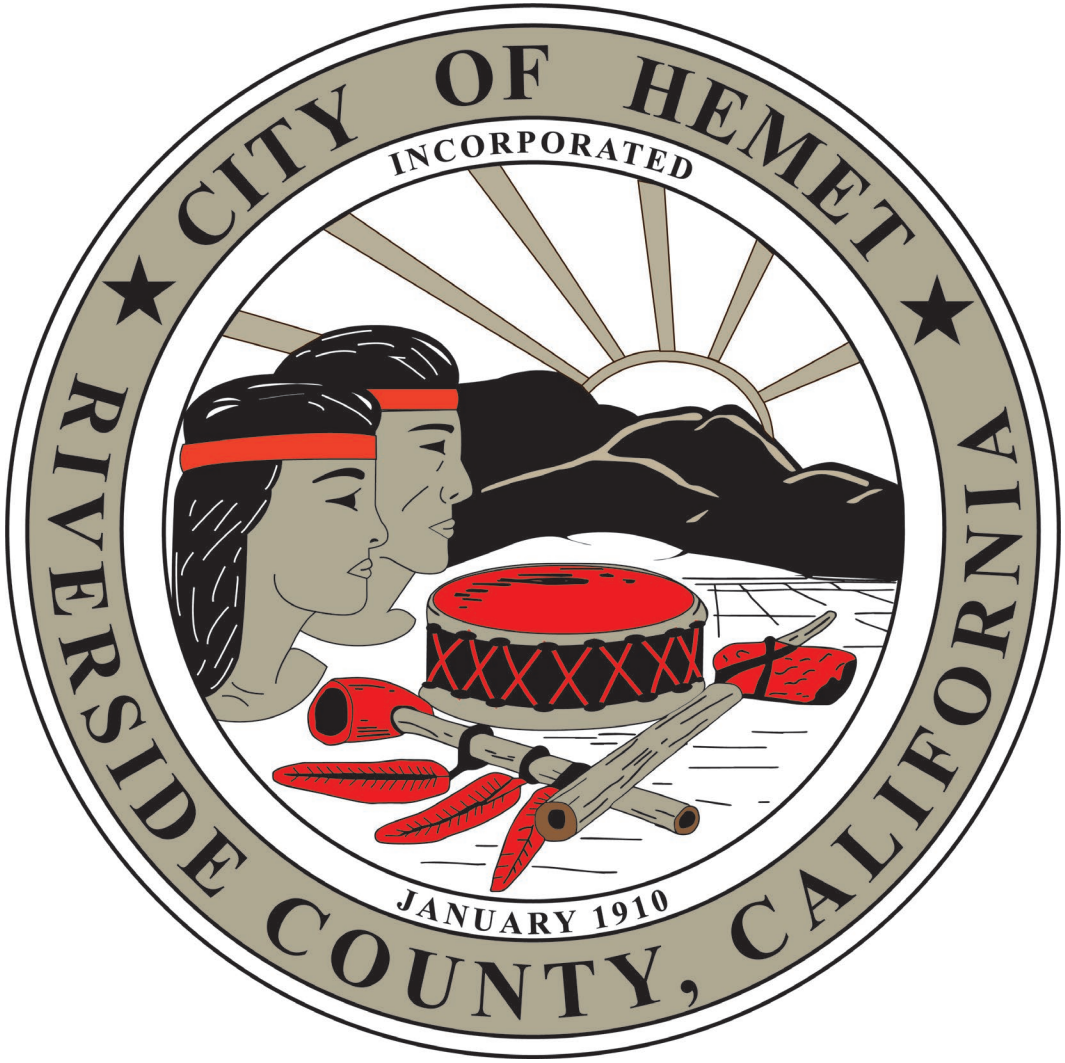
Agency/Department	Activity	Activity Type	Ad Hoc Amount Recommended	Amount Requested	New or Enhanced	Serve	Project Description	Goal
Care-A-Van	Home Food Delivery	Public Services	20,000.00	20,000.00	Enhanced	100 persons	Provide home delivery of food to homebound senior or disabled residents	Public Service
Valley Restart Shelter	Emergency Shelter Operations and Shelter Rehabilitation	Public Services	149,750.00	169,750.00	Enhanced	300/210 persons	For emergency shelter operations and for shelter rehabilitation in response to COVID-19 pandemic to allow social distancing and ensure fresh air flow through the facility.	Homelessness Prevention
City of Hemet City Manager's Office	Hemet Cares Business Support	Public Services	320,000.00	300,000.00	New	30 businesses	Provide grant funding to assist City businesses affected by COVID-19 pandemic with back rent, retaining employees, purchase of PPEs, etc.	Economic Development
		Public Services	489,750.00	-				
		Total Community Agencies	$ 489,750.00	**$ 489,750.00**				
City of Hemet	CDBG-CV3 Administration	Administration	46,023.00	-				
		Total Administration	$ 46,023.00	**$ -**				
		Total Funding	$ 535,773.00	**$ 489,750.00**				
		Allocation	$ 535,773.00					

Notes:

1. Total CDBG-CV Funding of $535,773

CDBG-CV3 funds for City of Hemet is: B-20-MW-06-0579; CDBG-CV, Amount $535,773

2. CDBG-CV HUD caps funding by activity type - Administration 20%, Housing/Public Facilities - no cap, Public Services - no Cap.



2020/25 Consolidated Plan and 2020/21 Annual Action Plan
Substantial Amendment - Draft
February 23, 2021

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City of Hemet 2020-2025 Consolidated Plan
Substantial Amendment

The following amendment language will be added to the 2020-2025 Consolidated Plan (Con Plan) to allow the City access to emergency funding intended to assist in making a timely response to the impacts of the COVID-19 pandemic. The full text of the existing plan may be found at: http://www.hemetca.gov/DocumentCenter/View/6607.

Executive Summary

ES-05 Executive Summary - 91.300(c), 91.320(b)

Introduction

On March 27, 2020 Congress passed the Coronavirus Aid, Relief, and Economic Security Act or the "CARES Act". The Act identified additional funding for the Community Development Block Grant to support preparation for and response to the community impacts of the COVID-19 pandemic. To receive the additional funding from the CARES Act to prevent, prepare for, and respond to coronavirus the City of Hemet is completing a substantial amendment to its 2020-2025 Consolidated Plan (ConPlan) and 20/21 Annual Action Plan. The CARES Act funding plans were presented for public comment as part of the public comment period of the ConPlan.

This amendment to the City of Hemet's 2020-2025 Consolidated Plan outlines the City's funding priorities and strategies to address COVID-19 related impacts, using funds from HUD's Community Development Block Grant CARES Act Stimulus (CDBG-CV). The City of Hemet was allocated $542,529 in round 1 CDBG-CV funding. On September 11, 2020, the City of Hemet was allocated $535,773 in round 3 CDBG-CV funding allocation.

This ConPlan amendment addresses the planning requirements for the additional funds as necessary for the Public Participation, Needs Assessment, and Strategic Plan sections. The Action Plan component is included in the 2020-2021 Annual Action Plan Amendment that is available for public comment concurrently with this document.

Summary of the objectives and outcomes identified in the Plan

Needs Assessment

Overview

The priorities for CDBG-CV funding due to COVID-19 are below.
- Addressing and preventing homelessness
- Increase economic development opportunities
- Maintain or improve public facilities and infrastructure
- Maintain or improve access to public services

Specific objectives related to each goal are discussed in Section SP 45. The above goals include response to the COVID-19 pandemic, and implementation of CARES Act funds.

Outcomes for the HUD funded programs are tracked by businesses, households and housing units, individual beneficiaries, and neighborhoods or target areas, depending on the type of activity, funding, and applicable national objective.

Summary of Citizen Participation Process and consultation process
Summary from citizen participation section of plan.

The Citizen Participation process did not significantly change for CDBG-CV funding. In order to develop and implement an effective plan the City actively engaged citizens, public agencies and other interested parties at all stages of the process. To encourage participation a variety of opportunities, such as public hearings, public meetings, surveys and workshops were offered during the consolidated planning process. These are described in greater detail in PR-15 Citizen Participation.

The City revised its Citizen Participation Plan to include language associated with Public Hearings during a Disaster, Public Notice during a Disaster, and Public Comment during a Disaster. This includes reference to the HUD waiver for the reduced public comment period due to COVID-19. The dates of the public comment period for CDBG-CV funding is reflected in the copies of the Public Notices published in the local newspaper in English and Spanish.

Citizen Participation

PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	Hemet	Finance

Table 1 – Responsible Agencies

Consolidated Plan Public Contact Information

Veronica Allen, Management Analyst
City of Hemet, Finance Department
445 East Florida Avenue
Hemet, CA 92543
Email: vallen@cityofhemet.org
951-765-3722

PR-15 Citizen Participation - 91.115, 91.300(c)

Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

As part of the CARES Act, HUD had waivers for the CDBG-CV and 2020 CDBG allocation of the public services cap and public comment period. These waivers are critical in ensuring that the funding can be used to help the intended people in the timeframe required for timely response to our community needs.

The public comment period for this ConPlan amendment is five days, as per HUD's waiver, to expedite the CARES Act funding to address the immediate needs facing the community impacted by the COVID-19 Pandemic. The draft 2020-2025 Consolidated Plan Substantial Amendment is available for comment from all interested parties from October 26, 2020, through October 30, 2020. The Consolidated Plan Substantial Amendment, Annual Action Plan Substantial Amendment, and Citizen Participation Plan will be provided on the City of Hemet's website, www.hemetca.gov, in addition to the public notices.

For the CDBG-CV round 3 amendment, the draft 2020-2025 Consolidated Plan Substantial Amendment is available for comment from February 15, 2021, through February 19, 2021. The Consolidated Plan Substantial Amendment and Annual Action Plan Substantial Amendment will be provided on the City of Hemet's website, www.hemetca.gov, in addition to the public notices.

Submitting Public Comment
Please send written comments to: vallen@cityofhemet.org

Comments may also be mailed to:

City of Hemet
Attn: Management Analyst
445 East Florida Ave
Hemet, CA 92543

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of Response/Attendance	Summary of Comments Received	Summary of Comments Not Accepted and Reasons	URL (if applicable)
14	Newspaper Ad	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Residents of Public and Assisted Housing	Public notice in 10/16/20 Press Enterprise and La Prensa newspaper for CDBG-CV3 funding availability with an October 17 through December 7, 2020 public comment period and January 26, 2021 Public Hearing for initial comments to notice of funding availability and community needs and priorities for CDBG-CV3 funds. Public Notices were posted on the City of Hemet website.	No written comments were received.	N/A	www.hemetca.gov

15	Newspaper Ad	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Residents of Public and Assisted Housing	Public notice in 1/1/21 Press Enterprise and La Prensa newspaper for CDBG-CV3 funding availability with a January 1 through January 25, 2021 public comment period and January 26, 2021 Public Hearing for initial comments to notice of funding availability and community needs and priorities for CDBG-CV3 funds. Public Notices were posted on the City of Hemet website.	No written comments were received.	N/A	www.hemetca.gov
16	Public Hearing	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Residents of Public and Assisted Housing	January 26, 2021 Public Hearing on the CDBG-CV3 funding availability and community needs and priorities.	No public comments were received.	N/A	www.hemetca.gov

17	Newspaper Ad	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Residents of Public and Assisted Housing	Public Notice in the Press Enterprise and La Prensa newspaper on February 12, 2021 for Public Hearing of the draft Substantial Amendment to 2020-2025 Consolidated Plan and draft Substantial Amendment to 20/21 Action Plan. Also posted on the City of Hemet website.		N/A	www.hemetca.gov
18	Public Hearing	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Residents of Public and Assisted Housing	February 23, 2021 Public Hearing of the draft Substantial Amendment to 2020-2025 Consolidated Plan and draft Substantial Amendment to 20/21 Action Plan		N/A	www.hemetca.gov

Table 2 – Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

Disease Outbreaks

As of October 6, 2020, the County of Riverside reported 60,867 confirmed cases of the COVID-19 novel coronavirus, with 1,244 deaths. The City of Hemet has 1,732 of these confirmed cases with 64 death (source: https://www.rivcoph.org/coronavirus).

As of February 8, 2021, the County of Riverside reported 280,170 confirmed cases of the COVID-19 novel coronavirus, with 3,320 deaths. The City of Hemet has 8,659 of these confirmed cases with 196 death (source: https://www.rivcoph.org/coronavirus).

Low and moderate-income individuals and families are more vulnerable to disease outbreaks than others in the community. This may be due to their limited access to health care providers, lack of income, and being a member of a vulnerable population associated with being immunocompromised and more vulnerable to infectious disease. The impact of the COVID-19 outbreak is unclear at this stage and it serves as a warning that these events may increase in frequency and severity for years to come.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The overall strategic goals of the City does not change with the CDBG-CV funding allocation. The priority need of COVID-19 Pandemic Response (CARES Act) has been added specifically for CDBG-CV funding to prevent, prepare for, and respond to coronavirus (COVID-19).

SP-25 Priority Needs – 91.315(a)(2)

Priority Needs

5	**Priority Need Name**	COVID-19 Pandemic Response (CARES Act)
	Priority Level	High
	Population	Income Level: Extremely Low, Low Non-homeless Special Needs: Elderly, Frail Elderly, Persons with Mental Disabilities, Persons with Physical Disabilities, Persons with Developmental Disabilities, Persons with Alcohol or Other Addictions, Persons with HIV/AIDS and their Families, Victims of Domestic Violence Homeless: Rural, Chronic Homelessness, Individuals, Families with Children, Mentally Ill, Chronic Substance Abuse, Veterans, Persons with HIV/AIDS, Victims of Domestic Violence, Unaccompanied Youth
	Geographic Areas Affected	City Wide
	Associated Goals	Addressing and preventing homelessness Economic Development Maintain or improve access to public services Maintain or improve access to public facilities Provide support services for community residents
	Description	To prevent, prepare for, and respond to coronavirus.

	Basis for Relative Priority	In March 2020, the Coronavirus pandemic (COVID-19) began impacting the City of Hemet. The elderly, persons with underlying health conditions, and persons without access to housing were at particular risk of infection and death. The State of California initiated Shelter in Place orders and local communities followed suit. The Shelter in Place orders encouraged non-essential workers to shelter in their homes and to shut down all non-essential businesses. The population most vulnerable are left with limited resources to do the daily activities before the Shelter in Place orders were mandated. To keep this population safe, increased public services are needed to assist with rent/mortgage payments, assist with utility payments, assistance with meals and/or food delivery; in order to prevent homelessness and maintain health and safety of the community. The Shelter in Place orders have resulted in mass business shut-downs during this time period. The shutdowns have impacted non-essential services and resulted in mass unemployment. Essential businesses need assistance in preserving jobs during the shelter-in-place order. Businesses that have shut down will need support in re-opening and ramping back up into full operations, including both job retention and job creation efforts.

SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG-CV	public - federal	Acquisition, Admin and Planning, Economic Development, Housing Public Improvements, Public Services	542,529	0	0	542,529	0	CDBG-CV funds to be used to prevent, prepare for, and respond to Coronavirus.
CDBG-CV3	public - federal	Acquisition, Admin and Planning, Economic Development, Housing Public Improvements, Public Services	535,773	0	0	535,773	0	CDBG-CV funds to be used to prevent, prepare for, and respond to Coronavirus.

Table 3 - Anticipated Resources

SP-45 Goals Summary – 91.215(a)(4)

Goals Summary Information

The Coronavirus pandemic has magnified the need for the City of Hemet to meet its existing goals rather than creating new goals.

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
9	CV - Supportive Services	2020	2021	Non-Homeless Special Needs Non-Housing Community Development	City Wide	Non-Housing Community Development Non-Homeless Special Needs	CDBG-CV: $281,529	Public service activities supporting response to COVID-19 Persons/Households Assisted - 712
10	CV - Planning and Administration	2020	2021	Planning and Administration	City Wide	Affordable Housing Homelessness Non-Housing Community Development	CDBG-CV: $52,023	Other: 0 Other
11	CV – Homelessness Prevention	2020	2021	Affordable Housing Homeless Non-Homeless Special Needs Non-Housing Community Development	City Wide	Homelessness Non-Homeless Special Needs	CDBG-CV: $424,750	Homelessness Prevention: Persons/Households Assisted – 225 Public service activities supporting response to COVID-19: Persons/Households Assisted - 90
12	CV – Economic Development	2020	2021		City Wide		CDBG-CV: $320,000	Businesses Assisted: 32

Table 4 – Goals Summary

Annual Action Plan Amendment

The 2020-2021 Annual Action Plan Substantial Amendment, available for concurrent public comment, includes the specific planning requirements for the CARES Act funds, including the method of distribution. The 2020-2021 Annual Action Plan can be found at the following link: http://www.hemetca.gov/DocumentCenter/View/6108.

AP-15 Expected Resources - 91.220(c)(1,2)

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG-CV	public - federal	Acquisition, Admin and Planning, Economic Development, Housing Public Improvements, Public Services	542,529	0	0	542,529	0	CDBG-CV funds to be used to prevent, prepare for, and respond to Coronavirus.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG-CV3	public - federal	Acquisition, Admin and Planning, Economic Development, Housing Public Improvements, Public Services	535,773	0	0	535,773	0	CDBG-CV funds to be used to prevent, prepare for, and respond to Coronavirus.

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
9	CV - Supportive Services	2020	2021	Non-Homeless Special Needs Non-Housing Community Development	City Wide	Non-Housing Community Development Non-Homeless Special Needs	CDBG-CV: $281,529	Public service activities supporting response to COVID-19 Persons/Households Assisted - 712
10	CV - Planning and Administration	2020	2021	Planning and Administration	City Wide	Affordable Housing Homelessness Non-Housing Community Development	CDBG-CV: $52,023	Other: 0 Other
11	CV – Homelessness Prevention	2020	2021	Affordable Housing Homeless Non-Homeless Special Needs Non-Housing Community Development	City Wide	Homelessness Non-Homeless Special Needs	CDBG-CV: $424,750	Homelessness Prevention: Persons/Households Assisted – 225 Public service activities supporting response to COVID-19: Persons/Households Assisted - 90
12	CV – Economic Development	2020	2021		City Wide		CDBG-CV: $320,000	Businesses Assisted: 32

Table 5 – Goals Summary

AP-35 Projects – 91.220(d)

Introduction

The 2020/21 CDBG-CV3 projects are added below.

Projects

#	Project Name
23	CV3 – Care-A-Van Food Delivery
24	CV3 – Valley Restart Shelter Emergency Shelter and Shelter Renovations
25	CV3 – COH City Manager's Office Hemet Cares Business Support
26	CV3 – COH Administration

Table 6 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The allocations for the amended 2020 Action Plan align with the Strategies identified in the amended 2020-2025 Consolidated Plan. Obstacles to addressing underserved needs can primarily be attributed to the lack of funding support available in the community to meet the demand in public services benefitting extremely low-, low-and moderate income persons due to the COVID-19 pandemic. The majority of the CDBG-CV funds allocated is going to public services where the necessity of services to the community is most needed. The CDBG-CV3 funds allocated are going into public services and economic development.

AP-38 Project Summary

Project Summary Information

8	**Project Name**	CV3 – Care-A-Van Food Delivery
	Target Area	City Wide
	Goals Supported	CV – Supportive Services
	Needs Addressed	COVID-19 Pandemic Response (CARES Act)
	Funding	CDBG-CV: $20,000
	Description	To make home food delivery available to seniors and adults with disability during COVID-19 pandemic
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	This program benefit is for 100 residents from low to moderate income in Hemet.
	Location Description	This program is city-wide, although 100 residents are projected to be of low to moderate income. Care-A-Van Transit located at 749 N. State Street, Hemet, CA 92543.
	Planned Activities	Care-A-Van will work with local food banks, faith-based organizations, or Salvation Army to identify and provide direct food delivery to seniors' homes and seniors will not need to leave their home during stay at home order or if they are home-bound.
9	**Project Name**	CV3 – Valley Restart Shelter Emergency Operations and Shelter Renovations
	Target Area	City Wide

	Goals Supported	CV – Homelessness Prevention
	Needs Addressed	COVID-19 Pandemic Response (CARES Act)
	Funding	CDBG-CV: $149,750
	Description	Emergency Shelter Operations and shelter renovations at Valley Restart Shelter
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	This program benefit is for 300 residents from low to moderate income in Hemet.
	Location Description	Valley Restart Shelter is located at 200 E. Menlo Ave, Hemet, CA 92543.
	Planned Activities	The funding will support VRS shelter operations in the amount of $136,750 to include staffing costs, maintenance and repair costs, transportation/fuel, utilities and food. The shelter renovations are to rehabilitate the facility to ensure social distancing in the facility due to COVID-19 and allow for increased circulation of air within the facility.
10	**Project Name**	CV3 – COH City Manager's Office
	Target Area	City Wide
	Goals Supported	CV – Economic Development
	Needs Addressed	COVID-19 Pandemic Response (CARES Act)
	Funding	CDBG-CV: $320,000
	Description	To assist small businesses within the City of Hemet affected by COVID-19 pandemic.
	Target Date	6/30/2021

	Estimate the number and type of families that will benefit from the proposed activities	This program benefit is for 32 business in the City of Hemet.
	Location Description	This program is city-wide. The Hemet City Hall office is located at 445 E. Florida Ave, Hemet, CA 92543.
	Planned Activities	The City of Hemet will provide small grants to businesses within the City of Hemet affected by COVID-19 pandemic. The grant funding can assist with items such as retaining low to moderate income employees, purchase of personal protective equipment, disinfection practices, and past due rent.
11	**Project Name**	CV3-COH Administrative Services
	Target Area	City Wide
	Goals Supported	CV - Planning and Administration
	Needs Addressed	Non-Housing Community Development, COVID-19 Pandemic Response (CARES Act)
	Funding	CDBG-CV: $46,023
	Description	Planning and execution of community development activities related to the Community Development Block Grant (CDBG-CV3).
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	The City of Hemet 2020/21 CDBG-CV programs will benefit low and moderate income residents
	Location Description	Benefits the City as a whole, primary office location at 445 E. Florida Ave Hemet CA 92543
	Planned Activities	Planning and administration of CDBG-CV eligible activities

City of Hemet
City Council Meeting

STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Community Development
Submitted by: Christopher Lopez, City Manager
H. P. Kang, Community Development Director;

☐ **Receive and File** ☐ **Consent Calendar** ☐ **Business Item** ☒ **Public Hearing**

TITLE:

GENERAL PLAN AMENDMENT (GPA) 15-002 , SPECIFIC PLAN AMENDMENT (SPA) 15-001 OF THE PAGE RANCH SPECIFIC PLAN, TENTATIVE TRACT MAP NO. 36841 (MAP 15-008) and SUBSEQUENT ENVIRONMENTAL IMPACT REPORT)

RECOMMENDED ACTION:

It is respectfully recommended that the City Council:

1. Adopt Resolution approving Subsequent Environmental Impact Report, Mitigation Monitoring and Reporting Program and Overriding Considerations for the Page Ranch Specific Plan Amendment (SPA) 15-001 (Rancho Diamante Phase II), General Plan Amendment (GPA) 15-002, and Tentative Tract Map No. 36841 (MAP 15-008); and
2. Adopt an Ordinance to amend the Page Ranch Specific Plan (SPA) 15-001 (Rancho Diamante Phase II); and
3. Adopt a Resolution to approve General Plan Amendment (GPA) 15-002 and Tentative Tract Map No. 36841 (MAP 15-008) subject to the Findings and Conditions of Approval; and
4. Direct staff to file a Notice of Determination with the County Clerk

BACKGROUND:

This case was considered by the Planning Commission during a public hearing on December 1, 2020 that was continued to December 15, 2020, and then to January 19, 2021 in order for staff and the applicant to meet and resolve conditions of approval with respect to traffic improvements. During this time staff and the applicant reached agreement on the conditions. The Planning Commission unanimously approved the project on January 19, 2021. There was no testimony from the public on this case.

ANALYSIS:

Project Setting

The project site is located south of Stetson Avenue, west of Solera/Warren Road, and east of the San Diego Aqueduct. The majority of the site is covered by sparse non-native plants and is regularly

plowed for weed abatement. The site has been used for growing crops, primarily oat and wheat dry farming, dating back to the 1930s. A farmhouse and barn occupied the eastern portion of the site near the existing intersection of Warren Road and Mustang Way from 1949 (possibly earlier) to approximately 1990, with portions of the concrete footings from the structures and a grouping of approximately 10 eucalyptus trees, still present.

The First San Diego Aqueduct traverses the site below-ground in a northeasterly-to-southwesterly direction within a 150 foot wide easement adjacent and parallel to two Eastern Municipal Water District (EMWD) easements (20-foot and 40-foot) for public utilities. The Second San Diego Aqueduct abuts the western boundary of the site as an above-ground canal in a north-to-south direction. The First and Second San Diego Aqueducts are owned and operated by Metropolitan Water District (MWD) of Southern California.

A drainage channel and a detention basin are located along the southern border of the proposed Modified Project site. The drainage channel and basin were constructed as part of Tract No. 31807 and Tract No. 31808 located on the east side of Warren Road to collect runoff from the site and adjacent properties. A drainage channel conveys runoff from the existing drainage basin south to the existing channel at Simpson Road. This channel will be improved as part of the Modified Project. The Hemet Channel abuts the northern boundary of the site in a northeast/southwest alignment and will not be modified.

The project site is generally flat and ranges in elevation from approximately 1,510 feet above mean sea level (AMSL) in the northeastern corner of the site to approximately 1,490 feet AMSL in the drainage basin located in the southwestern portion of the site. Site soils include artificial fills, top soils, young alluvial-valley deposits, and older alluvium. The artificial fill soils were encountered where construction work has been performed on the site in the past associated with the drainage channel and detention basin, old Warren Road, and the Hemet Channel.

The project site is surrounded by primarily undeveloped land to the north, south, and west. Two rural residences are located to the west across the Second San Diego Aqueduct canal, and another rural residence is located to the south. A residential subdivision, Solera Diamond Valley, is located across Warren Road to the east.

Specific Plan Amendment

The applicant is requesting a Specific Plan Amendment (SPA) 15-001 to the Page Ranch PCD Specific Plan to eliminate the alignment of 'New' Warren Road, merge Planning Area VI with Planning Area X, and the creation of a commercial site on new Planning Area XIII. The amendment would also include the extension of Mustang Way from Warren Road to Stetson Avenue for consistency between the Page Ranch PCD and the General Plan Circulation Element.

General Plan Amendments

The applicant is also requesting a General Plan Amendment (GPA) 15-002, which includes; (1) an amendment to the Circulation Element is proposed to extend Mustang Way, from Warren Road to "new" Stetson Avenue; (2) a change in the classification of Warren Road from a 6-lane Arterial to a 4-lane Secondary Arterial; and (3) an amendment to the Land Use Element is proposed to change the designation for 19.69 acres from Low Density Residential (LDR) to Regional Commercial (RC).

Tentative Tract Map

The applicant is requesting approval of Tentative Tract Map No. 36841 (MAP 15-008) for the subdivision of 245.07 acres into 586 single family residential lots having a 5,000 square foot minimum lot size on 86.56 acres, and 19.67 acres to support up to 100,000 square feet of commercial use. The subdivision also includes a 5.62 acre public park, 21 pocket parks totaling 5.12 acres, 21 open space

totaling 54.15 acres for drainage purposes, 2.58 acres for public street landscaping, and 71.37 acres for public street dedications. The pocket parks and drainage system lots will be owned and managed by an HOA. Lot sizes range from a minimum 5,000 square feet to 10,990 square feet. The pocket parks and drainage system lots will be owned and managed by an HOA.

Project Analysis

The Tentative Tract Map No 36841 is a request to subdivide 245.07 acres into 586 single family residential lots with an average lot size is 6,434 square feet. The density for the subdivision, not including the commercial lot (19.67 acres) is 2.6 units per acres. The project contains a 5.62 acre lettered lot (A) to be developed as a public park. The park will be constructed by the developer, pursuant to City review and standards, and will be owned and maintained by the City. The project contains twenty-one (21) lettered lots (B-V) to be developed as pocket parks through out the tract and maintained by a homeowners association. The project contains twenty-one (21) lettered lots (U-OO) that are water quality or drainage facilities that will also be maintained by a homeowners association.

Access

The project can be accessed via Warren Road and Stetson Avenue. Warren Road will be constructed as a four-lane Secondary arterial pursuant to City standards. A variable landscape setback of 12 to 15 feet will be provided beyond the right-of-way to achieve a 25-foot landscape setback from the curb line of Warren Road. Stetson Avenue will be constructed as a six-lane Arterial Highway pursuant to City standards. A landscape setback of 21 feet will be provided along the project frontage for a total of 35 feet of landscaping and sidewalk from the curb line of Stetson Avenue. A variable landscape setback of 14 to 21.5 feet will be provided along the north side of Stetson Avenue. Mustang Way will be developed as a 94-foot wide street with four lanes of travel. This street will have sidewalks and landscaping within a parkway of fifteen (15) feet, plus water quality basins.

Drainage

The earthen drainage channel along the southern property line represents the east-west segment of Line 3B from the City of Hemet's Master Flood Control and Drainage Plan and conveys storm water runoff into the detention basin for infiltration. The existing earthen channel will maintain an earthen bottom along the southerly site boundary. The on-site runoff as well as the tributary off-site runoff from the east will be detained by an improved on-site detention basin.

Overflow volumes are conveyed via an offsite drainage channel (north-south continuation of Line 3B) to the south to the improved channel at Simpson Road. The Master Flood Control and Drainage Plan indicates that the 100-year flow rate immediately downstream of the site should not exceed 345 cubic feet per second (cfs). The north-south portion of Line 3B between the site and Simpson Road will be improved as part of the project to facilitate conveyance of storm water runoff to Salt Creek approximately one mile south of the site. The southerly half of north-south Line 3B between Simpson Road and Salt Creek has already been constructed.

The Hemet Channel abuts the northern boundary of the site in a northeast/southwest alignment and will not be modified as part of this project. The City's Master Flood Control and Drainage Plan identifies a 100-year total flow rate not to exceed 200 cfs entering the Hemet Channel from the site (from Line 3C).

City Council Authority

The Hemet Municipal Code, Section 70-133(d), authorizes the City Council to review, consider, and approve, conditionally approve or deny application for a tentative map with concurrent applications for a zone change, general plan amendment, or other necessary legislative approval with the recommendation from the planning commission. If statutory findings required by the Subdivision Map

Act (Gov. Code Sections 66410 et seq.) can be made, the City Council can approve or conditionally approve the tentative tract map. These required findings are set forth in the proposed Resolution. If approved, the tentative map is valid for an initial two (2) years, and the applicant can apply for an extension of the map approval up to an additional four (4) years.

Proposed Findings

Code Section 66463, 66473.1, 66473.5 and 66474, the City Council, in light of the whole record before it, including but not limited to the Planning Division's staff report and all documents incorporated by reference therein, the City's General Plan, Subdivision Ordinance, Zoning Ordinance, standards for public streets and facilities, the Page Ranch Specific Plan, Page Ranch PCD Design Guidelines, and any other evidence within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. Tentative Tract Map No. 36841 is consistent and compatible with the objectives, policies, general land uses, and programs specified in the City's General Plan in that the site of the proposed subdivision is designated in the General Plan for the City of Hemet for residential land use purposes. The site currently is designated as part of the Page Ranch Specific Plan. The Planning Commission considered and recommended for approval the proposed change of the 19.67 acre portion of the site from Low Density Residential (2.1 – 5.0 d.u./ac.) to Regional Commercial as part of Specific Plan Amendment No. 15-001.

2. Tentative Tract Map No. 36841, together with the design and improvement of the proposed subdivision, is consistent and compatible with the objectives, policies, general land uses, and programs specified in the Page Ranch Specific Plan Amendment (SP 15-001) and Development Standards in that the Page Ranch PCD Design Guidelines were designed to have a balance of land uses both residential and commercial. The proposed Tentative Tract Map proposes to subdivide the property into lots consistent with the Planning Area boundaries as proposed in the amended Specific Plan Land Use Plan. There is neither a development plan nor buildings proposed as part of this subdivision. The circulation, access roads, and road improvements have been designed consistent with the Specific Plan as amended. Therefore, the proposed subdivision is consistent with the General Plan and Specific Plan.

3. The design and improvement of the subdivision proposed under Tentative Tract Map No. 36841 is consistent with the Page Ranch Specific Plan Amendment and Page Ranch PCD Design Guidelines in that improvements are proposed for residential and commercial lots consistent with street layout and residential development standards. Public infrastructure is sized accordingly to handle the needs of the project itself and that of the surrounding development as contained in the master plan of public facilities as required in Land Use Policy 2.10 of the General Plan. Public spaces are provided in non-developable lettered lots which will allow for facilities listed under Land Use Policies 5.5 and 15.7.

4. The site is physically suitable for the density of development proposed under Tentative Tract Map No. 36841, in that the proposed land use designation is for regional commercial and residential land uses and the location of the site next to Warren Road and Stetson Avenue promotes suitable commercial and residential access while reducing vehicle miles of travel. The proposed development has been analyzed in the Final Subsequent Environmental Impact Report prepared for the Page Ranch Specific Plan. The flat character of the existing site and its location on major transportation corridors in the City allow for the intensity and scale of development which is proposed.

5. The design of the subdivision and improvements proposed under Tentative Tract Map No. 36841, is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat in that the development of the site into commercial, residential and public lots

will not dramatically change the hydrology of the area nor increase the possibility of urban storm water runoff. The project is designed to help solve the regional hydrologic problems of the area. The design of the drainage system will not cause environment damage to sensitive habitat in the areas southwest of the project site.

6. The design of the subdivision and improvements proposed under Tentative Tract Map No. 36841, is not likely to cause serious public health problems in that development of the site into commercial, residential and public land uses will not locate potential sensitive receptors closer to impacts associated with proximity to the Hemet-Ryan airport further to the north. Within the development itself no future uses are allowed that would create serious public health problems.

CEQA Review

The proposed project has been analyzed under a Subsequent Environmental Impact Report, (SEIR). The SEIR relies and builds upon the analysis in the original Environmental Impact Report (EIR) certified by the City in 1980 (1980 EIR) for the Page Ranch Planned Community Development Project as amended in 2001, 2003, 2004, and 2009. The last Specific Plan Amendment (SPA) in 2009 was approved by the City as part of SPA 06-004 subject to the environmental analysis contained in the Rancho Diamante Phase II SEIR (SCH #2007091039).

The SEIR was circulated for a 45-day public review from March 23, 2020 to May 6, 2020. As required by CEQA, the SEIR was transmitted to federal, state, and local agencies and organizations. Copies of the SEIR were placed at City Hall and the Public Library, although access to these facilities was limited due to COVID19 restrictions. A copy of the document and technical appendices were posted on the City's website.

The SEIR analyzed a full range of topics as set forth under the guidelines of the California Environmental Quality Act, (CEQA). Impacts were identified relating to Air Quality, Biological resources, Cultural resources, Geology and Soils, Hazards and Hazardous Materials, Noise and Vibration, Traffic and Circulation, Utilities, and Greenhouse Gas Emissions. Conditions 148-151 are provided to address potential impacts on cultural resources. Conditions 155 to 162 address impacts relating to noise. Conditions 42 and 43 requires that the Final Mitigation Monitoring Reporting Program be submitted with the architectural plans in order to track compliance and implementation of all mitigation measures. In most cases, mitigation measures were identified that reduced the identified impacts to a level of insignificance. However, significant impacts were identified that cannot be reduced to a level of insignificance relating to the following:

Loss of Agriculture

Both the approved and proposed project are located on land designated as Farmland of Local Importance. Certain offsite improvements relating to the proposed project extend into areas designated as Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. The proposed project would irreversibly convert farmland to non-agricultural use. There are no feasible mitigation measures available and the impact remains significant.

Air Quality Emissions

Although mitigation measures have been identified to reduce emissions to the extent feasible, Nitrogen Oxide (NOx) emissions would exceed emissions thresholds after mitigation in the same manner as the approved project. Compliance with state energy reduction requirements will offset this impact, but the impact remains significant.

Transportation

The proposed project inaugurates the new state standard for traffic analysis whereby Vehicle Miles of Travel (VMT) replaces the previous analysis metric based on Level of Service (LOS) of the transportation system. Because Hemet is largely a commuter community, VMT is a more difficult standard to meet than in urban areas. Moreover, the project site lies near the edge of the developed city core. While mitigation measures have been identified to reduce vehicle trips, the home-based VMT per capita is 27.58 miles would exceed the city-wide average of VMT per capita of 25.4 miles. Condition 163 applies mitigation to pay TUMF, but the resulting impact is significant.

Certification of the SEIR and approval of the proposed project will require as Statement of Overriding Considerations by the City Council that the benefits of the proposed project outweigh the resulting significant impacts.

Comments were received from the California Department of Fish and Wildlife (CDFW), Riverside County Flood Control and Conservation District, and the Riverside Transit Agency. The comments and responses by staff are compiled in the Final SEIR. Conditions 146 and 147 are provided to address biological mitigation measures.

Public Hearing

A public hearing notice was mailed to property owners within a 500 foot radius of the project site and a public notice was also published in the Press Enterprise. Notices were also sent to Ms. Betty Jeffries and Ms. Kathleen Clarkson who participated in previous reviews of the project and requested notification of any changes to the plan. At the time of report preparation, the Planning Division did not receive any comments in favor or in opposition of the project. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Council at the time of the public hearing.

CONSISTENCY WITH ADOPTED GOALS, PLANS, AND PROGRAMS

The proposed subdivision (Exhibit 3A) was reviewed during the Design Review Committee (DRC) on July 30, 2020 for consistency with the City's applicable policies, requirements and guidelines. Subsequently, the DRC has recommended that the subdivision, subject to the recommended conditions of approval, be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines. The complete analysis of this project for consistency with the City's policies, requirements and guidelines is described below.

General Plan Consistency

Land Use Element

The project site is designated as Low Density Residential (LDR: 2.1-5.0 du/ac) and lies within the Page Ranch Specific Plan, (PCD 79-93). The key principal guiding consistency in this District is Policy LU-10-2. Policy LU-10.2 (Airport Land Use Compatibility) requires that land uses be compatible within the airport compatibility zones established by the Hemet-Ryan Airport Land Use Compatibility Plan of 2017. The project site lies within Zones C and D of the Hemet-Ryan Airport Influence Area. Compatibility Zone D allows residential densities of up to 3.0 dwelling units per net acre. The proposed project is calculated at 2.6 units per net acre. Compatibility Zone C limits residential density to one unit per five acres. The proposed General Plan Amendment would establish a commercial land use in Zone C. Commercial uses are allowed in Zone C. On February 27, 2020, the Airport Land Use Commission made a determination that the proposed project is consistent with the Hemet-Ryan Airport Land Use Compatibility Plan. The proposed density remains consistent with LDR land use designation.

The proposed General Plan Amendment, (GPA 15-002), is consistent with the goals and policies of the Hemet General Plan and LDR designation of the Land Use Element.

Circulation Element

The proposed General Plan Amendment would alter the City's General Plan Circulation Element to delete the future north-south alignment of New Warren Road through the middle portion of the project site and extend Mustang Way westward and northward to realigned Stetson Avenue. In addition, the classification of Warren Road would change from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and realigned Stetson Avenue. A traffic impact study has been prepared that demonstrates that the area circulation system would operate in compliance with City standards.

Zoning Consistency

The Page Ranch Specific Plan (PRSP) is the official zoning guide for the project site. The project site is zoned R-5 under the adopted plan. The specific plan is organized under planning areas. The project site lies within Planning Area VI of the PRSP. Under the proposed amendment, Planning Area VI would be eliminated and a new Planning Area X would encompass the residential portion and Planning Area XIII would overlay the proposed commercial area. The Page Ranch Specific Plan Amendment would facilitate the change in zoning classifications.

Based on the information provided by the applicant, the proposed subdivision meets the minimum development standards of the R-5 (Single Family Residential 5,000 sq. ft. min) zone. The table below summarizes the required development standards for the R-5 (Single Family Residential 5,000 sq. ft. min) zone:

Development Standard	Required	Proposed
Min. Net Lot Area (Sq Ft)	5,000	5,000
Min. Density (Units/Gros acres)	5du/ac	2.39du/ac gross / 5.77 du/ac
Min. Lot Width (LF)		
a. Standard	50ft	50ft
b. Cul-de-sac (frontage)	35ft	35ft
c. Corner	50ft	50ft
Min. Lot Depth (LF)	90ft	90ft

In conclusion, the proposed subdivision complies with City of Hemet Zoning Code requirements, as set forth in the Page Ranch Specific Plan, for residential subdivisions relating to lot size and improvements.

Future Development

The future development of single family homes will be reviewed under a separate Site Development Review process and subject to the Page Ranch Specific Plan (PCD 79-93) and Development Standards Design Guidelines.

Transportation Uniform Mitigation Fee (TUMF)

Section 58-70.3(f) of the Hemet Municipal Code provides a limited number of exemptions from provisions of the TUMF Fee Ordinance. The proposed subdivision does not meet the criteria listed within those exemptions. Therefore, pursuant to Hemet Municipal Code Section 58-70.3(e), this project is subject to the payment of TUMF fees. TUMF fees will be collected prior to the issuance of

building permit by the WRCOG (Western Riverside Council of Governments) and subject to the rate in effect at the time of issuance.

Multi-Species Habitat Conservation Plan (MSHCP)

The project has been found to be consistent with the MSHCP with recommended mitigation measures. The project is located outside of any MSHCP criteria cell but impacts have been identified upon Stephens Kangaroo Rat (SKR) and Burrowing Owl habitats. Mitigations include payment of MSHCP and SKR fees, performing pre-construction Burrowing Owl field surveys, avoiding construction during nesting season for birds of prey, monitoring construction near active nest areas by a qualified biologist, and acquisition of suitable off-site habitat to offset impacts to riparian and riverine habitats in accordance with the negotiated MSHCP Determination of Biological Equivalent or Superior Preservation, (DBESP).

In addition, permits must be acquired from the United States Army Corps of Engineers (USACE), the California Department of Fish and Wildlife (CDFW) and the Regional Water Quality Control Board (RWQCB). Also, the project applicant shall provide evidence to the City that the proposed project will comply with Urban/Wildlands Interface guidelines presented in Riverside County Multiple Species Habitat Conservation Plan (MSHCP) to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area.

A number of technical studies were prepared to address potential biological impacts. These studies include a general biological study, a focused Burrowing Owl survey, a sensitive plant survey, a MSHCP Habitat Assessment, and a MSHCP Determination of Biologically Equivalent or Superior Preservation/Consistency Analysis. These studies formed the basis for the analysis of Biological impacts in the SEIR.

SB18/AB52 Tribal Consultations

The proposed project was subject to the provisions of SB 18 and AB 52 Tribal Consultation processes. Consultation notifications began on November 5, 2015 and concluded on February 28, 2018. From these consultations, Mitigation measures were provided in the SEIR that include a Cultural Resources Monitoring and Treatment plan in consultation with the Soboba Band of Luiseno Indians, monitoring of mass grading operations, protocol for treatment of any discovered cultural resources, and notes on grading plans describing protocols for monitoring during grading operations. The Tribal Consultation process was closed out on October 5, 2020.

ALUC Review

The project is located in Compatibility Zones C and D of the Hemet-Ryan Airport Influence Area and includes 213.05 acres in Compatibility Zone D and 32.02 acres in Compatibility Zone C. The project includes 13 new Water Quality Control Basins (WQCBs) consisting of infiltration basins and bioretention basins. These basins are necessary to comply with the Regional Water Quality Control Board, Riverside County (County), and City of Hemet (City) requirements for the project. The project site is located within the 10,000-foot (1.8 miles) wildlife hazard separation zone of the Airport. Per FAA, Hazardous Wildlife Attractants on or Near Airports, new stormwater management facilities, such as the proposed project WQCBs, are identified as potential hazardous wildlife attractants.

Bioretention basins are potentially suitable in Compatibility Zone D only: 1) if 30 feet or less in length and width (0.02 acres); 2) if vegetation is selected to discourage hazardous wildlife; and 3) if reviewed by a qualified airport biologist. Therefore, based on the location of the proposed project within the 10,000-foot wildlife hazard separation zone and the ALUC land use Compatibility Zones C and D of the Hemet-Ryan Airport, the ALUC requested an analysis of the potential for these proposed WQCBs to attract wildlife hazardous to aviation.

A wildlife biologist with LSA Associates was retained to conduct a field analysis and review FAA Wildlife Strike Database. Six bird strikes had been reported over the past 28 years. The birds observed in and adjacent to the existing WQCBs near the project site suggest that these features are not a significant attractant to hazardous wildlife that would pose a threat to aviation at the Hemet-Ryan Airport. However, two WQCB basins are designed as larger than 0.02 acres and require mitigation. These mitigation measures are included as Conditions 164 to 178.

FISCAL IMPACT:

There are no fiscal impacts to the City with General Plan Amendment, Specific Plan Amendment, and Tentative Tract Map approvals.

ATTACHMENT(S):

CC Reso SEIR Rancho Diamante 022321
CC Reso GPA and Map Rancho Diamante 022321
CC Ord Rancho Diamante
COA Rancho Diamante 022321 Draft
TABLE A - Revisedv2r1-1 - CS Notes_EF-HRG Response to Comments 010821_EF-Red_020521-CLEAN210209v2
Draft Subsequent EIR-Rancho Diamante Phase II Specific Plan Amendment without Appendices
Rancho Diamante SEIR_Facts-Findings-Overriding Considerations_022321
Final MMRP 022321
4th-Submittal-TM36841-SHT-1-8_reduced size

CITY OF HEMET
Hemet, California

RESOLUTION NO. 21-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ADOPTING A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT, OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING REPORTING PROGRAM PREPARED REGARDING THE PAGE RANCH SPECIFIC PLAN AMENDMENT (SPA 15-001) RANCHO DIAMANTE PHASE II, ITS RELATED GENERAL PLAN AMENDMENT (GPA 15-002), AND TENTATIVE TRACT MAP NO. 36841 (MAP 15-008)

WHEREAS, applications for Specific Plan Amendment No. 15-001, proposing to amend the Rancho Diamante Specific Plan (SP 06-004) for development of 245 ± acres, General Plan Amendment No. 15-002, and Map 15-008 (TTM No. 36841) have been duly filed by:

Applicant:	Rancho Diamante Investments, LLC
Project Location:	Southwesterly of Warren Rd. and Stetson Ave.
APN Numbers:	465-100-016 and 022, 465-110-020-023 and 027
Lot Area:	Approximately 245 +/- acres; and

WHEREAS, the proposed Specific Plan Amendment (SPA 15-001) and its related GPA 15-002, and Map 15-008 (TTM No. 36841) are considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. ("CEQA"); and

WHEREAS, the City of Hemet, California, has reviewed SPA 15-001, GPA 15-002, and Map 15-008 (TTM No. 36841) in accordance with the authority granted by the California Government Code Section 21080(d) and § 21082.2(d) and Hemet Municipal Code § 90-41; and

WHEREAS, after completion of an Initial Study, the Community Development Director determined that there was substantial evidence that SPA 15-001, GPA 15-002, and Map 15-008 (TTM No. 36841) would have a significant effect on the environment. Therefore, staff has proposed a Subsequent Environmental Impact Report ("SEIR") and Mitigation Monitoring Program for the project under Public Resources Code § 21080(d) and § 21082.2(d); and

WHEREAS, the proposed Subsequent Environmental Impact Report consists of the following documents: Draft SEIR, Final SEIR, Overriding Considerations, Mitigation Monitoring and Reporting Program, Notice of Preparation, Notice of Availability, Notice of Determination, and Technical Appendices; and,

WHEREAS, the City has consulted with, and requested comments from, members of the public and the agencies and persons referenced in CEQA Guidelines § 15083 and § 15086; and

WHEREAS, on February 13, 2021, using a method permitted under CEQA Guidelines § 15072(b), the City provided notice of its intent to adopt the proposed Subsequent Environmental Impact Report to the public, responsible agencies, trustee agencies, and the Riverside County Clerk; and

WHEREAS, the Draft SEIR was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines § 15087 for a period of 45

days commencing on March 23, 2020 and closing on May 6, 2020 in accordance with CEQA Guidelines § 15105(a); and

WHEREAS, before the close of the public comment period the City received three (3) written comments; and

WHEREAS, on November 20, 2020, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

WHEREAS, the Final SEIR consists of the following documents: Draft SEIR, Final SEIR, Mitigation Monitoring and Reporting Program, Notice of Preparation, Notice of Availability, Notice of Determination, and Technical Appendices; and

WHEREAS, this SEIR, as authorized under CEQA Guidelines §15150, incorporates by reference the City of Hemet General Plan, Zoning Ordinance, Page Ranch Planned Community Specific Plan, and the Final SEIR prepared for the Rancho Diamante Specific Plan; and,

WHEREAS, the Hemet Planning Commission conducted duly noticed public hearings on December 1, 2020 and January 19, 2020, at which it provided an opportunity for public testimony concerning the project and recommended that the City Council certify the Subsequent Environmental Impact Report and Mitigation Monitoring Program; and

WHEREAS, the Hemet City Council conducted a duly noticed public hearing on February 23, 2021, at which time it received public testimony concerning Specific Plan No. 15-001, General Plan Amendment No. 15-002, Map 15-008 (TTM No. 36841), the Subsequent Environmental Impact Report and the Mitigation Monitoring Program; and,

NOW, THEREFORE, the City Council of the City of Hemet does hereby resolve, determine, find and order as follows:

SECTION 1. FINDINGS

The City Council, in light of the whole record before it, including but not limited to, the Subsequent Environmental Impact Report, all documents incorporated by reference therein, any comments received and responses provided, the Mitigation Monitoring Program, and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, hereby finds and determines that:

1. **Review Period of SEIR:** That the City has provided the public review period for the Subsequent Environmental Impact Report for the duration required under CEQA Guidelines Sections 15073 and 15105.

2. **Compliance with Law:** That the Subsequent Environmental Impact Report and Mitigation Monitoring program were prepared, processed, and noticed in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.), and the CEQA Guidelines (14 California Code Regulations Section 1500 et. seq.), and the local CEQA Guidelines and Thresholds of Significance adopted by the City of Hemet.

3. **Independent Judgment:** That the Subsequent Environmental Impact Report reflects the independent judgement and analysis of the City.

4. **Mitigation Monitoring Program:** That the Mitigation Monitoring Program is designed to ensure compliance during project implementation in that changes to the project and/or mitigation measures have been incorporated into the project and are fully enforceable through permits conditions, agreements or other measures as required by Public Resources Code Section 21081.6.

5. **No Significant Effect:** The revisions made to the project and mitigations measures imposed as conditions of approval on the project, avoid or mitigate any potential significant effects on the environment

identified in the Subsequent Environmental Impact Report to a point below the threshold of significance with the exception of the loss of agriculture, air quality impacts relating to nitrogen oxide, and cumulative traffic impacts. Furthermore, after taking into consideration the revisions to the project and the mitigation measures imposed, the Planning Commission finds that there is substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment and a Statement of Overriding Considerations is required.

SECTION 2. CITY COUNCIL ACTION

Based on the foregoing findings, and on substantial evidence in the whole of the record, the City Council hereby takes the following actions:

1. **Certify the Subsequent Environmental Impact Report:** The City Council certifies the Final Subsequent Environmental Impact Report, as shown as Exhibit ___, for SP 15-001, GPA 15-002, and Map 15-008 (TTM No. 36841).

2. **Adopt the Mitigation Monitoring Plan:** The City Council approves and adopts the Mitigation Monitoring Program for the Final Subsequent Environmental Impact Report, as shown as Exhibit ___.

5. **Notice of Determination:** The City Council in compliance with Public Resources Code § 21152 and CEQA Guidelines § 15094, directs the Community Development Director to prepare a Notice of Determination concerning certification of the Final Subsequent Environmental Impact Report and within five (5) days of project approval, file the Notice with the Riverside County Clerk for posting.

6. **Location:** The City Council directs that the Final Subsequent Environmental Impact Report and all documents incorporated therein and forming the record of decision therefore, be filed with the Hemet Planning Department at the Hemet City Hall, 445 E. Florida Avenue, Hemet, California, 92543 and be made available for public review upon request

PASSED, APPROVED AND ADOPTED this 23rd day of February, 2021.

_____
_____
_____
Karlee Meyer, Mayor

ATTEST: APPROVED AS TO FORM:

_____ _____

Daryl Betancur, Interim City Clerk Steven Graham, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Daryl Betancur, interim City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at the regular meeting of the City Council on the ____ day of _____, 2021 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Daryl Betancur, Interim City Clerk

CITY OF HEMET
Hemet, California

RESOLUTION NO. 21-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ADOPTING A GENERAL PLAN AMENDMENT (GPA 15-002), TO 1. AMEND THE CITY OF HEMET GENERAL PLAN CIRCULATION ELEMENT TO (1) EXTEND MUSTANG WAY FROM WARREN ROAD TO STETSON AVENUE, (2) TO CHANGE THE CLASSIFICATION OF WARREN ROAD FROM A 6-LANE ARTERIAL TO A 4-LANE SECONDARY ARTERIAL; (3) AN AMENDMENT TO THE LAND USE ELEMENT TO CHANGE 19.67 ACRES FROM LOW DENSITY RESIDENTIAL (LDR) TO REGIONAL COMMERCIAL (RC); AND TO APPROVE TENTATIVE TRACT MAP NO. 36841 (MAP 15-008) TO SUBDIVIDE 245.07 ACRES INTO 586 SINGLE FAMILY LOTS, COMMERCIAL USES, INCLUDING PUBLIC AND PRIVATE PARKS.

WHEREAS, applications for General Plan Amendment No. 15-002, proposing to amend the City of Hemet General Plan Circulation Element to 1. Extend

Mustang Way to Stetson Avenue; and 2. Change the classification of Warren Rd. from a 6-lane Arterial to a 4-lane Secondary Arterial; 3. Amend land use element from Low Density Residential (LDR) to Regional Commercial (RC) and for Map 15-008 (TTM No. 36841) have been duly filed by:

Applicant:	Rancho Diamante Investments, LLC
Project Location:	Southwesterly of Warren Rd. and Stetson Ave.
APN Numbers:	465-100-016 and 022, 465-110-020-023 and 027
Lot Area:	Approximately 245 +/- acres; and

WHEREAS, the proposed General Plan Amendment (GPA 15-002) and Map 15-008 (TTM No. 36841) are considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. ("CEQA"); and

WHEREAS, the City of Hemet, California, has reviewed GPA 15-002 and Map 15-008 (TTM No. 36841) in accordance with the authority granted by the California Government Code Section 21080(d) and § 21082.2(d) and Hemet Municipal Code § 90-41; and

WHEREAS, after completion of an Initial Study, the Community Development Director determined that there was substantial evidence that GPA 15-002, and Map 15-008 (TTM No. 36841) would have a significant effect on the environment. Therefore, staff has proposed a Subsequent Environmental Impact Report ("SEIR") and Mitigation Monitoring Program for the project under Public Resources Code § 21080(d) and § 21082.2(d); and

WHEREAS, on November 20, 2020, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

WHEREAS, the Hemet Planning Commission conducted duly noticed public hearings on December 1, 2020 and January 19, 2020, at which it provided an

opportunity for public testimony concerning the project and recommended that the City Council approve General Plan Amendment (GPA 15-002) and Map 15-008 (TTM No. 36841; and

WHEREAS, the Hemet City Council conducted a duly noticed public hearing on February 23, 2021, at which time it received public testimony concerning General Plan Amendment No. 15-002, Map 15-008 (TTM No. 36841), the Subsequent Environmental Impact Report and the Mitigation Monitoring Program; and,

NOW, THEREFORE, the City Council of the City of Hemet does hereby resolve, determine, find and order as follows:

SECTION 1. CITY COUNCIL ACTION

Based on the foregoing findings, and on substantial evidence in the whole of the record, the City Council hereby takes the following actions:

1. **Approve the General Plan Amendment (GPA 15-002), and Map 15-008 (TTM No. 36841).**

6. **Location:** The City Council directs that the General Plan Amendment (GPA 15-002), and Map 15-008 (TTM No. 36841), and all documents incorporated therein and forming the record of decision therefore, be filed with the Hemet Planning Department at the Hemet City Hall, 445 E. Florida Avenue, Hemet, California, 92543 and be made available for public review upon request

PASSED, APPROVED AND ADOPTED this 23rd day of February, 2021.

_____
_____
_____
Karlee
Meyer,
Mayor

ATTEST: APPROVED AS TO FORM:

_____ _____

Daryl Betancur, Interim City Clerk Steven Graham, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Daryl Betancur, Interim City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at the regular meeting of the City Council on the ____ day of _____, 2021 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Daryl Betancur, Interim City Clerk

CITY OF HEMET
Hemet, California

ORDINANCE NO. 21-_____

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, AMENDING THE RANCHO DIAMANTE SPECIFIC PLAN (SPA 15-001) FOR 245± ACRES LOCATED SOUTHWESTERLY OF WARREN RD. AND STETSON AVE. (APN 465-100-016 AND 022, APN 465-110-020-023 AND 027)

WHEREAS, an application for Specific Plan No. 15-001 to amend the Rancho Diamante Specific Plan (SP 06-004) has been duly filed by:

Applicant:	Rancho Diamante Investments, LLC
Lot Area:	245.0+/- Acres
Location:	Southwesterly of Warren Rd. and Stetson Ave.
APN:	465-100-016 and 022, 465-110-020-023 and 027)

WHEREAS, the Planning Commission has the authority per Section 90-986 of the Hemet Municipal Code to recommend action on Specific Plan Amendment No. 15-001 to amend the Rancho Diamante Specific Plan (SP 06-004); and

WHEREAS, in accordance with Government Code Section 65090, on November 20, 2020, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 600 feet, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

WHEREAS, in accordance with Government Code Section 65453, on December 1, 2020 and January 19, 2021, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Specific Plan No. 15-001 for amending the specific plan on the site plan area and text; and

WHEREAS, at this public hearing on December 1, 2020 and January 19, 2021, the Planning Commission considered, heard public comments on, and recommended that the City Council approve Specific Plan Amendment No. 15-001 with the recommended certification of a Subsequent Environmental Impact Report and Mitigation Measure Monitoring Plan for the project by Resolution; and

WHEREAS, in accordance with Government Code Section 65453, on February, 23, 2021, the City Council held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Downtown Hemet Specific Plan No. 15-001; and,

NOW THEREFORE, the City Council of the City of Hemet, California, does determine, find, and resolve as follows:

SECTION 1: ENVIRONMENTAL FINDINGS

The Planning Commission, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Community Development Director as provided in the Staff Report dated January 19, 2021 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. **CEQA:** The approval of this Specific Plan Amendment is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on February 23, 2021, at a duly noticed public hearing, the City Council approved Specific Plan Amendment No. 15-001 and certified the Subsequent Environmental Impact Report and Mitigation Monitoring Program, reflecting its independent judgment and analysis and documenting that there was not substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. The documents comprising the City's environmental review for the project are on file and available for public review at Hemet City Hall, 445 E. Florida Avenue, Hemet, California 92543.

2. **Multiple Species Habitat Conservation Plan (MSHCP):** The project is found to be consistent with the MSHCP. The project is located within Criteria Cell 4007 and 3892 of the MSHCP. Mitigation is provided through payment of the MSHCP Mitigation Fees, construction monitoring, acquisition of replacement offsite habitat, and onsite rehabilitation, enhancement and preservation of onsite habitat.

SECTION 2: SPECIFIC PLAN AMENDMENT FINDINGS

1. **That the Specific Plan or Amendment systematically implements and is consistent with the latest adopted General Plan**:

   The proposed project is in conformance with the General Plan for the City of Hemet as amended by GPA 15-002 having a Land Use Designation of Low Density Residential (LDR), and with the Page Ranch Planned Community

Development Specific Plan designations of Low Density Residential (R-1) and Low-Medium Density (R-2) as amended by General Plan Amendment (GPA) 15-002. The specific plan includes a master plan of development incorporating pedestrian and multi-modal amenities both internal and external to the project. In addition, Specific Plan No. Amendment No. 15-001 was designed at a human scale an incorporated buffering in the form of landscaping, setbacks and building orientation, and design consideration for sustainable development. The proposed Specific Plan Amendment No. 15-001 will implement the goals of providing residential, commercial and recreational amenity and services for the community at large.

Specific Plan Amendment No. 15-001 incorporates the Planning and Design Principles listed on page 2-51 of the General Plan which call for creating a unique sense of place, appropriate land use mix, utilization of urban design elements to identify entries, edges and districts, and a full compliment of infrastructure services to protect and serve future development. The amended circulation plan will create connections between land uses which will make alternatives to the automobile safe and attractive.

Specific Plan Amendment No. 15-001 implements the following Goals and Policies of the 2030 General Plan:

Land Use:

1. *The proposed amendment is consistent with the overall vision, goals, and objectives contained in the General Plan.* GPA 15-002 meets the following components of the General Plan:

Land Use

a. ***Section 1.2 A City in Transition****.* At Hemet's core is a strong community willing to invest in opportunities for future and make forward-thinking decisions to meet the pressing needs of a changing economy and a growing and diverse population.

b. ***Policy LU-1.3 Housing Opportunities***. Create a broad range of housing opportunities for all segments of the community to ensure that a balance of housing types and densities are available for existing and future residents.

c. ***Policy LU-1.4 Walkable Neighborhoods***. Create walkable neighborhoods that integrate pedestrian paths and trails into a safe cohesive and varied transportation system that provides connectivity to nearby land uses and encourages physical activity and less dependence on the automobile.

d. ***Policy LU-1.8 Balance Land Uses with Services****.* Accommodate and locate the types, densities and appropriate mix of land uses that can be adequately supported by the associated transportation network, utility infrastructure, and public services, such as schools, parks, and emergency services.

e. **Policy LU 1-11 *Master Planned Development***. Promote the preparation of Community Area Plans, Specific Plans, and Planned Units Developments as appropriate to foster comprehensive, cohesive, and well-designed residential, commercial, and industrial projects and mixed-use projects.

f. **Policy LU 2-4 *Concentrate Land Uses***. Provide efficient use of land resources through compact building design, infill development, and land use patterns that reduce infrastructure costs and make more efficient use of existing and planned transportation systems and public facilities, and minimize impacts to natural environmental resources.

g. **Policy *LU-5.3 Specific Plans***. Promote the use of specific plans as a means to ensure an adequate, integrated, and complementing mix of land uses within mixed use districts that exhibit a high level of quality design and cohesiveness.

Specific Plan Amendment No. 15-001 balances a mix of land uses. *The proposed specific plan amendment is in the public interest* by diversifying land uses that serve to reduce vehicle miles of travel, that respond to current Clean Water Quality Act design requirements while reducing the number of dwelling units.

- **Goal LU-6 Commercial Centers**. Establish a comprehensive range of attractive and economically viable commercial centers throughout the City that meet the needs of the community.

Community Design:

- ***Goal CD-3 Streetscape System****. Develop a streetscape system that provides cohesive design, enhances community image, incorporates green street concepts, and develops an attractive identity for the various City districts*.

- ***CD-3.1 Public Streetscapes****. Provide public streetscapes that unify the City of Hemet and contribute to the unique identity of its neighborhoods, districts, open space corridors, and public places*.

- ***CD-3.4 Enhanced Pedestrian Environment****. Promote the transformation of existing automobile-dominated corridors into boulevards that are attractive, comfortable, and safe for pedestrians*.

- ***CD-3.11 Street Trees****. Select species of trees for parkways and medians that create an attractive visual framework, are large enough to provide shade and identity, are water conserving, and are relatively low maintenance*.

- ***Goal CD-5 Attractive Community Design****. Promote attractive community design to make Hemet a more desirable place to live*.

- ***CD-5.1 Complete and Well-Structured Neighborhoods****. The City shall promote the design of complete and well-structured neighborhoods whose physical layout and land use mix promote walking to services, biking, and transit use, foster community pride, enhance neighborhood identity; ensure public safety, and address the needs of all ages and abilities*.

- ***CD-5.4 Public Space Design****. Encourage design that improves public spaces, encourages pedestrian activity, and enhances sense of place within neighborhoods and commercial districts*.

- ***CD-5.5 Specific Plans****. Require specific plans to promote cohesive and integrated patterns of development for large undeveloped standards to ensure higher quality building and site design*.

Specific Plan Amendment No. 15-001 establishes walking paseos linked to a central public park and privately-maintained pocket parks.

- ***Goal CD-8 Walking Environment****. Facilitate good community design featuring pedestrian access and amenities that offer a pleasurable walking environment, and encourages residents to consider alternatives to the automobile*.

- ***Goal CD-9 Public Spaces****. Maintain and create public spaces for people to gather within the City*.

Specific Plan Amendment No. 15-001 establishes a commercial center on 19.67 acres to serve the local population.

- ***Goal CD-10 Mixed-Use Development Standards****. Establish mixed-use development standards that facilitate design excellence and compatibility with neighboring uses*.

Specific Plan Amendment No. 15-001 incorporates design guidelines that contain criteria for establishing adequate buffers and land use compatibility.

- ***Goal CD-11 Safescape and Defensible Space****. Utilize the principles of safescape and defensible space to improve community image and personal safety*.

Specific Plan Amendment No. 15-001 plans for alternative transportation modes including pedestrian, bicycle and neighborhood electric vehicles.

- ***Goal C-5 Bicycle and Pedestrian Accessway****s. Develop, expand, and maintain a network of bicycle and pedestrian accessways that provide safe and comfortable travel between residential neighborhoods, parks, and the commercial center*.

- ***C-5.1 Bikeway and Pedestrian Network****. Maintain an extensive trails network that supports bicycles and pedestrians and links residential neighborhoods, schools, and commercial centers by implementing the City's Bikeway Circulation Plan and including the provision and dedication of bikeways and pedestrian walkways in conjunction with development permits*.

<u>Housing</u>:

- ***Goal H-1 Housing****. Provide for the attainment of quality housing within a satisfying living environment for households of all socio-economic, age, and ethnic types in Hemet*.

- ***H-1.2 Housing Variety****. Promote a variety of housing types to meet the special needs of*

persons with disabilities, elderly households, and others who may need assisted living, group home, institutional care, and other alternative residential environments.

Specific Plan Amendment no. 15-001 establishes standards and design guidelines for maintaining and enhancing high quality of housing in a variety of types.

2. **The Specific Plan Amendment No. 15-001 provides for the development of a comprehensively planned project that is superior to development otherwise allowed under the conventional zoning classifications.**

   Specific Plan Amendment No. 15-001 involves establishing a network of pedestrian and vehicular linkages designed to connect the area to regional transportation facilities. The proposed mixed use project will allow for the creation of needed employment opportunities, retail sales tax revenue, and flexibility in housing choices.

3. **Specific Plan Amendment No. 15-001 provides for the construction, improvement, or extension of transportation facilities, public utilities and public services required by the long-term needs of the project and/or other area residents, and complements the orderly development of the city beyond the project boundaries.**

   The project, as conditioned will, improve the area in a manner that is consistent with the General Plan Circulation, Community Services and Infrastructure elements which will serve the circulation and public services needs of the proposed commercial, residential and public development. The traffic analysis for the Specific Plan Amendment has determined that the streets and circulation system in the area will be adequate to handle the future anticipated traffic needs with the provision of the suggested mitigation measures. Regional drainage needs, recreational amenity and utility services are also planned and provided for though the design of the project.

   Specific Plan Amendment No. 15-001 is compatible with the existing development constructed within the project area and the immediate surroundings. The Specific Plan Amendment will guide development so that the streets and circulation system in the area will be adequate to handle the future anticipated traffic and community services needs with the provision of the suggested mitigation measures.

SECTION 3: ADOPTION OF THE SPECIFIC PLAN

1. The Rancho Diamante Specific Plan Amendment No. 15-001 is hereby adopted as indicated in Exhibit 1A, on property described in Exhibit 1B.

SECTION 4: SEVERABILITY

If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that is would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

SECTION 5: PUBLICATION

The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated with the City in accordance with Government Code Section 36933(a), or to cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 39633(c).

SECTION 6: EFFECTIVE DATE

This ordinance will become effective 30 days after its adoption.

INTRODUCED at the regular meeting of the Hemet City Council on February 23, 2021.

APPROVED AND ADOPTED this 23rd day of February, 2021, by the following vote:

Mayor Meyer:

Councilmember Males:

Councilmember Brown:

Councilmember Krupa:

Councilmember Lilienthal:

Signatures on next page.

Karlee Meyer, Mayor

ATTEST:

Daryl Betancur, Interim City Clerk

APPROVED AS TO FORM:

Steven Graham, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Daryl Betancur, Interim City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the _____ day of _____, 2021 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Daryl Betancur, Interim City Clerk

CITY OF HEMET

DRAFT
CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: **January 19, 2021**
CITY COUNCIL DATE: **February 23, 2021**

PROJECT NO.:	**Tentative Tract Map No. 36841 (MAP No. 15-008)**
OWNER:	Strata Equities
APPLICANT:	Pangaea Land Consulting
LOCATION:	Between Warren Rd.to the east; the second San Diego Aqueduct to the west; the future Stetson Ave., the Hemet Channel, and the Burlington Northern Santa Fe railroad tracks on the north; and agricultural lands defined by an unnamed dirt road along the south
APNs:	465-100-016, 465-100-022, 465-110-020, 465-110-021, 465-110-022, 465-110-023 & 465-110-027
OCCUPANCY:	This project has been reviewed as a/an **R-3 Occupancy**; any other use will require further review.

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

STANDARD CONDITIONS

The following conditions of approval were approved by the Planning Commission (Resolution Nos. _____ and _____) as standard conditions of approval for all projects. Questions regarding compliance with these conditions should be directed to the Planning Department at (951) 765-2375.

General Requirements:

1. **Tentative Tract Map No. 36841** shall become null and void on **February 23, 2023** (two calendar years from the date of City Council approval), unless the final map is approved by the City Council and recorded with the County of Riverside and unless use in reliance on the approved Tentative Tract Map is established prior to the expiration date. A time extension may be granted by the Planning Commission in accordance with Hemet Municipal Code and the Subdivision Map Act, provided a written request for a time extension is submitted the Planning Division prior to the expiration date. No formal notice of expiration will be given by the City.

2. The conditions of approval of this project shall supersede all conflicting notations, specifications, dimensions, typical sections, and the like, which may be shown on the tentative project plans.

3. This project site shall be developed in accordance with the approved plan(s) and the conditions contained herein.

4. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Standards Code, Title 24, California Code of Regulations (CBC, CEC, CMC, CPC and Green Building Standards) and City of Hemet Ordinances including requirements for allowable area, occupancy separations, fire suppression systems, etc.

5. The applicant shall be subject to all applicable development fees at the rate in effect at the time of building permit application. Such fees may include, but not be limited to: Development Impact Fees, Park Fees, School Fees, Master Plan Storm Drainage Fees, Transportation Uniform Mitigation Fees, Permit and Plan Checking Fees, Water and Sewer Service Fees, Capital Facility Fees, Multiple Species Habitat Conservation Plan and Stephen's Kangaroo Rat Fees.

6. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in defense of the Action.

Subdivisions:

7. Tentative Tract Map No. 36841 shall be recorded prior to the issuance of any residential building permits associated with the project.

8. The developer shall install U.S. Postal Service approved neighborhood mailboxes prior to occupancy.

9. Prior to or concurrently with the recordation of the Final Map or prior to the issuance of a Certificate of Occupancy, a Lighting & Landscaping Maintenance District or alternative maintenance mechanism acceptable to the City shall be established. In the event that the Lighting & Landscaping Maintenance District (LLMD) is required, the property owner of record shall execute a property owner ballot agreeing to formation of or annexation to an LLMD.

10. Prior to approval of the final map for Tract Map No. 36841, or approval of any final map for any phase of Tract Map No. 36841, the property covered by said final map ("Tract") shall be included within, or annexed to, a Community Facilities District ("CFD") established under the Mello-Roos Community Facilities Act of 1982 (Government Code § 53311 et seq.) established by the City of Hemet for the provision of public services permitted under Government Code § 53313, including police, fire protection, and emergency medical services (collectively "Public Safety Services"), for which proceedings have been consummated, and shall be subject to the special tax approved with the formation of the CFD with the Tract's annexation into the CFD.

11. Prior to recordation of the final map, the applicant shall comply with the provisions of the City's Quimby Act Ordinance, Section 70-281 et. Seq., to the satisfaction of the Community Development Director. As currently proposed, Tentative Tract Map No. 36841 has a parkland dedication requirement of 7.91 acres. The applicant may request full or partial credit for the private park site provided and/or pay in-lieu park fees for the remaining obligation pursuant to the City's guidelines regarding in-lieu fees.

12. Conceptual landscape and improvement plans for the public park site shall be submitted in conjunction with the Site Development Review (SDR) application, for the residential units, required prior to the issuance of building permits. The final layout and design of the public park shall be worked out between staff and the developer. The plans shall be prepared by a licensed landscape architect and show all park site recreational amenities, hardscape and landscaping proposed including plant materials, sizing and spacing. All parks and landscaped areas shall be in accordance with the *Page Ranch Planned Community Design Guidelines* (Appendix A) of Rancho Diamante Specific Plan.

Design Review/Buildings:

13. Prior to the issuance of a building permit for any house on any lot, the applicant shall submit a Site Development Review (SDR) application that is consistent with the *Page Ranch Planned Community Design Guidelines* (Appendix A) of Rancho Diamante Specific Plan for Planning Department review and approval by the Planning Commission.

14. The developer shall provide all homes with central air conditioning.

Landscaping:

15. This project shall comply with the landscape design requirements outlined in the *Page Ranch Planned Community Design Guidelines* (Appendix A) of Rancho Diamante Specific Plan Amendment.

16. The applicant shall provide a disclosure notice to each prospective buyer and to each new property owner within this subdivision. The disclosure notice shall be recorded against all properties within this subdivision which states the following:

    a. The property owner is aware of any required financing mechanisms for the subdivision project such as Landscape-Lighting & Maintenance District (LLMD), Landscape-Lighting & Parks Maintenance District (LLPMD) or Conditions, Covenants and Restrictions (CC&R's).

    b. The property owner is responsible for the irrigation of parkway landscaping adjacent to their home as well as any landscaping adjoining their exterior side yard. Any lack of landscape/irrigation maintenance is subject to code violation actions.

17. Prior to the issuance of a Certificate of Occupancy or finalization of the Building Permit, landscaped areas shall have an automatic irrigation system, with automatic timers, installed and operational, unless cash or a bond is posted to guarantee completion.

18. A one-year Faithful Performance bond shall be posted to guarantee installation, plant health, and established growth prior to the issuance of occupancy permits. The bond may be reduced by the City after installation has been approved.

19. All interior residential streets shall have parkways adjacent to curb. Street trees shall be 24" box and planted at a minimum of one (1) tree for every 40 feet of street frontage in accordance with City guidelines. Parkway areas within the public R-O-W shall include the installation of ground cover (planted a minimum of 12-inches on-center) or turf and the installation of automated irrigation. Maintenance of the street trees shall be through a Lighting & Landscaping Maintenance District (LLMD) or alternative maintenance mechanism acceptable to the City.

20. All public landscaped areas shall be maintained by the developer for a minimum of one-year to assure continued growth and health. Continued maintenance of public areas shall be guaranteed by establishment of a home owners association or LLMD approved by the City.

OPERATIONAL CHARACTERISTICS

21. Construction activity shall meet the requirements of the Hemet Municipal Code Chapter 30, Article II.

22. All perimeter fencing adjacent to the public right-of-way shall conform to the *Page Ranch Planned Community Design Guidelines* (Appendix A) of Rancho Diamante Specific Plan Amendment.

23. All interior lot fencing shall conform to the *Page Ranch Planned Community Design Guidelines* (Appendix A) of Rancho Diamante Specific Plan Amendment.

24. The property owner shall be responsible for the maintenance of the lettered lots until such time the property develops. Prior to final map a Home Owner's Association shall established for the maintenance of lettered lots. The association documents shall include the covenants, conditions and restrictions (CC&R's) and shall be subject to review and approval of the City Engineer and City Attorney.

25. The detention basin shall be fenced with decorative masonry and wrought iron fencing per *Page Ranch Planned Community Design Guidelines* (Appendix A) of Rancho Diamante Specific Plan Amendment.

26. The applicant shall submit a landscape plan for the detention basin to the Planning Department for review and approval prior to the issuance of building permits.

Mechanical Equipment:

27. All electrical and mechanical equipment, including but not limited to, air-conditioning units, electrical boxes, transformers, backflow preventers, and roof-mounted equipment shall be visually screened from public view. Screening shall be in accordance with city standards, to the satisfaction of the Planning Department and in compliance with the Building Code.

BUILDING DEPARTMENT CONDITIONS

The following conditions of approval are project specific and were recommended by the Building Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Building Department at (951) 765-2475.

28. A legal address assigned by the Building Division will be required prior to submittal of any plan check documents to the Building Division. Please coordinate directly with Building for required application, fees, and documentation required. This address must be posted on the site at all times.

29. Address shall be posted in a manner approved by the City of Hemet Building Department.

30. Construction activity shall only occur between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May. Saturday construction shall be permitted between the hours of 7:00 a.m. and 6:00 p.m. Sunday construction shall be prohibited. Exceptions to these standards may be granted only by the Hemet Building Official and/or the Hemet City Council.

31. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Standards Code, Title 24, California Code of Regulations (CBC, CEC, CMC, CPC and Green Building Standards) and City of Hemet Ordinances including requirements for allowable area, occupancy separations, fire suppression systems, etc.

32. Roofing materials shall be Class A. CBC 1507

33. Fire Resistance Rating of Exterior walls shall be based on CBC Table 602

34. The Maximum Area of Exterior Wall Openings shall be per the adopted California Building Code Table 705.8 at time of plan check. An elevation of all sides indicating the location of protected/unprotected openings based on the fire separation distance shall be provided as well as the vertical separation of openings per CBC Section 705.8.5 where applicable.

35. Provide an allowable area calculation for the proposed structure based on CBC Table 503. If using the Area Modifications of CBC Section 506 the following shall be documented on the Site Plan:
    A. Allowable Area
    B. Tabular Area
    C. Area increase due to frontage as calculated in accordance with Section 506.2
    D. Area increase due to sprinkler protection as calculated in accordance with Section 506.3.

36. Means of Egress: The construction documents shall show in sufficient detail the location, size and character of all portions of the means of egress in compliance with the provisions of CBC Chapter 10

37. Provide draft stops as required by the currently adopted California Building Code section 717.3 at time of submittal.

38. Provide occupancy separation(s) in the building(s) per CBC Table 508.4. The following building(s) are affected:

39. Access, sanitary facilities, and parking shall comply with Title 24 Accessibility Requirements per the currently adopted California Building Code. (For model home areas)

40. If applicable: At least 1 accessible route shall be provided within the site from accessible parking spaces and accessible parking loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. If more than 1 route is provided, all routes must be accessible.

41. Submit five (5) complete sets of architectural plans and/or 5 sets of booklets of the following documents that are applicable to your project: Mitigation Monitoring Reporting Plans and Conditions of Approval.

- Plot Plan
- Phasing Plan, including park and open space construction schedules.
- Foundation Plan
- Floor Plan
- Structural Framing Plan
- Green Building Compliance Plan and Documentation
- Energy Compliance Plan including compliance and mandatory measures forms.
- Electrical Plans (electrical service shall be underground per Hemet Municipal Code, including size of main switch, number and size of service entrance conductors, circuit schedule and demand load.
- Plumbing and sewer plan, isometric, including underground diagram, water piping diagram, sewer or septic tank location, fixture units, gas piping and vents, heating and air conditioning diagram.
- Mechanical Plan including duct layout and sizing.

42. The SEIR Mitigation Monitoring Plan shall be printed in booklet form and submitted in equal numbers as architectural sets. All features shall be clearly identified on the plans.

43. Landscape and Irrigation plans: Submit four (4) complete sets detached from building plans.

44. If your project is required to have a Noise Study, the compliance forms shall be printed in booklet format and as part of the architectural submittal set. All features shall be clearly identified on the plans.

45. Submit two (2) sets of structural calculations, energy conservation calculations and soils reports. Architects/Engineers stamp and wet signature is required prior to submittal of plan check.

46. The City of Hemet is located in Seismic Design Category “D”. Buildings and structures shall be designed to adequately transmit the dynamic lateral forces in accordance with the requirements of the latest adopted California Building Code.

47. Trash enclosure provided shall be constructed per the city standards, a copy of which can be obtained at the Engineering Division. A Building Permit is required and shall be submitted as a separate permit application.

48. Sites subject to parcel line adjustments shall reflect the existing parcel lines and the proposed parcel lines and the distances to the structure accordingly. No permits will be issued by the Building Division until the recordation of such adjustments is received by the City of Hemet.

49. Upon plan check submittal and after review of the submitted plans, specifications and documents, additional requirements may be required.

50. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid to the District prior to permit issuance. Contact the water district at 951.928.3777 for specific details.

    - Approval (First Release) from Eastern Municipal Water District (EMWD) will be required prior to permit issuance.
    - Approval (Final Release) from Eastern Municipal Water District (EMWD) will be required prior to permit final.

51. The proposed new development is subject to the payment of School Fees as required by law. The applicant is required to submit a Certificate of Compliance from the school district(s) to obtain building permits from the City.

52. Permit fees shall be paid in accordance to the City's adopted fee schedule at the time of building permit is issued.

53. Separate permits are required for all fences, block and/or masonry walls, paving, signage, trash enclosure and any other work not included in your original submittal.

54. Riverside County Health Department approval will be required prior to permit issuance for the swimming pool. An original set of the approved plans will need to be provided to the City of Hemet.

55. Prior to issuance of a Certificate of Occupancy, the applicant shall pay all development fees, including but not limited to Development Impact Fees (DIF) per City of Hemet Municipal Code; Transportation Uniform Mitigation Fees (TUMF) per City of Hemet Municipal Code; Multi Species Habitat Conservation Plan (MSHCP). Said fees shall be collected at the rate in effect at the time of fee collection as specified by the current City of Hemet Council fee resolutions and ordinances.

56. All contractors must show proof of State and City licenses, and workmen's compensation insurance to the City prior to the issuance of permits, as well as prior to final inspection.

57. Businesses shall not open for operation prior to posting of Certificate of Occupancy issued by the Building Division.

58. Residents shall not occupy any dwelling prior to obtaining **ALL** required "Final" signatures on the permit card, as the City of Hemet uses the "Final Signed" permit card as a SFR Certificate of Occupancy record for residential properties.

ENGINEERING DEPARTMENT CONDITIONS

***Please contact the PUBLIC WORKS-ENGINEERING DEPARTMENT for compliance with the following conditions*:**

GENERAL and INFORMATIONAL

59. The use hereby conditioned is for Tentative Tract Map No. 36841, dated November 15, 2019.

60. It is assumed that the tentative map exhibit is all inclusive of a parcel or parcels of land legally subdivided in compliance with the Subdivision Map Act, and local ordinance. The later determination that this assumption is incorrect may require that the Developer amend or revise the tentative map as necessary to allow a finding that the final Map is in substantial conformance with the tentative map. When changes to the approved Tentative Map are proposed, a Substantial Compliance Exhibit in the same scale of the Tentative Map, shall be submitted for review and approval of the City Engineer.

61. After approval of the tentative map and prior to the expiration of said map and authorized extensions, the subdivider shall cause the real property included within the tentative map exhibit, or any part thereof, to be surveyed and a final Map thereof prepared in accordance with the Subdivision Map Act, the Hemet Municipal Code Section 70, Subdivisions and the City Engineer's current requirements, the conditions of tentative map approval.

62. Recordation of subdivision units or phases will only be permitted in strict conformance with that shown on the Tract 36841 Phasing Plan dated March 11, 2019 and depicted on corresponding exhibit dated the same being 6 phases similar to that shown on sheet 1 of the tentative map exhibit unless otherwise approved by the City Engineer and Community Development Director.

63. Digitized drawing files of the final Map, in a City's compatible AutoCAD system, shall be submitted along with original mylar of the final map.

64. It is assumed that easements shown on the tentative map exhibit are shown correctly and include all the easements that encumber the subject property. The Subdivider shall secure approval from all easement holders for all grading and improvements which are proposed over the respective easement or provide evidence that the easement has been relocated, quitclaimed, vacated, abandoned, easement holder cannot be found, or is otherwise of no affect. The later determination that this assumption is incorrect may require that the subdivider amend or revise the tentative map as may be necessary to allow a finding that the final Tract Map is substantial conformance with the approved tentative map. Easement(s) of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easements of record which cannot be relinquished or relocated shall be redesigned and request made to determine substantial conformance.

65. Grading shall conform to the California Building Code, as adopted by the City of Hemet and Hemet Municipal Code Chapter 67, Grading, Sediment and Erosion Control, and all other applicable laws, rules, and regulations governing grading in the city of Hemet and state of California.

66. In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety department. If an Environmental Assessment, prior to issuing a grading permit, did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Building and Safety Department Director for approval. Additionally, if the movement of import/export occurs using city streets, the review and approval of the haul routes by the City Engineer will be required and a Haul Route permit issued therefore.

67. Lots which propose retaining walls greater than 30 inches measured from lowest finish grade will require separate permits(s). Permits shall be obtained prior to the issuance of any other grading or building permit(s) unless otherwise approved by the City Engineer and Building Official.

68. Construction activities including but not limited to clearing and grubbing, stockpiling, grading or excavation of land which disturb 1 acre or more, or which disturb less than 1 acre, but is part of a larger common plan of development, are required to obtain coverage under the construction general permit with the State Water Resources Control Board (SWRCB). Developer is required to provide proof of WDID# and keep a current copy of the Storm Water Pollution Prevention Plan (SWPPP) on the construction site.

69. All drainage and storm drain improvements shall be designed in accordance with Riverside County Flood Control & Water Conservation District's (RCFC&WCD) standards and City of Hemet Master Flood Control and Drainage Plan. Drainage facilities shall be designed to accommodate 100-year storm flows. Drainage facilities outletting from sump conditions shall be designed to convey the tributary 100-year storm flows and additionally an emergency overflow escape route shall also be provided.

70. The Supplemental Environmental Impact Report (SEIR) applicable for this subdivision includes mitigation measure(s) all of which must be complied with in implementing the project.

    a. A Traffic Impact Analysis was prepared for this project by Urban Crossroads titled: Traffic Impact Analysis for Rancho Diamante (TTM No. 36841), dated April 4, 2018. All recommendations included therein, including the latest revision thereto, must be complied with in implementing the project.

    b. A Water Supply Assessment for Rancho Diamante was prepared for this project in accordance with the provisions of state Senate Bill 610 and Senate Bill 221 and was approved by Eastern Municipal Water District

(EMWD). All requirements included therein must be complied with in implementing the project.

c. A drainage study was prepared for this project by Chang Consultants titled Preliminary Drainage Study for Tentative Tract Map No. 36841 (Rancho Diamante) dated January 20, 2019. All recommendations included therein, including the latest revision thereto, must be complied with in implementing the project.

d. A preliminary Water Quality Management Plan (WQMP) was prepared by Chang Consultants titled Project Specific Water Quality Management Plan. Rancho Diamante, Tentative Tract Map No. 36841, dated October 5, 2015; Revised February 1, 2018 and January 20, 2019.

e. A Paleontological Records Search was conducted for the project region by Staff at the San Bernardino County Museum on November 1, 2004. Refer to City of Hemet, Draft Environmental Impact Report, Rancho Diamante Phase II, Hemet, Riverside County, California, SCH #2007091039, dated May 2008.A Cultural Resources (Archeological) Report was prepared for this project by LSA titled: Cultural Resources Assessment, Rancho Diamante Project, dated December 2019.

f. A Geotechnical Report was prepared for this project by Leighton & Associates titled: Supplemental Geotechnical Exploration Rancho Diamante Residential Development Tentative Tract Map No. 36841, dated August 25, 2016. All recommendations included therein, including the latest revision thereto, must be complied with in implementing the project.

The Mitigation Monitoring and Reporting Program (MMRP) of the SEIR for this project and the Rancho Diamante Phase II Specific Plan Amendment include environmental mitigation measures for the project which are included herewith as Conditions of Approval. All requirements included therein must be complied with in implementing the project.

71. Traffic signals shall be designed and constructed in accordance with Caltrans standard plans and specifications, latest edition unless otherwise approved by the City Engineer.

72. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.

73. This property is within the service area of Eastern Municipal Water District (EMWD) for the provision potable and reclaimed water and the collection and treatment of sewerage.

74. Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with City of Hemet Municipal Code Section 82-172. This also applies to existing overhead lines which are not over 34.5 kilovolts within and along the project frontage and between the nearest poles offsite in each direction of the project site. All utility extensions within the subdivision and within individual lots shall be placed underground. All existing and proposed aerial utility lines shall be relocated and installed underground, in

accordance with the regulations, rules and requirements of the serving utility, City of Hemet and applicable laws.

75. All landscaping, irrigation and systems shall comply with the Valley-Wide Recreation & Park District design guidelines and standards.

76. A Preliminary WQMP (P-WQMP) was prepared for this project by Chang Consultants titled: Project Specific Water Quality Management Plan. Rancho Diamante, Tentative Tract Map No. 36841, dated October 5, 2015; Revised February 1, 2018 and January 20, 2019. It shall be noted that while the P-WQMP was adequate at that stage, the report may need updating or revisions at the improvement plan check phase of the development in order to meet the requirements of a final project specific Water Quality Management Plan (WQMP), including detailed drawings for the BMPs along with all supporting calculations.

77. PRIOR TO OCCUPANCY Prior to issuance of a Certificate of Occupancy, a Registered Civil Engineer shall submit to the City Engineer a written certification that all the components of the approved WQMP have been satisfactory installed and constructed. Certification shall be as to grade, elevations, plantings, materials, and other elements included in the approved WQMP and include as-built drawings.

78. PRIOR TO GRADING PERMIT No grading permit shall be issued until the entitlement cases associated with this subdivision are approved and are in effect.

79. Where survey monuments exist, such monuments shall be protected or shall be referenced and reset, pursuant to Business and Professions Code, Sections 8700 to 8805 (Land Surveyors Act).

80. Existing City streets, which will require reconstruction, shall remain open at all times for through traffic. Temporary detours may be authorized with City Engineer's approval of a Temporary Construction Area Traffic Control Plan prepared by a Traffic Engineer.

81. An Encroachment Permit is required for all work within the public right-of-way.

82. The subdivider shall protect downstream properties from damages caused by alteration of the drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. All drainage easements shall be shown on the final map and noted as follows: "Drainage Easement - no building, obstructions, or encroachments by landfills are allowed". The protection shall be as approved by the Engineering Department.

83. The subdivider shall accept and properly dispose of all off-site drainage flowing onto or through the site. The use of streets for drainage purposes is permitted, however should the quantity of runoff exceed the street storm water conveyance capacity or the use of streets be otherwise restricted or prohibited for drainage

purposes, the subdivider shall provide adequate drainage facilities and/or appropriate easements as approved by the City Engineer.

The 10-year storm flow shall be contained within the top of the curbs and the 100-year storm flow shall be contained within the street right of way. When either of these criteria is exceeded additional drainage facilities shall be installed.

84. PRIOR TO GRADING PLAN Prior to approval of the grading plan the Developer shall prepare a detailed hydrology and hydraulics report corresponding with the grading and improvements shown for approval of the City Engineer.

85. The Applicant shall form a Homeowners Associations (HOA). The HOA shall be responsible for operating and maintaining all stormwater, water quality, and drainage facilities; interior parkway landscaping; private open space and private parks constructed as part of this project, unless such facility or facilities are otherwise dedicated to the City, CFD or appropriate public entity for operation and maintenance or such other arrangements approved by the Planning and Engineering Departments.

86. The Applicant shall submit a copy of draft Covenants, Conditions and Restrictions (CC&Rs) to the City Attorney and the Planning Department for review and approval. The CC&Rs shall be enforceable by the City, shall not be amended without City approval, and shall require that all properties shall be maintained in a good condition and in accordance with all City Ordinances.

87. The Applicant shall submit to the City of Hemet, a deposit in the amount as specified by the Finance Department for the review of the CC&Rs by the City Attorney. A filing fee shall also be paid to the City Planning Department for the administrative review process.

88. Monuments shall be provided in accordance with City of Hemet Public Works Standard Specifications for Public Works Construction Standard M-900 and M-900A. In lieu of Standard M-901, street centerline monuments shall conform with Riverside County Surveyor's Office. Cross-ties for all centerline monuments shall be set in top of curbs and tie sheets filed with the City Engineer.

89. Subdivider shall obtain an encroachment permit from MWD for work within its right-of-way.

90. Subdivider shall obtain an encroachment permit from RCFC&WCD for connection to its facilities.

91. The applicant may receive credit against Development Impact Fees for construction of improvements identified in the City's "Master Facilities Plan", in accordance with Hemet Municipal Code Section 58-64, provided that an agreement is entered into with the City of Hemet prior to recordation of the Final Map.

92. The applicant may receive credit against TUMF fees for construction of improvements identified in the WRCOG TUMF Regional System of Highways and Arterials, provided that a WRCOG approved agreement is entered into with the City of Hemet prior to construction of improvements.

FINAL MAP

93. PRIOR TO MAP APPROVAL When changes to an approved Tentative Map are proposed, a Substantial Conformance Exhibit, in the same scale as the Tentative Map, shall be submitted for review and approval by the City Engineering and Community Development Director.

94. PRIOR TO MAP APPROVAL Should this project lie within any assessment/benefit district, the subdivider shall, prior to recordation, make application for and pay for their reapportionment of` the assessments or pay the unit fees in the benefit district unless said fees are deferred to building permit.

95. PRIOR TO MAP APPROVAL: Avigation Easement. The Owner shall grant to the County of Riverside an easement for free and unobstructed passage of all aircraft in the airspace over, through, across, and adjacent to the Project site. The easement shall be in a form substantially consistent with that provided in the Hemet-Ryan Airport Land Use Compatibility Plan and shall be approved by the City Attorney for the City of Hemet and the County Counsel for the County of Riverside and, concurrent with recording of the final tract map, shall be duly recorded with the County Clerk to run with the title to all subdivided lots.

96. PRIOR TO MAP APPROVAL Place the following note on sheet 1 of the Final Map under the heading GEOTECHNICAL REPORT: A geotechnical report was prepared for Tentative Tract Map 36841 titled Supplemental Geotechnical Exploration Rancho Diamante Development, Tentative Tract Map No. 36841 prepared by Leighton and Associates, Inc., dated August 25, 2016 including revision dates to the date of map approval.

97. PRIOR TO MAP APPROVAL The subdivider shall enter into a Subdivision Improvement Agreement (SIA) with the City, on forms approved by the City Attorney, whereby the applicant agrees to construct the public improvements specified therein, unless in compliance with the provisions of the Subdivision Map Act all public improvements have been constructed and accepted by the agency.

All public improvements shall be guaranteed by the provision of security, in compliance with the provisions of the Subdivision Map Act and City requirements if the improvements have not been fully completed and accepted by the City. All improvements shall be guaranteed by securities for Faithful Performance, and Labor & Materials, each for 100% of the City Engineer's approved cost estimate. Cash deposit with the City as security for subdivision monumentation.

98. PRIOR TO MAP APPROVAL: The subdivider shall deposit with the Finance Department, a bond for their fair share contribution for 10% of the estimated cost

at the time of deposit, but no less than $63,200, to signalize the intersection and construct all related necessary improvements at Warren Road and (New) Stetson Avenue during the first phase of development.

99. PRIOR TO MAP APPROVAL: The subdivider shall deposit with the Finance Department, a fair share contribution for 23.3% of the estimated cost at the time of deposit, but no less than $58,200, to signalize the intersection and construct all related necessary improvements at Warren Road and Simpson Road.

100. PRIOR TO MAP APPROVAL: The subdivider shall provide an easement dedicated to the City over and across all water quality, stormwater and drainage basins for ingress, egress and maintenance as may be applicable and necessary, unless otherwise directed by the City Engineering.

101. PRIOR TO MAP APPROVAL: The subdivider shall show on the Final Map all drainage easements necessary to mitigate off-site run-on to and through the project site in accordance with City of Hemet Resolution No. 2108.

102. PRIOR TO MAP APPROVAL: The subdivider shall show on the Final Map the dedication of all rights-of-way necessary for the construction of all drainage facilities, streets, and public utilities, unless otherwise approved by the City Engineer. Street names as approved by the Building & Safety Department and the Planning Department shall be shown on the Final Map.

The street right-of-way corner cutback shall be established as follows: Along a straight line projected from the point of intersection of the radial line passing through the beginning of the curb return and the corresponding right-of-way line to the point of intersection of the radial line passing through the end of the curb return at the corresponding right-of-way line, or as directed by the City Engineer. C-207.

103. PRIOR TO MAP APPROVAL: The subdivider, at its sole expense, shall obtain all rights-of-way and/or easement necessary to fully implement any portion of the approved tentative map, including public improvements prior to the City's consideration of the final map which encompasses the particular improvement. The Applicant shall notify the City in writing no more than 120 days and no less than 60 days in advance of submitting the final map for approval if City assistance is needed necessary to complete the acquisition pursuant to Government Code Section 66462.5. Funds in an amount of 100% of the estimated acquisition costs shall be deposited with the City to cover appraisal, right-of-way agent, and legal fees and costs incurred to secure the necessary property.

104. PRIOR TO MAP APPROVAL: The subdivider shall comply with Subdivision Map Act Section 66436(A)(3) and shall provide "non-interference letters" (NILs) from public entities or utilities to the satisfaction of the City Engineer.

105. PRIOR TO MAP APPROVAL: Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the

Engineering Department for review and approval. A Title Report and Subdivision Guarantee prepared for subdivision of the property, the traverse closures for the existing subdivision boundary and lots created therefrom, and copies of all applicable record documents shall be submitted with the Final Map to the Engineering Department as part of the review of the map. The Final Map shall be approved by the City Council and recorded prior to issuance of building permits.

106. PRIOR TO MAP APPROVAL Prior to Final Map approval Subdivider shall submit a copy of draft Declaration of Covenants, Conditions and Restrictions (CC&Rs) to the City Attorney for review and approval for any restrictions or requirements related to the Engineering Department's recommendations. The CC&Rs shall be approved by the City Attorney prior to approval of the Final Map, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

107. PRIOR TO MAP APPROVAL Prior to Final Map approval Subdivider shall submit a copy of draft Declaration of Covenants, Conditions and Restrictions (CC&Rs) to the Planning Department for approval in a format to be approved by the City Attorney. The draft CC&R package shall include, but no limited to:

a. The document to convey title.

b. Deed restrictions, easements, of Covenant Conditions and Restrictions to be recorded.

c. Provisions for joint access to the proposed parcels and any open space restrictions.

d. A provision, which provides that the CC&Rs may not be terminated or substantially amended without the consent of the City and the Owner's successor-in-interest.

The Owner/Applicant shall submit to the City, a deposit in the amount as specified by the Finance Department for the review of the CC&Rs by the City Attorney. An application and review fee shall also be paid to the Planning Department for the administrative review process.

108. Approved CC&Rs are to be recorded following approval of the Final Map and concurrent with its recording. The CC&Rs may be enforceable by the City, shall not be amended without City approval and shall require maintenance of all property in a good condition and in accordance with all City Ordinances.

109. Prior to any construction related to this project, the Applicant shall submit a Construction Traffic Management Plan (CTMP) for review and approval by the City Engineer. The plan shall include, but not limited to, site entrance and exit locations, materials and equipment routes, signing, and dirt import/export hauling. When public roads are used to move construction materials from or to the site during grading operations, a haul route plan shall be required and permit obtained from the Engineering Department.

110. Subdivider is required to prepare or caused to be prepared improvement plans for all public improvement for approval of the City Engineer.

STREETS

All Streets

111. All streets shall be designed and constructed in accordance with the *Standard Specifications for Public Works Construction,* Latest Edition, City of Hemet Public Works Standard Specifications, City Engineering Standards and Manuals and applicable City Standards, and all applicable laws, rules and regulations all per plans approved by the City Engineer.

112. All driveway approaches shall be designed and constructed in accordance with the *Standard Specifications for Public Works Construction,* Latest Edition, City of Hemet Public Works Standard Specifications, Standard Street Sections and applicable Engineering Standards C-208, C-209, C-210, and C-210A, and all applicable laws, rules and regulations all per plans approved by the City Engineer. In accordance with City of Hemet Resolution No. 1783 driveway widths and locations shall be approved by the City Engineer.

113. All street intersections shall be designed and constructed with ADA accessible curb ramp(s) in accordance with the *Standard Specifications for Public Works Construction,* Latest Edition, City of Hemet Public Works Standard Specifications, Standard Street Sections and applicable City Standards 216, *California Building Standards Code Title 24*, applicable regulations and rules all per plans approved by the City Engineer.

114. All streets shall be designed and constructed with sidewalks of the type, curb adjacent or curb separated, shown on the tentative map in accordance with the *Standard Specifications for Public Works Construction,* Latest Edition, City of Hemet Public Works Standard Specifications, City Standard C-215, *California Building Standards Code Title 24*, applicable regulations and rules all per plans approved by the City Engineer.

115. All streets shall be designed and constructed with public street lights in accordance with the *Standard Specifications for Public Works Construction,* Latest Edition, City of Hemet Public Works Standard Specifications, and City Standards G-805 and G-808 modified to include LED fixtures, applicable regulations and rules all per plans approved by the City Engineer and additionally approved by the Hemet-Ryan airport manager and the Riverside County Airport Land Use Commission (SEIR MMRP HHM-5g). The plans shall be designed by a registered electrical engineer.

116. All streets shall be designed and constructed to include general roadway lighting and safety lighting at signalized intersections utilizing LED lighting fixtures which shall be Evolve™ LED Streetlight as manufactured by GE Lighting, General Electric Company. GE lighting product shall be of the manufacturer's model and type for the roadway classifications indicated herein. Lighting fixtures shall be installed in accordance with manufacturer's directions and City standards.

117. All non-signalized street intersections shall be designed and constructed to include stop signs for the directions indicated, street name signs per City standards, and red curb where shown per plans approved by the City Engineer, or as otherwise directed.

118. All streets shall be designed and constructed with street trees (minimum one tree per lot or two per corner lot) at 40-feet on-center in accordance with the *Standard Specifications for Public Works Construction,* Latest Edition, City of Hemet Public Works Standard Specifications, City "Approved Street Tree List", applicable City Standards, applicable regulations and rules all per plans approved by the City Engineer and Public Works Director including automatic irrigations system to trees and plants. The plans shall be designed by a licensed landscape architect.

119. All street cul-de-sacs shall be designed and constructed per City Standard G-800.

120. All street knuckles shall be designed and constructed per City Standard G-806.

121. For streets temporarily terminated, which streets otherwise are planned as through streets, temporary turnarounds shall be designed and constructed per City Standard G-801.

122. All private streets, if any, must be constructed in accordance with City of Hemet Ordinance No. 634.

123. All streets shall be designed with and constructed with asphalt concrete (AC) paving extending from the new gutter lip to new gutter lip per City Standard street sections and as may be modified per street sections shown on the approved tentative map per plans approved by the City Engineer.

124. Street AC pavement shall be designed and constructed with structural section for a Traffic Index (TI) as specified for the street classification and R-value as determined by preliminary soils investigation. The final pavement section constructed shall be calculated with the R-value of the prepared subgrade determined in-situ and TI as the final pavement section design is approved by the City Engineer. Pavement shall be a minimum thickness of AC over a minimum thickness base as specified for the street classification and type.

125. Where street paving is required to join existing pavement the paving shall be designed from the new curb and gutter to the existing pavement to join and match at a neat saw-cut join line on a straight grade with a cross-slope not less than 1 ½ or more than 4 per cent and if any existing pavement crown is removed it shall be reestablished as shown per plans approved by the City Engineer, or otherwise directed.

126. Provide digital files of all final improvement plans in a City's compatible AutoCAD format along with final improvement plan originals on mylar. Interim and progress plan submittals are preferred in digital pdf format but will be accepted on bond paper.

127. Existing City streets which will require reconstruction shall remain open for traffic at all times, with adequate construction area traffic control and detours per the WATCH manual and where not applicable, per temporary traffic control plans approved by the City Engineer. The plans shall be designed by a registered traffic engineer.

Local Streets (66-ft ROW) Streets "C" and "UU"

128. Provide dedication of abutter's rights of access along Street "C" and Street "UU" for the frontage of the subdivision such that all lot access shall be restricted except one 20-foot wide access point to each of Open Space lots "DD', "EE". "FF", "P", "Q". "M" and "Y" and one 30-foot wide access point to Lot A (Public Park).

129. Street "C" and Street "UU" shall be designed and constructed with curb and gutter Type "B" per City Standard C-200 on an alignment 22-feet from the centerline per City Standard ST-103 with striping per Standard ST-103B modified to provide 10-foot wide bike lane including 3-foot marked bike buffer and Bike Lane" and "No Stopping Anytime" signing. Bike lanes shall comply with and current Caltrans Standards.

130. Curb returns shall be designed and constructed with a 25-foot radius at all intersections except with Street "A" and Street "B" which shall be a 35-foot radius. Corresponding right-of-way cut-off at intersection corners shall be straight line point-to-point as determined from the curb return design.

131. Street "C" shall be designed and constructed to include a RCB or RCP culvert crossing under the roadway for conveyance of a 100-year design storm for all drainage to the culvert.

132. Street "C" southerly of the full intersection with Street "KK" shall be dedicated on a final map for Phase 3, including that portion extending to the southerly tentative tract boundary for public street and utility purposes which dedication may be rejected and as such shall remain as an irrevocable offer of dedication subject to acceptance at any time thereafter. The granting of any utility easements in this area by the subdivider shall include the condition that grantee agrees that such easement shall automatically terminate on City acceptance of dedication for public street and utility purposes.

Street "C" southerly of the full intersection with Street "KK" shall be constructed by the Developer prior to the first Occupancy Permit in Phase 6 (Lot 587, Commercial) per City of Hemet Standard No. ST-103 and typical right-of-way section shown on Sheet 2 of Tentative Tract Map including storm water channel crossing and plans approved by the City Engineer. Vehicular barricade shall be placed at the southerly side of intersection with Street "KK" with access gates approved by the City Engineer when construction of Street "KK" precedes that of this portion of Street "C".

133. Street pavement shall be designed with structural section for a Traffic Index (TI) of 5.5 and R-value as determined by a preliminary soils investigation approved by the City Engineer. Pavement shall be a minimum of 5”AC over 6” PMB. Note: *Note: The final pavement section to be constructed shall be calculated with the R-value of the prepared subgrade determined in-situ and above TI but not less than 4”AC over 6” PMB.*

134. Street lighting shall be GE Evolve LED fixture ERL1-0-03-B3-30-A-GRAY-L (22w).

General Local Streets (60-ft ROW) Streets “T” through “ZZ”

135. Streets shall be designed and constructed with curb and gutter type "A" on an alignment 20-feet from the centerline per City Standard C-200.

136. Curb returns shall be designed and constructed with a 25-foot radius at all interior intersections and with a 35-foot radius at intersections with arterial, major and secondary classified roadways and with Street “A” and Street “B”. Corresponding right-of-way cut-off at intersection corners shall be straight line point-to-point as determined from the curb return design.

137. Street pavement shall be designed with structural section for a Traffic Index (TI) of 5.5 and R-value as determined by a preliminary soils investigation approved by the City Engineer. Pavement shall be a minimum of 4”AC over 6” PMB. *Note: The final pavement section to be constructed shall be calculated with the R-value of the prepared subgrade determined in-situ and above TI but not less than 4”AC over 6” PMB.*

138. Street lighting shall be GE Evolve LED fixture ERL1-0-03-B3-30-A-GRAY-L (22w).

Restricted Local Streets (56-ft ROW) Streets “D” through “SS”

139. Streets shall be designed and constructed with curb and gutter type "A" on an alignment 18-feet from the centerline per City Standard C-200.

140. Curb returns shall be designed and constructed with a 25-foot radius at all interior intersections and with a 35-foot radius at intersections with arterial, major and secondary classified roadways, Street “A” and Street “B”. Corresponding right-of-way cut-off at intersection corners shall be straight line point-to-point as determined from the curb return design.

141. Street pavement shall be designed with structural section for a Traffic Index (TI) of 5.5 and R-value as determined by a preliminary soils investigation approved by the City Engineer. Pavement shall be a minimum of 4”AC over 6” PMB. *Note: The final pavement section to be constructed shall be calculated with the R-value of the prepared subgrade determined in-situ and above TI but not less than 4”AC over 6” PMB.*

142. Street lighting shall be GE Evolve LED fixture ERL1-0-03-B3-30-A-GRAY-L (22w).

Collector Street (94 ft ROW) – Street "A" (Mustang Way)

143. Provide dedication of abutter's rights of access along Street "A", Mustang Way, for the frontage of the subdivision such that all lot access shall be restricted.

144. Street "A" for the frontage of the project shall be designed and constructed with curb and gutter Type "B", City Standard C-201, on an alignment 32 feet from the centerline and with median curb type "D", City Standard C-203 (unless Type 'E', City Standard C-204 is warranted), 6 feet from both sides of centerline, except on intersection approach where lane and median curb widths may be altered to provide a minimum 4-foot wide median, in accordance with the Standard Specifications for Public Works Construction, Latest Edition, City of Hemet Public Works Standard Specifications, Standard Street Sections and applicable section per sheet 2 of the tentative map all per plans approved by the City Engineer and constructed with first construction phase of the project

145. Street "A" shall be designed and constructed with striping per Standard ST-103B modified to include a 12-foot curbed median, a 14-foot motor vehicle lane and 10-foot wide bike lane including 3-foot marked bike buffer and "Bike Lane" and "No Stopping Anytime" signing. Bike lanes shall comply with and current Caltrans Standards.

146. Curb returns shall be designed and constructed with a 35-foot radius at intersections with arterial, major and secondary classified roadways. Corresponding right-of-way cut-off at intersection corners shall be straight line point-to-point as determined from the curb return design.

147. Street pavement shall be designed with structural section for a Traffic Index (TI) of 6.0 and R-value as determined by a preliminary soils investigation approved by the City Engineer. Pavement shall be a minimum of 4"AC over 6" PMB*. Note: The final pavement section to be constructed shall be calculated with the R-value of the prepared subgrade determined in-situ and above TI but not less than 4"AC over 6" PMB.*

148. Street lighting shall be GE Evolve LED fixture ERL1-0-05-B3-30-A-GRAY-L (39w).

149. Street "A" shall be designed and constructed with a traffic signal at the intersection with (New) Stetson Avenue to provide for a 3-way intersection with protected turn pockets.

150. Street "A shall be designed and constructed with a modified traffic signal at the intersection with Warren Road to provide for a 4-way intersection with protected turn pockets. Modification shall include all upgrades or replacements of equipment necessary to comply with current Caltrans standards.

151. Intersection safety light at signalized intersections shall be GE Evolve LED fixture ERL1-0-09-D3-30-A-GRAY-L (84w).

Collector Street (80 ft ROW) – Street "B" (Name TBD)

152. Provide dedication of abutter's rights of access along Street "B" for the frontage of the subdivision such that all lot access shall be restricted except for two 50-foot wide access points to Lot 587 (Commercial) which shall be aligned directly opposite Street "RR" and Street "UU".

153. Street "B" for the frontage of the project shall be designed and constructed with curb and gutter Type "B", City Standard C-201, on an alignment 30 feet from the centerline and with median curb type "D", City Standard C-203 (unless Type "E', City Standard C-204 is warranted), 6 feet from both sides of centerline, except on intersection approach where lane and median curb widths may be altered to provide a 4-wide median, in accordance with the Standard Specifications for Public Works Construction, Latest Edition, City of Hemet Public Works Standard Specifications, Standard Street Sections and applicable section per sheet 2 of the tentative map all per plans approved by the City Engineer and constructed with first construction phase of the project.

154. Street "B" shall be designed and constructed with striping per Standard ST-103B modified to include a 12-foot curbed median, a 14-foot motor vehicle lane and 10-foot wide bike lane including 3-foot marked bike buffer and "Bike Lane" and "No Stopping Anytime" signing. Bike lanes shall comply with and current Caltrans Standards.

155. Curb returns shall be designed and constructed with a 35-foot radius at intersections with arterial, major and secondary classified roadways. Corresponding right-of-way cut-off at intersection corners shall be straight line point-to-point as determined from the curb return design.

156. Street pavement shall be designed with structural section for a Traffic Index (TI) of 6.0 and R-value as determined by a preliminary soils investigation approved by the City Engineer. Pavement shall be a minimum of 4"AC over 6" PMB. Note: The final pavement section to be constructed shall be calculated with the R-value of the prepared subgrade determined in-situ and above TI but not less than 4"AC over 6" PMB.

157. Street lighting shall be GE Evolve LED fixture ERL1-0-05-B3-30-A-GRAY-L (39w).

158. Street "B" shall be designed and constructed with a traffic signal at the intersection with (New) Stetson Avenue to provide for a 3-way intersection with protected turn pockets.

159. Intersection safety light at signalized intersections shall be GE Evolve LED fixture ERL1-0-09-D3-30-A-GRAY-L (84w).

Warren Road (88-ft ROW)

160. In accordance with the Specific Plan Amendment encompassing this project Warren Road is classified as a 4-lane secondary arterial and shall be designed and constructed in accordance with applicable City Standard ST-102B (modified) from the southerly subdivision boundary through the intersection with (New) Stetson Avenue, including appropriate transitions at both ends, per plans approved by the City Engineer. *Note. Warren Road shall be constructed with first construction phase of the project.*

161. Warren Road is shown on the WRCOG Transportation Uniform Mitigation Fee (TUMF) program Regional System of Highways and Arterials (RSHA) and is eligible for credit against developer fees owed under that program when dedicating right-of-way and constructing qualifying improvements.

162. Provide dedication of abutter's rights of access for limits as approved by the City Engineer such that all lot access shall be restricted along Warren Road for the frontage of the subdivision.

163. Provide dedication of 12 to 15 feet outside of the right-of-way dedication, and where right-of-way occurs fully within the subdivision boundary, along both sides of the right-of-way, to achieve a 25-foot streetscape setback from the curb line and design and construct improvements in accordance with Standard ST-102 (modified) per Figure 1-12, Secondary Highway Streetscape of Page Ranch Planned Community Design Guidelines dated March 2019 and per plans approved by the City Engineer and Community Development Director.

164. Warren Road and (New) Stetson Avenue intersection shall be designed with curb and gutter, traffic signal and ADA access in accordance with the *Standard Specifications for Public Works Construction,* Latest Edition, City of Hemet Public Works Standard Specifications, Standard Street Sections and applicable City Standards all per plans approved by the City Engineer and constructed with first construction phase of the project.

165. Warren Road for the frontage of the project and extending northerly through the intersection with (New) Stetson Avenue shall be designed with curb and gutter type "B, City Standard C-201", on an alignment 38 feet from the approved centerline and with median curb type "D", City Standard C-203, 6 feet both sides of centerline in accordance with the *Standard Specifications for Public Works Construction,* Latest Edition, City of Hemet Public Works Standard Specifications, Standard Street Sections and applicable and all per plans approved by the City Engineer and constructed with first construction phase of the project.

166. Curb returns shall be designed and constructed with a 35-foot radius at intersections and corresponding right-of-way cut-off at intersection corners shall be straight line point-to-point as determined from the curb return design.

167. Install street paving from the new gutter lip to new median curb in accordance with the Standard Specifications for Public Works Construction, Latest Edition, City of Hemet Public Works Standard Specifications, Standard Street Sections.

168. Install match-in paving, 2-feet wide minimum from the new median curb to the existing pavement in accordance with the Standard Specifications for Public Works Construction, Latest Edition, City of Hemet Public Works Standard Specifications, Standard Street Sections.

169. Street pavement shall be designed with structural section for a Traffic Index (TI) of 7.0 and R-value as determined by a preliminary soils investigation approved by the City Engineer. Pavement shall be a minimum of 5"AC over 8" PMB. *Note: The final pavement section to be constructed shall be calculated with the R-value of the prepared subgrade determined in-situ and above TI but not less than 5"AC over 8" PMB.*

170. Street lighting shall be GE Evolve LED fixture ERL1-0-05-B3-30-A-GRAY-L (39w).

171. Warren Road shall be designed and constructed with a traffic signal at the intersection with Street "B to provide for a 3-way intersection with protected turn pockets.

172. Warren Road shall be designed and constructed with modification of the existing traffic signal at the intersection with Street "A", Mustang Way, to provide for a 4-way intersection with protected turn pockets. Modification shall include all upgrades or replacements of equipment necessary to comply with current Caltrans standards. *Note: Signal shall be constructed with first construction phase of the project.*

173. Intersection safety light at signalized intersections shall be GE Evolve LED fixture ERL1-0-09-D3-30-A-GRAY-L (84w).

(New) Stetson Avenue (130 to 137.5 -ft ROW Varies)

174. In accordance with the General Plan New Stetson Avenue is classified as Arterial 6D (6-lane divided arterial highway) and the Bikeway Circulation Plan includes a Class 2 (on-road) bicycle lanes. Bike lanes shall comply with and current Caltrans Standards.

175. Provide dedication of abutter's rights of access such that all lot access shall be restricted along (New) Stetson Avenue for the frontage of the subdivision except for two 50-foot wide access points to Lot 587 (Commercial) which shall be located a minimum of 400 feet northeasterly of the intersection with Street "B"

and 400 feet southwesterly of the intersection with Warren Road at such location as specifically approved by the City Engineer and Director of Community Development. Signalization or all-way stop control of these access points is not permitted. With the development of Phase 6 (Commercial) these intersections shall be restricted to right-in/right-out unless alternate option to construct a signalized access point is selected in which case these access points will not be permitted.

Subject to approval of the City Engineer and Director of Community Development the Subdivider may alternatively dedicate abutter's rights of access, design and construct a signalized single point of unrestricted access only, 50 feet wide, to Lot 587 (Commercial) located approximately midway between Street "B" and Warren Road as specifically approved by the City Engineer and Director of Community Development.

176. Provide fee dedication of 25-foot wide lot outside of the right-of-way dedication and design and construct landscape improvements per plans approved by the City Engineer and Community Development Director.

177. (New) Stetson Avenue for the frontage of the project shall be designed and constructed with curb and gutter Type "B", City Standard C-201, on an alignment 51 feet both ways from the approved centerline and with median curbs type "D", City Standard C-203 (unless Type "E', City Standard C-204 is warranted), 7 feet both ways of centerline, except on intersection approach where lane and median curb widths may be altered to provide a minimum 4-wide median, in accordance with the Standard Specifications for Public Works Construction, Latest Edition, City of Hemet Public Works Standard Specifications, Standard Street Section ST-100A (Alternate) and as modified by applicable section on sheet 2 of the tentative map all per plans approved by the City Engineer. *Note. (New) Stetson Avenue shall be designed and constructed with partial width through the full intersection with the design and construction of Street "A", Mustang Way as necessary to complete circulation for any of the Phases 1 through 4 or as approved by the City Engineer. As the partial width improvements to be constructed with Phase 2 make it impractical to concurrently construct the curbed median and both median and far-side landscaping and irrigation the developer will be required to deposit with the City an amount equal to one-half the estimated cost of construction of such improvements to be held by the City and returned to the developer completing construction of the full width improvements including all landscaping and irrigation.*

178. Curb returns shall be designed and constructed with a 35-foot radius at intersections and corresponding right-of-way cut-off at intersection corners shall be straight line point-to-point as determined from the curb return design.

179. Street pavement shall be designed with structural section for a Traffic Index (TI) of 9.5 and R-value as determined by a preliminary soils investigation approved by the City Engineer. Pavement shall be a minimum of 5"AC over 8" PMB. *Note: The final pavement section to be constructed shall be calculated with the R-value*

of the prepared subgrade determined in-situ and above TI but not less than 5" AC over 8" PMB.

180. Street lighting shall be GE Evolve LED fixture ERL1-0-09-B3-30-A-GRAY-L (84w, Type II narrow Photometric Option) designed and constructed on both sides of the roadway per City Standard G-808.

181. (New) Stetson Avenue shall be designed and constructed with a traffic signal at the intersection with Street "B" to provide for a 3-way intersection with protected turn pockets. Signalization of this intersection shall occur prior to the first occupancy granted in Phase 6, Lot 587 (Commercial)

182. (New) Stetson Avenue shall be designed and constructed with a traffic signal at the intersection with Street "A", Mustang Way, to provide for a 3-way intersection with protected turn pockets. Signalization of this intersection shall occur prior to the first occupancy granted in Phase 4.

OTHER STREET IMPROVEMENTS

183. Various street intersection and segment improvements and schedule for implementation shall be designed per plans approved by the City Engineer and constructed by developer in accordance with Table A attached hereto, unless otherwise approved by the City Engineer and Community Development Director, and made a part of the Conditions of Approval.

DRAINAGE

184. The project partially lies within flood zone AE (Special Flood Hazard Areas with base flood elevations determined). Prior to issuance of a Building Permit for structures in this zone, it is required that the existing Flood Insurance Rate Map (FIRM), issued by FEMA, be revised to remove the property from Zone AE. Map revision shall be submitted in conformance with the process outlined in the Hemet Municipal Code Chapter 14, Article V and 44 CFR, Part 59 through Part 78. A Letter of Map Revision (LOMR) application shall be submitted and approved by FEMA to revise the limits of the existing Zone AE.

185. The Applicant shall adhere to all Federal Emergency Management Agency (FEMA) regulations and requirements should existing drainage patterns be affected by this development. Prior to issuance of a Grading Permit all necessary calculations as determined by the City Engineer shall be submitted to the City of Hemet and to any governing Federal agency as applicable for review and approval.

186. PRIOR TO 1st BUILDING PERMIT Prior to issuance of the first Building Permit for production residential unit or commercial/industrial use, the Applicant shall pay the Master Storm Drain Plan fee, at the currently adopted rate.

187. PRIOR TO MAP APPROVAL Prior to approval of the Final Map, the Applicant shall submit to the City Engineer for review and approval, final hydrology and hydraulic calculations for the area within and immediately adjacent to the project site. Improvements proposed by the Applicant shall be considered when analyzing impacts to upstream, adjacent and downstream properties.

Adequate provisions shall be made to intercept and conduct the drainage flows within and from the site in a manner which will not adversely affect adjacent or downstream properties.

Drainage easement(s), as required by the City Engineer, shall be shown on the improvement plans or grading plans and shall be recorded by separate deed or as part of the Final Map.

188. Cross-lot drainage shall not be allowed. All pads shall be designed to drain to the streets, unless otherwise approved by the City Engineer. Storm water shall be collected in an appropriate storm drain system. All drainage easements are subject to City acceptance for maintenance as determined by the City Engineer.

189. An underground nuisance water storm drain is required in all streets where upstream street length without storm water interception exceeds 660 lineal feet, unless otherwise approved by the City Engineer.

190. The incremental increase in runoff between the developed and undeveloped property for the 100-year/3-hour storm must be retained on site.

191. The Owner/Applicant shall coordinate with Riverside County Flood Control and Water Conservation District (RCFC&WCD) to verify that the proposed connections to the Hemet Channel are acceptable as proposed and for construction obtain an Encroachment Permit from the district.

192. All storm drain facilities greater than 36 inches in diameter and facilities included on the RCFC&WCD Master Drainage Plan may be eligible for transfer to RCFC&WCD for future operation and maintenance. For all such candidate facilities, Developer shall inquire with the district to determine whether or not district will accept transfer of the facilities. All storm drain facilities shall be designed to district standards and those facilities which district will accept shall be shown on improvement plans approved by the district and City Engineer.

193. Developer shall coordinate with the Riverside County Flood Control District & Water Conservation District (RCFCD) to determine all requirements necessary for RCFCD's acceptance for operation and maintenance of the proposed Southwest Hemet Master Drainage Plan Line B (Hemet Master Plan Line 3B) from Warren Road (E-W CHANNEL/BASIN) to Simpson Road.

194. Onsite storm drain shall include minimum of 18" RCP and catch basins at all signalized intersection, at all intersections where the through direction of traffic is not stop controlled, and all mid-block low points in order to eliminate nuisance

surface water runoff and premature pavement failure where possible, as determined by the City Engineer.

195. The storm water retention basins and storm water channels within the boundaries of Tentative Tract Map 36841 shall be maintained by property owner or a Homeowners/Property Owners Association. Maintenance of the storm water channel along the southerly project boundary and the storm water detention basin located at the southwesterly portion of the project shall be maintained by Community Facilities District (CFD) to which the Developer shall agree to participate. The CFD shall be formed by the City and the cost of formation shall be reimbursed to the City by the Developer.

196. Design and construction of the storm water detention basin to be maintained by the CFD shall include, but not limited to, the following improvements: concrete driveway, perimeter fencing (decorative block and/or wrought iron fence, as determined by the Planning Director), 4:1 side slopes, access ramp, inlet and outlet structure with safety grate, subdrainage and sump to collect nuisance water, and nuisance water discharge pump or, if feasible, positive drainage as approved by the City Engineer.

197. The storm water channel along the southerly project boundary and the storm water detention basin located at the southwesterly portion of the project shall be separate lettered lots dedicated to the City on the Final Map, and shall be required to convey and mitigate all onsite flows routed to it and off-site flows through the project site in accordance with City of Hemet Resolution No. 2108.

198. PRIOR TO MAP APPROVAL, The CFD for maintenance of the storm water channel along the southerly project boundary and the storm water detention basin located at the southwesterly portion of the project shall be formed prior to map approval.

199. In compliance with Santa Ana Regional Water Quality Control Board Orders this project is required to comply with the Water Quality Management Plan for Urban Runoff (WQMP). The WQMP addresses post-development water quality impacts from new development and redevelopment projects. Guidelines and templates to assist the developer in completing the necessary studies are available on-line at www.floodcontrol.co.riverside.ca.us under Programs and Services, Stormwater Quality.

200. PRIOR TO GRADING PERMIT The Developer shall submit a “Project Specific” WQMP for each phase of the development prior to issuance of any building or grading permits for approval of the City Engineer. A template for this report is indicated as ‘Exhibit A available on-line at www.floodcontrol.co.riverside.ca.us under Programs and Services, Stormwater Quality. A final Project Specific WQMP must be approved by the City Engineer and Covenant and Agreement for Maintenance and Operation of BMP Facilities shall be entered into with the City and be recorded.

This plan shall address Site Design BMPs, incorporate the applicable Source

Control BMPs, incorporate Treatment Control BMPs, describe the long-term operation and maintenance requirements for BMPs needing long-term maintenance, and describe the mechanism for funding the long-term operation and maintenance of the BMPs.

If Clean Water Act, Section 401 Water Quality Certification is necessary for the project, the Regional Water Quality Control Board may require additional water quality measures.

201. Owner/Applicant shall provide and verify adequate outlet facilities from Open Space "Lot FF" to Simpson Road. Drainage Facility in this area shall be capable of conveying basin discharge safely to existing flood control facilities at Simpson Road.

202. PRIOR TO BUILDING PERMIT Prior to the issuance of each Building Permit, the Developer shall pay the WRCOG Transportation Uniform Mitigation Fee (TUMF) and Hemet Developer Impact Fees (DIF) at the rate applicable at the time of application for the permit. Certain DIF fees may be eligible for a credit offset, in accordance with City adopted ordinances and policies, for the construction of qualified facilities. TUMF fees may be eligible for a credit offset in accordance with WRCOG program guidelines and City adopted ordinances and policies for the construction of qualifying facilities.

203. PRIOR TO OCCUPANCY Prior to Certificate of Occupancy for any building all improvements in the public right of way required by the conditions of tentative map and other applicable site development approvals shall be completed to the satisfaction of the City Engineer.

204. All water quality and drainage facilities shall be capable of safely passing 100-year flood flows. The 100-year flood flows (including consideration of offsite storm water runoff conditions) shall be contained within designated drainage facilities and street rights-of-way.

205. PRIOR TO GRADING APPROVAL Prior to approval of a Grading Plan, the applicant shall provide the City Engineer with proof of filing a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) in Sacramento, obtain a WDID number from the Board, and have final WQMP approved by the City Engineer.

206. Any required underground storm drain lines and appurtenances, within the public right-of-way, shall be installed in accordance with the City of Hemet Public Works Standard Specifications for Public Works Construction and RCFC&WCD standards.

WATER

207. Domestic potable water service and reclaimed water service will be provided by EMWD. The subdivider shall design and construct both potable water and reclaimed water systems in accordance with plans and specifications approved

by EMWD and the City Engineer. The potable water and reclaimed water systems for any one unit or phase of this tentative subdivision map shall provide such systems with both onsite and offsite facilities adequate to serve all uses in that unit or phase and any future users and uses that may utilize those facilities as determined by EMWD.

SEWER

208. Domestic sewer service will be provided by EMWD. The subdivider shall design and construct a sewer system in accordance with plans and specifications approved by EMWD and the City Engineer. A sewer system for any one unit or phase of this tentative subdivision map shall provide a sewer system with both onsite and offsite facilities adequate to serve all uses in that unit or phase and any future users and uses that may utilize those facilities as determined by EMWD.

LANDSCAPING PUBLIC RIGHT-OF-WAY

209. PRIOR TO GRADING PERMIT Prior to issuance of a Grading Permit, except a mass or rough grading permit, a landscape and irrigation plan for improvements within the public right-of-way shall be submitted to Engineering for review and approval by the City Engineer. Plans shall be prepared in 24" x 36" format with City's standard title block.

Water and power for Irrigation shall be provided from meters separate from those for traffic signals, streetlights or privately owned onsite water and power meters.

210. PRIOR TO MAP APPROVAL Prior to approval of the Final Map a Lighting and Landscaping Maintenance District (LLMD) shall be established or joined for operation and maintenance of all streetlights in the public rights-of-way within and on the project side of streets adjacent to the tentative map, except (New) Stetson Avenue which shall include street lights on both sides. LLMD shall include the maintenance of landscaping and irrigation in the specified areas of the public right-of-way as identified by the City Engineer to generally include Warren Road on the project side, "Y" Street (TBD) on park frontage, and on both sides of (New) Stetson Avenue, "A" Street (Mustang Way), "B" Street (TBD), "C" Street (TBD), "KK" Street (TBD), and "UU" Street (TBD).

211. PRIOR TO MAP APPROVAL The Developer shall make application for annexation to the Hemet Community Facilities District (CFD) established for public safety services and submit required applications, waivers, and consent forms to the annexation prior to approval of a final map. Payment of the currently adopted annexation fee shall be made at the time of the application and submitted to the City's Finance Department. The annexation shall be completed by action of the city council, in a public hearing, prior to processing a final map for approval. to which the Developer shall agree to participate. The CFD annexation shall be conducted by the City and the cost of annexation processing and proceeding shall be reimbursed to the City by the Developer.

212. Coordinate the design of open space, Lots “FF” and “HH” and HOA Lots “J” and “U” with MWD and provide written concurrence from MWD for proposed access, grading and any improvements.

FIRE DEPARTMENT CONDITIONS

Unless specifically stated herein, these conditions shall not be construed to permit or allow deviation from any Federal or State laws nor any of the local codes and ordinances adopted by this jurisdiction. Please contact the Hemet Fire Department, Fire Prevention Division for any questions regarding compliance with the applicable codes or following conditions:

Note: All references to the 2016 California Fire Code are shown as CFC and the 2015 International Fire Code as IFC. The California Code of Regulations is shown as CCR.

CONDITIONS: The Fire Department recommends that the following conditions be attached to this Tract Map:

213. A water supply (hydrant system) shall be installed by the local water agency and shall provide a minimum of 500 gallons per minute for one-half hour, per flowing hydrant.

214. A residential fire sprinkler system shall be installed for each home in accordance with NFPA 13D (residential).

215. A public water supply and hydrant system capable of providing 500 gallons per minute at 20psi residual pressure shall be installed throughout the project. Hydrant construction and spacing shall be compliant with City of Hemet Engineering standards.

Miscellaneous:

216. Trash containers within an individual capacity of 1.5 cubic yards or greater shall not be stored in buildings or within 5 feet of combustible walls, openings, eaves, etc. unless protected by an approved means (automatic fire sprinkler system and/or an approved 4 hour fire separation).

AIRPORT LAND USE CONDITIONS

217. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

218. The following uses/activities are not included in the proposed project and shall be prohibited at this site:

(a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an

airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

(b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

(c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)

(d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

(e) Children's schools, hospitals, skilled nursing and care facilities, highly noise-sensitive outdoor nonresidential uses, and hazards to flight, and in the Zone C portion of the property, all of the above, plus libraries, day care centers, theaters, meeting halls and other assembly facilities, and stadiums.

219. The attached notice shall be provided to all prospective purchasers of the proposed lots and tenants of the homes thereon, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final tract map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final tract map, if an ECS is otherwise required.

220. Any ground-level or aboveground water detention basin or facilities, including water quality management basins, shall be designed and maintained for a maximum 48-hour detention period after the design storm and remain totally dry between rainfalls. Vegetation around such facilities that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries.

Landscaping in the detention basin, if not rip-rap, shall be in accordance with the guidance provided in ALUC's "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide, or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

221. The City of Hemet shall require an acoustical study to verify that interior noise levels from aircraft noise will comply with the Countywide criterion of 45 CNEL or such more restrictive criterion as the City may choose to require.

222. Prior to issuance of building permits for any structure with a top point elevation exceeding 1,535 feet above mean sea level, the permittee shall either provide evidence of the issuance of a Determination of No Hazard to Air Navigation from the Federal Aviation Administration Obstruction Evaluation Service (FAA OES) or shall demonstrate that evaluation by the FAA OES is not required due to distance from the runway exceeding 100 feet for every foot of elevation at top point of structure exceeding 1,499 feet above mean sea level.

223. The Federal Aviation Administration has conducted an aeronautical study of the proposed project (Aeronautical Study No. 2019-AWP-10893-OE) and has determined that neither marking nor lighting of the structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 2 and shall be maintained in accordance therewith for the life of the project.

224. The proposed building shall not exceed a height of 40 feet above ground level and a maximum elevation at top point of 1,553 feet above mean sea level.

225. The maximum height and top point elevation specified above shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.

226. Temporary construction equipment used during actual construction of proposed structures shall not exceed 40 feet in height and maximum elevation of 1,553 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

227. Within five (5) days after construction of the proposed building evaluated pursuant to Aeronautical Study No. 2019-AWP-10893-OE reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to https://oeaaa.faa.gov for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure at the evaluated coordinate location.

228. All WQCBs (infiltration and bioretention types) are designed to provide a 48-hour drawdown time during a 24-hour rainfall event.

229. Regular maintenance will be provided to eliminate seeding, shelter, and unsuitable vegetation.

230. The Homeowners Association will develop a planting, maintenance, and management plan for the WQCBs and the surrounding available WQCB footprint areas (Figure 1) to ensure compliance with the ALUC requirements.

231. Plantings in the proposed features will comply with ALUC's landscaping brochure recommendations.

232. Per the ALUC landscaping brochure recommendations, native shrub species, such as brittlebush (*Encelia farinosa*), sage (*Salvia* sp.), buckwheat (*Eriogonum* sp.), and prickly-pear (*Opuntia* sp.), would be preferred for the surrounding available WQCB footprint areas. In addition, other native shrubs such as California sagebrush (*Artemisia californica*), though not specifically mentioned in the ALUC landscaping brochure, would be another suitable species in combination with those mentioned above.

233. The WQCB design includes slopes greater than 3:1 in the "hydromod" portions of the facilities in order to minimize shelter and nesting opportunities for hazardous wildlife.

234. PRIOR TO MAP APPROVAL Notice of Airport in Vicinity. The Riverside County Airport Land Use Commission Notice of Airport in Vicinity shall be provided on the final map as follows:

NOTICE OF AIRPORT IN VICINITY. This property is located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances and inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business and Professions code 11010

Mitigation Measures:

235. **MM BIO-1:** All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day pre-construction survey. Thirty days prior to any demolition, earth movement, or grading, the developer shall ensure a pre-construction survey for burrowing owl has been performed to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the Project may move forward with grading, upon Planning Department approval. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that

egg-laying or chick-rearing is not taking place. A qualified biologist must make this determination.

236. **MM BIO-**2: Prior to any ground disturbance:

If the start of construction occurs between February 1 and August 31, then the developer shall hire a qualified biologist to conduct a breeding bird survey no more than three days prior to the start of construction to determine if nesting is occurring.

"Construction" includes a selection of staging areas, demolition, tree, trash and debris removal, placement of equipment and machinery on to the site preparatory to grading, and any other project-related activity that increases noise and human activity on the project site beyond existing levels. Emergency measures are exempt from this definition.

If occupied nests are found, they shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation; or (b) the juveniles from the occupied nests are capable of independent survival.

If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service.

237. **MM CR-1**: Prior to grading permit issuance the developer shall retain a qualified archaeologist and a Native American Monitor to prepare an Archaeological Mitigation and Monitoring Plan (AMMP). The AMMP shall include the monitoring of all surface level field work, ground disturbing activities, and shall include protocol for the mitigation and significance testing of inadvertent archaeological finds.

238. **MM CR-2** Prior to grading permit issuance the developer shall enter into a Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians to address treatment and disposition of archaeological/cultural resources and human remains associated with Soboba Band of Luiseño Indians that may be uncovered or otherwise discovered during ground disturbing activities related to the project. The TDA may establish provisions for tribal monitors. In conjunction with the TDA, the

239. **MM CR-3:** In the event that any archaeological material is encountered during the monitoring, the archaeologist and Native American Monitor shall have the authority to halt and redirect earthmoving activities within 50-feet of the find, so that appropriate mitigation measures can be undertaken in order to rebury or test and evaluate the significance of the find in accordance with MM CR-1.

240. **MM CR-4**: In the event of the discovery of human remains, the County coroner shall be immediately notified. If human remains of Native American origin are discovered during ground-disturbing activities, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the California Native American Heritage Commission and the Soboba Band of Luiseño Indians shall be notified and appropriate measures provided by State law shall be implemented to determine the most likely living descendant(s). Disposition of the remains shall be overseen by the most likely living descendants to determine the most appropriate means of treating the human remains and any associated grave artifacts.

241. **MM GEO-1:** The developer shall ensure that the recommendations of the Geotechnical Report prepared by Sladden Engineering, shall be followed through site preparation and building construction. A Geotechnical Engineer shall be present at the site during site demolition and preparation to observe site clearing/demolition, preparation of exposed surface after clearing, and placement, treatment, and compaction of fill material.

242. **MM GEO - 2:** The developer shall submit an updated geotechnical soils reports covering the imported soils to the site, to the Engineering Department for review and approval prior to issuance of a grading permit.

243. **MM PALEO - 1:** If paleontological resources are encountered during grading, the developer shall require ground disturbance activities to cease so that a qualified paleontological monitor can evaluate any paleontological resources exposed during the grading activity. If paleontological resources are encountered, adequate funding shall be provided to collect, curate, and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved. Collected specimens will be sent to the appropriate authorities for collection.

244. **MM NOI - 1:** Attic vents that directly face subject roadways, shall include an acoustical baffle to prevent vehicle noise intrusion. The Contractor may install similar measures to provide noise reduction.

245. **MM NOI - 2:** For proper acoustical performance, all exterior windows, doors, and sliding glass doors must have positive seal and leaks/cracks must be kept to a minimum.

246. **MM NOI -3:** All cracks or leaks shall be minimized, any partition with a gap or hole will allow noise to flank and penetrate partition.

247. **MM NOI - 4:** Construction shall only occur Monday through Friday between the hours of 6:00 a.m. and 6:00 p.m. from June 1 through September 30, and between the hours of 7:00 a.m. and 6:00 p.m. from October 1 through May 31. Construction is allowed on Saturdays between the hours of 7:00 a.m. and 6:00 p.m. year-round. Construction on Sundays is prohibited.

248. **MM NOI - 5:** During construction, the contractor shall ensure all construction equipment is equipped with appropriate noise attenuating devices.

249. **MM NOI - 6:** The contractor shall locate equipment staging areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the Project site during all Project construction.

250. **MM NOI - 7:** Idling equipment shall be turned off when not in use.

251. **MM NOI - 8:** Equipment shall be maintained so that vehicles and their loads are secured from rattling and banging.

252. **MM TRAF - 1:** The applicant shall participate in the funding or construction ofoff-site improvements that are needed to serve cumulative traffic conditions through the payment of the Transportation Uniform Mitigation Fees (TUMF) and City of Hemet Development Impact Fees (DIF) or a fair share contribution as directed by the City. These fees are collected as part of a funding mechanism aimed at ensuring that regional highways and arterial expansions keep pace with the projected population increases.

END

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Project-Specific Intersection Mitigation	
22. Intersection of Warren Road (NS) and Esplanade Avenue (EW)	Prior to the COO of the 86th Residential Unit of Phase 1: Install a traffic signal and modify geometries to provide: • NB: One LT lane, one shared TH/RT lane. • SB: One LT lane, one shared TH/RT lane. • EB: One LT lane, one shared TH/RT lane. • WB: One LT lane, one shared TH/RT lane. Note: Install new traffic signal and locate equipment to accommodate widening of Warren Road to include second TH lane on the NB and SB approaches.[1] All parties recognize a project is currently under design by San Jacinto in cooperation with Hemet utilizing TUMF and local funds to improve and signalize this intersection. The implementation of improvements may deem this condition to be fully or partially complete as determined by the City Engineer and the Director of Development. Buildout Year: Project shall pay a fair share of the costs to modify geometries to provide: • NB: One LT lane, two TH lanes, one shared TH/RT lane. • SB: One LT lane, two TH lanes, one shared TH/RT lane. • EB: Two LT lanes, one TH lane, one shared TH/RT lane. • WB: Two LT lanes, one TH lane, one shared TH/RT lane. Note: Modify the traffic signal to accommodate the widened cross-section and install RT overlap phasing. Note: Fair share percentage for the improvements to complete the Buildout geometrics – 1.1%. Costs for TH lanes may be offset by payment of TUMF fees.

[1] All new traffic signal installations are required to provide separate left-turn lanes, whether or not a Project-specific TIA identifies their requirement, unless it is shown that shared through/left-turn lanes are required due to site-specific design limitations as determined by the City Engineer. Separate left-turn lane at signalized intersection are required for operational efficiency such that left turns do not delay through traffic while waiting for oncoming gap in traffic. Signal phasing configuration will be determined at time of signal design.

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Project-Specific Intersection Mitigation	
29. Intersection of Warren Road (NS) and New Stetson Avenue (EW)	Phase 1 Opening Year: Install geometries to provide: • NB: One LT lane, one TH lane, one RT lane*. • SB: One LT lane, one shared TH/RT lane. • EB: One LT lane, two TH lanes, one TH/RT lane*. • WB: One LT lane, one TH lane, one shared TH/RT lane*. Note: Full-width roadway section for New Stetson Road to be provided per City of Hemet Standard No. ST-100 (Modified). Completion of the full-width roadway section for Warren Road to be provided per City of Hemet Standard No. ST-102 (Modified). Unused pavement to be striped for non-use as travel lanes. Lanes will need to be aligned initially so that the existing Warren Road channel crossing can be maintained. Modifications to the channel crossing approaches may be required. * - If New Stetson Road east of Warren Road is not in place at the time Phase 1 construction commences, then no RT lane shall be provided on the NB approach, the EB approach shall be striped to provide one LT lane and one RT lane, and the WB approach will not exist. Prior to COO of Phase 6 or upon the construction of New Stetson Road east of Warren Road, the Project shall install a traffic signal and modify the geometries to provide: • NB: One LT lane, one TH lane, one RT lane. • SB: N/A. • EB: Two through lanes, one through/right-turn lane. • WB: One left-turn lane, three through lanes. Buildout Year: Project shall modify the traffic signal and geometries to provide: • NB: Two LT lanes, two TH lanes, one RT lane. • SB: Two LT lanes, two TH lanes, one RT lane with overlap phasing. • EB: Two LT lanes, three TH lanes, one RT lane. • WB: Two LT lanes, three TH lanes, one RT lane.
30. Intersection of Warren Road (NS) and Street B (EW)	Phase 1 Opening Year: Modify geometries to provide: • NB: One LT lane, two TH lanes. • SB: One TH lane, one shared TH/RT lane. • EB: One LT lane, one RT lane. • WB: N/A.

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Project-Specific Intersection Mitigation	
31. Intersection of Warren Road (NS) and Mustang Way (Street A) (EW)	Phase 1 Opening Year: Install a new traffic signal and modify geometries to provide: • NB: One LT lane, one TH lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one shared TH/RT lane. • EB: One LT lane, one shared TH/RT lane. • WB: One LT lane, one shared TH/RT lane.
Intersection of Street B (NS) and Street UU (EW)	Phase 1 Opening Year: Install geometries to provide: • NB: One LT lane. • SB: N/A. • EB: One RT lane. • WB: (to be developed in Phase 6) Phase 2: Install geometries to provide: • NB: One LT lane, one shared TH/RT. • SB: One LT lane, one shared TH/RT. • EB: One shared LT/RT lane. • WB: (to be developed in Phase 6) Note: SB LT lane to be developed prior to the COO of Phase 6. NB LT lane to be in the painted median.
Intersection of Street B (NS) and Street W (EW)	Phase 1: Modify geometries to provide: • NB: One LT lane, one shared TH/RT lane. • SB: One shared TH/RT lane. • EB: One shared LT/RT lane. • WB: N/A Note: No SB LT lane shall be provided due to proximity to Street UU.
Intersection of Street UU (NS) and Mustang Way (Street A) (EW)	Phase 1: Install geometries to provide: • NB: N/A. • SB: One LT lane. • EB: N/A. • WB: One RT lane Phase 2: Modify geometries to provide: • NB: N/A. • SB: One shared LT/RT lane. • EB: One LT lane, one TH lane. • WB: One shared TH/RT lane

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Project-Specific Intersection Mitigation	
20. Intersection of Mustang Way (NS) and New Stetson Avenue (EW)	Phase 2: Install geometries to provide: • NB: One RT lane. • SB: N/A. • EB: N/A. • WB: One LT lane. Note: Full-width roadway section to be provided per City of Hemet Standard No. ST-100 (Modified). Unused pavement to be striped for non-use as travel lanes. Phase 5: Modify geometries to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: One TH/RT lane. • WB: One LT lane, one TH lane. (One approaching through lane to be dropped as the LT lane and one TH lane continuing west. Phase 6: Install a traffic signal and modify geometries to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: Two TH lanes, one TH/RT lane. • WB: One LT lane, three TH lanes.

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Project-Specific Intersection Mitigation	
21. Intersection of Street B (NS) and New Stetson Avenue (EW)	Phase 2: Install geometries to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: One TH lanes, one TH/RT lane. • WB: One LT lane, Two TH lanes. Note: Full-width roadway section to be provided per City of Hemet Standard No. ST-100 (Modified). Unused pavement to be striped for non-use as travel lanes. Phase 5: Modify geometries to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: One TH lanes, one TH/RT lane. • WB: One LT lane, Two TH lanes. Phase 6: Install a traffic signal and modify geometries to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: Two TH lanes, one TH/RT lane. • WB: One LT lane, three TH lanes.
Intersection of Street B (NS) and Street RR (EW)	Phase 2: Modify geometries to provide: • NB: One LT lane, one shared TH/RT lane. • SB: One shared TH/RT lane. • EB: One shared LT/RT lane. • WB: (to be developed in Phase 6) Note: SB LT lane to be developed in Phase 6.
Intersection of Street C (NS) and Mustang Way (Street A) (EW)	Phase 2: Install geometries to provide: • NB: N/A. • SB: N/A. • EB: Two TH lanes. • WB: Two TH lanes. Phase 3: Modify geometries to provide: • NB: One shared LT/RT lane. • SB: N/A. • EB: One LT lane, two TH lanes. • WB: One LT lane, two TH lanes.

TABLE A

TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

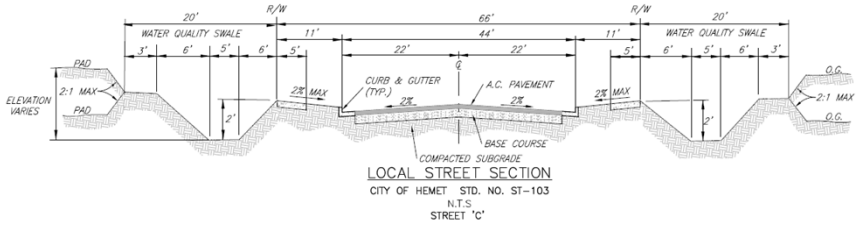
Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Project-Specific Intersection Mitigation	
Street C (NS) southerly of Intersection of Street KK (EW) extending to southerly tract boundary (EW)	Prior to Phase 6 (Lot 587, Commercial) first Occupancy Permit construct full width improvements per City of Hemet Standard No. ST-103 and typical right-of-way section shown on Sheet 2 of Tentative Tract Map including storm water channel crossing.  LOCAL STREET SECTION CITY OF HEMET STD. NO. ST-103 N.T.S. STREET 'C'
19. Intersection of Street NN (NS) and New Stetson Avenue (EW)	Phase 5: Install geometries to provide: • NB: One RT lane. • SB: N/A. • EB: N/A. • WB: One LT lane. Note: Full-width roadway section to be provided per City of Hemet Standard No. ST-100 (Modified). Unused pavement to be striped for non-use as travel lanes. Buildout Year: Modify geometrics to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: Two TH lanes, one TH/RT lane. • WB: One LT lane, three TH lanes.

TABLE A

TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	
1. Intersection of Winchester Road (SR-79) (NS) and Florida Avenue (SR-74) (EW)	Prior to occupancy of the 351st residential unit: Project shall pay a fair share of the costs to modify geometries to provide: • NB: One LT lane, one TH lane, one RT lane with overlap phasing. • SB: One LT lane, one shared TH/RT lane. • EB: One LT lane, three TH lanes, one RT lane. • WB: Two LT lane, two TH lanes, one shared TH/RT lane. Note: Fair share percentage – 1.9%. Costs for TH lanes may be offset by payment of TUMF fees.
2. Intersection of Winchester Road (SR-79) (NS) and 9th Street (EW)	Prior to occupancy of Phase 6: Project shall pay a fair share of the costs to Install a traffic signal and modify geometrics to provide: • NB: One LT lane, one shared TH/RT lane. • SB: One LT lane, one shared TH/RT lane. • EB: One shared LT/TH/RT lane. • WB: One shared LT/TH/RT lane. Prior to Phase 6 – Modify geometries to provide: • NB: One LT lane, one TH lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one shared TH/RT lane. • EB: One shared LT/TH/RT lane. • WB: One shared LT/TH/RT lane. Note: Fair share percentage – 3.4%.
4.Intersection of Winchester Road (SR-79) (NS) and Domenigoni Parkway (EW)	Phase 1: Project shall pay a fair share of the costs to modify the existing traffic signal to include NB right-turn overlap phasing. Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, two TH lanes, one RT lane. • SB: One LT lane, two TH lanes, one RT lane. • EB: Two LT lanes, three TH lanes, one RT lane. • WB: Two LT lanes, three TH lanes, one RT lane. Note: Fair share percentage – 10.2%. Costs for TH lanes may be offset by payment of TUMF fees.

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TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	
5. Intersection of Patterson Avenue (NS) and Grand Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One TH lane, one RT lane with RT overlap phasing. • SB: One LT lane, one TH lane. • EB: N/A. • WB: One LT lane, one RT lane with RT overlap phasing. Note: Fair share percentage – 2.7%.
6. Intersection of Patterson (NS) and Domenigoni Parkway (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one TH lane, one RT lane with overlap phasing. • SB: One LT lane, one TH lane, one RT lane. • EB: One LT lane, two TH lanes, one shared TH/RT lane. • WB: Two LT lanes, two TH lanes, one shared TH/RT lane.
7. Intersection of El Callado Road (NS) and Grand Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one shared TH/RT lane. • SB: One LT lane, one shared TH/RT lane. • EB: One LT lane, two TH lanes, one RT lane. • WB: One LT lane, one TH lane, one shared TH/RT lane. Note: Fair share percentage – 3.6%.
8. Intersection of SR-79 SB Ramps (NS) and Tres Cerritos Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: N/A. • SB: One LT lane, one RT lane. • EB: Two TH lanes, one RT lane. • WB: Two TH lanes, one RT lane. Note: Fair share percentage – 1.6%.
9. Intersection of SR-79 SB Ramps (NS) and Florida Avenue (SR-74) (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: N/A. • SB: One LT lane, one RT lane. • EB: Three TH lanes, one RT lane. • WB: Three TH lanes, one RT lane. Note: Fair share percentage – 1.0%. Costs for TH lanes may be offset by payment of TUMF fees.

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	
10. Intersection of SR-79 SB Ramps (NS) and Stetson Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: N/A. • SB: One LT lane, one RT lane. • EB: Two TH lanes, one RT lane. • WB: Two TH lanes, one RT lane. Note: Fair share percentage – 4.7%. Costs for TH lanes may be offset by payment of TUMF fees.
11. Intersection of SR-79 SB Ramps (NS) and Domenigoni Parkway (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: N/A. • SB: One LT lane, one RT lane. • EB: Three TH lanes, one RT lane. • WB: Three TH lanes, one RT lane. Note: Fair share percentage – 1.7%. Costs for some of the lane modifications may be offset by payment of TUMF fees.
12. Intersection of SR-79 NB Ramps (NS) and Tres Cerritos Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: One LT lane, two TH lanes. • WB: Two TH lanes, one RT lane. Note: Fair share percentage – 2.0%.
13.Intersection of SR-79 NB Ramps (NS) and Florida Avenue (SR-74) (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: Three TH lanes, one RT lane. • WB: Three TH lanes, one RT lane. Note: Fair share percentage – 1.0%. Costs for some of the lane modifications may be offset by payment of TUMF fees.
14. Intersection of SR-79 NB Ramps (NS) and Stetson Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: Two TH lanes, one RT lane. • WB: Two TH lanes, one RT lane. Note: Fair share percentage – 5.1%. Costs for some of the lane modifications may be offset by payment of TUMF fees.

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	
15. Intersection of SR-79 NB Ramps (NS) and Domenigoni Parkway (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one RT lane. • SB: N/A. • EB: Three TH lanes, one RT lane. • WB: Three TH lanes, one RT lane. Note: Fair share percentage – 0.9%. Costs for some of the lane modifications may be offset by payment of TUMF fees.
16. Intersection of California Avenue (NS) and Stowe Road (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one TH lane. • SB: One shared TH/RT lane. • EB: One shared LT/RT lane. • WB: N/A. Note: Fair share percentage – 5.2%.
17. Intersection of California Avenue (NS) and Stetson Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one TH lane, one shared TH/RT lane. • SB: Two LT lanes, one TH lane, one shared TH/RT lane. • EB: One LT lane, two TH lane, one RT lane. • WB: Two LT lanes, one TH lane, one shared TH/RT lane. Note: Fair share percentage – 6.5%.
18. Intersection of California Avenue (NS) and Simpson Road (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one RT lane with overlap phasing. • EB: Two LT lanes, one TH lane, one shared TH/RT lane. • WB: One LT lane, one TH lane, one shared TH/RT lane. Note: Fair share percentage – 3.0%.
23. Intersection of Warren Road (NS) and Tres Cerritos Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, three TH lanes. • SB: Two TH lanes, one shared TH/RT lane. • EB: One LT lane, one RT lane. • WB: N/A. Note: Fair share percentage – 2.5%%. Costs for some of the lane modifications may be offset by payment of TUMF fees.

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	
24. Intersection of Warren Road (NS) and Devonshire Avenue (EW)	Phase 1: Install a traffic signal and modify geometries to provide: • NB: One LT lane, one TH lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one shared TH/RT lane. • EB: One LT lane, one shared TH/RT lane. • WB: One LT lane, one shared TH/RT lane. Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, two TH lane, one shared TH/RT lane. • SB: One LT lane, two TH lane, one shared TH/RT lane. • EB: One LT lane, one TH lane, one shared TH/RT lane. • WB: One LT lane, one TH lane, one shared TH/RT lane. Note: Fair share percentage – 3.0%. Costs for some of the lane modifications may be offset by payment of TUMF fees.
25. Intersection of Warren Road (NS) and Florida Avenue (SR-74)	Prior to occupancy of the 351st residential unit: Project shall pay a fair share of the costs to modify the existing traffic signal and geometries to provide: • NB: One LT lane, two TH lanes, one RT lane with overlap phasing. • SB: One LT lane, two TH lanes, one RT lane. • EB: One LT lane, three TH lanes, one RT lane. • WB: Two LT lanes, two TH lanes, one shared TH/RT lane. Buildout Year: Project shall pay a fair share of the costs to modify the existing traffic signal and geometries to provide: • NB: Two LT lanes, two TH lanes, one RT lane with overlap phasing. • SB: Two LT lanes, two TH lanes, one RT lane. • EB: Two LT lane, three TH lanes, one RT lane. • WB: Two LT lanes, three TH lanes, one RT lane with overlap phasing. Note: Fair share percentage - 5.3%. Costs for some of the lane modifications may be offset by payment of TUMF fees.

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	
26. Intersection of Warren Road (NS) and Auto Boulevard (EW)	Prior to occupancy of the 351st residential unit: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: Install a traffic signal and modify geometries to provide: • NB: One TH lane, shared TH/RT lane. • SB: One LT lane, two TH lanes. • EB: N/A. • WB: One shared LT/RT lane. Note: Fair share percentage – 11.5%. Costs for some of the lane modifications may be offset by payment of TUMF fees.
27. Intersection of Warren Road (NS) and Whittier Avenue (EW)	Prior to Phase 6: Project shall pay a fair share of the costs to modify geometries to provide: • NB: One TH lane, one shared TH/RT lane. • SB: One LT lane, two TH lanes. • EB: N/A • WB: One shared LT/RT lane. Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one TH lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one shared TH/RT lane. • EB: One shared LT/TH/RT lane. • WB: One shared LT/TH/RT lane. Note: Fair share percentage – 9.8%. Costs for some of the lane modifications may be offset by payment of TUMF fees.
28. Intersection of Warren Road (NS) and Stetson Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: Two LT lanes, one TH lane, one shared TH/RT lane. • SB: Two LT lanes, two TH lanes, one RT lane with overlap phasing. • EB: Two LT lanes, one TH lane, one shared TH/RT lane. • WB: Two LT lanes, two TH lanes, one RT lane with overlap phasing. Note: Fair share percentage – 5.8%. Costs for some of the lane modifications may be offset by payment of TUMF fees.

TABLE A
TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	
32. Intersection of Warren Road (NS) and Simpson Road (EW)	Prior to completion of the 351st residential unit install a traffic signal and modify geometries to provide: • NB: One LT lane, one RT lane with overlap phasing. • SB: N/A. • EB: One TH lane, one RT lane. • WB: One LT lane, one TH lane. Note: Fair share percentage for the above improvements – 23.6% (based on Year 2024 volumes). Costs for some of the lane modifications may be offset by payment of TUMF fees. Buildout Year: Project shall pay a fair share of the costs to modify the traffic signal and modify geometries to provide: • NB: Two LT lanes, one TH lane, one shared TH/RT lane. • SB: Two LT lanes, two TH lanes, one RT lane with overlap phasing. • EB: Two LT lanes, two TH lanes, one RT lane with overlap phasing. • WB: One LT lane, one TH lane, one shared TH/RT lane. Note: Fair share percentage for improvements to complete the Buildout Year geometrics – 1.5%. Costs for some of the lane modifications may be offset by payment of TUMF fees.
33. Intersection of Warren Road (NS) and Domenigoni Parkway (EW)	Prior to completion of the 351st residential unit: Modify the traffic signal and geometries to provide: • NB: One LT lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one RT lane with overlap phasing. • EB: Two LT lanes, two TH lanes, one RT lane. • WB: One LT lane, two TH lanes, one RT lane. Note: Fair share percentage for the above improvements – 9.0% (based on Year 2024 volumes). Costs for some of the lane modifications may be offset by payment of TUMF fees. Prior to Phase 6: Project shall pay a fair share of the costs to modify the traffic signal and geometries to provide: • NB: One LT lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one RT lane with overlap phasing. • EB: Two LT lanes, three TH lanes, one RT lane. • WB: One LT lane, three TH lanes, one RT lane. Note: Fair share percentage for improvements to complete the Buildout Year geometrics – 2.2%. Costs for some of the lane modifications may be offset by payment of TUMF fees.

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Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	
34. Intersection of Myers Street (NS) and Florida Avenue (SR-74) (EW)	Phase 1: Project shall pay a fair share of the costs to modify geometries to provide: • NB: One LT lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one RT lane. • EB: One LT lane, three TH lanes, one RT lane. • WB: One LT lane, three TH lanes, one RT lane. Note: Fair share percentage – 2.1%.
35. Intersection of Fisher Street (NS) and New Stetson Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One shared LT/RT lane. • SB: N/A. • EB: One TH lane, one shared TH/LT lane. • WB: One LT lane, two TH lanes. Note: Fair share percentage – 3.1%. Costs for some of the lane modifications may be offset by payment of TUMF fees.
37. Intersection of New Stetson Avenue (NS) and Stetson Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to install a traffic signal and modify geometries to provide: • NB: One LT lane, one RT lane with overlap phasing. • SB: N/A. • EB: One TH lane, one shared TH/LT lane. • WB: One LT lane, two TH lanes. Note: Fair share percentage – 3.4%.
38. Intersection of Cawston Avenue (NS) and Florida Avenue (SR-74)	Phase 1 Opening Year: Project shall pay a fair share of the costs to modify the existing traffic signal and geometries to provide: • NB: One LT lane, one TH lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one RT lane. • EB: One LT lane, three TH lanes, one RT lane. • WB: One LT lane, three TH lanes, one RT lane. Buildout Year: Project shall pay a fair share of the costs to modify the traffic signal and modify geometries to provide: • NB: Two LT lanes, one TH lane, one shared TH/RT lane. • SB: One LT lane, one TH lane, one RT lane. • EB: One LT lane, three TH lanes, one RT lane. • WB: One LT lane, three TH lanes, one RT lane. Note: Fair share percentage – 1.7%.

TABLE A

TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	
39. Intersection of Cawston Avenue (NS) and Stetson Avenue (EW)	Buildout Year: Project shall pay a fair share of the costs to modify the existing traffic signal and geometries to provide: • NB: One LT lane, one TH lane, one RT lane. • SB: One LT lane, one TH lane, one RT lane. • EB: One LT lane, one TH lane, one shared TH/RT lane. • WB: One LT lane, two TH lanes, one RT lane. Note: Fair share percentage – 3.7%. Costs for some of the lane modifications may be offset by payment of TUMF fees.
40. Intersection of Sanderson Avenue (NS) and Florida Avenue (SR-74)	Prior to Phase 6: Project shall pay a fair share of the costs to modify the existing traffic signal, including RT overlap phasing, and geometries to provide: • NB: Two LT lanes, three TH lanes, one RT lane. • SB: Two LT lanes, three TH lanes, one RT lane. • EB: Two LT lanes, two TH lanes, one RT lane. • WB: Two LT lanes, two TH lanes, one RT lane. Note: Fair share percentage – 3.0%.
41. Intersection of Sanderson Avenue (NS) and Stetson Avenue EW)	Prior to Phase 6: Project shall pay a fair share of the costs to modify the existing traffic signal and geometries to provide: • NB: Two LT lanes, two TH lanes, one RT lane with overlap phasing. • SB: Two LT lanes, two TH lanes, one RT lane with overlap phasing. • EB: Two LT lanes, two TH lanes, one shared TH/RT lane. • WB: Two LT lanes, two TH lanes, one shared TH/RT lane. Note: Fair share percentage – 4.3%.

TABLE A

TTM 36841 - INTERSECTION AND ROADWAY SEGMENT IMPROVEMENT AND MITIGATION LIST

Notes provided at end of table	
Geometric Modification	**Description**
INTERSECTIONS	
Fair-Share Intersection Improvements:	

Notes:

1. *For all intersection mitigation, if any of the identified mitigation has been completed or is in the process of substantial completion by others or as part of an approved and funded project(s), the City may deem that the mitigation requirement has been fulfilled and is no longer required or is partially fulfilled and only a portion of the remaining mitigation is required by the Project.*

2. *Year 2040 Buildout lane configurations are determined based on the City's General Plan buildout roadway sections, unless it has been determined that only a lesser cross-section can be provided due to geometric constraints.*

3. *All new traffic signal installations are required to provide separate left-turn lanes unless it is shown that shared through/left-turn lanes are required due to site-specific design limitations as determined by the City Engineer.*

4. *When constructing eligible improvements on WRCOG TUMF network roadways Developer can enter into a TUMF Credit Agreement for which credit in the amount defined by the program is provided to offset TUMF fees payable.*

DRAFT

SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

SCH NO. 2016081013

RANCHO DIAMANTE PHASE II SPECIFIC PLAN AMENDMENT

CITY OF HEMET

RIVERSIDE COUNTY, CALIFORNIA

LSA

March 2020

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SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

SCH NO. 2016081013

RANCHO DIAMANTE PHASE II SPECIFIC PLAN AMENDMENT

CITY OF HEMET

RIVERSIDE COUNTY, CALIFORNIA

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March 2020

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Appendix C3: *MSHCP Sensitive Plant Surveys for the 245.07-Acre (16.70-acre offsite) Rancho Diamante Project Site, City of Hemet, California*. Cadre Environmental. July 5, 2017.

Appendix C4: *General MSHCP Habitat Assessment, Regulatory Constraints, and MSHCP Consistency Approach for the 245.07-Acre Rancho Diamante Project Site, City of Hemet, California*. Cadre Environmental. July 5, 2017.

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Appendix G3: *Draft Water Supply Assessment Report, Rancho Diamante*. Eastern Municipal Water District. June 19, 2018.

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ACRONYMS AND ABBREVIATIONS

µg/m^3	Micrograms per Cubic Meter
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
amsl	Above Mean Sea Level
A-P Act	Alquist-Priolo Earthquake Fault Zoning Act
APN	Assessor's Parcel Number
Approved Project	Page Ranch Planned Community Development Project
AQMP	Air Quality Management Plan
BACM	Best Available Control Measures
BASH	Bird Aircraft Strike Hazard
Basin	South Coast Air Basin
BMP	Best Management Practice
BNSF	Burlington Northern Santa Fe
CAA	(Federal) Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
Cal/OSHA	California Occupational Safety and Health Administration
Cal-EPA	California Environmental Protection Agency
CalARP	California Accidental Release Prevention Program
CalEEMod	California Emissions Estimator Model
California Register	California Register of Historical Resources
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	California Fire Code
cfs	cubic feet per second
CGP	Construction General Permit
CGS	California Geological Survey
CIP	Capital Improvement Plan

City	City of Hemet
CIWMB	California Integrated Waste Management Board
CNEL	Community Noise Equivalent Level
CPUC	California Public Utilities Commission
CSI	Community Services and Infrastructure
CWA	(Federal) Clean Water Act
dBA	A-weighted decibel
DBESP	Determination of Biologically Equivalent or Superior Preservation
DIF	Development Impact Fee
DMA	Drainage Management Area
DOC	(California) Department of Conservation
DOE	(California) Department of Education
DOF	(California) Department of Finance
du/ac	dwelling unit/acre
EAP	Energy Action Plan
ECS	Environmental Constraints Sheet
EIR	Environmental Impact Report
EMWD	Eastern Municipal Water District
EO	Executive Order
EPA	(United States) Environmental Protection Agency
ERRP	Enhanced Recharge and Recovery Program
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FICON	Federal Interagency Committee on Noise
FIRM	Flood Insurance Rate Map
FOF	Findings of Fact
FMMP	Farmland Mapping and Monitoring Program
GCC	Global Climate Change
GHG	Greenhouse Gas
GPA	General Plan Amendment
HANS	Habitat Acquisition and Negotiation Strategy
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HNL	Hourly Noise Level
HOA	Homeowners Association
HUD	(U.S. Department of) Housing and Urban Development
HUSD	Hemet Unified School District
Hz	Hertz
IIPP	Injury and Illness Prevention Program
IRRP	Integrated Recharge and Recovery Program
ITE	Institute of Transportation Engineers

JPR	Joint Project Review
LAFCO	Local Agency Formation Commission
L_{dn}	Day-night average noise level
LDR	Low Density Residential
L_{eq}	Equivalent continuous sound level
LESA	Land Evaluation and Site Assessment
LID	Low Impact Development
LIP	Local Implementation Plan
L_{max}	Maximum instantaneous noise level
LOS	Level of Service
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
Modified Project	Rancho Diamante Phase II Project
MPO	Metropolitan Planning Organization
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer System
MSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
MUTCD	Manual on Uniform Traffic Control Devices
MWD	Metropolitan Water District
NAAQS	National Ambient Air Quality Standards
National Register	National Register of Historic Places
ND	Negative Declaration
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NO_2	Nitrogen Dioxide
Non-VHFHSZ	Non-Very High Fire Hazard Severity Zone
NOP	Notice of Preparation
NOx	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
O_3	Ozone
OES	Obstruction Evaluation Service
OES	(California) Office of Emergency Services
OHWM	Ordinary High Water Mark
OMB	White House Office of Management and Budget
PCD	Planned Community Development
PDF	Project Design Feature
PM	Particulate Matter
PM_{10}	Particulate Matter Less Than 10 Microns in Size
$PM_{2.5}$	Particulate Matter Less Than 2.5 Microns in Size

PPPs	Plans, Policies, or Programs
PPV	Peak Particle Velocity
PRC	Public Resources Code
PS	Public Safety
RCALUCP	Riverside County Airport Land Use Compatibility Plan
RCHCA	Riverside County Habitat Conservation Agency
RCP	Regional Comprehensive Plan
RCRA	(Federal) Resource Conservation and Recovery Act
RCWQMP	Riverside County Water Quality Management Plan
RHNA	Regional Housing Needs Assessment
RMS	Root Mean Square
RTA	Riverside Transit Agency
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison Company
SCG	Southern California Gas Company
SCH	State Clearinghouse
SCS	Sustainable Communities Strategy
SEIR	Subsequent Environmental Impact Report
SGMA	Sustainable Groundwater Management Act
SHMA	Seismic Hazards Mapping Act
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SKR-HCP	Stephens' Kangaroo Rat Habitat Conservation Plan
SMARA	Surface Mining and Reclamation Act
SO_2	Sulfur Dioxide
SOC	Statement of Overriding Considerations
SOx	Sulfur Oxides
SP	Specific Plan
SPA	Specific Plan Amendment
SR	State Route
SRA	Source Receptor Area
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCP	Traditional Cultural Place
TMDL	Total Maximum Daily Load
TTM	Tentative Tract Map
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code

USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
WDR	Waste Discharge Requirement
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WSA	Water Supply Assessment
ZOI	Zone of Influence

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ES EXECUTIVE SUMMARY

ES.1 INTRODUCTION

This Draft Supplemental Environmental Impact Report (SEIR) (State of California Clearinghouse No. 2016081013) has been prepared by LSA on behalf of the City of Hemet (City) to evaluate the potential change in environmental impacts associated with the proposed Rancho Diamante Phase II Project (Modified Project) in the City of Hemet (City) relative to the Page Ranch Planned Community Development (PCD) Project as amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2004, and 2008 (Approved Project).

The proposed Modified Project encompasses approximately 245 acres of the approximately 1,621-acre PCD as well as 6.22 acres of off-site improvements. See Section 2.6 for a complete definition of the proposed Modified Project. The Page Ranch PCD was originally adopted in 1979 (PCD 79-93). Although approved as a planned community development, the Page Ranch PCD functions as a Specific Plan (SP). After the original approval in 1979, the Page Ranch PCD SP was amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2004, 2005, and most recently in 2008 with SEIR (SCH #2007091039) as part of Specific Plan Amendment (SPA) 06-004. The applicable land uses, land use regulations, and development standards pertaining to the land encompassed by the proposed Modified Project as contained in the Page Ranch PCD SP represent the Approved Project. See Section 2.5 for a complete definition of the Approved Project. In accordance with *CEQA Guidelines* (Sections 15162 and 15163), this SEIR to the Certified 1979 EIR and 2008 SEIR (Certified EIR) has been prepared in order to address the potential changes in the resulting environmental impacts from the proposed changes to the Approved Project.

As required pursuant to *CEQA Guidelines* (Section 15123), this section of the SEIR summarizes the proposed Modified Project; the environmental impacts and mitigation required to reduce or eliminate those impacts determined to be significant; areas of controversy known by the City including those raised by other agencies and the public; and the issues to be resolved.

In accordance with *State CEQA Guidelines* Section 15162, an SEIR need only address the portions of the previously certified EIR for the Approved Project that require changes to reflect the Modified Project. This includes new or revised mitigation measures or alternatives. Alternatives are discussed in the 1979 EIR for the *Specific Land Use Plan, Southwest Area*[1] and 2008 EIR[2] of the Approved Project. As indicated throughout Chapter 3.0 of this SEIR, no new alternatives have been identified that would substantially or further reduce environmental impacts of the Modified Project as proposed.

Although this Executive Summary provides an overview of these issues, more detail is provided in subsequent sections of this SEIR as follows:

- Project Description (Section 2.0).
- Environmental Impacts (Section 3.0).
- Other CEQA Topics (Section 4.0).

[1] Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.

[2] Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. Section 7.0. SCH #2007091039. City of Hemet. May 2008.

ES.2 APPROVED PROJECT

The last Specific Plan Amendment to the Page Ranch PCD SP was in 2008, approved by the City as part of SPA 06-004. The SPA was subject to the environmental analysis contained in the Rancho Diamante Phase II Subsequent EIR (SCH #2007091039). It should be noted that the project approved in 2008 was also named Rancho Diamante Phase II. As stated in Chapter 1.0, references to Rancho Diamante Phase II in this SEIR refer to the proposed Modified Project, while the Page Ranch PCD Project as amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2004, 2005, and 2008 are referred to as the Approved Project.

The Page Ranch PCD SP covers 1,621 acres and is mostly developed. The Approved Project consists of 99.4 acres exclusively within PA X. The proposed Modified Project adds land to the Approved Project footprint by merging PA IV and PA X, and modifying PA XIII to occupy 245.07 acres, or approximately 15 percent of the Page Ranch PCD SP Planning Area.

The Page Ranch PCD SP regulates land uses within its Planning Area. These regulations specify a variety of land uses governed by supporting master plan and development standards. The Page Ranch PCD SP also provides flexibility in terms of both land use and development standards so that a high quality development product is achieved. Land uses under the Page Ranch PCD SP include residential uses ranging from Low Density (1 dwelling unit per 2.5 acres) up to High Medium Density (17 dwelling units per acre), Open Space Preserve, Open Space Recreation, Commercial, Industrial, Fire Station, and Public School. The existing Land Use Plan for the Page Ranch PCD SP is illustrated in previously referenced Figure 2.3. Land uses within the Approved Project boundary include residential uses ranging from Low Density (1 dwelling unit per 2.5 acres) up to Low-Medium Density (5 dwelling units per acre).

ES.3 PROPOSED MODIFIED PROJECT

The proposed Modified Project site is bound by Warren Road to the east; the Second San Diego Aqueduct to the west; the Hemet Channel, the Burlington Northern Santa Fe (BNSF) railroad tracks, and new Stetson Avenue alignment to the north; and agricultural land to the south. The proposed Modified Project site and off-site improvements are approximately one-quarter mile southwest of the Hemet-Ryan Airport (Figure 2.4).

The proposed Modified Project analyzed in this SEIR includes the following four components:

1. Proposed changes to the Page Ranch PCD SP as amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2004, 2005, and 2008 and analyzed in the previously approved Rancho Diamante Phase II SEIR (SCH #2007091039) certified in 2008 (Approved Project);
2. Proposed General Plan Amendment (GPA) GPA 15-002) to amend the City's General Plan Circulation Element to extend Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of Stetson Avenue (Figure 2.5) and to change the classification of Warren Road from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and realigned Stetson Avenue. In addition, the Modified Project would amend the General Plan Land Use Designation for 19.67 acres of the site from Low Density Residential (LDR) to Regional Commercial (RC).
3. Proposed Tentative Tract Map (TTM) No. 36841 (MAP 15-008) to subdivide 245.07 acres into 586 single-family residential lots on approximately 160.51 acres, 1 lot of approximately 100,000 square feet of commercial uses on 19.67 acres, and 64.89 acres of public and private Homeowners Association (HOA) park and open space areas; and

4. The Modified Project also includes 6.2 acres of off-site improvements including construction of utilities in abutting rights-of-way, drainage conveyance features, and construction of the west half of Warren Road in the northeast part of the Modified Project including the intersection with "future" realigned Stetson Avenue and an interim transition back to the existing Warren Road alignment (Figure 2.4). Off-site drainage improvements include seven connections to the existing Hemet Channel north of the site and improvements to the existing drainage channel from the existing drainage basin in the southwest corner of the project site extending southerly to Simpson Road. From Simpson Road, the channel would continue to convey runoff south toward Salt Creek without further modifications. Temporary impacts for the channel assume a width of 20 feet for construction purposes on both sides of the ultimate channel and maintenance drive.

ES.3.1 Project Objectives

Rancho Diamante Investments, LLC, the project applicant, developed the following objectives for the proposed Modified Project. Additions to the Approved Project objectives made as part of the proposed Modified Project are underlined; text that has been removed from the Approved Project objectives is in strikeout:

- Provide diversity in housing types for ~~both senior housing and~~ family housing;
- Provide more compatible land uses for the existing development in the immediate area by elimination of industrial uses south of the new alignment of Stetson Avenue;
- Provide a logical extension of infrastructure in the project area;
- Provide for a variety of residential development types which are functionally compatible with surrounding neighborhoods (~~Proposed~~ General Plan Goals and Policies ~~Workbook Policies~~ LU-5.1);
- Provide for the attainment of quality housing within a satisfying living environment for households of all socioeconomic, age, and ethnic types in Hemet (General Plan Goals and Policies ~~Workbook Goal~~ H-1);
- Provide residential product type to meet forecast demand in the Specific Plan area;
- Contribute to the creation of a community identity for the City of Hemet through conformance with architectural and landscape standards; and
- Provide commercial use among residential uses to reduce the frequency and distance of automobile trips.
- ~~Eliminate conflicts between adjacent uses, and the provision of clear buffers and transitions between dissimilar uses (1992 Hemet General Plan Page 2).~~

ES.4 ISSUES ADDRESSED AND AREAS OF CONTROVERSY TO BE RESOLVED

When a City determines that an EIR will clearly be required for a project, *CEQA Guidelines* (Section 15060), states further initial review can be skipped and work directly on the EIR may commence. Based on its review of the Modified Project, the City has determined the potential impacts resulting from the construction and/or operation of the Modified Project, including cumulative impacts, require preparation of an EIR. Thus, an Initial Study is not required under CEQA and was not prepared for the Modified Project.

The Notice of Preparation (NOP) for the Modified Project was initially circulated on August 3, 2016, and was recirculated in April 2019 with a detail of the topics to be analyzed as an existing, in process, project. The City received no comments relative to the range of topics detailed in the NOP, and this SEIR is prepared in good faith based on the scope outlined in the recirculated NOP dated April 16,

2019. Therefore, the content of this SEIR is limited to the analytical topics addressed in the Certified EIR as follows:

- Aesthetics;
- Agricultural and Forestry Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources;
- Noise;
- Population and Housing;
- Public Services;
- Recreation;
- Transportation and Traffic;
- Utilities and Service Systems.

The project's impact, the severity of any impact, and the mitigation measures required to reduce or eliminate the impacts relative to these environmental issues are addressed in Sections 3.1 through 3.17 and summarized in Table ES.D at the end of this section.

Issues of concern and/or controversy related to the Modified Project were further identified by the City through responses to the NOP, Public Scoping Meetings, and Native American Tribal Consultation.

ES.4.1 Notice of Preparation

The objective of distributing an NOP is to solicit public comment, ensuring the full and appropriate examination of issues of concern in the EIR. The NOP was distributed to the State Clearinghouse, as well as to the agencies, organizations, and persons considered likely to be interested in the project and its potential impacts. Comments received regarding the NOP have been used to identify impacts that could result from implementation of the Modified Project.

The Modified Project NOP dated August 3, 2016 was circulated for a 30-day review period from August 4 to September 3, 2016 (Appendix A1). Due to changes to the Modified Project as submitted by the project applicant subsequent to the distribution of the 2016 NOP, a recirculated NOP dated April 16, 2019, was circulated for a 30-day review period from April 19 to May 19, 2019 (Appendix A2). Table ES.A provides a general summary of NOP comments received by the City during the NOP review periods and identifies in which section of the SEIR each specific NOP comment has been addressed.

Table ES.A: Notice of Preparation Comments

Agency/ Organization/ Individual	Date	Summary of Comments	Addressed in Section(s) of the EIR
Governor's Office of Planning and Research (OPR)	August 3, 2016	OPR provided a copy of the cover letter and documents sent to responsible agencies.	Not Applicable
South Coast Air Quality Management District (SCAQMD)	August 10, 2016 and again on May 14, 2019	The SCAQMD provided recommendations regarding the analysis and mitigation of potential air quality impacts, including the identification of source material and guidance documents and requests a copy of the SEIR and associated technical data be submitted to them during the public comment period.	3.3

Table ES.A: Notice of Preparation Comments

Agency/ Organization/ Individual	Date	Summary of Comments	Addressed in Section(s) of the EIR
Metropolitan Water District of Southern California (MWD)	August 29, 2016	The MWD requested the developer submit project water plans to the MWD for review and approval; Requested consideration of MWD's existing San Diego Pipelines Nos. 1 and 2, San Diego Canal and Eastside Pipeline, and Diamond Valley Lake and property in the Modified Project design.	3.5, 3.8, and 3.16
California Department of Fish and Wildlife (CDFW)	August 30, 2016	The CDFW recommended the requirements for the assessment of biological resources within the project site; Stated that the direct, indirect and cumulative impact to biological resources be addressed in the SEIR; Identified mitigation strategies for potential biological resource impacts; and Detailed regulatory measures the proposed project may be subject to.	3.4
Valley-Wide Recreation and Park District (VWRPD)	August 31, 2016	The VWRPD provided recommendations for the provision of parks and recreation facilities, including annexation into VWRPD jurisdiction, compliance with the City Municipal Code regarding parkland, and compliance with the Quimby Act, including payment of in-lie fees.	3.14
Southern California Association of Governments (SCAG)	September 3, 2016 and again on May 15, 2019	SCAG recommended the discussion of transportation impacts include a consistency analysis of the proposed Modified Project in relation to the goals of the SCAG 2016 Regional Transportation Plan/Sustainable Communities Strategy and requests a copy of the SEIR be submitted to their Los Angeles Office during the public comment period.	3.9, 3.12, and 3.15
California Department of Transportation (Caltrans)	September 9, 2016	Caltrans requested the applicant to submit a Traffic Impact Analysis (TIA) utilizing Highway Capacity Manual 2010 methodology for review and also consider bicycle, pedestrian, and transit modes for implementation. Furthermore, Caltrans recommends the applicant revise the project to increase residential density on site.	3.15
Agua Caliente Band of Cahuilla Indians	April 26, 2019	The Agua Caliente Band of Cahuilla Indians defers to Soboba and concludes consultation with the City.	3.5
Riverside County Airport Land Use Commission (ALUC)	April 23, 2019	The ALUC indicates the Modified Project is located within Compatibility Zone C and D of Hemet-Ryan Airport Influence Area and requests submittal of the Specific Plan Amendment and SEIR to the ALUC for review.	3.7
Riverside Transit Agency (RTA)	May 6, 2019	The RTA recommends the Modified Project include bus stops compliant with the Americans with Disabilities Act at several locations in proximity to the Modified Project site.	3.15

Source: Appendix A1 and Appendix A2

ES.4.2 Public Scoping Meeting

Pursuant to *CEQA Guidelines* (Section 15082(c)), the City conducted a public scoping meeting, which was held to further determine the scope and content of the environmental analysis contained in the EIR. The public scoping meeting was held on August 22 2016, at 10:00 a.m. at City of Hemet Mountain View Lodge (1645 Paseo Diamante, Hemet, CA 92545). Copies of the NOP (including a project description) and the Modified Project's conceptual site plan were available to the public for review. City staff, the project applicant, and the EIR consultant were present during this meeting to provide information regarding the Modified Project and collect public comments. Table ES.B provides a general summary of the comments received on the project. The scoping meeting materials are provided in in Appendix A1.

Table ES.B: Public Scoping Meeting Comments

Agency/ Organization/ Individual	Date	Comments	Addressed in Section(s) of the EIR
Betty Jeffries	August 22, 2016	Ms. Jeffries expressed concerns regarding increased traffic and associated roadway noise in the community.	3.11 and 3.15
Kathleen Clarkson	August 22, 2016	Ms. Clarkson expressed concerns regarding increased traffic in the community. Also, nearby agricultural activities generate dust and include use of potentially hazardous materials. Finally, the addition of residential uses would put further strain on the limited water resources in the region.	3.7, 3.8, and 3.15

Source: Appendix A1

ES.4.3 Native American Consultation (Senate Bill 18 and Assembly Bill 52)

The proposed development is a project under CEQA and includes a General Plan Amendment and Specific Plan Amendment; therefore, consultation pursuant to both Senate Bill 18 and Assembly Bill 52 is required. Table ES.C details the Native American governments contacted pursuant to this legislation.

Table ES.C: SB 18/AB 52 Consultation

California Native American Tribe	Initiation Letter Sent Date	Initiation Response Date	Remarks
Aqua Caliente Band of Cahuilla Indians	November 5, 2015	November 16, 2015	Agua Caliente Band of Cahuilla Indians (ACBCI) requested a copy of the Cultural Resources Assessment and associated records search and site data generated in connection with the proposed project prior to making informed comments and recommendations.
Pechanga Tribe - Temecula Band of Luiseño Indians	November 5, 2015	December 3, 2015	Pechanga Tribe requests formal consultation between the Pechanga Tribe and the Lead Agency. The Pechanga Tribe also requests inclusion in the distribution list for public notices and hearings, as well as circulation of all project documents, including environmental, archaeological, development and construction-related documents. Pechanga Tribe expects ongoing consultation until appropriate mitigation has been agreed upon for Tribal Cultural Resources that may be impacted by the project.

Table ES.C: SB 18/AB 52 Consultation

California Native American Tribe	Initiation Letter Sent Date	Initiation Response Date	Remarks
Rincon Band of Luiseño Indians	November 5, 2015	December 7, 2015	Rincon Band of Luiseño Indians (RBLI) claims the project site is not within Rincon's Historic Boundaries. RBLI defers to the Pechanga Tribe and/or the Soboba Band of Luiseño Indians for further consultation. No additional consultation with the RBLI is requested.
Soboba Band of Luiseño Indians	November 5, 2015	December 30, 2015	Soboba Band of Luiseño Indians (SBLI) requests formal consultation between the SBLI and the Lead Agency. The SBLI asserts the project site is located within the SBLI Tribal Traditional Use Areas and is culturally sensitive. SBLI requests Native American Monitor(s) from the SBLI Cultural Resources Department be present during all ground disturbing activities, including surveys and archaeological excavation. SBLI requests the developer and/or property owner relinquish all claims to Native American ceremonial items, items of cultural patrimony, and cultural artifacts and return said items to the SBLI within thirty (30) days of initial recovery. The SBLI would permit some artifacts to be subject to scientific analysis pending prior agreement. SBLI requests full compliance with California Health and Safety Code §7050.5, California Public Resources Code §5097.98, and California Government Code §6254 for the appropriate treatment of human remains. SBLI issued a Tribal Consultation close out letter dated February 28, 2018, that also includes requested mitigation measures to be implemented during project grading regarding unexpected discoveries of tribal cultural resources.

Source: City of Hemet 2016 and 2018.

Signed into law on September 29, 2004, Senate Bill 18 (SB 18) requires local governments to consult with Native American tribes prior to adoption and amendment of both General Plans and Specific Plans. Prior to the amendment or adoption of General or Specific Plans, local governments must notify the appropriate Native American representatives of the opportunity to conduct a consultation concerning the preservation and mitigation of impacts to sacred places located on land within the local governments' jurisdictions and affected by the adoption of amendment of General or Specific Plans. On November 5, 2015, the City notified Native American tribes who have requested to the City to be notified for CEQA actions subject to SB 18 and AB 52. Unless a shorter notification period is agreed to, Native American tribes contacted under provisions of SB 18 must respond within 90 days of notification and should indicate whether or not they want to consult with the notifying local government.

Assembly Bill 52 (AB 52) (effective July 1, 2015) amended CEQA to mandate consultation with California Native American tribes during the CEQA process. Recognizing that tribes may have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a project if they have requested notice of projects proposed within that area. Native American tribes have 30 days to request consultation upon notification pursuant to AB 52. Consultation may include discussing the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe. Consultation must be conducted in good faith between the tribal government and the lead agency and is deemed concluded when either the parties agree to measures to mitigate

or avoid a significant effect on a tribal cultural resource (should a significant effect exists) or when a party concludes that mutual agreement cannot be reached.

ES.5 SUMMARY OF IMPACTS, MITIGATION, AND LEVEL OF IMPACTS

Table ES.D provides a summary of the proposed Modified Project impacts, proposed mitigation measures, and the level of significance of each impact following the application of identified mitigation measures. Deletions or deviations from the mitigation measures prescribed in the Certified EIR are identified in ~~strikeout~~ text, and underlined text is used to signify new additions.

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
3.1. Aesthetics			
3.1.7.1. Scenic Vista: Development under the proposed Modified Project will be similar in scale and massing as the existing surrounding land uses developed under the Approved Project. PDFs detailed in the Modified Project SPA 15-001 (refer to Section 3.1.6 above) will ensure residential and commercial building heights are commensurate with the existing developed uses surrounding the Modified Project site and shall not exceed 35 feet in height. Additionally, the comprehensive sign program includes design criteria for the proposed commercial use in Planning Area XIII that control the location, size, type, and number of signs permitted and which regulate and control all other matters pertaining to signs. The proposed Modified Project incorporates architectural elements that protect scenic vistas. The Planning Staff review process will ensure conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the SPA 15-001, as well as the City General Plan and Zoning Code. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to scenic vistas.	No	No mitigation is required.	No
3.1.7.2. Scenic Resources within State Scenic Highways: There are no State-Designated Scenic Highways in the City or near the City. SR-74 crossing through the center of the City in an east-west direction is an eligible State Scenic Highway, but it has not been officially designated. The nearest State Scenic Highway is SR 74 beginning approximately 3 miles east of the City limits and proceeding eastbound through Riverside County and into the San Bernardino National Forest.	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
"New" Warren Road, which abuts the eastern boundary of the Modified project site, is a designated City Scenic Highway. The Modified Project includes design criteria for development along new Warren Road, as well as for the proposed off-site improvements to new Warren Road north of the Modified Project site, which include building setbacks, a California Friendly Landscape Palette in accordance with General Plan Policy CD-3.7, and meandering bike/pedestrian paths in accordance with Chapter 90 (Zoning) and Article XXXII (Scenic Highway Setback Overlay Zone) of the City Municipal Code. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to scenic resources within a state scenic highway.			
3.1.7.3. Existing Visual Character: In accordance with General Plan Policy OS-2.2, the proposed TTM No. 36841 (MAP 15-008) will be subject to the City's development review process to conserve view corridors, rock outcroppings, ridgelines, and other landscape features, as specified in PPP 3.1-1, to ensure conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the SPA 15-001, as well as the City General Plan and Zoning Code. This review process will ensure the City's visual character is considered and appropriate design elements are incorporated into the Modified Project to protect the semi-rural character of the City. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
to visual character or quality of the site and its surroundings.			
3.1.7.4. Light and Glare: The amount and level of lighting would generally be similar to that which currently exists in the project vicinity. The Modified Project site is approximately 26.5 miles north of the Palomar Observatory, within Zone B of the Mount Palomar Lighting Policy Area. Accordingly, the Modified Project shall restrict the use of certain light fixtures emitting into the night sky undesirable light rays that have a detrimental effect on astronomical observation and research. Additionally, the Modified Project will minimize the amount of reflective surfaces used in new construction and implement lighting that reduces light pollution in new development areas and casts light downward to reduce spillover onto adjacent properties, pursuant to Section 90-386 (Site Development Requirements) of the City Municipal Code. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to visual character or quality of the site and its surroundings.	No	No mitigation is required.	No
3.1.8. Cumulative Aesthetic Impacts: The Modified Project SPA 15-001 establishes development standards and design criteria to ensure development does not result in significant impacts to scenic resources or results in a substantial increase in lighting or glare. Cumulatively, the Modified Project in conjunction with development surrounding the Modified Project site would add more lighting and glare to the area. Although the proposed Modified Project SPA 15-001 cannot administer development standards outside of its jurisdiction, it would reduce its incremental contribution to cumulative aesthetic-related impacts from development to less than significant levels by implementing the various design guideline PDFs (refer to Section 3.1.6) related to	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
architecture, landscaping, building heights and setbacks, and a comprehensive sign program, as well as PPP 3.1-1 and PPP 3.1-2 to ensure compliance with local planning and design guidelines. Compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cumulative aesthetic (visual or lighting) resources.			
3.2. Agriculture and Forestry Resources			
3.2.7.1. Farmland Conversion: Both the Approved Project and proposed Modified Project are located on land designated Farmland of Local Importance, and portions of the Modified Project's off-site improvements are proposed on Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. Therefore, implementation of the Modified Project would convert farmland to non-agricultural use and impacts would be significant and unavoidable. When compared to the Approved Project, impacts associated with conversion of farmland to non-agricultural use would be the same (i.e., significant and unavoidable).	**Yes**	No feasible mitigation is available.	**Yes**
3.2.7.2. Existing Zoning and Williamson Act: There is no land zoned for Williamson Act contracts either on the Modified Project site or on any adjacent properties. Similar to the Approved Project, the Modified Project would have less than significant impacts associated with conflicts with agricultural zoning or Williamson Act contracts.	No	No mitigation is required.	No
3.2.7.3. Conversion of Farmland to Non-Agricultural Uses: Similar to the Approved Project, implementation of the Modified Project would convert Farmland to non-agricultural use. However, a significant portion of the Modified Project site (Planning Areas X and XIII) overlaps the Approved Project site analyzed under the Land Evaluation and Site Assessment (LESA) Model and the remaining portion of the Modified Project site (former Planning Area VI) is within the 2009 SPA agricultural	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
resources Zone of Influence (ZOI). The LESA Model's "Surrounding Agricultural Land" score was found to be "0" due to the negligible amount of active farming (16 percent of the ZOI) occurring on properties surrounding the Approved Project site. Off-site improvements would not obstruct or preclude the continued use of properties for farming. Therefore, although impacts from the conversion of farmland to non-agricultural use were found to be significant, neither the Approved Project nor the proposed Modified Project would result in other changes to the existing environment that would result in the indirect conversion of farmland to non-agricultural uses.			
3.2.8. Cumulative Agricultural and Forestry Resources: The 1980 Certified EIR concluded approximately 1,863 acres of prime agricultural land would be lost. Since implementation of the Modified Project would convert farmland to non-agricultural use, and project-specific impacts to agricultural resources would be the same as those identified for the Approved Project (i.e., significant and unavoidable), the Modified Project would incrementally decrease the availability of soils that have value for agricultural production. Therefore, in combination with other projects in the City's planning area, the Modified Project would result in a cumulatively considerable impact to agricultural resources, and cumulative impacts would be the same as those identified for the Approved Project (i.e., significant and unavoidable).	**Yes**	No feasible mitigation is available.	**Yes**
3.3. Air Quality			
3.3.7.1. Air Quality Management Plan Consistency: The Modified Project will result in operational emissions of nitrogen oxides (NOx) in excess of South Coast Air Quality Management District (SCAQMD) regional thresholds in the same manner as the Approved Project even with mitigation. No additional mitigation is feasible to reduce this significant impact and the related exceedances of NOx emissions. Therefore, the Modified Project has a	**Yes**	**MM 3.3.10.1:** Prior to issuance of any grading permit, the applicant shall submit evidence to the City that all diesel-powered construction equipment greater than 150 horsepower shall be compliant with the United States Environmental Protection Agency and California Air Resources Board Tier 3 emissions standards. Only Tier 3 diesel-powered construction equipment greater than 150 horsepower shall be utilized throughout the construction of Phase 1 and Phase 2 of the Modified Project. Additionally, the	**Yes**

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
significant and unavoidable impact related to Air Quality Management Plan (AQMP) Consistency Criterion No. 1.		applicant shall provide evidence to the City at least once every two weeks that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and subject to review by the City and the SCAQMD. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **1979 EIR Mitigation Measure 3:** Provide for convenient bus stop locations. **2008 Mitigation Measure AQ-01:** Prior to construction of the Project, the Project proponent shall provide a Fugitive Dust Control Plan that will describe the application of standard best management practices to control dust during construction. Best management practices (BMPs) shall include application of water on disturbed soils a minimum of ~~two~~ three times per day except on days when a rain event occurs, then exposed surfaces would be watered as necessary to meet the intent of Rule 403, covering haul vehicles, replanting disturbed areas as soon as practical, restricting vehicle speeds on unpaved roads to 15 mph, suspending grading activities when the wind exceeds 25 mph, and other measures, as deemed appropriate to the site, to control fugitive dust. The Fugitive Dust Control Plan shall be submitted to the City and SCAQMD prior to construction. **2008 Mitigation Measure AQ-05**: Prior to construction of the project, the developer shall provide a traffic control plan to the City that will describe in detail safe detours around the project construction site and provide temporary traffic control (e.g., flag person) during construction-related truck hauling activities. The traffic control plan is primarily intended as a safety measure but also can minimize traffic congestion and delays that increase idling and acceleration emissions. The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart J, Developing and Implementing Traffic Management Plans for Work Zones. This measure shall be implemented to the	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		satisfaction of the City of Hemet Planning and Public Works Departments. **2008 Mitigation Measure AQ-06:** Prior to issuance of building permits, t~~T~~he developer shall provide evidence to the City that ~~require~~ painting ~~to~~ will be applied using either high-volume low-pressure (HVLP) spray equipment capable of achieving 65 percent transfer efficiency or by hand application. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department. **2008 Mitigation Measure AQ-07:** Prior to the issuance of a grading permit, the developer shall provide a plan to the City listing the measures that will be used to encourage employee carpooling using measures recommended by the Riverside County Transportation Commission Inland Empire Commuter Services. Workers shall be informed in writing of the measures available, and a letter will be placed on file at the City documenting the extent of carpooling anticipated. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **2008 Mitigation Measure AQ-08:** Prior to issuance of grading and building permits, the developer shall provide evidence to the City that o~~O~~n-site electrical hookups shall be provided for electric construction tools including saws, drills and compressors, to minimize the need for diesel powered electric generators. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department. **2008 Mitigation Measure AQ-09:** During construction, bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		2008 Mitigation Measure AQ-10: During all construction activities, construction contractors shall sweep on-site and off-site streets if silt is carried to adjacent public thoroughfares, to reduce the amount of particulate matter on public streets. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.	
3.3.7.2. Air Quality Standards and Violations: Unmitigated air pollutant emissions estimated from construction and operation of the Modified Project will exceed regional thresholds for NOx. With implementation of Mitigation Measures air pollutant emissions resulting from construction of the Modified Project will not exceed regional thresholds, but emissions of NOx during operation would continue to exceed regional thresholds. When compared to the Approved Project, the proposed Modified Project would result in less severe but still significant and unavoidable impacts to regional air quality during project operations.	**Yes**	Refer to **Mitigation Measures MM 3.3.10.1, 1979 EIR Mitigation Measure 3, 2008 Mitigation Measure AQ-01,** and **2008 Mitigation Measures -05** through **-10.**	**Yes**
3.3.7.3. Cumulative Air Quality Impacts: Modified Project operational emissions would exceed the SCAQMD regional thresholds of significance for NOx. No feasible mitigation measures or project design features beyond those already identified exist that would reduce NOx emissions to levels that are less-than-significant. Individual health effects from exposure to NOx emission generated by the proposed Modified Project would be small and therefore speculative. Project operational NOx emissions, are considered significant and unavoidable in the same manner as the Approved Project.	**Yes**	Refer to **Mitigation Measures MM 3.3.10.1, 1979 EIR Mitigation Measure 3, 2008 Mitigation Measure AQ-01,** and **2008 Mitigation Measures -05** through **-10.**	**Yes**
3.3.7.4. Impacts to Sensitive Receptors: With implementation of Mitigation, construction of the Modified Project would not exceed any localized significance threshold (LST). The proposed Modified Project would result in less than significant construction LST impacts, less severe than the Approved Project.	**Yes**	Refer to **Mitigation Measure MM 3.3.10.1** and **2008 Mitigation Measures AQ-01, -09,** and **-10.**	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., transfer facilities and warehouse buildings). However, the proposed Modified Project does not include such uses. Due to the lack of significant stationary source emissions, operational localized significance threshold analysis is not warranted and therefore was not conducted for the Modified Project.			
3.3.7.5. Odors: The project may generate some construction-related odors that will be temporary. Implementation of mitigation will reduce the impact to less than significant levels during construction. The project may generate odors from garbage and green waste but will cease after garbage and green waste collection trucks remove waste. Odors would be temporary and less than significant during operation.	**Yes**	Refer to **2008 Mitigation Measures AQ-01, -05, -06, -08, -09,** and **-10.**	No
3.3.8. Cumulative Air Quality Impacts: NOx impacts at the project level are considered cumulatively significant because NOx emissions are O_3 precursors and would therefore contribute considerably to existing O_3 non-attainment conditions within the Basin. This is a cumulatively significant impact persisting over the life of the Modified Project. The Approved Project was found not to have a cumulatively considerable impact to air quality The proposed Modified Project would have a significant and unavoidable cumulative impact to regional air quality from emissions of NOx during operation. This is a new impact in comparison to the Approved Project.	**Yes**	Refer to **Mitigation Measures MM 3.3.10.1, 1979 EIR Mitigation Measure 3, 2008 Mitigation Measure AQ-01,** and **2008 Mitigation Measures -05** through **-10.**	**Yes**
3.4. Biological Resources			
3.4.7.1. Candidate, Sensitive, or Special-Status Species: Incidental Multiple Species Habitat Conservation Plan (MSHCP) covered species documented during the Modified Project habitat assessment and/or focused survey efforts include the *California Species of Special Concern* white-tailed kite, California horned lark, and San Diego black-tailed	**Yes**	**MM 3.4.10.1:** Prior to issuance of grading permits, the project applicant shall pay Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation fees as established and implemented by the City of Hemet. Five categories of the fee are defined and include: Residential, density less than 8.0 dwelling units per acre; Residential, density between 8.1 and 14.0 dwelling units per acre; Residential, density greater	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
jackrabbit, as well as the non-listed loggerhead shrike, turkey vulture, and coyote. Impacts to common and MSHCP-covered species will be mitigated to a level of less than significant by implementing Mitigation Measures. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts to candidate, sensitive, or special status species.		than 14.1 dwelling units per acre; Commercial per acre; and Industrial per acre. This measure shall be implemented at the rates in force at the time grading permits are issued to the satisfaction of the City of Hemet Planning Department. **MM 3.4.10.3:** A burrowing owl pre-construction survey shall be conducted not more than 30 days prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities. If burrowing owls are detected on site during the 30-day pre-construction survey within the breeding season (February 1st to August 31st), then construction activities shall be limited to beyond 300 feet of the active burrows. If burrowing owls are detected on site during the 30-day pre-construction survey outside the breeding season (February 1 to August 31), then the buffer for construction activities shall be determined by a qualified biologist in consultation with the City. No construction activity shall be permitted within any burrowing owl construction buffer until a qualified biologist has confirmed that nesting efforts are complete or not initiated. In addition to monitoring breeding activity, if construction is initiated during the breeding season or active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, California Department of Fish and Wildlife and United States Fish and Wildlife Service requirements for the relocation of individuals to Riverside Conservation Authority conserved lands located north of the Project Site within Proposed Noncontiguous Habitat Block 7. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.4.10.4:** Mitigation for potential direct/indirect impacts to common and Riverside County Multiple Species Habitat Conservation Plan (MSHCP) covered sensitive bird and raptor species will require compliance with the federal Migratory Bird	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		Treaty Act (MBTA). Construction outside the nesting season (between September 16 and January 31) does not require pre-construction nesting bird surveys. However, if construction is proposed within the nesting season (between February 1 and September 15), a qualified biologist must conduct a nesting bird survey(s) no more than 14 days prior to initiation of construction to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Modified Project site. The survey(s) will focus on identifying any raptors and/or passerines (perching bird) 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 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 City of Hemet 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 City of Hemet 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. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.	
3.4.7.2. Riparian Habitat or Other Sensitive Natural Communities: Most of the Modified Project site consists of active agricultural land—field croplands. Portions of the	**Yes**	**MM 3.4.10.5:** To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 1.52 acres of Western Riverside County Multiple Species Habitat	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
site support Disturbed Wetland, Herbaceous Wetland, Mule Fat Scrub, Southern Willow Scrub, Tamarisk Scrub, Seasonal Depression, and Unvegetated Streambed vegetation communities. The Modified Project site does not occur within a designated critical habitat for federally endangered or threatened species. Furthermore, no sensitive or undisturbed native habitats listed by California Department of Fish and Wildlife (CDFW) as sensitive were documented within the Modified Project site. One of the 15 MSHCP Criteria Area and Narrow Endemic plant species, smooth tarplant (a small population consisting of 191 individual plants), was detected during the focused survey program along the proposed off-site drainage channel improvement alignment between the Modified Project site and Simpson road to the south. Thirteen on-site seasonal depressions are inundated during high rainfall years, but not long enough to develop primary constituent elements of jurisdictional wetlands and waters. However, 5 of the 13 on-site seasonal depressions were determined to support two beneficial uses, Limited Warm Freshwater Habitat (LWRM) and Wildlife Habitat (WILD) due to the presence of the non-listed, common versatile fairy shrimp. Approximately 0.02 acre of permanent and 0.74 acre of temporary impact on riparian-vegetated streambed/basin, and 0.06 acre of permanent and 0.70 acre of temporary impact on unvegetated streambed would result from Modified Project execution. When compared to the Approved Project, the Modified Project would have similar [less than significant with mitigation] impacts to riparian habitat or sensitive natural communities.		Conservation Plan (MSHCP) Section 6.1.2 riparian and riverine resources as follows in accordance with the MSHCP Determination of Biological Equivalent or Superior Preservation. **Off-Site Establishment/Reestablishment.** The project shall purchase 0.03 acre of establishment/reestablishment credits from the Riverpark Mitigation Bank. This element of the mitigation proposal will mitigate permanent impacts to wetland and non-wetland waters of the U.S./State and isolated waters of the State at a 2:1 ratio for non-wetlands and 3:1 ratio for wetlands. This will also mitigate temporary impacts to non-wetland waters of the U.S./State and isolated non-wetland waters of the State. The entirety of United States Army Corps of Engineers (USACE) jurisdiction will be mitigated with this measure. **On-Site Rehabilitation, Enhancement, and Preservation.** The project shall rehabilitate and enhance a minimum of 3.1 acres of on-site waters of the State, California Department of Fish and Wildlife (CDFW) jurisdiction, and Riparian/Riverine resources in the form of herbaceous wetland- and southern willow scrub-vegetated areas. The 3.1 acres will be contained within approximately 14.5 acres of on-site waters of the State, CDFW jurisdiction, and Riparian/Riverine resources that will be preserved. This element of the mitigation proposal will mitigate permanent and temporary impacts to CDFW jurisdiction and MSHCP Riparian/Riverine resources at a 3:1 ratio for wetland/riparian-vegetated streambed and 2:1 ratio for unvegetated streambed. This will also mitigate temporary impacts to isolated wetland waters of the State at a minimum 1:1 ratio. **On-Site Replacement and Enhancement of Beneficial Uses.** Five of the 13 non-jurisdictional features were determined to support two beneficial uses: limited warm freshwater habitat (LWRM) and wild habitat (WILD). These features will be permanently impacted by the project. The project shall be designed to incorporate 19.2 acres of water quality features to compensate the loss of these two beneficial uses and provide additional uses of value (Ground Water Recharge [GWR], Warm Freshwater Habitat	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		[WARM], Wetland Habitat [WET], and Water Quality Enhancement [WQE]) to the local area and watershed. **MM 3.4.10.6:** Prior to issuance of a grading permit, the project applicant will obtain a Clean Water Act (CWA) Section 404 permit from the United States Army Corps of Engineers (USACE), 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW) and a Waste Discharge Requirement (WDR) permit issued by the Regional Water Quality Control Board (RWQCB) pursuant to the California Water Code Section 13260 (Porter-Cologne Act). Mitigation for permanent and/or temporary impacts shall be determined as specified in the Determination of Biologically Equivalent or Superior Preservation (DBESP) through consultation with the applicable regulatory agencies. Mitigation may include on-site and/or off-site replacement and/or restoration of USACE/RWQCB jurisdictional waters of the U.S./waters of the State, and/or CDFW jurisdictional streambed and associated riparian habitat. Off-site mitigation may occur on land acquired for the purpose of in-perpetuity preservation or through the purchase of mitigation credits at an agency-approved off-site mitigation bank. This measure shall be implemented to the satisfaction of the City Development Services Department.	
3.4.7.3. Jurisdictional Waters/Wetlands: Thirteen on-site seasonal depressions are inundated during high rainfall years, but not long enough to develop primary constituent elements of jurisdictional wetlands and waters (Figure 3.4.2). As indicated in Table 3.4.B, 0.01 acre of permanent and 0.51 acre of temporary impacts to wetland and non-wetland waters would result from project execution (total of 0.52 acre of permanent/temporary impacts to jurisdictional resources.	**Yes**	Refer to **Mitigation Measures MM 3.4.10.5** and **3.4.10.6** above.	No
3.4.7.4. Wildlife Movement and Nesting/Migratory Birds: The Modified Project site is not recognized as a regional wildlife movement corridor. According to the MSHCP, the site is not located within an MSHCP designated core, extension of existing core, non-	**Yes**	**MM 3.4.10.7:** Prior to issuance of grading permits, the project applicant shall provide evidence to the City that the Modified Project shall comply with Urban/Wildlands Interface guidelines presented in Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.4 to address indirect effects associated	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
contiguous habitat block, constrained linkage, or linkage area. The site provides minimal cover or food, and it contains no natural unrestricted water courses that would facilitate regional wildlife movement on site. Salt Creek would not be subject to adverse physical changes from construction or operation of the Modified Project. The adjacent Hemet Channel (Constrained Linkage B) is expected to be utilized by wildlife for local and regional movement. However, this linkage is constrained on its northern and southern edges by urban development, and proposed storm drain connections will not impede or conflict with the conservation value of channel as a drainage facility and wildlife movement corridor. Night lighting throughout the Modified Project site, including adjacent to the Hemet Channel (Public/Quasi-Public Conserved Land, MSHCP Constrained Linkage B), would be directed downward and away from off-site areas of the project to reduce potential indirect impacts to wildlife species. Project-related noise that could deter wildlife in the project vicinity will be attenuated to below residential, commercial, or mixed use noise standards established for Riverside County. The Modified Project will obtain and comply with waste discharge requirements (WDRs) and the National Pollutant Discharge Elimination System (NPDES) permit to treat all surface runoff from paved and developed areas through implementation of applicable Best Management Practices (BMPs) during construction and installation and proper maintenance of structural BMPs during operation. Implementation of Mitigation will reduce these impacts to less than significant. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts to wildlife movement, corridors, and nursery sites.		with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. Final project design shall be developed to ensure best management practices in accordance with the National Pollutant Discharge Elimination System (NPDES) permit are incorporated into the proposed Modified Project to address and minimize edge effects associated with the Urban/Wildlands Interface to Hemet Channel (PQP Conserved Land, Western Riverside County Multiple Species Habitat Conservation Plan Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Modified Project site (Salt Creek). This measure shall be implemented to the satisfaction of the City Development Services Department.	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
3.4.7.5. Adopted Policies and/or Ordinances: Impacts to common and MSHCP-covered species will be mitigated to a level of less than significant by implementing Mitigation. The Modified Project does not include removal of any trees on public property but will be subject to development impact fees, a portion of which would be allocated to the City Capital Improvement Program for urban forestry. Furthermore, the Modified Project will incorporate California-friendly or City-approved trees within public parks and along public roadways abutting the project pursuant to the City's tree replacement ordinance (Chapter 2, Article IV, Division 4, Section 2-227). The Modified Project is designed to comply with the General Plan Policies requiring preservation of habitat, vernal pool hydration, maintenance of open space and wildlife movement corridors, and integration of biological resource planning through implementation of mitigation. When compared to the Approve Project, the Modified Project would have a similar [less than significant, albeit with mitigation] from conflict with local policies or ordinances protecting biological resources.	**Yes**	Refer to **Mitigation Measures MM 3.4.10.1** and **3.4.10.3** through **3.4.10.7** above.	No
3.4.7.6. Adopted Habitat Conservation Plans: The Modified Project will comply with the MSHCP through implementation of mitigation. When compared to the Approved Project, the Modified Project would result in the same [less than significant with mitigation] impact from conflict with local policies or ordinances protecting biological resources.	**Yes**	Refer to **Mitigation Measures MM 3.4.10.1** and **3.4.10.3** through **3.4.10.7** above. **MM 3.4.10.2:** The Modified Project Site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR Habitat Conservation Plan (HCP). Prior to issuance of grading permits, the project applicant shall pay the applicable fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the County. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.	No
3.4.8. Cumulative Biological Resources Impacts: The project would not have potentially significant impacts related to local ordinances or regulations protecting	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
biological resources. In addition, although the project could have significant impacts to plant communities, sensitive wildlife species, wildlife movement, jurisdictional waters, and habitat conservation plans, the compliance with the above mitigation measures and payment of development impact fees would reduce project-specific impacts to less than significant levels. Since all development within the MSHCP area would be required to implement similar measures, development in compliance with the MSHCP furthers the stated regional conservation goals. Accordingly, cumulatively significant biological resource impacts would be less than significant.			
3.5. Cultural Resources			
3.5.7.1. Historical and Archaeological Resources: The Modified Project is not expected to adversely affect any known Historical Resources. However, the project has the potential to affect previously unrecorded archaeological material may be located subsurface within the project limits. With mitigation, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to historical or archaeological resources compared to the Approved Project.	**Yes**	**MM 3.5.10.1A:** Prior to issuance of a grading permit, the applicant shall enter into a Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians (Soboba) to address treatment and disposition of archaeological/cultural resources and human remains associated with Soboba that may be uncovered or otherwise discovered during ground disturbing activities related to the project. The TDA may establish provisions for tribal monitors. In conjunction with the TDA, the City shall retain a qualified project archaeologist who shall prepare a Cultural Resources Monitoring and Treatment Plan (CRMTP) in consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The CRMTP shall include provisions for a trained archaeological monitor, monitoring methods and discovery protocol, participation by Soboba Native American Monitor(s), the treatment and Disposition (including possible significance testing) of inadvertent cultural resources finds, coordination with the County Coroner's Office, and Non-Disclosure of location(s) of archaeological materials and human remains. The qualified archaeologist and, if desired, Soboba shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the CRMTP and to consult with and instruct them with respect to its implementation. The CRMTP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		MM 3.5.10.1B: Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified archaeological monitor and appropriate Soboba Native American Monitor(s) shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all surface-level field work, mass grading, and trenching activities. The archaeological monitor shall be on site at all times during the initial phases of grubbing, rough grading, and other ground-disturbing activities to inspect cuts for cultural resources. If no cultural resources are encountered after approximately fifty percent of rough grading, the qualified project archaeologist shall have discretion to recommend to the City that cultural resources monitoring get scaled back to a part time or spot-check basis in accordance with the CRMTP. The City, in consultation with the qualified archaeologist, applicant, and Soboba Band of Luiseño Indians (Soboba), shall determine the appropriate level of subsequent monitoring, during which time Mitigation Measures 3.5.10.1A, 3.5.10.1C, and 3.5.10.1D shall still apply. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.5.10.1C:** If cultural resources are discovered during ground disturbing activities, the archaeological monitor shall record them on California Department of Parks and Recreation Forms (DPR 523). If any cultural resources are in danger of loss and/or destruction, the archaeological monitor shall recover them. In instances where recovery requires an extended salvage time, the archaeological monitor shall be allowed to temporarily direct, divert, or halt grading within 50 feet of the encounter to allow recovery of resource remains in a timely manner. All cultural resources encountered shall be evaluated for significance pursuant to CEQA *Guidelines* Section 15064.5(a)(c) and managed accordingly. Should the qualified archaeologist determine through consultation with the Soboba Band of Luiseño Indians (Soboba) that the discovery is a resource pursuant to Section 15064.5, avoidance or	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		other mitigation will be required pursuant to and consistent with *CEQA Guidelines* Sections 15064.5 and 15126.4(b) and Public Resources Code Section 21083.2 Recovered cultural resources, along with copies of pertinent field notes, photographs, and maps, shall be treated and disposed with appropriate dignity in accordance with the Treatment and Disposition Agreement (TDA) and Cultural Resources Monitoring and Treatment Plan (CRMTP). If agreement as to the treatment and disposition of cultural resources is not reached between the applicant, landowner, Lead Agency, and Soboba, the landowner or his authorized representative shall rebury the cultural resources with appropriate dignity on the property in a location not subject to further subsurface disturbance. The qualified archaeologist shall document any reburial of cultural resources on DPR 523 forms in accordance with the CRMTP. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor and Soboba tribal monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.5.10.1D:** Prior to the issuance of a grading permit, the City of Hemet shall verify that the following note is included on the project's Grading Plans: "If any suspected cultural resources are encountered during ground-disturbing activities and the archaeological monitor is not present, the construction supervisor is obligated to halt all ground disturbing work within 50 feet of the find and call the project archaeologist/archaeological monitor to the site to assess the significance of the find."	
3.5.7.2. Paleontological Resources: Both the proposed Modified Project and the Approved Project are underlain by the same Holocene and Pleistocene alluvial sediment formations. Therefore, the proposed Modified Project and	**Yes**	**MM 3.5.10.2A**: Prior to issuance of a grading permit, the applicant shall retain a qualified project paleontologist who shall prepare a Paleontological Resources Monitoring and Treatment Plan (PRMTP) to be implemented during ground-disturbing activity on	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
the Approved Project have potential to disturb paleontological resources.		the project site. The PRMTP shall include the provision of a trained paleontological monitor, monitoring methods and discovery protocol, and treatment and disposition of unanticipated paleontological resources, including proof of a written repository agreement between the landowner and a professional, fully accredited museum repository with permanent retrievable storage. The qualified paleontologist shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the PRMTP and to consult with and instruct them with respect to its implementation. The PRMTP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit. **MM 3.5.10.2B:** Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified paleontological monitor shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all mass grading and trenching activities. Paleontological monitoring shall commence once rough grading or any other ground disturbing activities reach five feet below grade based on coordination with the excavation contractor. If too few paleontological resources are encountered after approximately 50 percent of the remaining rough grading, the qualified project paleontologist shall have discretion to recommend to the City that paleontological resources monitoring get scaled back to a part time or spot-check basis in accordance with the PRMTP. The City, in consultation with the qualified paleontologist and applicant, shall determine the appropriate level of subsequent monitoring, during which time Mitigation Measures 3.5.10.2A, 3.5.10.2C, and 3.5.10.2D shall still apply. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project paleontologist/paleontological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.5.10.2C:** If paleontological resources are discovered during ground disturbing activities, the paleontological monitor shall	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		recover them. In consultation with the qualified project paleontologist, the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant, it shall be quickly removed and the area cleared for the resumption of construction. In instances where recovery requires an extended salvage time, the paleontological monitor shall be allowed to temporarily direct, divert, or halt grading within 100 feet of the encounter to allow recovery of fossils or fossil-bearing sediments in a timely manner. If the specimen is determined to be significant (e.g., vertebrate fossil(s) or fossil-bearing sediments representing new or rare species, geologic (temporal) and/or geographic range extensions, age-diagnostic taxa, and/or more complete specimens than are now available for their respective taxa), the project paleontologist/paleontological monitor shall notify the applicant and the City of Hemet (City) immediately. Recovered paleontological specimens, along with copies of pertinent field notes, photographs, and maps, shall be treated and disposed in accordance with the PRMTP, including preparation to a point of identification and permanent preservation, and washing of sediments to recover small invertebrates and vertebrates. The recovered fossils shall be diagnosed and curated into a professional, fully accredited museum repository with permanent retrievable storage. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project paleontologist/paleontological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.5.10.2D:** Prior to the issuance of a grading permit, the City of Hemet (City) shall verify that the following note is included on the project's Grading Plans: "If any suspected paleontological resources are encountered during ground-disturbing activities and the paleontological monitor is not present, the construction supervisor is obligated to halt all ground disturbing work within 100 feet of the find and call the project	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		paleontologist/ paleontological monitor to the site to assess the significance of the find."	
3.5.7.3. Human Remains: The project site contains no evidence it has been utilized in the past for human burials. If human remains are discovered during grading, the project will comply with State law (Health and Safety Code § 7050.5) (HSC § 7050.5) and Public Resources Code § 5097.98 (PRC § 5097.98).	**Yes**	If human remains are determined to be Native American in origin, see referenced **Mitigation Measures MM 3.5.10.1A** through **3.5.10.1C** above.	No
3.5.8. Cumulative Cultural and Paleontological Resources: The cumulative area for cultural resources is the City of Hemet. Past, present, and reasonably foreseeable future projects in the City would similarly include ground-disturbing activities with the potential to destroy, damage, or displace surface or previously undiscovered subsurface archaeological and historical resources; therefore, the proposed Modified Project, in combination with the identified cumulative projects, has the potential to result in a significant cumulative impact. Every project would be required to implement mitigation where and when there is a potential to impact cultural and paleontological resources. Since mitigation prescribed for the Modified Project would reduce its incremental impact on cultural and paleontological resources to less than significant levels, its cumulative impact on these resources would not be considerable. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cumulatively considerable impacts to cultural or paleontological resources.	**Yes**	Refer to **Mitigation Measures MM 3.5.10.1A** through **3.5.10.1C** and **Mitigation Measures MM 3.5.10.2A** through **3.5.10.2D** above**.**	No
3.6. Geological Resources			
3.6.7.1. Fault Rupture: No known active or inactive faults traverse the Modified Project site, and no evidence of faulting was observed on site during the geotechnical investigation. When compared to the Approved Project,	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
the proposed Modified Project would have similar (i.e., less than significant) impacts from fault rupture.			
3.6.7.2. Ground Shaking: The Modified Project site could be subjected to moderate to severe ground shaking from regional faults (e.g., San Jacinto Fault, Crafton Hills Fault, and/or San Andreas Fault) during the lifetime of the project. Design and construction in accordance with current California Building Code (CBC) requirements is anticipated to address the issues related to potential ground shaking. Grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation. Building design and construction shall occur in accordance with 2019 Title 24 Standards of the CBC. Detailed grading plans for each phase of development shall be prepared in conformance with applicable standards of the City, the CBC, and the project-specific geotechnical investigation. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from seismic ground shaking. No mitigation is required.	No	No mitigation is required.	No
3.6.7.3. Seismic-Related Ground Failure: The Modified Project site could be subjected to moderate to severe ground shaking from regional faults (e.g., San Jacinto Fault, Crafton Hills Fault, and/or San Andreas Fault) during the lifetime of the project, and the potential for ground failure is significant and requires mitigation. Implementation of Mitigation Measure 3.6.10.1 will provide adequate protection for the proposed Modified Project to the extent required to reduce seismic risk to an "acceptable level." The "acceptable level" of risk is defined by the California Code of Regulations as "that level that provides reasonable protection of the public safety, though it does not necessarily ensure continued structural integrity and functionality of the project" [Section 3721(a)]. Therefore, repair and remedial work of the proposed development may be required after a significant seismic	**Yes**	**MM 3.6.10.1:** Prior to the issuance of grading and building permits, the applicant shall provide to the City Engineering Division and City Building & Safety Department for review and approval detailed grading and construction plans that demonstrate the recommendations specified in project- and site-specific geotechnical investigation have been incorporated into the on-site earthworks and structures. The project applicant and all contractors shall follow the recommendations of the geotechnical investigation, which include but are not limited to 1) a geotechnical grading plan review by the project geotechnical engineer prior to construction of the proposed project, 2) preparation of the project site via removal of surface obstructions, vegetation, and debris, 3) removal of unsuitable fill materials previously utilized as backfill for prior on-site and off-site improvements, 4) overexcavation of surficial units, including artificial fill, colluvium, and topsoil to competent ground as	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
event. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from seismic-related ground failure.		evaluated by a qualified engineering geologist during grading to ensure all unsuitable fill is removed prior to replacing it with properly compacted fill, 5) maintenance of properly compacted fill to near optimum moisture content, 6) construction of stabilization fill keyways to ensure slope stability and prevention of landslides, 7) immediate landscaping, irrigation, and maintenance of engineered slopes, 8) acceptability of all removal bottoms reviewed by a qualified engineering geologist or geotechnical engineer and documented in the as-graded geotechnical report, 9) construction of post-tensioned slab-on-grade foundation or conventionally reinforced foundation designed to resist expansive soils and settlement, 10) maintaining appropriate drainage and infiltration throughout the project site in accordance with regulatory requirements and 11) review by the project geotechnical engineer of any updated rough or precise grading or conventional retaining wall or foundation plans to ensure implementation of the recommendations in the geotechnical investigation, and 12) geotechnical observation and/or testing at the following stages of construction: • During rough grading (removal/over-excavation bottoms, fill placement, etc.); • Geologic mapping of temporary backcuts; • During retaining wall backfill and compaction; • During utility trench backfill and compaction; • During precise grading; • After presoaking building pads and other concrete-flatwork subgrades, and prior to placement of aggregate base or concrete; • Preparation of pavement subgrade and placement of aggregate base; • After building and wall footing excavation and prior to placement of steel reinforcement and/or concrete; and	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		• When any unusual soil conditions are encountered during any construction operation. This measure shall be implemented to the satisfaction of the City Engineering Division and City Building & Safety Department.	
3.6.7.4. Landslides: The Modified Project site is not located in an area susceptible to seismic slope instability. Additionally, the potential for lateral spreading due to the design earthquake event to affect the Modified Project site is considered very low or non-existent due to the lack of shallow groundwater. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts related to landslides and rockfalls.	No	No mitigation is required.	No
3.6.7.5. Soil Erosion: Grading for construction of the Modified Project would be subject to a Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) which establish best management practices (BMPs) to prevent soil erosion. Preparation and adherence to the requirements of the SWPPP and WQMP are regulatory requirements for all projects anticipated to disturbed one or more acres in accordance with the National Pollutant Discharge Elimination System (NPDES) permit. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from soil erosion and loss of topsoil, albeit through compliance with regulatory policy rather than mitigation.	No	No mitigation is required.	No
3.6.7.6. Geologic Stability: Assuming that the loose, near-surface soils (topsoil and young alluvium) will be removed and recompacted in accordance with the recommendations of Section 5.0 of the project-specific geotechnical investigation, a total dynamic settlement of 1-inch and differential settlement of 0.5 inch in 40 feet horizontal distance is anticipated, and the potential for liquefaction, dynamic settlement, or collapsible soils to affect structures at the Modified Project site would be low.	**Yes**	Refer to **Mitigation Measure MM 3.6.10.1** above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
However, the Modified Project site is susceptible to differential settlement from liquefaction and Mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from unstable geologic units.			
3.6.7.7. Expansive Soils: Limited laboratory testing indicated that soils encountered on the Modified Project site generally possess a very low expansion potential. However, localized deposits of low to medium expansive soils may be encountered during grading, particularly in the highly weathered older alluvium, if any. This impact is potentially significant, and Mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from unstable geologic units.	**Yes**	Refer to **Mitigation Measure MM 3.6.10.1** above.	No
3.6.7.8. Septic Tanks: The proposed Modified Project would connect to the existing wastewater collection system, and no septic systems are proposed. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., no impact) impacts from use of septic tanks.	No	No mitigation is required.	No
3.6.8 Cumulative Geological and Soil Impacts: All development within seismically active areas will be required to adhere to applicable State regulations, CBC standards, and the design and siting standards required by local agencies. Similar to the Approved Project, the Modified Project would not result in significant cumulative impacts regarding regional geology, seismicity, or soil constraints.	No	No mitigation is required.	No
3.7. Hazards and Hazardous Materials			
3.7.7.1. Routine Transport, Use, or Disposal of Hazardous Materials: Similar to the Approved Project, the Modified Project would not result in the storage, transportation, generation or disposal of large quantities of hazardous substances. However, the Modified Project	**Yes**	**Mitigation Measure HHM-1a:** If during construction activities, ~~on TTMs 35392, 35393 and 35394~~ the Modified Project site any discolored soil, soils with an unusual odor, or undocumented subsurface structures are encountered during future development on the site, a qualified soil investigation professional shall	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
site is located in an area that was historically used for agricultural uses, so there is potential that on-site soil may be contaminated with agricultural chemicals such as pesticides, and mitigation is required.		investigate the soil, and if necessary procure samples for testing. Any contamination shall be properly remediated to residential standards in conjunction with an oversight agency (either ~~Riverside County Fire Department~~ the Hemet Fire Department or the California Department of Toxic Substances Control). If abandoned septic tanks, pits, or leach lines are uncovered, the Riverside County Department of Public Health shall be contacted to coordinate the proper abandonment of these features.	
3.7.7.2. Upset and Accident Conditions: Overall, similar to the Approved Project, the uses associated with the Modified Project would not store or use enough hazardous chemicals that would result in a significant hazard to the public or environment through foreseeable upset and/or accident conditions. When compared to the Approved Project, impacts from the Modified Project associated would be the same (i.e., less than significant). Additional mitigation specific to the Modified Project is not required.	No	No mitigation is required.	No
3.7.7.3. Existing or Proposed School: The Modified Project site is approximately 0.90 mile west of Harmony Elementary School (located at 1500 S Cawston Avenue in Hemet); therefore, similar to the Approved Project, the Modified Project is not located within 0.25 mile of a school. The Hemet General Plan EIR (Exhibit 4.12-1) does show that a future school may be developed near the Modified Project site; however, the exact distance from the Modified Project site is not known at this time. When compared to the Approved Project, the Modified Project's impacts to school from the release of hazardous materials would be the same (i.e., less than significant). Additional mitigation specific to the Modified Project is not required.	No	No mitigation is required.	No
3.7.7.4. Located on a List of Hazardous Materials Sites: The project site itself is not listed in any of the searched regulatory databases provided by Environmental Data Resources (EDR) or the State Cortese List (California Government Code Section 65962.5). When compared to the Approved Project, impacts to the Modified Project associated with being	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
located on a site containing hazardous materials would be the same (i.e., less than significant). Additional mitigation specific to the Modified Project is not required.			
3.7.7.5. Within an Airport Land Use Plan: A portion of the Approved Project (TM 35394) was proposed within Airport Area II of the 1992 Hemet-Ryan Airport Land Use Compatibility Plan (ALUCP), which prescribes a minimum residential lot of 2.5 acres. However, development of TM 35394 under the Approved Project included residential lots of 5,000 and 6,000 square feet. Accordingly, the 2008 EIR found the Approved Project would result in a potentially significant impact associated with the 1992 Hemet-Ryan ALUCP and prescribed mitigation. Even with implementation of mitigation, the Approved Project would not be consistent with the 1992 Hemet-Ryan ALUCP due to incompatible density allocation, and impacts were determined to be significant and unavoidable. In February 2017, the Riverside County Airport Land Use Commission (ALUC) adopted a new Hemet-Ryan ALUCP. the Modified Project is located in Zones C (32.02 acres of the Modified Project site) and D (213.05 acres of the Modified Project site) of the Hemet-Ryan ALUCP. The Modified Project will be developed to be consistent with Zone C and Zone D developmental requirements as prescribed by the Hemet-Ryan ALUCP. The Modified Project will be designed in accordance with the Federal Aviation Administration Obstruction Evaluation Service. Additionally, the Modified Project will be designed so that development on the site does not result in hazards to flight from potential Bird Aircraft Strike Hazards. With implementation of mitigation, impacts would be reduced to less than significant levels. As compared to the Approved Project, impacts associated with potential hazards from airport operations would be reduced (i.e., significant and unavoidable under the Approved Project versus less than significant under the Modified Project).	**Yes**	**MM 3.7.10.1:** Prior to issuance of building permits, the Modified Project's Applicant shall provide evidence to the City of Hemet that the following measures are in place: • **Avigation Easement.** The Project Proponent shall grant to the County of Riverside an easement for free and unobstructed passage of all aircraft in the airspace over, through, across, and adjacent to the Project site. The easement shall be in a form substantially consistent with that provided in the Hemet-Ryan Airport Land Use Compatibility Plan and shall be approved by the City Attorney for the City of Hemet and the County Counsel for the County of Riverside and shall be duly recorded with the County Clerk to run with the title to all subdivided lots. This easement, in addition to providing certain rights to the airport to assure it continued operation, will also serve as notice to all prospective buyers of the location and potential impacts of the airport. • **Notice of Airport in Vicinity**. The Riverside County Airport Land Use Commission *Notice of Airport in Vicinity* (Appendix F3) shall be provided to all prospective purchasers of the proposed lots and tenants of the homes thereon, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final tract map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraints Sheet (ECS) of the final tract map, if an ECS is otherwise required. • **Seller Disclosure.** California Civil Code section 1102 "Disclosure Upon Transfer of Residential Real Estate" requires that a Real Estate Transfer Disclosure Statement (TDS) be completed by the Seller and acknowledged by the Buyer. The Project Proponent shall ensure that the TDS in Section 3: Easements and Section 11: Neighborhood Noise be completed to show the existence of the Avigation Easement	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		and the presence of potentially significant noise impact from aircraft using Hemet-Ryan Airport. • **Sales Material.** The Project Proponent shall ensure that all model homes, sales brochures, and other potential items include notice of the nearby location of the airport and the presence of potential noise and safety impacts. **MM 3.7.10.2:** The Modified Project applicant, the City of Hemet, and owners of the Hemet-Ryan Airport shall coordinate with each other prior to issuance of building permits to discuss and potentially implement measures that will help reduce airport operations above the Modified Project site without compromising airport operations. Examples of measures that would reduce potential airport hazards to people residing and working on the Modified Project site include, but are not limited to, the following: • **Extended Pattern and Raise Pattern altitude.** Many of the smaller aircraft using Runway (RW) 22 are able to turn soon after takeoff and fly the traffic pattern in locations very near the runway and at relatively low altitudes. (Less than 1,000 feet Above Ground Level [AGL]). By encouraging departing aircraft to maintain runway heading (straight out) until reaching the end of the runway or until reaching the end of airport property, they will achieve higher altitudes thus decreasing noise and potential safety hazards. Also, the pattern altitude is published at 1,000 feet AGL. Raising the published pattern altitude to 1,500 feet AGL will promote a similar effect. • **Business Jet Noise Abatement Departure.** Business jets have the greatest potential to create noise disturbance to ground population. A noise abatement departure procedure must be developed to have departing business jets maintain runway heading until reaching a certain altitude, e.g. 2,500 feet AGL. This will place flight tracks further from the project area, thus reducing noise; and it will place aircraft at higher altitudes before them being turning maneuvers that stress the aircraft, and thus decrease potential safety impacts.	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		As the Hemet-Ryan Airport is privately owned and operated and not part of the Modified Project, the owners of the Hemet-Ryan Airport would not be mandated to implement such measures. **MM 3.7.10.3:** Prior to issuance of grading permits, the Project Applicant shall provide evidence to the City that the following performance standards are applied to all ground-level or aboveground water detention basins or facilities, including water quality management basins detailed in Project Design Feature 3.8-2: • Maximum 48-hour detention period after the design storm and remain totally dry between rainfall events. • Vegetation around such facilities, such as red fescue (*Festuca rubra*), sedges (*Carex* sp.) and rushes (*Juncus* sp.), that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. • Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries. • Landscaping in the detention basins, if not rip-rap, shall be in accordance with the guidance provided in Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure, and the *Airports Wildlife and Stormwater Management* brochure available at www.rcaluc.org and Appendix F2, which lists acceptable plants from Riverside County Landscape Guide, or other alternative landscaping as may be recommended by a wildlife hazard biologist (refer to Appendix F2). • Slopes along portions of the basins designed to detain stormwater runoff shall be equal to or greater than 3:1. The Final Water Quality Management Plan detailed in Plan, Policy, or Program 3.6-4 shall specify maintenance intervals for the water quality management basins to ensure the required 48-hour drawdown time following the design storm is maintained. In addition, the Project Applicant shall ensure that the Homeowner's	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		Association (HOA) or similar entity prepare a Planting, Maintenance, and Management Plan for the water quality management basins prior to occupancy to eliminate seeding, shelter, and incompatible vegetation in accordance with the Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure and the *Airports Wildlife and Stormwater Management* brochure. **MM 3.7.10.4:** Prior to issuance of building permits for any structure with a top point elevation exceeding 1,535 feet above mean sea level, the Project Applicant shall either provide evidence of the issuance of a Determination of No Hazard to Air Navigation from the Federal Aviation Administration Obstruction Evaluation Service (FAA OES) or shall demonstrate that evaluation by the FAA OES is not required due to distance from the runway exceeding 100 feet for every foot of elevation at top point of structure exceeding 1,499 feet above mean sea level. **MM 3.7.10.5:** Prior to issuance of building permits, the Project Applicant shall provide evidence to the City that no buildings shall exceed a height of 40 feet above ground level and a maximum elevation at top point of 1,553 feet above mean sea level. The Maximum height and top point elevation shall not be amended without further review by the Riverside County Airport Land Use Commission and the Federal Aviation Administration, provided, however, that reduction in structure height or elevation shall not require further review. Temporary construction equipment used during actual construction of the proposed structures shall not exceed 40 feet in height and maximum elevation of 1,553 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process. **MM 3.7.10.6:** Within five days after construction of the proposed building evaluated pursuant to Federal Aviation Administration (FAA) Aeronautical Study No. 2019-AWP-10893-OE reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the Project Applicant or his/her designee and electronically filed with the FAA	

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Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		(go to https://oeaaa.faa.gov for instructions). This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure at the evaluated coordinate location. Although not required in accordance with FAA Aeronautical Study No. 2019-AWP-10893-OE, any marking and/or lighting installed voluntarily by the Project Applicant for aviation safety shall comply with *FAA Advisory Circular 70/7460-1 L Change 2* and shall be maintained in accordance therewith for the life of the Project. **MM 3.11.10.6:** Prior to issuance of Occupancy Permits, the Project Applicant shall provide evidence to the City that the following noise attenuation features have been incorporated into the construction of the on-site residential structures: • Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped, and shall have a minimum Sound Transmission Classification (STC) rating of 27. Although a minimum STC rating of 27 will satisfy the City of Hemet requirements, upgraded windows with STC ratings of 30 to 32 for all lots are recommended to further reduce the interior noise levels and to minimize the potential noise impacts associated with peak pass-by events. • Doors: All exterior doors shall be well weather-stripped and have minimum STC ratings of 25. Well-sealed perimeter gaps around the doors are essential to achieve the optimal STC rating. • Walls: At any penetrations of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal. • Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or well sealed gypsum board of at least one-half	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		inch thick. Insulation with at least a rating of R-19 shall be used in the attic space. • Attic: Attic vents should be oriented away from Stetson Avenue and Warren Road. If such an orientation cannot be avoided, then an acoustical baffle shall be placed in the attic space behind the vents. Insulation with at least a rating of R-19 shall be used in the attic space. • Ventilation: When any habitable room is in use, arrangements shall be such that circulated air is received when any exterior door(s) or window(s) are closed. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code. Upon implementation of the noise attenuation features and prior to issuance of Occupancy Permits, the Project Applicant shall prepare an acoustical study to verify the interior noise levels from aircraft noise will comply with the countywide criterion of 45 dBA Community Noise Equivalent Level (CNEL) or such more restrictive criterion as the City of Hemet may choose to require. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **2008 Mitigation Measure HHM-5g**: Any outdoor lighting installed on the Modified Project site shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing. All lighting plans ~~should~~ shall be reviewed and approved by the Hemet-Ryan airport manager and the Riverside County Airport Land Use Commission prior to Modified Project approval. **2008 Mitigation Measure HHM-5i**: The following uses shall be prohibited from the Modified Project ~~project~~ site: • Hazardous material facilities; • Hazardous uses (e.g., aboveground storage tanks);	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		• Outdoor stadiums; • Any use which would direct a steady or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or ~~a straight final approach~~ toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport, other than an FAA-approved navigational signal light or visual approach slope indicator; • Any use which would cause sunlight to be reflected toward an aircraft engaged in initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport; • Any use which would generate smoke or vapor or which could attract large concentrations of birds, or which may otherwise affect safe air navigation within the area; ~~and~~ • Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; and • Children's schools, hospitals, skilled nursing and care facilities, highly noise-sensitive outdoor nonresidential uses, and hazards to flight, and, in the Zone C portion of the property, all of the above, plus libraries, daycare centers, theaters, meeting halls and other assembly facilities, and stadiums.	
3.7.7.6. Vicinity of Private Airstrip: There are no private airstrips or helipads within the immediate vicinity of the Modified Project site, and there is no plan to develop such facilities in proximity to the Modified Project site. Accordingly, implementation of the Modified Project will not result in a safety hazard for people residing or working on the site due to operations at a private airstrip. Similar to the Approved Project, no impact would occur.	No	No mitigation is required.	No
3.7.7.7. Emergency Response or Evacuation Plans: The Modified Project will construct multiple access points along Stetson Avenue, New Warren Road, and Warren	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
Road, and it also will include improvements to the local roadway system with an extension of Mustang Way to the new alignment of new Stetson Avenue. The off-site road improvements would be consistent with road improvement standards prescribed by the City of Hemet. The internal circulation system (internal streets) of the Modified Project will be reviewed by the Hemet Fire Department to ensure that they are developed to City of Hemet roadway design standards to allow for the adequate movement of emergency response equipment. During construction of the Modified Project and off-site street improvements, temporary road closures or lane closures may be required; however, as a condition of approval, the applicant and construction contractor will be required to provide closure plans to local emergency service providers to ensure response routes are maintained and not compromised. Implementation of the Modified Project would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. Similar to the Approved Project, Modified Project impacts would be less than significant.			
3.7.7.8. Wildlands Fire Risk: Similar to the Approved Project, the Modified Project is located in an urbanized portion of the City of Hemet. According to the CALFIRE Fire Hazard Severity Zone Map for the City of Hemet[1] the Modified Project site is located in a Local Responsibility Area (LRA) that is classified as Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ). The residential and commercial buildings that will be developed under the Modified Project will be designed to comply with the most current California Fire Code, which requires implementation of defensible space, automatic sprinkler systems in residential and commercial buildings, building material for different load occupancies, and additional design features. Implementation of standard building	No	No mitigation is required.	No

[1] CALFIRE, Fire Hazard Severity Zones Maps, website: https://osfm.fire.ca.gov/media/5914/hemet.pdf (accessed December 9, 2019).

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Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
design will reduce potential exposure of people and structures on the Modified Project site to risk or loss, injury, or death involving exposure to fires and wildland fires. Similar to the Approved Project, Modified Project impacts would be less than significant.			
3.7.8. Cumulative Hazards and Hazardous Materials Impact: Hazards and hazardous waste impacts at the project level are not considered cumulatively significant. Based on the safe use of common domestic source hazardous materials, policies established within the City of Hemet and the Airport Land Use Commission concerning land uses within the vicinity of the Hemet/Ryan Airport, and the evacuation rates for this area, the Modified Project (similar to the Approved Project) would not make a significant contribution to any cumulatively considerable impacts related to hazards. The Modified Project would be consistent with development standards for Zones C and D as prescribed under the Hemet-Ryan ALUCP. These development standards have been created to promote safety and to ensure land use development is implemented consistently to reduce potential hazards near an active airport. Implementation of mitigation would reduce safety hazard for people residing or working in the Modified Project area related to operational activities at Hemet-Ryan Airport. Related projects within the City of Hemet and unincorporated areas of Riverside County may result in similar impacts if locations of these projects were within restricted development areas of Hemet-Ryan Airport. However, each related project, similar to the Modified Project would be required to conduct project-specific impact analysis to determine the potential of exposing people to safety hazards from nearby airports. The Modified Project would not combine with other projects to result in a cumulatively considerable impact related to safety hazards from nearby airports as such analysis is considered on a project-by-project basis.	Yes	Refer to **Mitigation Measures MM 3.7.10.1** through **3.7.10.6, MM 3.11.10.6,** and **2008 Mitigation Measures HHM-5g** and **HHM-5i**	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
3.8. Hydrology and Water Quality			
3.8.7.1. Discharge Requirements: Compliance with the requirements of the NPDES Construction General Permit pursuant to the Clean Water Act (CWA), California's Porter-Cologne Act, and the NPDES municipal separate storm sewer system (MS4) Permit would require implementation of construction and operational BMPs to reduce pollutants of concern, Modified Project impacts related to violation of water quality standards, waste discharge requirements, and degradation of water quality would be less than significant. When compared to the Approved Project, the proposed Modified Project would result in similar (less than significant) impacts regarding water quality.	No	No mitigation is required.	No
3.8.7.2. Groundwater Supplies: No direct groundwater withdrawals would be required for the proposed Modified Project. According to the project-specific Water Supply Assessment (WSA), groundwater is not being proposed to serve the Modified Project, as Eastern Municipal Water District (EMWD) considers current groundwater production to be utilized completely by existing customers. Since the proposed Modified Project will not be served via groundwater, and development of the site will not preclude or obstruct on-site infiltration of storm water into the local groundwater aquifer, the proposed Modified Project will not deplete groundwater supplies or interfere with groundwater recharge. When compared to the Approved Project, the proposed Modified Project would have similar impacts (no impact) to groundwater supplies.	No	No mitigation is required.	No
3.8.7.3. Drainage Pattern and Erosion/Siltation: The NPDES Construction General Permit requires preparation of an SWPPP to identify construction BMPs that would be implemented to reduce impacts to water quality during construction, including those impacts associated with soil erosion and siltation. Landscaping and slope maintenance will be conducted as soon as possible in order to reduce	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
erosion potential by minimizing exposure of soils to wind, water, and gravity. The Modified Project site is currently undeveloped, and conversion of pervious areas to impervious areas could increase peak flow of on-site storm water runoff and result in erosion of downstream waterbodies. storm runoff from the Modified Project site will continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's *Master Flood Control and Drainage Plan*. Stormwater runoff will be captured and discharged at rates and volumes mimicking the pre-developed condition. Improving the existing on-site east-west segment of Line 3B and detention basin, as well as the existing off-site north-south segment of Line 3B, would ensure the Modified Project would not alter the existing drainage pattern of the site or area. Furthermore, enhancing the capacity of the existing drainage facilities to convey storm water through the Modified Project site would minimize impacts related to off-site erosion and siltation. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts related to erosion and siltation.			
3.8.7.4. Drainage Pattern Flooding: the vast majority of the Modified Project site is located within Flood Zone X (other flood areas). A portion of Planning Area XIII where commercial uses are proposed and the area of proposed off-site improvements to Warren Road are within Flood Zone AE. Additionally, the northern boundary of the Modified Project site abuts Flood Zone AE along the Hemet Channel. The off-site drainage channel (north-south continuation of Line 3B) to be improved between the Modified Project Site and Simpson Road is located within Flood Zone A. The City's *Master Flood Control and Drainage Plan* identifies a 100-year total flow rate not to exceed 200 cubic	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
feet per second (cfs) entering the Hemet Channel from the Modified project site (from Line 3C). Therefore, storm water runoff generated by the Modified Project will not exceed the capacity of the Hemet Channel, and on-site and off-site flooding of the Hemet Channel as a result of the Modified Project is not expected to occur. Improving the existing on-site east-west segment of Line 3B and detention basin, as well as the existing off-site north-south segment of Line 3B, would ensure the Modified Project would not alter the existing drainage pattern of the site or area. Furthermore, enhancing the capacity of the existing drainage facilities to convey storm water through the Modified Project site would minimize impacts related to flooding on- or off-site. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts related to flooding.			
3.8.7.5. Drainage Capacity: The on-site runoff as well as the tributary off-site runoff from the east will be detained by an improved on-site detention basin appropriately sized to capture the site's minimum design capture volume (DCV) within the southwesterly portion of the Modified Project site. The 100-year flow released from the detention basin will be less than 345 cfs in accordance with the *Master Flood Control and Drainage Plan*. The maximum 100-year flow rate capacity of the northerly portion of this segment of Line 3B will be 365 cfs, which will be capable of conveying the anticipated 345 cfs (or less) of runoff from the on-site detention basin, in accordance with the *Master Flood Control and Drainage Plan*. The maximum 100-year flow rate capacity of the southerly portion of this segment of Line 3B will be 505 cfs in accordance with the *Master Flood Control and Drainage Plan*. Offsite drainage improvements include seven connections to the existing Hemet Channel, which will contribute storm	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
water runoff volume at approximately 180 cfs. The City's *Master Flood Control and Drainage Plan* identifies a 100-year total flow rate not to exceed 200 cfs entering the Hemet Channel from the Modified project site (from Line 3C). Therefore, storm water runoff generated by the Modified Project will not exceed the capacity of the Hemet Channel. release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm biological resources or ecosystem processes downstream will be minimized through the construction of 13 bioretention basins. Each bioretention basin shall be designed with DCV sufficient retain all storm water runoff for treatment prior to conveyance off-site into the Hemet Channel and Salt Creek in accordance with the project- and site-specific WQMP. The 13 bioretention basins will provide water quality treatment during percolation with a pollutant removal efficiency rating of at least 80 percent in accordance with the California Toxics Rule. When compared to the Approved Project, the proposed Modified Project would have similar (less than significant) impacts related to drainage capacity.			
3.8.7.6. Water Quality: The proposed improvements to on-site and off-site drainage facilities will be adequately sized in accordance with the City's *Master Flood Control and Drainage Plan* to ensure Modified Project impacts to downstream waters remains less than significant. Landscaping and slope maintenance will be conducted as soon as possible in order to reduce erosion potential by minimizing exposure of soils to wind, water, and gravity. The Modified Project will incorporate a variety of drought-tolerant landscaped areas that will provide water quality treatment of on-site runoff before discharge to the Hemet Channel and Salt Creek. Because compliance with the requirements of the NPDES Construction General Permit pursuant to the CWA,	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
California's Porter-Cologne Act, and the NPDES MS4 Permit would require implementation of construction and operational BMPs to reduce pollutants of concern, Modified Project impacts related to substantial additional sources of polluted runoff would be less than significant. When compared to the Approved Project, the proposed Modified Project would result in similar (less than significant) impacts related to water quality.			
3.8.7.7. Housing in Flood Hazard Area: According to the most recent Flood Insurance Rate Map (FIRM), all housing proposed under the Modified Project will be located within Flood Zone X (other flood areas). The project-specific Drainage Study compared the contours of Flood Zone X with the proposed residential pad elevations and determined all residential pads are above the 100-year water surface with at least a foot of freeboard. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts regarding housing in flood hazard areas.	No	No mitigation is required.	No
3.8.7.8. Structures in Flood Hazard Area: A portion of Planning Area XIII where commercial uses are proposed and the area of proposed off-site improvements to Warren Road are within Flood Zone AE. Additionally, the northern boundary of the Modified Project site abuts Flood Zone AE along the Hemet Channel. The City plans to realign Stetson Avenue from its current east/west alignment to a northeast/southwest alignment adjacent to the south of the Hemet Channel and within the proposed TTM 36841. The City's realignment of Stetson Avenue is proposed independent of the Modified Project and, as indicated in the Certified EIR, would remove the 100-year flood zone (Flood Zone AE) designation from the south side of the Hemet Channel where commercial uses are proposed. The proposed construction of the westerly half of new Warren Road, including modifications to the Stetson Avenue intersection at the northeast corner of the Modified Project site and a realigned transition back to the	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
existing Warren Road alignment would occur within Flood Zone AE, and improvements to a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road, as indicated in PDF 3.8-4, are proposed within Flood Zone A. It should be noted that off-site improvements to the segment of Line 3B between the Modified Project site and Simpson Road will occur in accordance with the City's *Master Flood Control and Drainage Plan* for the purposes of safely conveying storm water runoff in order to prevent episodes of flooding. the Modified Project would be required to file a notice to the Federal Emergency Management Agency (FEMA) of final base flood elevations for development within Flood Zone A and incorporate drainage features and/or design elements to ensure construction within Flood Zone A and Flood Zone AE will not increase the upstream high-water elevation above a pre-established Base Flood Elevation (BFE) in accordance with National Flood Insurance Program (NFIP) Section 60.3. Additionally, NFIP Section 60.3(d) requires a FEMA permit for a Floodway Encroachment for construction in Flood Zone A and Flood Zone AE 100-year flood zones, and the lowest floor (including basement) must be built above a predetermined BFE for both Flood Zone A and Flood Zone AE. Prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from FEMA. Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. These actions are conditioned as project design features or required pursuant to regulation. Accordingly, when compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from construction of structures which would impede or redirect flood flows within a 100-year flood hazard area.			

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
3.8.7.9. Dam Inundation: The western portion (approximately 25 percent) of Modified Project is located within the dam inundation zone of the Diamond Valley Reservoir (Figure 3.8.1). Accordingly, the Modified Project will incorporate on-site drainage and anchoring methods to prevent floating structures, elevate buildings above flood levels, and flood proof, which requires buildings to be inspected and certified by a professional engineer, surveyor or building inspector. The proposed Modified Project will be conditioned to meet these requirements, including compliance with State Civil Code Section 1103 requiring notification to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area. These requirements will be confirmed through the City's plan review process. Therefore, impacts from placing a structure within an area that would expose people or structures to a significant risk of loss, injury, or death as a result of the failure of a levee or dam will be less than significant. When compared to the Approved Project, impacts of the proposed Modified Project would be similar (i.e., less than significant) to those of the Approved Project.	No	No mitigation is required.	No
3.8.7.10. Seiche, Tsunami, or Mudflow: Tsunamis are large waves that occur in coastal areas. Since the City is not located in a coastal area, no impact from inundation by tsunami will occur. The proposed Modified Project site and its surroundings have generally flat topography. Therefore, impacts from mudflows are unlikely and less than significant. Diamond Valley Lake is a relatively large man-made waterbody located approximately 2 miles south of the Modified Project Site. As detailed in Sections 3.8.7.8 and 3.8.7.9, the Modified Project will incorporate on-site drainage, anchoring methods to prevent floating structures, elevation of buildings above flood levels, and flood proofing, which requires buildings to be inspected and certified by a professional engineer, surveyor or	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
building inspector. The proposed Modified Project will be conditioned to meet these requirements, including compliance with State Civil Code Section 1103 requiring notification to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area. These requirements will be confirmed through the City's plan review process. Therefore, Modified Project impacts from seiches would be less than significant. When compared to the Approved Project, impacts of the proposed Modified Project would be similar (i.e., less than significant) to those of the Approved Project.			
3.8.8. Cumulative Hydrology and Water Quality Impacts: The cumulative area is the Santa Ana watershed. Cumulatively, development within the watershed will result in an increase in impervious surfaces, changes in the type and density of land use, and corresponding changes in the amount and characteristic of runoff characteristics. All future development in the City and throughout the Santa Ana Regional Water Quality Control Board (RWQCB) will be required to comply with the applicable requirements of the NPDES permit program and water quality standards defined by local, regional, State and federal agencies. Continued growth is anticipated to occur in the City and surrounding areas, and all new development and significant redevelopment will be required to minimize its individual impacts to water quality and pollutant transport through implementation of BMPs. As detailed throughout Section 3.8, the proposed Modified Project drainage plan sufficiently reduces project-specific drainage impacts. It is reasonable to conclude that drainage impacts associated with development of other sites in the project area will be equally required to provide drainage improvements sufficiently sized and located to address the unique site requirements. Furthermore, the proposed Modified Project would not be dependent on local groundwater and therefore would not contribute cumulatively to its depletion.	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
3.9. Land Use and Planning			
3.9.7.1. Physically Divide an Established Community: The Modified Project is contiguous to existing residential development, represents a logical extension of the existing development pattern in the area, and connects to surrounding development by a network of multi-modal facilities (streets, pedestrian-oriented parkways, and sidewalks). The Modified Project would not divide an established community and therefore no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant] impacts related to physically dividing an established community.	No	No mitigation is required.	No
3.9.7.2. Conflict with Applicable Land Use Plans, Policies, or Regulations: The proposed Modified Project site and surrounding area is residential in nature and lacks supporting retail/commercial services. The proposed commercial land use would generally address key issues and implements policies of the City General Plan and the Southern California Association of Governments (SCAG) 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) that reduce vehicle miles traveled (VMT) and associated air pollution emissions. This includes developing commercial uses in proximity to residential uses and facilitating alternative modes of transportation between such uses. Therefore, the proposed Modified Project is substantively consistent with the City General Plan and SCAG's 2016 RTP/SCS. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant] impacts related to conflicts with applicable land use plans, policies, or regulations.	No	No mitigation is required.	No
3.9.7.3. Conflict with Any Applicable Habitat or Natural Community Conservation Plan: The proposed Modified Project is within the boundaries of the MSHCP. The Modified Project's consistency with the MSHCP is analyzed in the biological resources chapter (3.4	**Yes**	Refer to **Mitigation Measures MM 3.4.10.1** through **3.4.10.7** above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
Biological Resources) of this SEIR. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant with mitigation] impacts related to conflicts with applicable habitat conservation plans or natural community conservation plans.			
3.9.8. Cumulative Land Use and Planning Impacts: The Modified Project represents a minor change to the underlying land use approvals envisioned by the City's General Plan and the Page Ranch Planned Community PCD 79-93. The changes can be characterized by a reduction in residential residences and an increase in neighborhood serving commercial (100,000 square feet). The anticipated growth associated with the Modified Project would not have cumulatively considerable impacts on the environment provided the growth occurs in accordance with the City General Plan and the Page Ranch Planned Community PCD 79-93 SP as revised by the proposed Modified Project. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant] cumulative impacts on the environment.	No	No mitigation is required.	No
3.10. Mineral Resources			
3.10.7.1. Loss of Statewide or Regionally Important Mineral Resources: Historically, the primary mineral resources of value to the City and region were aggregate materials used for construction. Serpentine was mined in Diamond Valley in the general vicinity of the proposed Modified Project site. The proposed Modified Project site has been used for agricultural activities, primarily dry farming, and no evidence of mineral resource extraction is known for the site or immediate vicinity. Additionally, based on available data, the City does not consider aggregate material, such as serpentine, of significant economic value despite having the potential for local significance. When compared to the Approved Project, impacts associated with loss of statewide or regionally	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
important mineral resources from the Modified Project would be the same (i.e., no impact).			
3.10.7.2. Loss of Locally Important Mineral Resources: The zoning of properties surrounding the proposed Modified Project site include Heavy Manufacturing and Heavy Agricultural across the railroad track to the north, Page Ranch Planned Community Development to the east, Specific Plan-Low Density Residential and Specific Plan-Mixed Use to the south, and Open Space and Planned Community Development to the west. Mining would be an incompatible land use, especially with the existing residential neighborhoods to the east and proposed specific plan [residential] developments to the south, east, and west of the proposed Modified Project site. When compared to the Approved Project, impacts associated with loss of locally important mineral resources from the Modified Project would be the same (i.e., no impact).	No	No mitigation is required.	No
3.10.8. Cumulative Mineral Resources Impacts: Neither the Approved Project nor the proposed Modified Project site are identified as containing significant mineral resource extraction sites or the sites of an existing mining/mineral extraction operation. Additionally, since both the proposed Modified Project site and Approved Project site have been used historically for agricultural activities, primarily dry farming, and no evidence of mineral resource extraction is known for these sites or immediate vicinity, neither the proposed Modified Project nor the Approved Project will cumulatively decrease the local or regional availability of mineral resources. Accordingly, as compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cumulatively considerable impacts to mineral resources.	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
3.11. Noise			
3.11.7.1. Noise Levels in Excess of Standards: With implementation of mitigation, construction of the proposed Modified Project would not exceed noise level standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Operational noise from Modified Project stationary sources would be less than significant, and no mitigation is required. Additionally, operational noise from Modified Project vehicle traffic would be less than significant to off-site sensitive noise receivers, and no mitigation is required. However, mitigation is required to ensure implementation of the State Noise Insulation Standard and mitigate against potential on-site noise impacts associated with peak pass-by events, for example, from freight trucks or railroad operations. With implementation of a project design feature 6-foot-tall perimeter walls acting as noise barriers in conjunction with mitigation, on-site traffic noise impacts to Modified Project commercial and residential uses would be reduced to less than significant levels (refer to Figure 3.11.3). Finally, occupancy disclosure notices shall be required for all future homeowners in accordance with mitigation to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. With implementation of mitigation, noise levels from construction and operation of the proposed Modified Project would not exceed standards established in the local general plan or noise ordinance, or applicable standards of other agencies. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from construction and operational noise.	**Yes**	**MM 3.11.10.1:** Prior to approval of grading plans and/or issuance of building permits, construction plans shall include a note indicating that noise-generating Modified Project construction activities shall only occur between the permitted hours on Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m. with no activity allowed on Sundays. The Modified Project construction supervisor shall ensure compliance with the note, and the City shall conduct periodic inspection at its discretion. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.11.10.2:** If receiver location R6 is an inhabited noise-sensitive residential home at the time of Modified Project construction, the installation of a temporary noise control barrier, as shown in Figure 3.11.1, at the Modified Project site boundaries when construction activities occur within 140 feet is required. The noise control barrier must present a solid face from top to bottom and be a minimum height of 6 feet. • The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, *Noise Barrier Design Handbook*). The noise barrier may be constructed using an acoustical blanket (e.g., vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts. • The noise barriers must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired. • The noise control barriers and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.11.10.3:** During all Modified Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Modified Project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.11.10.4**: During all Modified Project site construction, the construction contractor shall locate equipment staging in areas that will create the greatest distance (i.e., at the center) between construction-related noise sources and noise-sensitive receivers nearest the Modified Project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.11.10.5**: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m. with no activity allowed on Sundays). The Project Applicant shall prepare a haul route exhibit to design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.11.10.6:** Prior to issuance of Occupancy Permits, the Project Applicant shall provide evidence to the City that the following noise attenuation features have been incorporated into the construction of the on-site residential structures: • Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped, and shall have a minimum Sound	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		Transmission Classification (STC) rating of 27. Although a minimum STC rating of 27 will satisfy the City of Hemet requirements, upgraded windows with STC ratings of 30 to 32 for all lots are recommended to further reduce the interior noise levels and to minimize the potential noise impacts associated with peak pass-by events. • Doors: All exterior doors shall be well weather-stripped and have minimum STC ratings of 25. Well-sealed perimeter gaps around the doors are essential to achieve the optimal STC rating. • Walls: At any penetrations of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal. • Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or well sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space. • Attic: Attic vents should be oriented away from Stetson Avenue and Warren Road. If such an orientation cannot be avoided, then an acoustical baffle shall be placed in the attic space behind the vents. Insulation with at least a rating of R-19 shall be used in the attic space. • Ventilation: When any habitable room is in use, arrangements shall be such that circulated air is received when any exterior door(s) or window(s) are closed. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code. Upon implementation of the noise attenuation features and prior to issuance of Occupancy Permits, the Project Applicant shall prepare an acoustical study to verify the interior noise levels from aircraft	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
		noise will comply with the Countywide criterion of 45 dBA Community Noise Equivalent Level (CNEL) or such more restrictive criterion as the City of Hemet may choose to require. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department. **MM 3.11.10.7:** Prior to the issuance of occupancy permits, the Project Applicant shall provide the City of Hemet a copy of a *Railroad and Airport Proximity Disclosure* that will be presented to prospective buyers of real estate within the Modified Project site. The *Railroad and Airport Proximity Disclosure* shall convey information to prospective buyers about railroad- and airport-associated annoyances or inconveniences such as noise and/or vibration. The *Airport Proximity Disclosure* shall: 1. Contain the following language dictated by State law in conjunction with real estate transfer: *"NOTICE OF RAILROAD AND AIRPORT IN VICINITY: This property is presently located in the vicinity of a railroad and airport, and within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to railroad and airport operations (for example: noise and/or vibration). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what railroad and airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you."* 2. Include signs declaring the *NOTICE OF RAILROAD AND AIRPORT IN VICINITY* and a map of the Airport Influence Area to be prominently posted in the real estate sales office and/or other key locations at the project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
3.11.7.2. Groundborne Vibration/Groundborne Noise Impacts: Construction vibration velocity levels are expected to approach a maximum of 66.0 velocity decibels (VdB) at a distance of 125 feet from the Modified Project site, which is below the City of Hemet General Plan EIR vibration threshold of 80 VdB. Construction vibration velocity levels are expected to approach a maximum of 0.01 inch per second (in/sec) peak particle velocity (PPV) at a distance of 125 feet from the Modified Project site, which is below the City of Hemet General Plan EIR vibration threshold of 0.2 in/sec PPV, Therefore, construction-related vibration impacts are considered less than significant. Reference vibration level at the nearest residential lot would range from 60 VdB for rapid transit or light rail to 72 VdB for locomotive powered passenger or freight rail. Therefore, vibration from railroad activities would not exceed the City of Hemet General Plan EIR vibration level threshold of 80 Vdb, and the proposed Modified Project would not expose persons to or generate excessive groundborne vibration or groundborne noise levels during operation. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from construction and operational vibration.	No	No mitigation is required.	No
3.11.7.3. Permanent Increase in Ambient Noise Levels: The Modified Project will not generate a daytime or nighttime operational noise level increase from stationary sources in excess of the criteria established by the Federal Interagency Committee on Noise (FICON) at any of the nearby sensitive receiver locations. The analysis in Section 3.11.7.1 indicates that the additional roadway traffic anticipated from Phase 1 and from buildout (Phase 1 and Phase 2) of the proposed Modified Project would generate an increase of between 0.5 A-weighted decibels (dBA) community noise equivalent level (CNEL) and 3 dBA CNEL along the 37 study area roadway	**Yes**	Refer to **Mitigation Measures MM 3.11.10.6** and **3.11.10.7,** above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
segments. This increase in ambient noise is too low to be substantially discernable to adjacent off-site land uses. Therefore, permanent increases in off-site ambient noise levels from Modified Project vehicle traffic sources would be less than significant. To ensure implementation of the State Noise Insulation Standard and mitigate against potential noise impacts associated with peak pass-by events, for example, from freight trucks or railroad operations, project design feature 6-foot-tall perimeter walls in conjunction with mitigation will reduce on-site traffic noise impacts to Modified Project commercial and residential uses to less than significant levels (refer to Figure 3.11.3). Finally, mitigation requiring occupancy disclosure notices for all future homeowners will ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. With implementation of project design features and mitigation, railroad noise impacts to on-site Modified Project commercial and residential uses would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from permanent increases in ambient noise levels.			
3.11.7.4. Temporary Increase in Ambient Noise Levels: Construction activities are expected to create temporary and intermittent high-level noise at receivers surrounding the Modified Project site when certain activities occur near the property line, and mitigation is required.	**Yes**	Refer to **Mitigation Measures MM 3.11.10.1** through **3.11.10.7,** above.	No
3.11.7.5. Public Airport Noise: Future 2031 Airport Noise Contours published in the *Hemet-Ryan Airport Master Plan Environmental Impact Report* are provided in Figure 3.11.4. The Modified Project site is located outside of the Hemet-Ryan Airport 60 dBA CNEL noise level contour boundary. New residential land uses outside the 60 dBA CNEL contour are normally acceptable. Additionally,	**Yes**	Refer to **Mitigation Measures MM 3.11.10.6** and **3.11.10.7,** above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
interior noise level limits are set at 45 dBA CNEL with windows closed for residential homes affected by aircraft-related noise. Accordingly, the Modified Project is considered normally acceptable, and slight interference with outdoor activities may occur, but conventional construction methods will eliminate most noise intrusions upon indoor activities. However, mitigation is required to ensure implementation of the State Noise Insulation Standard and mitigate against potential noise impacts associated with peak aircraft pass-by events. Finally, mitigation requiring occupancy disclosure notices for all future homeowners will ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from airport noise levels.			
3.11.7.6. Private Airport Noise: The proposed Modified Project is located approximately 4,500 feet (0.85 mile) north of the Hemet Model Masters-Simpson Field, a recreational airstrip for flying radio-controlled fixed wing and multi-rotor drone aircraft. Due to the substantial distance and scale of model aeronautics occurring at this facility, implementation of the proposed Modified project is not expected to expose people residing or working in the project area to excessive noise levels, particularly in comparison to the distance of the project site to Hemet-Ryan Airport. When compared to the Approved Project, the proposed Modified Project would have similar [no] impacts from private airstrip noise levels.	No	No mitigation is required.	No
3.11.8. Cumulative Noise Impacts: Only planned projects in the immediate vicinity of the proposed Modified Project are likely to contribute to cumulative noise effects. Based on the analysis presented in Section 3.11.7, all construction and operational noise effects could be reduced to less than significant levels with compliance	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
with regulations and implementation of project design features and mitigation. Additionally, the analysis in Section 3.11.7.1 indicates the additional roadway traffic anticipated from Phase 1 and from buildout (Phase 1 and Phase 2) of the proposed Modified Project would generate an increase of between 0.5 dBA CNEL and 3 dba CNEL along the 37 study area roadway segments. This increase in ambient noise would be barely discernable to adjacent off-site land uses from existing baseline conditions. Therefore, similar to the Approved Project, the proposed Modified Project would not contribute to a cumulative considerable increase in noise when considered in the context of reasonably foreseeable current and future projects. No additional mitigation is required.			
3.12. Population and Housing			
3.12.7.1. Population Growth: The proposed Modified Project will not induce population growth. The number of dwelling units is decreasing from 740 units as approved under the Certified EIR to 586 units, which would not result in substantially more population growth than that which was anticipated under the Approved Project. When compared to the Approved Project, impacts associated with induced population growth would be the same (i.e., less than significant).	No	No mitigation is required.	No
3.12.7.2. Displace Housing: The proposed Modified Project site is undeveloped and does not contain any residential units. Implementation of the Project will not displace substantial numbers of existing housing (as the site is vacant), and no impact to existing housing is anticipated. Impacts would be the same as the Approved Project (i.e., no impact).	No	No mitigation is required.	No
3.12.7.3. Displace People: The Modified Project site is currently vacant. Implementation of the project will not displace substantial numbers of people. When compared to the Approved Project, impacts associated with displacement of substantial numbers of people would be the same (i.e., no impact).	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
3.12.8. Cumulative Population and Housing Impacts: Land uses currently approved under the Page Ranch PCD would allow for the development of 744 residential units on the Modified Project site. The proposed Modified Project would reduce residential dwelling unit count from 744 to 586 units. Based on the acreages detailed in Table 2.B, the gross Modified Project density will be 2.60 dwelling units per acre as compared to the Approved Project density of 3.13 dwelling units per acre. According to the 2019 SCAG Local Profile Report for Hemet, the population per household is 2.7. Assuming the 586 dwelling units proposed under the Modified Project, the Modified Project would introduce approximately 1,582 persons to the City. Although the Modified Project would introduce additional permanent residents to the City, the intensity of the proposed residential uses is substantially less than that which was anticipated under the Approved Project. Therefore, similar to the Approved Project, the proposed Modified Project would not have a cumulatively considerable impact to population and housing.	No	No mitigation is required.	No
3.13. Public Services			
3.13.7.1. Fire Protection Services: The Modified Project site has been approved for development of 744 residential dwelling units under the Approved Project, and the Modified Project proposes to develop the site with 586 residential dwelling units and approximately 100,000 square feet of commercial uses. The provision of fire service personnel and emergency facilities has already been anticipated for buildout of the Page Ranch PCD SP, as evidenced by the construction of Fire Station No. 4 in 2005 approximately 1.5 miles northeast of the Modified Project site. Therefore, it is reasonable to conclude that development of TTM 36841 proposed as part of the Modified Project in accordance with current development codes that are generally more stringent than those under which the Approved Project was evaluated would not require new or physically altered fire protection or	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
emergency facilities beyond those which have been identified under the Approved Project. Therefore, impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar or a lesser impact on fire and emergency services.			
3.13.7.2. Police Protection: The Modified Project site has been approved for development of 744 residential dwelling units under the Approved Project, and the Modified Project proposes to develop the site with 586 residential dwelling units and approximately 100,000 square feet of commercial uses. Since the Modified Project would generate fewer residents than the Approved Project, the provision of police service personnel and facilities has already been anticipated for buildout of the Page Ranch PCD SP in order to meet the City's performance standard of 1.3 officers per 1,000 residents through buildout of the City's General Plan in 2030. Therefore, it is reasonable to conclude that development of TTM 36841 proposed as part of the Modified Project with fewer residents than what was evaluated under the Approved Project would maintain the City's police officer to resident performance standard (1.3 per 1,000 residents) and not require new or physically altered police protection facilities, the construction of which could cause significant environmental impacts. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from an increased demand for police protection services but without mitigation.	No	No mitigation is required.	No
3.13.7.3. Schools: The proposed Modified Project shall pay the approved Alternate School Fee (Level 2) for new residential construction effective at the time building permits are pulled. Per California Government Code, "The payment or satisfaction of a fee, charge, or other requirement levied or imposed…are hereby deemed to be full and complete mitigation of the impacts…on the	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
provision of adequate school facilities." The Modified Project will be required to pay these development fees in accordance with Government Code 65995 and Education Code 17620. Through payment of development fees in accordance with Government Code 65995 and Education Code 17620, no impacts related to school services would occur. When compared to the Approved Project, the proposed Modified Project would have similar [no] impacts from an increased demand for school services.			
3.13.7.4. Parks: The Modified Project must include at least 7.91 acres of public parkland to comply with the City's standard of 5 acres of parks per 1,000 residents pursuant to Section 70-282 of the Municipal Code. The Modified Project includes 5.62 acres of public parks and 5.12 acres of parks to be maintained by the homeowner's association (total of 10.74 acres of parks), as well as 54.15 acres of open space. Additionally, the Mitigation Fee Act governs the establishment and administration of development impact fees (DIFs) to fund public facilities such as parks needed to serve new development. As permitted under the City Municipal Code, the payment of the City's DIF for park development will offset any increased demand on neighborhood and community parks and recreation facilities in the City as a result of the proposed Modified Project. Construction of new or expansion of existing parks is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA. The parkland proposed under the Modified Project is encompassed in the analyses throughout this SEIR, and physical impacts to the environment are mitigated accordingly. Therefore, no additional mitigation is required to comply with the Quimby Act or City Municipal Code pertaining to the provision of parkland. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
(i.e., less than significant) impacts from an increased demand for parks.			
3.13.8. Cumulative Public Services and Facilities Impacts: All development within the service areas of the City of Hemet Police and Fire Departments would be required to adhere to conditions established by these agencies and would be subject to applicable fees that will contribute to the maintenance of their facilities. The project would result in the development of uses that are typical of those currently present in the service area for the City of Hemet Police and Fire Departments and does not include any use or structure anticipated to disproportionally increase service demand beyond that which currently exists. With adherence to standard conditions and payment of required fees, no significant cumulative impact on law enforcement and fire services in the City would occur. The Hemet Unified School District (HUSD) requires the payment of development fees to provide for maintenance of existing and the expansion or construction of new facilities. All new development is required to provide school impact fees at the level identified by the HUSD, and it is anticipated that no cumulatively significant impact to school services would occur with implementation of the proposed project. The Modified Project includes 5.62 acres of public parks and 5.12 acres of parks to be maintained by the homeowner's association (total of 10.74 acres of parks), as well as 54.15 acres of open space. The payment of the City's DIF for park development will offset any increased demand on neighborhood and community parks and recreation facilities in the City as a result of the proposed Modified Project. As future residential development is proposed, the City will require developers to provide the appropriate amount of parkland or pay the in-lieu fees, which will contribute to future recreational facilities.	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
Payment of these fees and/or implementation of facilities on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities.			
3.14. Recreation			
3.14.7.1. Increased Use of Existing Recreational Facilities: The Modified Project must include at least 7.91 acres of public parkland to comply with the City's standard of 5 acres of parks per 1,000 residents pursuant to Section 70-282 of the Municipal Code. The Modified Project includes 5.62 acres of public parks and 5.12 acres of parks to be maintained by the homeowner's association (total of 10.74 acres of parks), as well as 54.15 acres of open space. Additionally, the Mitigation Fee Act governs the establishment and administration of development impact fees (DIFs) to fund public facilities such as parks needed to serve new development. As permitted under the City Municipal Code, the payment of the City's DIF for park development will offset any increased demand on neighborhood and community parks and recreation facilities in the City as a result of the proposed Modified Project. Construction of new or expansion of existing parks is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA. The parkland proposed under the Modified Project is encompassed in the analyses throughout this SEIR, and physical impacts to the environment are mitigated accordingly. Therefore, no additional mitigation is required to comply with the Quimby Act or City Municipal Code pertaining to the provision of parkland. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from an increased demand for parks.	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
3.14.7.2. New or Physically Altered Recreation and Park Facilities: The proposed Modified Project consists of 5.12 acres of private HOA parks, 5.62 acres of public parks, and 54.15 acres of open space areas (total of 64.89 acres), which is over 26 percent of the overall 245.07-acre Modified Project site. The Modified Project's private and public recreation facilities are included as part of proposed TM 36841; therefore, the environmental effects associated with the development of these facilities have been considered through the analysis of the Modified Project as a whole. The construction of these facilities would not result in adverse physical effects on the environment beyond those analyzed for the overall development of the Modified Project. The Modified Project will be required to pay applicable park and recreation fees in accordance with Section 70-284 (park development fee payment criteria) and Section 70-285 (standard for dedication of land in lieu of fees) of the City Municipal Code, which will be used in part to maintain existing park facilities and/or construct new park facilities at a time and place determined appropriate by the City. The construction of such new park and recreation facilities would be an action independent of the Modified Project. The CEQA review for such an action would occur at a time on a level commensurate with each specific City-sponsored park development project. Therefore, the Modified Project impacts from the construction of new or expansion of existing park or recreation facilities would be the same as those identified for the Approved Project (i.e., less than significant).	No	No mitigation is required.	No
3.14.8. Cumulative Recreation and Parks Impacts: As future residential development is proposed, the City will require developers to provide the appropriate amount of parkland or pay the in-lieu fees, which will contribute to future recreational facilities. Payment of these fees and/or implementation of facilities on a project-by-project basis would offset cumulative parkland impacts by providing	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
funding for new and/or renovated parks equipment and facilities.			
3.15. Transportation and Traffic			
3.15.7.1. Vehicle Miles Traveled: The Certified EIR in 1979 concluded the Approved Project would generate approximately 745,000 daily VMT, but the City had not established VMT-specific thresholds at the time of certification of the 1979 EIR. The Modified Project's commercial/retail component is anticipated to result in a net reduction of 7,251 VMT within the WRCOG region compared to without-Project conditions. Impacts from commercial/retail VMT would be less than significant, and mitigation is not required. If the proposed Modified Project achieved the maximum 10 percent VMT reduction through implementation of **PDF 3.3-1** through **3.3-3** and the proposed transportation infrastructure improvements described above, the Modified Project's reduced Home-Based VMT per capita would be approximately 27.58, which would still exceed the City-wide average of 25.4 Home-Based VMT per capita for Hemet. Because implementation of TDM strategies cannot guarantee VMT reductions, and the Modified Project's reduced Home-Based VMT per capita would still exceed the City-wide average Home-Based VMT per capita for Hemet even if TDM strategies for the Modified Project would achieve the maximum 10 percent VMT reduction potential, Modified Project impacts from residential VMT would be *significant and unavoidable*. No additional mitigation is feasible to reduce the impact further.	**Yes**	Refer to previously referenced **1979 [Air Quality] Mitigation Measure 3** and **2008 Mitigation Measure AQ-07** above**.** **1979 [Traffic] Mitigation Measure 10:** Establish land use patterns, intensities and relationships which would reduce vehicle trip making characteristics and promote the use of alternative modes of travel such as bicycles, walking and transit. For example, increased residential densities adjacent to the planned commercial activities and open spaces designed with integral bike paths and pedestrian ways.	**Yes**
3.15.7.2. Increase in Vehicle Trips or Volume-to-Capacity on Roads, or Congestion at Intersections: As shown in Table 3.15.B, deficiencies at four of the study area intersections (#2, #4, #24, and #28) occur in the Existing Without Project condition. The Modified Project's impacts to these intersections are considered to be cumulative in nature and mitigation is required. The	**Yes**	**MM 3.15.10.1: Payment of Fair-Share Costs**. The project applicant shall be responsible for payment of the project's Fair-Share Contribution for study area intersection improvements as shown on "Table 1-3: Summary of Intersection Improvements" contained in *Rancho Diamante (TTM No. 36841) Traffic Impact Analysis*, City of Hemet, Urban Crossroads, April 2018.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
reduction in levels of service (LOS) at the Warren Road intersections at Esplanade Avenue (#22) and Auto Boulevard (#26) are caused by the Modified Project and are considered to be significant impacts and mitigation is required. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] intersection LOS impacts in the Existing condition. Roadway segment impacts are less than significant (i.e., no mitigation is required), while roadway intersection impacts are reduced to less than significant levels with implementation of mitigation. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] roadway LOS impacts in the Existing condition. As shown in Table 3.15.D, deficiencies at all but one of the study area intersections (#27) occur in the Opening Year Cumulative (2026) Without Project condition. However, the deficiency at the Warren Road/Whittier Avenue (#27) intersection is caused by the combination of cumulative traffic growth and the traffic additions from the Modified Project. The Modified Project's impacts to all of these intersections are therefore considered to be cumulative in nature. The Modified Project's traffic impacts are reduced to less than significant with mitigation. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] intersection LOS impacts in the Opening Year Cumulative (2026) condition. A review of the detailed peak hour intersection analysis conducted previously reveals that the anticipated roadway segment deficiencies anticipated along all roadway segments operate at acceptable LOS with recommended intersection improvements. For this reason, roadway segment widening has not been recommended for the roadway segments. When compared to the Approved Project, the Modified Project would have reduced [less		**MM 3.15.10.2: Warren Road/Esplanade Avenue (#22).** The following improvement is necessary to reduce the Modified Project's project specific impact to less than significant: • The installation of a traffic signal. • Construction of a northbound left-turn lane, southbound left-turn lane, eastbound left-turn lane, and westbound left-turn lane. **2008 Mitigation Measure T-2a:** The developer shall construct the following on-site roadway improvements ~~as described on Exhibit 10-C of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007~~, as determined by the City Public Works Department: • Construct New Stetson Avenue at its ultimate half section width as an Urban Arterial ~~from New Warren Road to Old Warren Road~~ along the Modified Project frontage in conjunction with development. • Construct ~~New~~ Warren Road at its ultimate ~~half section~~ width as a Major Roadway from New Stetson Avenue to ~~the southerly project boundary~~ Warren Road in conjunction with development. • Construct Warren Road at its ultimate half section width as a Secondary Roadway from New Stetson Avenue to the southerly project boundary in conjunction with development. • ~~Install a traffic signal at the intersection of Warren Road and New Stetson Avenue when warranted.~~ • ~~Install a traffic signal at the intersection of New Warren Road and New Stetson Avenue when warranted.~~ • ~~Install a traffic signal at the intersection of Warren Road and Mustang Way when warranted.~~ • ~~Left turns out of Driveway #1 on New Warren Road shall be prevented in the future when the through volumes on New~~	

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
than significant] roadway LOS impacts in the Opening Year Cumulative (2026) condition. As shown in Table 3.15.F, deficiencies at all of the study area intersections occur in the General Plan Buildout (2040) Without Project condition. The Modified Project's impacts to all of these intersections are therefore considered to be cumulative in nature. The Modified Project's traffic impacts are reduced to less than significant with mitigation. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] intersection LOS impacts in the General Plan Buildout (2040) condition. The anticipated roadway segment deficiencies anticipated along all roadway segments operate at acceptable LOS with recommended intersection improvements. For this reason, roadway segment widening has not been recommended for the roadway segments. When compared to the Approved Project, the Modified Project would have reduced [less than significant] roadway LOS impacts in the General Plan Buildout (2040) condition.		~~Warren Road have increased to the point where the City deems the restriction necessary.~~ • ~~Left turns out of Driveway #2 on New Stetson Avenue shall be prevented in the future when the through volumes on New Stetson Avenue have increased to the point where the City deems the restriction necessary.~~ • ~~On-site signing and striping shall be implemented in conjunction with detailed construction plans for the project site.~~ • ~~Sight distance at the project entrance shall be reviewed with respect to Caltrans and City of Hemet sight distance standards at the time of preparation of final grading, landscaping, and street improvement plans.~~ • ~~Provide stop sign controls at the project driveway that intersect with public roadways that do not meet traffic signal warrants.~~	
3.15.7.3. Exceed CMP Level of Service: The Modified Project would meet the Riverside County Congestion Management Program (CMP) LOS standard as well as the standards of the affected local jurisdictions. Impacts are considered to be less than significant and no mitigation is required over and above that already prescribed in Section 3.15.7.1. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts associated with meeting the CMP LOS standard.	**Yes**	Refer to previously referenced **Mitigation Measures MM 3.15.10.1** and **3.15.10.2, 2008 Mitigation Measure T-2a.**	No
3.15.7.4. Air Traffic Patterns: As detailed in Section 3.7.7.5, the Modified Project is consistent with the 2017 Hemet-Ryan ALUP. Implementation of mitigation would promote on-site safety related to airport operations near the Modified Project site. As compared to the Approved Project, impacts associated with potential hazards from	**Yes**	Refer to **Mitigation Measures MM 3.7.10.1** and **3.7.10.2,** and **2008 Mitigation Measures HHM-5g** and **HHM-5i**, above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
airport operations would be reduced (i.e., significant and unavoidable under the Approved Project versus less than significant under the Modified Project).			
3.15.7.5. Design Features or Incompatible Uses: Roadway improvements in and around the project site would be designed and constructed to satisfy all City requirements. With the installation of project improvements, full participation in the applicable fee programs, and adherence to applicable existing requirements of the City and other agencies, impacts associated with this issue would be reduced to a less than significant level. No mitigation required.	No	No mitigation is required.	No
3.15.7.6. Inadequate Emergency Access: Traffic associated with project construction may have a temporary effect on existing traffic circulation patterns. Therefore, it may also affect emergency access. The proposed project is not expected to cause significant impacts to roadways or intersections that may be used by emergency vehicles. With installation of project improvement, full participation in the applicable fee program, and adherence to applicable existing requirements of the City, the necessary long-term emergency access features required for the project site and the City in general will be installed and appropriately maintained.	No	No mitigation is required.	No
3.15.7.7. Alternative Transportation: The Modified Project includes 100,000 square feet of commercial development not included as part of the Approved Project. The surrounding area is residential in nature and lacks supporting retail/commercial services. The Modified Project would promote the reduction in VMT by bringing the proposed commercial uses closer to both project and non-project residents resulting in shorter trip lengths. The Modified Project provides pedestrian connections to surrounding areas consistent with General Plan Policy OS-7.2. The pedestrian access network internally links all uses and connects to all existing or planned external	**Yes**	**1979 [Traffic] EIR Mitigation Measure 4:** Promote ride-pooling (car-pools/van-pools) with regard to persons employed in any planned commercial and industrial activities. This would have the potential of reducing daily commuter traffic and onsite parking requirements. **1979 [Traffic] EIR Mitigation Measure 5:** Demand-responsive (dial-a-ride) public transit should be encouraged. Where practical small vans or busses should be used. Provision of. a public transit system will reduce potential auto travel, and provide mobility to those residents who are either too young to drive, do not drive, no longer drive, or are not capable of bicycling.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
streets and pedestrian facilities contiguous with the Modified Project site. Additionally, the proposed Modified Project would have access to a Class 2 (on road) bike lane on Warren Road. Through implementation of mitigation, the Modified Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise cause a decrease in the performance or safety of such facilities. When compared to the Approved Project, impacts of the Modified Project would be the same [less than significant with mitigation].		**1979 [Traffic] EIR Mitigation Measure 6**: The feasibility of expanding the Riverside Transit Agency's transportation service in the Hemet area should be considered. **1979 [Traffic] EIR Mitigation Measure 9:** Provide ~~separate~~ bicycle and pedestrian travelways ~~pathways~~ throughout the project as a means of promoting alternative forms of movement. ~~For safety, convenience and efficiency, these systems should be separated from the vehicular traffic system and from one another~~ Also refer to **1979 [Air Quality] Mitigation Measure 3**, and **2008 Mitigation Measure AQ-7,** above.	
3.15.8. Cumulative Traffic Impacts: With the project-specific mitigation previously identified, project-related short-term and long-term impacts to intersections would be reduced to less than significant levels for Existing With Project, Opening Year Cumulative (2016) With Project, and General Plan Buildout (2040) With Project conditions. As stated in Section 3.15.7.1, cumulative impacts related to local roadways and State highway facilities are less than significant with implementation of mitigation. Given the distance between the proposed project site and cumulative project sites, impacts associated with air traffic patterns, design hazards, emergency access, or conflicts with adopted policies, plans, or programs supporting alternative transportation would not comingle and create impacts over and above those associated with the Modified Project. Cumulative impacts are considered less than significant with mitigation. When compared to the Approved Project, cumulative impacts of the Modified Project would be the same (less than significant with mitigation).	**Yes**	Refer to previously referenced **Mitigation Measures MM 3.15.10.1** and **3.15.10.2.**	No
3.16. Utilities			
3.16.7.1. Wastewater Treatment Requirements: Compliance with condition or permit requirements established by the City, and waste discharge requirements at the EMWD would ensure that discharges	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
into the wastewater treatment facility system from the operation of the proposed project would not exceed applicable Regional Water Quality Control Board (RWQCB) wastewater treatment requirements. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts related to wastewater treatment requirements.			
3.16.7.2. Electricity, Natural Gas, Telephone, Water, or Wastewater Treatment Facilities: All proposed utility infrastructure, both on-site and off-site, would be installed simultaneously with finish grading activities and required roadway frontage improvements for the Modified Project site. As a result, interconnection to the existing utilities surrounding the site would not result in substantial disturbance of native habitat or soils, or existing roadways or utilities. There would be no significant environmental effects specifically related to the installation of utility interconnections that are not encompassed within the Modified Project's construction and operational footprint, and therefore already identified, disclosed, and subject to all applicable mitigation measures, as well as local, State, and federal regulations, as part of this SEIR. Therefore, with implementation of mitigation, significant environmental effects from the construction of new utilities and water or wastewater treatment facilities or expansion of existing facilities would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant with mitigation incorporated] impacts related to construction of new utilities and water or wastewater treatment facilities or expansion of existing facilities.	**Yes**	**2008 Mitigation Measure U-2b:** Prior to the issuance of building permits, development plans shall be provided to Eastern Municipal Water District ~~EMWD~~, Southern California Edison, the Southern California Gas Company, Verizon, Metropolitan Water District of Southern California, Riverside County Flood Control District, and other local utilities as they become available. Coordination with these utility providers is required in order to facilitate engineering, design and construction of improvements necessary to provide water, electrical, natural gas, flood control, and telephone service to the project site. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments. **2008 Mitigation Measure U-2c:** Prior to the issuance of building permits, the applicant shall comply with the guidelines provided by Southern California Gas and Edison, Metropolitan Water District of Southern California, and Riverside County Flood Control District. Compliance with such guidelines shall include coordination in regard to easement restrictions, construction guidelines, protection of pipeline, canal, and drainage channel easements, and potential amendments to right-of-way in the areas of any existing easements of these companies. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.	No
3.16.7.3. Storm Water Drainage Facilities: The proposed improvements to on-site and off-site drainage facilities will be adequately sized in accordance with the City's *Master Flood Control and Drainage Plan* and through coordination with the Riverside County Flood	**Yes**	Refer to **2008 Mitigation Measures MM U-2b** and **MM U-2c**, above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
Control District. The proposed on-site and off-site drainage improvements are planned as part of the proposed Modified Project. Therefore, there would be no significant environmental effects specifically related to their construction and operation that are not encompassed within the project's construction and operational footprint, and therefore already identified, disclosed, and subject to all applicable mitigation measures, as well as local, State, and federal regulations, as part of this SEIR. With implementation of mitigation, which would ensure coordination with the Riverside County Flood Control District, significant environmental effects from the construction of new on-site and off-site drainage facilities or expansion of existing facilities would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant with mitigation incorporated] impacts related to construction of new on-site and off-site drainage facilities or expansion of existing facilities.			
3.16.7.4. Water Supplies: According to the project-specific Water Supply Assessment (WSA), the Modified Project will demand approximately 365 acre-feet (118.9 million gallons) of water per year. MWD concludes that it is able to meet projected demands for all member agencies through 2040, even during dry periods. Under extreme conditions, water supplies could be allocated using the MWD Water Supply Allocation Plan (WSAP) to preserve supplies in storage by requiring a reduction in demand by member agencies, including the EMWD, pursuant to SB 1168 and 1319, and AB 1739. Additionally, the Modified Project will construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site to further reduce impacts from the Modified Project's demand on water supplies.	**Yes**	Refer to **Mitigation Measures MM U-2b** and **MM U-2c**, above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
Since the EMWD and MWD have the ability to meet all of their existing entitlements and projected supplemental demand through 2040, even under a repeat of historic multiple-year drought scenarios, the proposed Modified Project will have sufficient water supplies available to serve the Project. In the event that the lead agency determines adequate water supply exists for the proposed Modified Project, the project proponent is required to meet with EMWD Development Services Staff to establish development design conditions. Accordingly, implementation of mitigation would ensure coordination with the EMWD to reduce significant environmental effects from the Modified Project's demand for water to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have the same (less than significant but with mitigation incorporated) impacts related to water supply and demand.			
3.16.7.5. Wastewater Treatment Capacity: As a worst case scenario, the proposed Modified Project would generate approximately 242,004 gallons of wastewater per day. Since the SJVRWRF treats approximately 7.0 million gallons per day (mgd) of wastewater and maintains approximately 7.0 mgd of surplus capacity, the proposed Modified Project would not exceed the capacity of the San Jacinto Valley Regional Water Reclamation Facility (SJVRWRF) to serve the project's projected demand in addition to the provider's existing commitments. EMWD's SJVRWRF also allows EMWD to transform wastewater into tertiary-level recycled water that is pumped through a separate distribution system and delivered to the region for non-potable reuse. The EMWD maintains a 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site. The Modified Project will construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline to	**Yes**	**Mitigation Measure U-2a:** During construction and operation activities, the proposed Modified Project shall provide evidence to the City of Hemet that ~~The proposed project~~ it will comply with all RWQCB wastewater treatment requirements. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments. Also refer to **Mitigation Measures MM U-2b** and **MM U-2c**, above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
further reduce impacts from the Modified Project's demand on wastewater treatment supplies. In the event that the lead agency determines adequate wastewater supply exists for the proposed Modified Project, the project proponent is required to meet with EMWD Development Services Staff to establish development design conditions. Accordingly, implementation of mitigation will ensure compliance with all RWQCB wastewater treatment requirements, as well as coordination with the EMWD in order to reduce environmental effects from the Modified Project's demand for wastewater to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant but with mitigation incorporated] impacts related to wastewater treatment capacity.			
3.16.7.6. Landfill Capacity: The Modified Project is expected to generate approximately 11,631.2 pounds (5.82 tons or 21.55 cubic yards) of solid waste per day. This amount is equivalent to 0.11 percent of the daily surplus at the Lamb Canyon Landfill serving the project site. Therefore, the Lamb Canyon Landfill has adequate capacity to serve the proposed project, and impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have the same(less than significant) impacts related to solid waste disposal.	No	No mitigation is required.	No
3.16.7.7. Legal Compliance for Solid Waste: The proposed project would be required to coordinate with the waste hauler to develop collection of recyclable materials for the project on a common schedule as set forth in applicable local, regional, and State programs. Additionally, the proposed project would be required to implement the City's waste reduction procedures and comply with applicable elements of AB 939, AB 341, and Chapter 61 (Solid Waste Management) of the City Municipal Code and other applicable local, State, and	No	No mitigation is required.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
federal solid waste disposal standards. Therefore, the Modified Project would not conflict with statutes and regulations related to solid waste. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant] impacts related to compliance with solid waste regulations.			
3.16.8. Cumulative Impacts to Utility Services and Systems: Since utilities are generally provided on a citywide basis, the cumulative area for most utilities is the City of Hemet. Water supply, however, would expand the cumulative area under consideration to the Santa Ana River Watershed and its tributaries, including the San Jacinto River Watershed, which is where the Modified Project is located. As is the case for the Approved Project, construction and operation of the Modified Project would require expansion of utility infrastructure in order to serve the Modified Project site. All proposed utility infrastructure, both on-site and off-site, would be installed simultaneously with finish grading activities and required roadway frontage improvements for the Modified Project site. As a result, interconnection to the existing utilities surrounding the site would not result in substantial disturbance of native habitat or soils, or existing roadways or utilities. There would be no significant environmental effects specifically related to the installation of utility interconnections that are not encompassed within the project's construction and operational footprint, and therefore already identified, disclosed, and subject to all applicable mitigation measures, as well as local, State, and federal regulations, as part of this SEIR. Through California Public Utilities Commission oversight, utility providers constantly monitor capacity to ensure that adequate utility services continue to be provided as individual development projects are proposed. Therefore, coordination with affected utility providers, as prescribed through mitigation, would reduce Modified Project-level	**Yes**	Refer to **Mitigation Measures MM U-2a** through **MM U-2c**, above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
impacts related to the provision of utilities to less than significant levels and therefore would preclude the Modified Project's incremental demand for utilities to become cumulatively considerable. Furthermore, the proposed Modified Project would not depend on local groundwater and therefore would not contribute cumulatively to its depletion. MWD concludes that it is able to meet projected water demands for all member agencies through 2040, even during dry periods. Under extreme conditions, water supplies could be allocated using the MWD WSAP to preserve supplies in storage by requiring a reduction in demand by member agencies, including the EMWD, thus reducing impacts from cumulative demand on water supplies to less than significant levels. Accordingly, the proposed Modified Project, in conjunction with past, present, and reasonably foreseeable projects, would not make a significant contribution to cumulatively adverse effects to utility infrastructure. Therefore, no additional mitigation measures for cumulative impacts are required.			
3.17. Greenhouse Gas Emissions			
3.17.7.1. Consistency with an Applicable Plan, Policy, or Regulation to Reduce GHG Emissions: The City of Hemet Climate Action Plan (CAP) uses the Western Regional Council of Governments (WRCOG) subregion emissions reduction target of 15 percent below 2010 by 2020. If a project meets the emissions reduction target of 15 percent below 2010 emissions levels by 2020 it will have a less than significant impacts related to greenhouse gas emissions and global climate change. As shown in Table 3.17.C in Section 3.17.7.3, the proposed Modified Project's emissions for the baseline year 2010, would be 19,215.39 metric tons of carbon dioxide equivalent ($MTCO_2e$) per year. After incorporating mitigation, the Modified Project's 2020 emissions would be 16,026.65 $MTCO_2e$ per year. This yields a reduction of approximately 16.59 percent from baseline levels, which is	**Yes**	**MM 3.3.10.1:** Prior to issuance of any grading permit, the applicant shall submit evidence to the City that all diesel-powered construction equipment greater than 150 horsepower shall be compliant with the United States Environmental Protection Agency and California Air Resources Board Tier 3 emissions standards. Only Tier 3 diesel-powered construction equipment greater than 150 horsepower shall be utilized throughout the construction of Phase 1 and Phase 2 of the Modified Project. Additionally, the applicant shall provide evidence to the City at least once every two weeks that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and subject to review by the City and the SCAQMD. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2. Accordingly, impacts of the proposed Modified Project related to interference with the State's GHG emissions reduction goals outlined in AB 32 or conflict with an applicable plan, policy, or regulation (i.e., the City's CAP) adopted for the purpose of reducing GHG emissions would less than significant with mitigation incorporated in the same manner as the Approved Project.			
3.17.7.2. Impacts of Climate Change: Table 3.17.C in Section 3.17.7.3, indicates the proposed Modified Project's emissions for the baseline year 2010 would be 19,215.39 $MTCO_2e$ per year. After incorporating mitigation, the Modified Project's 2020 emissions would be 16,026.65 $MTCO_2e$ per year. This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP, meets the threshold specified in SCAQMD GHG Tier 2, and therefore does not exacerbate a GHG-related environmental hazard or condition that already exists. Accordingly, impacts of Climate Change resulting in significant impacts to the proposed Modified Project are not applicable when compared to the Approved Project, and no mitigation is required.	No	No mitigation is required.	No
3.17.7.3. Cumulative Contribution of Project GHG Emissions to Climate Change: In accordance with Section 15183.5(b) of the *CEQA Guidelines*, a project's incremental contribution to a cumulative GHG effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances. The City has adopted a CAP that qualifies as a plan for the reduction of greenhouse gas emissions pursuant to the *CEQA Guidelines*. The proposed Modified Project's emissions for the baseline year 2010 would be 19,215.39 $MTCO_2e$ per year (Table 3.17.C). After incorporating mitigation, the Modified Project's 2020 emissions would be 16,026.65	**Yes**	Refer to **Mitigation Measure MM 3.3.10.1**, above.	No

Table ES.D: Rancho Diamante Phase II Specific Plan Amendment Project Environmental Impacts and Mitigation Measures

Issues/Impacts	Significant before Mitigation?	Mitigation Measure(s)	Significant after Mitigation?
$MTCO_2e$ per year (Table 3.17.C). This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2. Pursuant to Section 15183.5(b) of the *CEQA Guidelines*, incorporation of mitigation will ensure the proposed Modified Project's incremental contribution to a cumulative GHG effect is not cumulatively considerable. When compared to the Approved Project, for which a significance determination regarding cumulative GHG effects was not made, the proposed Modified Project is determined to have less than significant impacts with mitigation incorporated.			
3.17.8. Cumulative Effects: Refer to the discussion in Section 3.17.7.3, above.	**Yes**	Refer to **Mitigation Measure MM 3.3.10.1**, above.	No

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1.0 INTRODUCTION AND BACKGROUND

1.1 INTRODUCTION

This Subsequent Environmental Impact Report (SEIR) has been prepared to evaluate the potential change in environmental impacts associated with the proposed Rancho Diamante Phase II Project (Modified Project) in the City of Hemet (City) relative to existing approvals for the Approved Project. The City is the "public agency which has the principal responsibility for carrying out or approving the project" and as such is the "Lead Agency" for this project under the California Environmental Quality Act of 1970 (CEQA), (*State CEQA Guidelines* Section 15367). The City has determined that an SEIR would be prepared to evaluate the Modified Project's potential for creation of new impacts, increasing the severity of a previously identified impact, and/or the introduction of new information of substantial importance in accordance with *State CEQA Guidelines* Section 15162.

This SEIR relies and builds upon the analysis in the original Environmental Impact Report (EIR) certified by the City in 1979 (1979 EIR) for the Page Ranch Planned Community Development Project as amended in 2001, 2003, 2004, and 2008. The Page Ranch Planned Community Development document is considered to be a Specific Plan. The last Specific Plan Amendment (SPA) in 2008 was approved by the City as part of SPA 06-004 subject to the environmental analysis contained in the Rancho Diamante Phase II SEIR (SCH #2007091039). It should be noted that the project approved in 2008 was also named Rancho Diamante Phase II, and it encompassed 99.4 acres within the boundary of the proposed Modified Project area. To avoid confusion and therefore from this point forward, references to Rancho Diamante Phase II in this SEIR refer to the proposed Modified Project while the Page Ranch Planned Community Development Project as amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2004, and 2008 will be referred to as the Approved Project. However, the analysis of environmental impacts for the Approved Project relies heavily on the most recent CEQA approval (i.e., the Rancho Diamante Phase II SEIR, SCH #2007091039, 2008).

This SEIR is intended to serve as an informational document to be considered by the City and the Responsible Agencies during deliberations on the proposed Modified Project. CEQA requires the Lead Agency to consider the information contained in the SEIR prior to taking any discretionary action. The project approvals associated with the previously Approved Project and the currently proposed Modified Project are described in Section 2.0, Project Description, of this SEIR.

Per *State CEQA Guidelines* Section 15060(d), the City initiated the environmental process without completion of an Initial Study. The City determined that, due to the nature and size of the proposed Modified Project, all environmental topics warranted further environmental review in an SEIR. As a result, this SEIR has been prepared in accordance with CEQA, as amended (Public Resources Code [PRC] Section 21000, et seq.), the *State CEQA Guidelines for Implementation of CEQA* (California Code of Regulations, Title 14, Section 15000 et seq.). This SEIR also complies with the procedures and CEQA guidelines adopted by the City for the implementation of CEQA.

1.2 PROPOSED MODIFICATIONS TO THE APPROVED PROJECT

The project applicant, Rancho Diamante Investments, LLC, seeks to amend the Page Ranch Planned Community Development [Specific Plan] (Approved Project). The proposed SPA would result in a change in the land use patterns and densities in comparison to the Approved Project. Additionally, the project applicant proposes a General Plan Amendment and Tentative Tract Map. In total, these three requests represent the "proposed Modified Project" in this SEIR:

- Specific Plan Amendment 15-001;

- General Plan Amendment 15-002; and
- Tentative Tract Map No. 36841.

The changes proposed in the Modified Project compared to the Approved Project include revisions to the Specific Plan land use boundaries and planning areas, reconfiguration of roads and subsequent amendment to the General Plan Circulation Element, and a reduction in residential density and subsequent modification to Specific Plan land use designations. The proposed Modified Project also entails off-site improvements including construction of water and reclaimed water pipelines, drainage conveyance features, and engineering improvements to Warren Road.

1.3 SUBSEQUENT SEIR TO THE APPROVED SPECIFIC PLAN SEIR

The purpose of this document is to evaluate proposed changes to the Approved Project and to demonstrate that an SEIR is the appropriate document under CEQA in accordance with PRC Section 21000 et seq. and the *CEQA Guidelines* (14 California Code of Regulations [CCR] Section 1500 et seq.) to evaluate these changes.

The Approved Project was approved in part by the original EIR certification in 1979 for the Page Ranch Planned Community Development as well as the most recent SEIR (SCH #2007091039) covering 200 acres of the proposed Modified Project boundary that was certified in 2008. These documents are available for review at the Community Development Department of Hemet City Hall (445 East Florida Avenue, Hemet, California 92543). In accordance with *CEQA Guidelines* (Sections 15162 and 15163), this SEIR to the Certified 1979 EIR and 2008 SEIR (Certified EIR) has been prepared in order to address the potential changes in the resulting environmental impacts from the proposed changes to the Approved Project. To determine whether the proposed Modified Project is eligible for the preparation of an SEIR, one or more of the following criteria in Section 15162 governing preparation of Subsequent documents must be met:

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 (Section 15162);
2. 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 (Section 15162); 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 of the following (Section 15162):
   (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.
   (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.

As stated in Section 15163 of the *CEQA Guidelines*, the Lead Agency may choose to prepare a Supplemental EIR rather than a Subsequent EIR if:

1. Any of the conditions described in Section 15162 would require the preparation of a subsequent EIR; and
2. Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

The City has determined CEQA requires preparation of a Subsequent EIR, rather than a Supplemental EIR, because substantial changes are proposed in the Modified Project that will require major revisions of the previously Certified EIRs due to the involvement of new significant environmental effects that would affect substantial portions of prior Certified EIRs and minor additions or changes to the Certified EIRs would not adequately address these changes.

A Subsequent EIR shall be given the same notice and public review as required under Section 15087 or Section 15072 and shall state where the previous document is available and can be reviewed. When the Lead Agency decides whether to approve the project, the decision-making body shall consider the previous SEIR as revised by the subject SEIR. A finding under Section 15091 must be made for each significant effect shown in the previous SEIR as revised in the subject SEIR.

1.4 TECHNICAL STUDIES AND RELATED DOCUMENTS INCORPORATED BY REFERENCE

This environmental analysis references several technical studies and reports prepared specifically for the proposed Modified Project. These documents are as follows:

- Urban Crossroads, *Rancho Diamante (Tentative Tract Map No, 36841), Air Quality Impact Analysis, City of Hemet*, February 26, 2016. (Appendix B1).
- Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality and Greenhouse Gas Impact Analysis-Supplemental Assessment*, November 20, 2019 (Appendix B2).
- Cadre Environmental. *Biological Resources Technical Report, Rancho Diamante Project Site, City of Hemet, California, TTM 36841*. June 2018 (Appendix C1).
- Cadre Environmental. *MSHCP Focused Burrowing Owl Surveys for the 245.07-Acre Rancho Diamante Project Site, City of Hemet, California*. July 5, 2017 (Appendix C2).
- Cadre Environmental. *MSHCP Sensitive Plant Surveys for the 245.07-Acre (16.70-acre offsite) Rancho Diamante Project Site, City of Hemet, California*. July 5, 2017 (Appendix C3).
- Cadre Environmental. *General MSHCP Habitat Assessment, Regulatory Constraints, and MSHCP Consistency Approach for the 245.07-Acre Rancho Diamante Project Site, City of Hemet, California*. July 5, 2017 (Appendix C4).
- Cadre Environmental. *MSHCP Determination of Biologically Equivalent or Superior Preservation/ Consistency Analysis. Rancho Diamante Project Site, City of Hemet, California, TTM 36841*. June 2018 (Appendix C5).
- LSA Associates, Inc. *Cultural Resources Assessment. Rancho Diamante Project, City of Hemet, Riverside County, California.* September 2016, Updated December 2019 (Appendix D).
- Leighton and Associates, Inc. *Supplemental Geotechnical Exploration, Rancho Diamante Residential Development, Tentative Tract Map No. 36841, City of Hemet, California*. August 25, 2015 (Appendix E).

- IWS Environmental, Inc. *Phase I Environmental Site Assessment. Rancho Diamante Tract No. 36841, Hemet, California*. November 2016 (Appendix F1).
- LSA Associates, Inc. *Hazardous Wildlife Attractants Analysis of 13 Water Quality Control Basins for the Proposed Rancho Diamante Residential Development in Hemet, Riverside County, California.* February 4, 2020 (Appendix F2).
- County of Riverside, *Airport Land Use Commission Notice of Airport in Vicinity.* February 13, 2020 (Appendix F3).
- Chang Consultants. *Preliminary Drainage Study for Tentative Tract Map No. 36841 (Rancho Diamante)*. January 20, 2019 (Appendix G1).
- Chang Consultants. *Project Specific Water Quality Management Plan. Rancho Diamante, Tentative Tract Map No. 36841*. October 5, 2015; Revised February 1, 2018 and January 20, 2019 (Appendix G2).
- Eastern Municipal Water District. *Draft Water Supply Assessment Report, Rancho Diamante*. June 19, 2018 (Appendix G3).
- Urban Crossroads, *Rancho Diamante, Noise Impact Analysis, City of Hemet*. November 18, 2019 (Appendix H).
- Urban Crossroads, *Rancho Diamante, (TTM No. 36841), Traffic Impact Analysis, City of Hemet*. February 3, 2016 (Appendix I1).
- Urban Crossroads. *Rancho Diamante (TTM No. 36841) Traffic Impact Analysis-Supplemental Assessment, City of Hemet*. November 2019 (Appendix I2).
- Urban Crossroads. *Rancho Diamante (TTM No. 36841) Vehicle Miles Travelled (VMT) Assessment*. March 4, 2020 (Appendix I3).
- Urban Crossroads, *Rancho Diamante (Tentative Tract Map No, 36841), Greenhouse Gas Analysis, City of Hemet*. February 26, 2016 (Appendix J).

This SEIR also incorporates and references several technical studies, analyses, and reports. Information from the documents that have been incorporated by reference pursuant to Section 15150 of the *State CEQA Guidelines* has been briefly summarized in the appropriate sections of this report.

Documents incorporated by reference include, but are not limited to:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report.* January 2012.
- City of Hemet, *General Plan 2030.* January 2012.
- County of Riverside Airport Land Use Commission. *Hemet-Ryan Airport Land Use Compatibility Plan*. Adopted February 9, 2017.
- Michael Brandman Associates, *Draft Environmental Impact Report for the Rancho Diamante Phase II Project (SCH #2007091039)*. May 16, 2008.
- South Coast Air Quality Management District, Brief for the South Coast Air Quality Management District as Amicus Curiae. *Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno and Friant Ranch, L.P.* After a Published Decision by the Court of Appeal filed May 27, 2014 (Fifth Appellate District Case No. F066798), Appeal from the Superior Court of California, County of Fresno (Case No. 11CECG00726). April 6, 2015.
- South Coast Air Quality Management District, *Final 2016 Air Quality Management Plan*. March 2016.

- Southern California Association of Governments, *Final 2016/2040 Regional Transportation Plan/ Sustainable Communities Strategy*. April, 2016
- Ultrasystems, Inc. Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.

1.5 INTENDED USE OF THE SUBSEQUENT EIR

CEQA and the *CEQA Guidelines* establish the City of Hemet (City) as the Lead Agency, which is defined in *CEQA Guidelines* Section 15367 as "the public agency which has the principal responsibility for carrying out or approving a project." The Lead Agency decides whether an EIR, Mitigated Negative Declaration (MND), or Negative Declaration (ND) is required for the project and is responsible for preparing the appropriate environmental review document.

This SEIR has been prepared for the City in accordance with CEQA and the *CEQA Guidelines*. This SEIR will be used by the City, responsible agencies, and the public for the purpose of evaluating the environmental effects associated with proposed Page Ranch Planned Community Development Specific Plan Amendment (SPA 15-001) and associated General Plan Amendment (GPA 15-002) and Tentative Tract Map No. 36841 (MAP 15-008), together which represent the "proposed Modified Project" in this SEIR.

1.6 LEAD AGENCY CONTACT INFORMATION

The Lead Agency for the proposed project is the City of Hemet. The contact person for the Lead Agency is:

H.P. Kang, MBA, Principal Planner
City of Hemet
Community Development Department
445 East Florida Avenue
Hemet, California 92543
(951) 765-2456
hkang@cityofhemet.org

1.7 PUBLIC REVIEW PERIOD

This SEIR is being distributed to numerous public agencies and other interested parties for review and comment. The SEIR is also available at the following locations and on the City's website:

Hemet City Hall
Community Development Department
445 East Florida Avenue
Hemet, California 92543
(951) 765-2300
www.cityofhemet.org

Hemet Public Library
Circulation Desk
300 East Latham Avenue
Hemet, California 92543
(951) 765-2440
www.cityofhemet.org

All comments received from agencies and individuals on the Draft SEIR will be accepted during the public review period, which will not be less than 45 days, in compliance with CEQA. All comments on the Draft SEIR should be sent to the City contact person at the address listed above.

Following the close of the review period, the City will prepare responses to all comments on the Draft SEIR and will compile these comments and responses into a Final SEIR. All responses to comments submitted on the Draft SEIR by public agencies during the CEQA comment period will be provided to

those agencies at least 10 days prior to final action on the project. The City will make findings regarding the extent and nature of the impacts as presented in the Final SEIR. The Final SEIR will need to be certified as complete by the City Council prior to making a decision to approve or deny the proposed Modified Project (i.e., the General Plan Amendment, Specific Plan Amendment, and Tentative Tract Map). Public input is encouraged at all public hearings (e.g., Planning and Housing Commission and City Council) regarding the proposed Modified Project before the City.

1.8 FORMAT OF THIS SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

This report has been organized into seven chapters, as described below:

- **Chapter ES: Executive Summary.** Chapter ES sets forth the summary requirements of CEQA as required by Section 15123 of the *State CEQA Guidelines*. The section provides a summary of the proposed project; identifies potentially significant impacts, mitigation measures, and the level of significance of each impact following mitigation; and project alternatives.
- **Chapter 1.0 Introduction and Background.** Chapter 1.0 includes an introduction to this SEIR, a summary of the project changes constituting the proposed project and necessitating preparation of an SEIR, a discussion of why an SEIR is being prepared, documents incorporated by reference, intended use of the SEIR, definition of the City as Lead Agency and contact person, the expected public review, and the format of the SEIR.
- **Chapter 2.0: Modified Project Description.** Chapter 2.0 summarizes the proposed Modified Project, describes the location and setting of the proposed project site and project vicinity, describes in detail the major components of the proposed Modified Project requiring discretionary actions by the City, compares the proposed Modified Project to the Approved Project, lists the proposed Modified Project objectives, and defines the major discretionary actions, permits, and other necessary steps to carry out the proposed Modified Project.
- **Chapter 3.0: Evaluation of Environmental Impacts.** Chapter 3.0 addresses the proposed Modified Project's potential to have significant effects on the environment for every environmental topic in the certified SEIR and includes a comparison of those effects with effects analyzed in the Certified EIR for the Approved Project. Each subsection in Chapter 3.0 includes an existing setting discussion that describes the physical environmental conditions within the project site as they existed at the time the Notice of Preparation (NOP) was prepared; this is considered the baseline physical condition by which the City determines whether an effect is considered to be significant (Section 15125(a)(1)).[1] Significant effects determined to be more severe than those that were previously examined will be addressed in detail and mitigated to the extent reasonably feasible. Significant effects determined to be equal to or less severe than those that were previously examined will be addressed in accordance with the mitigation measures outlined in the Certified SEIR for the Approved Project as applicable.
- **Chapter 4.0: Other CEQA Topics.** Chapter 4.0 analyzes various mandatory topics required to be addressed by CEQA, including effects found not to be significant, unavoidable effects of the proposed Modified Project, and significant irreversible environmental changes. The proposed Modified Project's consistency with regional plans and potential to induce growth are summarized in this chapter.
- **Chapter 5.0: References.** Chapter 5.0 lists references used in the preparation of this SEIR.

[1] The Modified Project NOP dated August 3, 2016 was circulated for a 30-day review period from August 3 to September 1, 2016 (Appendix A1). Due to changes to the Modified Project as submitted by the project applicant subsequent to the distribution of the 2016 NOP, a recirculated NOP dated April 16, 2019, was circulated for a 30-day review period from April 19 to May 19, 2019 (Appendix A2).

- **Chapter 6.0: List of Preparers and Persons Contacted.** Chapter 6.0 lists the key individuals who participated in preparing this SEIR.

In accordance with *State CEQA Guidelines* Section 15162, an SEIR need only address the portions of the previously certified EIR for the Approved Project that require changes to reflect the Modified Project. This includes new or revised mitigation measures or alternatives. Alternatives are discussed in the 1979 EIR for the *Specific Land Use Plan, Southwest Area*[2] and 2008 EIR[3] of the Approved Project. As indicated throughout Chapter 3.0 of this SEIR, no new alternatives have been identified that would substantially or further reduce environmental impacts of the Modified Project as proposed. In addition, the NOP for the Modified Project was initially circulated on August 3, 2016, and was recirculated in April 2019 with a detail of the topics to be analyzed as an existing, in process, project. The City received no comments relative to the range of topics detailed in the NOP, and this SEIR is prepared in good faith based on the scope outlined in the recirculated NOP dated April 16, 2019. Therefore, the content of this SEIR is limited to the analytical topics addressed in the Certified EIR.

2 Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.

3 Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. Section 7.0. SCH #2007091039. City of Hemet. May 2008.

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2.0 MODIFIED PROJECT DESCRIPTION

2.1 INTRODUCTION

The proposed Modified Project encompasses approximately 245 acres of the approximately 1,621-acre Page Ranch Planned Community Development (PCD) as well as 6.22 acres of off-site improvements. See Section 2.6 for a complete definition of the proposed Modified Project. The Page Ranch PCD was originally adopted in 1979 (PCD 79-93). Although approved as a planned community development, the Page Ranch PCD functions as a Specific Plan (SP). After the original approval in 1979, the Page Ranch PCD SP was amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2004, 2005, and most recently in 2008 as part of Specific Plan Amendment (SPA) 06-004. The applicable land uses, land use regulations, and development standards pertaining to the land encompassed by the proposed Modified Project as contained in the Page Ranch PCD SP represent the Approved Project. See Section 2.5 for a complete definition of the Approved Project.

The proposed Modified Project site, located in the west/southwest portion of the City of Hemet, Riverside County, California (Figure 2.1) is undeveloped and highly disturbed with ruderal vegetation (Figure 2.2). The City of San Jacinto is to the north, and unincorporated portions of Riverside County surround Hemet on the south, west, and east. Diamond Valley Lake and the Santa Rosa Hills lie south of the City. State Route (SR) 74 and SR-79 provide regional access to the project vicinity.

2.2 SITE HISTORY AND EXISTING SITE CONDITIONS

The proposed Modified Project is located in the southwestern portion of the City and comprises Assessor's Parcel Numbers (APNs) 465-100-016, 465-100-022, 465-110-020, 465-110-021, 465-110-022, 465-110-023, and 465-110-027. The Modified Project includes off-site improvements in the form of a new drainage channel to the south connecting to an existing channel at Simpson Road, seven new drainage connections to Hemet Channel to the north, and construction of the intersection of Warren Road with "future" realigned Stetson Avenue.

The majority of the site is covered by sparse non-native plants and is regularly plowed for weed abatement. The site has been used for growing crops, primarily oat and wheat dry farming, dating back to at least the 1930s. A farmhouse and barn occupied the eastern portion of the site near the existing intersection of Warren Road and Mustang Way from 1949 (possibly earlier) to approximately 1990, with portions of the concrete footings from the structures and a grouping of approximately 10 eucalyptus trees, still present.

The Second San Diego Aqueduct abuts the western boundary of the site as an aboveground canal in a north-to-south direction. The First San Diego Aqueduct traverses the site belowground in northeasterly-to-southwesterly direction within a 150-foot-wide easement adjacent and parallel to two Eastern Municipal Water District (EMWD) easements (20-foot and 40-foot) for public utilities. The First and Second San Diego Aqueducts are owned and operated by Metropolitan Water District (MWD) of Southern California.

A drainage channel and a detention basin are located along the southern border of the proposed Modified Project site. The drainage channel and basin were constructed as part of Tracts 31807 and 31808 located on the east side of Warren Road to collect runoff from the site and adjacent properties. A drainage channel conveys runoff from the existing drainage basin south to the existing channel at Simpson Road. This channel will be improved as part of the Modified Project. The Hemet Channel abuts the northern boundary of the site in a northeast/southwest alignment and will not be modified.

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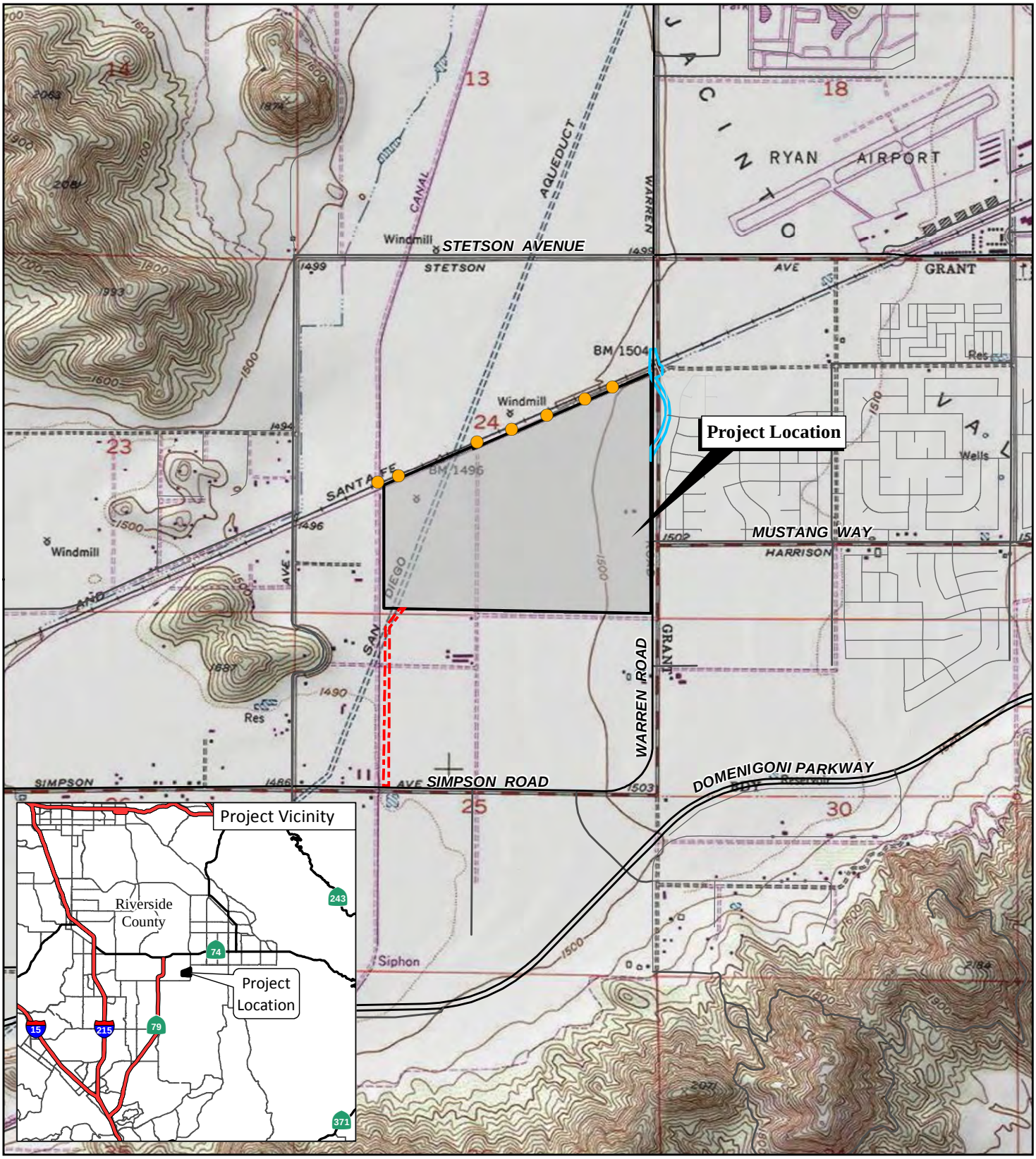

LSA

LEGEND

Project Boundary

Offsite Improvements

Warren Rd Improvements

Drainage Channel

Offsite Drainage Connections to the Hemet Channel

N

0 1000 2000

FEET

FIGURE 2.1

Rancho Diamanté Phase II
Subsequent Environmental Impact Report

Regional and Project Location

SOURCE: USGS 7.5' Quad: Winchester (79), CA; Riverside County, 2015.

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LSA

LEGEND

Project Boundary

Offsite Improvements

Warren Rd Improvements

Drainage Channel

Offsite Drainage Connections to the Hemet Channel

N

0 600 1200

FEET

SOURCE: Google (2018)

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FIGURE 2.2

Rancho Diamanté Phase II
Subsequent Environmental Impact Report

Aerial View

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The proposed Modified Project site is generally flat and ranges in elevation from approximately 1,510 feet above mean sea level (AMSL) in the northeastern corner of the site to approximately 1,490 feet AMSL in the drainage basin located in the southwestern portion of the site. Site soils include artificial fills, topsoils, young alluvial-valley deposits, and older alluvium. The artificial fill soils were encountered where construction work has been performed on the site in the past associated with the drainage channel and detention basin, old Warren Road, and the Hemet Channel.

2.3 ADJACENT LAND USES

The proposed Modified Project site is surrounded by primarily undeveloped land to the north, south, and west. Two rural residences are located to the west across the Second San Diego Aqueduct canal, and another rural residence is located to the south. A residential subdivision, Solera Diamond Valley, is located across Warren Road to the east. Table 2.A provides a summary of on-site and adjacent current land uses.

Table 2.A: Existing Land Uses and Existing General Plan Land Use Designations

Location	Current Land Uses	General Plan Land Use Designations	Zoning
On-site	Vacant/fallow	Low Density Residential (LDR)	Planned Community Development (Page Ranch Planned Community Development; PCD 79-93)
North	Vacant/fallow and Agricultural	Industrial (I)	Heavy Manufacturing and Heavy Agricultural (M-2 and A-2-C-10)
South	Agricultural	Low Density Residential and Mixed Use (LDR and MU)	Specific Plan-Low Density Residential and Specific Plan-Mixed Use (SP-LDR, and SP-Mixed Use)
East	Residential Subdivision	Low Density Residential (LDR)	Planned Community Development (Page Ranch Planned Community Development; PCD 79-93)
West	Agricultural	Open Space and Low Density Residential (OS and LDR)	Open Space and Planned Community Development (OS and SP-LDR)

Source: City of Hemet General Plan Land Use Map, last updated April 11, 2017. City of Hemet Zoning Map, last amended August 22, 2017.

The General Plan designates the areas directly north of the proposed Modified Project site across the railroad track for Industrial uses, to the east and west for Low Density Residential (LDR) uses, and to the south for LDR and Mixed Use. The zoning of properties surrounding the site include Heavy Manufacturing and Heavy Agricultural across the railroad track to the north; Page Ranch Planned Community Development to the east; Specific Plan-Low Density Residential and Specific Plan-Mixed Use to the south; and Open Space and Specific Plan-Low Density Residential to the west.

2.4 GENERAL PLAN LAND USE DESIGNATIONS AND ZONING

The General Plan land use designation for the Approved Project site is LDR [2.1 - 5.0 dwelling units/acre (du/ac)] (see Table 2.A). The existing zoning is Planned Community Development (PCD 79-93), specifically Page Ranch Planned Community Development Specific Plan. According to the Page Ranch Planned Community Development Specific Plan, the Specific Plan land use designations for the Approved Project site are Low Density Residential R-1 (one du/2.5 acres) and Low-Medium Density R-5 (5 du/1 acre) (Figure 2.3).

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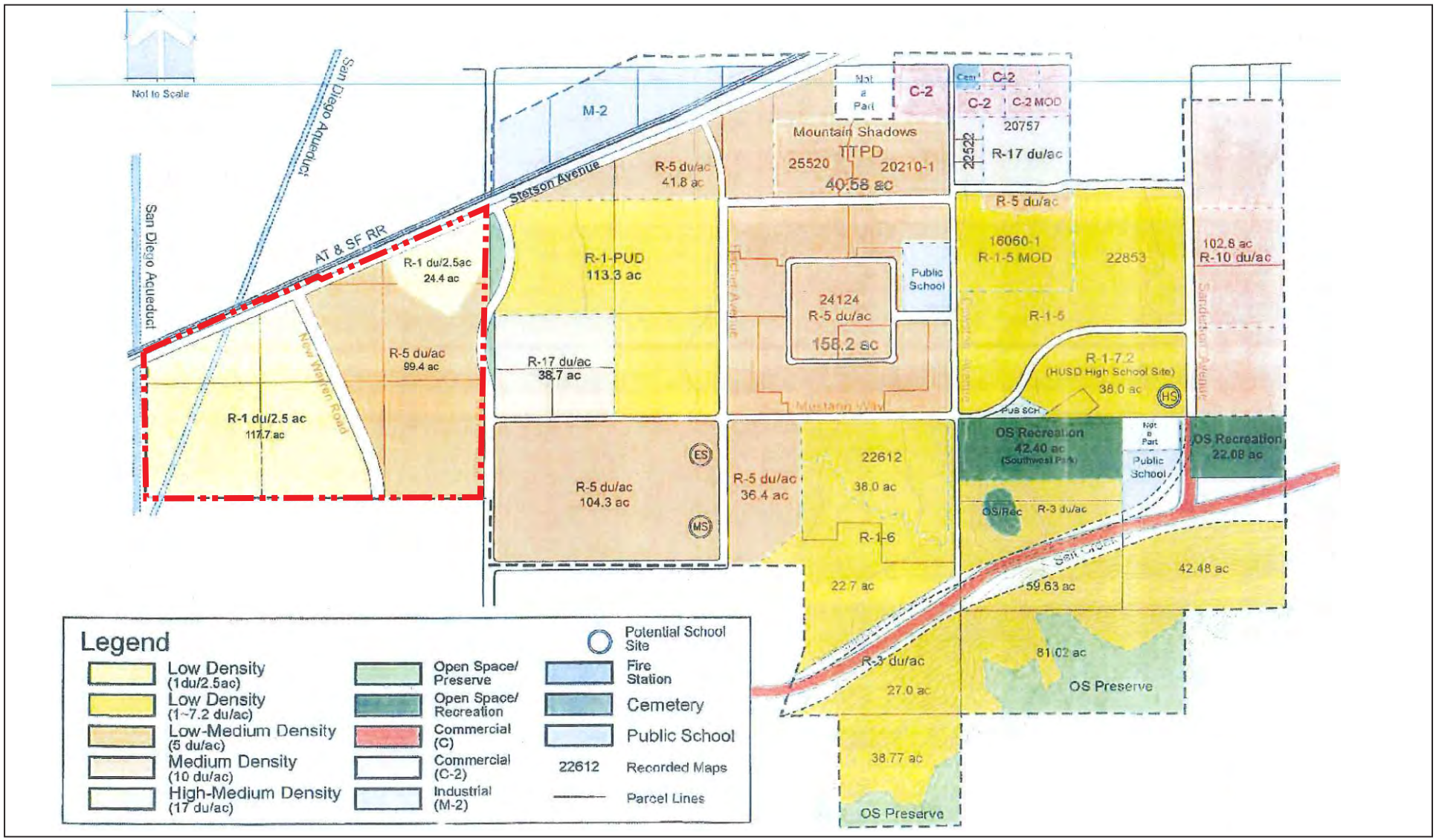

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Project Boundary

FIGURE 2.3

Rancho Diamanté Phase II
Subsequent Environmental Impact Report

Existing Page Ranch Community Development Land Use Plan

SOURCE: Stantec

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2.5 APPROVED PROJECT

The last Specific Plan Amendment to the Page Ranch PCD SP was in 2009, approved by the City as part of SPA 06-004. The SPA was subject to the environmental analysis contained in the Rancho Diamante Phase II Subsequent EIR (SCH #2007091039). It should be noted that the project approved in 2009 was also named Rancho Diamante Phase II. As stated in Chapter 1.0, references to Rancho Diamante Phase II in this SEIR refer to the proposed Modified Project, while the Page Ranch PCD Project as amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2004, 2005, 2008, and 2009 are referred to as the Approved Project.

The Page Ranch PCD SP covers 1,621 acres and is mostly developed. The Approved Project consists of 99.4 acres exclusively within PA X. The proposed Modified Project adds land to the Approved Project footprint by merging PA IV and PA X, and modifying PA XIII to occupy 245.07 acres, or approximately 15 percent of the Page Ranch PCD SP Planning Area.

The Page Ranch PCD SP regulates land uses within its Planning Area. These regulations specify a variety of land uses governed by supporting master plan and development standards. The Page Ranch PCD SP also provides flexibility in terms of both land use and development standards so that a high quality development product is achieved. Land uses under the Page Ranch PCD SP include residential uses ranging from Low Density (1 dwelling unit per 2.5 acres) up to High Medium Density (17 dwelling units per acre), Open Space Preserve, Open Space Recreation, Commercial, Industrial, Fire Station, and Public School. The existing Land Use Plan for the Page Ranch PCD SP is illustrated in previously referenced Figure 2.3. Land uses within the Approved Project boundary include residential uses ranging from Low Density (1 dwelling unit per 2.5 acres) up to Low-Medium Density (5 dwelling units per acre).

2.6 PROPOSED MODIFIED PROJECT

The proposed Modified Project site is bound by Warren Road to the east; the Second San Diego Aqueduct to the west; the Hemet Channel, the Burlington Northern Santa Fe (BNSF) railroad tracks, and new Stetson Avenue alignment to the north; and agricultural land to the south. The proposed Modified Project site and off-site improvements are approximately one-quarter mile southwest of the Hemet-Ryan Airport (Figure 2.4).

The proposed Modified Project analyzed in this SEIR includes the following four components:

1. Proposed changes to the Page Ranch PCD SP as amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2004, 2005, 2008, and 2009 and analyzed in the previously approved Rancho Diamante Phase II SEIR (SCH #2007091039) certified in 2009 (Approved Project);
2. Proposed General Plan Amendment (GPA) GPA 15-002) to amend the City's General Plan Circulation Element by adding an extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of Stetson Avenue (Figure 2.5);
3. Proposed Tentative Tract Map (TTM) No. 36841 (MAP 15-008) to subdivide 245.07 acres into 586 single-family residential lots on approximately 160.51 acres, 1 lot of approximately 100,000 square feet of commercial uses on 19.67 acres, and 64.89 acres of public and private Homeowners Association (HOA) park and open space areas; and
4. The Modified Project also includes 6.2 acres of off-site improvements including construction of utilities in abutting rights-of-way, drainage conveyance features, and construction of the west half

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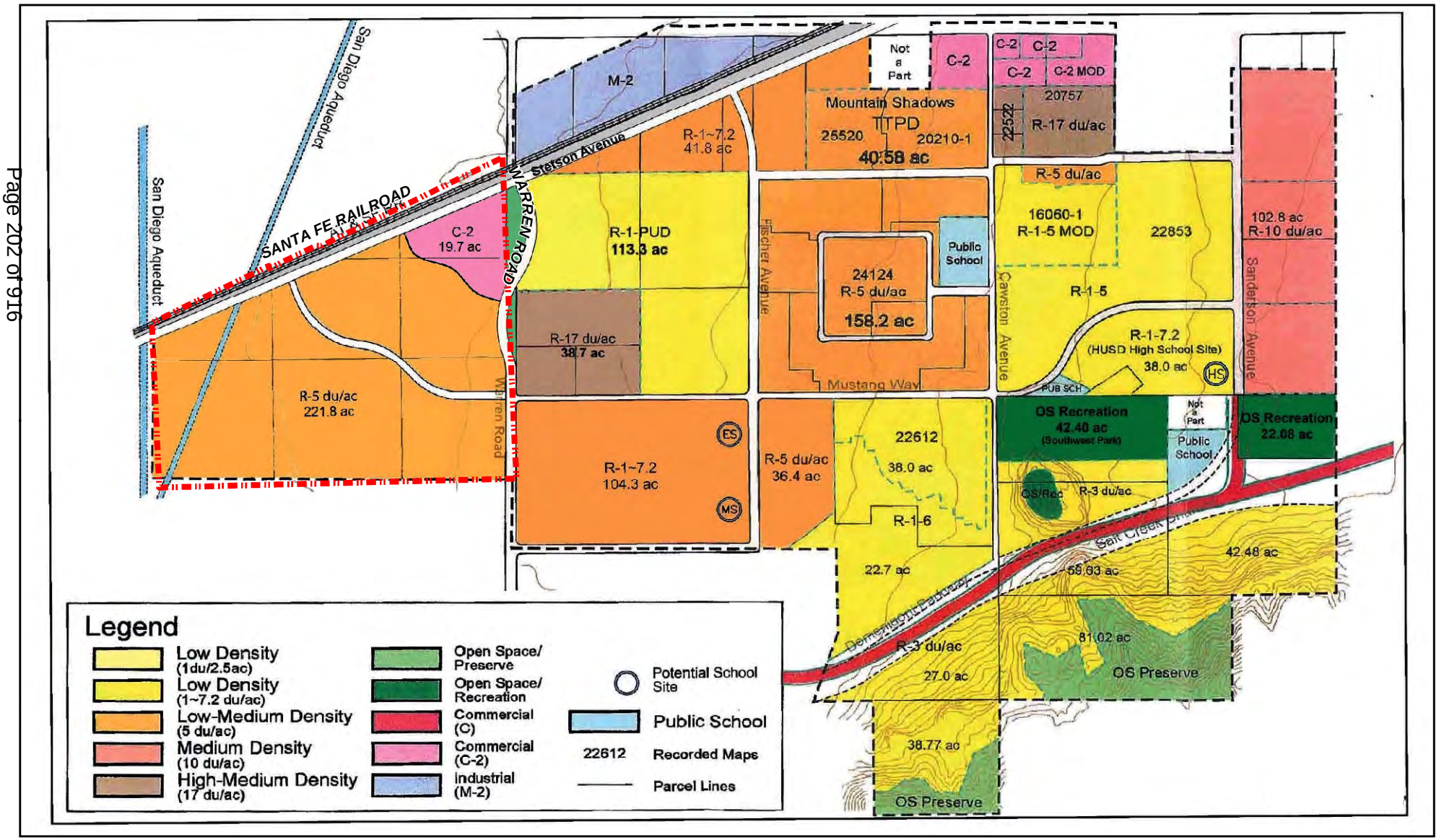

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FIGURE 2.4

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SOURCE: Stantec and Page Ranch Planned Community Development

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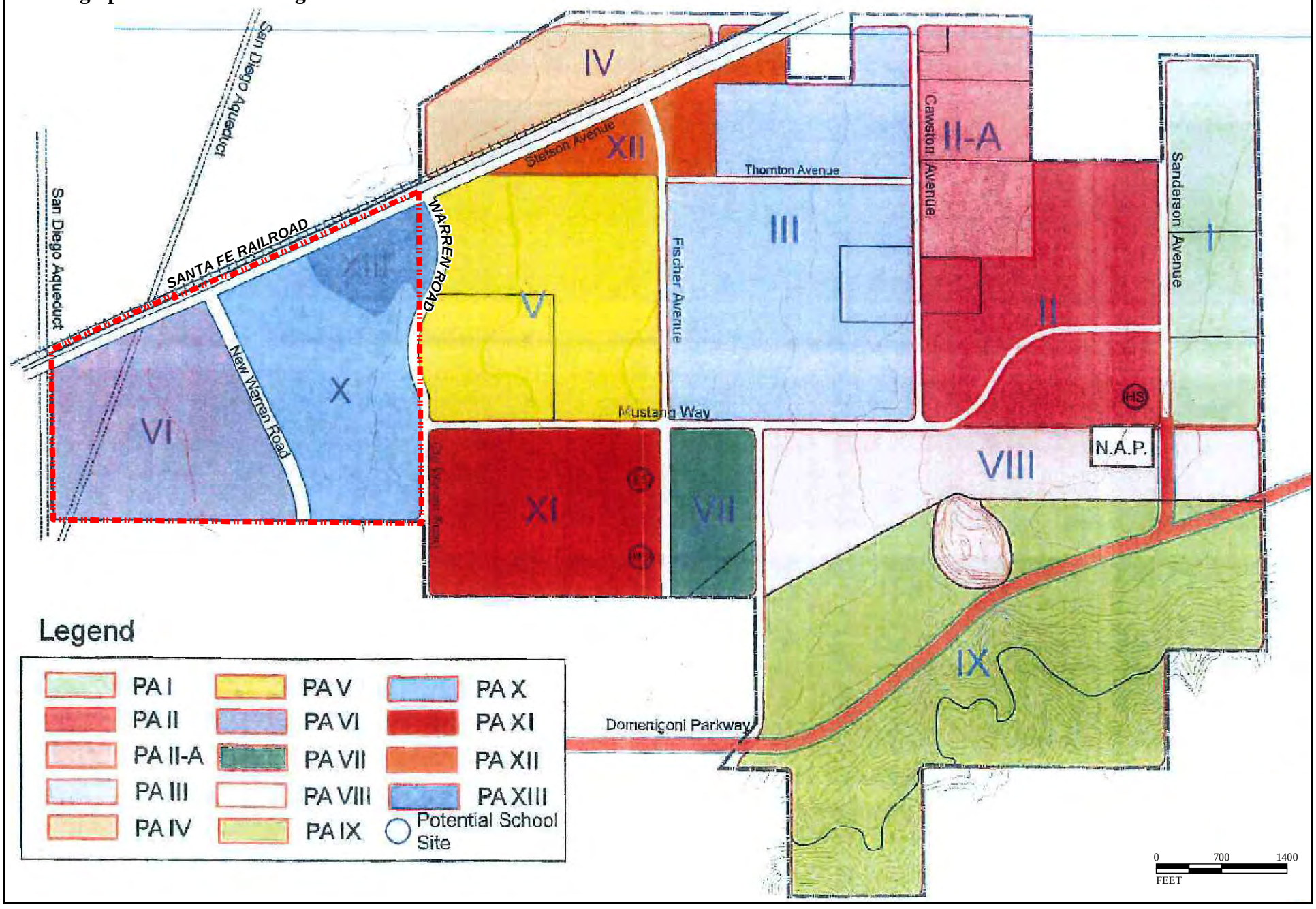
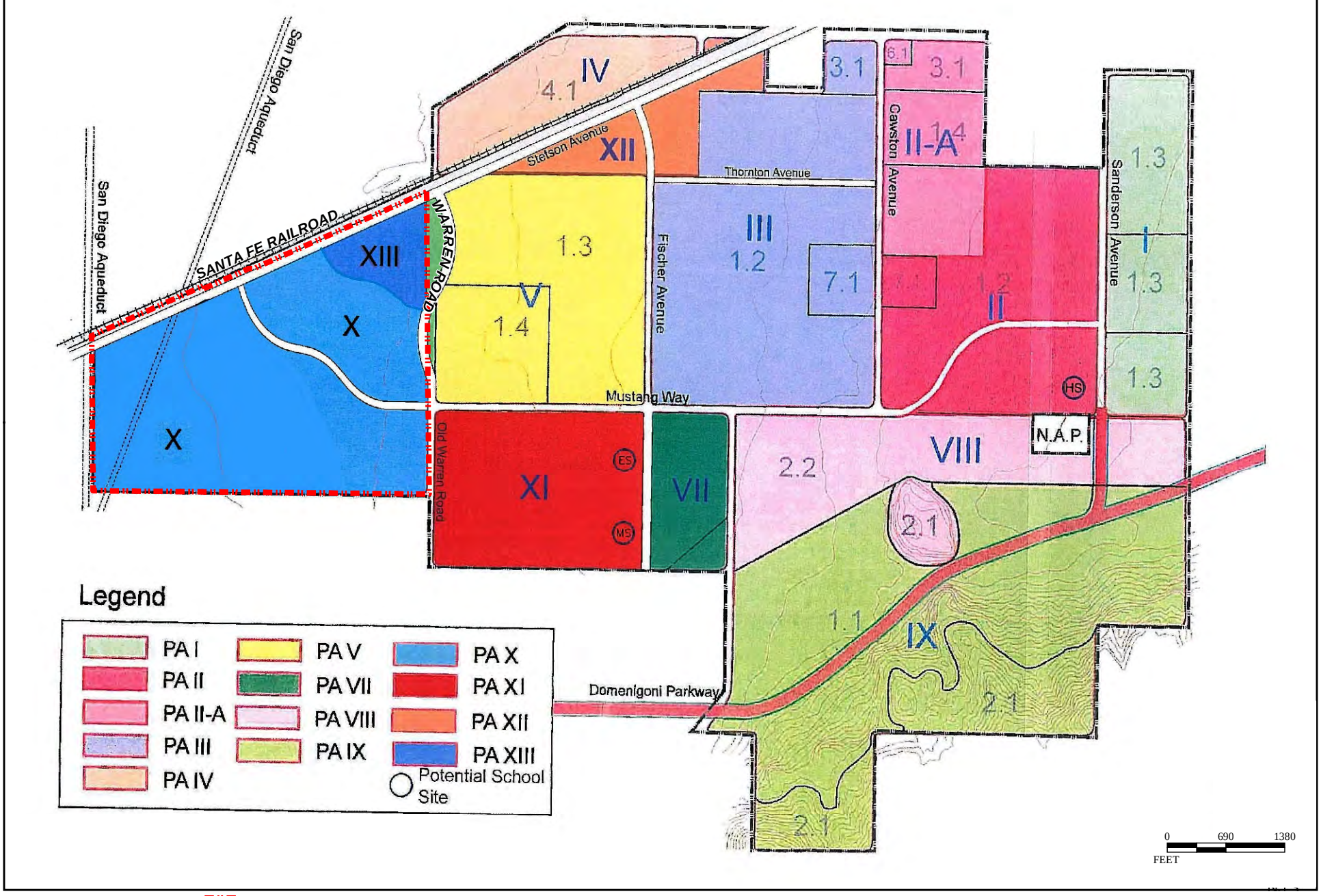
Existing Specific Plan Planning Areas



Proposed Specific Plan Planning Areas



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Project Boundary

FIGURE 2.5

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Rancho Diamanté Phase II
Subsequent Environmental Impact Report

Existing and Proposed Specific Plan Planning Areas

SOURCE: Stantec and Page Ranch Planned Community Development

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of Warren Road in the northeast part of the Modified Project including the intersection with "future" realigned Stetson Avenue and an interim transition back to the existing Warren Road alignment (Figure 2.4). Off-site drainage improvements include seven connections to the existing Hemet Channel north of the site and improvements to the existing drainage channel from the existing drainage basin in the southwest corner of the project site extending southerly to Simpson Road. From Simpson Road, the channel would continue to convey runoff south toward Salt Creek without further modifications. Temporary impacts for the channel assume a width of 20 feet for construction purposes on both sides of the ultimate channel and maintenance drive.

2.6.1 Specific Plan Amendment

The proposed SPA (SPA 15-001) would amend the adopted Page Ranch PCD 79-93/SP within Planning Areas VI, X, and XIII. Planning Areas VI and X are currently separated by the location of new Warren Road, and Planning Area XIII is located in the northeast corner of the Modified Project site. The proposed SPA would revise land use boundaries and planning areas, extend Mustang Way from its current terminus at Warren Road westward and northward through the proposed Modified Project site to the realignment of Stetson Avenue (on the south side and parallel to the railroad tracks), and reduce residential density resulting in a corresponding reduction in the dwelling unit count from 744 to 586 units. The SPA will merge Planning Areas VI and X into Planning Area X due to the extension of Mustang Way and convert the land use designation of former Planning Area VI from Low Density Residential to that of Planning Area X: Low Medium Density Residential. Lastly, the SPA will modify the boundary between Planning Areas X and XIII and change the Specific Plan designation for Planning Area XIII from Low Density Residential to C-2 General Commercial Zone.[1] The SPA also includes associated text changes.

2.6.2 General Plan Amendment

The proposed GPA (GPA 15-002) would amend the City's General Plan Circulation Element to extend Mustang Way from Warren Road westward and northward to realigned Stetson Avenue (Figure 2.5) and to change the classification of Warren Road from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and realigned Stetson Avenue. In addition, the Modified Project would amend the General Plan Land Use Designation for 19.67 acres of the site from Low Density Residential (LDR) to Regional Commercial (RC)[2] in Planning Area XIII located at the southwest corner of Warren Road/realigned Stetson Avenue.

2.6.3 Tentative Tract Map No. 36841

The proposed Tentative Tract Map (TTM) No. 36841 (MAP 15-008) would subdivide 245.07 acres into 586 single-family residential lots on approximately 160.51 acres,[3] one lot of approximately 100,000 square feet of commercial uses on 19.67 acres, and 64.89 acres of public parks and private HOA parks and open space areas. The new community will contain a mix of residential lot sizes, with the smallest lot having a minimum of 5,000 square feet and the largest lot having approximately 10,990 square feet, with an average lot size of 6,434 square feet. Paseos are proposed for dispersed open space, pedestrian pathways, and the conveyance of drainage and other water quality benefits throughout the community. Drainage will be conveyed north to the Hemet Channel or south to the existing drainage channel and basin serving TTM 31807 and 31808, then south in the new drainage channel to Simpson

[1] Pursuant to Hemet Municipal Code Article XXVI, Section 90-892. – Zones Established, the C-2 General Commercial Zone is intended to provide appropriate areas for the development of commercial districts having a wide range of offices, services, retail stores, recreation, and transient accommosdations.

[2] Regional Commercial designation provides for intensive and broadly mixed retail concentrations. The representative form is a retail center, anchored by one or more major tenants other than a supermarket, and which draws from a regional rather than local market.

[3] 160.51 acres comprising 86.56 acres of single-family homes, 2.58 acres of street landscape, and 71.37 acres of public streets.

Road. Improvements also will be made flanking the existing channel along the southern boundary with a wall or berm a maximum of 3 feet high to ensure its intended function and capacity to accommodate a 100-year storm event, while preserving the vegetation that has occurred within the existing channel.

Proposed TTM No. 36841 establishes the locations of legal lots that would be ultimately sold to merchant home builders who will then subdivide the "for sale" residential lots. The proposed TTM replaces and expands previously approved TTM No. 35394 (Planning Areas VI, X and XIII) of the Approved Project and is being processed concurrently with the other two discretionary actions associated with the proposed Modified Project. Figure 2.6 shows the revised TTM [No. 36841].

2.6.4 Off-site Improvements

Off-site improvements to be implemented under the proposed Modified Project include construction of water and reclaimed water pipelines in the abutting roads, drainage conveyance features, and the construction of the westerly half of Warren Road along the eastern frontage of the Modified Project site. The Warren Road improvements also include modifications to the Stetson Avenue intersection at the northeast corner of the Modified Project site including a realigned transition back to the existing Warren Road alignment (2.05 acres of permanent impacts) (Figure 2.2). Proposed utility lines will be constructed to the extent they are required within the rights-of-way of the abutting roads. Off-site utility pipelines will be constructed by others during future off-site road construction. Off-site drainage improvements include connections to the existing Hemet Channel north of the site (0.05 acre of temporary impacts for the installation of seven drainage connections) and improvements to an existing drainage channel from the existing drainage basin in the southwest corner of the Modified Project site extending southerly to Simpson Road (4.17 acres of permanent impacts and 2.42 acres of temporary impacts). From Simpson Road, the channel would continue to convey runoff south toward Salt Creek without further modifications. Temporary impacts for the channel assume a width of 20 feet for construction purposes on both sides of the ultimate channel and maintenance drive. Modified Project permanent impacts for off-site improvements total 6.22 acres and temporary impacts total 2.47 acres.

2.7 COMPARISON OF PROPOSED MODIFIED PROJECT TO APPROVED PROJECT

The proposed Modified Project entails the westernmost 245.07 acres of the [Approved Project] 1,621-acre Page Ranch PCD SP (Figure 2.4). The application for new Tentative Tract Map 36841 encompasses former Planning Areas VI, X, and XIII of the Page Ranch PCD SP (i.e., the Approved Project). Approximately 99.4 acres of the 245.07-acre proposed Modified Project were encompassed as Planning Area X (TTM 35394) of the Approved Project. Planning Areas VI and X will be consolidated and merged into a single Planning Area X as part of the Modified Project (Table 2.B and Figure 2.5). Planning Area XIII will remain, but with a slightly modified acreage. The SPA will also change the land use for Planning Area XIII from Low Density Residential to C-2 General Commercial. Lastly, the SPA will modify the land use designation for Planning Area X from Low Density Residential to Low-Medium Density Residential and Open Space Recreation.

TTM 36841 proposed as part of the Modified Project will replace and expand TTM 35394 (Planning Area X) of the Approved Project, extend Mustang Way from its current terminus at Warren Road westward and northward through the proposed Modified Project site to the realignment of Stetson Avenue (on the south side and parallel to the railroad tracks), reduce the residential density resulting in a corresponding reduction in the dwelling unit count from 744 to 586 units, and include 19.67 acres of commercial uses in Planning Area XIII. Based on the acreages detailed in Table 2.B, the gross Modified Project density will be 2.60 dwelling units per acre as compared to the Approved Project density of 3.13 dwelling units per acre.

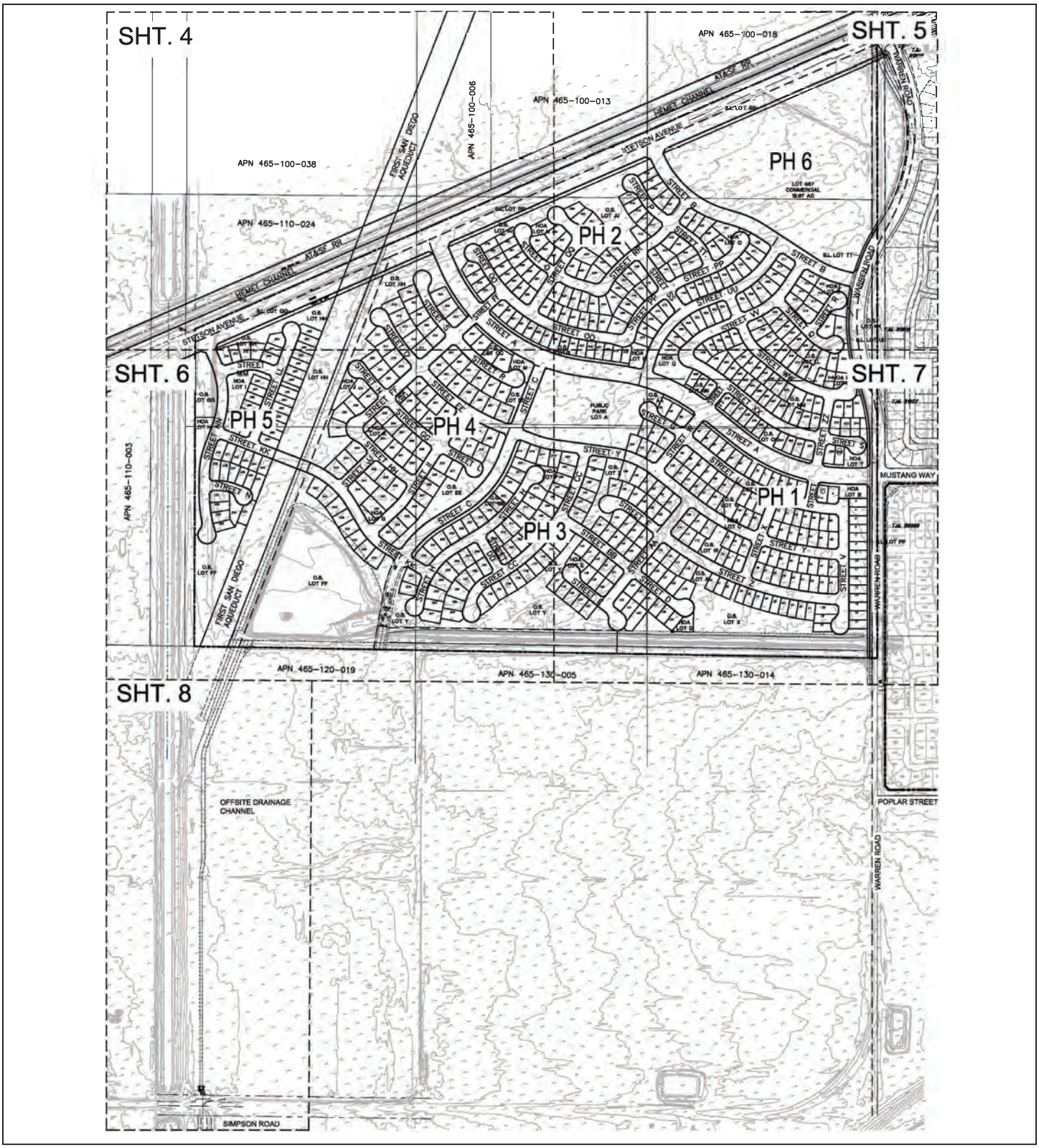

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FIGURE 2.6

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SOURCE: Pangaea

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Rancho Diamanté Phase II
Subsequent Environmental Impact Report

Proposed Tentative Tract Map No. 36841

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Table 2.B: Approved Project and Proposed Modified Project On-Site Land Use Designations and Quantities

Land Use	Page Ranch Planned Community Development	Proposed Modified Project
Planning Area VI (Low Density Residential)	117.7 acres	See Planning Area X[1]
Planning Area X (Low-Medium Density Residential)	99.4 acres	225.4 acres[2]
Planning Area XIII (Low Density Residential)	24.4 acres	19.67 acres[3]
TOTAL	**241.5 acres**	**245.07 acres**

[1] Planning Area VI will be incorporated into Planning Area X and be referred to as Planning Area X.
[2] The 225.4 acres of Planning Area X will include 86.56 acres of single-family homes, 2.58 acres of street landscape, 71.37 acres of public streets, 5.12 acres of private HOA parks, 5.62 acres of public parks, and 54.15 acres of open space areas.
[3] The 19.67 acres of Planning Area XIII will include approximately 100,000 square feet of commercial uses.

Sources:
Page Ranch Planned Community PCD 79-93 Proposed Amendment (SPA 15-001), September 2019, Amended from the previously approved version March 2009.
City of Hemet Tentative Tract Map No. 36841, Pangaea Land Consultants, Inc., November 2019.
Page Ranch Planned Community PCD 79-93 Master Plan and Development Standards Amendment (SPA 06-004), AEI-CASC, Revised March 2009.
Draft Environmental Impact Report: Rancho Diamante Phase II (SCH#2007091039), Michael Brandman Associates, May 2008.

Previously, "new" Warren Road was aligned to serve as the western boundary of an existing active adult community and to divert traffic from existing Warren Road to "new" Warren Road so the areas flanking existing Warren Road could function as a cohesive community. However, due to changing market conditions, the intent to expand the existing age-restricted community has changed, and the proposed Modified Project instead will create a larger community with broader market appeal. The previous alignment of "New" Warren Road was deleted at the western boundary of the Modified Project under the Hemet General Plan 2030, and a non-age-restricted community is envisioned in proposed Planning Area X/TTM 36841. Figure 2.3 illustrates the existing land uses of the Approved Project, and Figure 2.4 illustrates the proposed land uses of the proposed Modified Project. The westward extension of Mustang Way, and change in the classification of Warren Road from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and new Stetson Avenue requires an amendment to the General Plan Circulation Element. In addition, the Modified Project would amend the General Plan Land Use Designation for 19.67 acres of the site from Low Density Residential (LDR) to Regional Commercial (RC).

2.8 MODIFIED PROJECT OBJECTIVES

The *State CEQA Guidelines* require that an EIR Project Description include "a statement of objectives sought by the proposed project." Rancho Diamante Investments, LLC, the project applicant, developed the following objectives for the proposed Modified Project. Additions to the Approved Project objectives made as part of the proposed Modified Project are underlined; text that has been removed from the Approved Project objectives is in strikeout:

- Provide diversity in housing types for ~~both senior housing and~~ family housing;
- Provide more compatible land uses for the existing development in the immediate area by elimination of industrial uses ~~south~~ north of the new alignment of Stetson Avenue;
- Provide a logical extension of infrastructure in the project area;

- Provide for a variety of residential development types which are functionally compatible with surrounding neighborhoods (~~Proposed~~ General Plan Goals and Policies ~~Workbook Policies~~ LU-5.1);
- Provide for the attainment of quality housing within a satisfying living environment for households of all socioeconomic, age, and ethnic types in Hemet (General Plan Goals and Policies ~~Workbook Goal~~ H-1);
- Provide residential product type to meet forecast demand in the Specific Plan area;
- Contribute to the creation of a community identity for the City of Hemet through conformance with architectural and landscape standards; and
- Provide commercial use among residential uses to reduce the frequency and distance of automobile trips.
- ~~Eliminate conflicts between adjacent uses, and the provision of clear buffers and transitions between dissimilar uses (1992 Hemet General Plan Page 2).~~

2.9 DISCRETIONARY ACTIONS, PERMITS, AND OTHER APPROVALS

In accordance with Sections 15050 and 15367 of the *State CEQA Guidelines*, the City is the Lead Agency for the proposed Modified Project and has principal authority and jurisdiction for CEQA actions. Responsible Agencies are those agencies that have jurisdiction or authority over one or more aspects associated with the development of a proposed Modified Project and/or mitigation. Trustee Agencies are State agencies that have jurisdiction by law over natural resources affected by the proposed Modified Project.

The legislative and discretionary actions to be considered by the City as part of the proposed Modified Project include:

- **Approval of a Specific Plan Amendment (SPA 15-001):** To revise the Page Ranch Planned Community Development Specific Plan land use boundaries and planning areas, extend Mustang Way to realigned Stetson Avenue, and reduce the residential density resulting in a corresponding reduction in the unit count from 744 to 586 units.
- **Approval of a General Plan Amendment (GPA 15-002):** To amend the City's General Plan Circulation Element to include the extension of Mustang Way from Warren Road westward to the future realignment of Stetson Avenue, and to change the classification of Warren Road from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and realigned Stetson Avenue. In addition, the Modified Project would amend the General Plan Land Use Designation for 19.67 acres of the site from Low Density Residential (LDR) to Regional Commercial (RC).
- **Approval of a Tentative Tract Map (TTM 36841):** To subdivide the 245.07-acre Modified Project site into 586 residential lots, 1 commercial lot, and 64.89 acres of public parks and private HOA parks and open space areas to implement the proposed Modified Project (i.e., tentative and final maps).
- **Approval of a Subsequent Environmental Impact Report (SEIR):** The City of Hemet has determined an SEIR to the Certified SEIR (SCH #2007091039) is required to analyze the potential environmental impacts of the proposed Modified Project. The SEIR to the Certified SEIR (SCH #2007091039) will include mitigation measures, as appropriate, to reduce potential environmental impacts and will be prepared in accordance with CEQA. The City of Hemet will consider certification of the SEIR prior to taking action on the requested approvals. In conjunction with Certification of the SEIR and approval of the proposed Modified Project, the City will adopt a Mitigation Monitoring and Reporting Program (MMRP), which will ensure implementation of the measures and conditions

of project approval that were adopted to mitigate or avoid potentially significant effects on the environment.

- **Encroachment Permits:** To excavate or otherwise encroach within the City of Hemet's public road right-of-way and for connections to the existing Hemet Channel for drainage purposes.
- **Any Other Discretionary Approvals:** As required by applicable laws or regulations to implement the proposed Modified Project.

2.10 SUBSEQUENT ACTIONS AND APPROVALS

Following certification of the SEIR and adoption of the discretionary actions listed in Section 3.9, additional actions and approvals will be required by the City and other agencies. Key approvals include:

- **Review and Approval of All On-site and Off-site Grading and Infrastructure Plans:** These include street and utility improvements pursuant to the proposed Modified Project conditions of approval.
- **Approval of a Preliminary Water Quality Management Plan (WQMP):** To mitigate post-construction runoff flows pursuant to the proposed Modified Project conditions of approval.
- **Building Permits:** Pursuant to the proposed Modified Project conditions of approval.
- **Any Other Non-discretionary Actions:** Consistent with the conditions of approval to implement the proposed Modified Project.
- Other City, regional, and State departments/agencies also may use the Subsequent EIR in conjunction with other required permits and approvals, including (but not limited to) the following:
  - Santa Ana Regional Water Quality Control Board.
  - California Department of Fish and Wildlife.
  - U.S. Fish and Wildlife Service.
  - Western Riverside County Regional Conservation Authority [Habitat Acquisition and Negotiation Strategy (HANS) and Joint Project Review (JPR) processes].
  - Riverside County Airport Land Use Commission.
  - Metropolitan Water District of Southern California.
  - Eastern Municipal Water District.
  - Riverside County Flood Control and Water Conservation District.

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3.0 EVALUATION OF ENVIRONMENTAL IMPACTS

Chapter 3.0 addresses the proposed Modified Project's potential to have significant effects on the environment for every environmental topic in the certified SEIR and includes a comparison of those effects with effects analyzed in the Certified EIR for the Approved Project. Each subsection in Chapter 3.0 includes an existing setting discussion that describes the physical environmental conditions within the project site as they existed at the time the Notice of Preparation (NOP) was prepared; this is considered the baseline physical condition by which the City determines whether an effect is considered to be significant (Section 15125(a)(1)).[1] Significant effects determined to be more severe than those that were previously examined will be addressed in detail and mitigated to the extent reasonably feasible. Significant effects determined to be equal to or less severe than those that were previously examined will be addressed in accordance with the mitigation measures outlined in the Certified SEIR for the Approved Project as applicable.

[1] The Modified Project NOP dated August 3, 2016, was circulated for a 30-day review period from August 3 to September 1, 2016 (Appendix A1). Due to changes to the Modified Project as submitted by the project applicant subsequent to the distribution of the 2016 NOP, a recirculated NOP dated April 16, 2019, was circulated for a 30-day review period from April 19 to May 19, 2019 (Appendix A2).

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3.1 AESTHETICS

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to aesthetics as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California.* SCH #2007091039. City of Hemet. May 2008.
- Douglas Kent + Associates. *California Friendly® Maintenance Guide for Landscapers, Gardeners, and Land Managers.* March 2017.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- Pangaea Land Consultants, Inc. *Page Ranch Planned Community, PCD 79-93.* Appendix A, Master Plan and Development Standards Amendment Design Guidelines*.* March 2019.

Scoping Process/NOP Comments: Potential impacts related to aesthetics were not identified during the public scoping meeting held August 2016 for the proposed Modified Project.

No written comment letters were received in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts regarding aesthetics. Similarly, no written comment letters were received in response to the recirculated Notice of Preparation (NOP) issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts regarding aesthetics.

3.1.1 Regulatory Setting

3.1.1.1 Federal Regulations

There are no federal regulations regarding aesthetics that are applicable to the proposed Modified Project.

3.1.1.2 State Regulations

California Scenic Highway Program. The California Scenic Highway Program was established in 1963 to "preserve and protect scenic highway corridors from change which would diminish any aesthetic value of lands adjacent to highways." The state laws governing the scenic highway program are found in the California Streets and Highways Code Section 260 et seq. The California Scenic Highway System includes a list of highways that either have already been designated as scenic highways or that are eligible for designation as scenic highways.

California Public Utilities Code Section 21676 (Airport Land Use Commission). Projects located within zones administered by airport land use compatibility plans must comply with project-specific conditions imposed by the Airport Land Use Commission with jurisdiction over such airports.

3.1.1.3 Local Regulations

Mount Palomar Lighting Policy Area. The Palomar Observatory is located on Palomar Mountain in north San Diego County. The continued urbanization of the areas surrounding this observatory, including southwestern Riverside County, contributes to reducing the nighttime usefulness of this facility due to lighting from streetlights, automobiles, residences, and businesses. In order for the night sky to be viewed clearly for astronomical research purposes from this observatory, unique nighttime lighting standards are required for development within the Mount Palomar Lighting Policy Area. The Mount Palomar Lighting Policy Area consists of two zones; Zone A, which includes property within a 15-mile radius of the observatory, and Zone B, which includes property within a 45-mile radius of the observatory. Because the Modified Project site is approximately 26.5 miles north of the observatory, it is within Zone B of the Mount Palomar Lighting Policy Area.

Hemet General Plan. Scenic vistas in Hemet generally include publicly accessible views of the San Jacinto Mountains, the San Bernardino National Forest and Mountains, and the San Gabriel Mountains, as well as views of the Domenigoni Mountains at Diamond Valley Lake, Santa Rosa Hills, Lakeview Mountains, Tres Cerritos Hills, Park Hill, Bautista Canyon, and Reinhardt Canyon. The character of new development facilitated under the General Plan is expected to be similar to the existing urban landscape. Nevertheless, a substantial change in the character of the landscape would occur when open space, agricultural, and vacant land is developed into urban land uses.

Compliance with the applicable policies outlined in the City's General Plan would maintain and enhance scenic vistas and the quality of the visual character in and around the City. General Plan Policy OS-2.2 requires all development to be subject to the City's development review process to conserve view corridors, rock outcroppings, ridgelines, and other landscape features. The City's Scenic Highway Setback Overlay Zone requires a minimum 25-foot landscaped area for yards adjoining a City-designated scenic highway, such as Warren Road. The landscaped area is to include a mixture of "California-friendly"[1] trees, shrubs and ground cover. Additionally, General Plan Policy 13.15 requires reductions in the amount of reflective surfaces used in new construction, implementation of lighting that reduces light pollution in new development areas, and new lighting to cast light downward and reduce spillover onto adjacent properties.

Page Ranch Planned Community Development Specific Plan. With regards to scenic vistas and visual resources and character, the Page Ranch Planned Community Development Specific Plan (PCD SP) incorporates Open Space/Preservation Regulations "to preserve hillside areas where slopes exceed 25 feet or more in vertical height." By design and intent, the Page Ranch PCD SP establishes a framework to guide development of the planning area in accordance with the City General Plan, which, as stated previously, requires reductions in the amount of reflective surfaces used in new construction, implementation of lighting that reduces light pollution in new development areas, and new lighting to cast light downward and reduce spillover onto adjacent properties in accordance with General Plan Policy 13.15.

City of Hemet Municipal Code. Through implementation of the City's Zoning Ordinance, new development would be subject to restrictions designed to preserve the character of the City's natural open space, considerations for the maintenance of specific view corridors and "dark sky" conditions, and standards for hillside development and building heights. Pursuant to Section 90-386 (Site

[1] A California Friendly® Landscape is defined as one which is drought-tolerant, aesthetically pleasing, and sustainable in accordance with the *California Friendly® Maintenance Guide for Landscapers, Gardeners, and Land Managers.* Douglas Kent + Associates. March 2017.

Development Requirements) of the City Municipal Code, all on-site lighting shall be shielded to prevent off-site glare.

(1) All outdoor lighting shall be designed to illuminate uses, while minimizing light trespass into neighboring areas.

(2) The candlepower of outdoor lighting shall be the minimum required for safety purposes.

(3) Light for safety purposes shall be provided at entryways, along walkways, between buildings, and within parking areas.

(4) All lights shall be directed, oriented, and shielded downward to prevent light from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct drivers' vision.

(5) Light sources shall not be located in required buffer areas, except those required to illuminate pedestrian walkways.

Additionally, Chapter 90 (Zoning), Article XXXII (Scenic Highway Setback Overlay Zone) of the City Municipal Code establishes the Scenic Highway Setback Overlay Zone, which requires a minimum 25-foot landscaped area for yards adjoining a City-designated scenic highway, such as Warren Road. The landscaped area is to include a mixture of "California-friendly" trees, shrubs and ground cover.

3.1.2 Certified EIR Findings

The 1979 EIR for the *Specific Land Use Plan, Southwest Area* did not address aesthetics specifically, but it did require the preservation of steep hillside slopes as a scenic resource in accordance with the Hemet Open Space and Conservation Element of the General Plan. The 2008 EIR for the 2009 SPA to the overall Page Ranch PCD SP indicates the 2009 SPA is consistent with the existing residential development to the east of the site. Impacts to scenic vistas and visual character of the site and its surroundings would not be significant since the project is proposed at relatively the same elevation as surrounding development and is similar in scale and bulk compared to surrounding developed uses. Furthermore, no significant trees, rock outcroppings, or surface historical resources are known to occur on-site, and there are no state scenic highways in proximity, so the project would not damage scenic resources along a state scenic highway. Finally, the incremental addition of nighttime lighting would not be substantial or significant due to the minimalist nature of residential lighting when installed in accordance with City standards, and construction of residential dwelling units is not expected to include materials known to generate substantial amounts of glare. Therefore, aesthetic-related impacts of the Approved Project were found to be less than significant.

3.1.3 Existing Environmental Setting

The Modified Project Site's overall visual character is a mix of suburban and rural residential land uses within the San Jacinto Valley. A group of eucalyptus trees stands are located in the eastern portion of the site just north of the Warren Road/Mustang Way intersection. The Second San Diego Aqueduct abuts the western boundary of the site as a canal in a north to south direction. The First San Diego Aqueduct traverses the site beneath the surface in northeasterly to southwesterly direction within a 150-foot-wide easement adjacent and parallel to two Eastern Municipal Water District easements (20-foot and 40-foot) for public utilities.

The Modified Project site is generally flat and ranges in elevation from approximately 1,510 feet AMSL in the northeastern corner of the site to approximately 1,490 feet AMSL in the drainage basin located in the southwestern portion of the site. The site is undeveloped and highly disturbed with ruderal vegetation. The site has been regularly disked for the purposes of weed abatement for at least the past

twenty years. Surrounding land uses consist primarily of single-family residential uses to the east, and agricultural and undeveloped land to the north, south, and west, which contribute to open views toward the surrounding mountains and hillsides.

There are no State-Designated Scenic Highways in the City or near the Modified Project Site. State Route (SR) 74 crossing through the center of the City in an east-west direction approximately 1.25 mile north of the Modified Project site is an eligible State Scenic Highway, but it has not been officially designated. Warren Road, which abuts the eastern boundary of the Modified Project site, is a designated City Scenic Highway.

3.1.4 Methodology

Any evaluation of visual impacts is subjective; however, community aesthetic values can be used to evaluate changes in views within a particular community. These values are found in General [and Specific] Plan policies and zoning ordinances. Where specific policies are absent, general design theory and visual analysis methods can be incorporated to evaluate aesthetic impacts. In accordance with *CEQA Guidelines* 15162(c), this Subsequent EIR analyzes only changes in environmental impacts between the Approved Project and proposed Modified Project and will focus on changes in the visual character of the Modified Project site that would result from implementation of the proposed SPA 15-001, including the visual compatibility of on-site and adjacent uses, changes in vistas and viewsheds where visual changes would be evident, and the introduction of sources of light and glare.

The Riverside County Airport Land Use Commission (ALUC) reviewed the proposed Modified Project TTM 36841 and indicated the site is located in Zones C (32.02 acres of the Modified Project site) and D (213.05 acres of the Modified Project site) of the Hemet-Ryan Airport Land Use Compatibility Plan (ALUCP) (refer to Figure 3.7.1). The Zones of the ALUCP were established in accordance with the *California Airport Land Use Planning Handbook* and are designated to guide development near the Hemet-Ryan ALUCP with airport hazards (i.e., airplane crashes) taken into consideration. Accordingly, the ALUC prescribed several conditions of project approval, some of which include restrictions on outdoor lighting and potential for glare. A detailed discussion of the ALUC conditions prescribed to the proposed Modified Project is provided in Section 3.7, *Hazards and Hazardous Materials*, of this SEIR.

3.1.5 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, the proposed Modified Project would result in a significant impact to aesthetics if it would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; and/or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

3.1.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features: Project Design Features **(**PDFs) include features proposed by the Modified Project that are already incorporated into the project's design as appended in the Modified Project SPA 15-001 and are specifically intended to reduce or avoid impacts to aesthetic resources. The proposed Modified Project SPA 15-001 provides regulations and development standards to guide development of the proposed residential and commercial uses. These regulations and standards are codified in the

Page Ranch Planned Community, PCD 79-93 Master Plan and Development Standards Amendment Design Guidelines and establish development and design criteria to ensure a cohesive and aesthetically pleasing community that is not only architecturally compatible with surrounding land uses but also complements the existing development in proximity to the site.

Architectural design will be cohesive throughout the Modified Project Site and consider the relationship and compatibility of the proposed residential and commercial uses in Planning Areas X and XIII, respectively, with the existing developed uses of the Approved Project. Landscape design will be implemented to achieve unification of a community identity while respecting the separation between the public commercial from the private residential domains, as well as between the individual residential lots themselves, through the use of appropriate structural setbacks, hardscape materials, plant materials, and planting character arranged in various scales and intensities. Fence and wall design will be compatible with and consist of materials and color schemes similar to those of the existing developed uses of the Approved Project. Additionally, the fence and wall concept is important to provide security, privacy, and a sense of enclosure and ownership. Open space design includes a network of landscaped areas and lawns, paseos, a water detention basin, and parks of varying sizes and for a variety of purposes. Throughout the Modified Project site, the open space design elements will ensure a park-like setting is achieved. Lighting will be designed in accordance with City standards (see PPP 3.1-2), resulting in warm, subdued lighting geared to the semi-rural character of the City, while a comprehensive sign program will promote commerce, traffic safety, and community identity, while also promoting and enhancing the quality of the visual environment of the area.

Plans, Policies, or Programs: Plans, Policies, or Programs **(**PPPs) are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to aesthetic resources.

PPP 3.1-1 To ensure conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the SPA 15-001, as well as the City General Plan pursuant to Section 65450 et seq. of the California Government Code, the proposed Tentative Tract Map (TTM) No. 36841 (MAP 15-008) must undergo Planning Staff review and approval in accordance with Section VI (Site Plan Requirements) of the SPA 15-001 prior to permit issuance.

PPP 3.1-2 Pursuant to Section 90-386 (Site Development Requirements) of the City Municipal Code, all on-site lighting shall be shielded to prevent off-site glare.

(1) All outdoor lighting shall be designed to illuminate uses, while minimizing light trespass into neighboring areas.

(2) The candlepower of outdoor lighting shall be the minimum required for safety purposes.

(3) Light for safety purposes shall be provided at entryways, along walkways, between buildings, and within parking areas.

(4) All lights shall be directed, oriented, and shielded downward to prevent light from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct drivers' vision.

(5) Light sources shall not be located in required buffer areas, except those required to illuminate pedestrian walkways.

3.1.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.1.7.1 Substantial Adverse Change on a Scenic Vista

Threshold:	Would the project have a substantial adverse effect on a scenic vista?

Scenic vistas in Hemet generally include publicly accessible views of the San Jacinto Mountains, the San Bernardino National Forest and Mountains, and the San Gabriel Mountains, as well as views of the Domenigoni Mountains at Diamond Valley Lake, Santa Rosa Hills, Lakeview Mountains, Tres Cerritos Hills, Park Hill, Bautista Canyon, and Reinhardt Canyon.

The Certified EIR of the Approved Project concluded unobstructed views of open fields and mountains in the distance will be partially blocked depending on a person's viewpoint. With residential development, different factors (location and height of residential structures, topography, trees) can have a direct bearing on views. Since development under the Approved Project would be of similar scale and height and at relatively similar elevation as the surrounding developed uses to the east, the Approved Project will not have a significant adverse effect on scenic vistas.

Development under the proposed Modified Project will be similar in scale and massing as the existing surrounding land uses developed under the Approved Project. PDFs detailed in the Modified Project SPA 15-001 (refer to Section 3.1.6 above) will ensure residential and commercial building heights are commensurate with the existing developed uses surrounding the Modified Project site and shall not exceed 35 feet in height. Additionally, the comprehensive sign program includes design criteria for the proposed commercial use in Planning Area XIII that control the location, size, type, and number of signs permitted and which regulate and control all other matters pertaining to signs.

As specified in **PPP 3.1-1,** Section 65450 et seq. of the California Government Code authorizes cities to prepare, adopt, and administer Specific Plans for portions of their jurisdictions as a means of implementing the City's General Plan. To ensure conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the SPA 15-001, as well as the City General Plan and Zoning Code, the proposed Tentative Tract Map (TTM) No. 36841 (MAP 15-008) must undergo Planning Staff review and approval in accordance with Section VI (Site Plan Requirements) of the SPA 15-001 prior to permit issuance. This review process will ensure the proposed Modified Project incorporates architectural elements that protect scenic vistas. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to scenic vistas. No mitigation is required.

3.1.7.2 Substantially Damage Scenic Resources within a State Scenic Highway

Threshold:	Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?

There are no State-Designated Scenic Highways in the City or near the City. SR-74 crossing through the center of the City in an east-west direction is an eligible State Scenic Highway, but it has not been officially designated. The nearest State Scenic Highway is SR 74 beginning approximately 3 miles east of the City limits and proceeding eastbound through Riverside County and into the San Bernardino National Forest.

The Certified EIR of the Approved Project concluded the designated City Scenic Highway Warren Road occurs along the western property boundary. The Approved Project included improvements to this road along the west boundary of TTM 35394, but it would require a 25-foot setback with landscaped parkways and meandering bike/pedestrian paths (as part of the Paseo system from the Page Ranch

PCD SP) along the project boundary. Since there are no historic buildings, significant trees, or rock outcroppings on-site, impacts would be less than significant.

Warren Road, which abuts the eastern boundary of the Modified project site, is a designated City Scenic Highway. The Page Ranch PCD SP and proposed SPA 15-001 establish design criteria for development along Warren Road, as well as for the proposed off-site improvements to Warren Road north of the Modified Project site, which include building setbacks, a California Friendly Landscape Palette in accordance with General Plan Policy CD-3.7,[2] and meandering bike/pedestrian paths in accordance with Chapter 90 (Zoning) and Article XXXII (Scenic Highway Setback Overlay Zone) of the City Municipal Code. Landscaping in the detention basins, if not riprap, shall be in accordance with the guidance provided in Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure, and the *Airports Wildlife and Stormwater Management* brochure available at www.rcaluc.org and Appendix F2 (refer to **Mitigation Measure 3.7.10.3**). Implementation of **PPP 3.1-1** requires development of the proposed Modified Project to include Planning Staff review and approval to ensure all appropriate measures to minimize adverse visual impacts and enhance the public's aesthetic enjoyment of the scenic highway corridors are implemented. Therefore impacts to the [City Scenic] Warren Road would be less than significant.

SR 74 crossing through the center of the City in an east-west direction approximately 1.25 mile north of the Modified Project site is an eligible State Scenic Highway, but it has not been officially designated.[3] Nevertheless, the Modified Project site is at too great a distance from the SR 74 to have any impact to scenic resources along the SR 74 roadway. Therefore, no impact to scenic resources within a state scenic highway would occur. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to scenic resources within a state scenic highway. No mitigation is required.

3.1.7.3 Substantially Degrade Existing Visual Character or Quality

Threshold:	Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

The City's overall visual character is a mix of urban, suburban, and rural residential land uses, as large undeveloped parcels are distributed throughout the planning area and contribute to open views toward the surrounding mountains and hillsides. The Certified EIR of the Approved Project concluded the project could generate short-term visual impacts during construction through the use of heavy construction equipment and machinery during grading and eventually the construction of new single family residential units. Temporary impact to views would be most prominent from the existing residential development located on the east side of the proposed site. However, construction activity would be temporary and would be replaced with a cohesive and aesthetically pleasing community that is not only architecturally compatible with surrounding land uses but also complements the existing development in proximity to the site.

Operation of the Approved Project would alter the visual character of the site and its surroundings through conversion of open space and agricultural lands into suburban landscapes. However, the Approved Project site is generally flat, and development of the site would result in only a slight modification of the natural contours to create a series of housing pads and streets. Therefore, views of

[2] A California Friendly® Landscape is defined as one which is drought-tolerant, aesthetically pleasing, and sustainable in accordance with the *California Friendly® Maintenance Guide for Landscapers, Gardeners, and Land Managers.* Douglas Kent + Associates. March 2017.

[3] *California Scenic Highway Mapping System, Riverside County.* California Department of Transportation. http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/ (accessed March 14, 2019).

the site and its surroundings would appear similar to those of the neighborhoods east of Fisher Street, and the change of the visual character of the area would not substantially degrade the quality of the site and its surroundings.

Development under the proposed Modified Project will be similar in scale and massing as the existing surrounding land uses developed under the Approved Project. Design guidelines appended in the Modified Project SPA 15-001 will ensure residential and commercial building heights are commensurate with the existing developed uses surrounding the Modified Project site and shall not exceed 35 feet in height. Additionally, the comprehensive sign program includes design criteria for the proposed commercial use in Planning Area XIII that control the location, size, type, and number of signs permitted and which regulate and control all other matters pertaining to signs.

In accordance with General Plan Policy OS-2.2, the proposed TTM No. 36841 (MAP 15-008) will be subject to the City's development review process to conserve view corridors, rock outcroppings, ridgelines, and other landscape features, as specified in **PPP 3.1-1,** to ensure conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the SPA 15-001, as well as the City General Plan and Zoning Code. This review process will ensure the City's visual character is considered and appropriate design elements are incorporated into the Modified Project to protect the semi-rural character of the City. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to visual character or quality of the site and its surroundings. No mitigation is required.

3.1.7.4 Substantial Light or Glare

Threshold:	Would the project create a new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area?

The mix of suburban, rural residential, and airport land uses in the vicinity of the Modified Project site contain few major sources of substantial light and glare. The Certified EIR of the Approved Project concluded the proposed uses would require a variety of lighting at night, including street lights and residential lighting that would create a new light source in the community and contribute to an increase in lighting in the area. Glare would increase minimally with the addition of windows on the proposed structures, as windows are not the primary material of single-family homes and therefore would not generate a substantial amount of glare.

The Modified Project site is located in an area that is developed with commercial and residential uses. The amount and level of lighting would generally be similar to that which currently exists in the project vicinity. Development under the proposed Modified Project will be similar to the Approved Project and include 586 residential dwelling units, approximately 100,000 square feet of regional commercial uses, and 64.89 acres of private HOA and public parks and open space areas. The Modified Project site is approximately 26.5 miles north of the Palomar Observatory, within Zone B of the Mount Palomar Lighting Policy Area. Accordingly, the Modified Project shall restrict the use of certain light fixtures emitting into the night sky undesirable light rays that have a detrimental effect on astronomical observation and research. The proposed Modified Project will implement **PPP 3.1-2,** which requires reductions in the amount of reflective surfaces used in new construction, implementation of lighting that reduces light pollution in new development areas, and new lighting to cast light downward and reduce spillover onto adjacent properties, pursuant to Section 90-386 (Site Development Requirements) of the City Municipal Code. Additionally, the proposed TTM No. 36841 (MAP 15-008) will be subject to the City's development review process to ensure consistency with the applicable Zoning Ordinances and General Plan Policies, as specified in **PPP 3.1-1**. Through implementation of **PPP 3.1-1** and **PPP 3.1-2,** construction and operation of the proposed Modified Project would not involve new significant

environmental effects or a substantial increase in the severity of previously identified significant effects related to new sources of substantial light or glare. Light and glare impacts from the proposed Modified Project would be the same as those identified for the Approved Project (i.e., less than significant). No mitigation is required.

3.1.8 Cumulative Impacts

3.1.8.1 Proposed Modified Project Compared to Approved Project Impact Analysis

The cumulative “universe” for impacts to aesthetic (visual or lighting) resources relative to the proposed Modified Project would be the City of Hemet, which includes views of hills and ridgelines such as the San Jacinto Mountains, the San Bernardino National Forest and Mountains, and the San Gabriel Mountains, as well as views of the Domenigoni Mountains at Diamond Valley Lake, Santa Rosa Hills, Lakeview Mountains, Tres Cerritos Hills, Park Hill, Bautista Canyon, and Reinhardt Canyon. Projects included in this "universe" include the Page Ranch PCD SP and other projects outside of the Page Ranch PCD SP within approximately 3 miles of the project site. Many of these projects will be built at suburban densities. Continued development of the Page Ranch PCD SP and other development within the project area would incrementally increase ambient light and glare, and incrementally degrade "dark skies" conditions.

The Certified EIR of the Approved Project concluded that as long as new development, including the proposed project, is similar in appearance and scale to existing development, and meets local planning and design guidelines, neither it nor they would contribute to cumulatively considerable aesthetic impacts.

By its very nature, the proposed Modified Project SPA 15-001 establishes development standards and design criteria to ensure development does not result in significant impacts to scenic resources or results in a substantial increase in lighting or glare. Cumulatively, construction of 586 residential dwelling units and approximately 100,000 square feet of regional commercial uses, as well as development surrounding the Modified Project site, would add more lighting and glare to the area. Although the proposed Modified Project SPA 15-001 cannot administer development standards outside of its jurisdiction, it would reduce its incremental contribution to cumulative aesthetic-related impacts from development to less than significant levels by implementing the various design guideline PDFs (refer to Section 3.1.6 above) related to architecture, landscaping, building heights and setbacks, and a comprehensive sign program, as well as **PPP 3.1-1** and **PPP 3.1-2** to ensure compliance with local planning and design guidelines. Compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cumulative aesthetic (visual or lighting) resources. No mitigation is required.

3.1.9 Level of Significance before Mitigation

Neither the Approved Project nor the proposed Modified Project is determined to result in significant impacts to aesthetic (visual or lighting) resources. With the incorporation of various design guideline PDFs (refer to Section 3.1.6 above) related to architecture, landscaping, building heights and setbacks, and a comprehensive sign program, as well as **PPP 3.1-1** and **PPP 3.1-2** to ensure compliance with local planning and design guidelines, the proposed Modified Project is concluded to have substantially the same [less than significant] impacts as the Approved Project with regard aesthetic (visual or lighting) resources.

3.1.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

Mitigation measures to reduce impacts to aesthetic (visual or lighting) resources to less than significant levels are not required for either the Approved Project or the proposed Modified Project.

3.1.11 Level of Significance after Mitigation

Neither the Approved Project nor the proposed Modified Project are determined to result in significant impacts to aesthetic (visual or lighting) resources. With the incorporation of various design guideline PDFs related to architecture, landscaping, building heights and setbacks, and a comprehensive sign program, as well as **PPP 3.1-1** and **PPP 3.1-2** to ensure compliance with local planning and design guidelines, the proposed Modified Project is concluded to have substantially the same [less than significant] impacts as the Approved Project with regard aesthetic (visual or lighting) resources.

In summary, no new mitigation or alternatives have been identified that would substantially or further reduce any aesthetics impacts of the Modified Project.

3.2 AGRICULTURAL RESOURCES

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to agricultural resources as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California.* SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.

Scoping Process/NOP Comments: Potential impacts to agricultural resources were not identified during the public scoping meeting held in August 2016 for the proposed Modified Project. However, one comment regarding current farming activity on the adjacent parcel to the south of the Modified Project site was received that expressed concerns related to vector control, dust, odors, and flies from the adjacent agricultural property. This issue is addressed in Section 3.3, Air Quality of this SEIR.

The City received no comments in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts to agricultural resources. Furthermore, no additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to agricultural resources.

3.2.1 Regulatory Setting

3.2.1.1 Federal Regulations

There are no federal regulations regarding agricultural resources that are applicable to the proposed Modified Project.

3.2.1.2 State Regulations

The California Government Code (Section 65570) requires the collection and reporting of agricultural land use acreage and conversion by June 30 of each even-numbered year. Utilizing data from the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) soil survey and current land use information, the California Department of Conservation (DOC), and Farmland Mapping and Monitoring Program (FMMP)[1] compiles important farmland maps for each county within the State. Maps and statistics are produced biannually using a process that integrates aerial photo interpretation, field mapping, a computerized mapping system, and public review. These maps delineate land use in eight mapping categories (and one overlay category) and represent an inventory of agricultural soil

[1] *A Guide to the Farmland Mapping and Monitoring Program*, California Department of Conservation, Division of Land Resources Protection, 2004 Edition.

resources within Riverside County. Through the FMMP, agricultural resources are separated into the following categories:[2]

- **Prime Farmland:** Lands with the best combination of physical and chemical features and able to sustain long-term production of agricultural crops. This land must have been used to produce irrigated crops within the last three years in order to be so designated.
- **Farmland of Statewide Importance:** Land similar to Prime Farmland but with relative shortcomings, such as greater slopes or less ability to store soil moisture. This land must have been used to produce irrigated crops within the last three years in order to be so designated.
- **Unique Farmland:** Land which does not meet the above criteria for Prime or Statewide Importance, but which is currently used for the production of specific high-value crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality and high yields of specific crops. Examples of such crops include oranges, olives, avocado, rice, grapes, and cut flowers.
- **Farmland of Local Importance:** Non-irrigated land that is either currently producing crops or has the capacity of production. This land includes dry land grain, dairies, and other agricultural-zoned land not included in the above categories. This land may be important to the local economy due to its productivity.

For purposes of reporting changes in land use as required for FMMP's biennial farmland conversion report, the DOC also categorizes land as Urban and Built-Up Land or Other Land, which are defined as:

- **Urban and Built-Up Land:** Lands occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- **Other Land:** Lands not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

California Land Conservation Act (Williamson Act) of 1965 is a non-mandated State program administered by counties and cities for the preservation of agricultural land. This program enables local governments to enter into contracts with private landowners to restrict specific parcels of land to agricultural or related open space use. In return, landowners receive much lower property tax assessments than normal because the assessments are based upon farming and open space uses rather than full market value.

3.2.1.3 Local Regulations

Hemet General Plan. The City's General Plan outlines several General Plan policies pertaining to agricultural resources throughout the City. General Plan Policies OS-P-12, OS-P-13, and LU-P-48 are designed to conserve agricultural lands within the City's planning area by supporting the use of

[2] Section 4.2-Agricultural Resources, *City of Hemet General Plan 2030 Environmental Impact Report*. Pages 4.2-2. City of Hemet. January 2012.

conservation easements to protect agricultural uses and by creating agricultural buffer zones between various land uses.

3.2.2 Certified EIR Findings

The 1979 EIR concluded the Approved Project would require zone changes in portions of the City's Residential Agriculture zone to allow for the increased residential densities proposed at an average of 5.4 dwelling units per acre. Over 2,643 acres of agricultural and open space land, including portions of land identified as agricultural preserve and Prime Farmland, would be converted to residential, commercial, and industrial land uses. The loss of this agricultural land is considered irreversible, and mitigation was proposed that encouraged participation in the Williamson Act Preservation Program and suggested providing additional incentives to agricultural landowners not eligible for preservation status.

The 2008 EIR concluded the Approved Project would convert approximately 213.8 acres of land designated by the FMMP as Farmland of Local Importance to non-agricultural use. Mitigation to reduce the impact of this land conversion was determined to be infeasible since the City had already committed the land to residential use through the adoption of the Page Ranch PCD SP. Impacts from the conversion of farmland to non-agricultural use would be significant and unavoidable. The 2008 EIR also concluded the Approved Project would not conflict with any Williamson Act contract, nor would it conflict with existing agricultural zoning, and mitigation was therefore not required. The EIR concluded the Approved Project would not result in other changes to the existing environment that would result in the indirect conversion of farmland to non-agricultural use.

3.2.3 Existing Environmental Setting

The Modified Project site is a former agricultural property that is currently uncultivated. The site is highly disturbed with ruderal vegetation and has been regularly disked for the purposes of weed abatement for at least the past 20 years. Surrounding land uses consist primarily of single-family residential uses to the east, and agricultural and undeveloped land to the north, south, and west.

According to the FMMP, the 245.07-acre Modified Project site and 2.05 acres off site to the north (i.e., proposed realignment of Warren Road) are designated Farmland of Local Importance. Additionally, approximately 50 percent of the 4.17 acres off site to the south (i.e., proposed storm water channel to Simpson Road) are located within Farmland of Statewide Importance, with the other 50 percent located within Unique Farmland.[3]

The project site is not under a Williamson Act contract and the nearest properties under Williamson Act contract are over 3.5 miles to the west and southwest.[4]

3.2.4 Methodology

The FMMP was referenced to determine if the Modified Project site is located in Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance. These maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance.

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[3] *Riverside County Important Farmland 2016, Sheet 1 of 3.* California Department of Conservation. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Riverside.aspx (accessed March 19, 2019).

[4] *Riverside County Williamson Act FY 2015/2016, Sheet 1 of 3.* California Department of Conservation. ftp://ftp.consrv.ca.gov/pub/dlrp/wa/ (accessed March 19, 2019).

The Approved Project utilizes the California Agricultural Land Evaluation and Site Assessment (LESA) Model prepared by the DOC to provide essential information on determining whether impacts to agricultural resources are significant environmental effects. In accordance with *CEQA Guidelines* 15162(c), this SEIR analyzes only changes in environmental impacts between the Approved Project and proposed Modified Project, as discussed below.

3.2.5 Thresholds of Significance

Appendix G of the *CEQA Guidelines* (14 CCR 15000 et seq.) provides guidance for evaluating whether a project may result in significant impacts. Based on Appendix G, the proposed project could have a significant impact on agricultural resources if it would:

- 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 uses;
- Conflict with existing zoning for agricultural use, or a Williamson Act contract; and/or
- Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use.

3.2.6 Proposed Modified Project Design Features and Compliance Measures

The City previously committed the Modified Project site to residential use through the adoption of the Page Ranch PCD SP (Approved Project). The proposed Modified Project will amend the existing Page Ranch PCD SP to account for a slight reduction of residential density along with inclusion of 19.67 acres of commercial uses on site. Since neither the Approved Project nor proposed Modified Project includes any proposed agricultural uses, there are no project design features or compliance measures related to agricultural resources that would apply to the Modified Project.

3.2.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.2.7.1 Conversion of Farmland to Non-Agricultural Use

Threshold:	Would the project 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 uses?

Implementation of the Modified Project would convert approximately 245.07 acres on site plus off-site acreage dedicated for the proposed realignment of Warren Road from Farmland of Local Importance to a non-agricultural uses such as residential, park, commercial, and infrastructure (e.g., drainage and roadways). Additionally, approximately 50 percent of the off-site acreage dedicated for improving the existing pilot channel that conveys storm water runoff from the existing on-site drainage basin south to the existing channel at Simpson Road would be converted from Farmland of Statewide Importance to non-agricultural use, while the remaining 50 percent would be converted from Unique Farmland to non-agricultural use.[5]

The 1979 Certified EIR concluded zone changes would be required in portions of the City's Residential Agriculture zone to allow for the increased residential densities proposed at an average of 5.4 dwelling

[5] *Riverside County Important Farmland 2016, Sheet 1 of 3.* California Department of Conservation. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Riverside.aspx (accessed March 19, 2019).

units per acre. Over 2,643 acres of agricultural and open space land, including portions of land identified as agricultural preserve and Prime Farmland, would be converted to residential, commercial, and industrial land uses. The loss of this agricultural land would be irreversible, and mitigation was proposed that encouraged participation in the Williamson Act Preservation Program and suggested providing additional incentives to agricultural landowners not eligible for preservation status.

The 2008 EIR included evaluation of Planning Areas XIII, XII, XI, and former Planning Area X totaling 213.8 acres designated by the FMMP as Farmland of Local Importance. Using the LESA Model, the EIR concluded the Approved Project would have a significant impact on agricultural resources through the conversion of 213.8 acres of Farmland of Local Importance to non-agricultural use. Furthermore, no feasible mitigation is available to reduce this impact since the Approved Project site had already been rezoned for residential uses under the 1979 EIR, so impacts would remain significant and unavoidable.

Approximately 99.4 acres of the 245.07-acre proposed Modified Project overlap TTM 35394 (Planning Area X) of the Approved Project, and the remaining 145.67 acres of the proposed Modified Project entail portions of Planning Areas VI and XIII of the Approved Project (Figure 2.5). Both the Approved Project and proposed Modified Project are located on land designated Farmland of Local Importance, and portions of the Modified Project's off-site improvements are proposed on Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. Therefore, implementation of the Modified Project would convert farmland to non-agricultural use and impacts would be **significant and unavoidable**. When compared to the Approved Project, impacts associated with conversion of farmland to non-agricultural use would be the same (i.e., significant and unavoidable).

3.2.7.2 Conflict with Existing Zoning or Williamson Act Contract

Threshold:	Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?

According to the City General Plan, there are no Williamson Act contract lands within the City limits. The Modified Project site is not under a Williamson Act contract and the nearest properties under Williamson Act contract are over 3.5 miles to the west and southwest.[6] The City has already committed the Modified Project site for residential use through the adoption of the Page Ranch PCD SP. Construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to zoning for agricultural use or a Williamson Act Contract. No mitigation is required. As compared to the Approved Project, impacts associated with conflicts with agricultural zoning or Williamson Act contracts would be the same (i.e., **less than significant**).

3.2.7.3 Other Changes Resulting in Farmland Conversion to Non-Agricultural Use

Threshold:	Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use?

The analysis in the 2008 Certified EIR included implementation of the LESA Model on Planning Areas XIII, XII, XI, and X of the Approved Project, which identified the SPA Zone of Influence (ZOI) to encompass 2,137 acres of surrounding parcels, of which approximately 335 acres, 16 percent, of the ZOI were under agricultural use as of 2009. Although the Certified EIR concluded the Approved Project

[6] *Riverside County Williamson Act FY 2015/2016, Sheet 1 of 3.* California Department of Conservation. ftp://ftp.consrv.ca.gov/pub/dlrp/wa/ (Accessed March 19, 2019).

would have a significant impact on agricultural resources through the conversion of 213.8 acres of Farmland of Local Importance to non-agricultural use, the LESA Model's "Surrounding Agricultural Land" score was found to be "0" due to the negligible amount of active farming (16 percent of the ZOI) occurring on properties surrounding the Approved Project site. Therefore, although impacts from the conversion of farmland to non-agricultural use were found to be significant under the Approved Project, the Certified EIR concluded that the Approved Project would not result in other changes to the existing environment that would result in the indirect conversion of farmland to non-agricultural uses.

Both the Approved Project and proposed Modified Project are located on land designated Farmland of Local Importance, and portions of the Modified Project's off-site improvements are proposed on Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. Therefore, similar to the Approved Project, implementation of the Modified Project would convert Farmland to non-agricultural use. However, a significant portion of the Modified Project site (Planning Areas X and XIII) overlaps the Approved Project site analyzed under the LESA Model and the remaining portion of the Modified Project site (former Planning Area VI) is within the 2009 SPA agricultural resources ZOI.

The current land uses surrounding the Modified Project site are substantially similar to those which were analyzed under the LESA Model for the Approved Project, including the unincorporated properties engaged in active farming adjacent to the south of the Modified Project site. Off-site improvements for the proposed Modified Project in this portion of the Approved Project's ZOI include improving the existing pilot channel that conveys storm water runoff from the existing on-site drainage basin south to the existing channel at Simpson Road. Approximately 50 percent of the off-site acreage dedicated for channel improvement is located within Farmland of Statewide Importance, while the other 50 percent is located within Unique Farmland.[7] However, the proposed improvements to the existing pilot channel would encompass a negligible amount of farmland property, as they would require permanent easements between 55 feet and 84 feet wide for approximately 2,250 feet along the far western boundary of the existing farmland, and therefore would not obstruct or preclude the continued use of the property for farming. Similar to the Approved Project, changes in the environment that could result in the conversion of farmland to non-agricultural use through implementation of the Modified Project would be the same as those identified for the Approved Project (i.e., less than significant), and no mitigation is required.

3.2.8 Cumulative Impacts

3.2.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

Similar to the Approved Project, the cumulative "universe" for impacts to agricultural resources under the Modified Project is the current agricultural uses within the City limits and sphere of influence (City planning area). Projects included in this "universe" include the Page Ranch PCD SP and other projects outside of the Page Ranch PCD SP within Hemet, as well as the neighboring jurisdictions of San Jacinto and the County of Riverside (refer to Exhibit 4-11 in Appendix I1). Many of these projects could be built on land currently in use for agricultural purposes or having potential to be utilized for agriculture.

As detailed in Section 3.2.7 above, the Certified EIR of the Approved Project concluded that impacts to agricultural resources from the conversion of farmland to non-agricultural use would be **significant and unavoidable**, and no feasible mitigation is available since the Page Ranch PCD SP is already approved for non-agricultural uses. This finding also applies to the Modified Project, as it is encompassed within the Page Ranch PCD SP and will convert farmland to non-agricultural uses.

[7] *Riverside County Important Farmland 2016, Sheet 1 of 3.* California Department of Conservation. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Riverside.aspx (accessed March 19, 2019).

The City General Plan adopted Policies OS-3.1, OS-3.2, OS-3.3, and OS-3.4 designed to conserve agricultural lands within the City's planning area by supporting the use of conservation easements to protect agricultural uses and by creating agricultural buffer zones between various land uses. According to the FMMP, the City's planning area includes approximately 2,750 acres of Prime Farmland, 468 acres of Farmland of Statewide Importance, and 1,561 acres of Unique Farmland (total of 4,779 acres). The General Plan designates approximately 2,614 acres of farmland for agriculture or open space within the planning area, with the balance of farmland designated for urban uses, including implementation of the approved Page Ranch PCD SP. Even with City-adopted Policies, implementation of the General Plan would result in the loss of approximately 2,165 acres of farmland in the City planning area due to urban development, and impacts would be significant and unavoidable with no feasible mitigation available to reduce this impact to a less than significant level.

The 1979 Certified EIR concluded approximately 1,863 acres of prime agricultural land would be lost. Since implementation of the Modified Project would convert farmland to non-agricultural use, and project-specific impacts to agricultural resources would be the same as those identified for the Approved Project (i.e., significant and unavoidable), the Modified Project would incrementally decrease the availability of soils that have value for agricultural production. Therefore, in combination with other projects in the City's planning area, the Modified Project would result in a cumulatively considerable impact to agricultural resources, and cumulative impacts would be the same as those identified for the Approved Project (i.e., **significant and unavoidable**).

3.2.9 Level of Significance before Mitigation

Development of both the Approved Project and the proposed Modified Project would convert farmland to non-agricultural use, and impacts of the proposed Modified Project would be the same as those identified for the Approved Project (i.e., significant and unavoidable).

3.2.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

Mitigation measures identified in the 1979 Certified EIR encouraged participation in the Williamson Act Preservation Program and suggested providing additional incentives to agricultural landowners not eligible for preservation status. However, through adoption of the *Specific Land Use Plan, Southwest Area* and associated amendments, up to and including the 2008 EIR, the City has already committed the Approved Project site and therefore the proposed Modified Project site to non-agricultural use. Therefore, participation in the Williamson Act Preservation Program and provision of incentives for agricultural landowners not eligible for preservation status were deemed infeasible in the 2008 EIR, and likewise would not apply to the Modified Project. No mitigation measures were identified in the 2008 Certified EIR.

3.2.10.1 Agricultural Resources Mitigation for the Proposed Modified Project

Since mitigation for the conversion of farmland to non-agricultural use is infeasible on land already approved for residential development, no mitigation measures are applicable for the Modified Project with regard to farmland.

3.2.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and <u>underlined text</u> is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure as follows:

As stated previously, the 1979 EIR's mitigation measure to encourage participation in the Williamson Act Preservation Program and provision of incentives for agricultural landowners not eligible for preservation status is infeasible for the 2009 SPA to the Page Ranch PCD SP, and likewise would not apply to the Modified Project, because the City has already committed the Approved Project site and therefore the proposed Modified Project site to non-agricultural use through adoption of the *Specific Land Use Plan, Southwest Area* and associated amendments, up to and including the 2009 SPA to the Page Ranch PCD SP.

~~**1979 EIR Mitigation Measure:** Policies should be formulated to encourage participation in the Williamson Act Preservation program, granting tax relief to owners of agricultural property who agrees not to develop their land for a minimum of 10 years. Additional incentives should be provided for agricultural land owners holding less than 100 acres who are not eligible for preservation status and the economic security it provides.~~

3.2.11 Level of Significance after Mitigation

Mitigation measures identified in the 1979 Certified EIR encouraging participation in the Williamson Act Preservation Program and suggesting provision of additional incentives to agricultural landowners not eligible for preservation status have been deemed infeasible, and no mitigation measures were identified in the 2008 Certified EIR. Since mitigation for the conversion of farmland to non-agricultural use is infeasible on land already approved for non-agricultural use, no new mitigation measures are applicable for the Modified Project with regard to farmland. Accordingly, impacts of the proposed Modified Project would be the same as those identified for the Approved Project (i.e., **significant and unavoidable**).

In summary, no new mitigation or alternatives have been identified that would substantially or further reduce any agricultural resources impacts of the Modified Project.

3.3 AIR QUALITY

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to air quality as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- South Coast Air Quality Management District, *Brief for the South Coast Air Quality Management District as Amicus Curiae*. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno and Friant Ranch, L.P. After a Published Decision by the Court of Appeal filed May 27, 2014 (Fifth Appellate District Case No. F066798), Appeal from the Superior Court of California, County of Fresno (Case No. 11CECG00726). April 6, 2015.
- South Coast Air Quality Management District, *Final 2016 Air Quality Management Plan*. March 2016.
- Southern California Association of Governments, *Final 2016/2040 Regional Transportation Plan/Sustainable Communities Strategy*. April, 2016.
- Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis*. July 19, 2018 (Appendix B1).
- Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality and Greenhouse Gas Impact Analysis-Supplemental Assessment*, November 20, 2019 (Appendix B2).

Scoping Process/NOP Comments: The City received a comment during the public scoping meeting held in August 2016 for the proposed Modified Project regarding current farming activity on the adjacent parcel to the south of the Modified Project site. The commenter expressed concerns related to vector control, dust, odors, and flies from the adjacent agricultural property. The proposed Modified Project has no control over the uses of adjacent properties. However, Section 3.3.7 below includes analysis of dust, odors, and other potentially objectionable emissions associated with the proposed Modified Project.

The City received one comment letter in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts to air quality. The South Coast Air Quality Management District (SCAQMD) provided a letter dated August 10, 2016 (see Appendix A1). The SCAQMD letter outlines its recommendations for the proposed Project's air quality analysis. The SCAQMD's comment letter includes a reference to several sources to consider for purposes of mitigating significant air quality impacts (*SCAQMD CEQA Air Quality Handbook* [SCAQMD 1993] and subsequent SCAQMD Updates). The SCAQMD requested an analysis of both regional and localized significance thresholds and provided additional comments regarding the placement of sensitive receptors close to high volume urban roads and freeways.

Comments on an NOP by responsible State agencies shall provide the lead agency with specific details about the scope and content of the environmental information related to the responsible or trustee

agency's area of statutory responsibility that must be included in the Draft EIR (*CEQA Guidelines* Sections 15082, 15096, Appendix B: Statutory Authority of State Departments). The California Department of Transportation (Caltrans) provided a letter addressing potential traffic impacts and the agency recommended the Modified Project incorporate solar photovoltaic panels on houses. This latter comment is not related to the responsible agency's area of statutory responsibility.

The City received one comment letter in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to air quality. The SCAQMD provided a letter dated May 14, 2019 (see Appendix A2). Similar to its response to the initial NOP, the SCAQMD letter outlines recommendations for the proposed Project's air quality analysis. The SCAQMD's comment letter requests a copy of the Draft SEIR when available, and includes references to several sources to consider for purposes of mitigating significant air quality impacts (SCAQMD *CEQA Air Quality Handbook* [SCAQMD 1993] and subsequent SCAQMD Updates; CalEEMod software information). The SCAQMD requested an analysis of both construction and operational impacts at both a regional and localized level, identified significance thresholds, and provided additional comments regarding the placement of sensitive receptors close to railways and high-volume urban roads and freeways. The letter also provides guidance on feasible mitigation measures to reduce impacts over and above existing regulations.

3.3.1 Regulatory Setting

3.3.1.1 Federal Regulations

Clean Air Act. Pursuant to the Federal Clean Air Act (CAA) of 1970, the United States Environmental Protection Agency (EPA) established National Ambient Air Quality Standards (NAAQS). The NAAQS were established for six major pollutants, termed "criteria" pollutants. Criteria pollutants are defined as those pollutants for which the Federal and State governments have established Ambient Air Quality Standards (AAQS), or criteria, for outdoor concentrations in order to protect public health. In April 2003, the EPA was cleared by the White House Office of Management and Budget (OMB) to implement the eight-hour ground-level ozone (O_3) standard. The EPA issued the proposed rule implementing the eight-hour O_3 standard in April 2003. The EPA completed final eight-hour nonattainment status on April 15, 2004. The EPA issued the final particulate matter less than 2.5 microns in size ($PM_{2.5}$) implementation rule in fall 2004. The EPA issued final designations on December 15, 2004.

3.3.1.2 State Regulations

Mulford-Carrell Act. The State first set California Ambient Air Quality Standards (CAAQS) in 1969 under the mandate of the Mulford-Carrell Act. The CAAQS are generally more stringent than the NAAQS. In addition to the six criteria pollutants covered by the NAAQS, there are CAAQS for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. Originally, there were no attainment deadlines for CAAQS; however, the California Clean Air Act (CCAA) of 1988 provided a time frame and a planning structure to promote their attainment. The CCAA required nonattainment areas in the State to prepare attainment plans and proposed to classify each such area on the basis of the submitted plan, as follows: moderate, if CAAQS attainment could not occur before December 31, 1994; serious, if CAAQS attainment could not occur before December 31, 1997; and severe, if CAAQS attainment could not be conclusively demonstrated at all. The attainment plans are required to achieve a minimum 5 percent annual reduction in the emissions of nonattainment pollutants unless all feasible measures have been implemented. The EPA has designated the Southern California Association of Governments (SCAG) as the Metropolitan Planning Organization (MPO) responsible for ensuring various air quality and transportation stakeholders in Southern California comply with the requirements of the CAA for the South Coast Air Basin (Basin).

California Code of Regulations Title 24, Part 6. Enacted in 1978, this part of the California Code of Regulations established energy efficiency standards for residential and nonresidential buildings in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and incorporation of new energy efficiency technologies and methods.

California Code of Regulations Title 13, Section 2449(d)(D). This part of the California Code of Regulations requires operators of off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) to limit vehicle idling to five minutes or less.

3.3.1.3 Local Regulations

Lewis-Presley Air Quality Management Act. The 1976 Lewis Air Quality Management Act established the SCAQMD and other air districts throughout the State. The Federal Clean Air Act Amendments of 1977 required that each state adopt an implementation plan outlining pollution control measures to attain the Federal standards in nonattainment areas of that state. The California Air Resources Board (CARB) is responsible for incorporating air quality management plans for local air basins into a State Implementation Plan (SIP) for EPA approval. Significant authority for air quality control within air quality basins has been given to local air districts (e.g., the SCAQMD) that regulate stationary (area) source emissions and develop local nonattainment plans.

Regional Air Quality Management Plan (AQMP). The SCAQMD and SCAG are responsible for formulating and implementing the AQMP for the Basin. The main purpose of an AQMP is to bring the area into compliance with Federal and State air quality standards. Every three years, the SCAQMD prepares a new AQMP, updating the previous plan and 20-year horizon. The SCAQMD adopted the 2016 AQMP in March 3, 2017. The CARB approved the plan on March 10, 2017, and forwarded the AQMP to the EPA.

The Final 2016 AQMP incorporates the latest scientific and technological information and planning assumptions, including SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and updated emission inventory methodologies for various source categories. The Final 2016 AQMP included the new and changing federal requirements, implementation of new technology measures, and continued development of economically sound, flexible compliance approaches.

Key elements of the 2016 AQMP include:

- Calculating and taking credit for co-benefits from other planning efforts (e.g., climate, energy, and transportation).
- A strategy with fair-share emission reductions at the federal, State, and local levels.
- Investment in strategies and technologies meeting multiple air quality objectives.
- Seeking new partnerships and significant funding for incentives to accelerate deployment of zero and near-zero technologies.
- Enhanced socioeconomic assessment, including an expanded environmental justice analysis.
- Attainment of the 24-hour $PM_{2.5}$ standard in 2019 with no additional measures.
- Attainment the annual $PM_{2.5}$ standard by 2025 with implementation of a portion of the ozone strategy.
- Attainment of the 1-hour ozone standard by 2022 with no reliance on "black box" future technology (CAA Section 182(e)(5) measures).

The Final 2016 AQMP proposes attainment demonstration of the federal $PM_{2.5}$ standards through a more focused control of sulfur oxides (SOx), directly-emitted $PM_{2.5}$, and nitrogen oxides (NOx). The Final 2016 AQMP proposes policies and measures currently contemplated by responsible agencies to achieve federal standards for healthful air quality in the Basin and those portions of the Salton Sea Air Basin that are under SCAQMD jurisdiction. This Final Plan also addresses several Federal planning requirements and incorporates significant new scientific data, primarily in the form of updated emissions inventories, ambient measurements, new meteorological episodes, and new air quality modeling tools.

SCAQMD Rule 402. SCAQMD Rule 402 prohibits a person from discharging from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

SCAQMD Rule 403. SCAQMD Rule 403 requires the implementation of best available [dust] control measures (BACM) during active operations capable of generating fugitive dust. Compliance with this rule is achieved through application of BACM such as application of water or chemical stabilizers to disturbed soils, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 miles per hour (mph), sweeping loose soil from paved site access roadways, cessation of construction activity when winds exceed 25 mph, and establishing a permanent ground cover on finished sites. Rule 403 also requires submission of a Fugitive Dust Plan to the SCAQMD for projects that disturb over 50 acres of soil or move 5,000 cubic yards per day of material at least 3 times within a 365-day period.

SCAQMD Rule 1108: SCAQMD Rule 1108 governs the sale, use, and manufacturing of asphalt and limits the volatile organic compound (VOC) content in asphalt used in the Basin during construction.

SCAQMD Rule 1113: SCAQMD Rule 1113 governs the sale, use, and manufacturing of architectural coating and limits the VOC content in paints and paint solvents. This rule regulates the VOC content of paints available during construction.

Hemet General Plan. The General Plan defines goals and policies related to air quality within the City. The following goals and policies apply to the proposed Modified Project:

- **Goal OS-7:** Improve air quality and seek to reduce greenhouse gas emissions.
    - **Policy OS-7.1: Development Design and Practices.** Reduce the amount of air pollution emissions from mobile and stationary sources, and enhance the South Coast Air Basin by using best management practices in development proposals and project implementation.
    - **Policy OS-7.2: Public Transportation.** Pursue expansion of the public transportation system, as well as bicycle and pedestrian trails that are linked to the regional transit network, to reduce vehicle trips.
    - **Policy OS-7.5: Trip Reduction.** Encourage a mix of housing types that are affordable to all segments of the population and are near job opportunities to further reduce vehicle trips.
    - **Policy OS-7.8: Green Building Techniques.** Encourage green building techniques that improve indoor air quality, energy efficiency and conservation in buildings, and utilization of renewable energy sources.
    - **Policy OS-7.9: Stationary Source Pollution.** Continue to minimize stationary source pollution through the following:
        - Ensure that industrial and commercial land uses are meeting existing South Coast Air Quality Management air thresholds by adhering to established rules and regulations.

- Encourage the use of new technology to neutralize harmful criteria pollutants from stationary sources.
- Reduce exposure of the City's sensitive receptors to poor air quality nodes through smart land use decisions.

- **Policy OS-7.10: Sensitive Receptors.** Locate sensitive receptors (i.e., residences, playgrounds, childcare centers, athletic facilities, churches, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes) away from significant pollution sources to the maximum extent feasible.
- **Policy OS-7.11: Fugitive Dust.** Reduce the amount of fugitive dust released into the atmosphere by construction and demolition, materials handling, paved roads, unpaved roads, and stock piles through development standards and compliance with CEQA regulations.
- **Policy OS-7.12: Best Management Practices.** Ensure all applicable best management practices are used in accordance with South Coast Air Quality Management District to reduce emitting criteria pollutants during construction.

3.3.2 Certified EIR Findings

The 1979 EIR for the *Specific Land Use Plan, Southwest Area* concluded construction and operation of the Approved Project would generate emissions in the Basin that would result in an incremental decrease in air quality. Mitigation Measure 1 was prescribed to ensure proper wetting of the Project site during grading to reduce fugitive dust emissions. Mitigation Measure 2 was prescribed requiring review of the Approved Project for consistency with the 1979 AQMP, if the AQMP was adopted prior to approval of the Approved Project. Mitigation Measure 3 was prescribed requiring the Approved Project install bus stops in proximity to the site. The 2008 EIR concluded the Approved Project is consistent with the SCAQMD AQMP (2003 and draft 2007 editions); however, construction of the Approved Project would exceed the SCAQMD regional construction emission thresholds for VOC, NOx, particulate matter (PM) less than 10 microns in size (PM_{10}), and $PM_{2.5}$. Additionally, construction emissions would exceed localized significance thresholds (LST) for PM_{10} and $PM_{2.5}$. Operation of the Approved Project would generate emissions in excess of SCAQMD's regional operation emission thresholds for VOC, NOx, and carbon monoxide (CO), but CO concentrations would not exceed State or national 1-hour or 8-hour ambient air standards. Because the Approved Project would exceed the SCAQMD regional thresholds of NOx, VOC, PM_{10}, and $PM_{2.5}$ during construction and NOx, VOC, and CO during operation, the Approved Project may cumulatively contribute to significant health effects from ozone, PM_{10}, and $PM_{2.5}$ exposure.

The Certified EIR prescribed Mitigation Measures AQ-1 through AQ-11 to reduce construction emissions to below LST. However, emissions of VOC, NOx, and CO would continue to exceed the SCAQMD's regional emission thresholds during construction and VOC and NOx during operations. Therefore, impacts to air quality from construction and operation of the Approved Project would be significant and unavoidable.

3.3.3 Existing Environmental Setting

Climate and Meteorology. The 245.07-acre proposed Modified Project site is undeveloped and highly disturbed with ruderal vegetation. The Project site has been regularly disked for the purposes of weed abatement for at least the past twenty years. Surrounding land uses consist primarily of agricultural and undeveloped land to the north, south, and west, with single-family residential uses to the east.

The Modified Project site is located within the South Coast Air Basin, which includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. Air quality

in the Project vicinity is affected not only by various emission sources (e.g., mobile or industry), but also by atmospheric conditions such as wind speed, wind direction, temperature, and rainfall. The Basin's combination of topography, low mean mixing height, abundant sunshine, and emissions from one of the largest urban areas in the United States has historically resulted in some of the worst air pollution in the Nation.

Although the Basin has a semiarid climate, air near the surface is generally moist because of the presence of a shallow marine layer. With very low average wind speeds, there is a limited capacity to disperse air contaminants horizontally. The dominant daily wind pattern is an onshore daytime breeze of 8–12 miles per hour (mph) and an offshore nighttime breeze of 3–5 mph. The typical wind pattern fluctuates only with occasional winter storms or strong northeasterly Santa Ana winds from the mountains and deserts northeast of the Basin. Summer wind patterns represent worst-case conditions because this is the period of higher temperatures and more sunlight, which results in more O_3 formation.

During spring and early summer, pollution produced during any one day is typically blown out of the Basin through mountain passes or lifted by warm, vertical currents adjacent to mountain slopes. The vertical dispersion of air pollutants in the Basin is limited by temperature inversions in the atmosphere close to the Earth's surface. The combination of stagnant wind conditions and low inversions produces the greatest pollutant concentrations. On days of no inversion or high wind speeds, ambient air pollutant concentrations are lowest. During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino Counties. In the winter, the greatest pollution problems are CO, PM_{10} and $PM_{2.5}$, and nitrogen dioxide (NO_2) because of extremely low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and NO_x to form photochemical smog.

Sensitive Receptors. Air quality varies as a direct function of the amount of pollutants emitted into the atmosphere, the size and topography of the air basin, and the prevailing meteorological conditions. Air quality problems arise when the rate of pollutant emissions exceeds the rate of dispersion. Reduced visibility, eye irritation, and adverse health impacts upon those persons termed "sensitive receptors" are the most serious hazards of existing air quality conditions in the area.

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution, as identified by the CARB, may include children, the elderly, and people with cardiovascular and chronic respiratory diseases. Sensitive receptors may include residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes.

To assess the stationary source operational and construction air impacts, eight sensitive receptor locations (R1 through R8) were identified, which are comprised of residential dwelling units. The nearest sensitive receptors to the Modified Project site are one single-family residential dwelling unit (R6) approximately 55 feet (16.8 meters) south of the Modified Project site and several single-family residential dwelling units (R4) comprising Planning Area V of the Approved Project across Warren Road approximately 81 feet (24.7 meters) east of the Modified Project site.

Regional Air Quality. Both the State of California and the federal government have established health-based AAQS for seven air pollutants.[1] These pollutants include O_3, CO, NO_2, sulfur dioxide (SO_2), PM_{10},

[1] Table 2-1, *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis*. Urban Crossroads. July 19, 2018.

$PM_{2.5}$, and lead. In addition, the State has set standards for sulfates, hydrogen sulfide (H_2S), vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.

Table 3.3.A summarizes the primary health effects and sources of common air pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety (EPA), these health effects will not occur unless the standards are exceeded by a large margin or for a prolonged period of time. State AAQS are more stringent than federal AAQS. Among the pollutants, O_3 and particulate matter ($PM_{2.5}$ and PM_{10}) are considered pollutants with regional effects, while the others have more localized effects.

The CCAA provides the SCAQMD and other air districts with the authority to manage transportation activities at indirect sources. Indirect sources of pollution include any facility, building, structure, or installation, or combination thereof, that attracts or generates mobile source activity that results in emissions of any pollutant. In addition, area source emissions that are generated when minor sources collectively emit a substantial amount of pollution are also managed by the local air districts. Examples of this would be the motor vehicles at an intersection, a mall, and on highways. The SCAQMD also regulates stationary sources of pollution throughout its jurisdictional area. Direct emissions from motor vehicles are regulated by CARB.

In addition to setting out primary and secondary AAQS, the State has established a set of episode criteria for O_3, CO, NO_2, SO_2, and PM_{10}. These criteria refer to episode levels representing periods of short-term exposure to air pollutants that threaten public health. Health effects are progressively more severe as pollutant levels increase from Stage One to Stage Three. An alert level is that concentration of pollutants at which initial stage control actions are to begin. An alert will be declared when any one of the pollutant alert levels is reached at any monitoring site and when meteorological conditions are such that the pollutant concentrations can be expected to remain at these levels for 12 or more hours or to increase; or, in the case of oxidants, the situation is likely to recur within the next 24 hours unless control actions are taken.

Pollutant alert levels:

- O_3: 392 micrograms per cubic meter (µg/m3) (0.20 parts per million [ppm]), 1-hour average.
- CO: 17 milligrams per cubic meter (mg/m3) (15 ppm), 8-hour average.
- NO_2: 1,130 µg/m3 (0.6 ppm), 1-hour average; 282 µg/m3 (0.15 ppm), 24-hour average.
- SO_2: 800 µg/m3 (0.3 ppm), 24-hour average.
- Particulates measured as PM_{10}: 350 $\mu g/m^3$, 24-hour average.

Table 3.3.A: Summary of Health Effects of the Major Criteria Air Pollutants

Pollutant	Health Effects	Examples of Sources
Particulate Matter ($PM_{2.5}$ and PM_{10}: less than or equal to 2.5 or 10 microns, respectively)	Hospitalizations for worsened heart diseases Emergency room visits for asthma Premature death	Cars and trucks (especially diesels) Fireplaces, wood stoves Windblown dust from roadways, agriculture, and construction
Ozone (O_3)	Cough, chest tightness Difficulty taking a deep breath Worsened asthma symptoms Lung inflammation	Precursor sources[1]: motor vehicles, industrial emissions, and consumer products

Table 3.3.A: Summary of Health Effects of the Major Criteria Air Pollutants

Pollutant	Health Effects	Examples of Sources
Carbon Monoxide (CO)	Chest pain in heart patients[2] Headaches, nausea[2] Reduced mental alertness[2] Death at very high levels[2]	Any source that burns fuel, such as cars, trucks, construction and farming equipment, and residential heaters and stoves
Nitrogen Dioxide (NO_2)	Increased response to allergens	See carbon monoxide sources
Toxic Air Contaminants	Cancer Chronic eye, lung, or skin irritation Neurological and reproductive disorders	Cars and trucks (especially diesels) Industrial sources such as chrome platers Neighborhood businesses such as dry cleaners and service stations Building materials and products

Source: CARB Fact Sheet: Air Pollution and Health. Website: http://www.arb.ca.gov/research/health/fs/fs1/fs1.htm (accessed March 2019).

[1] Ozone is not generated directly by these sources. Rather, chemicals emitted by these precursor sources react with sunlight to form ozone in the atmosphere.

[2] Health effects from CO exposures occur at levels considerably higher than ambient.

CARB = California Air Resources Board

Local Air Quality. The SCAQMD, together with the CARB, maintains ambient air quality monitoring stations in the Basin. The closest SCAQMD air quality monitoring station to the project site is the Hemet/ San Jacinto Valley Source Receptor Area (SRA 28).

There is no available data for air quality conditions for SRA 28; therefore, the nearest long-term air quality monitoring sites were be used to determine the local air quality relative to the Modified Project site. For O_3 and PM_{10}, the nearest long-term air quality monitoring site is the SCAQMD Perris monitoring station (SRA 24) located approximately 11.5 miles southeast of the Modified Project site. For CO and NO_2, the nearest long-term air quality monitoring site is the Lake Elsinore monitoring station (SRA 25) located approximately 16 miles southwest of the Modified Project site. Data for Ultra-Fine Particulates ($PM_{2.5}$) was obtained from the SCAQMD Metropolitan Riverside County 2 monitoring station (SRA 23) located approximately 29 miles northwest of the Modified Project site.[2] The air quality trends from these stations are used to represent the ambient air quality in the Project vicinity. The pollutants monitored are CO, O_3, PM_{10}, $PM_{2.5}$, and NO_2.[3,4] Data for SO_2 has been omitted, as attainment is regularly met in the Basin, and few monitoring stations measure SO_2 concentrations.

As indicated in the technical Air Quality Study prepared for the proposed Modified Project, the State 24-hour PM_{10} standard was exceeded at least three times in the past three years, and the federal 24-hour $PM_{2.5}$ standard was exceeded six times in 2016. The State 1-hour O_3 standard was exceeded 16 to 25 days per year in the past three years. The State 8 hour O_3 standard was exceeded 50 to 63 days per year in the past three years, and the federal 8 hour O_3 standard was exceeded 31 to 55 days per year in the past three years.[5]

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[2] The Lake Elsinore (SRA 25 (located in the City of Lake Elsinore) and Metropolitan Riverside County 2 (SRA 23, located in the City of Riverside) monitoring stations were utilized in lieu of the Perris (SRA 24) monitoring station only where data was not available from the nearest SRA.

[3] United States Environmental Protection Agency. Air Quality Data. https://www.epa.gov/outdoor-air-quality-data (accessed March 22, 2019).

[4] California Air Resources Board (CARB). iADAM: Air Quality Data Statistics. http://www.arb.ca.gov/adam (accessed March 22, 2019).

[5] Table 2-3. *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis.* Urban Crossroads. July 19, 2018.

Data collected at permanent monitoring stations are used by the EPA to classify regions as "attainment" or "nonattainment," depending on whether the regions met the requirements stated in the primary NAAQS. Nonattainment areas are imposed with additional restrictions as required by the EPA. Table 3.3.B identifies the attainment status of the Basin.

Table 3.3.B: Attainment Status of Criteria Pollutants in the South Coast Air Basin

Pollutant	State	Federal
O_3 1-hour	Nonattainment	Extreme Nonattainment
O_3 8-hour	Nonattainment	Extreme Nonattainment
PM_{10}	Nonattainment	Attainment/Maintenance
$PM_{2.5}$	Nonattainment	Serious Nonattainment
CO	Attainment	Attainment/Maintenance
NO_2	Attainment	Unclassified/Attainment
SO_2	Attainment	Unclassified/Attainment
Lead	Attainment	Attainment[1]

Source: Table 2-2. *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis.* Urban Crossroads. July 19, 2018.

[1] Except in Los Angeles County.

CO = carbon monoxide
N/A = not applicable
NO_2 = nitrogen dioxide
O_3 = ozone
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
SO_2 = sulfur dioxide

3.3.4 Methodology

The evaluation of air quality impacts associated with the proposed Modified Project includes the following:

- Determine the short-term construction air quality impacts based on SCAQMD emissions thresholds;
- Determine the long-term air quality impacts, including vehicular traffic, on both on-site and off-site air quality sensitive uses based on SCAQMD emissions thresholds; and
- Determine the required mitigation measures to reduce short-term and long-term on-site air quality impacts from all sources.

On October 17, 2017, the SCAQMD in conjunction with the California Air Pollution Control Officers Association (CAPCOA) released the latest version of CalEEMod (v2016.3.2). The model is used to calculate construction and operational criteria pollutants (NOx, VOC, PM_{10}, $PM_{2.5}$, SOx, and CO) and greenhouse gas (GHG) emissions from direct and indirect sources. The model is also used to quantify applicable air quality and GHG reductions achieved from mitigation measures. The latest version of CalEEMod has been used for the Modified Project to determine construction and operational air pollutant emissions. Output from the model runs for both construction and operational activity are provided in the *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis* (Appendix B1).

The air quality assessment included estimating emissions associated with short-term construction and long-term air pollutant emissions from stationary sources and mobile sources related to the proposed Modified Project. Mobile source emissions from motor vehicles are the largest long-term generators of air pollutants. A smaller amount of emissions would be generated from area source emissions at the project site such as natural gas usage, consumer products, and landscaping.

The SCAQMD has developed the LST Methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable NAAQS or CAAQS and are developed based on the ambient concentrations of that pollutant for each source receptor area. SCAQMD current guidelines, *Final Localized Significance Threshold Methodology* (revised July 2008), were adhered to in the assessment of air quality impacts for the proposed Modified Project. The *Methodology* explicitly states that "It is possible that a project may have receptors closer than 25 meters (82.5 feet). Projects with boundaries located closer than 25 meters (82.5 feet) to the nearest receptor should use the LST for receptors located at 25 meters (82.5 feet)."[6] Accordingly, LSTs for receptors at 25 meters (82.5 feet) are utilized in this analysis and provide for a conservative, i.e., "health protective" standard of care.

The SCAQMD produced look-up tables for projects less than or equal to five acres in size. In order to determine the appropriate methodology for determining localized impacts that could occur as a result of project-related construction, the following process is undertaken:

- The CalEEMod model is utilized to determine the maximum daily on-site emissions that will occur during construction activity.
- The SCAQMD's Fact Sheet for Applying CalEEMod to LSTs is used to determine the maximum site acreage that is actively disturbed based on the construction equipment fleet and equipment hours as estimated in CalEEMod.
- If the total acreage disturbed is less than or equal to five acres per day, then the SCAQMD's screening look-up tables are utilized to determine if a project has the potential to result in a significant impact (the SCAQMD recommends that projects exceeding the screening look-up tables undergo dispersion modeling to determine actual impacts). The look-up tables establish a maximum daily emissions threshold in pounds per day that can be compared to CalEEMod outputs.

As detailed in the *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis* (Appendix B1), the proposed Modified Project could actively disturb approximately 6.5 acres per day during the grading for Phase 1 and 2 of construction. Therefore, the dispersion modeling is used to determine emissions for LSTs in accordance with SCAQMD methodology for project sites greater than five acres in size. Dispersion modeling would be required for CO, NO_2, PM_{10}, and $PM_{2.5}$ emissions during construction and for operational activities. The SCAQMD look-up tables are used to determine whether the daily emissions for the proposed construction activities could result in significant localized air quality impacts. NOx to NO_2 conversion would be accounted for during the modeling to determine the maximum NO_2 concentrations at the nearest sensitive receptors.

3.3.5 Thresholds of Significance

A number of modeling tools are available to assess air quality impacts of projects. In addition, certain air districts (e.g., SCAQMD) have created guidelines and requirements to conduct air quality analyses. SCAQMD's current guidelines, the *CEQA Air Quality Handbook* (SCAQMD 1993) with associated updates and the City guidelines were adhered to in the assessment of air quality impacts for the proposed Modified Project.

The City has not established local CEQA significance thresholds; therefore, this SEIR incorporates the air quality questions included in the Certified EIR in accordance with Appendix G ("CEQA Checklist")

[6] *Final Localized Significance Threshold Methodology.* South Coast Air Quality Management District. June 2003, Revised July 2008. Page 3-3. http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf (accessed March 26, 2019).

of the State *CEQA Guidelines*. Per the Certified EIR, a significant air quality impact would occur if the project was determined to:

- Conflict with or obstruct implementation of the applicable AQMP;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

CEQA Guidelines define a significant effect on the environment as "a substantial, or potentially substantial, adverse change in the environment." To determine if a project would have a significant impact on air quality, the type, level, and impact of emissions generated by the project must be evaluated.

3.3.5.1 Regional Thresholds for Construction and Operational Emissions

The City utilizes the SCAQMD *CEQA Air Quality Handbook* to identify potentially significant impacts on air quality. For the purposes of this analysis, an impact is considered significant if a project:

- Generates total emissions (direct and indirect) in excess of the regional thresholds identified in Table 3.3.C;

Table 3.3.C: SCAQMD Maximum Daily Emissions Thresholds

Air Pollutant	Construction Phase	Operational Phase
Regional Thresholds		
NOx	100 lbs/day	55 lbs/day
VOCs	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SOx	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day
Localized Thresholds		
CO (1-hour)	20.0 ppm	20.0 ppm
CO (8-hour)	9.0 ppm	9.0 ppm
NO_2	0.18 ppm	0.18 ppm
PM_{10}	10.4 µg/m3	2.5 µg/m3
$PM_{2.5}$	10.4 µg/m3	2.5 µg/m3

Source: Table 3-1. *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis.* Urban Crossroads. July 19, 2018.

CO = carbon monoxide
lbs = pounds
NO_2 = nitrogen dioxide
NOx = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
ppm = parts per million
VOCs = volatile organic compounds
SCAQMD = South Coast Air Quality Management District
SOx = sulfur oxides
$\mu g/m^3$ = micrograms per cubic meter

- Generates a violation of any ambient air quality standard when added to the local background;
- Does not conform with the applicable attainment or maintenance plan(s); or

- Exposes sensitive receptors to substantial pollutant concentrations in excess of the localized thresholds identified in Table 3.3.C.

Projects in the Basin with construction or operational emissions that exceed any of these emission thresholds are considered to be significant under SCAQMD guidelines. These thresholds apply as both the project-specific and cumulative impact thresholds. For this reason, if a project exceeds these standards, it is considered to have a project-specific and cumulative impact.

3.3.5.2 Local Microscale Concentration Standards

The significance of localized project impacts under CEQA depends on whether ambient CO levels in the vicinity of the project are above or below State and federal CO standards. If ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient levels already exceed a State or federal standard, project emissions are considered significant if they increase 1-hour CO concentrations by 1.0 ppm or more or 8-hour CO concentrations by 0.45 ppm or more. The following are applicable local emission concentration standards for CO:

- California State 1-hour CO standard of 20.0 ppm.[7]
- California State and federal 8-hour CO standard of 9.0 ppm.

3.3.5.3 Thresholds for Localized Impact Analysis

As discussed previously, the SCAQMD has developed a methodology to assess the potential for localized emissions to cause an exceedance of applicable ambient air quality standards. Impacts would be considered significant if project emissions would exceed the LSTs listed previously in Table 3.3.C. For CO and NO_2, if ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. If ambient levels already exceed a State or federal standard, then project emissions are considered significant if they increase ambient concentrations by a measurable amount. This would apply to PM_{10} and $PM_{2.5}$, both of which are nonattainment pollutants as indicated in Table 3.3.B. For PM_{10} and $PM_{2.5}$, the significance criteria are the pollutant concentration thresholds presented in SCAQMD Rules 403 and 1301. The Rule 403 threshold of 10.4 micrograms per cubic meter ($\mu g/m^3$) applies to construction emissions. The Rule 1301 threshold of 2.5 $\mu g/m^3$ applies to operational activities.

3.3.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features: Project Design Features (PDFs) include design features proposed by the Modified Project that reduce or avoid impacts to air quality. The proposed Modified Project provides a framework of development standards to guide development of the proposed residential and commercial uses. These standards establish development and design criteria to promote a reduction in vehicle miles traveled (VMT) and associated vehicular emissions, as well as a reduction in energy and water demand and waste generation and associated stationary source emissions as follows:

PDF 3.3-1: The Modified Project provides pedestrian connections to surrounding areas consistent with the City's General Plan. The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site.

[7] The federal 1-hour CO standard is 35.0 ppm.

PDF 3.3-2: The Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other, which would contribute to a reduction of automobile use for local residents and employees.

PDF 3.3-3: The Modified Project includes commercial retail uses to reduce the need for residents of the community to travel farther distances to obtain retails goods such as groceries.

Plans, Policies, or Programs: Plans, Policies, or Programs (PPPs) are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to air quality.

PPP 3.3-1 Building design and construction shall meet 2019 Title 24 Standards of the California Building Code. The project will design building shells and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Title 24 Standards, which is anticipated to consume 30 percent less energy use due to lighting upgrades.

PPP 3.3-2 Pursuant to City Emergency Order 2014-0718-01E, the Modified Project shall incorporate a Water Conservation Strategy to reduce water demand by at least 25 percent when compared to water demand without implementation of the Water Conservation Strategy.

PPP 3.3-3 Pursuant to Assembly Bill 939, the Modified Project shall engage in a 50 percent diversion of solid waste from landfills.

PPP 3.3-4 Pursuant to SCAQMD Rule 403, the following measures shall be incorporated into project plans and specifications:

- All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 miles per hour (mph) per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project construction limits are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 mph or less.

PPP 3.3-5 Pursuant to SCAQMD Rule 402, no person may discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

PPP 3.3-6 Pursuant to SCAQMD Rule 1113, architectural coatings shall have a low VOC default level of 50 grams per liter unless otherwise specified in the SCAQMD Table of Standards.

PPP 3.3-7 Pursuant to Title 13, Section 2449(d)(D) of the California Code of Regulations, operators of off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) shall limit vehicle idling to five minutes or less.

PPP 3.3-8 SCAQMD Rule 1108 governs the sale, use, and manufacturing of asphalt and limits the VOC content in asphalt used in the Basin during construction.

3.3.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.3.7.1 Conflict With or Obstruct Applicable AQMP

Threshold:	Would the project conflict with or obstruct implementation of the applicable air quality plan?

Construction and operation of the Approved Project would generate air pollution emissions in the Basin that would result in an incremental decrease in air quality. The three parcels that comprise the 2009 SPA to the Page Ranch PCD SP are designated as industrial (TTM 35392), low-medium density residential (TTM 35393), and low density and industrial (TTM 35394). From these land use designations, the total build-out population of the three parcels was estimated to be 1,863 persons based on the average household size of 2.306 persons for the City. All three parcels were re-designated as low-medium density with the expected buildout populations of 1,965 persons (852 single-family residences). Compared to the land uses approved under the 1979 EIR for the *Specific Land Use Plan, Southwest Area*, the 2009 SPA represented an increase in population of 102. This increase is more than compensated for by a reduction in population for an adjacent development area within the Page Ranch PCD SP that reduced its buildout population from 3,803 to 1,409 persons, or a decrease of 2,394 persons. Although the 2009 SPA would increase population (by 102) on the project's site over the number originally estimated for the same area within the *Specific Land Use Plan, Southwest Area*, the Approved Project population increase would not increase the overall estimated build-out population of the *Specific Land Use Plan, Southwest Area*. The Certified EIR concluded the Approved Project is consistent with the SCAQMD AQMP (2003 and draft 2007 editions) because the anticipated land use intensity of the Page Ranch PCD SP is consistent with the regional growth projections utilized in the formulation of the AQMP.

The current AQMP applicable to the proposed Modified Project is the Final 2016 AQMP adopted by the SCAQMD Governing Board on March 10, 2017. The Basin is currently a federal and State nonattainment area for PM_{10}, $PM_{2.5}$, and O_3.

The air quality levels projected in the 2016 AQMP are based on development identified in local general plans in conjunction with population growth projections identified by SCAG in its 2016 RTP/SCS. The 2016 RTP/SCS is designed to integrate land use and transportation networks to promote sustainable development and reduce air pollution and GHG emissions. Since AQMP projections are based on local general plans and regional planning programs, projects in the City that are deemed consistent with the Hemet General Plan and 2016 RTP/SCS are found to be consistent with the AQMP.

The following discussion details the proposed Modified Project's consistency with the SCAQMD's 2016 AQMP. An analysis of the proposed Modified Project's consistency with applicable goals of SCAG's 2016 RTP/SCS is provided in Table 3.9.A of Section 3.9 – *Land Use and Planning* of this SEIR.

The City's General Plan is consistent with the SCAG Regional Comprehensive Plan Guidelines and the SCAQMD AQMP. The Modified Project would amend the General Plan Land Use Designation for 19.67 acres from Low Density Residential to Regional Commercial. Additionally, the Modified Project would amend the adopted Page Ranch PCD SP to reduce residential density resulting in a corresponding reduction in the dwelling unit count from 744 to 586 units and change the land use designation from Low Density Residential to General Commercial. The land use changes associated with the proposed Modified Project are not specifically included in the City's land use projections incorporated in the AQMP.

Pursuant to the methodology provided in Chapter 12 of the 1993 SCAQMD *CEQA Air Quality Handbook*, consistency for project development proposals that differ from the land use designation assumed within the SCAQMD's 2016 AQMP is affirmed when a project: (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation; and (2) is consistent with the growth assumptions in the AQMP. Consistency review is presented below:

Consistency Criterion No. 1. The Modified Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

Construction Impacts. The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations that would occur if LSTs or regional significance thresholds were exceeded. As evaluated as part of the project analysis (presented below), the project's localized and regional construction emissions with implementation of PPPs, PDFs, and mitigation will not exceed applicable LSTs and regional thresholds, respectively. Thus, construction of the proposed Modified Project would occur in accordance with the AQMP.

Operational Impacts. The proposed Modified Project's operational emissions would not exceed applicable LSTs due to the lack of significant stationary emissions. However, the Modified Project would exceed the applicable SCAQMD regional thresholds for operational activity for NOx. Therefore, operation of the Modified Project is not consistent with the first criterion in the same manner as the Approved Project.

Consistency Criterion No. 2. The proposed Modified Project will not exceed the land use assumptions in the AQMP. The 2016 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Development consistent with the growth projections in City's General Plan is considered to be consistent with the AQMP.

Construction Impacts. Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the site's land use designation, development of the site to its maximum surface area potential would likely occur, with disturbance of the entire site occurring during construction activities.

The proposed Modified Project will incorporate several compliance measures and regulatory requirements that would reduce impacts to air quality. As detailed in PPP 3.3-1 and PPP 3.3-2, building design and construction shall meet 2019 Title 24 Standards in accordance with General Plan Policy OS-7.9. As detailed in PPP 3.3-4, BACMs will be incorporated during project construction to reduce fugitive dust in accordance with General Plan Policy OS-7.11. Adoption of the Certified EIR Mitigation Measures AQ-01, AQ-09, and AQ-10 will further ensure reduction of fugitive dust in accordance with SCAQMD requirements. Finally, PPP 3.3-6 will ensure the project incorporates low-VOC architectural coatings and PPP 3.3-8 will limit VOCs in asphalt applications in accordance with General Plan Policy OS-7.12. Adoption of the Certified EIR Mitigation Measure AQ-06 will further ensure reduction of VOCs in accordance with SCAQMD requirements. Through implementation of applicable PPPs and mitigation measures, construction of the proposed Modified Project would occur in accordance with goals and policies of the City General Plan for the reduction in criteria pollutant emissions and therefore would not conflict with the AQMP.

Operational Impacts. The Approved Project (and therefore the AQMP) anticipates a gross density of 3.9 dwelling units per acre throughout the Page Ranch PCD SP and the development of 744 dwelling units on 237.4 acres (3.13 dwelling units per acre). The proposed Modified Project would

reduce the total number of dwelling units from 744 to 586 on 225.4 acres,[8] which equals 2.6 dwelling units per acre and the limits previously considered in the AQMP. Although the proposed development of 100,000 square feet of commercial development on 19.67 was not specifically considered in the AQMP, the proposed Modified Project site and surrounding area is residential in nature and lacks supporting retail/commercial services. The proposed Modified Project also provides a framework of district regulations and development standards to promote a reduction in VMT (refer to Section 3.15.7.1 and Appendix I3) and associated vehicular air pollution emissions (PDF 3.3-1 through PDF 3.3-3), as well as a reduction in energy and water demand and waste generation and associated stationary source emissions (PPP 3.3-1, PPP 3.3-2, and PPP 3.3-3). Adoption of the Certified EIR 1979 Mitigation Measure 3 and 2008 Mitigation Measure AQ-07 will further ensure execution of PDFs 3.3-2 and 3.3-3 to reduce vehicle trips and associated air pollution emissions.

As detailed in PDF 3.3-1, the Modified Project provides pedestrian connections to surrounding areas consistent with General Plan Policy OS-7.2. The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site. As detailed in PDFs 3.3-2 and 3.3-3, the Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other to reduce the need for residents of the community to travel farther distances to obtain retails goods such as groceries, which would contribute to a reduction of automobile use for project and local residents and employees consistent with General Plan Policies OS-7.1 and OS-7.5. Adoption of the Certified EIR 1979 Mitigation Measure 3 and 2008 Mitigation Measure AQ-07 will further ensure reduction of automobile use and associated air pollution emissions. Implementation of PPP 3.3-1 though PPP 3.3-3 would ensure the Modified Project is constructed to the latest California Building Code requirements in accordance with Title 24, incorporates water conservation strategies, and diverts at least 50 percent of solid waste from landfills consistent with General Plan Policies OS-7.8 and OS-7.9 to reduce air pollution emissions.

The Modified Project's proposed 100,000 square feet of commercial development on 19.67 acres would contribute to criteria air pollutant emissions not previously envisioned in the AQMP. However, the proposed Modified Project site and surrounding area is residential in nature and lacks supporting retail/commercial services. The proposed commercial land use would generally addresses key issues and implements policies of the AQMP that reduce VMT and associated air pollution emissions. This includes developing commercial uses in proximity to residential uses and facilitating alternative modes of transportation between such uses. Therefore, operation of the proposed Modified Project would not conflict with the land use assumptions of the City General Plan or the AQMP.

As discussed above, the Modified Project's proposed land use designations for the subject site do not increase the development intensities as reflected in the General Plan and Page Ranch PCD SP. The Modified Project will result in operational emissions of NOx in excess of SCAQMD regional thresholds in the same manner as the Approved Project. Mitigation is prescribed in Section 3.3.10 below to reduce emissions of criteria pollutants to the extent feasible, but NOx emissions would still occur at levels above SCAQMD thresholds after mitigation in the same manner as the Approved Project. No additional mitigation is feasible to reduce this significant impact and the related exceedances of NOx emissions. Therefore, the Modified Project has a **significant and unavoidable** impact related to AQMP Consistency Criterion No. 1 even with implementation of the PPPs and PDFs in Section 3.3.6 and all feasible mitigation. Although the Approved Project was found to be consistent with the AQMP, that

[8] 245.07-acre Modified Project Site – 19.67 acres proposed for commercial development = 225.4 acres proposed for residential development.

consistency determination conflicts with the fact that Approved Project's operational NOx emissions exceeded regional thresholds.

3.3.7.2 Violate an Air Quality Standard or Contribute to an Existing or Projected Violation

Threshold:	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

The 1979 Certified EIR concluded the Approved Project would incrementally affect air quality during construction and prescribed Mitigation Measure 1 to ensure proper wetting of the project site during grading to reduce fugitive dust emissions. Mitigation Measure 2 was prescribed requiring review of the Approved Project for consistency with the 1979 AQMP if the AQMP was adopted prior to project approval. Mitigation Measure 3 was prescribed requiring the Approved Project install bus stops in proximity to the site to reduce air quality impacts during operation of the project. The 2008 EIR concluded construction of the Approved Project would exceed the SCAQMD regional construction emission thresholds for VOC, NOx, PM_{10}, and $PM_{2.5}$. Additionally, operation of the Approved Project would generate emissions in excess of SCAQMD's regional operation emission thresholds for VOC, NOx, and CO, but CO concentrations would not exceed State or national 1-hour or 8-hour ambient air standards. Because the Approved Project would exceed the SCAQMD regional thresholds of NOx, VOC, PM_{10}, and $PM_{2.5}$ during construction and NOx, VOC, and CO during operation, the Certified EIR prescribed AQ-1 through AQ-11 to reduce construction emissions to below LST. However, emissions of VOC, NOx, and CO would continue to exceed the SCAQMD's regional emission thresholds during construction and VOC and NOx during operations. Therefore impacts to air quality from construction and operation of the Approved Project would be significant and unavoidable. The 2008 Certified EIR concluded development of the Approved Project would exceed the SCAQMD regional thresholds of NOx, VOC, PM_{10}, and $PM_{2.5}$ during construction and NOx, VOC, and CO during operation. However, advancements in energy efficiency to construction equipment, building design, and motor vehicles in the last ten years are expected to result in fewer emissions of criteria pollutants during construction and operation of the Modified Project when compared to the Approved Project. The construction and operational emissions of the proposed Modified Project are provided below.

Construction-related Emissions. The construction air quality impact analysis prepared for the Modified Project was conducted by estimating air pollution emissions during each distinct construction activity or phase. Estimates were made regarding the hours of use for each piece of construction equipment and vehicles, the quantities of earth and debris to be moved, on-road vehicle trips (worker, soil hauling, and vendor trips), and other activities that generate air pollution emissions. The grading phase is estimated to require approximately 52,300 cubic yards of soil import. Construction for Phase 1 is expected to start in June 2019 and will be completed in September 2024. Phase 2 is projected to begin in September 2024 and will be completed in February 2026. Table 3.2 in the technical Air Quality Study prepared for the proposed Modified Project contains a detailed estimate of the tentative project construction schedule.[9] Table 3.3 in the technical Air Quality Study prepared for the proposed Modified Project lists the potential construction equipment to be used during project construction under each project phase.[10]

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind. Fugitive dust emissions rates vary as a function of many parameters (soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation, etc.). As detailed in PPP 3.3-4, the proposed Modified Project will be required to comply with SCAQMD Rule 403 to control

[9] Table 3-2, *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis*. Urban Crossroads. July 19, 2018.

[10] Table 3-3, *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis*. Urban Crossroads. July 19, 2018.

fugitive dust. Adoption of the Certified EIR Mitigation Measures AQ-01, AQ-09, and AQ-10 will further ensure reduction of fugitive dust in accordance with SCAQMD requirements. Architectural coatings contain VOCs that are part of the O_3 precursors. As detailed in PPP 3.3-6 and PPP 3.3-8, the proposed Modified Project will be required to comply with SCAQMD Rules 1113 and 1108 to limit VOCs in architectural coatings and asphalt applications unless otherwise specified in the SCAQMD Table of Standards. Adoption of the Certified EIR Mitigation Measure AQ-06 will further ensure reduction of VOCs in accordance with SCAQMD requirements.

In addition to compliance with SCAQMD Rule 403 and Rule 1113, the proposed Modified Project would be subject to compliance with SCAQMD Rule 1403 (Asbestos), Rule 431.2 (Low Sulfur Fuel), and Rule 1186/1186.1 (Street Sweepers). These SCAQMD rules are BACMs required for construction of all projects in the Basin as a matter of regulatory policy. Emissions anticipated from construction of the Modified Project are presented in Table 3.3.D without mitigation but with implementation of applicable construction BACMs [PPP 3.3-4 (SCAQMD Rule 403), PPP 3.3-6 (SCAQMD Rule 1113), and PPP 3.3-8 (SCAQMD Rule 1108)].

Table 3.3.D: Estimated Construction Emissions (No Mitigation)

Year	Total Regional Pollutant Emissions (lbs/day)					
	VOC	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
2019	12.96	128.06	80.09	0.34	23.21	8.97
2020	11.76	85.79	81.83	0.33	22.86	7.26
2021	10.74	77.14	75.73	0.33	22.4	6.87
2022	9.99	71.60	71.05	0.32	22.26	6.70
2023	30.50	59.56	76.35	0.34	25.70	7.58
2024	29.83	78.07	73.15	0.17	16.43	8.20
2025	1.60	14.45	18.07	0.04	1.03	0.66
2026	12.80	10.14	17.42	0.03	0.72	0.52
Peak Daily Emissions	**30.50**	**128.06**	**89.09**	**0.34**	**25.70**	**8.97**
SCAQMD Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Significant Emissions?	**No**	**Yes**	**No**	**No**	**No**	**No**

Source: Table 3-4, *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis.* Urban Crossroads. July 19, 2018.
CO = carbon monoxide
NOx = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in size
SOx = sulfur oxides
lbs/day = pounds per day
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
SCAQMD = South Coast Air Quality Management District
VOC = volatile organic compounds

Unmitigated air pollutant emissions estimated from construction of the Modified Project will exceed regional thresholds for NOx, and mitigation is required (Refer to Section 3.3.10). Table 3.3.E details emissions anticipated from construction of the Modified Project with implementation of Mitigation Measures AQ-01, AQ-06, AQ-09, AQ-10, and Mitigation Measure 3.3.10.1.

Table 3.3.E: Estimated Construction Emissions (With Mitigation)

Year	Total Regional Pollutant Emissions (lbs/day)					
	VOC	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
2019	12.60	91.79	89.87	0.34	23.06	7.47
2020	11.45	83.14	82.79	0.33	22.74	7.16
2021	10.74	75.03	76.82	0.33	22.35	6.79
2022	9.76	70.15	72.23	0.32	22.19	6.64

Table 3.3.E: Estimated Construction Emissions (With Mitigation)

Year	Total Regional Pollutant Emissions (lbs/day)					
	VOC	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
2023	30.29	58.48	77.58	0.34	25.64	7.54
2024	26.33	66.93	90.81	0.17	15.87	7.85
2025	1.43	14.02	19.41	0.04	1.00	0.64
2026	12.80	10.14	17.42	0.03	0.72	0.52
Peak Daily Emissions	**30.29**	**91.79**	**90.81**	**0.34**	**25.64**	**7.85**
SCAQMD Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Significant Emissions?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Table 3-5, *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis.* Urban Crossroads. July 19, 2018.

CO = carbon monoxide
NOx = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in size
SOx = sulfur oxides
lbs/day = pounds per day
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
SCAQMD = South Coast Air Quality Management District
VOC = volatile organic compounds

Impacts to air quality from construction of the Modified Project's off-site components are discussed in the *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality and Greenhouse Gas Impact Analysis Supplemental Assessment* (Appendix B2). Due to the substantially smaller off-site disturbance area, construction emissions associated with off-site improvements as described in Section 2.6.4 of this SEIR would not exceed the maximum daily emissions identified for on-site-related construction activities of the Modified Project. Any increase would be negligible and not result in any substantive change in the peak daily emissions detailed in Table 3.3.E.

With implementation of Mitigation Measures AQ-01, AQ-06, AQ-09, AQ-10, and Mitigation Measure 3.3.10.1, air pollutant emissions resulting from construction of the Modified Project will not exceed regional thresholds. Air pollutant emissions resulting from construction of the Approved Project were found to exceed regional thresholds for VOC, NOx, PM_{10}, and $PM_{2.5}$. Therefore, the proposed Modified Project would result in a less severe (i.e., **less than significant with mitigation**) impact to regional air quality during project construction.

Operational Emissions. Long-term air pollutant emissions impacts estimated from the proposed Modified Project would result in increases in stationary (area), energy, and mobile source emissions. Stationary source emissions would result from the use of consumer products, use of landscaping equipment, general energy demand, and solid waste generation.

Based on the Traffic Impact Analysis (TIA) prepared for the proposed Modified Project (Appendix I1), Phase 1 (2024) of the Modified Project is estimated to generate a net total of 5,598 trips per day on a typical weekday. Project buildout (Phase 1 and Phase 2) is estimated to generate a net total of 8,211 trips per day. These project daily trips were entered in the CalEEMod model to calculate mobile source emissions. Stationary sources include architectural coatings, consumer products, hearth, and landscaping. Energy sources include natural gas consumption for heating and cooking.[11]

[11] Because electrical generating facilities for the Project area are located either outside the region (State) or offset through the use of pollution credits (RECLAIM) for generation within the Basin, criteria pollutant emissions from off-site generation of electricity is generally excluded from the evaluation of significance, and only natural gas use is considered. The emissions associated with natural gas use were calculated using the CalEEMod model.

Table 3.3.F summarizes the operation emissions estimated for the proposed Modified Project. As shown in Table 3.3.F, operational emissions would exceed the SCAQMD regional thresholds of significance for NOx.

Table 3.3.F: Summary of Peak Operational Emissions

Operational Activities	Emissions (pounds per day)					
	VOC	NOx	CO	SOx	PM_{10}	PM2.5
Summer Scenario						
Area Source	34.70	10.31	52.66	0.06	1.06	1.06
Energy Source	0.54	4.60	1.98	0.03	0.37	0.37
Mobile	14.94	93.23	165.57	0.79	62.55	17.01
Total Maximum Daily Emissions	**50.18**	**108.15**	**220.21**	**0.88**	**63.98**	**18.44**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**
Winter Scenario						
Area Source	34.70	10.31	52.66	0.06	1.06	1.06
Energy Source	0.54	4.60	1.98	0.03	0.37	0.37
Mobile	12.48	92.52	143.78	0.73	62.55	17.02
Total Maximum Daily Emissions	**47.73**	**107.44**	**198.42**	**0.82**	**63.98**	**18.44**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**

Source: Table 3-6, *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis.* Urban Crossroads. July 19, 2018.

As discussed in the *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality and Greenhouse Gas Impact Analysis Supplemental Assessment* (Appendix B2), impacts to air quality from operation of the Modified Project's off-site components are not expected. The nature of the off-site components is primarily flood control, water conveyance, and road improvements that are not in and of themselves expected to generate additional unanticipated vehicle trips because they are consistent with or less than the geometrics assumed in the City of Hemet and County of Riverside General Plan Circulation Elements.[12]

Adoption of the Certified EIR 1979 Mitigation Measure 3 and 2008 Mitigation Measure AQ-07 will further ensure execution of PDFs 3.3-2 and 3.3-3 to reduce vehicle trips and associated vehicular air pollutant emissions. However, NOx emissions would still occur at levels above SCAQMD thresholds after implementation of mitigation. No additional mitigation is feasible to further reduce NOx emissions. Therefore, Modified Project operational NOx emissions are considered **significant and unavoidable**. The proposed Modified Project would result in a less severe but still **significant and unavoidable** impacts to regional air quality during project operations.

Potential Overlap of Construction and Operational Activity. Based on the assumed buildout and phasing of the proposed Modified Project, there is potential for temporary overlap between construction of Phase 2 and operation of Phase 1. Total unmitigated and mitigated emissions of the temporary

[12] Urban Crossroads. *Traffic Impact Analysis Rancho Diamante (TTM No. 36841), City of Hemet*. Page 13. April 2018.

overlap of construction and operational activities are identified respectively in Tables 3-7 and 3-8 in the technical Air Quality Study prepared for the proposed Modified Project for informational purposes (Appendix B1).

3.3.7.3 Cumulatively Considerable Net Increase in Criteria Pollutants

Threshold:	Would the project 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

The 1979 Certified EIR concluded the Approved Project would incrementally affect air quality in the region and prescribed Mitigation Measure 1 to ensure proper wetting of the project site during grading to reduce fugitive dust emissions. Mitigation Measure 2 was prescribed requiring review of the Approved Project for consistency with the 1979 AQMP, if the AQMP was adopted prior to approval of the Approved Project. Mitigation Measure 3 was prescribed requiring the Approved Project install bus stops in proximity to the site to mitigate operation air pollutant emissions. The 2008 EIR concluded construction of the Approved Project would exceed the SCAQMD regional construction emission thresholds for VOC, NOx, PM_{10}, and $PM_{2.5}$. Additionally, operation of the Approved Project would generate emissions in excess of SCAQMD's regional operation emission thresholds for VOC, NOx, and CO, but CO concentrations would not exceed State or national 1-hour or 8-hour ambient air standards. Because the Approved Project would exceed the SCAQMD regional thresholds of NOx, VOC, PM_{10}, and $PM_{2.5}$ during construction and NOx, VOC, and CO during operation, the Certified EIR prescribed AQ-1 through AQ-11 for the 2009 SPA, which would reduce construction emissions to below LST. However, emissions of VOC, NOx, and CO would continue to exceed the SCAQMD's regional emission thresholds during construction and VOC and NOx during operations. Therefore, the Approved Project would contribute to a cumulatively considerable and unavoidable impact to air quality from construction and operation air pollutant emissions.

As shown in previously referenced Table 3.3.F, Modified Project operational emissions would exceed the SCAQMD regional thresholds of significance for NOx. No feasible mitigation measures or project design features beyond those already identified exist that would reduce NOx emissions to levels that are less-than-significant. Project operational NOx emissions, therefore, are considered **significant and unavoidable** in the same manner as the Approved Project.

NOx impacts at the Project level are considered cumulatively significant because NOx emissions are O_3 precursors and would therefore contribute considerably to existing O_3 non-attainment conditions within the Basin. This is a cumulatively significant impact persisting over the life of the Modified Project. O_3 concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant.

NOx consist of nitric oxide (NO), NO_2, and nitrous oxide (N_2O) and are formed when nitrogen (N_2) combines with oxygen (O_2). Their lifespan in the atmosphere ranges from one to seven days for NO and NO_2, to 170 years for N_2O. NOx are typically created during combustion processes and are major contributors to smog formation and acid deposition (acid rain). Of the seven types of NOx compounds, NO_2 is the most abundant in the atmosphere. As ambient concentrations of NO_2 are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO_2 than those indicated by regional monitors. NO_2 may result in numerous adverse health effects.

Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO_2 at levels found in homes with gas stoves, which are higher than ambient levels found in southern California.

Increase in resistance to air flow and airway contraction is observed after short-term exposure to NO_2 in healthy subjects. Larger decreases in lung functions are observed in individuals with asthma or chronic obstructive pulmonary disease (e.g., chronic bronchitis, emphysema) than in healthy individuals, indicating a greater susceptibility of these sub-groups.

In animals, exposure to levels of NO_2 considerably higher than ambient concentrations results in increased susceptibility to infections, possibly due to the observed changes in cells involved in maintaining immune functions. The severity of lung tissue damage associated with high levels of ozone exposure increases when animals are exposed to a combination of O_3 and NO_2.

Individuals exercising outdoors, children, and people with preexisting lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for O_3 effects. Short-term exposure (lasting for a few hours) to O_3 at levels typically observed in southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Elevated O_3 levels are associated with increased school absences. In recent years, a correlation between elevated ambient O_3 levels and increases in daily hospital admission rates, as well as mortality, has also been reported. An increased risk for asthma has been found in children who participate in multiple sports and live in communities with high O_3 levels.

O_3 exposure under exercising conditions is known to increase the severity of the responses described above. Animal studies suggest that exposure to a combination of pollutants that includes O_3 may be more toxic than exposure to O_3 alone. Although lung volume and resistance changes observed after a single exposure diminish with repeated exposures, biochemical and cellular changes appear to persist, which can lead to subsequent lung structural changes.

Exposure to NOx may cause Increases in resistance to air flow and airway contraction after short-term exposure in healthy subjects. Larger decreases in lung functions are observed in individuals with asthma or chronic obstructive pulmonary disease (e.g., chronic bronchitis, emphysema) than in healthy individuals, indicating a greater susceptibility of these sensitive groups. Other potential health effects may include increased susceptibility to infections, possibly due to the observed changes in cells involved in maintaining immune functions, and the effect may increase when exposure involves multiple air pollutants.

Both the State of California and the federal government have established health-based AAQS to protect the health and welfare of the populace with a reasonable margin of safety. However, the majority of NOx emissions are derived from vehicle usage and the Modified Project does not have regulatory authority to control tailpipe emissions. The project-level NOx emissions on their own are not expected to result in a violation of the State and national health-based AAQS detailed in Table 3.3.C.

As noted in the Brief of Amicus Curiae (Brief) by the SCAQMD in *Sierra Club v. County of Fresno* (Friant Ranch case), SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes.[13] As a Responsible Agency over air quality pursuant to CEQA, the SCAQMD receives 60 or more CEQA documents each month (approximately 500 per year) and provides comments on as many as 25 or 30

[13] Brief for the South Coast Air Quality Management District as Amicus Curiae. Page App-2. *Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno and Friant Ranch, L.P.* After a Published Decision by the Court of Appeal filed May 27, 2014 (Fifth Appellate District Case No. F066798), Appeal from the Superior Court of California, County of Fresno (Case No. 11CECG00726). April 6, 2015.

CEQA documents each month.[14] Therefore, the *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality Impact Analysis* (Appendix B1), *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality and Greenhouse Gas Impact Analysis Supplemental Assessment* (Appendix B2), and this SEIR rely on SCAQMD expertise, thresholds, and guidance to disclose the Modified Project's air quality impacts.

According to the SCAQMD, "SCAQMD staff does not currently know of a way to accurately quantify ozone-related health impacts caused by NOx or VOC emissions from relatively small projects…On the other hand, this type of analysis may be feasible for projects on a regional scale with very high emission of NOx and VOCs, where impacts are regional."[15] The SCAQMD further stated, "… it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels over an entire region. For example, the SCAQMD's 2012 AQMP showed that reducing NOx by 432 tons per day (157,680 tons/year) and reducing VOC by 187 tons per day (68,255 tons/year) would reduce ozone levels at the SCAQMD's monitor site with the highest levels by only 9 parts per billion."[16] The SCAQMD performed a health impact analysis in 2011 in which they were "able to correlate [a] very large emissions increase (e.g., 6,620 pounds per day of NOx (1,208 tons per year), 89,180 pounds per day VOC (16,275 tons per year)) to expected health outcomes from ozone and particulate matter (e.g., 20 premature deaths per year and 89,947 school absences in the year 2030 due to ozone).[17]

Although project-level NOx emissions would contribute to existing O_3 non-attainment conditions within the Basin, O_3 is a highly reactive and unstable gas that is formed when VOCs and NOx, both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight, which cannot be anticipated beyond a measure of a few weeks. As indicated in Table 3.3.F, the proposed Modified Project would generate up to 108.15 pounds of NOx per day with implementation of mitigation, PPPs, and PDFs. When considering a potential for overlap of Phase 1 operation and Phase 2 construction, the proposed Modified Project would generate up to 199.94 pounds of NOx per day with implementation of mitigation, PPPs, and PDFs (Table 3-8 in Appendix B1). The proposed Modified Project's daily NOx emissions output would be between 1.6 percent[18] and 3 percent[19] of the regional NOx emissions disclosed in SCAQMD's 2011 health impact analysis of a large regional project. Therefore, the proposed Modified Project is considered a relatively small project with emissions not sufficiently high enough to use regional a modeling program to correlate health effects on a basin-wide level, "in part because ozone formation is not linearly related to emissions."[20] Individual health effects from exposure to NOx emission generated by the proposed Modified Project would be small and therefore speculative.

Adoption of the Certified EIR 1979 Mitigation Measure 3 and 2008 Mitigation Measure AQ-07 will further ensure execution of PDFs 3.3-2 and 3.3-3 to reduce vehicle trips and corresponding air pollutant emissions. However, NOx emissions would still occur at levels above SCAQMD thresholds after mitigation and implementation of mitigation, PDFs, and PPPs. No additional mitigation is feasible to further reduce the Modified Project's cumulatively considerable emission of NOx to levels that are less-

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14 *Ibid.* Page 7.
15 *Ibid.* Page 12.
16 *Ibid.* Page 11.
17 *Ibid.* Page 12.
18 Modified Project emissions of 108.15 pounds of NOx per day ÷ SCAQMD regional example of 6,620 pounds of NOx per day = 1.6 percent.
19 Modified Project emissions of 199.94 pounds of NOx per day ÷ SCAQMD regional example of 6,620 pounds of NOx per day = 3 percent.
20 Brief for the South Coast Air Quality Management District as Amicus Curiae. Page App-2. *Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno and Friant Ranch, L.P.* After a Published Decision by the Court of Appeal filed May 27, 2014 (Fifth Appellate District Case No. F066798), Appeal from the Superior Court of California, County of Fresno (Case No. 11CECG00726). April 6, 2015.

than-significant. Therefore, the proposed Modified Project would result in less severe but still **significant and unavoidable**, cumulative impacts to regional air quality from emissions of NOx during operation.

3.3.7.4 Expose sensitive receptors to substantial pollutant concentrations

Threshold:	Would the project expose sensitive receptors to substantial pollutant concentrations?

The 1979 Certified EIR concluded exhaust emissions during construction and dust from grading operations would be a short-term nuisance to people in the vicinity of the project site, while emissions from operational activities would generate a regional impact but not a localized impact. Accordingly, the Certified EIR prescribed Mitigation Measure 1 to ensure proper wetting of the project site during grading. The 2008 EIR concluded construction of the Approved Project would exceed the SCAQMD localized construction emission thresholds for PM_{10}, and $PM_{2.5}$. Additionally, the Approved Project was analyzed for CO hotspot conditions during operation and concluded CO concentrations would not exceed State or national ambient air standards. The 2008 Certified EIR prescribed AQ-1 through AQ-11 to reduce construction emissions to below LST. The EIR concluded the Approved Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant with mitigation incorporated.

The proposed Modified Project could actively disturb approximately 6.5 acres per day during the grading for Phase 1 and 2 of construction. As such, the dispersion modeling was conducted to estimate emissions for LSTs. Pollutant concentrations in proximity to eight sensitive residential receptor locations were calculated. The nearest sensitive receptors to the Modified Project site are one single-family residential dwelling unit (R6) approximately 55 feet/16.8 meters south of the Modified Project site and several single-family residential dwelling units (R4) comprising Planning Area V of the Approved Project across Warren Road approximately 81 feet/24.7 meters east of the Modified Project site. Tables 3.3.Ga and 3.3.Gb summarize the localized emissions without BACMs or mitigation during grading for the Modified Project.

Table 3.3.Ga: LST Summary (Rough Grading Without Mitigation)

	CO		NO_2	PM_{10}	$PM_{2.5}$
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours (Construction)	
Peak Day Localized Emissions	0.48	0.35	0.02	13.72	7.63
Background Concentration [A]	2.0	1.4	0.05	—	—
Total Concentration	**2.48**	**1.75**	**0.07**	**13.72**	**7.63**
SCAQMD Localized Significance Threshold	20	9	0.18	10.4	10.4
Threshold Exceeded?	**NO**	**NO**	**NO**	**YES**	**NO**

Table 3.3.Gb: LST Summary (Fine Grading Without Mitigation)

	CO		NO2	PM10	PM2.5
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours (Construction)	
Peak Day Localized Emissions	0.38	0.28	0.02	12.84	6.83
Background Concentration [A]	2.0	1.4	0.05	—	—
Total Concentration	**2.38**	**1.68**	**0.07**	**12.84**	**6.83**

Table 3.3.Gb: LST Summary (Fine Grading Without Mitigation)

	CO		NO2	PM10	PM2.5
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours (Construction)	
SCAQMD Localized Significance Threshold	20	9	0.18	10.4	10.4
Threshold Exceeded?	**NO**	**NO**	**NO**	**YES**	**NO**

[A] Highest concentration from the last three years of available data
Note: PM_{10} and $PM_{2.5}$ concentrations are expressed in µg/m^3. All others are expressed in ppm.

As shown in Tables 3.3.Ga and 3.3.Gb, construction of the Modified Project without mitigation is expected to exceed the LST for PM_{10}, which is a significant impact, and mitigation is required. The Modified Project will implement PPP 3.3-4, which incorporates BACMs such as SCAQMD Rule 403 to reduce fugitive dust in accordance with General Plan Policy OS-7.11. Adoption of the 2008 Certified EIR Mitigation Measures AQ-01, AQ-09, and AQ-10 will further ensure reduction of fugitive dust in accordance with SCAQMD requirements. Mitigation Measure 3.3.10.1 will require construction equipment greater than 150 horsepower to be compliant with EPA/CARB Tier 3 emissions standards and be tuned and maintained in accordance with the manufacturer's specifications. With implementation of PPP 3.3-4, Mitigation Measures AQ-01, AQ-09, and AQ-10, and Mitigation Measure 3.3.10.1, construction of the Modified Project would not exceed any LST, as detailed in Tables 3.3.Ha and 3.3.Hb.

Table 3.3.Ha: LST Summary (Rough Grading with Mitigation)

	CO		NO_2	PM_{10}	$PM_{2.5}$
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours (Construction)	
Peak Day Localized Emissions	0.33	0.24	0.01	5.30	3.01
Background Concentration [A]	2.0	1.4	0.05	—	—
Total Concentration	**2.33**	**1.64**	**0.06**	**5.30**	**3.01**
SCAQMD Localized Significance Threshold	20	9	0.18	10.4	10.4
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**

Table 3.3.Hb: LST Summary (Fine Grading with Mitigation)

	CO		NO_2	PM_{10}	$PM_{2.5}$
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours (Construction)	
Peak Day Localized Emissions	0.33	0.24	0.01	5.22	2.93
Background Concentration [A]	2.0	1.4	0.05	—	—
Total Concentration	**2.33**	**1.64**	**0.06**	**5.22**	**2.93**
SCAQMD Localized Significance Threshold	20	9	0.18	10.4	10.4
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**

[A] Highest concentration from the last three years of available data
Note: PM_{10} and $PM_{2.5}$ concentrations are expressed in µg/m^3. All others are expressed in ppm.

As discussed in the *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality and Greenhouse Gas Impact Analysis Supplemental Assessment* (Appendix B2), none of the receptors in the vicinity of the off-site construction activity would be subject to LST emissions greater than those identified in

Tables 3.3.Ha and 3.3.Hb since the disturbance areas and consequently associated construction emissions would be substantially less than what has been identified for on-site construction activities.

When compared to construction of the Approved Project, for which mitigation was prescribed to reduce construction emissions to below LST, implementation of PPP 3.3-4, Certified EIR Mitigation Measures AQ-01, AQ-09, and AQ-10, and Mitigation Measure 3.3.10.1 would ensure the Modified Project would not expose sensitive receptors to substantial pollutant concentrations during construction. Therefore, impacts to sensitive receptors during construction of the Modified Project would **less than significant with mitigation incorporated** in the same manner as the Approved Project.

The proposed Modified Project includes operation of 586 single-family residential dwelling units and 100,000 square feet of commercial uses. According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., transfer facilities and warehouse buildings). However, in accordance with General Plan Policies OS-7.9 and OS-7.10, the proposed Modified Project does not include such uses. Due to the lack of significant stationary source emissions, operational localized significance threshold analysis is not warranted and therefore was not conducted for the Modified Project.

The Basin was designated nonattainment under the CAAQS and NAAQS for CO during development of the 1993 SCAQMD *CEQA Air Quality Handbook*. However, the 2008 EIR CO concentrations would not exceed State or national air standards. Due to the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the Basin are now designated as attainment (refer to Table 3.3.B), and CO concentrations in the project vicinity have steadily declined (refer to Table 2-3 in Appendix B1).

Since the Modified Project would not produce the volume of traffic required to generate a CO "hot spot," CO "hot spots" are not an environmental impact of concern for the proposed Modified Project. LST impacts from air pollutant emissions resulting from operations of the Approved Project were found to be **less than significant with mitigation**. The proposed Modified Project would result in less than significant LST impacts, less severe than the Approved Project.

3.3.7.5 Objectionable Odors

Threshold:	Would the project create objectionable odors affecting a substantial number of people?

The 2008 Certified EIR concluded that construction of the Approved Project would generate diesel exhaust and VOCs, which are objectionable to some persons. However, emissions will disperse rapidly and therefore are not expected to occur at a level or frequency to induce a negative response. Furthermore, operation of the Approved Project would not generate objectionable odors since it does not contain land uses typically associated with emitting objectionable odors, such as wastewater treatment facilities, waste-disposal facilities, or agricultural operations. Therefore, Approved Project impacts from generation of objectionable odors would be **less than significant** and no mitigation is required.

The Modified Project has potential to generate objectionable odors from construction and operational activities. Project construction will generate limited odors over the short term, mainly from fumes emanating from gasoline and diesel powered construction equipment and temporary asphalt laying and paving activities. These odors would be temporary and are expected to be isolated to the immediate vicinity of the construction site.

The Modified Project shall implement PPP 3.3-5 (SCAQMD Rule 402) regarding nuisances. According to the SCAQMD, Rule 402 states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." Adoption of the Certified EIR Mitigation Measure AQ-08 will further ensure reduction of nuisance emissions in accordance with SCAQMD requirements. Pursuant to PPP 3.3-4 (SCAQMD Rule 403), fugitive dust must be controlled so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Adoption of the Certified EIR Mitigation Measures AQ-01, AQ-09, and AQ-10 will further ensure reduction of fugitive dust in accordance with SCAQMD requirements. Additionally, PPP 3.3-7 (Title 13, Section 2449(d)(D) of the California Code of Regulations) requires operators of off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) to limit vehicle idling to five minutes or less. Adoption of the Certified EIR Mitigation Measure AQ-05 will further minimize construction equipment idling in accordance with the California Code of Regulations.

SCAQMD Rules 402 and 403, and Title 13, Section 2449(d)(D) of the California Code of Regulations require the project applicant to implement standard control measures to limit fugitive dust and construction equipment emissions in accordance with General Plan Policies OS-7.10, OS-7.11, and OS-7.12. Therefore, operation of fueled equipment would not expose a substantial number of people to objectionable odors on a permanent basis.

The painting of buildings or the installation of asphalt surfaces may also create odors. PPP 3.3-6 (SCAQMD Rule 1113) outlines standards for paint applications, while PPP 3.3-8 (SCAQMD Rule 1108) identifies standards regarding the application of asphalt. Adoption of the Certified EIR Mitigation Measure AQ-06 will further minimize VOC emissions in accordance with SCAQMD Regulations. Adherence to the standards identified in these SCAQMD rules would reduce temporary odor impacts to a **less than significant** level. When compared to construction of the Approved Project, the proposed Modified Project would have the same (less than significant) impacts related to objectionable odors. No mitigation is required.

Odors from Operational Activities. Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed Modified Project may generate localized odors from garbage and green waste collections. However, the odors would cease to occur after the wastes are removed from the individual homes and businesses each week. As such, proposed residential and commercial uses would not generate objectionable odors off site. No other sources of objectionable odors have been identified for the proposed Modified Project; therefore, impacts associated with odors during operation would be **less than significant**. When compared to operation of the Approved Project, the proposed Modified Project would have the same (less than significant) impacts related to objectionable odors. No mitigation is required.

3.3.8 Cumulative Impacts

3.3.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The Certified EIR concluded the Approved Project would incrementally affect air quality in the region. The greatest cumulative impact on regional air quality would be the addition of incremental pollutants from increased traffic and vehicular emissions in the area and increased energy consumption from the planned projects. The Certified EIR concluded the Approved Project is consistent with the applicable AQMP and would not have a cumulatively considerable impact to air quality pursuant to *CEQA Guidelines* 15064(h)(3) and 15130 (b)(l)(B).

The cumulative universe for air quality is the Basin. As shown in previously referenced Table 3.3.F, Modified Project operational emissions would exceed the SCAQMD regional thresholds of significance for NOx. Adoption of the Certified EIR 1979 Mitigation Measure 3 and 2008 Mitigation Measure AQ-07 will further ensure execution of PDFs 3.3-2 and 3.3-3 to reduce vehicle trips and corresponding emissions of NOx to the extent feasible. However, the majority of NOx emissions are derived from vehicle usage, and the Modified Project does not have regulatory authority to control tailpipe emissions. No additional feasible mitigation or project design features beyond those already identified exist that would reduce NOx emissions to levels that are less-than-significant. Modified Project operational NOx emissions, therefore, are considered **significant and unavoidable**. However, the Modified Project vicinity comprises primarily residential uses and lacks supporting retail/commercial services. The commercial land use proposed as part of the Modified Project generally addresses several key issues and implements policies of the AQMP that reduce VMT and associated air pollution emissions.

NOx impacts at the project level are considered cumulatively significant because NOx emissions are O_3 precursors and would therefore contribute considerably to existing O_3 non-attainment conditions within the Basin. This is a cumulatively significant impact persisting over the life of the Modified Project. The Approved Project was found not to have a cumulatively considerable impact to air quality. The proposed Modified Project would have a **significant and unavoidable** cumulative impact to regional air quality from emissions of NOx during operation even with implementation of mitigation, PPPs, and PDFs. This is a new impact in comparison to the Approved Project.

3.3.9 Level of Significance before Mitigation

The Certified EIR concluded construction of the Approved Project would exceed the SCAQMD regional construction emission thresholds for VOC, NOx, PM_{10}, and $PM_{2.5}$. Additionally, operation of the Approved Project would generate emissions in excess of SCAQMD's regional operation emission thresholds for VOC, NOx, and CO, but CO concentrations would not exceed State or national 1-hour or 8-hour ambient air standards.

As shown in previously referenced Table 3.3.F, Modified Project operational emissions would exceed the SCAQMD regional thresholds of significance for NOx. No feasible mitigation measures or project design features beyond those already identified exist that would reduce NOx emissions to levels that are less than significant. Project operational NOx emissions, therefore, are considered significant and unavoidable. As indicated in Tables 3.3.Ga and 3.3.Gb, construction of the Modified Project without mitigation is expected to exceed the LST for PM_{10}, which is a significant impact, and mitigation is required.

3.3.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.3.10.1 Mitigation for the Proposed Modified Project

As indicated in Tables 3.3.F, 3.3.Ga, and 3.3.Gb, Modified Project operational emissions would exceed the SCAQMD regional thresholds of significance for NOx, and construction of the Modified Project without mitigation is expected to exceed the LST for PM_{10}, which is a significant impact, and the following mitigation is required.

MM 3.3.10.1 Prior to issuance of any grading permit, the applicant shall submit evidence to the City that all diesel-powered construction equipment greater than 150 horsepower shall be compliant with the United States Environmental Protection Agency and California Air Resources Board Tier 3 emissions standards. Only Tier 3 diesel-powered construction equipment greater than 150 horsepower shall be utilized throughout the construction of Phase 1 and Phase 2 of the Modified Project. Additionally, the applicant shall provide

evidence to the City at least once every two weeks that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and subject to review by the City and the SCAQMD. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

The Modified Project will implement PDF 3.3-1 through PDF 3.3-3, which incorporate pedestrian connections to surrounding areas and varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other to reduce the need for residents of the community to travel farther distances to obtain retails goods such as groceries. Furthermore, the Modified Project will comply with PPP 3.3-1 through PPP 3.3-8, which incorporate BACMs such as SCAQMD Rules 402, 403, 1108, and 1113 to reduce criteria pollutants in accordance with General Plan Policies. Additionally Mitigation Measure 3.3.10.1 will require construction equipment greater than 150 horsepower to be compliant with EPA/CARB Tier 3 emissions standards and be tuned and maintained in accordance with the manufacturer's specifications.

3.3.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure.

Every air quality mitigation measure presented in the 1979 EIR for the *Specific Land Use Plan, Southwest Area* and in the 2008 EIR to the overall Page Ranch PCD SP, together comprising the Certified EIR for the Approved Project, is discussed below. This SEIR concludes the intent of Mitigation Measures 1 through 3 in the 1979 EIR and Mitigation Measures AQ-1 through AQ-11 in the 2008 EIR is applicable to the proposed Modified Project but in some cases are redundant with PPPs applicable to the proposed Modified Project while in other cases require updates in accordance with current regulatory standards.

The 1979 EIR Mitigation Measure 1 regarding dust suppression is addressed in PPP 3.3-4 of the proposed Modified Project and therefore is replaced accordingly.

~~**1979 EIR Mitigation Measure 1:** Normal wetting procedures should be followed during the site grading operations to reduce dust emissions.~~

The 1979 EIR Mitigation Measure 2 regarding review of the Approved Project for consistency with the objectives of the AQMP if finalized prior to project approval is a regulatory requirement pursuant to Appendix G of the *CEQA Guidelines* as detailed in Section 3.3.7.1 of this SEIR. Additionally, 1979 EIR Mitigation Measure 2 does not prescribe any action to be taken upon a review of consistency with the AQMP and therefore is not applicable as a mitigation measure.

~~**1979 EIR Mitigation Measure 2:** The Southern California Association of Governments 9SCAG) and South Coast Air Quality Management District are currently preparing in cooperation with City and County governments an Air Quality Management Plan (AQMP) designed to achieve and maintain Federal and State air quality standards within the South Coast Air Basin. The AQMP is to be submitted for approval to the State Air Resources board by January 1979 prior to submittal to EPA as a revision to the State's Implementation Plan. The AQMP is to identify the need for further control of stationary and mobile sources,~~

~~alternate transportation strategies, and measures to reduce adverse air quality impacts associated with further growth and development. The proposed project should be reviewed for consistency with the objectives of the AQMP if finalized prior to project approval.~~

The 1979 EIR Mitigation Measure 3 regarding provision of convenient bus stop locations is applicable to the proposed Modified Project, as several bus stops have been developed through the Page Ranch PCD along Mustang Way by the Riverside Transit Agency through Route 74 and Route 79 in accordance with Mitigation Measure 3. Therefore, it is reasonable to conclude the Riverside Transit Agency will continue to service these routes for the occupants of the proposed Modified Project via extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of new Stetson Avenue (Figure 2.5). Additionally, 1979 EIR Mitigation Measure 3 facilitates execution of PDFs 3.3-2 and 3.3-3 to reduce the use of automobiles for residents and employees.

1979 EIR Mitigation Measure 3: Provide for convenient bus stop locations.

The 2008 EIR's Mitigation Measure AQ-01 is applicable to the proposed Modified Project, as it facilitates execution of PPP 3.3-4 to suppress fugitive dust. Minor modifications of the text are provided in accordance with current regulatory standards.

2008 Mitigation Measure AQ-01: Prior to construction of the Project, the Project proponent shall provide a Fugitive Dust Control Plan that will describe the application of standard best management practices to control dust during construction. Best management practices (BMPs) shall include application of water on disturbed soils a minimum of ~~two~~ three times per day except on days when a rain event occurs, then exposed surfaces would be watered as necessary to meet the intent of Rule 403, covering haul vehicles, replanting disturbed areas as soon as practical, restricting vehicle speeds on unpaved roads to 15 mph, suspending grading activities when the wind exceeds 25 mph, and other measures, as deemed appropriate to the site, to control fugitive dust. The Fugitive Dust Control Plan shall be submitted to the City and SCAQMD prior to construction.

The 2008 EIR's Mitigation Measure AQ-02 is replaced with Mitigation Measure 3.3.10.1, which requires Tier III construction equipment.

~~**2008 Mitigation Measure AQ-02**: Construction equipment shall be equipped Tier II diesel particulate matter filters.~~

The 2008 EIR's Mitigation Measure AQ-03 is replaced with Mitigation Measure 3.3.10.1, which incorporates the performance standards of this measure in conjunction with the Tier III requirement.

~~**2008 Mitigation Measure AQ-03:** Construction equipment shall be properly maintained in accordance with manufacturer's specifications at an offsite location; maintenance shall include proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on site during construction and subject to review by the City and the SCAQMD.~~

The 2008 EIR's Mitigation Measure AQ-04 is addressed as a regulatory policy in PPP 3.3-7 and therefore omitted from this SEIR.

~~**2008 Mitigation Measure AQ-04:** The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use.~~

The 2008 EIR's Mitigation Measure AQ-05 is applicable to the proposed Modified Project, as it facilitates execution of PPP 3.3-7 to limit idling of construction equipment and can minimize traffic congestion and delays that increase idling and acceleration emissions of passenger vehicles. Minor modifications of the text are provided in accordance with current regulatory standards.

2008 Mitigation Measure AQ-05: Prior to construction of the project, the developer shall provide a traffic control plan to the City that will describe in detail safe detours around the project construction site and provide temporary traffic control (e.g., flag person) during construction-related truck hauling activities. The traffic control plan is primarily intended as a safety measure but also can minimize traffic congestion and delays that increase idling and acceleration emissions. The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart J, Developing and Implementing Traffic Management Plans for Work Zones. This measure shall be implemented to the satisfaction of the City of Hemet Planning and Public Works Departments.

The 2008 EIR's Mitigation Measure AQ-06 is applicable to the proposed Modified Project, as it facilitates execution of PPP 3.3-6 to limit emissions of VOCs. Minor modifications of the text are provided in accordance with current regulatory standards.

2008 Mitigation Measure AQ-06: Prior to issuance of building permits, t~~T~~he developer shall provide evidence to the City that ~~require~~ painting ~~to~~ will be applied using either high-volume low-pressure (HVLP) spray equipment capable of achieving 65 percent transfer efficiency or by hand application. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

The 2008 EIR's Mitigation Measure AQ-07 is applicable to the proposed Modified Project, as it facilitates execution of PDFs 3.3-2 and 3.3-3 to reduce the use of automobiles for residents and employees. Minor modifications of the text are provided in accordance with current regulatory standards.

2008 Mitigation Measure AQ-07: Prior to the issuance of a grading permit, the developer shall provide a plan to the City listing the measures that will be used to encourage employee carpooling using measures recommended by the Riverside County Transportation Commission Inland Empire Commuter Services. Workers shall be informed in writing of the measures available, and a letter will be placed on file at the City documenting the extent of carpooling anticipated. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

The 2008 EIR's Mitigation Measure AQ-08 is applicable to the proposed Modified Project, as it facilitates execution of PPP 3.3-5 to reduce the emissions of air contaminants. Minor modifications of the text are provided in accordance with current regulatory standards.

2008 Mitigation Measure AQ-08: Prior to issuance of grading and building permits, the developer shall provide evidence to the City that o~~O~~n-site electrical hookups shall be provided for electric construction tools including saws, drills and compressors, to minimize the need for diesel powered electric generators. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

The 2008 EIR's Mitigation Measure AQ-09 is applicable to the proposed Modified Project, as it facilitates execution of PPP 3.3-4 to suppress fugitive dust. Minor modifications of the text are provided in accordance with current regulatory standards.

2008 Mitigation Measure AQ-09: During construction, bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

The 2008 EIR's Mitigation Measure AQ-10 is applicable to the proposed Modified Project, as it facilitates execution of PPP 3.3-4 to suppress fugitive dust. Minor modifications of the text are provided in accordance with current regulatory standards.

2008 Mitigation Measure AQ-10: During all construction activities, construction contractors shall sweep on-site and off-site streets if silt is carried to adjacent public thoroughfares, to reduce the amount of particulate matter on public streets. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

The 2008 EIR's Mitigation Measure AQ-11 is addressed as a regulatory policy in PPP 3.3-1, which requires the project to be constructed and operated in accordance with the 2019 Title 24 Standards of the California Building Code and therefore omitted from this SEIR.

~~**2008 Mitigation Measure AQ-11:** Any fireplaces installed in residences shall be only natural gas fired. Any stoves installed in residences shall be only natural gas or electric.~~

3.3.11 Level of Significance after Mitigation

The 2008 Certified EIR concluded development of the Approved Project would exceed SCAQMD regional thresholds of NOx, VOC, PM_{10}, and $PM_{2.5}$ during construction and NOx, VOC, and CO during operation. However, advancements in energy efficiency to construction equipment, building design, and motor vehicles in the last ten years are expected to result in fewer emissions of criteria pollutants during construction and operation of the Modified Project when compared to the Approved Project.

With implementation of PDFs, PPPs, and Mitigation Measures, construction of the Modified Project would not result in a significant impact to air quality, but operation of the Modified Project would continue to emit NOx emissions in excess of SCAQMD regional thresholds. Adoption of the Certified EIR Mitigation Measures AQ-01, AQ-05, AQ-06, AQ-09, and AQ-10 and Mitigation Measure 3.3.10.1 would reduce emissions resulting from construction of the Modified Project to below criteria pollutant regional thresholds established by the SCAQMD. Therefore, the proposed Modified Project would have less severe (i.e., less than significant) impacts to regional air quality during construction.

Adoption of the Certified EIR 1979 Mitigation Measure 3 and 2008 Mitigation Measure AQ-07 will further ensure execution of PDFs 3.3-2 and 3.3-3 to reduce vehicle trips. However, NOx emissions would still occur at levels above SCAQMD thresholds after mitigation and implementation of mitigation, PDFs, and PPPs. Since the majority of NOx emissions are derived from vehicle usage, and the Modified Project does not have regulatory authority to control tailpipe emissions, no additional mitigation is feasible to further reduce NOx emissions. Therefore, project operational NOx emissions are considered **significant and unavoidable**. When compared to operation of the Approved Project, the proposed Modified Project would have less severe, but still significant and unavoidable, impacts to regional air quality during operation from the exceedance of NOx emissions thresholds.

Mitigation was prescribed for the Approved Project to reduce construction emissions to below LST, implementation of PPP 3.3-4, Certified EIR Mitigation Measures AQ-01, AQ-09, and AQ-10, and Mitigation Measure 3.3.10.1 would ensure the Modified Project would not expose sensitive receptors to substantial pollutant concentrations during construction. Therefore, impacts to sensitive receptors during construction of the Modified Project would be the same (i.e., **less than significant with mitigation incorporated**) as the Approved Project.

The painting of buildings or the installation of asphalt surfaces may create odors. PPP 3.3-6 (SCAQMD Rule 1113) outlines standards for paint applications, while PPP 3.3-8 (SCAQMD Rule 1108) identifies standards regarding the application of asphalt. Adoption of the Certified EIR Mitigation Measure AQ-06 will further minimize VOC emissions in accordance with SCAQMD Regulations. Adherence to the standards identified in these SCAQMD rules would reduce temporary odor impacts to a **less than significant** level. When compared to construction of the Approved Project, the proposed Modified Project would have the same (less than significant) impacts related to objectionable odors. No mitigation is required.

NOx impacts at the project level are considered cumulatively significant because NOx emissions are O_3 precursors and would therefore contribute considerably to existing O_3 non-attainment conditions within the Basin. This is a cumulatively significant impact persisting over the life of the Modified Project. Adoption of the Certified EIR 1979 Mitigation Measure 3 and 2008 Mitigation Measure AQ-07 will further ensure execution of PDFs 3.3-2 and 3.3-3 to reduce vehicle trips and corresponding emissions of criteria pollutants to the extent feasible, but NOx emissions would still occur at levels above SCAQMD thresholds after mitigation and implementation of mitigation, PDFs, and PPPs. No additional mitigation is feasible to further reduce the Modified Project's cumulatively considerable emission of NOx to levels that are less-than-significant. As detailed in Section 3.3.7.3, individual health effects from exposure to NOx emission generated by the proposed Modified Project would be speculative. When compared to the Approved Project, the proposed Modified Project would have a **significant and unavoidable** cumulative impact to regional air quality from emissions of NOx during operation even with implementation of mitigation, PPPs, and PDFs.

In summary, no new mitigation over and above those described above or new alternatives have been identified that would substantially or further reduce any air quality impacts of the Modified Project.

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3.4 BIOLOGICAL RESOURCES

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to biological resources as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- Cadre Environmental. *Biological Resources Technical Report, Rancho Diamante Project Site, City of Hemet, California, TTM 36841*. June 2018 (Appendix C1).
- Cadre Environmental. *MSHCP Focused Burrowing Owl Surveys for the 245.07-Acre Rancho Diamante Project Site, City of Hemet, California*. July 5, 2017 (Appendix C2).
- Cadre Environmental. *MSHCP Sensitive Plant Surveys for the 245.07-Acre (16.70-acre offsite) Rancho Diamante Project Site, City of Hemet, California*. July 5, 2017 (Appendix C3).
- Cadre Environmental. *General MSHCP Habitat Assessment, Regulatory Constraints, and MSHCP Consistency Approach for the 245.07-Acre Rancho Diamante Project Site, City of Hemet, California*. July 5, 2017 (Appendix C4).
- Cadre Environmental. *MSHCP Determination of Biologically Equivalent or Superior Preservation/ Consistency Analysis. Rancho Diamante Project Site, City of Hemet, California, TTM 36841*. June 2018 (Appendix C5).

Scoping Process/NOP Comments: Potential impacts to biological resources were identified during the public scoping meeting held in August 2016 for the proposed Modified Project regarding concern for the existing willow trees, birds, and coyotes on the project site.

The City received three comment letters in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts to biological resources. The California Department of Fish and Wildlife (CDFW) provided a letter dated August 30, 2016; the Metropolitan Water District of Southern California (MWD) provided a letter dated August 29, 2016, and the California Department of Transportation (Caltrans) provided a letter dated September 9, 2016 (see Appendix A1).

The CDFW commented that the Draft SEIR should include an assessment of habitat types on the project site; an inventory of species present or potentially present on the project site; an inventory of rare, threatened, endangered, and other sensitive species with potential to be affected by the proposed Modified Project; an evaluation of the Modified Project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP); as well as discussion of edge effects and the wildlands/urban interface. The CDFW also included suggestions for determination of impacts from and mitigation for the proposed project, and further recommended coordination between the applicant and the CDFW pursuant to Fish and Game Code Section 1602.

The MWD commented that the Draft SEIR should evaluate the Modified Project's potential effects to the water quality of MWD's supplies from potential incompatible uses.

No additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to biological resources.

3.4.1 Regulatory Setting

3.4.1.1 Federal Regulations

Federal Endangered Species Act. The Federal Endangered Species Act (FESA) was enacted to protect any species of plant or animal that is endangered or threatened with extinction. Section 9 of the FESA prohibits "take" of federally threatened or endangered wildlife. Take, as defined under the FESA, means to harass, harm, pursue, hunt, wound, kill, trap, capture, collect, or attempt to engage in any such conduct (16 USC 1532[19]). Section 9 also prohibits the removal and reduction of endangered plants from lands under federal jurisdiction, and the removal, cutting, digging, damage, or destruction of endangered plants on any other area in "knowing violation of State law or regulation."

Section 9 of the FESA (16 USC 1538) prohibits take of a federally listed endangered species of fish or wildlife except pursuant to a permit and Habitat Conservation Plan approved under Section 10(a) of the FESA (16 USC 1539). The FESA prohibitions and requirements are different, however, for endangered species of plants. Section 9 prohibits the take of endangered plants only from areas under Federal jurisdiction, or if such take would violate State law.

The MSHCP described in Section 3.4.1.3 provides permits for take of all species identified in the MSHCP as covered and conditionally covered, so long as the conditions imposed are satisfied.

Clean Water Act. The United States Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States (waters of the U.S.). These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a direct or indirect connection to interstate commerce. The USACE regulatory jurisdiction pursuant to Section 404 of the Federal Clean Water Act (CWA) is founded on a connection, or nexus, between the water body in question and interstate commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or may be indirect (through a nexus identified in the USACE regulations). The USACE typically regulates as non-wetland waters of the U.S. any body of water displaying an "ordinary high water mark." In order to be considered a jurisdictional wetland under Section 404, an area must possess three wetland characteristics: hydrophytic vegetation, hydric soils, and wetland hydrology. Each characteristic has a specific set of mandatory wetland criteria that must be satisfied in order for that particular wetland characteristic to be met.

In 2006, the United States Supreme Court in the consolidated cases *Rapanos v. United States* and *Caravell v. United States*, Nos. 04-1034 and 04-1384 addressed CWA jurisdiction over wetlands adjacent or abutting navigable, non-navigable and ephemeral tributaries and jurisdiction over permanent and relatively permanent non-navigable tributaries.[1] According to the United Sates Supreme Court, the CWA does not assert jurisdiction over upland erosional features, gullies, and roadside ditches that have infrequent, low volume, and short duration of water flow. The USACE uses a significant nexus analysis. A water body is considered to have a "significant nexus" with a traditional

[1] Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in *Rapanos v. United States* & *Carabell v. United States.* June 6, 2007 and revised December 2, 2008. https://www.epa.gov/sites/production/files/2016-02/documents/cwa_jurisdiction_following_rapanos120208.pdf (accessed April 24, 2019).

navigable water[2] if its flow characteristics and functions in combination with the ecologic and hydrologic functions performed by all wetlands adjacent to such a tributary, affect the chemical, physical, and biological integrity of a downstream traditional navigable water. Additional information is provided in the Environmental Protection Agency (EPA) memorandum titled "Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in *Rapanos v. United States* & *Caravell v. United States*,"[3] and also the *U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook.*[4]

The Regional Water Quality Control Board (RWQCB) is responsible for the administration of Section 401 of the CWA through water quality certification of any activity that may result in a discharge to jurisdictional waters of the U.S. The RWQCB may also regulate discharges to "waters of the State," including wetlands, under the California Porter-Cologne Water Quality Control Act.

EPA regulations require National Pollutant Discharge Elimination System (NPDES) permits for discharges of storm water from industrial/construction and Municipal Separate Storm Sewer Systems (MS4s). To comply with the permits, storm water pollution controls must be implemented for construction and industrial activity that discharges either directly to surface waters or indirectly through separate municipal storm drains. Pollution control is achieved by establishing engineering measures that have been designed, tested, and successfully implemented throughout the past decades, such as detention basins and sediment traps, during both the construction period and the operational phases of a project. In California, the RWQCBs administer the NPDES permitting program.

Migratory Bird Treaty Act. The Migratory Bird Treaty Act (MBTA) implements conventions between the United States and four countries (Canada, Mexico, Japan, and Russia) for the protection of migratory birds. The MBTA makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, or barter any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. The United States Fish and Wildlife Service (USFWS) has statutory authority and responsibility for enforcing the MBTA. The MBTA applies to the individual nests of these species, but it does not regulate impacts to the species' habitats.

3.4.1.2 State Regulations

California Endangered Species Act. The California Endangered Species Act (CESA) was developed to protect species of fish, wildlife, and plants that are in danger of, or threatened with, extinction because their habitats are threatened with destruction, adverse modification, or severe curtailment, or because of overexploitation, disease, predation, or other factors.

"Take" as defined under the CESA means hunt, pursue, capture, or kill, or attempt to hunt, pursue, capture, or kill. Under certain conditions, the CESA has provisions for take through a 2081 Permit or a Section 2081 Memorandum of Understanding. The impacts of the authorized take must be minimized and fully mitigated. No development permit may be issued if the issuance of the permit would jeopardize the continued existence of the species.

California Environmental Quality Act. Section 15380(b) of the *CEQA Guidelines* provides that a species not listed on the Federal or State lists of protected species may be considered rare or endangered if the species can be shown to meet specified criteria. These criteria have been modeled

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2 A "traditional navigable water" includes all of the "navigable waters of the United States," defined in 33 C.F.R. § 329 and by numerous decisions of the federal courts, plus all other waters that are navigable-in-fact.

3 Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in *Rapanos v. United States* & *Caravell v. United States.* June 6, 2007 and revised December 2, 2008. https://www.epa.gov/sites/production/files/2016-02/documents/cwa_jurisdiction_following_rapanos120208.pdf (accessed April 24, 2019).

4 *U.S. Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook.* https://www.nap.usace.army.mil/Portals/39/docs/regulatory/jd/jd_guidebook_051207final.pdf (accessed April 24, 2019).

after the definitions in FESA and CESA and § 2780–2781 of Article 1 of the California Fish and Game Code dealing with the California Wildlife Protection Act of 1990. This section was included in the guidelines primarily to deal with situations in which a public agency is reviewing a project that may have a significant effect on a species that has not yet been listed by either the USFWS or CDFW.

California Fish and Game Code. Various sections of the California Fish and Game Code provide protection to nesting birds, birds of prey, and species protected under the MBTA. Section 3503 of the California Fish and Game Code prohibits the destruction of the nest or eggs of any bird as otherwise provided for in the Fish and Game Code. Section 3503.5 specifically extends this protection to the nests or eggs of any bird of prey (species of the Orders *Falconiformes* [falcons, hawks, eagles, ospreys] *or Strigiformes* [owls]). The unlawful take, sale, or purchase (whole or in part) of any aigrette or egret, osprey, bird of paradise, goura, or numidi is prohibited under Section 3505. Section 3513 prohibits the unlawful to take or possession of any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Streambed Alteration Agreements. Sections 1600 et seq. of the California Fish and Game Code define the responsibilities of the CDFW and require public and private applicants to obtain an agreement for projects that would "… divert, obstruct, or change the natural flow or bed, channel, or bank of any river, stream, or lake designated by the CDFW in which there is at any time an existing fish or wildlife resource or from which those resources derive benefit, or would use material from the streambed designated by the department." CDFW wardens and/or unit biologists typically have the responsibility for formulating and issuing Streambed Alteration Agreements. The CDFW, through provisions of the Code (Sections 1601–1603), is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. Streams (and rivers) are defined by the presence of a channel bed and banks, and at least an intermittent flow of water. The CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by the CDFW.

Porter-Cologne Water Quality Control Act. California's Porter-Cologne Act,[5] enacted in 1969, provides the legal basis for water quality regulation within California. This Act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the State. It predates the CWA and regulates discharges to waters of the State. It prohibits discharges of "waste" as defined and this definition is broader than the CWA definition of "pollutant."

Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the CWA. The State Water Resources Control Board (SWRCB) and RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and for regulating discharges to ensure compliance with the water quality standards. Details regarding water quality standards in a project area are contained in the applicable RWQCB Basin Plan.

RWQCBs designate beneficial uses for all water body segments in their jurisdictions and then set criteria necessary to protect these uses. The water quality standards developed for particular water segments vary depending on uses. Additionally, the SWRCB identifies waters failing to meet standards for specific pollutants, which are then state-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired for one or more constituents and the standards cannot be met through point source or non-source point controls (NPDES permits or Waste Discharge Requirements),

[5] Water Code §§13000 et seq.

the CWA requires the establishment of Total Maximum Daily Loads (TMDLs). TMDLs specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

The NPDES General Permit issued by the SWRCB applies to all construction activities that result in the disturbance of at least one acre of total land area, or activity that is part of a larger common plan of development of one acre or greater. The RWQCB regulates hydromodification[6] as well as surface and groundwater quality through adoption of water quality plans and standards, and issuance of water quality permits and waivers. The NPDES permit deals with both the construction phase and operational phase of development projects. For the construction phase of a project, the NPDES permit identifies the preparation of a Storm Water Pollution Prevention Plan (SWPPP).

The implementation of NPDES permits ensures the State's mandatory standards for the maintenance of clean water and the federal minimum standards are met. Coverage under an NPDES permit regulates sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. An SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. The SWPPP establishes a process whereby the operator evaluates potential pollutant sources at the site and implements Best Management Practices (BMPs) designed to prevent or control the discharge of pollutants in storm water runoff.

Storm water control measures during construction and grading will be outlined in the construction NPDES permit and SWPPP prepared for the proposed project. Examples of such BMP control measures include but are not limited to the following:

- Temporary detention basins for runoff and silt containment;
- Regular street-sweeping and truck washing prior to exiting construction areas;
- Covering of soil hauling trucks to minimize dust generation (and silt buildup on project roads;
- Dirt rockers at project exits to reduce soil transported out of construction areas;
- Monitoring of runoff and protection devices during storm events;
- Use of silt fencing, gravel bags, and/or straw bales to channel runoff to temporary basins; and
- Identification of emergency procedures in case of hazardous materials spills.

For all projects subject to the Construction General Permit (CGP), applicants are required to develop and implement an effective Water Quality Management Plan (WQMP); to implement sediment, erosion, and pollution prevention control measures; and to obtain coverage under the CGP. The purpose of a WQMP is to:

1) Identify all pollutant sources, including sources of sediment that may affect the quality of storm water discharges associated with daily use/activity (storm water discharges) from the property site;
2) Identify non-storm water discharges;
3) Identify, construct, implement, and maintain BMPs to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the property site; and

[6] Hydromodification is the alteration of the hydrologic characteristics of coastal and non-coastal waters, which, in turn, could cause degradation of water resources.

4) Develop a maintenance schedule for BMPs designed to reduce or eliminate pollutants.

The project applicant will be required to obtain a construction NPDES permit prior to any site grading. In addition, the NPDES permit will require the identification of post-construction BMPs to be incorporated into the project-specific WQMP to control the post-construction entry of contaminants into storm flows.

California Public Utilities Code Section 21676 (Airport Land Use Commission). Projects located within zones administered by airport land use compatibility plans must comply with project-specific conditions imposed by the Airport Land Use Commission with jurisdiction over such airports.

3.4.1.3 Local Regulations

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). To address regional biological resources and habitat sustainability, the MSHCP was developed in 2001 by the County of Riverside in cooperation with State and federal agencies. The MSHCP applies to unincorporated and incorporated Riverside County land, excluding Native American tribal land, west of the crest of the San Jacinto Mountains to the Orange County line. It applies to a total area of approximately 1.26 million acres (approximately 1,997 square miles) and is one of the largest conservation plans in the U.S. The MSHCP covers multiple species and multiple habitats within multiple jurisdictions. The City of Hemet is a member agency to the MSHCP.

The MSHCP was conceived, developed, and is being implemented specifically to address the direct, indirect, cumulative, and growth-related effects on covered species resulting from build out of planned land use and infrastructure, including the proposed Modified Project. The MSHCP involves efforts by the County, State, and federal governments, the fourteen cities in western Riverside County, and private and public entities engaged in construction activities that potentially affect the species covered under the MSHCP. The plan specifies an obligation of local projects, both public and private, to mitigate their impacts on species. The MSHCP includes incentives for conservation or the purchase of properties from willing sellers and will eventually result in a Conservation Area in excess of 500,000 acres, focusing on conservation of 146 species. The MSHCP Conservation Area includes approximately 347,000 acres of existing Public/Quasi-Public Lands and approximately 153,000 acres of Additional Reserve Land.

The MSHCP Conservation Area is comprised of existing and proposed “Core” areas, or large assemblages of public land that contain important habitat and listed or sensitive species populations. The core areas are connected by a series of “linkages” or “corridors” identified across public and private lands to allow wildlife movement and genetic connectivity and diversity among the core areas. The MSHCP identifies conservation areas through a series of “criteria cells” within which certain biological resources (i.e., vegetation and/or physical features) should be preserved over the long term. The MSHCP also establishes various processes to evaluate land development proposals in light of its goals and requirements. The MSHCP also identifies when studies need to be performed within certain criteria cells to determine the presence or absence of listed or otherwise sensitive species of plants or animals.

The western Riverside County Regional Conservation Authority utilizes the Habitat Assessment and Negotiations Strategy (HANS) to implement portions of the MSHCP by identifying and delineating conservation areas on specific properties. At the request of the property owner, property within criteria cells shall be subject to review in order to determine whether all or part of the property is needed for inclusion in the MSHCP Conservation Area.

The Joint Project Review Process (JPR) allows western Riverside County Regional Conservation Authority to monitor implementation of the MSHCP. It does not infringe on the local land use authority

of cities or other agencies, but instead, subjects development applications within criteria cells to review in order to determine if they have the potential to affect the goals of the MSHCP or, in the case of infrastructure projects, connections between major areas of habitat that are being conserved.

In accordance with the CESA, the MSHCP establishes a mitigation strategy based on establishment of reserves for species listed under the MSHCP aided by a per-acre mitigation fee levied by the City pursuant to Chapter 31 of the City Municipal Code[7] and by Riverside County pursuant to Ordinance No. 810.2.[8]

Stephens' Kangaroo Rat Habitat Conservation Plan (SKR-HCP). The City is located within the boundary of the adopted Habitat Conservation Plan (HCP) for the endangered Stephens' kangaroo rat (SKR-HCP) administered by the Riverside County Habitat Conservation Agency (RCHCA). The SKR-HCP mitigates impacts from development on the SKR by establishing a network of preserves and a system for managing and monitoring them. The SKR-HCP initially established Core Reserves for the conservation of key SKR populations. Outside of the Core Reserves, the SKR-HCP established a fee assessment area by which individual projects are granted coverage under the HCP by payment of SKR fees. The MSHCP, through its goals for SKR, reaffirms the conservation goals of the SKR-HCP, while expanding the coverage area outside of the original coverage boundaries of the SKR-HCP. Neither the SKR-HCP nor MSHCP requires project-specific SKR surveys for sites located outside of the existing Core Reserves. Instead, payments of SKR fees are sufficient to obtain take authorization for SKR, unless specific lands are targeted for conservation by SKR-HCP or MSHCP. The City's SKR fees are required to be paid at the time of grading permit issuance, pursuant to Hemet Municipal Code Section 58-98.

Hemet General Plan. The General Plan defines goals and policies related to biological resources within the City. The following goals and policies apply to the proposed Modified Project.

- **Goal OS-1:** Preserve and protect critical open space and natural resources.
  - **Policy OS-1.1:** Development Proposals. Require development proposals to identify significant biological resources and to provide mitigation, including the use of adequate buffering and sensitive site planning techniques, selective preservation, provision of replacement habitats, and other appropriate measures as may be identified in habitat conservation plans or best practices related to particular resources.
  - **Policy OS-1.2:** Vernal Pools. Preserve the integrity of the vernal pool complex by ensuring adequate hydration, providing appropriate conservation buffers, and the preservation of native plants, in accordance with the requirements of the Multi-Species Habitat Conservation Plan.
  - **Policy OS-1.3:** Wetland Habitats. Require project applicants to conserve wetland habitats along the San Jacinto River, the Upper Salt Creek watershed, and elsewhere as identified where conservation serves to maintain watershed processes that enhance water quality and contribute to the hydrologic regime, and comply with Clean Water Act Section 404. Identify and, to the maximum extent possible, conserve remaining upland habitat areas adjacent to wetland and riparian areas that are critical to the feeding, hibernation, or nesting of wildlife species associated with these wetland and riparian areas.

[7] Multiple Species Habitat Conservation Plan Fee Program, Chapter 31. City of Hemet Municipal Code. https://library.municode.com/ca/hemet/codes/code_of_ordinances?nodeId=CO_CH31MUSPHACOPLMIFE (accessed April 24, 2019).

[8] Ordinance No. 810.2. County of Riverside. http://www.rivcocob.org/ords/800/810.htm (accessed April 24, 2019).

- **Policy OS-1.4:** Resource Protection in Development Design. Require appropriate resource protection measures to be incorporated within specific plans and subsequent development proposals. Such requirements may include the preparation of a vegetation management program that addresses landscape maintenance, fuel modification zones, management of passive open space areas, provision of corridor connections for wildlife movement, conservation of water courses, rehabilitation of biological resources displaced in the planning process, and use of project design, engineering, and construction practices that minimize impacts on sensitive species, MSHCP conservation areas, and designated critical habitats.
- **Policy OS-1.5:** Restriction of Use. As needed to protect resources, limit recreational use in open space areas where sensitive biological resources exist.
- **Policy OS-1.6:** Habitat Conservation Plans. Coordinate with Riverside County and other relevant agencies to implement the *Western Riverside County Multiple-Species Habitat Conservation Plan, the Habitat Conservation Plan for the Stephens' Kangaroo Rat in Western Riverside County*, and any other applicable habitat plan.
- **Policy OS-1.7:** Wildlife Movement Corridor. Continue efforts to establish a wildlife movement corridor in areas such as the San Jacinto River corridor, Santa Rosa Hills, Lakeview Mountains, and the open space areas surrounding Diamond Valley Lake. As applicable, new development in these areas shall incorporate such corridors. To minimize impediments to riparian wildlife movement, new roadways over ravines, arroyos, and drainages shall maintain wildlife corridors by incorporating bridges or culverts, where practical.

The City adopted a tree replacement ordinance (Chapter 2, Article IV, Division 4, Section 2-227) for trees and shrubs on public property to establish a specific fund in the Capital Improvement Plan (CIP) budget for urban forestry to fund the planting of new or replacement trees annually at parks, City facilities, or in the public right-of-way. The ordinance also requires the replacement of any tree on public property with a trunk diameter greater than four inches with a tree of similar shape and size or with smaller trees at a 3:1 ratio, as reasonably feasible, subject to review by the City Park Commission. Replacement trees are to be categorized as California-friendly or on the City's approved tree list.

3.4.2 Certified EIR Findings

The 1979 Certified EIR concludes development of the Page Ranch PCD will affect vegetation and wildlife during construction and operation. Mitigation Measure 1 indicated the proposed preservation of fifteen percent of the Page Ranch PCD site as open space will somewhat mitigate the impact upon vegetation and wildlife and that biological resources surveys prior to development would assure that no rare or endangered plant or wildlife species will be disturbed. Biological surveys conducted for the Approved Project identified no candidate, sensitive, or special status plant or wildlife species documented within the Approved Project site.

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. The 2008 Draft EIR concluded no federally protected wetlands as defined by Section 404 of the Clean Water Act, riparian habitat, or other sensitive natural community is located within the Approved Project site. However, the Hemet Channel and Thornton Channel, which are waters of the U.S. and CDFW jurisdictional streambeds, would be subject to impacts that require mitigation.

The Certified EIR concluded the nearest wildlife movement corridors in proximity to the Approved Project site are the Hemet Channel and Salt Creek, which provide habitat for species and also provide for movement of species from the Hemet area to the east to Canyon Lake in to the west. The Approved Project site is subject to occupancy by migratory birds and includes trees and other features that provide

nesting opportunities for many bird species, particularly raptors; however, due to the Approved Project site's geographic location, surrounding land uses, and absence of native or natural habitat on adjacent parcels, it is not considered an essential component for regional wildlife movement.

The Certified EIR concluded there are no local policies or ordinances protecting biological resources within the project site. No impact would occur, and no mitigation is required. The Approved Project is within the adopted MSHCP and designated Criteria Cells. With implementation of mitigation, which requires the Approved Project to demonstrate conformance with applicable provisions of MSHCP, the Approved Project would not conflict with any Habitat Conservation Plan or result in significant impacts to biological resources.

3.4.3 Existing Environmental Setting

The proposed Modified Project site is located within the San Jacinto Valley in the City of Hemet. The site is relatively flat and ranges in elevation from approximately 1,510 feet AMSL in the northeastern corner of the site to approximately 1,490 feet AMSL in the drainage basin located in the southwestern portion of the site. The site is characterized as agricultural lands (field croplands), seasonal depressions, Eucalyptus woodland, and disturbed/herbaceous wetland vegetation communities (Figure 3.4.1).

The majority of the site is covered by sparse non-native plants and is regularly plowed for weed abatement. The site has been used for growing crops dating back to at least the 1930s, primarily oat and wheat dry farming. The majority of flat lowlands are actively farmed for wheat production. Site soils include artificial fills, topsoil, young alluvial-valley deposits, and older alluvium. Soils mapped within the eastern two-thirds of the site consist primarily of the Exeter, Hanford, Grangeville, and Greenfield soils, and soils on the western portion of the site are saline-alkali Domino and Traver soils. Domino, Traver and Willows soil types are classified as sensitive substrates considered important for the conservation of certain plant species and vernal pool resources in the region. A total of 13 on-site seasonal depressions (plus the infiltration basin) are inundated during high rainfall years, but not long enough to develop primary constituent elements of jurisdictional wetlands and waters. Furthermore, none of the soil mapping units underlying the seasonal depressions are identified as being hydric soils.

A farmhouse and barn occupied the eastern portion of the site near the existing intersection of Warren Road and Mustang Way from 1949 (possibly earlier) to approximately 1990, with portions of the concrete footings from the structures and a grouping of approximately 10 eucalyptus trees still present. The Second San Diego Aqueduct abuts the western boundary of the site as an above-ground canal in a north to south direction. The First San Diego Aqueduct traverses the site below ground in northeasterly to southwesterly direction within a 150-foot-wide easement adjacent and parallel to two Eastern Municipal Water District easements (20-foot and 40-foot) for public utilities.

The Hemet Channel abuts the northern boundary of the site in a northeast/southwest alignment. Another drainage channel and a detention basin are located along the southern border of the proposed Modified Project site. This [southern] drainage channel and basin were constructed as part of the Tracts 31807 and 31808 located on the east side of Warren Road to collect runoff from the site and adjacent properties and harbor the disturbed/herbaceous wetland vegetation communities of the site (Figure 3.4.1). An off-site drainage channel to be improved as part of the Modified Project conveys runoff from the existing drainage basin south to the existing channel at Simpson Road. Salt Creek is located between 0.5 and 1 mile south of the Modified Project site. Significant vernal pool resources and sensitive plant species are located north and southwest of the Modified Project site within Salt Creek as well as along Warren Road near the Modified Project's road frontage to the northeast. The Warren Road vernal pools were protected in place as part of previous roadway and development projects.

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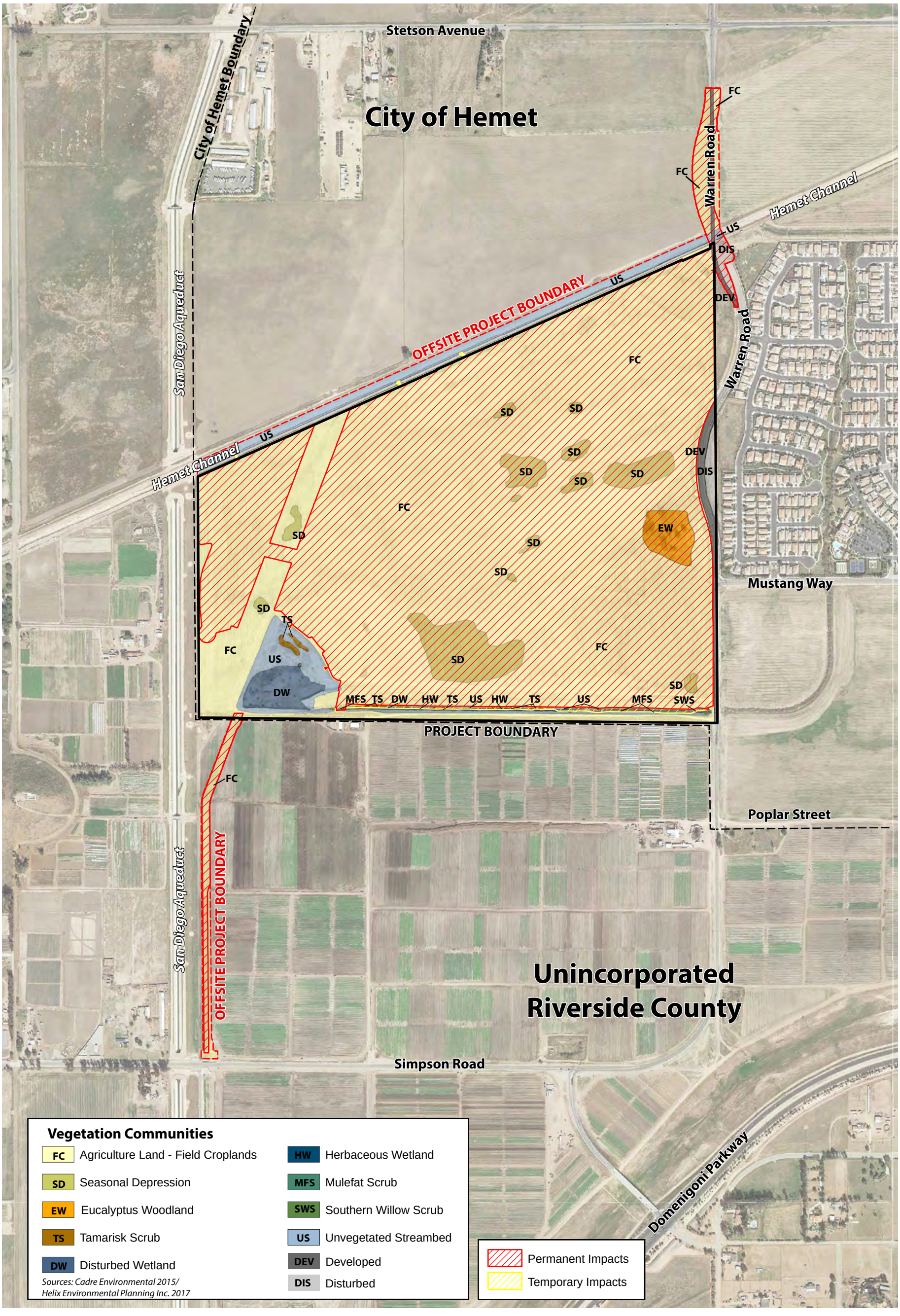

APNs 465-100-016, 465-100-022, 465-110-020, 021, 022, 023, and 027. Offsite APNs Portions of 465-120-019, 021, 465-130-016, 017, 465-100-018, and 032.

LSA

FIGURE 3.4.1

SOURCE: CADRE Environmental

Rancho Diamante Phase II
Subsequent Environmental Impact Report

Vegetation Communities

I:\HET1601\G\Vegetation Communities.cdr (8/23/2019)

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3.4.4 Methodology

The Modified Project site was subject to several project- and site-specific biological investigations (Appendix C1 through C5) to determine consistency with the requirements of the SKR-HCP and MSHCP including Criteria Cells; Conservation Areas and wildlife movement corridors and linkages; Criteria Area Species Survey Areas for plant, bird, mammal, and amphibian species; Narrow Endemic Plants Survey Areas; and survey requirements for inadequately covered species. A Determination of Biologically Equivalent or Superior Preservation (DBESP) report was prepared to ensure replacement of any lost functions and values of habitat as it relates to MSHCP riparian, riverine and covered species and to determine if the Modified Project site may be considered biologically equivalent or superior to an avoidance alternative in accordance with the MSHCP.

A preliminary review of the proposed Modified Project TTM 36841 by the Riverside County Airport Land Use Commission (ALUC) indicated the proposed water quality control basins have potential to attract wildlife hazardous to operation of the Hemet-Ryan Airport. In accordance with ALUC Staff recommendations, a Qualified Wildlife Hazard Biologist who meets the standards of the Federal Aviation Administration (FAA) Advisory Circular (AC) No. 150/2500-36B conducted a Hazardous Wildlife Attractants Analysis (Appendix F2) of the proposed water quality control basins for the Modified Project. The Hazardous Wildlife Attractants Analysis prescribes performance standards to be implemented during design and construction of the Modified Project in order to reduce the potential for the proposed water quality control basins to attract significant numbers of hazardous wildlife, such as large birds. Details of the Hazardous Wildlife Attractants Analysis, including measures to reduce impacts, are presented in Section 3.7, *Hazards and Hazardous Materials*, of this SEIR.

3.4.5 Thresholds of Significance

The City has not established local CEQA significance thresholds; therefore, this SEIR incorporates the biology questions included in the Certified EIR in accordance with Appendix G ("CEQA Checklist") of the State *CEQA Guidelines*. Per the Certified EIR, a significant impact to biological resources would occur if the project was determined to:

- Have a substantial adverse effect, either directly or indirectly or through habitat modification, on any species identified as a candidate, sensitive, or special- status species in local or regional plans, policies, or regulations, or by the CDFW or the USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or the USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native or resident migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and/or
- Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

3.4.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDFs): PDFs include biological resource conservation features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts to biological resources. The proposed Modified Project provides a framework of development standards to guide development of the proposed residential and commercial uses. These regulations and standards establish best management practices (BMPs) during construction activities and the installation and proper maintenance of structural BMPs to ensure adequate long-term treatment of all surface runoff from paved and developed areas of the Modified Project site before entering into any stream course or off-site conservation areas in accordance with Mitigation Measures 3.4.10.6 and 3.4.10.7.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to biological resources.

PPP 3.1-2 Pursuant to Section 90-386 (Site Development Requirements) of the City Municipal Code and General Plan Program CD-P-20, all on-site lighting shall be shielded to prevent off-site glare.

(1) All outdoor lighting shall be designed to illuminate uses, while minimizing light trespass into neighboring areas.

(2) The candlepower of outdoor lighting shall be the minimum required for safety purposes.

(3) Light for safety purposes shall be provided at entryways, along walkways, between buildings, and within parking areas.

(4) All lights shall be directed, oriented, and shielded downward to prevent light from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct drivers' vision.

(5) Light sources shall not be located in required buffer areas, except those required to illuminate pedestrian walkways.

PPP 3.4-1 The Modified Project will obtain and comply with waste discharge requirements (WDRs) of the Porter-Cologne Act and the National Pollutant Discharge Elimination System (NPDES) permit to treat all surface runoff from paved and developed areas through implementation of applicable BMPs during construction and installation and proper maintenance of structural BMPs during operation. Runoff patterns will be recreated to mimic the pre-channelization conditions within the Modified Project site. Storm water treatment BMPs will be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant material, or other elements to minimize edge effects to the Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Project Site (Salt Creek) associated with the Urban/Wildlands interface.

3.4.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.4.7.1 Candidate, Sensitive, or Special-Status Plant and Wildlife Species

Threshold:	Would the project 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. Fish and Wildlife Service?

The Certified EIR concludes development of the Page Ranch PCD will impact vegetation and wildlife during construction and operation. Mitigation Measure 1 in the 1979 EIR indicated the proposed preservation of 15 percent of the Page Ranch PCD site as open space will somewhat mitigate the impact upon vegetation and wildlife and that biological resources surveys prior to development would ensure that no rare or endangered plant or wildlife species will be disturbed. The MSHCP was developed in 2001 by the County of Riverside in cooperation with State and federal agencies to address the direct, indirect, cumulative, and growth-related effects on covered species resulting from build out of planned land use and infrastructure, including the Approved Project. Biological surveys conducted for the Approved Project identified no candidate, sensitive, or special-status plant or wildlife species documented within the Approved Project site that are not covered by the MSHCP. Specifically, two species covered by the MSHCP were documented within the Approved Project site, the little mousetail and the burrowing owl. The on-site occurrence of little mousetail is outside the MSHCP Criteria Area Survey Area and is not associated with a vernal pool or any soil targeted for conservation by the MSHCP. Therefore, impacts to little mousetail were determined to be less than significant. However, the Approved Project site is located within the MSHCP-designated burrowing owl survey area. Accordingly, the Certified EIR prescribed Mitigation Measure BR-1a requiring pre-construction surveys for the burrowing owl and avoidance and/or relocation measures in accordance with the project-specific DBESP and concluded impacts to candidate, sensitive, or special-status species would be less than significant with mitigation.

As indicated in Table 3.4.A, development of the proposed Modified Project would directly affect approximately 221.68 acres of vegetation communities (213.43 acres on site and 8.25 acres off site), of which 220.05 acres would be permanently affected while 1.63 acres would be temporarily affected (Figure 3.4.1).

Table 3.4.A: Vegetation Community Impacts

Vegetation Type	Acreage (on-site)	Acres (off-site)	Permanent Impacts Acres (total)	Temporary Impacts Acres (total)
Agriculture Land – Field Croplands	214.55	10.74	202.90	0.19
Seasonal Depressions	12.93	—	12.26	—
Unvegetated Streambed	6.57	6.61	0.07	0.69
Disturbed Wetland	3.42	—	—	0.03
Eucalyptus Woodland	2.94	—	2.93	—
Tamarisk Scrub	0.61	—	—	0.19
Mule Fat Scrub	0.48	—	0.02	0.37
Herbaceous Wetland	0.31	—	—	0.13
Southern Willow Scrub	0.06	—	—	0.01
Disturbed	1.02	3.12	0.82	0.02
Developed	2.18	1.01	1.05	—
TOTALS	**245.07**	**21.48**	**220.05**	**1.63**

Source: Table 8: Vegetation Community Impacts. Cadre Environmental. *Biological Resources Technical Report, Rancho Diamante Project Site, City of Hemet, California, TTM 36841*. June 2018 (Appendix C1).

A 62.75-acre portion of the Modified Project site is located within MSHCP Criteria Cell 4007, and a 20.23-acre portion is located within Criteria Cell 3892 (SU4 Hemet Vernal Pool Areas East). No

conservation within Criteria Cell 4007 or 3892 is proposed or identified by the MSHCP criteria for the region located within the Modified Project site.

The Modified Project site is located within MSHCP narrow endemic plant, criteria area, and specific wildlife survey areas for the following 18 species (15 plant and 3 wildlife species), for which focused surveys were conducted in accordance with the MSHCP. Those species include:

- Riverside fairy shrimp (*Streptocephalus woottoni*)
- Vernal pool fairy shrimp (*Branchinecta lynchi*)
- Burrowing owl (*Athene cunicularia*)
- San Jacinto Valley crownscale (*Atriplex coronata* var. *notatior*)
- Davidson's saltscale (*Atriplex davidsonii*)
- Parish's brittlescale (*Atriplex parishii*)
- Thread-leaved brodiaea (*Brodiaea filifolia*)
- Smooth tarplant (*Centromadia pungens* subsp. *laevis*)
- Round-leaved filaree (*Erodium macrophyllum*)
- Coulter's goldfields (*Lasthenia glabrata* subsp. *coulteri*)
- Little mousetail (*Myosurus minimus* subsp. *apus*)
- Mud nama (*Nama stenocarpum*)
- Munz's onion (*Allium munzii*)
- San Diego ambrosia (*Ambrosia pumila*
- Many-stemmed dudleya (*Dudleya multicaulis*)
- Spreading navarretia (*Navarretia fossalis*)
- California Orcutt grass (*Orcuttia californica*)
- Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*)

None of the focused biological surveys identified any federal or state listed threatened or endangered plants or wildlife within the Modified Project site. However, one MSHCP criteria area species, smooth tarplant (191 plants), was identified within the off-site Modified Project boundary during the focused sensitive plant surveys. Although burrowing owl were detected within and adjacent to the Modified Project site during initial MSHCP focused surveys conducted in 2005 and 2006 as part of the Approved Project, the results of those surveys did not meet the MSHCP requirements of three or more pairs for a site requiring on-site conservation.

Incidental MSHCP covered species documented during the Modified Project habitat assessment and/or focused survey efforts include the *California Species of Special Concern* white-tailed kite, California horned lark, and San Diego black-tailed jackrabbit, as well as the non-listed loggerhead shrike, turkey vulture, and coyote. Impacts to common and MSHCP-covered species will be mitigated to a level of less than significant by implementing Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4. Mitigation Measure 3.4.10.1 requires the project applicant to pay MSHCP Local Development Mitigation fees as determined by the City of Hemet in order to offset impacts from development of 221.68 acres of vegetation communities. Mitigation Measures 3.4.10.3 and 3.4.10.4 require a 30-day pre-construction burrowing owl survey and 14-day pre-construction nesting bird survey, respectively, to ensure

protection for MSHCP-covered species and compliance with the conservation goals as outlined in the MSHCP. Implementation of Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4 would ensure the Modified Project would have a less than significant impact to candidate, sensitive, or special status species. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts to candidate, sensitive, or special status species.

3.4.7.2 Riparian Habitat or other Sensitive Natural Communities

Threshold:	Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. The 2008 Draft EIR, encompassing 91.66 acres of the 245.07-acre proposed Modified Project as Planning Area X (TTM 35394) of the Approved Project, concluded no riparian habitat or other sensitive natural community is located within the Approved Project site.

Salt Creek is located between 0.5 and 1 mile south of the Modified Project site. Significant vernal pool resources and sensitive plant species are located north and southwest of the Modified Project site within Salt Creek. Alterations to downstream hydrology and additional impacts to flows leading southwest of the Modified Project site to Salt Creek would be considered significant. However, the off-site drainage channel conveying runoff from the existing on-site drainage basin south to the existing channel at Simpson Road will be improved as part of the Modified Project. Design elements will contribute to the Regional Drainage Plan and significantly improve the existing hydrology contributing to the sensitive resources located southwest of the Modified Project site within Salt Creek. Specifically, the proposed project will safely convey the region-wide peak flows (the maximum flow rate associated with a 100-year storm event), as well as the increased surface flows that will result from the development of the site. Therefore, Salt Creek would not be subject to adverse physical changes from construction or operation of the Modified Project.

Pursuant to MSHCP Section 6.1.2, Volume I, the Modified Project site, including the off-site areas, was assessed for the presence/absence and extent of MSHCP riparian, riverine, and vernal pool resources. MSHCP Riparian/Riverine Section 6.1.2 regulated resource areas documented on the Modified Project site are the same as those reported for CDFW jurisdiction.

A formal jurisdictional delineation of the Modified Project site was conducted to determine the boundaries or absence of streambed and riparian habitat subject to the regulatory jurisdiction of the CDFW, Sections 1600 *et seq*. of the California Fish and Game Code, and Riparian/Riverine Areas and Vernal Pools defined in MSHCP Section 6.1.2. Table 3.4.A and Figure 3.4.1 identify the natural vegetation communities of the Modified Project site.

Most of the Modified Project site consists of active agricultural land—field croplands, which is routinely disked as part of dry-land farming practices. In 2007, an artificial ditch was constructed along the southern boundary of the Modified Project site as part of the Tracts 31807 and 31808 located on the east side of Warren Road to collect runoff from the site and adjacent properties. This constructed ditch now supports Disturbed Wetland**,** Herbaceous Wetland**,** Mule Fat Scrub**,** Southern Willow Scrub**,** Tamarisk Scrub**,** and Unvegetated Streambed vegetation communities. An infiltration basin was also constructed in the southwestern portion of the Modified Project site to collect overflow runoff from the drainage ditch and adjacent farmlands. This shallow basin supports Disturbed Wetland, Unvegetated Streambed**,** Seasonal Depression**,** and Tamarisk Scrub**.** Finally, the off-site reach of Hemet Channel

located immediately north of the Modified Project site and generally devoid of vegetation was mapped as Unvegetated Streambed**.**

Site soils include artificial fills, topsoil, young alluvial-valley deposits, and older alluvium. Soils mapped within the eastern two-thirds of the site consist primarily of the Exeter, Hanford, Grangeville, and Greenfield soils, and soils on the western portion of the site are saline-alkali Domino and Traver soils. Domino, Traver and Willows soil types are classified as sensitive substrates considered important for the conservation of certain plant species and vernal pool resources in the region.

The Modified Project site does not occur within a designated critical habitat for federally endangered or threatened species. Furthermore, no sensitive or undisturbed native habitats listed by CDFW as sensitive were documented within the Modified Project site. One of the 15 MSHCP Criteria Area and Narrow Endemic plant species, smooth tarplant (a small population consisting of 191 individual plants), was detected during the focused survey program along the proposed off-site drainage channel improvement alignment between the Modified Project site and Simpson road to the south. This small population is located within habitat characterized as agricultural land – field croplands. The limited distribution of this species off site is not expected to have long-term conservation value, and no mitigation obligations specific to this species are warranted. The other 14 target MSHCP species were not detected during the survey program and/or are not expected to grow on site due to a lack of detection.

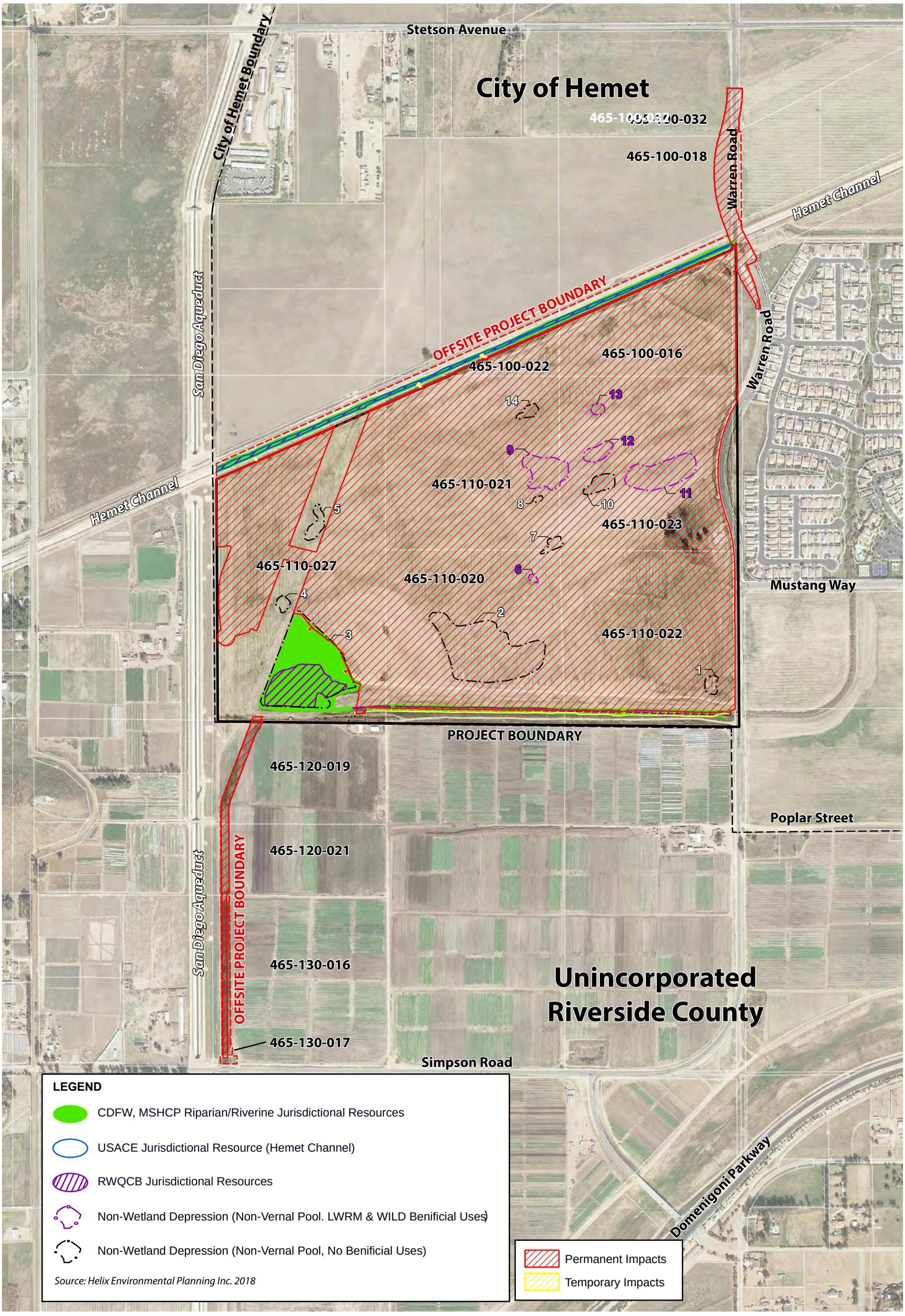
Thirteen on-site seasonal depressions are inundated during high rainfall years, but not long enough to develop primary constituent elements of jurisdictional wetlands and waters (Figure 3.4.2). The features were confirmed to become inundated and saturated, but not over sufficient timeframes to support a dominance of hydrophytic vegetation or vernal pool indicator plants, develop hydric soils, support multiple wetland hydrology criterion, or support significant or critical populations of wildlife, including fairy shrimp. However, 5 of the 13 on-site seasonal depressions were determined to support two beneficial uses, Limited Warm Freshwater Habitat (LWRM)[9] and Wildlife Habitat (WILD)[10] due to the presence of the non-listed, common versatile fairy shrimp. The CDFW and MSHCP riparian/riverine acreages of the Modified Project site are identified in Table 3.4.B and Figure 3.4.2.

Riparian and riverine resources characterized and regulated by MSHCP Section 6.1.2 include 16.05-acres of mule fat scrub, southern willow scrub, tamarisk scrub, and understory herbaceous and disturbed wetland that has established within the on-site man-made channel and basin. Unvegetated streambed resources meeting MSHCP 6.1.2 jurisdiction also include non-wetland and non-riparian streambed and bank associated with the Hemet Channel and portions of the on-site man-made channel and basin. No suitable habitat for the least Bell's vireo, southwestern willow flycatcher, or western yellow-billed cuckoo was detected within or adjacent to the Modified Project site.

As indicated in Table 3.4.B, 0.02 acre of permanent and 0.74 acre of temporary impact on riparian-vegetated streambed/basin, and 0.06 acre of permanent and 0.70 acre of temporary impact on unvegetated streambed would result from project execution (total of 1.52 acres of permanent/temporary impacts to jurisdictional resources regulated by CDFW and MSHCP Section 6.1.2). These impacts are

[9] LWRM uses include waters that support warm water ecosystems which are severely limited in diversity and abundance as the result of concrete-lined watercourses and low, shallow dry weather flows which result in extreme temperature, pH, and/or dissolved oxygen conditions. Naturally reproducing finfish populations are not expected to occur in LWRM waters.

[10] WILD uses include water that supports terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.



APNs 465-100-016, 465-100-022, 465-110-020, 021, 022, 023, and 027. Offsite APNs Portions of 465-120-019, 021, 465-130-016, 017, 465-100-018, and 032.

LSA

FIGURE 3.4.2

0 360 720
FEET

SOURCE: CADRE Environmental

Rancho Diamante Phase II
Subsequent Environmental Impact Report

Jurisdictional Resources

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Table 3.4.B: Jurisdictional Resources Impacts

Jurisdictional Resources	Existing Acres[1] (Linear Feet)	Impacts Acres[1] (Linear Feet)	
		Temporary	Permanent
USACE Jurisdiction			
Non-Wetland Waters (Hemet Channel)	1.77 (4,290)	<0.01 (30)	<0.01 (5)
TOTAL	**1.77 (4,290)**	**<0.01 (30)**	**<0.01 (5)**
RWQCB Jurisdiction			
Non-Wetland Waters (Hemet Channel)	1.77 (4,290)	<0.01 (30)	<0.01 (5)
Isolated Non-Wetland Waters (Man-made Channel)	0.11 (3,025)	<0.01 (50)	—
Isolated Wetland Waters (Man-made Channel and Basin)	4.09 (377)	0.50 (2,783)	0.01 (53)
TOTAL	**10.46 (7,692)**	**0.51 (2,863)**	**0.01 (58)**
CDFW Jurisdiction & MSHCP Riparian/Riverine Areas (Section 6.1.2)			
Riparian Habitat			
Disturbed Wetland	3.42	0.04	—
Herbaceous Wetland	0.31	0.13	—
Mule Fat Scrub	0.39	0.37	0.02
Southern Willow Scrub	0.06	0.01	<0.01
Tamarisk Scrub	0.61	0.19	<0.01
Subtotal	4.87	0.74	0.02
Unvegetated Streambed			
Unvegetated Streambed	11.18	0.70	0.06
Subtotal	11.18	0.70	0.06
TOTAL	**16.05**	**1.44**	**0.08**

Source: Table 9: Jurisdictional Resources Impacts. Cadre Environmental. *Biological Resources Technical Report, Rancho Diamante Project Site, City of Hemet, California, TTM 36841*. June 2018 (Appendix C1).

considered to be significant and will be mitigated to less than significant levels by implementing Mitigation Measures 3.4.10.5 and 3.4.10.6. Mitigation Measure 3.4.10.5 requires a Determination of Biological Equivalent or Superior Preservation (DBESP) to ensure replacement of any lost functions and values of habitat as it relates to MSHCP riparian, riverine, and covered species. Mitigation Measure 3.4.10.6 requires acquisition of a 1602 Streambed Alteration Agreement from CDFW. When compared to the Approved Project, the Modified Project would have similar [less than significant with mitigation] impacts to riparian habitat or sensitive natural communities.

3.4.7.3 Wetland and Non-wetland Waters

Threshold:	Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, march, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. The 2008 Draft EIR, encompassing 91.66 acres of the 245.07-acre proposed Modified Project as Planning Area X (TTM 35394) of the Approved

Project, concluded no federally protected wetlands as defined by Section 404 of the Clean Water Act are located within the Approved Project site. However, the Hemet Channel and Thornton Channel, which are waters of the U.S. and CDFW jurisdictional streambeds, would be subject to impacts, and Mitigation Measure BR-2 is required to ensure compliance with appropriate water permitting regulations. With implementation of Mitigation Measure BR-2, impacts to waters of the U.S. and CDFG jurisdictional streambeds would be reduced to less than significant levels.

A formal jurisdictional delineation of the Modified Project site was conducted to determine the boundaries or absence of potential wetland and non-wetland waters of the U.S per Section 404 of the CWA, and wetland and non-wetland waters of the State per Section 401 of the CWA and Porter-Cologne. Thirteen on-site seasonal depressions are inundated during high rainfall years, but not long enough to develop primary constituent elements of jurisdictional wetlands and waters (Figure 3.4.2). As indicated in Table 3.4.B, above, 0.01 acre of permanent and 0.51 acre of temporary impacts to wetland and non-wetland waters would result from project execution (total of 0.52 acre of permanent/ temporary impacts to jurisdictional resources regulated by USACE and RWQCB). These impacts are considered to be significant and will be mitigated to less than significant levels by implementing Mitigation Measures 3.4.10.5 and 3.4.10.6. Mitigation Measure 3.4.10.5 requires a DBESP to ensure replacement of any lost functions and values of wetland and non-wetland waters of the U.S./State and isolated waters of the State. Mitigation Measure 3.4.10.6 requires acquisition of a CWA Section 404 permit and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260 (Porter-Cologne Act). When compared to the Approved Project, the Modified Project would have similar [less than significant with mitigation] impacts to wetland and non-wetland waters of the U.S. and waters of the State.

3.4.7.4 Wildlife Movement, Corridors, and Nursery Sites

Threshold:	Would the project 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 wildlife nursery sites?

The Certified EIR concluded the nearest wildlife movement corridors in proximity to the Approved Project site are the Hemet Channel and Salt Creek, which provide habitat for species and also provide for movement of species from the Hemet area to the east to Canyon Lake in to the west. The Approved Project site is subject to occupancy by migratory birds and includes trees and other features that provide nesting opportunities for many bird species, particularly raptors; however, due to the Approved Project site's geographic location, surrounding land uses, and absence of native or natural habitat on adjacent parcels, it is not considered an essential component for regional wildlife movement. To mitigate for potential impacts to migratory birds, the 2008 Draft EIR prescribed Mitigation Measures BR-3 and BR-4, respectively, which require a pre-construction nesting bird survey during the nesting bird season and conformance with the with the MSHCP Urban/Wildland Interface Guidelines for the Approved Project. Implementation of Mitigation Measures BR-3 and BR-4 would ensure impacts from the Approved Project to wildlife movement, corridors, and nursery sites would be less than significant with mitigation.

The Modified Project site is not recognized as a regional wildlife movement corridor. According to the MSHCP, the site is not located within an MSHCP designated core, extension of existing core, non-contiguous habitat block, constrained linkage, or linkage area. The site provides minimal cover or food, and it contains no natural unrestricted water courses that would facilitate regional wildlife movement on site. Salt Creek, located between 0.5 and 1 mile south of the Modified Project site, is the nearest recognized wildlife movement corridor. The off-site drainage channel conveying runoff from the existing on-site drainage basin south to the existing channel at Simpson Road will be improved as part of the Modified Project. Implementation of Mitigation Measure 3.4.10.7 will contribute to the Regional Drainage Plan and significantly improve the existing hydrology contributing to the sensitive resources

located southwest of the Modified Project site within Salt Creek. Specifically, the proposed project will safely convey the region-wide peak flows (the maximum flow rate associated with a 100-year storm event), as well as the increased surface flows that will result from the development of the site. Therefore, Salt Creek would not be subject to adverse physical changes from construction or operation of the Modified Project.

In addition to Salt Creek, the adjacent Hemet Channel (Constrained Linkage B) is expected to be utilized by wildlife for local and regional movement. However, this linkage is constrained on its northern and southern edges by urban development. A permanent barrier between the Modified Project site and Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) will be constructed to minimize unauthorized public access to the channel. The Modified Project would include seven new off-site storm drain connections to Hemet Channel that are not expected to preclude its continued function as a constrained linkage for local and regional wildlife movement. The seven storm drain facilities will be located partially within an area designated as Public/Quasi-Public (PQP) in Hemet Channel. Three outfall structures will extend north of the Modified Project site to the Hemet Channel discharging captured and treated waters. Therefore, the proposed storm drain connections will not impede or conflict with the conservation value of channel as a drainage facility and wildlife movement corridor. Therefore, no PQP replacement is necessary.

In accordance with PPP 3.1-2, night lighting throughout the Modified Project site, including adjacent to the Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B), would be directed downward and away from off-site areas of the project to reduce potential indirect impacts to wildlife species. Project-related noise that could deter wildlife in the project vicinity will be attenuated to below residential, commercial, or mixed use noise standards established for Riverside County through implementation of PPPs, PFDs, and mitigation measures specified in Section 3.12 of this SEIR. Additionally, Mitigation Measure 3.4.10.7 will ensure final project design will be developed to ensure best management practices are incorporated into the project to address and minimize edge effects associated with the Urban/Wildlands Interface to Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows into Salt Creek southwest of the Modified Project site.

The Modified Project will obtain and comply with waste discharge requirements (WDRs) and the National Pollutant Discharge Elimination System (NPDES) permit to treat all surface runoff from paved and developed areas through implementation of applicable Best Management Practices (BMPs) during construction and installation and proper maintenance of structural BMPs during operation. Runoff patterns will be recreated to mimic the pre-channelization conditions within the Modified Project site. Storm water treatment BMPs will be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant material, or other elements that could degrade or harm downstream biological or aquatic resources. PPP 3.4-1 will ensure adequate long-term treatment of water before entering into any stream course or off-site conservation areas.

The above project design and BMPs shall be incorporated into the Modified Project in accordance with Mitigation Measure 3.4.10.7 to minimize edge effects to the Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Project Site (Salt Creek) associated with the Urban/Wildlands interface. Additionally, implementation of a 30-day pre-construction burrowing owl survey and 14-day pre-construction nesting bird survey in accordance with Mitigation Measures 3.4.10.3 and 3.4.10.4, respectively, will ensure protection for migratory birds that may occupy the site. Implementation of these PDFs and Mitigation Measures will reduce these impacts to less than significant. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts to wildlife movement, corridors, and nursery sites.

3.4.7.5 Local Policies or Ordinances Protecting Biological Resources

Threshold:	Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation polity or ordinance?

The Certified EIR concluded there are no local policies or ordinances protecting biological resources within the project site. No impact would occur and no mitigation is required.

Regarding the Modified Project site, the City General Plan includes a variety of Programs and Policies intended to support the conservation and protection of biological resources. Additionally, the City is a participant in several broader plans and programs to protect biological resources, including the MSHCP and the SKR HCP. Policy OS-1.1 and OS-1.4 require the Modified Project to consider biological resources and incorporate mitigation and site planning techniques to reduce impacts to these resources. Conservation of upland habitat areas and maintenance of adequate hydration would protect vernal pool complexes and wetland habitats in accordance with Policy OS-1.3. Recreational use of open space would be limited to select areas in order to preserve sensitive biological resources in accordance with Policy OS-1.5. Furthermore, the Modified project must comply with the City's habitat conservation activities, including implementation of HCPs, in accordance with Policy OS-1.6. Finally, the Modified Project must not conflict with the City's efforts to establish wildlife movement corridor connections in the planning area in accordance with Policy OS-1.7.

Project-specific focused biological surveys, a jurisdictional delineation, and DBESP were prepared in accordance with MSHCP Section 6.1.2, Volume I. Significant vernal pool resources and sensitive plant species are located southwest of the Modified Project site within Salt Creek. Project implementation of Mitigation Measure 3.4.10.7 would ensure safe conveyance of the region-wide peak flows (the maximum flow rate associated with a 100-year storm event), as well as the increased surface flows that will result from the development of the site, and significantly improve the existing hydrology contributing to the sensitive resources located southwest of the Modified Project site within Salt Creek.

Impacts to common and MSHCP-covered species will be mitigated to a level of less than significant by implementing Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4. Impacts to riparian habitat, sensitive natural communities, wetlands, and non-wetland waters will be mitigated to less than significant levels by implementing Mitigation Measure 3.4.10.5, which requires a DBESP to ensure replacement of any lost functions and values of habitat as it relates to MSHCP riparian, riverine, and covered species, as well as wetland and non-wetland waters of the U.S./State and isolated waters of the State. Finally, Mitigation Measure 3.4.10.6 requires acquisition of a 1602 Streambed Alteration Agreement from CDFW, CWA Section 404 permit, and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260 (Porter-Cologne Act). Implementation of PPPs 3.1-2 and 3.4-1, and Mitigation Measures 3.4.10.3 and 3.4.10.4, would ensure the Modified Project would have less than significant impacts with mitigation to wildlife movement, corridors, and nursery sites.

The City adopted a tree replacement ordinance (Chapter 2, Article IV, Division 4, Section 2-227), which is applicable to trees and shrubs on public property only. The Modified Project does not include removal of any trees on public property but will be subject to development impact fees, a portion of which would be allocated to the City CIP for urban forestry. Furthermore, the Modified Project will incorporate California-friendly or City-approved trees within public parks and along public roadways abutting the project pursuant to the City's tree replacement ordinance (Chapter 2, Article IV, Division 4, Section 2-227).

The Modified Project is designed to comply with the General Plan Policies requiring preservation of habitat, vernal pool hydration, maintenance of open space and wildlife movement corridors, and integration of biological resource planning through implementation of the PPPs (3.1-2 and 3.4-1) and

Mitigation Measures (3.4.10.1, 3.4.10.3, 3.4.10.4, 3.4.10.5, 3.4.10.6, 3.4.10.7) described above. When compared to the Approve Project, the Modified Project would have a similar [less than significant, albeit with mitigation] from conflict with local policies or ordinances protecting biological resources.

3.4.7.6 Provisions of an Adopted Habitat Conservation Plan

Threshold:	Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?

The Certified EIR concluded the Approved Project is within the adopted MSHCP and designated Criteria Cells. With implementation of Mitigation Measure BR-5, which requires the Approved Project to demonstrate conformance with applicable provisions of MSHCP, the Approved Project would not conflict with any Habitat Conservation Plan.

The Modified Project site is located within the MSHCP San Jacinto Valley Area Plan, south of Proposed Noncontiguous Habitat Block 7 and Constrained Linkage B (Hemet Channel). A 62.75-acre portion of the Project Site is located within Criteria Cell 4007 and 20.23-acre portion is located within Criteria Cell 3892 (SU4 Hemet Vernal Pool Areas East). Accordingly, the Modified Project is required to be reviewed through the Habitat Acquisition and Negotiation Strategy (HANS) and the Regional Conservation Authority Joint Project Review (JPR) process.

No conservation within Criteria Cell 4007 is proposed or identified by the MSHCP criteria for the region located within the Modified Project site. Therefore, the project is consistent with conservation goals identified for Criteria Cell 4007 – SU4 Hemet Vernal Pool Areas East.

No conservation within Criteria Cell 3892 is proposed or identified by the MSHCP criteria for the region located within the Modified Project site. Significant vernal pool resources and sensitive plant species are located north and southwest of the Modified Project site within Salt Creek as well as along Warren Road near the Modified Project's road frontage within Criteria Cell 3892. No playa/vernal pool habitat is identified in this off-site portion of the Modified Project. Therefore, the project is consistent with conservation goals identified for Criteria Cell 3892 – SU4 Hemet Vernal Pool Areas East.

The Modified Project site is within MSHCP narrow endemic plant, criteria area, and specific wildlife survey areas for 18 species, for which focused surveys were conducted as specified in Section 3.6.7.1 above. A single MSHCP sensitive plant species, smooth tarplant, was documented along the proposed off-site drainage channel improvement alignment between the Modified Project site and Simpson road to the south. Pursuant to MSHCP Section 6.3.2, the limited distribution of this species documented within the off-site impact area is not expected to have long-term conservation value, and no additional mitigation obligations specific to this species is required.

Although burrowing owl were detected within and adjacent to the Modified Project site during initial MSHCP focused surveys conducted in 2005 and 2006 as part of the Approved Project, the results of those surveys did not meet the MSHCP requirements of three or more pairs for a site requiring on-site conservation. Incidental MSHCP covered species documented during the Modified Project habitat assessment and/or focused survey efforts include the *California Species of Special Concern* white-tailed kite, California horned lark, and San Diego black-tailed jackrabbit, as well as the non-listed loggerhead shrike, turkey vulture, and coyote. Impacts to common and MSHCP-covered species will be mitigated to a level of less than significant by implementing Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4. Mitigation Measures 3.4.10.1 requires the project applicant to pay MSHCP Local Development Mitigation fees as determined by the City of Hemet in order to offset impacts from development of 221.68 acres of vegetation communities. Mitigation Measures 3.4.10.3 and 3.4.10.4

require a 30-day pre-construction burrowing owl survey and 14-day pre-construction nesting bird survey, respectively, to ensure protection for MSHCP-covered species and compliance with the conservation goals as outlined in the MSHCP.

Pursuant to MSHCP Section 6.1.2, Volume I, impacts to Riparian/Riverine Section 6.1.2 regulated resource areas, including riparian habitat, sensitive natural communities, wetlands, and non-wetland waters will be mitigated to less than significant levels by implementing Mitigation Measure 3.4.10.5, which requires a DBESP to ensure replacement of any lost functions and values of habitat as it relates to MSHCP riparian, riverine, and covered species, as well as wetland and non-wetland waters of the U.S./State and isolated waters of the State. Finally, Mitigation Measure 3.4.10.6 requires acquisition of a 1602 Streambed Alteration Agreement from CDFW, CWA Section 404 permit, and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260 (Porter-Cologne Act).

All Urban/Wildlands Interface guidelines presented in MSHCP Section 6.1.4 are intended to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. Project design and BMPs will be incorporated into the Modified Project in accordance with Mitigation Measure 3.4.10.7 to minimize edge effects to the Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the project site (Salt Creek) associated with the Urban/Wildlands interface.

The project site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR HCP. In accordance with Mitigation Measure 3.4.10.2, the project applicant is required to 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.

With implementation of Mitigation Measures 3.4.10.1 through 3.4.10.7, the Modified Project will comply with the MSHCP and impacts will be rendered less than significant. When compared to the Approved Project, the Modified Project would result in the same [less than significant with mitigation] impact from conflict with local policies or ordinances protecting biological resources.

3.4.8 Cumulative Impacts

3.4.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

Similar to the Approved Project, the cumulative "universe" for impacts to biological resources under the Modified Project is the regional extent of the habitat and species identified on the Modified Project site (including the off-site areas), which includes the City of Hemet and the San Jacinto Valley, both of which are encompassed within the analytical breadth of the MSHCP.

The goal of the MSHCP is to maintain biological and ecological diversity within a rapidly urbanizing region by creating an interconnected Conservation Area that would sustain wildlife mobility, genetic diversity, and ecosystem health while allowing for individual project impacts. In accordance with CEQA Guidelines Section 15064(h)(3), the MSHCP is a comprehensive mitigation plan for project-specific, as well as regional or potential cumulative impacts to threatened and/or endangered species and their associated habitats. As detailed in Section 3.4.7.6, the Modified Project is consistent with the MSHCP. Through participation in and compliance with the MSHCP, the Modified Project would contribute to the development of the Conservation Area, which would adequately mitigate its incremental impacts to biological resources.

Other reasonably foreseeable projects proposed within the City, San Jacinto Valley, and land administered under the MSHCP may result in loss of threatened and/or endangered species and their

habitats. These projects would be evaluated on a project-by-project basis to determine the presence of threatened and/or endangered species and their associated habitats, and the appropriate measures required to reduce impacts. Since the Modified Project's impacts to biological resources will be covered through project participation in the MSHCP, the Modified Project, in conjunction with past, present, and reasonably foreseeable projects, would not make a significant contribution to cumulatively adverse effects to biological resources. No avoidance, minimization, and/or mitigation measures for cumulative impacts are required over and above those previously defined for project-specific impacts.

3.4.9 Level of Significance before Mitigation

Development of both the Approved Project and the proposed Modified Project would occur within MSHCP narrow endemic plant, criteria area, and specific wildlife survey areas, including burrowing owl. Both the Approved Project and Modified Project could have significant impacts to migratory birds. The Approved Project identified the Hemet Channel and Thornton Channel, which are waters of the U.S. and CDFW jurisdictional streambeds, could be subject to impacts, while the Modified Project identified 1.52 acres of permanent/temporary impacts to jurisdictional resources regulated by CDFW and MSHCP Section 6.1.2 and 0.52 acre of permanent/temporary impacts to jurisdictional resources regulated by USACE and RWQCB (Salt Creek and the Hemet Channel). The Approved Project and Modified Project could result in edge effects to adjacent undeveloped lands and open spaces through development of previously undeveloped land.

3.4.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.4.10.1 Mitigation for the Proposed Modified Project

The following mitigation is required to reduce impacts to biological resources from the proposed Modified Project.

MM 3.4.10.1 Prior to issuance of grading permits, the project applicant shall pay Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation fees as established and implemented by the City of Hemet. Five categories of the fee are defined and include: Residential, density less than 8.0 dwelling units per acre; Residential, density between 8.1 and 14.0 dwelling units per acre; Residential, density greater than 14.1 dwelling units per acre; Commercial per acre; and Industrial per acre. This measure shall be implemented at the rates in force at the time grading permits are issued to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.2 The Modified Project Site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR Habitat Conservation Plan (HCP). Prior to issuance of grading permits, the project applicant shall pay the applicable fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the County. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.3 A burrowing owl pre-construction survey shall be conducted not more than 30 days prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities.

If burrowing owls are detected on site during the 30-day pre-construction survey within the breeding season (February 1st to August 31st), then construction activities shall

be limited to beyond 300 feet of the active burrows. If burrowing owls are detected on site during the 30-day pre-construction survey outside the breeding season (February 1 to August 31), then the buffer for construction activities shall be determined by a qualified biologist in consultation with the City. No construction activity shall be permitted within any burrowing owl construction buffer until a qualified biologist has confirmed that nesting efforts are complete or not initiated.

In addition to monitoring breeding activity, if construction is initiated during the breeding season or active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, California Department of Fish and Wildlife and United States Fish and Wildlife Service requirements for the relocation of individuals to Riverside Conservation Authority conserved lands located north of the Project Site within Proposed Noncontiguous Habitat Block 7. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.4 Mitigation for potential direct/indirect impacts to common and Riverside County Multiple Species Habitat Conservation Plan (MSHCP) covered sensitive bird and raptor species will require compliance with the federal Migratory Bird Treaty Act (MBTA). Construction outside the nesting season (between September 16 and January 31) does not require pre-construction nesting bird surveys. However, if construction is proposed within the nesting season (between February 1 and September 15), a qualified biologist must conduct a nesting bird survey(s) no more than 14 days prior to initiation of construction to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Modified Project site.

The survey(s) will focus on identifying any raptors and/or passerines (perching bird) 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 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 City of Hemet 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 City of Hemet 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. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.5 To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 1.52 acres of Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.2 riparian and riverine resources as follows in accordance with the MSHCP Determination of Biological Equivalent or Superior Preservation.

Off-Site Establishment/Reestablishment. The project shall purchase 0.03 acre of establishment/reestablishment credits from the Riverpark Mitigation Bank. This

element of the mitigation proposal will mitigate permanent impacts to wetland and non-wetland waters of the U.S./State and isolated waters of the State at a 2:1 ratio for non-wetlands and 3:1 ratio for wetlands. This will also mitigate temporary impacts to non-wetland waters of the U.S./State and isolated non-wetland waters of the State. The entirety of United States Army Corps of Engineers (USACE) jurisdiction will be mitigated with this measure.

On-Site Rehabilitation, Enhancement, and Preservation. The project shall rehabilitate and enhance a minimum of 3.1 acres of on-site waters of the State, California Department of Fish and Wildlife (CDFW) jurisdiction, and Riparian/Riverine resources in the form of herbaceous wetland- and southern willow scrub-vegetated areas. The 3.1 acres will be contained within approximately 14.5 acres of on-site waters of the State, CDFW jurisdiction, and Riparian/Riverine resources that will be preserved. This element of the mitigation proposal will mitigate permanent and temporary impacts to CDFW jurisdiction and MSHCP Riparian/Riverine resources at a 3:1 ratio for wetland/riparian-vegetated streambed and 2:1 ratio for unvegetated streambed. This will also mitigate temporary impacts to isolated wetland waters of the State at a minimum 1:1 ratio.

On-Site Replacement and Enhancement of Beneficial Uses. Five of the 13 non-jurisdictional features were determined to support two beneficial uses: limited warm freshwater habitat (LWRM) and wild habitat (WILD). These features will be permanently impacted by the project. The project shall be designed to incorporate 19.2 acres of water quality features to compensate the loss of these two beneficial uses and provide additional uses of value (Ground Water Recharge [GWR], Warm Freshwater Habitat [WARM], Wetland Habitat [WET], and Water Quality Enhancement [WQE]) to the local area and watershed.

MM 3.4.10.6 Prior to issuance of a grading permit, the project applicant will obtain a Clean Water Act (CWA) Section 404 permit from the United States Army Corps of Engineers (USACE), 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW) and a Waste Discharge Requirement (WDR) permit issued by the Regional Water Quality Control Board (RWQCB) pursuant to the California Water Code Section 13260 (Porter-Cologne Act).

Mitigation for permanent and/or temporary impacts shall be determined as specified in the Determination of Biologically Equivalent or Superior Preservation (DBESP) through consultation with the applicable regulatory agencies. Mitigation may include on-site and/or off-site replacement and/or restoration of USACE/RWQCB jurisdictional waters of the U.S./waters of the State, and/or CDFW jurisdictional streambed and associated riparian habitat. Off-site mitigation may occur on land acquired for the purpose of in-perpetuity preservation or through the purchase of mitigation credits at an agency-approved off-site mitigation bank. This measure shall be implemented to the satisfaction of the City Development Services Department.

MM 3.4.10.7 Prior to issuance of grading permits, the project applicant shall provide evidence to the City that the Modified Project shall comply with Urban/Wildlands Interface guidelines presented in Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.4 to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. Final project design shall be developed to ensure best management practices in accordance with the National Pollutant Discharge Elimination System (NPDES) permit are incorporated into the proposed Modified Project to address and minimize edge effects associated with the Urban/Wildlands Interface to

Hemet Channel (PQP Conserved Land, Western Riverside County Multiple Species Habitat Conservation Plan Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Modified Project site (Salt Creek). This measure shall be implemented to the satisfaction of the City Development Services Department.

Mitigation Measures 3.4.10.1 through 3.4.10.7 collectively will ensure compliance with MSHCP conservation requirements. Furthermore, the Modified Project will implement PPPs 3.1-2 and 3.4-1, to minimize edge effects to the Urban/Wildlands Interface as specified in Mitigation Measure 3.4.10.7.

3.4.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure.

Every biological resources mitigation measure presented in the 1979 Certified EIR and in the 2008 Draft EIR for the Approved Project is discussed below. This SEIR concludes the intent of Mitigation Measure 1 the 1979 Certified EIR and Mitigation Measures BR-1a through BR-5 in the 2008 Draft EIR is applicable to the proposed Modified Project, but the 1979 Certified EIR mitigation measures are redundant with PPPs, PDFs, and proposed Mitigation Measures 3.4.10.1 through 3.4.10.7. Therefore, all of the Certified EIR Mitigation Measures are replaced with proposed Mitigation Measures 3.4.10.1 through 3.4.10.7, which are designed specifically for the Modified Project site in accordance with current regulatory standards.

The 1979 EIR Mitigation Measure 1 regarding 15 percent open space preservation was prescribed for the overall 1,621-acre Page Ranch PCD site. The 245.07-acre Modified Project site includes 64.89 acres of public and private HOA park and open space areas, of which approximately 54.15 acres (22 percent) will be designated open space. Additionally, the MSHCP was developed in 2001 by the County of Riverside in cooperation with State and federal agencies to address the direct, indirect, cumulative, and growth-related effects on covered species resulting from build out of planned land use and infrastructure. Proposed Mitigation Measures 3.4.10.1 through 3.4.10.7 of the Modified Project are prescribed in accordance with the MSHCP and incorporate provisions for pre-construction surveys per applicable MSHCP narrow endemic plant, criteria area, and specific wildlife survey areas. Therefore, 1979 EIR Mitigation Measure 1 is replaced with Mitigation Measures 3.4.10.1 through 3.4.10.7 of the Modified Project.

~~**1979 EIR Mitigation Measure 1:** The proposed preservation of 15% of the site as open space will somewhat mitigate the impact upon vegetation and wildlife. The natural and undisturbed areas will provide a habitat for wildlife to relocate. Biological resources surveys, prior to development would provide assurance that no rare or endangered plant and wildlife species will be disturbed.~~

The 2008 Draft EIR's Mitigation Measure BR-1a, which requires a pre-construction survey for burrowing owl and conservation and maintenance of at least 6.5 acres of suitable habitat, is replaced with Modified Project Mitigation Measures 3.4.10.3, which requires a pre-construction survey for burrowing owl in accordance with current MSHCP protocol, and Mitigation Measure 3.4.10.5, which requires an offset to MSHCP administered habitat identified on the Modified Project site in accordance with the project-specific DBESP.

~~**2008 Mitigation Measure BR-1a:** Determination of Biologically Equivalent or Superior Preservation (DBESP) has been completed for BUOW. Recommendations in the DBESP must be followed to reduce impacts to BUOW. These recommendations include a preconstruction survey to determine if BUOW occur within the disturbance area, avoiding disturbance within 75 meters of a burrow during breeding season (February 1 through August 31) and within 50 meters during the nonbreeding season, passive relocation of all BUOW onsite outside of the nesting season, the conservation and maintenance of at least 6.5 acres of suitable habitat, and the construction of six artificial burrows in the conservation area. The specific mitigation can be found in the DBESP (Appendix D).~~

The 2008 Draft EIR's Mitigation Measure BR-2, which requires water quality permitting, is replaced with Modified Project Mitigation Measures 3.4.10.5 and 3.4.10.6, which require water quality permitting and offset to impacts to jurisdictional resources but in accordance with the project-specific DBESP.

~~**2008 Mitigation Measure BR-2:** Prior to issuance of a grading permit, detailed plans of the infrastructure improvements shall be reviewed by a qualified regulatory specialist to determine the extent of impacts to jurisdictional areas and confirm the permits required. Applicable permits must be obtained from the regulatory agencies (including a 404 permit from the USACE, a 401 Certification from RWQCB, and a streambed alteration agreement from CDFG, as applicable) prior to issuance of a grading permit. The paseo system proposed by the project will provide riparian resource value; therefore, no additional mitigation is recommended for impacts to waters of the U.S. and CDFG jurisdictional streambed.~~

The 2008 Draft EIR's Mitigation Measure BR-3, which requires pre-construction survey for nesting birds, is replaced with Modified Project Mitigation Measure 3.4.10.4, which requires pre-construction survey for nesting birds but in accordance with the site-specific conditions of the Modified Project.

~~**2008 Mitigation Measure BR-3:** Ground disturbance activities should take place outside the avian nesting season, which extends from early February through August, but can vary slightly from year to year based upon seasonal weather conditions. If ground disturbance must occur during avian breeding season, a clearance survey for nesting birds shall be conducted within 2 weeks prior to any ground disturbing and vegetation/tree removal activities. If nesting birds are determined to occur within the impact area, the biological monitor shall mark a buffer around the nest and no ground or vegetation disturbance can occur until it is determined by a qualified biologist that the nest has successfully fledged young and that the nest is no longer active.~~

The 2008 Draft EIR's Mitigation Measure BR-4, which requires compliance with the MSHCP Urban/ Wildland Interface Guidelines, is replaced with Modified Project Mitigation Measure 3.4.10.7, which requires compliance with the MSHCP Urban/Wildland Interface Guidelines but in accordance with the site-specific conditions of the Modified Project.

~~**2008 Mitigation Measure BR-4:** The project must conform with the MSHCP Urban/Wildland Interface Guidelines as described in the MSHCP Consistency Analysis Report (Appendix D). Conformance with these Guidelines shall be reviewed by the City during final plan check.~~

The 2008 Draft EIR's Mitigation Measure BR-5, which requires conformance with the MSHCP, is replaced with Modified Project Mitigation Measures 3.4.10.1 through 3.4.10.7, which require conformance with all applicable provisions of the MSHCP but in accordance with the site-specific conditions of the Modified Project.

~~**2008 Mitigation Measure BR-5:** The project must demonstrate conformance with the MSHCP to the satisfaction of the City Planning Director prior to issuance of grading permits. Conformance with the MSHCP includes, but is not limited to the following:~~

~~• Completion of the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process;~~

~~• Compliance with the Riparian/Riverine Areas and Vernal Pools Guidelines;~~

~~• Compliance with the Protection of Narrow Endemic Plant Species Guidelines;~~

~~• Compliance with the Criteria Species Survey Area requirements;~~

~~• Completion of a DBESP for BUOW;~~

~~• Conformance with the Urban/Wildlands Interface Guidelines; and~~

~~• Payment of the MSHCP Local Development Mitigation Fee.~~

3.4.11 Level of Significance after Mitigation

The 1979 EIR concluded implementation of the Page Ranch PCD would reduce the amount of open space in the Southwest Area by 85 percent, which would be significant and unavoidable. Since the 1979 EIR, Riverside County has developed the MSHCP designed to mitigate impacts to habitat loss to less than significant levels. The 2008 Draft EIR concluded implementation of mitigation in accordance with the MSHCP would reduce all potential impacts to biological resources from the Approved Project to less than significant levels.

The proposed Modified Project would incorporate project-specific Mitigation Measures 3.4.10.1 through 3.4.10.7, collectively which would reduce all potential impacts on biological resources to below a level of significance and ensure compliance with MSHCP conservation requirements. Implementation of the prescribed mitigation would increase water quality functions on site, which are expected to be beneficial to downstream sensitive resources, MSHCP linkages, and conservation areas within the Hemet Channel and Salt Creek. The proposed purchase 0.03 acre of establishment/reestablishment credits from the Riverpark Mitigation Bank would contribute to land currently occupied by target sensitive MSHCP species. The proposed Modified Project, inclusive of the proposed mitigation measures described in Section 3.4.10, is considered biologically equivalent or superior to an avoidance alternative.

3.5 CULTURAL RESOURCES

This section of the Subsequent Environmental Impact Report (SEIR) provides an analysis of the proposed Modified Project's potential impacts to cultural resources as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- LSA, *Cultural Resources Assessment, Rancho Diamante Project*. City of Hemet, Riverside County, California. December 2019 (Appendix D).
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.

Scoping Process/NOP Comments: Potential impacts to cultural resources were not identified during the public scoping meeting held August 2016 for the proposed Modified Project.

No written comment letters were received in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts to cultural resources.

No additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to cultural resources.

3.5.1 Regulatory Setting

3.5.1.1 Federal Regulations

National Historic Preservation Act (NHPA) of 1966 (as amended), Section 106. The NHPA declares a national policy of historic preservation to protect, rehabilitate, restore, and reuse districts, sites, buildings, structures, and objects significant in American architecture, history, archaeology, and culture. The NHPA established the National Register of Historic Places (National Register), State Historic Preservation Offices (SHPOs) and programs, and the Advisory Council on Historic Preservation. This Act applies to all properties on or eligible for inclusion in the National Register. The Section 106 review process requires consultation to mitigate damage to "historic properties" (defined per 36 CFR 800.16[1] as places that qualify for the National Register), including Native American traditional cultural places (TCPs). Evaluation of cultural resources consists of determining whether it is significant (i.e., whether it meets one or more of the criteria for listing in the National Register). These eligibility criteria are defined in 36 CFR 60.4 as follows:

> The quality of significance in America history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association:
>
> A. That is associated with events that have made a significant contribution to the broad patterns of our history;
>
> B. That is associated with the lives of persons significant in our past;

C. That embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; and/or

D. That has yielded, or may be likely to yield, information important to prehistory or history.

3.5.1.2 State Regulations

California Environmental Quality Act (CEQA). A "historical resource" as defined in *CEQA Guidelines* Section 15064.5(a) includes the following:

1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code §5024.1, Title 14 CCR, Section 4850 et seq.).

(2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (California Register) (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852) including the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

According to *CEQA Guidelines* Section 15064.5(b), a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. *CEQA Guidelines* Section 15064.5(b)(1) defines "substantial adverse change in the significance of an historical resource" as the "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired."

Pursuant to *CEQA Guidelines* Section 15064.5(c), CEQA applies to effects on archaeological sites as follows:

(1) When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subdivision (a).

(2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.

(3) If an archaeological site does not meet the criteria defined in subdivision (a), but does meet the definition of a unique archeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c-f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.

(4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

The California Register is used in the consideration of historical resources relative to significance for purposes of CEQA. The California Register includes California State Historical Landmarks; eligible Points of Historical Interest; and resources listed, or formally determined eligible for listing, in the National Register. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts), or that have been identified in a local historical resources inventory, may be eligible for listing in the California Register and are presumed to be significant resources for purposes of CEQA, unless a preponderance of evidence indicates otherwise.

The fact that a resource is not listed in, or determined to be eligible for listing in the California Register, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1

Integrity is the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical Resources eligible for listing in the California Register must meet one of the criteria of significance described above and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance.

In addition, Public Resources Code Section 21083.2 and *CEQA Guidelines* Section 15064.5(f) recognize that historical resources other than potential Native American burials may be accidentally discovered during project construction. This guideline recommends that immediate evaluation defined by qualified archaeologists be included in mitigation measures. This guideline also recommends that if the find is determined to be a historical resource, then contingency funding and time allotments sufficient to allow for implementation of mitigation or avoidance measures be made available.

CEQA requires a lead agency to determine whether a project may have a significant effect on paleontological resources. State of California environmental regulations (CEQA Section 15064.5, Appendix G) address construction activities that may impact paleontological resources and provide a checklist of questions that a lead agency should normally address if relevant to a project's environmental impacts. Identifiable fossil remains (particularly of vertebrates), if any, recovered at the project site will be significant if they represent new or rare species, geologic (temporal) and/or

geographic range extensions, age-diagnostic taxa, and/or more complete specimens than are now available for their respective taxa.

Senate Bill 18 (SB 18). The Local and Tribal Intergovernmental Consultation process, commonly known as Senate Bill (SB) 18, was signed into law in September of 2004 and took effect on March 1, 2005.[1] SB 18 established responsibilities for local governments to contact, provide notice to, refer plans to, and consult with California Native American tribes. The term "California Native American tribe" is defined as "a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission (NAHC)." The purpose of this consultation process is to protect the identity of the cultural place and to develop appropriate and dignified treatment of the cultural place in any subsequent project. The consultation is required whenever a general plan, specific plan, or open space designation is proposed for adoption or to be amended. As part of the application process, California Native American tribes must be given the opportunity to consult with the applicant of the proposed project and with the City for the purpose of identifying, preserving, and mitigating impacts to cultural resources located on project land within the City's jurisdiction. SB 18 also permits California Native American tribes to hold conservation easements on terms mutually satisfactory to the tribe and the landowner.

The City is in the process of consulting with California Native American tribes pursuant to SB 18, as detailed in Table 3.5.A.

Assembly Bill 52 (AB 52). Chapter 532, Statutes of 2014 (i.e., Assembly Bill [AB] 52) was signed into law in September of 2014 and took effect on July 1, 2015.[2] Similar to SB 18, AB 52 established responsibilities for lead agencies to contact, provide notice to, refer plans to, and consult with California Native American tribes that have previously requested that the City provide them with notice of CEQA projects requiring a negative declaration, mitigated negative declaration, or environmental impact report. Per AB 52 (specifically PRC 21080.3.1), Native American consultation is required upon request by a California Native American tribe that has previously requested that the lead agency provide it with notice of such projects. The purpose of the AB 52 consultation process is to identify and develop appropriate and dignified treatment of "tribal cultural resources," which include "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a "tribal cultural resource."

The City is in the process of consulting with California Native American tribes pursuant to AB 52, as detailed in Table 3.5.A.

California Health and Safety Code Section 7050.5. The California Health and Safety Code Section 7050.5 states that if human remains are discovered on site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or

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1 *Senate Bill No.* 18. State of California, Office of Planning and Research. http://www.leginfo.ca.gov/pub/03-04/bill/sen/sb_0001-0050/sb_18_bill_20040930_chaptered.html accessed 5/12/2016.

2 *Assembly Bill No. 52*. State of California, California Legislative Information. http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52 accessed 5/12/2016.

she shall contact, by telephone within 24 hours, the NAHC. This regulation is applicable to any project where ground disturbance would occur.

3.5.1.3 Local Regulations

Hemet General Plan. The General Plan defines goals and policies related to cultural resources within the City:

- **Goal HR-2:** Preserve significant archeological and paleontological resources in areas under the City's jurisdiction, to the greatest extent possible.
  - **Policy HR-2.1:** Consultation. Consult with the Soboba Band and any other interested Indian tribes to identify and appropriately address cultural resources and tribal sacred sites through the development review process. Require a Native American Statement as part of the environmental review process of development projects with identified cultural resources.
  - **Policy HR-2.2:** Monitoring. Require monitoring of new developments where resources or potential resources have been identified in the review process.
  - **Policy HR-2.3:** Evaluation. Resources found prior to or during site development shall be evaluated by a qualified archaeologist or paleontologist, and appropriate mitigation measures shall be applied before resumption of development activities. Development project proponents shall bear all costs associated with the monitoring and disposition of cultural resources management within the project site.
  - **Policy HR-2.4:** Preferred Repository. To the extent practicable and appropriate, newly uncovered non-Native American archeological and paleontological resources shall be transferred to the Western Science Center of Diamond Valley for cataloguing, study and, if appropriate, display.

3.5.2 Certified EIR Findings

3.5.2.1 Archaeology

The 1979 Certified EIR concluded historical and/or archaeological resources could be subject to significant and unavoidable impacts from development of the Planning Area as a whole. The primary Native American settlement at the time of Spanish arrival located near the Ramona Bowl is located approximately two miles from the proposed project site. The 1979 Certified EIR concluded the Page Ranch as a whole has the potential to result in unavoidable significant impacts to cultural resources. Cultural resources, surveyed as part of the 1979 EIR, were not expected within the Approved Project site.

In 2004 and 2007, cultural resources surveys were conducted in support of the 2008 EIR. The 2008 EIR identified a farmhouse complex within the Approved Project. The Certified EIR for concluded historic foundations could be buried beneath the modern ground surface. Additionally, an isolated groundstone mano was observed during the 2004 field survey. Impacts to unanticipated, buried historical and/or archaeological resources were found to be significant if those resources are determined eligible for the California Register or National Register (see Section 3.5.7). Additionally, the Soboba Band of Luiseño Indians indicated the need for Native American consultation and monitoring during implementation of the Approved Project. Implementation of Mitigation Measures CR-1, CR-2a, and CR-2b would reduce impacts to historic-period and archaeological resources to less than significant levels (see Section 3.5.11).

3.5.2.2 Paleontology

The 2008 Certified EIR concluded the Approved Project may be underlain by Pleistocene fossiliferous resources, and there is potential for these paleontological resources to be adversely impacted by

construction activities deeper than five feet associated with development of the Approved Project (see Section 3.5.7). Implementation of mitigation measures CR-3a through CR-3c would reduce impacts to paleontological resources to less than significant levels (see Section 3.5.11).

The 2008 Certified EIR concluded there is a remote chance construction activities associated with development of the Approved Project could disturb human remains. In order to reduce impacts to human remains to less than significant levels, compliance with California State Health and Safety Code Section 7050.5 is required during implementation of the Approved Project.

3.5.3 Existing Environmental Setting

The proposed Modified Project site is located at the northern end of the Peninsular Ranges Geomorphic Province, a 900-mile long northwest-southeast trending structural block that extends from the Transverse Ranges to the tip of Baja California and includes the Los Angeles Basin (California Geological Survey 2002, Norris and Webb 1976). This province is characterized by a series of mountain ranges separated by northwest-trending valleys subparallel to faults branching from the San Andreas Fault (California Geological Survey 2002).

The proposed Modified Project site is generally flat and ranges in elevation from approximately 1,510 feet AMSL in the northeastern corner of the site to approximately 1,490 feet AMSL in the drainage basin located in the southwestern portion of the site. The 245.07-acre proposed Modified Project site is undeveloped and highly disturbed with weedy vegetation. The project site has been regularly disked for the purposes of weed abatement for at least the past twenty years. Surrounding land uses consist primarily of agricultural and undeveloped land to the north, south, and west, with single-family residential uses to the east. Historically, the majority of the site has been used for growing crops, primarily dry farming. A grouping of approximately ten eucalyptus trees stands is located in the eastern portion of the site just north of the Warren Road/Mustang Way intersection. These trees are remnant landscaping associated with a historic-period farmhouse complex which is no longer present.

The First San Diego Aqueduct, constructed between 1947 and 1951, traverses the proposed Modified Project site in northeasterly to southwesterly direction within a 150-foot-wide easement adjacent and parallel to two Eastern Municipal Water District easements (20-foot and 40-foot) for public utilities. The Second San Diego Aqueduct, constructed between 1958 and 1959, proceeds adjacent to and just outside the western boundary of the proposed Modified Project site as a canal in a north to south direction. A drainage channel and a detention basin are located along the southern border of the project site. The drainage channel and basin were constructed for water quality and detention purposes as part of Tracts 31807 and 31808 located on the east side of Warren Road. The northern boundary includes a portion of the Hemet Channel, originally constructed in the 1940s as a major storm drain for the City of Hemet. A portion of the northeast corner of the project site contains two vernal pools. Finally, the Burlington Northern Santa Fe Railroad (also known as the San Jacinto Valley Railway), circa late 19th century, lies adjacent to and transects a portion of the northern boundary of the Modified Project site.

3.5.4 Methodology

In accordance with *CEQA Guidelines* 15162(c), this Subsequent EIR analyzes only changes in environmental impacts between the Approved Project and proposed Modified Project, as discussed below.

3.5.4.1 Historic and Archaeological Resources Methodology

A records search for the proposed Modified Project was conducted on August 8, 2016, and on December 5, 2019, at the Eastern Information Center, the Riverside County clearinghouse for historic and archaeological resources records (Appendix D). This records search reviewed the status of all

recorded historic and prehistoric cultural resources and survey and excavation reports completed within one mile of the proposed Modified Project site. Additional resources reviewed included the National Register of Historic Places, the California Register of Historical Resources, and documents and inventories published by the California Office of Historical Preservation. These include the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures. Additional research was conducted on August 14, 2016, and December 2, 2019, via a search of historic-period maps and online aerial photographs.

An intensive pedestrian cultural resources survey of the proposed Modified Project site was conducted on August 16, 2016 (Appendix D). An additional pedestrian survey was conducted on November 27, 2019, to investigate off-site improvement areas as defined in Section 2.6.4 of this SEIR. The surveys were conducted by walking parallel transects spaced approximately 12 meters (approximately 40 feet) apart across 100 percent of the project site. Soil exposures were carefully inspected for evidence of cultural resources.

3.5.4.2 Senate Bill 18 / Assembly Bill 52 Consultation

The City is in the process of conducting Native American Consultation in accordance with SB 18 and AB 52. On November 5, 2015, the City notified California Native American tribes who have requested to the City to be notified for CEQA actions subject to SB 18 and AB 52. Table 3.5.A details California Native American tribe responses received by the City. Additional details regarding government-to-government consultation between the City and California Native American tribes are discussed in Section 3.5.7.

Table 3.5.A: SB 18/AB 52 Consultation

California Native American Tribe	Initiation Letter Sent Date	Initiation Response Date	Remarks
Aqua Caliente Band of Cahuilla Indians	November 5, 2015	November 16, 2015	Agua Caliente Band of Cahuilla Indians (ACBCI) requested a copy of the Cultural Resources Assessment and associated records search and site data generated in connection with the proposed project prior to making informed comments and recommendations.
Pechanga Tribe - Temecula Band of Luiseño Indians	November 5, 2015	December 3, 2015	Pechanga Tribe requests formal consultation between the Pechanga Tribe and the Lead Agency. The Pechanga Tribe also requests inclusion in the distribution list for public notices and hearings, as well as circulation of all project documents, including environmental, archaeological, development and construction-related documents. Pechanga Tribe expects ongoing consultation until appropriate mitigation has been agreed upon for Tribal Cultural Resources that may be impacted by the project.
Rincon Band of Luiseño Indians	November 5, 2015	December 7, 2015	Rincon Band of Luiseño Indians (RBLI) claims the project site is not within Rincon's Historic Boundaries. RBLI defers to the Pechanga Tribe and/or the Soboba Band of Luiseño Indians for further consultation. No additional consultation with the RBLI is requested.
Soboba Band of Luiseño Indians	November 5, 2015	December 30, 2015	Soboba Band of Luiseño Indians (SBLI) requests formal consultation between the SBLI and the Lead Agency. The SBLI asserts the project site is located within the SBLI Tribal Traditional Use Areas and is culturally sensitive. SBLI requests Native American Monitor(s) from the SBLI

Table 3.5.A: SB 18/AB 52 Consultation

California Native American Tribe	Initiation Letter Sent Date	Initiation Response Date	Remarks
			Cultural Resources Department be present during all ground disturbing activities, including surveys and archaeological excavation. SBLI requests the developer and/or property owner relinquish all claims to Native American ceremonial items, items of cultural patrimony, and cultural artifacts and return said items to the SBLI within thirty (30) days of initial recovery. The SBLI would permit some artifacts to be subject to scientific analysis pending prior agreement. SBLI requests full compliance with California Health and Safety Code §7050.5, California Public Resources Code §5097.98, and California Government Code §6254 for the appropriate treatment of human remains. SBLI issued a Tribal Consultation close out letter dated February 28, 2018, that also includes requested mitigation measures to be implemented during project grading regarding unexpected discoveries of tribal cultural resources.

Source: City of Hemet 2016 and 2018.

3.5.5 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, the proposed Modified Project would result in a significant impact to cultural and/or paleontological resources if it would:

- Cause a substantial adverse change in the significance of a historical resource as defined in *CEQA Guidelines* Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to *CEQA Guidelines* Section 15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or
- Disturb any human remains, including those interred outside of formal cemeteries.

3.5.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDF): PDFs include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts to cultural resources. There are no PDF's that address impacts related to cultural resources.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements such as plans, policies, or programs applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to cultural resources.

PPP 3.5-1 Prior to grading permit issuance, the City shall verify that the following note is included on the grading plan. Project contractors shall be required to ensure compliance with the note. This note also shall be specified in bid documents issued to prospective construction contractors.

"If human remains are encountered, California Health and Safety Code Section 7050.5 requires that no further disturbance occur until the Riverside County Coroner has made the necessary findings as to origin. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). 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 by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify 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 Section 5097.98."

3.5.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.5.7.1 Substantial Adverse Change in the Significance of a Historical and/or Archaeological Resource

Threshold:	Would the project cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?
Threshold:	Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Approximately 99.4 acres of the 245.07-acre proposed Modified Project overlap TTM 35394 (Planning Area X) of the Approved Project, and the remaining 145.67 acres of the proposed Modified Project include portions of Planning Areas VI and XIII of the Approved Project (Figure 2.5). Planning Areas VI and XIII of the Approved Project were not surveyed in 2004 or 2007 as part of the 2008 EIR, but they were surveyed in 1979 in support of the 1979 EIR. The 1979 EIR for concluded all areas encompassing the proposed Modified Project site were negative for the presence of cultural resources, so impacts to cultural resources were not expected within the proposed Modified Project site.

Records searches conducted on August 8, 2016, and December 5, 2019, at the Eastern Information Center and intensive pedestrian surveys on August 16, 2016, and November 27, 2019, revealed evidence of four historic-period cultural resources on the proposed Modified Project site, including the off-site improvement areas: (1) The First San Diego Aqueduct (P-33-015734), constructed between 1947 and 1951, traverses the proposed Modified Project site in northeasterly to southwesterly direction, (2) a 1900s farmhouse complex (P-33-015900) once existed on the eastern portion of the Modified Project site, (3) the route of the San Jacinto Valley Railway (P-33-015743) from the 1880s traverses the northern boundary of the Modified Project site between Stetson Avenue and Corte de Mar on Warren Road, and (4) the Hemet Channel (LSA-HET1601-S-1) from the 1940s–1970s traverses the northern boundary of the Modified Project site parallel to the San Jacinto Valley Railway between Stetson Avenue and Corte de Mar on Warren Road (Appendix D).

The First San Diego Aqueduct (P-33-015734) was not surveyed in 2004 or 2007 as part of the 2008 EIR because it is located in Planning Area VI of the Approved Project, and it was not considered historic at the time of the 1979 survey in support of the 1979 EIR. Therefore, impacts to the First San Diego Aqueduct were not analyzed under the Approved Project.

The First San Diego Aqueduct in other areas of Riverside County has been recommended eligible for listing in the California Register under Criterion A for being associated with events that have made a

significant contribution to the broad patterns of California's history and cultural heritage (Easter and Beedle 2005); however, the Aqueduct has yet to be formally nominated to the California Register. Based on the 2016 survey, the First San Diego Aqueduct is not visible within the proposed Modified Project site because it lies entirely subsurface. Therefore, construction and operation of the proposed Modified Project are not expected to affect the First San Diego Aqueduct and impacts will not occur from development of the proposed Modified Project.

The pedestrian survey identified a grouping of approximately ten eucalyptus trees in the eastern portion of the proposed Modified Project site just north of the Warren Road/Mustang Way intersection (Figure 2.2). These trees are associated with the historic-period farmhouse complex (Site P-33-015900) which was present on the site between 1901 and 1979. The remnants of the 1900s farmhouse complex (P-33-015900) recorded in 2007 as part of the 2008 EIR (Aislin-Kay and Dice 2007, Dice 2007) were revisited during the 2016 survey for the proposed Modified Project (Appendix D). In accordance with the conclusions reached for the Approved Project, the 2016 survey for the proposed Modified Project did not identify any historic-period features or artifacts in association with the farmhouse complex and concluded the nature and condition of the farmhouse complex are consistent with the 2007 description of this resource, which at that time recommended the resource ineligible for listing in the California Register and therefore not a historical resource as defined in *CEQA Guidelines* Section 15064.5.

The remnant landscaping [eucalyptus] trees will be removed during construction of the proposed Modified Project. Pursuant to *CEQA Guidelines* Section 15064.5(c)(4), a California Department of Parks and Recreation (Form 523L) has been completed for the historic-period farmhouse complex (P-33-015900) and submitted to the Eastern Information Center for repository (Appendix D). However, the highly disturbed surface condition of the farmhouse complex locale does not preclude the presence of a potentially significant subsurface component of the resource pursuant to *CEQA Guidelines* Section 15064.5(a)(3). An isolated groundstone mano observed within the Approved Project during the 2004 survey. Although the observed groundstone mano is not a part of the proposed Modified Project site, it lies adjacent to the east, so potential exists that previously unrecorded subsurface archaeological resources may be encountered at other locations within the proposed Modified Project site.

The San Jacinto Valley Railway (P-33-015743) was active during the late 1880s, facilitating the transport of agricultural goods to markets in San Diego and Los Angeles. The route was later incorporated into the Atchison, Topeka, and Santa Fe Railroad, and eventually the Burlington Northern Santa Fe, which abandoned the line by the 1950s. The segment within the Modified Project area is in disrepair and lacks physical integrity that would contribute to the eligibility of the resource for listing in the California Register. Therefore, construction and operation of the proposed Modified Project are not expected to affect the San Jacinto Railway. Impacts will not occur from development of the proposed Modified Project on the San Jacinto Railway.

The Hemet Channel (LSA-HET1601-S-1) is a major storm drain channel for the City of Hemet, originally constructed in the early 1940s. The current configuration of the channel, however, was completed in the 1970s. The current channel is concrete-lined and partially covered by riprap. The Modified Project would include drainage connections to the Hemet Channel. However, the Modified Project drainage interconnections will not alter any of the character-defining features or materials of the channel. The function of the Hemet Channel as a water conveyance system will not be altered, and the alignment and location of the channel will remain unchanged. Therefore, construction and operation of the proposed Modified Project will not result in a significant impact to the Hemet Channel.

Development of both the Approved Project and the proposed Modified Project require extensive ground disturbing activity. Due to the depth and extent of on-site grading, this activity may unearth previously undetected historical or archaeological resources. The discovery on site of previously undetected historical or archaeological resources is a potentially significant impact for both the Approved Project

and the proposed Modified Project, and mitigation is required (Refer to Section 3.5.10). With implementation of mitigation, impacts to historical or archaeological resources as defined in *CEQA Guidelines* Section 15064.5 would be reduced to less than significant levels for both the Approved Project and the proposed Modified Project. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to historical or archaeological resources as defined in *CEQA Guidelines* Section 15064.5.

3.5.7.2 Destroy a Unique Paleontological Resource or Geologic Feature

Threshold:	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Geologic mapping indicates the proposed Modified Project site contains Holocene (less than 11,700 years ago) surficial sediments, which consist of unconsolidated and undissected sand and gravel (Dibblee 2008). These deposits formed as flooding streams carried sediment from higher elevations down to the valley floors. Eight exploratory borings excavated to a depth of between 15 and 50 feet below grade encountered artificial fills, topsoils, and young alluvial-valley Holocene deposits (Appendix E). The artificial fill soils were encountered where construction work has been performed on the site in the past associated with the nearby flood control channel, old Warren Road, and the storm water basin. Older Pleistocene sediment (2.6 million years ago to 11,700 years ago) was not encountered in any of the exploratory borings, but it underlies the young alluvial-valley deposits and may be encountered during rough grading of the proposed Modified Project.

The 2008 Certified EIR concluded fossiliferous sediments of the Pleistocene Epoch may underlie Holocene alluvial deposits in the region encompassing the proposed Modified Project site, and the likelihood of encountering paleontological resources increases as project-related excavations reach five feet or more below grade. Therefore, mitigation measures CR-3a through CR-3c were provided for the Approved Project to reduce impacts to paleontological resources to less than significant levels (see Section 3.5.10).

Although only 99.4 acres of the 245.07-acre proposed Modified Project overlap TTM 35394 (Planning Area X) of the Approved Project covered under the 2008 EIR, the remaining 145.67 acres of the proposed Modified Project include portions of Planning Areas VI and XIII of the Approved Project covered under the 1979 EIR. Both the proposed Modified Project and the Approved Project are underlain by the same Holocene and Pleistocene alluvial sediment formations. Therefore, it is reasonable to conclude the proposed Modified Project and the Approved Project share similar paleontological sensitivity.

With implementation of mitigation, impacts to paleontological resources would be reduced to less than significant levels for both the Approved Project and the proposed Modified Project. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to paleontological resources.

3.5.7.3 Disturb Human Remains

Threshold:	Would the project disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant. The 1979 Certified EIR concluded all areas surveyed would not encounter human remains during ground-disturbing activities. Additionally, the “old cemetery” depicted at the

southeast corner of Stetson Avenue and Cawston Avenue, approximately 1 mile to the east-northeast of the proposed Modified Project site, was not expected to be affected by implementation of the Approved Project. The portions of the proposed Modified Project site surveyed in 2004 and 2007 as part of the 2008 EIR were determined not to contain human remains.

The proposed Modified Project site was resurveyed in 2016 and in 2019 (Appendix D). The 2016 and 2019 surveys, as well as the ongoing government-to-government consultations between the City and interested California Native American tribes, reveals no evidence to suggest the proposed Modified Project site has been utilized in the past for human burials. Although the "old cemetery" was not expected to be impacted by the Approved Project, and no evidence of human remains outside of a formal cemetery was identified by the cultural resources surveys for either the Approved Project or the proposed Modified Project, there is always a remote possibility that ground-disturbing activities could uncover unknown, buried human remains (outside a formal cemetery).

If human remains are encountered during construction, impacts to the environment could be significant pursuant to *CEQA Guidelines* Section 15064.5(e) and California Health and Safety Code § 7050.5. In the event human remains are unearthed, Public Resources Code § 5097.98 must be implemented for all development projects. Accordingly, the proposed Modified Project shall implement **PPP 3.5-1** to ensure any human remains encountered during project construction or operation are handled and protected in accordance with State regulations (Refer to Section 3.5.6 above). Additionally, **Mitigation Measures 3.5.10.1A, B, C** shall apply with respect to the Soboba Tribe. With implementation of Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and **Mitigation Measures 3.5.10.1A, B, C**, potential impacts related to the discovery of human remains would be less than significant. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to the disturbance of human remains, including those interred outside of formal cemeteries.

3.5.8 Cumulative Impacts

3.5.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The cumulative area for cultural resources is the City of Hemet. The 1979 Certified EIR concluded all areas encompassing the proposed Modified Project site surveyed for cultural resources were negative. However, implementation of the Approved Project would potentially impact the CA-RIV-1162 archaeological site located approximately 2 miles east of the proposed Modified Project site. The "old cemetery" depicted at the southeast corner of Stetson Avenue and Cawston Avenue, approximately 1 mile to the east-northeast of the proposed Modified Project site, would not be impacted by the Approved Project. The 1979 EIR also concluded development of the Approved Project could encourage development of adjacent areas known to be sensitive for archaeological resources. Accordingly, mitigation measures were proposed to reduce potential impacts not only to the CA-RIV-1162 archaeological site but also to future development sites within the *Specific Land Use Plan, Southwest Area* to less than significant levels.

The 2008 EIR concluded implementation of mitigation measures CR-2a, CR-2b, CR-3a, CR-3b, and CR-3c would reduce impacts to cultural resources to less than significant levels (see Section 3.5.10); since there are no project-specific significant impacts, significant cumulative impacts to cultural resources would not occur.

As stated in Section 3.5.7, the surrounding region contains known historical, archaeological, and paleontological resources, so future development in this region may affect historical, archaeological, or paleontological resources potentially occurring beneath the project site. However, implementation of

the proposed Modified Project would require measures to identify, record, and/or recover any cultural and/or paleontological resources that may occur within the project limits. Although unlikely to occur, potential impacts associated with human remains would be reduced to a less than significant level through adherence to existing State law in accordance with **PPP 3.5-1** (Refer to Section 3.5.6 above) and **Mitigation Measures 3.5.10.1A, B, C**. With implementation of the recommended mitigation measures outlined in Section 3.5.10 for the proposed Modified Project, potential cumulatively significant impacts to cultural resources would be reduced to less than significant levels pursuant to *CEQA Guidelines* Section 15064.5(f).

Additionally, all development projects in the surrounding region will be subject to Health and Safety Code § 7050.5 and Public Resources Code § 5097.98 regarding human remains. With implementation of mitigation (identified in Section 3.5.10), significant cumulative impacts to cultural resources would be reduced to less than significant levels. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cumulatively considerable impacts to cultural resources. No additional mitigation is required.

3.5.9 Level of Significance before Mitigation

Development of the proposed Modified Project will require extensive ground-disturbing activity. Due to the depth and extent of on-site grading, this activity may unearth previously undetected historical or archaeological resources. The discovery of previously undetected historical or archaeological resources is a potentially significant impact and mitigation is required. Additionally, if fossiliferous deposits are encountered during construction, impacts to paleontological resources could be significant, and mitigation would be required. With the incorporation of Compliance Measure **PPP 3.5-1** and **Mitigation Measures 3.5.10.1A, B, C** and **Mitigation Measures 3.5.10.2A, B, C,** and **D** impacts to archaeological and paleontological resources would be mitigated to less than significant levels. As compared to the Approved Project, the proposed Modified Project would have substantially the same [less than significant with mitigation] impacts as the Approved Project.

3.5.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

Every cultural resources mitigation measure presented in the 1979 EIR and the 2008 EIR is discussed below. This SEIR proposes that the mitigation measure presented in the 1979 EIR regarding the management of archaeological site CA-RIV-1162 and the surveying of future development sites does not apply and therefore shall be omitted during implementation of the proposed Modified Project. Mitigation Measures CR-1, CR-2a, CR-2b, CR-3a through CR-3c presented in the 2008 EIR have been converted to **Mitigation Measures 3.5.10.1A through 3.5.10.1C and 3.5.10.2A through 3.5.10.2C. Mitigation Measures 3.5.10.1D and 3.5.10.2D** are new measures applicable to the proposed Modified Project. Mitigation Measures 3.5.10.1D and 3.5.10.2D are necessary to account for the project archaeologist's or paleontologist's discretion to recommend the City scale back cultural resources or paleontological monitoring in the event that fifty percent of the rough grading occurs and no cultural resources or paleontological resources are encountered, or for any other time ground disturbance occurs while the archaeological or paleontological monitor(s) are not present. Finally, adherence to State Health and Safety Code Section 7050.5 presented in the 2008 EIR is presented as Compliance Measure **PPP 3-1** for the proposed Modified Project.

3.5.10.1 Historical and Archaeological Resources Mitigation for the Proposed Modified Project

As discussed in Section 3.5.7.1, the pedestrian survey for the proposed Modified Project identified a grouping of approximately ten eucalyptus trees associated with a historic-period farmhouse complex

(Site P-33-015900) present on the site between 1901 and 1979. Although the survey identified mounds of soil containing concrete rubble and modern debris consisting of large fragments of structural concrete, construction-type road base gravel, and modern refuse, the highly disturbed surface condition of the farmhouse complex locale does not preclude the presence of a potentially significant subsurface component of the resource. Furthermore, potential exists that previously unrecorded subsurface historical or archaeological resources may be encountered at other locations within the proposed Modified Project site.

Although the potential for impacts to known historical and/or archaeological resources may not rise to a level of significance under CEQA *Guidelines* Section 15064.5, the following mitigation measures are presented to help ensure potential impacts to unknown or subsurface historical and/or archaeological resources are reduced to less than significant levels.

MM 3.5.10.1A Prior to issuance of a grading permit, the applicant shall enter into a Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians (Soboba) to address treatment and disposition of archaeological/cultural resources and human remains associated with Soboba that may be uncovered or otherwise discovered during ground disturbing activities related to the project. The TDA may establish provisions for tribal monitors. In conjunction with the TDA, the City shall retain a qualified project archaeologist who shall prepare a Cultural Resources Monitoring and Treatment Plan (CRMTP) in consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The CRMTP shall include provisions for a trained archaeological monitor, monitoring methods and discovery protocol, participation by Soboba Native American Monitor(s), the treatment and Disposition (including possible significance testing) of inadvertent cultural resources finds, coordination with the County Coroner's Office, and Non-Disclosure of location(s) of archaeological materials and human remains. The qualified archaeologist and, if desired, Soboba shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the CRMTP and to consult with and instruct them with respect to its implementation. The CRMTP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit.

MM 3.5.10.1B Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified archaeological monitor and appropriate Soboba Native American Monitor(s) shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all surface level field work, mass grading, and trenching activities. The archaeological monitor shall be on site at all times during the initial phases of grubbing, rough grading, and other ground disturbing activities to inspect cuts for cultural resources. If no cultural resources are encountered after approximately fifty percent of rough grading, the qualified project archaeologist shall have discretion to recommend to the City that cultural resources monitoring get scaled back to a part time or spot-check basis in accordance with the CRMTP. The City, in consultation with the qualified archaeologist, applicant, and Soboba Band of Luiseño Indians (Soboba), shall determine the appropriate level of subsequent monitoring, during which time Mitigation Measures 3.5.10.1A, 3.5.10.1C, and 3.5.10.1D shall still apply. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.1C If cultural resources are discovered during ground disturbing activities, the archaeological monitor shall record them on California Department of Parks and Recreation Forms (DPR 523). If any cultural resources are in danger of loss and/or destruction, the archaeological monitor shall recover them. In instances where recovery requires an extended salvage time, the archaeological monitor shall be allowed to temporarily direct, divert, or halt grading within 50 feet of the encounter to allow recovery of resource remains in a timely manner. All cultural resources encountered shall be evaluated for significance pursuant to CEQA *Guidelines* Section 15064.5(a)(c) and managed accordingly. Should the qualified archaeologist determine through consultation with the Soboba Band of Luiseño Indians (Soboba) that the discovery is a resource pursuant to Section 15064.5, avoidance or other mitigation will be required pursuant to and consistent with *CEQA Guidelines* Sections 15064.5 and 15126.4(b) and Public Resources Code Section 21083.2

Recovered cultural resources, along with copies of pertinent field notes, photographs, and maps, shall be treated and disposed with appropriate dignity in accordance with the Treatment and Disposition Agreement (TDA) and Cultural Resources Monitoring and Treatment Plan (CRMTP). If agreement as to the treatment and disposition of cultural resources is not reached between the applicant, landowner, Lead Agency, and Soboba, the landowner or his authorized representative shall rebury the cultural resources with appropriate dignity on the property in a location not subject to further subsurface disturbance. The qualified archaeologist shall document any reburial of cultural resources on DPR 523 forms in accordance with the CRMTP.

A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor and Soboba tribal monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.1D Prior to the issuance of a grading permit, the City of Hemet shall verify that the following note is included on the project's Grading Plans:

"If any suspected cultural resources are encountered during ground-disturbing activities and the archaeological monitor is not present, the construction supervisor is obligated to halt all ground disturbing work within 50 feet of the find and call the project archaeologist/archaeological monitor to the site to assess the significance of the find."

Mitigation Measures 3.5.10.1A through 3.5.10.1D are new measures applicable to the proposed Modified Project, and are necessary to account for Modified Project conditions of approval agreed to between the City and the Soboba Band of Luiseño Indians and also to incorporate applicability of discretion by the project archaeologist in consultation with the City, Soboba, and construction contractors to recommend the City scale back cultural resources monitoring in the event that fifty percent of the rough grading occurs and no cultural resource are encountered.

3.5.10.2 Paleontological Resources Mitigation for the Proposed Modified Project

Pleistocene sediment believed to underlie the proposed Modified Project site has the potential to yield fossils. The following mitigation measures are presented to help ensure potential impacts to fossiliferous Pleistocene sediment are reduced to less than significant levels.

MM 3.5.10.2A Prior to issuance of a grading permit, the applicant shall retain a qualified project paleontologist who shall prepare a Paleontological Resources Monitoring and Treatment Plan (PRMTP) to be implemented during ground-disturbing activity on the

project site. The PRMTP shall include the provision of a trained paleontological monitor, monitoring methods and discovery protocol, and treatment and disposition of unanticipated paleontological resources, including proof of a written repository agreement between the landowner and a professional, fully accredited museum repository with permanent retrievable storage.

The qualified paleontologist shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the PRMTP and to consult with and instruct them with respect to its implementation. The PRMTP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit.

MM 3.5.10.2B Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified paleontological monitor shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all mass grading and trenching activities. Paleontological monitoring shall commence once rough grading or any other ground disturbing activities reach five feet below grade based on coordination with the excavation contractor. If too few paleontological resources are encountered after approximately 50 percent of the remaining rough grading, the qualified project paleontologist shall have discretion to recommend to the City that paleontological resources monitoring get scaled back to a part time or spot-check basis in accordance with the PRMTP. The City, in consultation with the qualified paleontologist and applicant, shall determine the appropriate level of subsequent monitoring, during which time Mitigation Measures 3.5.10.2A, 3.5.10.2C, and 3.5.10.2D shall still apply. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project paleontologist/paleontological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.2C If paleontological resources are discovered during ground disturbing activities, the paleontological monitor shall recover them. In consultation with the qualified project paleontologist, the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant, it shall be quickly removed and the area cleared for the resumption of construction. In instances where recovery requires an extended salvage time, the paleontological monitor shall be allowed to temporarily direct, divert, or halt grading within 100 feet of the encounter to allow recovery of fossils or fossil-bearing sediments in a timely manner. If the specimen is determined to be significant (e.g., vertebrate fossil(s) or fossil-bearing sediments representing new or rare species, geologic (temporal) and/or geographic range extensions, age-diagnostic taxa, and/or more complete specimens than are now available for their respective taxa), the project paleontologist/paleontological monitor shall notify the applicant and the City of Hemet (City) immediately.

Recovered paleontological specimens, along with copies of pertinent field notes, photographs, and maps, shall be treated and disposed in accordance with the PRMTP, including preparation to a point of identification and permanent preservation, and washing of sediments to recover small invertebrates and vertebrates. The recovered fossils shall be diagnosed and curated into a professional, fully accredited museum repository with permanent retrievable storage.

A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project paleontologist/paleontological monitor, shall be incorporated in all

construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.2D Prior to the issuance of a grading permit, the City of Hemet (City) shall verify that the following note is included on the project's Grading Plans:

"If any suspected paleontological resources are encountered during ground-disturbing activities and the paleontological monitor is not present, the construction supervisor is obligated to halt all ground disturbing work within 100 feet of the find and call the project paleontologist/ paleontological monitor to the site to assess the significance of the find."

3.5.10.3 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure as follows:

The 1979 EIR's mitigation measure regarding the management of archaeological site CA-RIV-1162 and the surveying of future development sites (page 202) does not apply to the proposed Modified Project. CA-RIV-1162 is located approximately two miles east of the proposed Modified Project site and shall not be encountered during implementation of the proposed Modified Project. Additionally, the proposed Modified Project site already has been surveyed for cultural resources (Appendix D).

~~**1979 EIR Mitigation Measure:** The RIV-1162 archaeological site should be surveyed for collection of any surface debris. Based on these findings, a final report should be prepared to provide mitigation measures and recommendations. In addition, future development sites must be surveyed for archaeological resources and mitigation measures recommended on the basis of future finds.~~

The 2008 EIR's Mitigation Measure CR-1 has been updated to provide greater specificity regarding the determination of significance for cultural resources encountered during construction and to account for the current age of any man-made objects which may occur on the proposed Modified Project site. CR-1 has been incorporated into the proposed Modified Project and is now Mitigation Measure 3.5.10.1C.

~~**2008 Mitigation Measure CR-1:** Should previously unidentified cultural resource sites, prehistoric or historic cultural resources be encountered during monitoring, they should be Phase II tested and evaluated for significance following CEQA Guidelines prior to allowing a continuance of grading in the area. A foundation associated with the former house in the northwest comer of the project area may be uncovered during grading. This material is not more than 45 years old and so can be discounted.~~

The 2008 EIR's Mitigation Measure CR-2a has been updated to account for current Native American participation in the CEQA process. CR-2a has been incorporated into the proposed Modified Project and is now Mitigation Measure 3.5.10.1A.

~~**2008 Mitigation Measure CR-2a:** Limited archaeological monitoring is recommended during all earthmoving, grading, grubbing, trenching or other earth-disturbing activities on the project site. A City-approved Project Archaeologist must create a mitigation-monitoring plan prior to earthmoving in the project area, a pre-grade meeting associated with the details of that~~

~~plan must occur between the monitoring archaeologist, the City representative, and the grading contractor before grading begins.~~

~~The plan must discuss contingency plans associated with Native American tribal representation if any prehistoric artifacts are found during earthmoving. These may be considered sacred items by Native American tribes. The mitigation-monitoring plan document must contain a description of how and where artifacts will be curated if found during monitoring.~~

The 2008 EIR's Mitigation Measure CR-2b has been incorporated into the proposed Modified Project and is now Mitigation Measure 3.5.10.1B. However, instead of withholding cultural resources monitoring until depth of ground disturbance reaches 3 feet, Mitigation Measure 3.5.10.1B requires monitoring from the onset of ground disturbance because cultural resources may occur within the "plow zone" of 0 to 3 feet below grade based on the nature of the resources previously recorded on the proposed Modified Project site (i.e., 1900s farmhouse complex).

~~2008 Mitigation Measure CR-2b:~~ ~~Once a depth below the modem ground surface of 3 feet is reached, monitoring of development-related excavation is required during all construction related earthmoving. Earthmoving should be monitored on a full-time basis. The Project Archaeologist may, at his or her discretion, terminate monitoring if and only if no buried cultural resources have been detected after 50 percent of the ground in the project area has been graded. If buried cultural resources are detected during monitoring, monitoring must continue until 100 percent of virgin earth within the project has been disturbed and inspected by the monitor (s).~~

The 2008 EIR's Mitigation Measure CR-3a has been updated to provide greater specificity regarding the project paleontologist's ability to temporarily halt work to salvage fossil-bearing sediments and discretion to recommend the scaling back of monitoring activities. CR-3a has been incorporated into the proposed Modified Project and is now Mitigation Measures 3.5.10.2B and 3.5.10.2C.

~~2008 Mitigation Measure CR-3a:~~ ~~Monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor. Based upon the results of this review, areas of concern include undisturbed older Pleistocene alluvium. Paleontologic monitors should be equipped to salvage fossils, as they are unearthed, to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units described are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.~~

The 2008 EIR's Mitigation Measure CR-3b has been updated to provide greater specificity regarding the project paleontologist's discretion to recommend the scaling back of monitoring activities. CR-3b has been incorporated into the proposed Modified Project and is now Mitigation Measure 3.5.10.2B.

~~**2008 Mitigation Measure CR-3b:** Paleontologic monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments will be buried but not otherwise disturbed will not be monitored. Monitoring shall begin once earthmoving reaches 5 feet below the original ground surface. If too few fossil remains are found after 50 percent of the planned for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~

The 2008 EIR's Mitigation Measure CR-3c has been updated to provide greater specificity regarding the purpose and scope of a PRMTP (including the establishment of a written repository agreement with a qualified institution) and report of findings to be submitted to the City for review and approval. CR-3c has been incorporated into the proposed Modified Project and is now Mitigation Measures 3.5.10.2A and 3.5.10.2C.

~~**2008 Mitigation Measure CR-3c:** If paleontological resources are detected during monitoring, a report must be generated. The following items must be presented in the report: Recovered specimens must be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. The recovered fossils must be identified and curated into a professional, fully accredited museum repository with permanent retrievable storage (e.g., SBCM). The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. The report and inventory, when submitted to the Lead Agency, will signify completion of the program to mitigate for impacts to paleontologic resources.~~

The 2008 EIR's Impact CR-4, requiring compliance with State Health and Safety Code 7050.5 for the potential disturbance of human remains, has been incorporated into the proposed Modified Project and is now Compliance Measure **PPP 3.5-1**. No mitigation was presented for the Approved Project to comply with State Health and Safety Code 7050.5; likewise, mitigation is not required for the proposed Modified Project in this regard since compliance with State Health and Safety Code 7050.5 is a requirement of all development projects. Please refer to Section 3.5.6 of this SEIR to review the text of Compliance Measure **PPP 3.5-1**.

3.5.11 Level of Significance after Mitigation

Development of the proposed Modified Project requires extensive ground disturbing activity. Due to the depth and extent of on-site grading, this activity may unearth previously undetected historical and/or archaeological resources. Ground disturbing activity may also unearth fossil-bearing Pleistocene Sediment which, if encountered during construction, could result in a significant impact to the environment if the sediment contains identifiable fossil remains (particularly of vertebrates) representing new or rare species, geologic (temporal) and/or geographic range extensions, age-diagnostic taxa, and/or more complete specimens than are now available for their respective taxa. The discovery on-site of previously undetected historical, archaeological, and/or paleontological resources is a potentially significant impact. Implementation of **Mitigation Measures 3.5.10.1A** through **3.5.10.1D** and **3.5.10.2A** through **3.5.10.2D** will reduce impacts to historical and/or archaeological resources to less than significant levels for both the Approved Project and the proposed Modified Project. Additionally, with the incorporation of Compliance Measure **PPP 3.5-1**, the proposed Modified Project is concluded to

have substantially the same [less than significant] impacts as the Approved Project with regard to the discovery of human remains.

With implementation of Mitigation Measures prescribed in Section 3.5.10 and Compliance Measures prescribed in Section 3.5.6 all potential impacts related to cultural resources associated with implementation of the Approved Project and/or the proposed Modified Project would be less than significant, and the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects on cultural resources.

In summary, no new mitigation over and above those described above or new alternatives have been identified that would substantially or further reduce any cultural resources impacts of the Modified Project.

3.6 GEOLOGY AND SOILS

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts associated with geology and soils as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet. Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. May 2008.
- City of Hemet. Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. Riverside County, California. April 1979.
- City of Hemet, *General Plan 2030*. January 2012.
- Leighton and Associates, Inc. *Supplemental Geotechnical Exploration, Rancho Diamante Residential Development, Tentative Tract Map No. 36841, City of Hemet, California*. August 25, 2015 (Appendix E).

Scoping Process/NOP Comments: Potential impacts to geology and soils were not identified during the public scoping meeting held in August 2016 for the proposed Modified Project.

No written comment letters were received in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts to geology and soils.

No additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to geology and soils.

3.6.1 Regulatory Settings

3.6.1.1 Federal Regulations

There are no federal regulations regarding geology and soils that are applicable to the proposed Modified Project.

3.6.1.2 State Regulations

Alquist-Priolo Earthquake Fault Zoning Act. The major State legislation regarding earthquake fault zones is the *Alquist-Priolo Earthquake Fault Zoning Act* (A-P Act). In 1972, the State of California began delineating "Earthquake Fault Zones" (called Special Studies Zones prior to 1994) around and along faults that are "sufficiently active" and "well defined" to reduce fault-rupture risks to structures for human occupancy.[1] The boundary of an "Earthquake Fault Zone" is generally 500 feet from major active faults and from 200 to 300 feet from well-defined minor faults. The mapping of active faults is conducted by the State Geologist, and these maps are distributed to all affected cities, counties, and State agencies for their use in developing planning policies and controlling renovation or new construction.

Before a project can be permitted within an identified Earthquake Fault Zone, cities and counties must require a geologic investigation to demonstrate that proposed buildings will not be constructed across

[1] California Public Resources Code §§ 2621–2630.

active faults. A site-specific evaluation and written report must be prepared by a licensed geologist. If an active fault is identified, a structure intended for human occupancy cannot be placed over the trace of the fault and must be set back from the fault a minimum of 50 feet.

The Alquist-Priolo (A-P) Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

The Seismic Hazards Mapping Act. Passed in 1990, the Seismic Hazards Mapping Act (SHMA) addresses non-surface fault rupture earthquake hazards, including strong ground shaking, liquefaction, and seismically induced landslides. The California Geological Survey (CGS) is the principal State agency charged with implementing the 1990 SHMA. Pursuant to the SHMA, the CGS is directed to provide local governments with seismic hazard zone maps that identify areas susceptible to amplified shaking, liquefaction, earthquake-induced landslides, and other ground failures. The goal is to minimize loss of life and property by identifying and mitigating seismic hazards. The seismic hazard zones delineated by the CGS are referred to as "zones of required investigation." Site-specific geotechnical hazard investigations are required by SHMA when construction projects fall within these areas.

Natural Hazards Disclosure Act. Effective June 1, 1998, the Natural Hazards Disclosure Act requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more State-mapped hazard areas. If a property is located in a Seismic Hazard Zone as shown on a map issued by the State Geologist, the seller or the seller's agent must disclose this fact to potential buyers.

Uniform Building Code (UBC). The UBC encompasses approximately half the State building codes in the United States, including California. Published by the International Conference of Building Officials, the UBC has been adopted by the State legislature together with Additions, Amendments, and Repeals to address the specific building conditions and structural requirements in California.

California Building Code. California Code of Regulations (CCR), Title 24, Part 2, the California Building Code (CBC), establishes minimum standards for building design in the State, and it is consistent with or more stringent that UBC requirements. Local codes are permitted to be more restrictive than Title 24, but are required to be no less restrictive. The CBC is designed and implemented to improve building safety, sustainability, and consistency, and to integrate new technology and construction methods to construction projects throughout California. The CBC is published every three years, and intervening Code Adoption Cycles produce Supplement pages every 18 months into each three-year period. All proposed amendments to California's building standards are subject to a lengthy and transparent public participation process throughout each code adoption cycle.

Chapter 16 of the CBC regards General Design Requirements, including regulations governing seismically resistant construction (Chapter 16, Division IV) and construction to protect people and property from hazards associated with excavation cave-ins and falling debris or construction materials. Chapter 18 and Appendix Chapter 33 regard site demolition, excavations, foundations, retaining walls, and grading, including requirements for seismically resistant design, foundation investigations, stable cut and fill slopes, and drainage and erosion control. The procedures and limitations for the design of structures are based on site characteristics, occupancy type, configuration, structural system height, and seismic zoning. Construction activities are subject to occupational safety standards for excavation, shoring, and trenching as specified in California Occupational Safety and Health Administration (Cal/OSHA) regulations (CCR, Title 8).

National Pollutant Discharge Elimination System. Site-specific Storm Water Pollution Prevention Plans (SWPPP) prepared for development projects in compliance with a National Pollutant Discharge Elimination System (NPDES) Phase I Permit would describe the Project area, erosion and sediment

controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of post construction sediment and erosion control measures and maintenance responsibilities, and non-storm water management controls. Dischargers are also required to inspect construction sites before and after storms to identify storm water discharge from construction activity, and to identify and implement controls where necessary.

Water Quality Management Plan. This proposed Modified Project is subject to the Riverside County Water Quality Management Plan for Urban Runoff (RCWQMP) requirements under the "New Development" category. According to the RCWQMP, "New Development" applicable to the Modified Project includes residential development of 10 dwelling units or more, including single-family and multifamily dwelling units, condominiums, and apartments; and commercial development where the land area represented by the proposed map or permit proposed for disturbance is 100,000 square feet or more.

3.6.1.3 Local Regulations

Santa Ana Regional Water Quality Control Board. In 2010, the Santa Ana Regional Water Quality Control Board (RWQCB) issued municipal separate storm sewer system (MS4) permits (Permit R8-2010-0033 and NPDES No. CAS 618033) to the Riverside County Permittees. This incorporates programs developed since 1993. These are the fourth MS4 permits issues by each Regional Board and are referred to as the "Fourth-term" MS4 Permits. In this region, the City is a Permittee under the Fourth-term MS4 Permits. Under this Permit, the City is required to enforce and comply with storm water discharge requirements. The City has to maintain and control discharges to the MS4s and is responsible also for implementing regulations pertaining to management of groundwater investigation and cleanup.

Hemet General Plan. The City's General Plan and General Plan EIR outline several policies and programs aimed at protecting people and structures from geologic hazards. Policy PS-1.1 requires enforcement of State and local seismic and structural regulations (i.e., Alquist-Priolo Earthquake Fault Zoning Act, California Seismic Hazards Mapping Act, California Building Standards Code, and the Hemet Municipal Code). Policy PS-1.4 requires the City to encourage and support efforts for long-term, permanent monitoring of topographic subsidence in all producing groundwater basins, irrespective of past subsidence. Policy PS-1.6 requires all new development to comply with the Alquist-Priolo Earthquake Fault Zoning Act. Program PS-P-2 requires hazard mitigation and structural and nonstructural assessment for areas with identified seismic or other geological hazards.

3.6.2 Certified EIR Findings

The 1979 Certified EIR concluded there is a significant hazard to structures and people within the Approved Project due to its proximity to the San Jacinto Fault Zone. The 2008 EIR concluded development of the Approved Project will introduce new homes into an area subject to moderate ground shaking, settling, and other seismic related hazards, but that these hazards are similar to those experienced throughout most of southern California, and are not substantially elevated for the Approved Project site. Implementation of the recommendations in the site-specific geotechnical investigation, as codified in 1979 EIR Mitigation Measure 1 and 2008 EIR Mitigation Measure GS-1a, and compliance with applicable state and local building and grading regulations, as codified in Mitigation Measures GS-1b and GS-2a, respectively, would reduce Approved Project impacts from fault rupture, seismic ground shaking, seismic-related ground failure, unstable geologic units, and expansive soils to less than significant levels.

The Certified EIR concluded the Approved Project site is flat with no rocky outcroppings and has been subject to repeated disking. The Approved Project would not create or be affected by any landslides or

rockfalls, and no significant impacts would occur. The Approved Project would interconnect to the Municipal sewer system and therefore would not require septic tanks.

The Certified EIR concluded a few soil types with larger silt or clay components are identified on the Approved Project site, making them more susceptible to runoff and erosion. Through the disturbance of surface soils during construction, the protective vegetative cover would be removed and render the soils susceptible to runoff and erosion. Additionally, the anticipated increase in impervious surfaces could generate increased volume of storm water runoff during operation of the Approve Project. Accordingly, the 2008 EIR prescribed Mitigation Measure GS-2a to minimize the potential for soil erosion during construction and operation of the Approved Project and reduce corresponding impacts to less than significant levels.

3.6.3 Existing Environmental Setting

A supplemental geotechnical exploration (geotechnical investigation) of the Modified Project site was prepared to determine the on-site geotechnical conditions and to confirm the site can be developed from a geotechnical perspective (Appendix E). The existing setting for geology and soils discussed below is as described in the geotechnical investigation and includes regional geology, faulting and seismicity, soils, and geologic and seismic hazards.

The 245.07-acre Modified Project site is located in the southwestern margin of the San Jacinto Valley southwest of the San Jacinto River and southeast of the Lakeview Mountains. No known active or inactive faults traverse the site, and no evidence of faulting was observed on site during the geotechnical investigation. Accordingly, the site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone or County of Riverside Fault Zone. The main trace of the San Jacinto Fault, which forms the east margin of the valley, is located approximately 4.9 miles northeast of the site. The San Jacinto-Anza Fault is located approximately 6.1 miles southeast of the site, and the Elsinore-Temecula Fault is located approximately 17.2 miles southwest of the site. Each fault is a portion of the San Jacinto Fault Zone Complex.

The San Jacinto River and Bautista Creek have deposited sediments highly variable in thickness across the San Jacinto Valley, with a minimum depth reaching over 500 feet in the southwest portion of the valley. Mesozoic-aged metamorphic rock intruded by Cretaceous aged granitics dominate the hills and mountains surrounding the site.

The proposed Modified Project site is generally flat and ranges in elevation from approximately 1,510 feet above mean sea level (AMSL) in the northeastern corner of the site to approximately 1,490 feet AMSL in the drainage basin located in the southwestern portion of the site. Eight exploratory borings excavated to a depth of between 15 and 50 feet below grade encountered artificial fills, topsoil, and young alluvial-valley deposits. The artificial fill soils were encountered where construction work has been performed on the site in the past associated with the nearby flood control channel, Warren Road, and the storm water basin. Older alluvium was not encountered in any of the exploratory borings, but it is expected to underlie the young alluvial-valley deposits.

No standing or surface water was observed on the Modified Project site at the time of the field subsurface exploration. However, surface runoff from elevated portions of the site and adjacent properties should be anticipated. In addition, a saturated soils condition may be encountered along the western boundary due to potential groundwater seepage from the San Diego Aqueduct. Groundwater was not encountered in any of the exploratory borings; however, a previous investigation conducted in 2003 encountered perched groundwater at 36 feet below grade in a single boring. Nevertheless, groundwater or surface water is not expected to be a significant constraint during development of the Modified Project site.

3.6.4 Methodology

This SEIR analyzes only changes in environmental impacts between the Approved Project and proposed Modified Project. The analysis of potential geologic and soil-related impacts is based upon the site-specific geotechnical investigation for the Modified Project. The site-specific geotechnical investigation, City's Public Safety Element of the General Plan, and information from State agencies was referenced to establish the existing on-site geologic conditions. The geotechnical investigation included a site reconnaissance, review of published reports, maps and aerial photographs, geotechnical field exploration, laboratory testing, and engineering analysis. In determining the level of significance, the analysis assumes that construction and operation of the proposed Modified Project would comply with relevant State laws and regulations, as well as City General Plan programs and policies.

3.6.5 Thresholds of Significance

This SEIR incorporates the geology and soils questions included in the Certified EIR in accordance with Appendix G ("CEQA Checklist") of the State *CEQA Guidelines*. Per the Certified EIR, a significant impact from geology and soils would occur if the project was determined to:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Maps issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42.
  - Strong seismic ground shaking.
  - Seismic-related ground failure, including liquefaction.
  - Landslides.
- Result in substantial soil erosion or the loss of topsoil;
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994 or most current edition), creating substantial risks to life or property; and/or
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

3.6.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDF): PDFs include features proposed by the Modified Project that are already incorporated into the Project's design and are specifically intended to reduce or avoid impacts from geology and soils.

PDF 3.6-1: The site contains thin deposits of relatively loose surficial soils overlying dense younger or older alluvium. Loose surface soils shall be overexcavated and recompacted, and grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation (also codified in Mitigation Measure 3.6.10.1).

PDF 3.6-2 Impervious areas will be planted as soon as possible and include a mixture of trees, shrubs and groundcover guided by the plant palette contained in the "Inland Empire Landscape Guide" sponsored in part by the Eastern Municipal Water District to prevent soil erosion.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from geology and soils.

PPP 3.6-1: State law requires the design and construction of new structures comply with current California Building Code requirements which address general geologic, seismic (including ground shaking), and soil constraints for new buildings. Building design and construction shall meet 2019 Title 24 Standards of the California Building Code.

PPP 3.6-2: Prior to the issuance of grading permits, the project applicant shall prepare and submit to the City of Hemet detailed grading plans for each phase of development. These plans will be prepared in conformance with applicable standards of the City, the California Building Code, and the project-specific geotechnical investigation. Construction of off-site utility and roadway improvements also will be subject to the same permitting and plan checking processes.

PPP 3.6-3: Prior to grading permit issuance, the project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP). Project contractors shall be required to ensure compliance with the SWPPP and allow periodic inspection of the construction site by City of Hemet staff or its designee to confirm compliance.

PPP 3.6-4 A Final Water Quality Management Plan (WQMP) is required to identify, measure, and control the post-construction volume of stormwater runoff that could result in erosion and/or discharge of pollutants and hydromodification of downstream waters that may be associated with the implementation of the Modified Project. The Final WQMP shall specify low impact development best management practices to address Hydrologic Conditions of Concern for the project site in accordance with the Riverside County Flood Control and Water Conservation District's September 2011 *Design Handbook for Low Impact Development Practices*, National Pollutant Discharge Elimination System Permit Number CAS000002, as amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ. Specifically, the Final WQMP shall demonstrate that proposed low impact development best management practices shall ensure post-development runoff volume, time of concentration, and peak flow velocity for the 2-year frequency storm shall not exceed that of the pre-development condition by more than five percent. The proposed low impact development best management practices specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the City for review and approval prior to issuance of grading permits.

3.6.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.6.7.1 Fault Rupture

Threshold:	Would the proposed project expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Maps issued by the State Geologist for the area or based on other substantial evidence of a known fault?

The 1979 Certified EIR concluded there is a significant hazard to structures and people in the *Southwest Area* due to its proximity to the San Jacinto Fault Zone. The 2008 EIR concluded development of the Approved Project will introduce new homes into an area subject to moderate ground shaking, settling, and other seismic related hazards, but that these hazards are similar to those experienced throughout most of southern California, and are not substantially elevated for the Approved Project site. Implementation of the recommendations in the site-specific geotechnical investigation, as codified in 1979 EIR Mitigation Measure 1 and 2008 EIR Mitigation Measure GS-1a, and compliance with applicable state and local building and grading regulations, as codified in Mitigation Measures GS-1b and GS-2a, respectively, would reduce impacts from fault rupture and seismicity to less than significant levels.

Surface rupture occurs where displacement or fissuring occurs as a result of movement along or immediately adjacent to a fault zone. No known active or inactive faults traverse the Modified Project site, and no evidence of faulting was observed on site during the geotechnical investigation. Accordingly, the site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone or County of Riverside Fault Zone. The main trace of the San Jacinto Fault, which forms the east margin of the valley, is located approximately 4.9 miles northeast of the site. The San Jacinto-Anza Fault is located approximately 6.1 miles southeast of the site, and the Elsinore-Temecula Fault is located approximately 17.2 miles southwest of the site.

The Modified Project will implement PDF 3.6-1 to ensure grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation, PPP 3.6-1 to ensure building design and construction occurs in accordance with 2019 Title 24 Standards of the CBC, and PPP 3.6-2 to ensure detailed grading plans for each phase of development are prepared in conformance with applicable standards of the City, the CBC, and the project-specific geotechnical investigation. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from fault rupture. No mitigation is required.

3.6.7.2 Ground Shaking

Threshold:	Would the project expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong ground shaking?

As stated in Section 3.6.7.1 of the 1979 Certified EIR, there is a significant hazard to structures and people in the Approved Project area due to its proximity to the San Jacinto Fault Zone. The 2008 EIR concluded development of the Approved Project will introduce new homes into an area subject to moderate ground shaking, settling, and other seismic related hazards, but that these hazards are similar to those experienced throughout most of southern California, and are not substantially elevated for the Approved Project site. Implementation of the recommendations in the site-specific geotechnical investigation, as codified in 1979 EIR Mitigation Measure 1 and 2008 EIR Mitigation Measure GS-1a, and compliance with applicable state and local building and grading regulations, as codified in Mitigation Measures GS-1b and GS-2a, respectively, would reduce impacts from ground shaking to less than significant levels.

Southern California is a seismically active area and, therefore, will continue to be subject to ground shaking from seismic activity on regional faults. The Modified Project site is located within Seismic Zone 4 as defined by the UBC, but it is not located within an Alquist-Priolo Earthquake Fault Zone. The project site could be subjected to moderate to severe ground shaking from regional faults (e.g., San Jacinto Fault, Crafton Hills Fault, and/or San Andreas Fault) during the lifetime of the project. Design and construction in accordance with current CBC requirements is anticipated to address the issues related to potential ground shaking. The proposed Project will implement PDF 3.6-1 to ensure grading

and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation, PPP 3.6-1 to ensure building design and construction occurs in accordance with 2019 Title 24 Standards of the CBC, and PPP 3.6-2 to ensure detailed grading plans for each phase of development are prepared in conformance with applicable standards of the City, the CBC, and the project-specific geotechnical investigation. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from seismic ground shaking. No mitigation is required.

3.6.7.3 Seismic-Related Ground Failure

Threshold:	Would the project expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

The 1979 Certified EIR concluded there is a significant hazard to structures and people in the *Southwest Area* due to its proximity to the San Jacinto Fault Zone. The 2008 EIR concluded the potential for liquefaction-induced hazards is low due to an anticipated groundwater table approximately 300 feet in depth. Implementation of the recommendations in the site-specific geotechnical investigation, as codified in 1979 EIR Mitigation Measure 1 and 2008 EIR Mitigation Measure GS-1a, would reduce impacts from seismic-related ground failure to less than significant levels.

Liquefaction occurs primarily in saturated, loose, fine-to-medium-grained alluvial soils in areas where the groundwater table is within 50 feet of the surface. Shaking suddenly causes soils to lose strength and behave as a liquid. Liquefaction-related effects include loss of bearing strength, lateral spreading, and flow failures or slumping.

The site was evaluated for liquefaction potential as part of the geotechnical investigation. On-site exploratory borings, which reached 50 feet below grade, did not encounter groundwater. No standing or surface water was observed on the Modified Project site at the time of the field subsurface exploration. However, surface runoff from elevated portions of the site and adjacent properties should be anticipated. In addition, a saturated soils condition may be encountered along the western boundary due to potential groundwater seepage from the San Diego Aqueduct, and the Modified Project site contains thin deposits of relatively loose surficial soils overlying dense younger or older alluvium. Furthermore, a previous investigation conducted in 2003 encountered perched groundwater at 36 feet below grade in a single boring.

Although the potential for surface manifestations like bearing failures and sand boils is considered low, the project site is susceptible to differential settlement from liquefaction.[2] This impact is potentially significant. Mitigation Measure 3.6.10.1 is required to ensure the Project will implement PDF 3.6-1 so that grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation. Assuming that the loose, near-surface soils (topsoil and young alluvium) will be removed and recompacted in accordance with the recommendations of Section 5.0 of the project-specific geotechnical investigation, a total dynamic settlement of 1-inch and differential settlement of 0.5 inch in 40 feet horizontal distance is anticipated, and the potential for liquefaction or dynamic settlement due to the design earthquake event to affect structures at the Modified Project would be low.

In addition to implementation of Mitigation Measure 3.6.10.1, the Project will be required to comply with 2019 Title 24 Standards of the CBC as specified in PPP 3.6-1, and prepare and submit detailed grading plans for each phase of development in conformance with applicable standards of the City, the CBC,

[2] *General Plan 2030.* Figure 6.1, Seismic Hazards. City of Hemet, January 2012.

and the project-specific geotechnical investigation as specified in PPP 3.6-2 to further reduce the risk of seismic-related ground failure.

Implementation of Mitigation Measure 3.6.10.1 (PDF 3.6-1), PPP 3.6-1, and PPP 3.6-2 will provide adequate protection for the proposed Modified Project to the extent required to reduce seismic risk to an "acceptable level." The "acceptable level" of risk is defined by the California Code of Regulations as "that level that provides reasonable protection of the public safety, though it does not necessarily ensure continued structural integrity and functionality of the project" [Section 3721(a)]. Therefore, repair and remedial work of the proposed development may be required after a significant seismic event.

When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from seismic-related ground failure.

3.6.7.4 Landslides

Threshold:	Would the project expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The Certified EIR concluded the Approved Project site is flat with no rocky outcroppings and has been subject to repeated disking. The project would, therefore, not create or be affected by any landslides or rockfalls, and no significant impacts would occur.

The proposed Modified Project site is generally flat and ranges in elevation from approximately 1,510 feet above mean sea level (AMSL) in the northeastern corner of the site to approximately 1,490 feet AMSL in the drainage basin located in the southwestern portion of the site. No steep cliffs or slopes approaching 10 percent occur on site, and all fill and cut slopes will be designed and constructed at 2:1 (horizontal:vertical) or flatter with a maximum height of approximately 10 feet.

According to the project geotechnical investigation, the site is not located in an area susceptible to seismic slope instability. Additionally, the potential for lateral spreading due to the design earthquake event to affect the Modified Project site is considered very low or non-existent due to the lack of shallow groundwater. Through design and construction of the Modified Project site in conformance with applicable State law and local regulations, as outlined in With implementation of PDFs 3.6-1 and 3.6-2 and PPPs 3.6-1 through 3.6-4, impacts related to landslides and rockfalls would be reduced to less than significant and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts related to landslides and rockfalls.

3.6.7.5 Soil Erosion and Loss of Topsoil

Threshold:	Would the project result in substantial soil erosion or the loss of topsoil?

The 2008 Certified EIR concluded soil types with larger silt or clay components are identified within the Approved Project site, making them more susceptible to runoff and erosion. Through the disturbance of surface soils during construction, the protective vegetative cover would be removed and render the soils susceptible to runoff and erosion. The anticipated increase in impervious surfaces could generate increased volume of storm water runoff during operation of the Approved Project. Accordingly, the 2008 Certified EIR prescribed Mitigation Measure GS-2a to minimize the potential for soil erosion during construction and operation of the Approved Project and reduce corresponding impacts to less than significant levels.

Fill slopes on the Modified Project site are anticipated to be less than 10 feet in height and are expected to meet minimum factors of safety for stability through implementation of the recommendations in the project-specific geotechnical investigation. However, there may be a potential for significant erosion if granular fill soils are used on slope faces, which are inherently subject to erosion, particularly if exposed to rainfall and irrigation during construction or operation of the Modified Project.

Development of the site and related off-site improvements would involve the disturbance of more than one acre; therefore, PPP 3.6-3 specifies the project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit and a Storm Water Pollution Prevention Plan (SWPPP) to address erosion and discharge impacts associated with the proposed on-site grading. Compliance with storm water regulations include minimizing storm water contact with potential pollutants by providing covers and secondary containment for construction materials, designating areas away from storm drain systems for storing equipment and materials and implementing good housekeeping practices at the construction site.

The following SWPPP components will reduce potential impacts of soil erosion or loss of topsoil to less than significant levels:

- Protect all storm drain inlets and streams located near the construction site to prevent sediment-laden water from entering the storm drain system.
- Prevent erosion by implementing one or more of the following soil stabilization practices: mulching, surface roughening, permanent or temporary seeding.
- Limit vehicular access to and from the site. Stabilize construction entrances/exits to minimize the track out of dirt and mud onto adjacent streets. Conduct frequent street sweeping.
- Protect stockpiles and construction materials from winds and rain by storing them under a roof, secured impermeable tarp or plastic sheeting.
- Avoid storing or stockpiling materials near storm drain inlets, gullies or streams.
- Phase grading operations to limit disturbed areas and duration of exposure.
- Perform major maintenance and repairs of vehicles and equipment off site.
- Wash out concrete mixers only in designated washout areas at the construction site.
- Set-up and operate small concrete mixers on tarps or heavy plastic drop cloths.
- Keep construction sites clean by removing trash, debris, wastes, etc. on a regular basis.
- Clean up spills immediately using dry clean-up methods (e.g., absorbent materials such as cat litter, sand or rags for liquid spills; sweeping for dry spills such as cement, mortar or fertilizer) and by removing the contaminated soil from spills on dirt areas.
- Maintain all vehicles and equipment in good working condition. Inspect frequently for leaks, and repair promptly.
- Cover open dumpsters with secured tarps or plastic sheeting. Clean out dumpsters only in approved locations on the construction site.
- Arrange for an adequate debris disposal schedule to insure that dumpsters do not overflow.

As specified in PDF 3.6-2, landscaping and slope maintenance will be conducted as soon as possible in order to increase long-term surficial stability. Additionally, PDF 3.6-1 indicates the recommendations in the project-specific geotechnical investigation, for example, that berms will be provided at the top of fill slopes and drainage will be directed such that surface runoff on the slope face is minimized, will

further reduce the likelihood of soil erosion during construction of the project. As required through PPP 3.6-2, the project applicant will submit detailed grading plans for review by the City for conformance with all applicable standards of the City, the CBC, and the project-specific geotechnical investigation.

A site-specific Water Quality Management Plan (WQMP) was prepared pursuant to PPP 3.6-4 for the project site and contains the following post-construction measures to help reduce potential impacts to soil erosion to less than significant levels. The WQMP also identifies measures to treat and/or limit the entry of contaminants into the storm drain system:

- *Identify and preserve existing drainage patterns.* The grading design of the project will follow the existing topography of the site.
- *Identify and preserve natural infiltration capacity.* The project-specific geotechnical investigation indicates 2 to 7 feet of artificial fill occurs at the site, and the proposed site grading will generally involve cuts/fills as much as 6 feet. Since the fill and grading prevents testing of the in situ natural infiltration capability at the site, infiltration best management practices (BMPs) are not selected. Furthermore, the minimum infiltration rate of 1.6 inches per hour is determined unlikely. Therefore, bioretention basins will be constructed in lieu of infiltration BMPs. A series of bioretention basins (currently 13) are proposed along the southerly and northerly site boundaries to capture and treat the post project runoff. The bioretention basin design capture volumes have been preliminarily determined according to Riverside County's low impact development guidelines, and additional bioretention basin sizing has been performed using the design volumes and the Bioretention Facility – Design Procedure spreadsheets (see Appendix G2). The required bioretention basins have been sized on the tentative map per the analyses in the project-specific geotechnical investigation and WQMP (refer to Section 3.8, Hydrology and Water Quality, of this SEIR for additional information).
- *Identify and minimize impervious area.* Impervious areas will drain into proposed pervious park and landscaped areas, as well as into the bioretention basis along the site perimeter.
- *Identify and disperse runoff into pervious areas.* The project will be designed such that runoff drains into pervious areas and bioretention basins. Roof runoff will be conveyed to adjacent proposed landscaped area before entering the bioretention basins.

Grading for off-site improvements also would require grading permits or related approvals from the City. Roadway, drainage, and other utility improvements will occur within existing rights-of-way or on land that has been previously disturbed. The SWPPP and the WQMP establish performance standards for future development. Preparation and adherence to the requirements of the SWPPP and WQMP are regulatory requirements for all projects anticipated to disturbed one or more acres in accordance with the NPDES permit as specified in PPPs 3.6-3 and 3.6-4.

With implementation of PDFs 3.6-1 and 3.6-2 and PPPs 3.6-2 through 3.6-4, the proposed Modified Project's construction and operational impacts associated with soil erosion hazards remain less than significant and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from soil erosion and loss of topsoil, albeit through compliance with regulatory policy rather than mitigation.

3.6.7.6 Geologic Stability

Threshold:	Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

The 2008 Certified EIR concluded there is a significant hazard to structures and people within the Approved Project area due to its proximity to the San Jacinto Fault Zone. The 2008 EIR concluded no soil or geologic conditions are identified on the Approved Project site that would preclude development of the property for residential uses. Implementation of the recommendations in the site-specific geotechnical investigation as codified in 1979 EIR Mitigation Measure 1 and 2008 EIR Mitigation Measure GS-1a, and compliance with applicable State and local building and grading regulations as codified in Mitigation Measure GS-1b, would reduce impacts from unstable geologic conditions to less than significant levels.

The parent material of the soils on the Modified Project site is granitic alluvium deposited by the San Jacinto River and Bautista Creek emanating from the surrounding mountains to the south and southeast. Factors that contribute to slope failure include slope height and steepness, shear strength and orientation of weak layers in the underlying geologic units, and pore water pressures. As discussed in Section 3.6.7.4, the Modified Project site is not susceptible to landslides. There are no known landslides at the site, nor is the site in the path of any known or potential landslides.

Lateral spreading is a type of liquefaction-induced ground failure associated with the lateral displacement of surficial blocks of sediment resulting from liquefaction in a subsurface layer. Once liquefaction transforms the subsurface layer into a fluid mass, gravity plus the seismic inertial forces may cause the mass to move downslope towards a free face (such as a river channel or an embankment). Lateral spreading may cause large horizontal displacements, and such movement typically damages pipelines, utilities, bridges, and structures. The site was evaluated for liquefaction potential as part of the geotechnical investigation. On-site exploratory borings, which reached 50 feet below grade, did not encounter groundwater. No standing or surface water was observed on the Modified Project site at the time of the field subsurface exploration. Due to the lack of shallow groundwater, the potential for lateral spreading due to an earthquake event to affect the site is considered very low or non-existent.

Ground subsidence is typically a gradual settling or sinking of the ground surface with little or no horizontal movement, although fissures (cracks and separations) can result from lowering of the ground surface. Most of the damage caused by subsidence is the result of oil, gas, or groundwater extraction from below the ground surface. Ground subsidence may occur as a response to natural forces such as earthquake movements, which can cause abrupt elevation changes of several feet or densification of low density granular soils during an earthquake event that may cause several inches of settlement. The project-specific geotechnical investigation indicated the potential for ground subsidence/fissuring due to groundwater withdrawal is low for the Modified Project site and surrounding region. Based on the composition of on-site soils, a surface subsidence value of 0.1 to 0.2 foot is applied to topographic elevations in alluvial areas subjected to agricultural disking. Accordingly, implementation of PDF 3.6-1 will ensure loose surface soils will be overexcavated and recompacted, and grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation to minimize the risk of subsidence on the Modified Project occupants.

Surface runoff from elevated portions of the site and adjacent properties should be anticipated. In addition, a saturated soils condition may be encountered along the western boundary due to potential groundwater seepage from the San Diego Aqueduct, and the Modified Project site contains thin deposits of relatively loose surficial soils overlying dense younger or older alluvium. Furthermore, a previous investigation conducted in 2003 encountered perched groundwater at 36 feet below grade in a single boring. Although the potential for surface manifestations like bearing failures and sand boils is considered low, the project site is susceptible to differential settlement from liquefaction.[3] This impact is potentially significant, and Mitigation Measure 3.6.10.1 is required to ensure the project will implement

[3] *General Plan 2030.* Figure 6.1, Seismic Hazards. City of Hemet, January 2012

PDF 3.6-1 so that grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation.

Laboratory testing indicated that the on-site soils are expected to possess a slight collapse potential (<2.5%). This is a potentially significant impact, and Mitigation Measure 3.6.10.1 is required to ensure the project will implement PDF 3.6-1 so that grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation.

Assuming that the loose, near-surface soils (topsoil and young alluvium) will be removed and recompacted in accordance with the recommendations of Section 5.0 of the project-specific geotechnical investigation, a total dynamic settlement of 1-inch and differential settlement of 0.5 inch in 40 feet horizontal distance is anticipated, and the potential for liquefaction, dynamic settlement, or collapsible soils to affect structures at the Modified Project site would be low.

In addition to implementation of Mitigation Measure 3.6.10.1, the project will be required to comply with 2019 Title 24 Standards of the CBC as specified in PPP 3.6-1, and prepare and submit detailed grading plans for each phase of development in conformance with applicable standards of the City, the CBC, and the project-specific geotechnical investigation as specified in PPP 3.6-2 to further reduce the risk of unstable geologic units.

With implementation of PPP 3.6.-1 and 3.6-2, PDF 3.6-1, and Mitigation Measure 3.6.10.1, the proposed Modified Project's geologic and soils impacts would be reduced to less than significant. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from unstable geologic units.

3.6.7.7 Expansive Soils

Threshold:	Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994 or most current edition), creating substantial risks to life or property?

The Certified EIR concluded the Approved Project site contains topsoil and artificial fill of which the upper 3 to 5 feet of alluvium will require complete removal and recompaction within the limits of grading. With implementation of the recommendations in the site-specific geotechnical investigation, as codified in 1979 EIR Mitigation Measure 1 and 2008 EIR Mitigation Measure GS-1a, and compliance with applicable state and local building and grading regulations, as codified in Mitigation Measure GS-1b, no soil or geologic conditions are identified on the Approved Project site that would preclude development of the property for residential uses, and impacts from expansive soils would be reduced to less than significant levels.

Expansive soils generally have a significant amount of clay particles that can give up water (shrink) or take on water (swell). The change in volume exerts stress on buildings and other loads placed on these soils. The extent of shrink/swell is influenced by the amount and kind of clay in the soil. The occurrence of these soils is often associated with geologic units having marginal stability.

Limited laboratory testing indicated that soils encountered on the Modified Project site generally possess a very low expansion potential. However, localized deposits of low to medium expansive soils may be encountered during grading, particularly in the highly weathered older alluvium, if any. This impact is potentially significant, and Mitigation Measure 3.6.10.1 is required to ensure the project will implement PDF 3.6-1 so that grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation. For example, additional testing must be performed during site grading to verify the on-site observations and limited

laboratory data. Mitigation Measure 3.6.10.1 requires a qualified geotechnical engineer monitors the grading activities to ensure loose surface soils are adequately overexcavated and recompacted to protect against potentially expansive soils. With implementation of Mitigation Measure 3.6.10.1, impacts from expansive soils would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project also prescribes mitigation and would have similar (i.e., less than significant with mitigation) impacts from expansive soils.

3.6.7.8 Septic Tanks

Threshold:	Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The Certified EIR concluded the Approved Project would interconnect to the Municipal sewer system and therefore would not require septic tanks. No impact would occur. When compared to the Approved Project, the proposed Modified Project likewise will interconnect to the Municipal sewer system and would not require the use of septic tanks. Impacts of the Modified Project would be similar to those identified for the Approved Project (i.e., no impacts), and no mitigation is required.

3.6.8 Cumulative Impacts

3.6.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The Certified EIR concluded the Approved Project site does not contain significant geological constraints. The Approved Project's proximity to regional faults would render it subject to seismic ground shaking, for which 1979 EIR Mitigation Measure 1 and 2008 EIR Mitigation Measure GS-1a, and compliance with applicable state and local building and grading regulations, as codified in Mitigation Measures GS-1b and GS-2a, respectively, would reduce impacts from fault rupture and seismicity to less than significant levels. As long as proper design and engineering are implemented based on available seismic and other geotechnical data, the Approved Project would not result in a cumulatively considerable impact to or from geology and soils. Therefore, no mitigation is required relative to cumulative impacts.

The Modified Project cumulative area for geologic and soils issues is the City of Hemet, and due to the larger context of seismicity, the San Jacinto Valley. The entire southern California area contains a number of major regional and local faults, including the San Jacinto and San Andreas Fault Zones, although the Modified Project site itself has a relatively low potential for seismic, geotechnical, or soils constraints.

The presence of regional faults and potential for seismic shaking create the potential for damage to structures or injury to persons during seismic events. However, City and State regulations provide guidelines for development in areas with geologic constraints and ensure that the design of buildings is in accordance with applicable CBC standards and other applicable standards, which reduces potential property damage and human safety risks to less than significant levels. Through design and construction of the Modified Project site in conformance with applicable State law and local regulations, as outlined in Mitigation Measure 3.6.10.1 (PDF 3.6-1), PDF 3.6-2, and PPPs 3.6-1 through 3.6-4, anticipated development in the City and surrounding area in general will not have a cumulatively considerable impact on earth resources, soils conditions or constraints, nor will regional geotechnical constraints have a cumulatively considerable impact on the proposed Modified Project or cumulative projects.

Because it is reasonable to conclude that all development within seismically active areas will be required to adhere to applicable State regulations, CBC standards, and the design and siting standards

required by local agencies, cumulative geological impacts from the proposed Modified Project are considered less than significant. No additional mitigation is required.

3.6.9 Level of Significance Before Mitigation

Development of both the Approved Project and the proposed Modified Project would subject persons and structures to seismic ground shaking due to the presence of regional faults. Disturbance of surface soils during construction would remove the protective vegetative cover of surface soils and render them susceptible to runoff and erosion, and the anticipated increase in impervious surfaces could generate increased volume of stormwater runoff during operation of both the Approved Project and the proposed Modified Project. Both the Approved Project and the proposed Modified Project contain topsoil and artificial fill that require complete removal and recompaction within the limits of grading to reduce the potential for lateral spreading, subsidence, expansive soils, and collapse.

3.6.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.6.10.1 Mitigation for the Proposed Modified Project

As detailed in Section 3.6.7, implementation of the project- and site-specific recommendations outlined in the geotechnical investigation is required to reduce impacts from seismic ground shaking, liquefaction, erosion, unstable geologic units, and expansive soils to less than significant levels. The recommendations detailed in the project-specific geotechnical investigation are incorporated into the project design as PDF 3.6-1 and also prescribed as Mitigation Measure 3.6.10.1 to further ensure their implementation and enforceability.

MM 3.6.10.1 Prior to the issuance of grading and building permits, the applicant shall provide to the City Engineering Division and City Building & Safety Department for review and approval detailed grading and construction plans that demonstrate the recommendations specified in project- and site-specific geotechnical investigation have been incorporated into the on-site earthworks and structures.

The project applicant and all contractors shall follow the recommendations of the geotechnical investigation, which include but are not limited to 1) a geotechnical grading plan review by the project geotechnical engineer prior to construction of the proposed project, 2) preparation of the project site via removal of surface obstructions, vegetation, and debris, 3) removal of unsuitable fill materials previously utilized as backfill for prior on-site and off-site improvements, 4) overexcavation of surficial units, including artificial fill, colluvium, and topsoil to competent ground as evaluated by a qualified engineering geologist during grading to ensure all unsuitable fill is removed prior to replacing it with properly compacted fill, 5) maintenance of properly compacted fill to near optimum moisture content, 6) construction of stabilization fill keyways to ensure slope stability and prevention of landslides, 7) immediate landscaping, irrigation, and maintenance of engineered slopes, 8) acceptability of all removal bottoms reviewed by a qualified engineering geologist or geotechnical engineer and documented in the as-graded geotechnical report, 9) construction of post-tensioned slab-on-grade foundation or conventionally reinforced foundation designed to resist expansive soils and settlement, 10) maintaining appropriate drainage and infiltration throughout the project site in accordance with regulatory requirements and 11) review by the project geotechnical engineer of any updated rough or precise grading or conventional retaining wall or foundation plans to ensure implementation of the recommendations in the geotechnical investigation, and 12) geotechnical observation and/or testing at the following stages of construction:

- During rough grading (removal/over-excavation bottoms, fill placement, etc.);
- Geologic mapping of temporary backcuts;
- During retaining wall backfill and compaction;
- During utility trench backfill and compaction;
- During precise grading;
- After presoaking building pads and other concrete-flatwork subgrades, and prior to placement of aggregate base or concrete;
- Preparation of pavement subgrade and placement of aggregate base;
- After building and wall footing excavation and prior to placement of steel reinforcement and/or concrete; and
- When any unusual soil conditions are encountered during any construction operation.

This measure shall be implemented to the satisfaction of the City Engineering Division and City Building & Safety Department.

3.6.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure as follows:

As stated previously, the 1979 EIR's Mitigation Measure is designed to require engineering geologic investigations for all new construction within the *Southwest Area* and compliance with the UBC to mitigate the risk of human and structural loss from seismic activity. The intent of this Mitigation Measure is in substantial conformance with prescribed Mitigation Measure 3.6.10.1 of the Modified Project and PPP 3.6-1, which requires the project applicant to comply with all applicable regulations and standards of the current CBC.

~~1979 EIR Mitigation Measure:~~ ~~Engineering geologic investigations should be required for all new construction within the Southwest Area. Construction according to the Earthquake Regulations of the Uniform Building Code and recommendations of a qualified structural engineer should mitigate the risks of human and structural loss.~~

The 2008 EIR's Mitigation Measure GS-1a is replaced with Mitigation Measure 3.6.10.1 of the Modified Project, which specifies the recommendations of the Modified Project-specific geotechnical investigation.

~~2008 Mitigation Measure GS-1a:~~ ~~Grading and Building Design. Prior to the issuance of grading and building permits, the developer shall comply with each measure described in Sections 4.1 through 5.2 of the *Update Geotechnical Investigation Rancho Diamante, Tentative Tract Map 35392, 35393, and 35394 City of Hemet Riverside County, California*, Leighton and Associates, June 15, 2007 (see Appendix X). All grading and design/construction measures recommended by the detailed geological investigation shall be identified on grading and building plans and implemented to the satisfaction of the City Public Works Department.~~

The 2008 EIR's Mitigation Measure GS-1b is addressed as a regulatory policy in PPP 3.6-1 and therefore is omitted from this SEIR.

~~**2008 Mitigation Measure GS-1b:** Construction Design. Prior to the issuance of grading and building permits, the developer shall demonstrate that all grading and building activities comply with the most recent Uniform Building Code seismic design standards. This shall be completed to the satisfaction of the City Public Works Department.~~

The 2008 EIR's Mitigation Measure GS-2a is addressed as a regulatory policy in PPP 3.6-2 through 3.6-4 and therefore is omitted from this SEIR.

~~**2008 Mitigation Measure GS-2a:** Erosion Controls. Prior to the issuance of a grading permit, the developer shall submit a grading plan describing the wind and water erosion controls that will be employed during all grading activities. These controls shall be consistent with Best Management Practices and shall be demonstrated to the satisfaction of the City Engineering Department and any other departments deemed approp1iate by the City. Further, these plans shall include the methods of erosion control and be compiled be a registered civil engineer (also see Mitigation Measures in Sections 4.3, Air Quality pertaining to dust control measures, and 4.8, Hydrology/Water Quality, pertaining to erosion and siltation control measures.~~

3.6.11 Level of Significance After Mitigation

The Modified Project will implement Mitigation Measure 3.6.10.1 (PDF 3.6-1) to ensure grading and preparation of the Modified Project site will occur in accordance with the recommendations of the project-specific geotechnical investigation, PPP 3.6-1 to ensure building design and construction occurs in accordance with 2019 Title 24 Standards of the CBC, and PPP 3.6-2 to ensure detailed grading plans for each phase of development are prepared in conformance with applicable standards of the City, the CBC, and the project-specific geotechnical investigation. When compared to the Approved Project, which is also not located within a currently designated Alquist-Priolo Earthquake Fault Zone or County of Riverside Fault Zone, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from fault rupture, seismic ground shaking, seismic-related ground failure, unstable geologic units, and expansive soils.

Through design and construction of the Modified Project site in conformance with applicable State law and local regulations, as outlined in PDFs 3.6-1 and 3.6-2 and PPPs 3.6-1 through 3.6-4, impacts related to landslides and rockfalls would be similar to those identified for the Approved Project (i.e., less than significant).

Implementation of PDFs 3.6-1 and 3.6-2 and PPPs 3.6-2 through 3.6-4 would ensure construction and operational impacts associated with soil erosion hazards remain less than significant. When compared to the Approved Project, for which Mitigation Measure GS-2a was prescribed to minimize the potential for soil erosion during construction and operation, the proposed Modified Project would have similar (i.e., less than significant) impacts from soil erosion and loss of topsoil, albeit through compliance with regulatory policy rather than mitigation.

Implementation of Mitigation Measure 3.6.10.1 (PDF 3.6-1) and PDF 3.6-2 and PPPs 3.6-1 through 3.6-4 will provide adequate protection for the proposed Modified Project to the extent required to reduce seismic risk to an "acceptable level." The "acceptable level" of risk is defined by the California Code of

Regulations as “that level that provides reasonable protection of the public safety, though it does not necessarily ensure continued structural integrity and functionality of the project” [Section 3721(a)]. Therefore, repair and remedial work of the proposed development may be required after a significant seismic event.

In summary, no new mitigation over and above those described above or new alternatives have been identified that would substantially or further reduce any geology and soils impacts of the Modified Project.

3.7 HAZARDS AND HAZARDOUS MATERIALS

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to hazards and hazardous materials as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet. Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. Riverside County, California. April 1979.
- City of Hemet, *General Plan 2030*. January 2012.
- County of Riverside, *Airport Land Use Commission (ALUC) Development Review: Case Number ZAP1061HR19* – GPA15-002 (General Plan Amendment), SPA 15-001 (Specific Plan Amendment), TTM36841 (Tentative Tract Map). February 27, 2020 (Appendix F4).
- County of Riverside, *Airport Land Use Commission Notice of Airport in Vicinity.* February 13, 2020 (Appendix F3).
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- County of Riverside. *Hemet-Ryan Airport Land Use Compatibility Plan*. February 2017.
- Federal Aviation Administration, Obstruction Evaluation Service: Determination of No Hazard to Air Navigation. October 28, 2019 (Appendix F5).
- IWS Environmental, Inc. *Phase I Environmental Site Assessment. Rancho Diamante Tract No. 36841, Hemet, California*. November 2016 (Appendix F1).
- LSA Associates, Inc. *Hazardous Wildlife Attractants Analysis of 13 Water Quality Control Basins for the Proposed Rancho Diamante Residential Development in Hemet, Riverside County, California.* February 4, 2020 (Appendix F2).
- Riverside County Airport Land Use Commission. *Hemet-Ryan Airport Land Use Compatibility Plan.* Chapter 3, Individual Airport Policies and Compatibility Maps. February 9, 2017.
- Riverside County Airport Land Use Commission. *Riverside County Airport Land Use Compatibility Plan. Volume 1 Policy Document.* Chapter 2, Countywide Policies. October 14, 2004.

Scoping Process/NOP Comments: Potential impacts to hazards and hazardous waste materials were not identified during the public scoping meeting held in August 2016 for the proposed Modified Project.

The City received no comments in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts related to hazards and hazardous waste materials.

The City received one comment letter in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential hazard-related impacts. The Riverside County Airport Land Use Commission (ALUC) provided a letter dated April 23, 2019 (see Appendix A2). Similar to their response to the initial NOP, the ALUC letter identifies the residential density guidelines from the Hemet-Ryan Airport Land Use Compatibility Plan (ALUCP) that apply to the Modified Project and outlines ALUC's land use review authority. Due to the General Plan and Specific

Plan Amendments proposed as part of the Modified Project, the ALUC noted the project is required to be submitted to the ALUC for final review. No additional comments were received in response to the recirculated NOP concerning the proposed Modified Project's potential impacts to hazards and hazardous waste materials.

3.7.1 Regulatory Setting

3.7.1.1 Federal Regulations

There are no federal regulations regarding hazards and hazardous materials that are applicable to the proposed Modified Project.

3.7.1.2 State Regulations

California Code of Regulations and California Health and Safety Code. The California Code of Regulations (CCR) and the California Health and Safety Code incorporate the requirements of the Federal Resource Conservation and Recovery Act (RCRA) Subtitle I and set registration and permitting requirements, construction/operational standards, closure requirements, licensing of underground storage tank contractors, financial responsibility requirements, release reporting/corrective action requirements, and enforcement. Additionally, these provisions regulate the abatement process in the event of contamination of hazardous wastes. Specifically, the California Health & Safety Code establishes standards, regulations, and requirements for the installation, inspection, registration, maintenance, and abandonment of underground storage tanks. These regulations also require the installation of leak detection systems and/or monitoring of underground storage tank installations. Since 1998, all underground storage tanks have been required to include corrosion protection, leak detection, and spill/overflow devices.

Businesses that utilize hazardous materials are subject to Emergency Planning and Community Right-to-Know (Proposition 65) requirements as delineated in the California Health and Safety Code. These regulations require worker notification of hazardous substances in the workplace. The proposed retail/office businesses are subject to these requirements. In addition, Title 8 of the CCR Sections 1532.1 and 1529, provides for exposure limits, exposure monitoring, respiratory protection, and good working practices by workers exposed to lead and asbestos. Lead- and asbestos-contaminated debris must be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

Chapter 4 of Title 14 of the CCR establishes requirements for the development, regulation, and conservation of oil and gas resources. Specifically, Section 1723 et seq. establishes standards for the plugging and abandonment of oil wells, while Section 1981 outlines the regulations and standards for modifying existing wells and sets forth additional standards for plugging abandoned wells.

California Hazardous Waste Control Law. The Hazardous Waste Control Act (Health and Safety Code, Division 20, Chapter 6.5) created the State hazardous waste management program, which is similar to, but more stringent than, the federal program under the Federal RCRA (42 United States Code Section 6901 et seq.). The California Hazardous Waste Control Law regulates the generation, transportation, treatment, storage, and disposal of hazardous waste by large-quantity generators through comprehensive life cycle or "cradle to grave" tracking requirements. Regulations in 26 CCR list more than 800 materials, including asbestos and polychlorinated biphenyls, which may be hazardous and establish criteria for their identification, packaging, and disposal. Under the Hazardous Waste Control Act, hazardous waste generators must complete a manifest that accompanies the waste from the generator to the transporter to the ultimate disposal location. Copies of the manifest must be filed with the State's DTSC.

Hazardous Waste and Substances Sites List. The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California Environmental Protection Agency (Cal-EPA) to develop, at least annually, an updated Cortese List. DTSC is responsible for a portion of the information contained in the Cortese List. DTSC's Brownfields and Environmental Restoration Program (Cleanup Program) EnviroStor database provides DTSC's component of Cortese List data by identifying an Annual Workplan (now referred to State Response and/or Federal Superfund) and Backlog sites listed under Health and Safety Code Section 25356. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. CEQA requires the Lead Agency to consult the lists compiled pursuant to Section 65962.5 of the Government Code to determine whether a project and any alternatives are located on a site that is included on any such list. The Project site is not included on any hazardous materials site compiled pursuant to California Government Code Section 65962.5.

State Occupational Safety and Health Act. The Federal Occupational Safety and Health Act is implemented through the California Occupational Safety and Health Administration (Cal/OSHA). Specifically, Cal/OSHA requires special training of handlers of hazardous materials, notification to employees who work in the vicinity of hazardous materials, acquisition from the manufacturer of material safety data sheets that describe the proper use of hazardous materials, and training of employees to remediate any accidental hazardous material releases. Cal/OSHA also requires preparation of an Injury and Illness Prevention Program (IIPP), which is an employee safety program of inspections, procedures to correct unsafe conditions, employee training, and occupational safety communication. Asbestos-containing materials have historically been used in some building materials such as acoustical tiles and ceiling coatings, joint compound, caulking, flooring materials, and asbestos cement water mains. In addition, lead-based paint may be found on the remnant structures, and PCBs are used in electrical equipment (e.g., transformers, capacitors, circuit-breakers, and voltage regulators). Therefore, in order to be conservative, the presence of asbestos-containing materials, lead-based paints, and PCB-containing fixtures cannot be ruled out. Since the proposed Modified Project includes the demolition of remnant structures that may have the potential to release asbestos and lead, and construction workers could potentially be exposed to soil gases and residual soil contamination, this provision would be applicable.

Cal/OSHA's regulatory purview includes the following provisions to minimize the potential for release of asbestos, lead, and other airborne contaminants during construction and demolition activities.

- **Asbestos.** Cal/OSHA regulations prohibit emissions of asbestos from demolition and construction activities; require medical examinations and monitoring of employees engaged in activities that could disturb asbestos; specify precautions and safe work practices to minimize the potential for release of asbestos; and require notice to federal and local government agencies before beginning demolition or construction activities that could disturb asbestos.
- **Lead.** Cal/OSHA establishes a maximum safe exposure level for types of construction work where lead exposure may occur, including demolition activities where materials containing lead are present; removal or encapsulation of materials containing lead; and new construction, alteration, repair, or renovation of structures with materials containing lead. Inspection, testing, and removal of lead-containing building materials must be performed by State-certified contractors who comply with applicable health and safety and hazardous materials regulations. Building materials with lead-based paint attached are not typically considered hazardous waste unless the paint is chemically or physically removed from the building debris.
- **Airborne Contaminants.** Cal/OSHA regulates exposure to airborne contaminants (e.g., soil gases such as hydrogen sulfide) during construction under Title 8, Section 5155, Airborne Contaminants,

which establishes which compounds are considered a health risk, the exposure limits associated with such compounds, protective equipment, workplace monitoring, and medical surveillance required for compliance.

The characterization and disposal of environmentally regulated materials such as asbestos containing materials, lead based paints, polychlorinated biphenyls, mercury, diethylhexyl phthalate (DEHP), and electronic wastes is regulated by the DTSC under Title 22 CCR.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program. Cal-EPA grants to qualifying local agencies oversight and permitting responsibility for certain State programs pertaining to hazardous waste and hazardous materials. This is achieved through the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) (27 CCR Division 1, Subdivision 4, Chapter 1, Sections 15100–15620), created by State legislation in 1993 to consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities for the following emergency and management programs:

- Hazardous materials release response plans and inventories (business plans);
- California Accidental Release Prevention Program (CalARP);
- Underground Storage Tank Program;
- Aboveground Petroleum Storage Act Requirements for Spill Prevention, Control and Countermeasure Plans;
- Hazardous Waste Generator and On-site Hazardous Waste Treatment (tiered permitting) Programs; and
- California Uniform Fire Code: Hazardous material management plans and hazardous material inventory statements.

Emergency Services Act. Under the Emergency Services Act, the State of California developed an emergency response plan to coordinate emergency services provided by federal, State, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an important part of the plan, which is administered by the California Office of Emergency Services (OES). This office coordinates the responses of other agencies, including the EPA, the California Highway Patrol, the nine Regional Water Quality Control Boards, the various air quality management districts, and county disaster response offices.

California Public Utilities Code Section 21676 (Airport Land Use Commission). Projects located within zones administered by airport land use compatibility plans must comply with project-specific conditions imposed by the Airport Land Use Commission with jurisdiction over such airports.

3.7.1.3 Local Regulations

Hemet General Plan. The City's General Plan outlines several General Plan programs and policies pertaining to hazards and hazardous materials throughout the City. The following policies would be applicable to the Modified Project:

- **LU-10.1 Airport Influence Area.** Ensure that legislative land use decisions within the airport influence area are consistent with the Airport Land Use Plan and General Plan policies. All legislative land use proposals and Discretionary Uses and Incompatible Uses per Table 2.5 that are located within the Airport Influence Area shall be reviewed by the Riverside County Airport Land Use Commission (ALUC) for consistency with the adopted Hemet-Ryan Airport Land Use Compatibility Plan. All non-legislative land use proposals that are subject to CEQA review by the

City of Hemet and located within the Airport Influence Area shall be transmitted to the ALUC staff for review and comment.

- **PS-4.1 Land Use Compatibility.** Minimize the risk of potential hazards associated with aircraft operations at the Hemet-Ryan Airport through the implementation of the Hemet-Ryan Airport Land Use Compatibility Plan, and review of legislative land use changes and ordinances by the Airport Land Use Commission.
- **PS-4.2 Airport Safety Zones.** Consult with Riverside County to maintain adequate open space or compatible development adjoining the Hemet-Ryan Airport as required for safety for both the present runway configurations and for possible future expansion as identified in the Hemet-Ryan Airport Land Use Compatibility Plan and the Hemet-Ryan Airport Master Plan.
- **PS-4.4 Project Compatibility Review.** As part of the City's development review process, applications for the development of land located within the Hemet-Ryan Airport's areas of potential risk shall be reviewed for compatibility with both the City of Hemet's General Plan and the Hemet-Ryan Airport Land Use Compatibility Plan, as may be amended from time to time.
- **PS-4.5 Project Suitability Review.** Each development application shall be reviewed in light of the best and most current evidence regarding airport use, noise, potential risks, and safety practices, to ensure that each development is suitable for its proposed location.
- **PS-4.7 Avigation Easements.** Avigation easements shall be required for all land uses in Safety Areas I, II, and III as part of the development review process. As appropriate, based on location, avigation easements may be required in other areas of the City of Planning Area.
- **PS-4.8 Project Operating Compatibility.** Development applications shall be required to demonstrate that the project is compatible with the following airport land use restrictions:
    - Any use that would direct a steady light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport, other than a navigational signal light or visual approach slope indictor approved by the Federal Aviation Administration, shall be prohibited.
    - Any use that would cause sunlight to be reflected toward an aircraft engaged in initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport shall be prohibited.
    - Any use that would generate smoke or vapor, that could attract large concentrations of birds, or that may otherwise affect safe air navigation within the area shall be prohibited.
    - Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation shall be prohibited.
- **PS-5.1 Enforce Regulations.** Implement and enforce regulations from federal and state authorities on the use, storage, disposal, and transportation of hazardous materials.
- **PS-5.2 Maintain Response Programs.** Maintain effective programs for responding to hazardous material emergencies.
- **PS-5.4 Multi-Jurisdictional Local Hazard Mitigation Plan.** Implement goals and objectives contained in the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan to reduce risks from natural and other hazards and to serve as a guide for decision makers as they commit resources to reducing the effect of natural and other hazards.
- **PS-7.4 Emergency Access.** Require adequate access for emergency vehicles, including adequate street widths, vertical clearance on new streets, and multiple points of access.

Riverside County Airport Land Use Compatibility Plan. The Riverside County ALUC administers the Airport Land Use Compatibility Plans for airports countywide. The Riverside County ALUCP are designed to provide guidance for conducting airport land use compatibility planning as required by Article 3.5, Airport Land Use Commissions, Public Utilities Code Sections 21670 – 21679.5. The intent of the proposed Modified Project is to maintain consistency with the regulations defined in the Riverside County ALUCP for the Hemet Ryan Airport.[1] The Modified Project site is located in Zones C (32.02 acres) and D (213.05 acres) of the Hemet-Ryan ALUCP (refer to Figure 3.7.1). The Zones of the Hemet-Ryan ALUCP were established in accordance with the *California Airport Land Use Planning Handbook* and are designated to guide development near the Hemet-Ryan ALUCP with airport hazards (i.e., airplane crashes) taken into consideration. The proposed Modified Project was reviewed and approved by the Riverside County ALUC on February 13, 2020 under case ZAP1061HR19, and the proposed Specific Plan Amendment (SPA 15-001), General Plan Amendment (GPA 15-002), and Tentative Tract Map 36841 (TTM 15-003) were all determined consistent with the *2017 Hemet-Ryan ALUCP* pursuant to project-specific conditions prescribed to Tentative Tract Map 36841 (TTM 15-003) (refer to Appendix F4 and Sections 3.7.6, 3.7.7.5, and 3.7.10 below).

3.7.2 Certified EIR Findings

The 1979 EIR did not address hazards and hazardous materials. The 2008 EIR concluded the Approved Project would require a soil assessment, prohibit construction of schools and places of assembly because of proximity to the Hemet-Ryan Airport, obtain avigation easements, provide homeowners with "Notice of Airport Vicinity," restrict building/object heights, shield outdoor lighting, complete Federal Aviation Administration (FAA) Form 7460, prohibit construction of land uses hazardous to aircraft, and approval from the Riverside County Airport Land Use Commission.

The 2008 EIR concluded that the Approved Project was used for agriculture activities since the early 1900s. These activities created the potential for soil and groundwater to be impacted by agricultural chemicals such as pesticides, herbicides, and fertilizers. The Approved Project proponent was required to obtain a National Pollutant Discharge Elimination System (NPDS) permit for the Approved Project that requires adoption of a site-specific Storm Water Pollution Prevention Plan (SWPP) that identifies Best Management Practices (BMPs) for the handling of hazardous materials used during project construction. Adherence to provisions of the NPDES permit and applicable BMPs contained in the site-specific SWPP will ensure that potential impacts related to the handling and use of these materials during construction of the Approved Project are less than significant. It was also concluded that since the Approved Project consists of residential and open space uses, no hazardous materials will be used or transported. The Approved Project site is not located within 0.25 mile of an existing school. The EIR concluded the Approved Project would not result in creating a significant hazard to the public or the environment and that the Riverside County Airport Land Use Commission must review land use decisions in the vicinity of Hemet-Ryan Airport.

3.7.3 Existing Environmental Setting

The proposed Modified Project is located in the southwestern portion of the City of Hemet and comprises APNs 465-100-016, 465-100-022, 465-110-020, 465-110-021, 465-110-022, 465-110-023, and 465-110-027. The site is undeveloped and highly disturbed with ruderal vegetation. The majority of the site is covered by sparse non-native plants and is regularly plowed for weed abatement. The site has been used for growing crops, primarily oat and wheat dry farming, dating back to at least the 1930s.

[1] *Current Compatibility Plans.* Riverside County Airport Land Use Commission. http://www.rcaluc.org/Plans/New-Compatibility-Plan. (Accessed February 21, 2020).

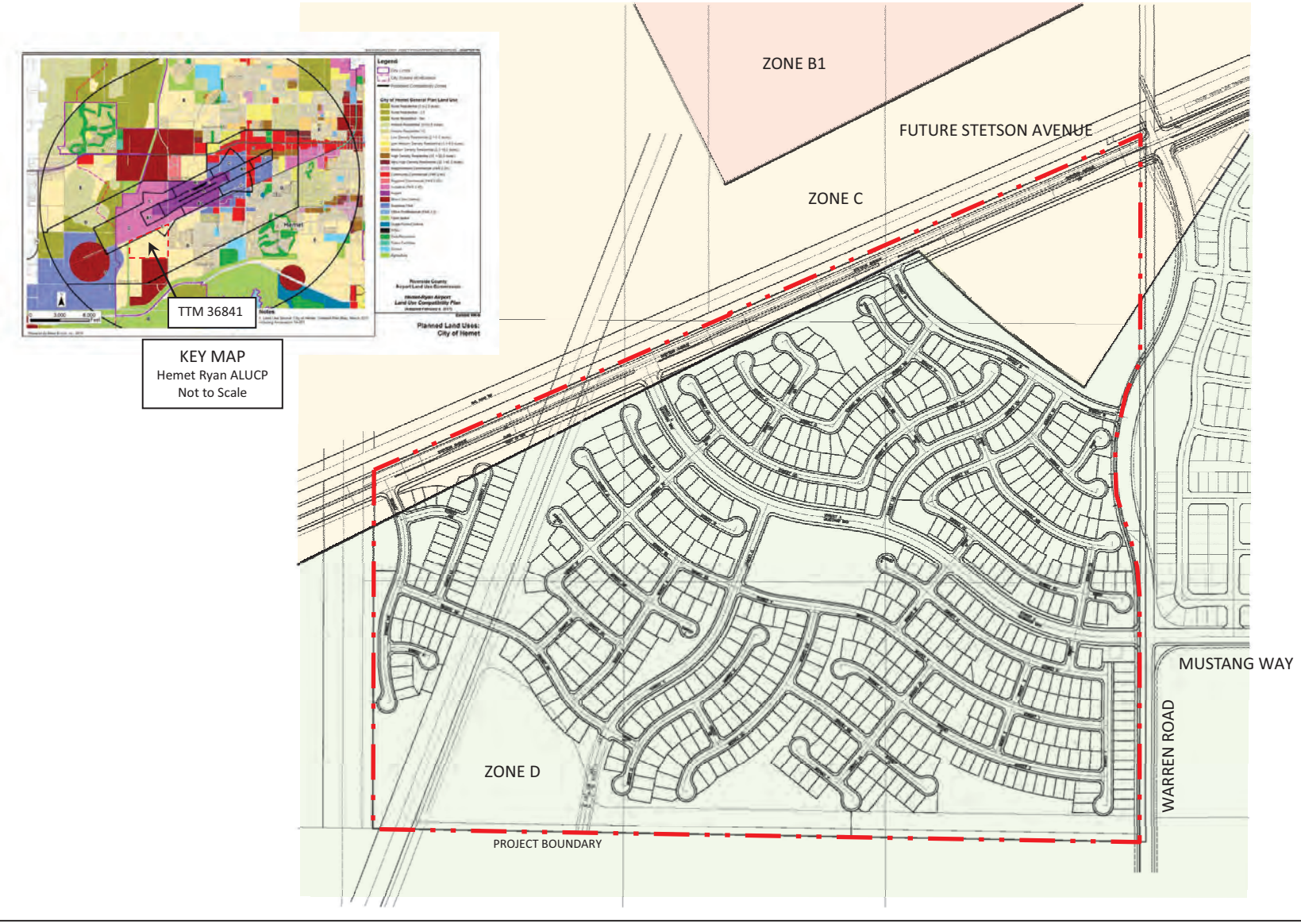

FIGURE 3.7.1

Rancho Diamante Phase II
Subsequent Environmental Impact Report

Location of the Modified Project in Zones C and D of the Hemet-Ryan ALUCP

12.C.

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NO SCALE

SOURCE: Pangaea Land Consultants, Inc.

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A farmhouse and barn occupied the eastern portion of the site near the existing intersection of Warren Road and Mustang Way from 1949 (possibly earlier) to approximately 1990, with portions of the concrete footings from the structures and a grouping of approximately 10 eucalyptus trees, still present. A Phase I Environmental Site Assessment was prepared for the Modified Project and concluded that there is environmental concern on the site in the form of chemicals applied during historic agricultural use of the site.

The Modified Project site is approximately 2,400 feet southeast of the Hemet-Ryan Airport. The existing primary runway is 4,315 feet long. The Riverside County ALUC approved a minor amendment to the Hemet-Ryan ALUCP in 2009. In February 2017, the ALUC adopted a new Hemet-Ryan ALUCP. The 2017 Hemet-Ryan ALUCP aligned with a newer airport master plan and Caltrans land use compatibility guidelines. On May 14, 2019, the City Council approved General Plan Amendment (GPA) 19-001 to the 2030 Hemet General Plan Land Use, Circulation, and Public Safety elements to bring the text into conformance with the Hemet-Ryan ALUCP approved by the Riverside County ALUC in February 2017. The 2017 ALUCP reflects the 2012 Hemet-Ryan Airport Master Plan and complies with Caltrans Division of Aeronautics Land Use Compatibility Guidelines.

The Modified Project site is located in Zone C Extended Approach/Departure Zone (Zone C) and Zone D Primary Traffic Patterns and Runway Buffer Area (Zone D) of the Hemet-Ryan ALUCP. Specifically, residential units that will be developed as part of the Modified Project will be located primarily within Zone D, and the commercial use associated with the Modified Project will be located in Zone C of the Hemet-Ryan ALUCP. Portions of five residential lots would be located within Zone C. Figure 3.7.1 shows the location of the Modified Project within Zones C and D of the Hemet-Ryan ALUCP.

Zone C of the Hemet-Ryan ALUCP is defined by large areas located to the east and west of the airport property. The development intensity for this zone allows 100 persons/acre not to exceed 300 persons/acre for any single acre. Zone D of the Hemet-Ryan ALUCP is divided into two parts; where Zone D west is the area west of Cawston Avenue with allowable development intensities of 200 persons/acre not to exceed 800 persons/acre in any single acre, and Zond D east allows greater intensities of 300 persons/acre not to exceed 1,200 person/acre in any single acre.

The City General Plan is consistent with the new Hemet-Ryan ALUCP Plan and therefore provides the City with proper land use controls to avoid locating incompatible land uses within the vicinity of the airport. As stated in the General Plan, the State law requires that General Plans be consistent with land use compatibility plans approved by Airport Land Use Commissions.

3.7.4 Methodology

A Phase I Environmental Site Assessment for proposed Tentative Tract Number 36841 was prepared in November 2016. The Phase I Site Assessment was done within the scope and limitations of ASTM Standard Practice E1527-13 and the United States Environmental Protection Agency (EPA). The purpose of the Phase I Site Assessment was to identify and assess the environmental conditions of the project site that could lead to having an impact on the use of the property. Hazards related to seismic activity, unstable soils, and landslides are evaluated in SEIR Section 3.6, Geology and Soils.

A preliminary review of the proposed Modified Project TTM 36841 by the Riverside County ALUC indicated the proposed water quality control basins have potential to attract wildlife hazardous to operation of the Hemet-Ryan Airport. In accordance with ALUC Staff recommendations, a Qualified Wildlife Hazard Biologist who meets the standards of the FAA Advisory Circular (AC) No. 150/2500-36B conducted a Hazardous Wildlife Attractants Analysis (Appendix F2) of the proposed water quality control basins for the Modified Project. The Hazardous Wildlife Attractants Analysis prescribes performance standards to be implemented during design and construction of the Modified Project in

order to reduce the potential for the proposed water quality control basins to attract significant numbers of hazardous wildlife, such as large birds. These performance standards are prescribed to the basins and beyond the scope of regulatory policy and therefore are presented as mitigation in Section 3.7.10 below.

3.7.5 Thresholds of Significance

Appendix G of the *CEQA Guidelines* (14 CCR 15000 et seq.) provides guidance for evaluating whether a project may result in significant impacts. Based on Appendix G, the Modified Project could have a significant impact on hazards and hazardous materials if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- Located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.
- Located with an airport land use plan or, where such a plan has not been adopted, within two miles of a public use airport, would the project result in a safety hazard for people residing or working the project area.
- Located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evaluation plan.
- Expose people or structures to a significant risk or loss, injury or death involving wildland fires.

3.7.6 Proposed Modified Project Design Features and Compliance Measures

The Phase I Environmental Site Assessment (see Appendix F1) identified evidence of environmental concerns on the Modified Project site. Historical use of the site for agriculture may have contaminated the soil on the site with agriculturally related chemicals; therefore, soil testing will be conducted on the Modified Project site. This testing will be implemented as part of **2008 Mitigation Measure HHM-1a** for the Modified Project.

The Riverside County ALUC prescribed various Conditions on the design, construction, and operation of the Modified Project in order to find it consistent with the 2017 Hemet-Ryan ALUCP under case ZAP1061HR19 (Appendix F4). These Conditions regard project lighting, water quality control basins, interior noise levels, and structure height and will be implemented as part of **MM 3.7.10.1 through MM 3.7.10.6, MM 3.11.10.6, and 2008 Mitigation Measures HHM-5g,** and **HHM-5i** to dictate development of the Modified Project near the Hemet-Ryan ALUCP with the goal to minimize airport hazards. There are no additional project design features or compliance measures related to hazards and hazardous materials applicable to the Modified Project.

3.7.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.7.7.1 Significant Hazard through Transport, Use, or Disposal of Hazardous Materials

Threshold:	Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The 1979 EIR did not address hazards and hazardous material impacts associated with the Approved Project. The 2008 EIR identified the need for management practices and permits necessary for handling hazardous waste materials during Approved Project construction activities. The long-term maintenance activities associated with residential land uses would not result in a substantial amount of hazardous waste. The 2008 EIR stated that the Approved Project only involves residential and open space uses and concluded these types of uses do not involve the transportation and use of hazardous materials.

Similar to the Approved Project, construction activities associated with the Modified Project would use hazardous and flammable substances, such as, diesel fuel and motor oil in the operation of heavy machinery for grading and building construction. These construction vehicles may need maintenance that could potentially result in a minor release of oil, diesel fuel, transmissions fluid, or other potentially hazardous materials. The Modified Project applicant will similarly be required to obtain an NPDES permit and will require adoption of a site-specific SWPPP that identifies the BMPs for handling of hazardous materials commonly used during construction activities. With adherence to the NPDES permit and applicable BMPs as described in **PPP 3.8-1** and **3.8-3** (refer to Section 3.8 Hydrology and Water Quality), potential impacts related to the handling and use of materials during construction of the Modified Project would be less than significant. A Phase I ESA was prepared for the Modified Project on November 4, 2016 (Appendix F1). The purpose of the Phase I ESA was to identify, to the extent feasible, the environmental conditions in connection with the property in regard to hazardous materials. Since the Modified Project site is located in an area that was historically used for agricultural uses, there is potential that on-site soil may be contaminated with agricultural chemicals such as pesticides, herbicides, and fertilizers. During Modified Project construction activities, the potential for release of such agricultural chemicals would be increased due to grading and soil relocation activities. Similar to the Approved Project, a slightly modified version of **Mitigation Measure HHM-1a** would be implemented by the Modified Project to reduce potential impacts to construction workers or nearby sensitive receptors due to the potential release of agricultural chemicals.

The Modified Project will include the development of residential uses and commercial uses; whereas, the Approved Project included the development of residential uses and open space areas. The long-term maintenance activities associated with the upkeep of residential units include the use of fertilizers and landscape equipment (e.g., lawn mowers and edgers). However, these activities do not normally result in a substantial amount of hazardous materials. The commercial uses of the Modified Project may include the use and storage of hazardous materials; however, such materials would be typical of those uses in commercial/retail buildings. As a condition of approval of the Modified Project, owners of businesses within the commercial use area of the site would be required to maintain (and keep within the businesses) a set of Material Safety Data Sheets that provides information on the type of hazardous materials stored and used in the buildings, and directions in the event an accidental release of such materials were to occur. Overall, similar to the Approved Project, the Modified Project would not result in the storage, transportation, generation or disposal of large quantities of hazardous substances.

When compared to the Approved Project, impacts from the Modified Project associated with the routine transport, use, or disposal of hazardous materials would be the same (i.e., less than significant). Additional mitigation specific to the Modified Project is not required.

3.7.7.2 Hazard through Upset and Accident Conditions

Threshold:	Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

The 1979 EIR did not address hazards for the Approved Project. The 2008 EIR concluded the residential and open space uses of the Approved Project would not result in foreseeable upset and accident conditions that would release hazardous materials into the environment, and mitigation was not required.

The Modified Project would include the development of residential uses and commercial uses on the site; whereas, the Approved Project included the development of residential and open space uses. Typically, small quantities of hazardous materials are stored and used at residential units; however, larger quantities of hazardous materials may be stored and used at the commercial uses that will be developed on site. As a condition of approval of the Modified Project, owners of businesses within the commercial use area of the site would be required to maintain (and keep within the businesses) a set of Material Safety Data Sheets that provides information on the type of hazardous materials stored and used in the buildings, and directions in the event an accidental release of such materials were to occur.

Overall, similar to the Approved Project, the uses associated with the Modified Project would not store or use enough hazardous chemicals that would result in a significant hazard to the public or environment through foreseeable upset and/or accident conditions. When compared to the Approved Project, impacts from the Modified Project associated would be the same (i.e., less than significant). Additional mitigation specific to the Modified Project is not required.

3.7.7.3 Emit Hazardous Emissions within One-Quarter Mile of a School

Threshold:	Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.

The 1979 EIR did not address hazards materials for the Approved Project. The 2008 EIR found the Approved Project was not located within 0.25 mile of an existing school or proposed school. Additionally, due to the type of hazardous materials used at residential and open space areas, the 2008 EIR determined that the Approved Project would not handle or emit hazardous materials in quantities that are considered significant.

The Modified Project site is approximately 0.90 mile west of Harmony Elementary School (located at 1500 S Cawston Avenue in Hemet); therefore, similar to the Approved Project, the Modified Project is not located within 0.25 mile of a school. The Hemet General Plan EIR (Exhibit 4.12-1) does show that a future school may be developed near the Modified Project site; however, the exact distance from the Modified Project site is not known at this time. Similar to the Approved Project, the Modified Project consists of uses that will not emit or handle a large amount of hazardous materials. Owners of businesses within the commercial use area of the site would be required to maintain (and keep within the businesses) a set of Material Safety Data Sheets that provides information on the type of hazardous materials stored and used in the buildings, and directions in the event an accidental release of such materials were to occur.

When compared to the Approved Project, the Modified Project's impacts to schools from the release of hazardous materials would be the same (i.e., less than significant). Additional mitigation specific to the Modified Project is not required.

3.7.7.4 Site Located on a List of Hazardous Materials Site

Threshold:	Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?

The 1979 EIR did not address hazards for the Approved Project. A Phase I ESA was completed a part of the 2008 EIR for the Approved Project. The Phase I included a standard computer search of federal, state and regional regulatory agency databases identify and locate properties in the area of concern that have been reported as sites known or suspected to contain underground storage tanks, or have been the scene of hazardous materials spills, pursuant to Government Code Section 65962.5. Based on the database result, the Approved Project was found to not have any underground storage tanks, recorded spills of hazardous materials, or as having been impacted by an off-site source of contamination. Within a one-mile radius, there are no recorded industrial or business that use or generate hazardous materials or contaminated groundwater plumes.

The Phase I ESA completed for the Modified Project found that other than the application of chemicals on the Modified Project site for agricultural purposes, there have been no records of any dumping or spills of hazardous materials. Additionally the Phase I ESA found no records of adjacent or nearby properties that may negatively affect the Modified Project site. For this reason, impacts to the Modified Project related to being located on a site containing hazardous materials would be less than significant and no mitigation is required.

When compared to the Approved Project, impacts to the Modified Project associated with being located on a site containing hazardous materials would be the same (i.e., less than significant). Additional mitigation specific to the Modified Project is not required.

3.7.7.5 Located Within an Airport Land Use Plan

Threshold:	For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working the Project area?

The 1979 EIR did not address airport hazards for the Approved Project. The 2008 EIR analyzed the Approved Project's consistency with the 1992 Hemet-Ryan ALUCP, current at the time the EIR was undertaken. Because the Hemet-Ryan ALUCP was based on outdated aircraft data, the 2008 EIR also analyzed the Approved Project's consistency with the California Airport Land Use Planning Handbook (2002). The 2008 EIR found mitigation measures were required, and discretionary review by the Riverside County Airport Land Use Commission was necessary. A portion of the Approved Project (TM 35394) was proposed within Airport Area II of the 1992 Hemet-Ryan ALUCP, which prescribes a minimum residential lot of 2.5 acres. However, development of TM 35394 under the Approved Project included residential lots of 5,000 and 6,000 square feet. Accordingly, the 2008 EIR found the Approved Project would result in a potentially significant impact associated with the 1992 Hemet-Ryan ALUCP and prescribed **Mitigation Measures HHM-5a** through **HHM-5i**. Even with implementation of **Mitigation Measures HHM-5a** through **HHM-5i**, the Approved Project would not be consistent with the 1992 Hemet-Ryan ALUCP due to incompatible density allocation, and impacts were determined to be significant and unavoidable.

Similar to the Approved Project, the Modified Project is approximately 2,400 feet southeast of the Hemet-Ryan Airport. The existing primary runway (runway 5-23) is 4,315 feet long and the Airport Master Plan proposes a 500-foot eastward expansion of this runway in the future. The proposed runway 5-23 extension will increase the usable runway length to 4,815 feet only for takeoffs to the west. Hemet-Ryan Airport also has a secondary runway, runway 4-22, that has been used in the past by sailplane-

related launches and landings. Runway 4-22 is anticipated to be closed in the future per the Airport Master Plan. In 2010, there was an estimated 69,500 annual airport operations at Hemet-Ryan Airport, and the Master Plan anticipates an increase up to 87,150 annual airport operations by 2036. The aircraft mix using the Hemet-Ryan Airport will continue to consist of turbo-prop airplanes, helicopters, and piston-engine airplanes. Jet-propelled aircraft usage will continue to remain minimal at Hemet-Ryan Airport.

As shown in Figure 3.7.1 the Modified Project is located in Zones C (32.02 acres of the Modified Project site) and D (213.05 acres of the Modified Project site) of the Hemet-Ryan ALUCP. The Zones of the ALUCP were established in accordance with the *California Airport Land Use Planning Handbook* and are designated to guide development near the Hemet-Ryan ALUCP with airport hazards (i.e., airplane crashes) taken into consideration. Zone C, the Extended Approach/Departure Zone, consists of large areas east and west of the airport property where development intensity for nonresidential uses is limited to an allowable average of 100 persons per acre and not to exceed 300 persons per acre of any single acre. Residential densities in Zone C are permitted up to a maximum of 0.20 dwelling unit per acre, or 1 dwelling unit per 5 acres. Zone D (west of Cawston Avenue), the Primary Traffic Patterns and Runway Buffer Area Zone, allows for development intensities for nonresidential uses of 200 persons per acre not to exceed 800 persons per acre in any single acre. Notwithstanding the criteria set forth in Countywide Policies 3.13(a) and 3.1.3(b) and the Basic Compatibility Criteria matrix detailed in Table 2A of the *Riverside County Airport Land Use Compatibility Plan, Volume 1 Policy Document*, Zone D allows residential densities greater than or equal to 3.0 dwelling units per net acre and less than or equal to 1 dwelling unit per 2.5 acres, but prohibits new residential development at intermediate densities greater than 0.4 and less than 3.0 dwelling units per acre.[2] Table 3.7.A summarizes the development criteria for different land uses within Zones C and D of the Hemet-Ryan ALUCP.[3]

The Modified Project will include the development of up to five residential units and a maximum of 100,000 square feet of commercial uses in Zone C (32.02 acres of the Modified Project site) of the Hemet-Ryan ALUCP. The proposed density of the residential units in Zone C will equate to 0.16 unit per acre, which is below the maximum development density of 0.20 unit per acre and is therefore within the density standards of the Hemet-Ryan ALUCP Zone C.

The *Riverside County Airport Land Use Compatibility Plan, Volume 1 Policy Document* recommends selection from three methods (parking ordinance, maximum occupancy per the California Building Code, or survey of similar uses) to calculate the maximum number of people per acre for the proposed commercial uses (Planning Area XIII) in Zone C.[4] With the exception of prohibited uses specified in Table 3.7.A, the proposed commercial uses are speculative. Additionally, the commercial use is defined as "Regional Commercial" under the proposed General Plan Amendment, whereby patrons would be drawn from a regional rather than a local market. Accordingly, calculation of maximum occupancy per the City's Off-Street Parking Ordinance for a shopping center (1 space for every 250 square feet of

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2 *Hemet-Ryan Airport Land Use Compatibility Plan*. *Volume 1, Chapter 3, Individual Airport Policies and Compatibility Maps.* Riverside County Airport Land Use Commission. Page HR-3. Adopted February 9, 2017.

3 Whereas the Policies set forth in Table 2A of Chapter 2, Countywide Policies, of the *Riverside County Airport Land Use Compatibility Plan* establish basic compatibility criteria for the various zones (A through E) of airports within Riverside County, the Hemet-Ryan ALUCP modifies or supplements the Countywide Policies for nonresidential land uses, as detailed in Table 3.7.A.

4 Appendix C: Methods for Determining Concentrations of People. *Riverside County Airport Land Use Compatibility Plan Policy Document.* Riverside County Airport Land Use Commission. December 2004.

Table 3.7.A: Compatibility Criteria for Land Use Actions

Zone	Locations	Maximum Densities/Intensities				Additional Criteria	
		Residential (d.u./ac)[1]	Nonresidential Uses (people/acre)[2]		Required Open Land[3]	Prohibited Uses[4]	Other Development Conditions[5]
			Average[6]	Single Acre[7]			
C	Extended Approach/ Departure Zone	0.2 (average parcel size ≥5.0 acre)	100	300	20%	• Children's schools, day care centers, libraries • Hospitals, nursing homes • Buildings with >3 aboveground habitable floors • Highly noise-sensitive outdoor non-residential uses[9] • Hazards to flight[8] • Theatres, meeting halls and other assembly facilities, and stadiums.	• Minimum NLR of 20 dB in residences (including mobile homes) and office buildings[10] • Airspace review required for objects >70 feet tall[11] • Deed notice required
D[14]	Primary Traffic Patterns and Runway Buffer Area	1. ≤0.4 d.u./net ac *or*[12] 2. ≥3.0 d.u./net ac	200	800	10%	• Highly noise-sensitive outdoor non-residential uses[9] • Hazards to flight[8]	• Airspace review required for objects >70 feet tall[11] • Children's schools, hospitals, nursing homes discouraged[13] • Deed notice required

d.u./ac = dwelling units per acre

[1] Residential development must not contain more than the indicated number of dwelling units (excluding secondary units) per gross acre. Clustering of units is encouraged. See Policy 4.2.5 for limitations. Gross acreage includes the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands. Mixed-use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development. See Policy 3.1.3(d).

[2] Usage intensity calculations shall include all people (e.g., employees, customers/visitors) who may be on the property at a single point in time, whether indoors or outside.

[3] Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community General Plan or a Specific Plan, but may also apply to large (10 acres or more) development projects. See Policy 4.2.4 for definition of open land.

[4] The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.

[5] As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by State law. See Policy 4.4.2 for details. Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new development and to reuse if discretionary approval is required.

[6] The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.

[7] Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Policy 4.2.5 for details.

[8] Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is also prohibited. See Policy 4.3.7.

[9] Examples of highly noise-sensitive outdoor nonresidential uses that should be prohibited include amphitheaters and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.

[10] NLR = Noise Level Reduction, the outside-to-inside sound level attenuation that the structure provides. See Policy 4.1.6.

[11] This height criterion is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not be obstructions. See Policies 4.3.3 and 4.3.4.

[12] Two options are provided for residential densities in *Compatibility Zone D*. Option 1 has a density limit of 0.2 dwelling unit per acre (i.e., an average parcel size of at least 5.0 gross acres). Option 2 requires that the density be *greater than* 5.0 dwelling units per acre (i.e., an average parcel size *less than* 0.2 gross acres). The choice between these two options is at the discretion of the local land use jurisdiction. See Table 2B for explanation of rationale. All other criteria for *Zone D* apply to both options.

[13] Discouraged uses should generally not be permitted unless no feasible alternative is available.

[14] Zone D west of Cawston Avenue.

Sources: Table 2A. *Riverside County Airport Land Use Compatibility Plan. Volume 1 Policy Document.* Chapter 2, Countywide Policies. Riverside County Airport Land Use Commission. October 14, 2004.
Section HR-2. *Hemet-Ryan Airport Land Use Compatibility Plan.* Chapter 3, Individual Airport Policies and Compatibility Maps. Riverside County Airport Land Use Commission. February 9, 2017.

gross floor area)[5] is used in this analysis because the Parking Ordinance method is most appropriate where the use is expected to be dependent upon access by vehicles.[6] Pursuant to the City Parking Ordinance, the commercial use in Zone C is anticipated to require 400 parking spaces to accommodate employees and visitors to the site. Assuming that every parking spot were occupied with a vehicle containing four people,[7] the maximum number of people anticipated within the 19.67-acre Planning Area XIII would be 1,600 or approximately 81 persons per acre, which is below the maximum densities/ intensities average of 100 people per acre as prescribed under the Land Use Compatibility Criteria of Hemet-Ryan ALUCP.

The Modified Project will include development of up to 581 residential units in Zone D of the Hemet-Ryan ALUCP. Policies 2.3(a) and (b) of the plan specify densities in Zone D (213.05 acres of the Modified Project site) shall be calculated on a "net" rather than "gross" basis, excluding open space required for environmental conservation purposes and separate lots used for common areas, public facilities, recreational areas, and drainage basins. For the Modified Project site, open space lots one acre or larger within Zone D account for 48.20 acres. Deletion of these areas alone results in a net 164.85 residential acres and a net residential density of 3.52 dwelling units per acre in Zone D, which is above the permitted minimum density of 3.0 units per acre. Therefore, the proposed residential development density will comply with the minimum density standards of Zone D as prescribed by the Hemet-Ryan ALUCP.

Pursuant to the District Regulations detailed in the Page Ranch Planned Community Development (PCD) Specific Plan (SP), the heights of the residential and commercial buildings within the Modified Project site will be in conformance with provisions of the Hemet Municipal Code, Section 90, Article XI and Article XXVI, respectively. Accordingly, residential and commercial structures would not exceed maximum structure heights of 35 feet, which is below the 70-foot threshold prescribed by the ALUCP for Zones C and D (refer to Table 3.7.A).

The elevation of Hemet-Ryan Airport's Runway 5-23 at its southwesterly terminus is 1,499 feet above mean sea level (amsl). At a distance of 2,400 feet from the runway to the commercial portion of the site, any structure with a top point elevation exceeding 1,523 feet amsl would require notice to, and review by, the FAA Obstruction Evaluation Service (OES). The commercial area (Planning Area XIII) has an existing ground elevation of 1,513 feet amsl. As a worst-case scenario for the purpose of the FAA OES, development of Planning Area XIII is assumed to reach up to 40 feet in height even though zoning code for the C-2 General Commercial Zone typically allows structures up to 35 feet in height. For structures up to 40 feet tall in Planning Area XIII, the maximum top point elevation would be 1,553 feet amsl, and FAA OES review of Form 7460-1 is required. The Applicant submitted Form 7460-1 to the FAA OES for review and was assigned Aeronautical Study Number 2019-AWP-10893-OE. The FAA OES reviewed the application and issued a Determination of No Hazard to Air Navigation letter on October 28, 2019 (Appendix F5).

The highest pad elevation for the proposed residential structures is approximately 1,509 feet amsl, and residential structures would not exceed a height of 35 feet, for a maximum top point elevation of 1,544 feet amsl. Although the residential development elevation is lower than the elevation of the potential commercial uses and the residential area is at least 3,600 feet from Runway 5-23, the proposed

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5 City of Hemet Municipal Code. Article XL. – Off-Street Parking. Section 90-1423. – Schedule of required off-street parking spaces.

6 Appendix C: Methods for Determining Concentrations of People. *Riverside County Airport Land Use Compatibility Plan Policy Document.* Page C-1. Riverside County Airport Land Use Commission. December 2004.

7 The assumption of four persons per vehicle is a conservative estimate intended to offset the potential for some patrons to arrive via alternative transportation or by foot from the adjacent residential uses.

maximum top point elevation of 1,544 feet amsl would exceed the critical top point elevation of 1,535 feet amsl for the residential uses. In lieu of submitting Form 7460-1 to the FAA OES for each home in the tract, Riverside County ALUC staff recommended the Applicant prepare a table specifying the pad elevation, maximum potential top point elevation, and distance from the runway for each of the proposed lots as part of a single submittal of Form 7460-1 to the FAA OES for the entire residential portion (Planning Area X) of the Modified Project.

The Riverside County ALUC further reviewed the proposed Modified Project for hazards to flight from potential Bird Aircraft Strike Hazards (BASH). The Riverside County ALUC indicated development of water quality management facilities located within 5,000 or 10,000 feet of the Airport Operations Area (depending on the type of aircraft) must be designed and operated so as not to create above-ground standing water and attract large bird species that could be stricken by aircraft and create a crash hazard. In order to evaluate the potential for BASH, the Applicant commissioned a wildlife hazard study (Appendix F2) from a qualified wildlife hazard biologist in accordance with FAA Advisory Circular No. 150/2500-36B to review the proposed water quality management facilities, also known as low impact development (LID) best management practices (BMPs). In accordance with FAA Advisory Circular No. 150/5200-33B, the proposed LID BMPs shall be designed to ensure a maximum 48-hour detention period after rain events, they remain dry between rainfall events, and they are landscaped in accordance with the guidance provided in Riverside County ALUC *Landscaping Near Airports* brochure and the *Airports Wildlife and Stormwater Management* brochure. These measures would eliminate or minimize use by bird species such as Canada geese, other waterfowl, and turkey vultures that could present a potential BASH at Hemet-Ryan Airport.

In order to promote safety related to airport operations near the Modified Project site, **Mitigation Measures (MM) 3.7.10.1 through MM 3.7.10.6, and MM 3.11.10.6** shall be implemented. **Mitigation Measure 3.7.10.1** will inform residents and business owners of potential safety hazards associated with residing or working on a site near an active airport. **Mitigation Measure 3.7.10.2** will require coordination between the City, Modified Project Applicant, and the owner of the Hemet-Ryan Airport to consider potential measures to revise aircraft operations occurring near and over the proposed Modified Project site. **MM 3.7.10.3** is prescribed to reduce the potential for BASH at the Hemet-Ryan Airport in accordance with Riverside County ALUC and FAA standards. **MM 3.7.10.4 through MM 3.7.10.6** require review of the Modified Project by the FAA as applicable to ensure structure heights do not result in hazards to air navigation. **MM 3.11.10.6** will ensure airport operations would not generate noise in excess of countywide criterion levels. Additionally, the Modified Project would implement **2008 Mitigation Measures HHM-5g** and **HHM-5i** from the Approved Project (with slight modifications from the original mitigation measures), as they continue to be applicable in reducing airport hazards to people residing and working on the Modified Project site.

As described above, the Modified Project will be developed consistent with Zone C and Zone D developmental requirements prescribed in the Hemet-Ryan ALUCP with implementation of **MM 3.7.10.1 through MM 3.7.10.6, MM 3.11.10.6, and 2008 Mitigation Measures HHM-5g,** and **HHM-5i.** Through condition to implement these measures, the Riverside County ALUC found City of Hemet Case Nos. GPA15-002 (General Plan Amendment), SPA 15-001 (Specific Plan Amendment) as it pertains to Planning Areas VI, X, and XIII, and TTM36841 (Tentative Tract Map) *consistent* with the 2017 Hemet-Ryan ALUCP on February 13, 2020 under Case No. ZAP1061HR19 (Appendix F4). Modified Project impacts related to airport safety hazards for people residing or working the Project area would be less than significant. As compared to the Approved Project, impacts associated with potential hazards from airport operations would be reduced (i.e., significant and unavoidable under the Approved Project versus less than significant under the Modified Project).

3.7.7.6 In the Vicinity of a Private Airstrip

Threshold:	For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?

The 1979 and 2008 EIRs did not address safety hazards from a private airstrip for the Approved Project.

There are no private airstrips or helipads within the immediate vicinity of the Modified Project site, and there is no plan to develop such facilities in proximity to the Modified Project site.

The proposed Modified Project is located approximately 4,500 feet (0.85 mile) north of the Hemet Model Masters-Simpson Field, a recreational airstrip for flying radio-controlled fixed wing and multi-rotor drone aircraft. Due to the substantial distance and scale of model aeronautics occurring at this facility, implementation of the proposed Modified project is not expected to result in a safety hazard for people residing or working in the Project area. Accordingly, implementation of the Modified Project will not result in a safety hazard for people residing or working on the site due to operations at a private airstrip. No impact would occur, and no mitigation is required.

3.7.7.7 Interfere With Emergency Response or Evacuation Plan

Threshold:	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The 1979 and 2008 EIRs did not address potential Approved Project interference with adopted emergency response plans or emergency evacuation plans.

The site plan of the Modified Project shows multiple access points along Stetson Avenue, New Warren Road, and Warren Road. These access points will allow for residents and people working on the site to exit the area and access local main and regional roads in the event of an emergency evacuation. The Modified Project will also include improvements to the local roadway system with an extension of Mustang Way to the new alignment of Stetson Avenue. The off-site road improvements would be consistent with road improvement standards prescribed by the City of Hemet. The internal circulation system (internal streets) of the Modified Project will be reviewed by the Hemet Fire Department to ensure that they are developed to City of Hemet roadway design standards to allow for the adequate movement of emergency response equipment. During construction of the Modified Project and off-site street improvements, temporary road closures or lane closures may be required; however, as a condition of approval, the applicant and construction contractor will be required to provide closure plans to local emergency service providers to ensure response routes are maintained and not compromised. Implementation of the Modified Project would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant, and no mitigation is required.

3.7.7.8 Expose People or Structures to a Significant Wildlands Fire Risk

Threshold:	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The 1979 and 2008 EIRs did not address wildland fire risks associated with Approved Project implementation. The City of Hemet Fire Department is responsible for fire suppression, rescue activities, and hazardous materials incidents within the City. The City has entered into mutual aid agreements with CALFIRE and the Idyllwild Fire Protection District to ensure expedited services and the best care possible for the community.

Similar to the Approved Project, the Modified Project is located in an urbanized portion of the City of Hemet. According to the CALFIRE Fire Hazard Severity Zone Map for the City of Hemet[8] the Modified Project site is located in a Local Responsibility Area (LRA) that is classified as Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ). The residential and commercial buildings that will be developed under the Modified Project will be designed to comply with the most current California Fire Code, which requires implementation of defensible space, automatic sprinkler systems in residential and commercial buildings, building material for different load occupancies, and additional design features. Implementation of standard building design will reduce potential exposure of people and structures on the Modified Project site to risk or loss, injury, or death involving exposure to fires and wildland fires. Impacts would be less than significant and no mitigation is required.

3.7.8 Cumulative Impacts

3.7.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The 2008 EIR concluded that the Approved Project would create a potential impact for hazards and hazardous waste in the region. The greatest cumulative impacts on hazards and hazardous waste would be the incremental increase in the use of hazardous materials, mainly from domestic sources (i.e. household cleaners, gardening chemicals, automotive fluids, etc.).Growth may also increase the amount of illegal dumping of these materials in the area, which is destructive to natural waterways. The residential development of sites within the safety zones of the Hemet/Ryan Airport would increase the number of people potentially at risks associated with airport use. The Certified EIR concluded the Approved Project is consisted with existing regulations and would not have a cumulatively considerable impact to hazards and hazardous waste pursuant to *CEQA Guidelines* 15064(h)(3) and 15130 (b)(I)(B).

Hazards and hazardous waste impacts at the project level are not considered cumulatively significant. Based on the safe use of common domestic source hazardous materials, policies established within the City of Hemet and the Airport Land Use Commission concerning land uses within the vicinity of the Hemet/Ryan Airport, and the evacuation rates for this area, the Modified Project (similar to the Approved Project) would not make a significant contribution to any cumulatively considerable impacts related to hazards. Therefore, no additional mitigation is required.

The Modified Project would be consistent with development standards for Zones C and D as prescribed under the Hemet-Ryan ALUCP. These development standards have been created to promote safety and to ensure land use development is implemented consistently to reduce potential hazards near an active airport. Implementation of **Mitigation Measures (MM) 3.7.10.1** through **3.7.10.6, MM 3.11.10.6,** and **2008 Mitigation Measures HHM-5g** and **HHM-5i** would reduce safety hazard for people residing or working in the Modified Project area related to operational activities at Hemet-Ryan Airport. Related projects within the City of Hemet and unincorporated areas of Riverside County may result in similar impacts if locations of these projects were within restricted development areas of Hemet-Ryan Airport. However, each related project, similar to the Modified Project would be required to conduct project-specific impact analysis to determine the potential of exposing people to safety hazards from nearby airports. The Modified Project would not combine with other projects to result in a cumulatively considerable impact related to safety hazards from nearby airports, as such analysis is considered on a project-by-project basis.

[8] CALFIRE, Fire Hazard Severity Zones Maps, website: https://osfm.fire.ca.gov/media/5914/hemet.pdf (accessed December 9, 2019).

3.7.9 Level of Significance Before Mitigation

Construction and operational activities of the Approved Project and Modified Project have the potential to use and store small amounts of hazardous materials; however, if any hazardous materials are released, the quantity of the stored material is small enough as to not result in a hazard to people. Impacts would be less than significant and mitigation measures would not be needed. Historically, the site has been used for agricultural use; therefore, potential exists for agricultural chemicals in soil on the site to be released during Approved and Modified Project construction activities. This may result in potentially significant impacts if such residual chemicals are released and construction workers or nearby sensitive receptors are exposed.

The 2008 EIR indicated implementation of the Approved Project in the safety zones of the Hemet/Ryan Airport would increase the number of people potentially at risks associated with airport use. The City of Hemet and the Airport Land Use Commission have established policies that ensure compatible land uses and reduce the risk associated with the safety of people residing or working within the project area. The 2008 EIR concluded that the Approved Project, prior to implementation of mitigation, would not be consistent with the 1992 Hemet-Ryan ALUCP resulting in a potentially significant impact prior to the implementation of mitigation. Since certification of the 2008 EIR, the Hemet-Ryan ALUCP was updated and approved in 2017. In May 2019, the Hemet City Council approved General Plan Amendment (GPA) 19-001, bringing the text of the 2030 Hemet General Land Use, Circulation, and Public Safety Elements in conformance with the 2017 Hemet-Ryan ALUCP. The residential and commercial uses of the Modified Project now align with the 2017 Hemet-Ryan ALUCP and the 2030 Hemet General Plan. Both of these plans consider land use development near the Hemet-Ryan Airport and take into consideration safety hazards from the airport operation. Since the Approved Project is now aligned and consistent with both of these plans, it can be inferred that safety hazards associated with airport operations at adjacent land uses have been reduced. The Approved Project has been determined to be consistent with 2017 Hemet-Ryan ALUCP and the 2030 Hemet General Plan and reduces potential airport related hazardous conditions at the site. Impacts are considered less than significant prior to mitigation.

All other hazard and hazardous materials impacts associated with the Approved Project and Modified Project have been determined to be less than significant prior to the implementation of mitigation.

3.7.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.7.10.1 Mitigation for the Proposed Modified Project

The following mitigation measures shall be implemented by the applicant of the Modified Project and enforced by the City of Hemet.

MM 3.7.10.1 Prior to issuance of building permits, the Modified Project's Applicant shall provide evidence to the City of Hemet that the following measures are in place:

- **Avigation Easement.** The Project Proponent shall grant to the County of Riverside an easement for free and unobstructed passage of all aircraft in the airspace over, through, across, and adjacent to the Project site. The easement shall be in a form substantially consistent with that provided in the Hemet-Ryan Airport Land Use Compatibility Plan and shall be approved by the City Attorney for the City of Hemet and the County Counsel for the County of Riverside and shall be duly recorded with the County Clerk to run with the title to all subdivided lots. This easement, in addition to providing certain rights to the airport to assure it

continued operation, will also serve as notice to all prospective buyers of the location and potential impacts of the airport.

- **Notice of Airport in Vicinity**. The Riverside County Airport Land Use Commission *Notice of Airport in Vicinity* (Appendix F3) shall be provided to all prospective purchasers of the proposed lots and tenants of the homes thereon, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final tract map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraints Sheet (ECS) of the final tract map, if an ECS is otherwise required.
- **Seller Disclosure.** California Civil Code section 1102 "Disclosure Upon Transfer of Residential Real Estate" requires that a Real Estate Transfer Disclosure Statement (TDS) be completed by the Seller and acknowledged by the Buyer. The Project Proponent shall ensure that the TDS in Section 3: Easements and Section 11: Neighborhood Noise be completed to show the existence of the Avigation Easement and the presence of potentially significant noise impact from aircraft using Hemet-Ryan Airport.
- **Sales Material.** The Project Proponent shall ensure that all model homes, sales brochures, and other potential items include notice of the nearby location of the airport and the presence of potential noise and safety impacts.

MM 3.7.10.2 The Modified Project applicant, the City of Hemet, and owners of the Hemet-Ryan Airport shall coordinate with each other prior to issuance of building permits to discuss and potentially implement measures that will help reduce airport operations above the Modified Project site without compromising airport operations. Examples of measures that would reduce potential airport hazards to people residing and working on the Modified Project site include, but are not limited to, the following:

- **Extended Pattern and Raise Pattern altitude.** Many of the smaller aircraft using Runway (RW) 22 are able to turn soon after takeoff and fly the traffic pattern in locations very near the runway and at relatively low altitudes. (Less than 1,000 feet Above Ground Level [AGL]). By encouraging departing aircraft to maintain runway heading (straight out) until reaching the end of the runway or until reaching the end of airport property, they will achieve higher altitudes thus decreasing noise and potential safety hazards. Also, the pattern altitude is published at 1,000 feet AGL. Raising the published pattern altitude to 1,500 feet AGL will promote a similar effect.
- **Business Jet Noise Abatement Departure.** Business jets have the greatest potential to create noise disturbance to ground population. A noise abatement departure procedure must be developed to have departing business jets maintain runway heading until reaching a certain altitude, e.g. 2,500 feet AGL. This will place flight tracks further from the project area, thus reducing noise; and it will place aircraft at higher altitudes before them being turning maneuvers that stress the aircraft, and thus decrease potential safety impacts.

As the Hemet-Ryan Airport is privately owned and operated and not part of the Modified Project, the owners of the Hemet-Ryan Airport would not be mandated to implement such measures.

MM 3.7.10.3 Prior to issuance of grading permits, the Project Applicant shall provide evidence to the City that the following performance standards are applied to all ground-level or

aboveground water detention basins or facilities, including water quality management basins detailed in Project Design Feature 3.8-2:

- Maximum 48-hour detention period after the design storm and remain totally dry between rainfall events.
- Vegetation around such facilities, such as red fescue (*Festuca rubra*), sedges (*Carex* sp.) and rushes (*Juncus* sp.), that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping.
- Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries.
- Landscaping in the detention basins, if not rip-rap, shall be in accordance with the guidance provided in Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure, and the *Airports Wildlife and Stormwater Management* brochure available at www.rcaluc.org and Appendix F2, which lists acceptable plants from Riverside County Landscape Guide, or other alternative landscaping as may be recommended by a wildlife hazard biologist (refer to Appendix F2).
- Slopes along portions of the basins designed to detain stormwater runoff shall be equal to or greater than 3:1.

The Final Water Quality Management Plan detailed in Plan, Policy, or Program 3.6-4 shall specify maintenance intervals for the water quality management basins to ensure the required 48-hour drawdown time following the design storm is maintained. In addition, the Project Applicant shall ensure that the Homeowner's Association (HOA) or similar entity prepare a Planting, Maintenance, and Management Plan for the water quality management basins prior to occupancy to eliminate seeding, shelter, and incompatible vegetation in accordance with the Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure and the *Airports Wildlife and Stormwater Management* brochure.

MM 3.7.10.4 Prior to issuance of building permits for any structure with a top point elevation exceeding 1,535 feet above mean sea level, the Project Applicant shall either provide evidence of the issuance of a Determination of No Hazard to Air Navigation from the Federal Aviation Administration Obstruction Evaluation Service (FAA OES) or shall demonstrate that evaluation by the FAA OES is not required due to distance from the runway exceeding 100 feet for every foot of elevation at top point of structure exceeding 1,499 feet above mean sea level.

MM 3.7.10.5 Prior to issuance of building permits, the Project Applicant shall provide evidence to the City that no buildings shall exceed a height of 40 feet above ground level and a maximum elevation at top point of 1,553 feet above mean sea level. The Maximum height and top point elevation shall not be amended without further review by the Riverside County Airport Land Use Commission and the Federal Aviation Administration, provided, however, that reduction in structure height or elevation shall not require further review.

Temporary construction equipment used during actual construction of the proposed structures shall not exceed 40 feet in height and maximum elevation of 1,553 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

MM 3.7.10.6 Within five days after construction of the proposed building evaluated pursuant to Federal Aviation Administration (FAA) Aeronautical Study No. 2019-AWP-10893-OE reaches its greatest height (refer to Appendix F5), FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the Project Applicant or his/her designee and electronically filed with the FAA (go to https://oeaaa.faa.gov for instructions). This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure at the evaluated coordinate location. Although not required in accordance with FAA Aeronautical Study No. 2019-AWP-10893-OE, any marking and/or lighting installed voluntarily by the Project Applicant for aviation safety shall comply with *FAA Advisory Circular 70/7460-1 L Change 2* and shall be maintained in accordance therewith for the life of the Project.

MM 3.11.10.6 Prior to issuance of Occupancy Permits, the Project Applicant shall provide evidence to the City that the following noise attenuation features have been incorporated into the construction of the on-site residential structures:

- Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped, and shall have a minimum Sound Transmission Classification (STC) rating of 27. Although a minimum STC rating of 27 will satisfy the City of Hemet requirements, upgraded windows with STC ratings of 30 to 32 for all lots are recommended to further reduce the interior noise levels and to minimize the potential noise impacts associated with peak pass-by events.
- Doors: All exterior doors shall be well weather-stripped and have minimum STC ratings of 25. Well-sealed perimeter gaps around the doors are essential to achieve the optimal STC rating.
- Walls: At any penetrations of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal.
- Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or well sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.
- Attic: Attic vents should be oriented away from Stetson Avenue and Warren Road. If such an orientation cannot be avoided, then an acoustical baffle shall be placed in the attic space behind the vents. Insulation with at least a rating of R-19 shall be used in the attic space.
- Ventilation: When any habitable room is in use, arrangements shall be such that circulated air is received when any exterior door(s) or window(s) are closed. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code.

Upon implementation of the noise attenuation features and prior to issuance of Occupancy Permits, the Project Applicant shall prepare an acoustical study to verify the interior noise levels from aircraft noise will comply with the countywide criterion of 45 dBA Community Noise Equivalent Level (CNEL) or such more restrictive criterion as the City of Hemet may choose to require. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

3.7.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided under each revised mitigation measure.

Every hazard-related mitigation measure presented in the Certified EIR for the Approved Project is discussed below. This SEIR concludes the intent of **2008 Mitigation Measures HHM-1a** and **HHM-5a** through **HHM-5i** in the 2008 EIR to the proposed Modified Project while in other cases require updates in accordance with current regulatory standards. The 1979 EIR did not include mitigation measures for Hazards and Hazardous Waste.

The 2008 EIR's **Mitigation Measures HHM-1a, HHM-5g**, and **HHM-5i** are applicable to the Modified Project. Minor modifications of the text are provided in accordance with current regulatory standards and the Riverside County ALUC's Staff Report for the Modified Project (Case Number ZAP1061HR19) dated February 13, 2020.

2008 Mitigation Measure HHM-1a: If during construction activities, ~~on TTMs 35392, 35393 and 35394~~ the Modified Project site any discolored soil, soils with an unusual odor, or undocumented subsurface structures are encountered during future development on the site, a qualified soil investigation professional shall investigate the soil, and if necessary procure samples for testing. Any contamination shall be properly remediated to residential standards in conjunction with an oversight agency (either ~~Riverside County Fire Department~~ the Hemet Fire Department or the California Department of Toxic Substances Control). If abandoned septic tanks, pits, or leach lines are uncovered, the Riverside County Department of Public Health shall be contacted to coordinate the proper abandonment of these features.

2008 Mitigation Measure HHM-5g: Any outdoor lighting installed on the Modified Project site shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing. All lighting plans ~~should~~ shall be reviewed and approved by the Hemet-Ryan airport manager and the Riverside County Airport Land Use Commission prior to Modified Project approval.

2008 Mitigation Measure HHM-5i: The following uses shall be prohibited from the Modified Project ~~project~~ site:

- Hazardous material facilities;
- Hazardous uses (e.g., aboveground storage tanks);
- Outdoor stadiums;
- Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or ~~a straight final approach~~ toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport, other than an FAA-approved navigational signal light or visual approach slope indicator;

- Any use which would cause sunlight to be reflected toward an aircraft engaged in initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport;
- Any use which would generate smoke or vapor or which could attract large concentrations of birds, or which may otherwise affect safe air navigation within the area; ~~and~~
- Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; and
- Children's schools, hospitals, skilled nursing and care facilities, highly noise-sensitive outdoor nonresidential uses, and hazards to flight, and, in the Zone C portion of the property, all of the above, plus libraries, daycare centers, theaters, meeting halls and other assembly facilities, and stadiums.

The 2008 EIR's **Mitigation Measures HHM-5a** through **HHM-5f, HHM-5h,** and **HHM-5j** are no longer applicable for the reasons provided after each mitigation measure.

~~**2008 Mitigation Measure HHM-5a:** The following uses shall be prohibited from Tentative Tract Map 35394: public or private children's schools, places of assembly (i.e., auditorium, theatre, recreation facility, shopping mall, restaurant, clubhouse, arena, stadium, circus, major retail outlets, funeral homes, bowling alleys, banks, professional office buildings, or labor intensive industrial operations), institutional uses (i.e., church, motel, hospital, nursing home, health facility, clinic, care home, convalescent facility or day care).~~

Tentative Tract Map 35394 overlaid approximately 99 acres of the Modified Project. This area of the Modified Project will be developed with a single-family residential neighborhood, which is not a prohibited use per **Mitigation Measure HHM-5a** and the land use and zoning designations prescribed by the City of Hemet on the Modified Project site. For these reasons, **Mitigation Measure HHM-5a** does not apply to the Modified Project.

~~**2008 Mitigation Measure HHM-5b:** The following uses, if proposed within Tentative Tract Maps 35392 or 35393, shall require discretionary approval by the Riverside County Airport Land Use Commission: public or private children's schools, places of assembly (i.e., auditorium, theatre, recreation facility, shopping mall, restaurant, clubhouse, arena, stadium, circus, major retail outlets, funeral homes, bowling alleys, banks, professional office buildings, or labor intensive industrial operations), institutional uses (i.e., church, motel, hospital, nursing home, health facility, clinic, care home, convalescent facility of daycare).~~

With implementation of **MM 3.7.10.1 through MM 3.7.10.6, MM 3.11.10.6, and 2008 Mitigation Measures HHM-5g,** and **HHM-5i,** the Riverside County ALUC found the proposed Modified Project *consistent* with the 2017 Hemet-Ryan ALUCP on February 13, 2020 under Case No. ZAP1061HR19 (Appendix F4). Additionally, Tentative Tract Maps 35393 and 35395 are not part of the Modified Project. Therefore, **2008 Mitigation Measure HHM-5b** does not apply.

~~**2008 Mitigation Measure HHM-5c:** The project applicant shall obtain discretionary approval for the density proposed in Tentative Tract Map 35394 by the Riverside County Airport Land Use Commission.~~

With implementation of **MM 3.7.10.1 through MM 3.7.10.6, MM 3.11.10.6, and 2008 Mitigation Measures HHM-5g,** and **HHM-5i,** the Riverside County ALUC found the proposed Modified Project *consistent* with the 2017 Hemet-Ryan ALUCP on February 13, 2020 under Case No. ZAP1061HR19 (Appendix F4). Additionally, Tentative Tract Map 35394 is not part of the Modified Project. Therefore, **2008 Mitigation Measure HHM-5c** is not applicable to the Modified Project.

~~**2008 Mitigation Measure HHM-5d:** Prior to the issuance of building permits, the developer shall record Aviation Easements covering the entire parcels proposed for development to the County of Riverside as owner-operator of the Hemet-Ryan Airport. The Aviation Easement shall be filed with the Riverside County Clerk. Evidence of the filing shall be submitted to the City of Hemet.~~

~~**2008 Mitigation Measure HHM-5e:** A "Notice of Airport Vicinity" shall be distributed to all potential home buyers within the project site. The Notice shall also be distributed within the disclosure section of the purchase agreement for each home.~~

2008 Mitigation Measures HHM-5d and **HHM-5e** are replaced with Modified Project **Mitigation Measure MM 3.7.10.1,** which specifies the implementation of avigation easements as well as notifications for people residing, working, or owning a business on the site in accordance with Riverside County ALUC's site-specific review of the Modified Project.

~~**2008 Mitigation Measure HHM-5f:** Height limits within the project shall be restricted to 35 feet or two stories, whichever is less.~~

2008 Mitigation Measure HHM-5f is replaced with Modified Project **Mitigation Measures MM 3.7.10.4** through **3.7.10.6,** which specify FAA OES review of the proposed residential and commercial structure heights in accordance with Riverside County ALUC's site-specific review of the Modified Project.

~~**2008 Mitigation Measure HHM-5h:** The developer shall complete the Federal Aviation Administration Form 7460 and provide documentation to the City of Hemet that the form was submitted.~~

2008 Mitigation Measure HHM-5h is replaced with Modified Project **Mitigation Measures MM 3.7.10.4** through **3.7.10.6,** which specify FAA OES review of the proposed residential and commercial structure heights in accordance with Riverside County ALUC's site-specific review of the Modified Project.

~~**2008 Mitigation Measure HHM-5j:** There are 4.8 acres within Tentative Tract Map 35394 in the Inner Turning Zone near the northwestern corner that shall be designated with a land use consistent with the California Airport Land Use Planning Handbook unless the plan for extension of the Hemet-Ryan Airport is modified prior to the issuance of building permits. If the plan for the extension of the Hemet-Ryan Airport is modified prior to the issuance of building permits, a subsequent analysis shall be conducted to ensure that the project is consistent with the new zone designations.~~

With implementation of **MM 3.7.10.1 through MM 3.7.10.6, MM 3.11.10.6, and 2008 Mitigation Measures HHM-5g,** and **HHM-5i,** the Riverside County ALUC found the proposed Modified Project *consistent* with the 2017 Hemet-Ryan ALUCP on February 13, 2020 under Case No. ZAP1061HR19

(Appendix F4). Additionally, Tentative Tract Map 35394 is not part of the Modified Project. Therefore, **2008 Mitigation Measure HHM-5j** does not apply to the Modified Project.

3.7.11 Level of Significance after Mitigation

As the Approved and Modified Projects share the same physical boundaries, on which agricultural production occurred historically, there is potential that remnant agricultural chemicals are located in the soil. As such, both the Approved and Modified Projects would implement **2008 Mitigation Measure HHM-1a** requiring soil testing and potential remediation during construction if agricultural chemicals are located within the on-site soils. Implementation of this mitigation measure would reduce potential exposure to construction workers on site to hazardous materials and therefore would result in a less than significant impact.

The 2008 EIR determined that, even with mitigation implemented (**HHM-5a through HHM-5i**), the Approved Project would not be consistent with the 1992 Airport Land Use Plan due to inconsistent density allocation in Airport Area II over TR 35394; as such, the findings concluded that impacts would be significant and unavoidable. However, with implementation of **MM 3.7.10.1 through MM 3.7.10.6, MM 3.11.10.6, and 2008 Mitigation Measures HHM-5g,** and **HHM-5i,** the Riverside County ALUC found the proposed Modified Project *consistent* with the 2017 Hemet-Ryan ALUCP on February 13, 2020 under Case No. ZAP1061HR19 (Appendix F4). The Hemet-Ryan ALUCP takes into account safety hazards and proposed land uses in close proximity to operations of Hemet-Ryan Airport and the potential for injury to residents or people working in such areas. Since the Modified Project is consistent with the 2017 Hemet-Ryan ALUCP, safety hazards to people residing or working on the site are reduced compared to the conditions presented in the Certified EIR. The Modified Project would implement **MM 3.7.10.1 through MM 3.7.10.6, MM 3.11.10.6, and 2008 Mitigation Measures HHM-5g,** and **HHM-5i** to ensure residents and people working on site know the potential hazards from operations at Hemet-Ryan Airport. Implementation of the Modified Project would therefore result in a less than significant impact, and mitigation would further reduce the frequency, intensity, and severity of hazards associated with operations at Hemet-Ryan Airport.

All other hazard or hazardous materials impacts of the Approved and Modified Projects have been determined to be less than significant without implementation of mitigation measures.

Overall, as compared to the Approved Project, impacts associated with potential hazards from airport operations would be reduced (i.e., significant and unavoidable under the Approved Project versus less than significant with mitigation under the Modified Project) with implementation of the Modified Project. No new alternatives have been identified that would substantially or further reduce any hazards and hazardous materials impacts of the Modified Project.

3.8 HYDROLOGY AND WATER QUALITY

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to hydrology and water quality as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- City of Hemet. *Master Flood Control and Drainage Plan*. January 24, 1984.
- Chang Consultants. *Preliminary Drainage Study for Tentative Tract Map No. 36841 (Rancho Diamante)*. January 20, 2019 (Appendix G1).
- Chang Consultants. *Project Specific Water Quality Management Plan. Rancho Diamante, Tentative Tract Map No. 36841*. October 5, 2015; Revised February 1, 2018 and January 20, 2019 (Appendix G2).
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Eastern Municipal Water District. *2015 Urban Water Management Plan*. June 2016.
- Eastern Municipal Water District. *Draft Water Supply Assessment Report, Rancho Diamante*. June 19, 2018 (Appendix G3).
- Federal Emergency Management Agency. *Flood Insurance Rate Map No. 06065C2085G*. Map Revised August 28, 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- Riverside County Flood Control and Water Conservation District. *Hydromodification Susceptibility Documentation Report and Mapping: Santa Ana Region.* January 18, 2017.

Scoping Process/NOP Comments: The City received a comment during the public scoping meeting held August 2016 for the proposed Modified Project regarding concern for standing water in the Hemet Channel north of the existing Solera residential development project adjacent and east of the Modified Project site. Project impacts to the Hemet Channel are discussed below in Section 3.8.7.4.

The City received two comment letters in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts to hydrology and water quality. The California Department of Fish and Wildlife (CDFW) provided a letter dated August 30, 2016, and the Metropolitan Water District of Southern California (MWD) provided a letter dated August 29, 2016 (see Appendix A1).

The CDFW commented that the Draft SEIR should address project-related changes on drainage patterns and water quality within, upstream, and downstream of the project site, including: volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. These project related changes are addressed in Section 3.8.7 below, as well as in Section 3.4.7 of this SEIR with regard edge effects and the wildlands/urban interface. The CDFW also included suggestions for determination of impacts from and mitigation for the proposed Modified Project, and further

recommended coordination between the applicant and the CDFW pursuant to Fish and Game Code Section 1602.

The MWD commented that the Draft SEIR should evaluate the Modified Project's potential effects to the water quality of MWD's supplies from potential incompatible uses. The Modified Project's potential effects to the water quality are addressed in Section 3.8.7 below.

No additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to hydrology and water quality.

3.8.1 Regulatory Settings

3.8.1.1 Federal Regulations

Clean Water Act. In 1972 Congress amended the Federal Water Pollution Control Act, making the addition of pollutants to the waters of the United States from any point source unlawful unless the discharge is in compliance with a NPDES permit. Known today as the Clean Water Act (CWA), Congress has amended it several times. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." In the 1987 amendments, Congress directed dischargers of storm water from municipal and industrial/construction point sources to comply with the National Pollutant Discharge Elimination System (NPDES) permit scheme. Important CWA sections are:

- Sections 303 and 304 require states to promulgate water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for a federal license or permit to conduct any activity, which may result in a discharge to waters of the U.S., to obtain certification from the state that the discharge will comply with other provisions of the act. (Most frequently required in tandem with a Section 404 permit request.)
- Section 402 establishes the NPDES, a permitting system for the discharges (except for dredge or fill material) of any pollutant into waters of the U.S. Regional Water Quality Control Boards (RWQCBs) administer this permitting program in California.
- Section 402(p) requires permits for discharges of storm water from industrial/construction and Municipal Separate Storm Sewer Systems (MS4s).
- Section 404 establishes a permit program for the discharge of dredge or fill material into waters of the United States. This permit program is administered by the United States Army Corps of Engineers (USACE).

EPA regulations require NPDES permits for discharges of storm water from industrial/construction and MS4s. To comply with the permits, storm water pollution controls must be implemented for construction and industrial activity that discharges either directly to surface waters or indirectly through separate municipal storm drains. Pollution control is achieved by establishing engineering measures that have been designed, tested, and successfully implemented throughout the past decades, such as bioretention basins and sediment traps, during both the construction period and the operational phases of a project. In California, the RWQCBs administer the NPDES permitting program.

Pursuant to Section 404 of the CWA, the USACE regulates discharges of dredged or fill material into waters of the United States. These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a direct or indirect connection to interstate commerce. The USACE regulatory jurisdiction pursuant to Section 404 of the CWA is founded on a connection, or nexus, between the water body in question and interstate commerce. This connection may be direct (through a tributary

system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or may be indirect (through a nexus identified in the USACE regulations). The USACE typically regulates as non-wetland waters of the U.S. any body of water displaying an ordinary high water mark (OHWM). In order to be considered a jurisdictional wetland under Section 404, an area must possess three wetland characteristics: hydrophytic vegetation, hydric soils, and wetland hydrology. Each characteristic has a specific set of mandatory wetland criteria that must be satisfied in order for that particular wetland characteristic to be met. A project-specific discussion regarding Section 404 issues is provided in Section 3.4, Biological Resources of this SEIR.

National Flood Insurance Program (NFIP). Beginning with the Flood Control Act of 1936, Congress assigned the USACE the responsibility for flood control engineering works and later for floodplain information services. Flood control was provided through the construction of dams and reservoirs. Despite these programs and rapidly rising federal expenditures for flood control, flood losses continued to rise. In 1968, Congress passed the National Flood Insurance Act, which created the NFIP. The Flood Disaster Protection Act of 1973, which amended the 1968 Act, required the purchase of flood insurance by property owners who were located in special flood hazard areas and were being assisted by federal programs, or by federally supervised, regulated, or insured agencies or institutions.

National Flood Insurance Program Reform Act of 1994. In 1994, the National Flood Insurance Program Reform Act went through its first major revision since its inception. Included in this revision were provisions that if a lender were to escrow an account and if the structure were in the floodplain, then the lender *must* escrow for flood insurance. The revised legislation also included increased flood insurance limits and the elimination of the 1962 buy-out program. However, the legislation did initiate the Hazard Mitigation Fund as part of the flood insurance policy. Also included in this legislation was the increase from a 5-day to a 30-day waiting period for a new policy to become effective. It also prohibits the waiver of flood insurance purchase requirements as a condition of receiving federal disaster assistance. If the flood insurance policy were not maintained, in the event of another disaster, no disaster assistance would be made available for that structure.

3.8.1.2 State Regulations

Porter-Cologne Water Quality Control Act. California's Porter-Cologne Act,[1] enacted in 1969, provides the legal basis for water quality regulation within California. This Act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the State. It predates the CWA and regulates discharges to waters of the State. It prohibits discharges of "waste" as defined and this definition is broader than the CWA definition of "pollutant."

Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the CWA. The State Water Resources Control Board (SWRCB) and RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and for regulating discharges to ensure compliance with the water quality standards. Details regarding water quality standards in a project area are contained in the applicable RWQCB Basin Plan.

RWQCBs designate beneficial uses for all water body segments in their jurisdictions and then set criteria necessary to protect these uses. The water quality standards developed for particular water segments vary depending on uses. Additionally, the SWRCB identifies waters failing to meet standards for specific pollutants, which are then State-listed in accordance with CWA Section 303(d). If a state

[1] Water Code §§13000 et seq.

determines that waters are impaired for one or more constituents and the standards cannot be met through point source or non-source point controls (NPDES permits or Waste Discharge Requirements), the CWA requires the establishment of Total Maximum Daily Loads (TMDLs). TMDLs specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

The NPDES General Permit issued by the SWRCB applies to all construction activities that result in the disturbance of at least one acre of total land area, or activity that is part of a larger common plan of development of one acre or greater. The RWQCB regulates hydromodification[2] as well as surface and groundwater quality through adoption of water quality plans and standards, and issuance of water quality permits and waivers. The NPDES permit deals with both the construction phase and operational phase of development projects. For the construction phase of a project, the NPDES permit identifies the preparation of a Storm Water Pollution Prevention Plan (SWPPP).

The implementation of NPDES permits ensures the State's mandatory standards for the maintenance of clean water and the federal minimum standards are met. Coverage under an NPDES permit regulates sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. An SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. The SWPPP establishes a process whereby the operator evaluates potential pollutant sources at the site and implements best management practices (BMPs) designed to prevent or control the discharge of pollutants in storm water runoff.

Storm water control measures during construction and grading will be outlined in the construction NPDES permit and SWPPP prepared for the proposed Modified Project. Examples of such BMP control measures include but are not limited to the following:

- Temporary detention basins for runoff and silt containment;
- Regular street-sweeping and truck washing prior to exiting construction areas;
- Covering of soil hauling trucks to minimize dust generation (and silt buildup on project roads;
- Dirt rockers at project exits to reduce soil transported out of construction areas;
- Monitoring of runoff and protection devices during storm events;
- Use of silt fencing, gravel bags, and/or straw bales to channel runoff to temporary basins; and
- Identification of emergency procedures in case of hazardous materials spills.

For all projects subject to the Construction General Permit (CGP), applicants are required to develop and implement an effective Water Quality Management Plan (WQMP); to implement sediment, erosion, and pollution prevention control measures; and to obtain coverage under the CGP. The purpose of a WQMP is to:

1) Identify all pollutant sources, including sources of sediment that may affect the quality of storm water discharges associated with daily use/activity (storm water discharges) from the property site;
2) Identify non-storm water discharges;

[2] Hydromodification is the alteration of the hydrologic characteristics of coastal and non-coastal waters, which, in turn, could cause degradation of water resources.

3) Identify, construct, implement, and maintain BMPs to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the property site; and

4) Develop a maintenance schedule for BMPs designed to reduce or eliminate pollutants.

The project applicant will be required to obtain a construction NPDES permit prior to any site grading. In addition, the NPDES permit will require the identification of post-construction BMPs to be incorporated into the project-specific WQMP to control the post-construction entry of contaminants into storm flows.

California Fish and Game Code. Sections 1600 et seq. of the California Fish and Game Code define the responsibilities of the CDFW and require public and private applicants to obtain a Streambed Alteration Agreement for projects that would "… divert, obstruct, or change the natural flow or bed, channel, or bank of any river, stream, or lake designated by the CDFW in which there is at any time an existing fish or wildlife resource or from which those resources derive benefit, or would use material from the streambed designated by the department." CDFW wardens and/or unit biologists typically have the responsibility for formulating and issuing Streambed Alteration Agreements. The CDFW, through provisions of the Code (Sections 1601–1603), is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. Streams (and rivers) are defined by the presence of a channel bed and banks, and at least an intermittent flow of water. The CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by the CDFW.

Senate Bill 610 and California Water Code Section 10912. Pursuant to Senate Bill 610 and California Water Code Section 10912(a)(7), a project would require a Water Supply Assessment if it would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.

Groundwater Management Act (AB 3030). The Groundwater Management Act[3] provides a systematic procedure for an existing local agency to develop a groundwater management plan. Assembly Bill (AB) 3030 allows a local agency whose service includes a groundwater basin that is not already subject to groundwater management pursuant to law or court order to adopt and implement a groundwater management plan and includes plans to mitigate overdraft conditions, control brackish water, and to monitor and replenish groundwater.

Sustainable Groundwater Management Act of 2014 (Senate Bills 1168 and 1319, Assembly Bill 1739). In March 2014, the Governor's Office released a draft framework soliciting input on actions that can be taken to ensure local groundwater managers have the tools and authority to manage groundwater sustainably. In response, Senate Bill (SB) 1168 and AB 1739 were introduced. These bills moved through the legislation process in nearly identical form while the authors and administration convened multiple stakeholder meetings and further developed the provisions of the bills. On August 22, 2014, both bills were amended to divide the provisions between the two bills. In tandem, SB 1168 and AB 1739 provide a comprehensive groundwater sustainability management program.[4] In September 2014, SB 1168 and 1319, and AB 1739 were enacted, amending and adding to the State's Government and Water Codes relative to the management of groundwater resources. The three bills comprise the Sustainable Groundwater Management Act of 2014 (SGMA). The SGMA provides for the

[3] California Water Code, §§ Sections 10750–10756

[4] *Sustainable Groundwater Management Act of 2014*, Association of California Water Agencies. https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/California-Water-Plan/Docs/Update2013/Volume4/groundwater/18SB1168_AB1739_Sustainable_GW_mgt.pdf (accessed October 19, 2016).

formation of local groundwater sustainability agencies (GSAs), which are responsible for monitoring and sustainably managing groundwater basins.

Cobey-Alquist Flood Plain Management Act (Sections 8000–9651 of the California Water Code). The Cobey-Alquist Flood Management Act states that a large portion of land resources of the State of California is subject to recurrent flooding. The public interest necessitates sound development of land use, as land is a limited, valuable, and irreplaceable resource, and the floodplains of the State are a land resource to be developed in a manner that, in conjunction with economically justified structural measures for flood control, would result in prevention of loss of life and of economic loss caused by excessive flooding. The primary responsibility for planning, adoption, and enforcement of land use regulations to accomplish floodplain management rests with local levels of government. It is policy of the State of California to encourage local government to plan land use regulations to accomplish floodplain management and to provide State assistance and guidance. As part of its discretionary review process, the City must determine how the project will comply with this Act and not create flooding impacts on new occupied land uses.

California Civil Code Section 1103. California Civil Code Section 1103 requires notification to those potentially affected of the risk involved in locating within a special flood hazard area (any type Zone "A" or "V") designated by the Federal Emergency Management Agency or an area of potential flooding shown on an inundation map prepared pursuant to Section 6161 of the Water Code.

California Toxics Rule. On May 18, 2000, the State Environmental Protection Agency (Cal-EPA) promulgated numeric water quality criteria for priority toxic pollutants and other provisions for water quality standards to be applied to waters in the State of California. Cal-EPA promulgated this rule based on the Administrator's determination that the numeric criteria are necessary in California to protect human health and the environment. The rule fills a gap in California water quality standards that was created in 1994 when a State court overturned the State's water quality control plans containing water quality criteria for priority toxic pollutants. Thus, the State of California has been without numeric water quality criteria for many priority toxic pollutants as required by the CWA, necessitating this action by Cal-EPA. These federal criteria are legally applicable in the State of California for inland surface waters, enclosed bays, and estuaries for all purposes and programs under the CWA.

3.8.1.3 Local Regulations

Sana Ana River Basin Water Quality Control Plan (Basin Plan). The Santa Ana RWQCB has adopted a Water Quality Control Plan (Basin Plan) for its region of responsibility, which includes the City of Hemet (City). The RWQCB has delineated water resource area boundaries based on hydrological features. For purposes of achieving and maintaining water quality protection, specific beneficial uses have been identified for each of the hydrologic areas described in the Basin Plan. The Basin Plan also establishes implementation programs to achieve water quality objectives to protect beneficial uses and requires monitoring to evaluate the effectiveness of the programs. These objectives must comply with the State anti-degradation policy (State Board Resolution No. 68-16), which is designed to maintain high-quality waters while allowing some flexibility if beneficial uses are not unreasonably affected.

Municipal Separate Storm Sewer System Permit System. The City is a co-permittee under the NPDES MS4 Permit.[5] The NPDES MS4 permit is intended to regulate the discharge of urban runoff

[5] California Regional Water Quality Control Board, Santa Ana Region – National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements: *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities,* Order No. 2009-0009-DWQ, NPDES No. CAS000002, as amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ.

from the MS4 within the Santa Ana Region. Under the NPDES MS4 permit, the City is responsible for the management of storm drain systems within its jurisdiction.

The permit contains provisions for receiving water limitations, discharge prohibitions, and storm water management, monitoring and reporting for reducing pollutants to applicable standards. The Local Implementation Plan (LIP) describes how the City will implement the requirements of the MS4 Permit. The 2010 MS4 Permit mandates a Low Impact Development (LID) approach to storm water treatment and management of runoff discharges. The project site must be designed to minimize imperviousness, detain runoff, and infiltrate, reuse, or evapotranspirate runoff where feasible. LID BMPs should be used to infiltrate, evapotranspirate, harvest and use, or treat runoff from impervious surfaces, in accordance with the Riverside County Flood Control and Water Conservation District's September 2011 *Design Handbook for Low Impact Development Practices*. The project must ensure that runoff does not create a hydrologic condition of concern (i.e., hydromodification). The RWQCB continuously updates impairments as studies are completed.

Water Quality Management Plan. This proposed Modified Project is subject to the Riverside County Water Quality Management Plan for Urban Runoff (RCWQMP) requirements under the "New Development" category. According to the RCWQMP, "New Development" applicable to the Modified Project includes residential development of 10 dwelling units or more, including single family and multi-family dwelling units, condominiums, and apartments; and commercial development where the land area represented by the proposed map or permit proposed for disturbance is 100,000 square feet or more. Accordingly, a project- and site-specific Water Quality Management Plan (WQMP) is required to identify, measure, and control the post-construction volume of storm water runoff that could result in discharge of pollutants and hydromodification of downstream waters that may be associated with the implementation of the Modified Project.

Hemet General Plan. The General Plan defines policies related to hydrology and water quality within the City. General Plan Community Services and Infrastructure (CSI) Policies CSI-4.3 and CSI-4.8 require the City to prevent pollutant discharge into drainage systems. General Plan Policies CSI-2.8, CSI-2.9, and CSI-4.4 and General Plan EIR Program CSI-P-3 are designed to protect groundwater resources in the planning area through aquifer recharge preservation and protection and implementation of measures to reduce demand for drinking water (and therefore reduce demand for groundwater pumping from the basins).

General Plan Policies CSI-4.4, CSI-4.5, and CSI-4.6 require each individual project to retain storm water at or near the site of generation for percolation and mitigation of adjacent flooding and to incorporate vegetated or landscaped swales to the extent possible. Policies PS-2.1 and PS-2.2 would require maintenance of waterways used for flood control to keep them free of obstructions and require that areas subject to erosive flooding be preserved in a natural state. Policies CSI-4.4 and CSI-4.7 protect groundwater resources in the planning area through minimization of urban storm water runoff and aquifer recharge preservation and protection. Additionally in accordance with Policies CSI-4.2 and CSI-4.8, the City must ensure public storm drainage systems adequately accommodate a 100-year flood flow and design and upgrade street storm drains based on the relative risk to public health and safety, the potential for hindrance of emergency access, and egress from excessive flood depth.

General Plan Public Safety (PS) Policies PS-2.1, and PS-2.2, as well as General Plan EIR Programs CSI-P.5, PS-P-7, PS-P-8, PS-P-9, PS-P-11, and PS-P-12 require all future development within the planning area to protect life and property from 100-year flood hazards, dam failures, seiche hazards, and mudflows.

3.8.2 Certified EIR Findings

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. The 2008 Draft EIR concluded grading and construction within the site will expose ground surfaces and increase the potential for erosion and the off-site transport of sediment in storm water runoff, as well as the potential for spills from heavy equipment, machinery and materials. Operation of the Approved Project would increase the pollutant load (typically comprised of minor amounts of oil and grease, pesticides and herbicides, dust debris, litter, lawn clippings, animal waste, and other organic matter) in surface runoff flowing through or originating from the site. Drainage flows would be conveyed to the improved Hemet Channel and Thornton Channel via on-site paseo swales and storm drain improvements before discharging into the Salt Creek channel. There are no existing streams or rivers on site that would be altered. Mitigation Measures HWQ-1a through HWQ-1e were prescribed to ensure a final WQMP was developed to identify, measure, and control the post-construction volume of storm water runoff that could result in erosion and/or discharge of pollutants and hydromodification of downstream waters that may be associated with the Approved Project. To attenuate risks of on-site and off-site flooding, Mitigation Measures HWQ-1f and HWQ-1g were prescribed to ensure proposed flood control and storm drain facilities are constructed in accordance with the project-specific hydrology studies and permit requirements of responsible regulatory agencies.

The Certified EIR concluded groundwater constitutes 85 percent of the City's water supply. Based on the EMWD's 2005 UWMP, water supplies to the Approved Project area are forecast to be available through Year 2025 and beyond (from both groundwater and imported water) with continued mandatory practice of water use efficiency, recharging of the Canyon Basin, and the increased use of recycled water.

The 2008 Draft EIR concluded a small portion of TTM 35392 is located within a 100-year flood zone (Zone AE) along the Hemet Channel but that the City's planned construction of New Stetson Avenue parallel to the Hemet Channel would remove the portion of TTM 35392 from the 100-year flood zone. Accordingly, the Certified EIR prescribed Mitigation Measure HWQ-7a to submit to Federal Emergency Management Agency (FEMA) an application to revise the FIRM to remove the portion of TTM 35392 from the 100-year AE flood zone. The 2008 Draft EIR further concluded portions of the Approved Project are located within the dam inundation zone of the Diamond Valley Reservoir but that the likelihood of dam failure is too low resulting in a less than significant impact due to the technology that is used to build modern dams, including the most current seismic safety requirements. The nature of Diamond Valley Lake (manmade, size, type of water body) renders risks from seiches and tsunamis less than significant. Mudflows or landslides are not anticipated due to the Approved Project site's relatively flat topography. The Approved Project would be designed and constructed to channel peak 100-year flood flows so that the project would not impede or redirect flood flows.

With implementation of mitigation, all impacts to hydrology and water quality would be reduced to **less than significant** levels.

3.8.3 Existing Environmental Setting

3.8.3.1 Hydrology

The Modified Project site is undeveloped and supports low lying sporadic vegetation. The site is within the jurisdiction of the Santa Ana RWQCB. Storm water runoff from the majority of the site sheet flows over the gently sloping ground surface in a southwesterly direction. The Hemet Channel (Line 1A) abuts the northern boundary of the site in a northeast/southwest alignment and will not be modified. The City's *Master Flood Control and Drainage Plan* identifies a 100-year total flow rate not to exceed 200 cubic feet per second (cfs) entering the Hemet Channel from the site (from Line 3C).

A drainage channel and a detention basin are located along the southern border of the proposed Modified Project site. The drainage channel and basin were constructed as part of the Tracts 31807 and 31808 located on the east side of Warren Road to collect runoff from the site and adjacent properties. The drainage channel represents the east-west segment of Line 3B from the City of Hemet's *Master Flood Control and Drainage Plan* and conveys storm water runoff into the detention basin for infiltration. Overflow volumes are conveyed via an offsite drainage channel (north-south continuation of Line 3B) to the south to the improved channel at Simpson Road. The *Master Flood Control and Drainage Plan* indicates that the 100-year flow rate immediately downstream of the site should not exceed 345 cfs. The north-south portion of Line 3B between the Modified Project site and Simpson Road will be improved as part of the Modified Project to facilitate conveyance of storm water runoff to Salt Creek approximately one mile south of the Modified Project site. The southerly half of north-south Line 3B between Simpson Road and Salt Creek has already been constructed.

Salt Creek continues west to Canyon Lake, which is an adequate sump. Line 1A, Line 3B, and Salt Creek are engineered and maintained to ensure design flow capacity. Line 1A and 3B are Master Plan facilities. Andrea Gonzalez from the Riverside County Flood Control and Water Conservation District stated that Salt Creek meets the exemption criteria.[6] A November 25, 2014, letter (see Appendix 7: Hydromodification of Appendix G2 in this SEIR) from the City of Menifee confirms that the Salt Creek segment within its jurisdiction also meets the exemption criteria. Therefore, the Modified Project is exempt from hydromodification.

3.8.3.2 Water Quality

The Santa Ana Region includes the upper and lower Santa Ana River watersheds, the San Jacinto River watershed, and several other small drainage areas. The Modified Project site drains to Hemet Channel or Line 3B of the City's Master Drainage Plan, discharging to Salt Creek, through the Railroad Canyon Reservoir of the San Jacinto River to Temescal Creek, and then into Reach 3 of the Santa Ana River and the Prado Basin Management Zone before ultimately flowing to the Pacific Ocean.

The Basin Plan for the Santa Ana Region is the basis for the Santa Ana RWQCB regulatory programs. The Basin Plan designates beneficial uses for surface and ground waters, sets narrative and numerical objectives that must be attained (or maintained) to protect the designated beneficial uses, and describes implementation programs to protect waters in the region. Tables 3.8.A and 3.8.B identify the designated beneficial uses for receiving waters. These designations provide a description of how water is used and what beneficial purposes it serves. Table 3.8.A provides a description of each of these beneficial water uses, while Table 3.8.B provides the specific locations of the various beneficial use designations.

Table 3.8.A: Descriptions of Beneficial Uses

Designated Beneficial Use	Description of Beneficial Use
Municipal and Domestic Supply (MUN)	Waters used for community, military, municipal, or individual water supply systems including, but not limited to, drinking water supply.
Agricultural Supply (AGR)	Waters used for farming, horticulture or ranching. These uses may include, but are not limited to, irrigation, stock watering, and support of vegetation for range grazing.
Groundwater Recharge (GWR)	Waters used for natural or artificial recharge of groundwater proposed for future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.

[6] *Hydromodification Susceptibility Documentation Report and Mapping: Santa Ana Region.* January 18, 2017. Map 2: HCOC Applicability Map, SAR Permittees. *(http://rcflood.org/downloads/NPDES/Documents/SA_WAP/AppA_HydromodificationSusceptibilityReport.pdf).*

Table 3.8.A: Descriptions of Beneficial Uses

Designated Beneficial Use	Description of Beneficial Use
Warm Freshwater Habitat (WARM)	Waters that support warm water ecosystems including, but not limited to, preservation and enhancement of aquatic habitats, vegetation, fish, and wildlife, including invertebrates.
Wildlife Habitat (WILD)	Water that support wildlife habitats including, but not limited to, the preservation and enhancement of vegetation and prey species used by wildlife, such as waterfowl.
Rare and Endangered Species Habitat (RARE)	Waters support habitats necessary for the survival and successful maintenance of plant or animal species designated under State or Federal law as rare, threatened, or endangered.
Water Contact Recreation (REC1)	Waters used for recreational activities involving body contact with water where ingestion of water is reasonably possible. These uses may include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, whitewater activities, fishing and use of natural hot springs.
Non-contact Water Recreation (REC2)	Waters used for recreational activities involving proximity to water, but not normally involving body contact with water where ingestion of water would be reasonably possible. These uses may include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tide pool and marine life study, hunting, sightseeing and aesthetic enjoyment in conjunction with the above activities.
Spawning, Reproduction, and Development (SPWN)	Waters that support high quality aquatic habitats necessary for reproduction and early development of fish and wildlife.
Industrial Service Supply (IND)	Waters used for industrial activities that do not depend primarily on water quality. These uses may include, but are not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection and oil well re-pressurization.
Limited Warm Freshwater Habitat (LWRM)	Waters support warm water ecosystems which are severely limited in diversity and abundance as the result of concrete-lined watercourses and low, shallow dry weather flows which result in extreme temperature, pH, and/or dissolved oxygen conditions. Naturally reproducing finfish populations are not expected to occur in LWRM waters.

Source: Chapter 3: Beneficial Uses, Current Santa Ana Basin Plan. January 24, 1995; Updated February 2016. http://waterboards.ca.gov/santaana/water_issues/programs/basin_plan/docs/2016/Chapter_3_Feb_2016.pdf. (Accessed April 29, 2019).

Table 3.8.B: Locations of Beneficial Uses

Receiving Waters	EPA Approved 303(d) List Impairments	Designated Beneficial Uses	Proximity to RARE Beneficial Use
Master Drainage Plan Line 3B	None	None	N/A
Salt Creek	None	MUN, REC1, REC2, WARM, WILD	N/A
Canyon Lake (aka: San Jacinto River Reach 2)	[Nutrients], Pathogens	MUN, AGR, GWR, REC1, REC2, WARM, WILD	N/A
Lake Elsinore	[Nutrients], PCBs, [Organic Enrichments/Low Dissolved Oxygen], Sediment Toxicity, Unknown Toxicity	REC1, REC2, WARM, WILD	N/A

Table 3.8.B: Locations of Beneficial Uses

Receiving Waters	EPA Approved 303(d) List Impairments	Designated Beneficial Uses	Proximity to RARE Beneficial Use
Temescal Creek (Reach 5)	None	AGR, GWR, REC1, REC2, WARM, WILD, RARE	Distance from project to nearest tributary RARE waterbody is over 17 miles (Temescal Creek, Reach 5)
Temescal Creek (Reach 4)	None	AGR, GWR, REC1, REC2, WARM, WILD, RARE	N/A
Temescal Creek (Reach 3) – Lee Lake	None	AGR, IND, GWR, REC1, REC2, WARM, WILD	N/A
Temescal Creek (Reach 2)	None	AGR, IND, GWR, REC1, REC2, WARM, LWRM	N/A
Temescal Creek (Reach 1)	pH	REC1, REC2, WARM, WILD	N/A
Santa Ana River (Reach 3)	Copper, Lead, [Pathogens]	AGR, GWR, REC1, REC2, WARM, WILD, RARE, SPWN	Prado Dam to Mission Boulevard (City of Riverside)
Prado Basin Management Zone	None	REC1, REC2, WARM, WILD, RARE	Prado Flood Control Basin
Santa Ana River (Reach 2)	Indicator Bacteria	AGR, GWR, REC1, REC2, WARM, WILD, RARE	17th Street in Santa Ana to Prado Dam
Santa Ana River (Reach 1)	None	REC1, REC2, WARM, WILD	N/A
Tidal Prism of Santa Ana River (to within 1,000 feet of Victoria Street) and Newport Slough	None	None	At Tidal Prism

Source: Chang Consultants. *Project Specific Water Quality Management Plan. Rancho Diamante, Tentative Tract Map No. 36841*. Table 1A: Identification of Receiving Waters. October 5, 2015, Revised February 1, 2018 and January 20, 2019. (Appendix G2).

3.8.3.3 Water Supply and Groundwater

The Modified Project site is located within the Hemet Subbasin of the 235-square-mile San Jacinto Ground Water Basin (Department of Water Resources Bulletin 118 Groundwater Basin Number 8-05). Groundwater in this portion of the Hemet Subbasin is estimated between 50 and 120 feet below surface grade.[7] The Eastern Municipal Water District (EMWD) would provide the proposed Modified Project with water supplies. Portions of the groundwater basin from which EMWD pumps potable groundwater are adjudicated under the Hemet-San Jacinto Watermaster and subject to adjusted base production rights. EMWD's water supply reliability is primarily established through Metropolitan Water District of

[7] *Phase I Environmental Site Assessment, Rancho Diamante Tract No. 36841, Hemet, California.* Page 11. IWS Environmental, Inc. November 4, 2016.

Southern California (MWD), of which EMWD is a member agency. Recent development of two desalinization plants operated by the EMWD has increased its reliance on regional groundwater, in conjunction with imported water from the MWD, for its potable water sources.[8]

No direct groundwater withdrawals would be required for the Modified Project. Under the 2007 Hemet/ San Jacinto Groundwater Management Area Water Management Plan (HSJ Management Plan) prepared pursuant to AB 3030, EMWD will be responsible for providing water to recharge the groundwater basin. To prevent continued overdraft in the Hemet Subbaisn, EMWD has developed alternatives to assure water supply reliability, including an Integrated Recharge and Recovery Program (IRRP), filtration plants to treat and deliver imported water to areas dependent on groundwater, and recycled water use for irrigation of landscape and agriculture. In addition to the existing IRRP, EMWD is developing the Enhanced Recharge and Recovery Program (ERRP) to increase conjunctive use and facilitate groundwater banking. Phase 1 of the ERRP program is included in the Santa Ana River Conservation & Conjunctive Use Program, a cooperative program to store imported water during wet years for use during dry years. Both management plan areas are part of the San Jacinto Groundwater Basin (Department of Water Resources Bulletin 118 Groundwater Basin Number 8-05). As detailed in Tables ES-4 and ES-5 of the EMWD 2015 Urban Water Management Plan (UWMP), the EMWD is projected to meet current and projected water demands through the year 2040 under normal, historic single-dry and historic multiple-dry year scenarios. EMWD's 2015 UWMP also discloses that in the event of a water supply shortage or water emergency, the City has in place water shortage contingency plans, which ensure provision of priority water services to all its existing and anticipated customers.

3.8.3.4 Floodplain

According to the most recent Flood Insurance Rate Map (FIRM), the vast majority of the Modified Project site is located within Flood Zone X (other flood areas).[9] A portion of Planning Area XIII where commercial uses are proposed and the area of proposed off-site improvements to Warren Road are within Flood Zone AE.[10] Additionally, the northern boundary of the Modified Project site abuts Flood Zone AE along the Hemet Channel. The proposed construction of the westerly half of new Warren Road, including modifications to the Stetson Avenue intersection at the northeast corner of the Modified Project site and a realigned transition back to the existing Warren Road alignment would occur within Flood Zone AE. The off-site drainage channel (north-south continuation of Line 3B) to be improved between the Modified Project site and Simpson Road is located within Flood Zone A.[11] Finally, the western portion (approximately 25 percent) of Modified Project site is located within the dam inundation zone of the Diamond Valley Reservoir (Figure 3.8.1).

3.8.4 Methodology

The Hydrology Study, prepared for the Modified Project, used the Rational Method to estimate the peak discharge for drainage area based on ratio of runoff depth to rainfall depth, time-averaged rainfall intensity for a storm duration equal to the time of concentration, the area of the basin, and the land use type and soil condition. The study determined the required storage volume of BMPs to mitigate

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8 *2015 Urban Water Management Plan.* Page 5-2. Eastern Municipal Water District. June 2016.

9 Flood Zone X (other flood areas) are areas of 0.2 percent annual chance (500-year) flood; areas of 1 percent annual chance (100-year) flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance (100-year) flood.

10 Flood Zone AE is a 100-year flood zone designation (1 percent chance of being equaled or exceeded during a given year) with base flood elevations determined.

11 Flood Zone A is a 100-year flood zone designation (1 percent chance of being equaled or exceeded during a given year) with no base flood elevations determined.

increased runoff from the proposed Modified Project. The post-project flows have been allocated to flow in a manner that resembles the existing conditions.

Overall, the evaluation of hydrology and water quality impacts associated with the proposed Modified Project includes the following:

- Determine the construction phase water quality impacts based on NPDES standards;
- Determine the construction impacts on drainage patterns and drainage capacity;
- Determine the operational water quality impacts based on NPDES standards;
- Determine the operational impacts on drainage patterns and drainage capacity; and
- Determine the impacts on local groundwater table levels.

The project-specific WQMP was developed in compliance with the City's NPDES MS4. It characterized the physical properties of project site and receiving waters, divided the project site into Drainage Management Areas (DMAs), and identified BMPs based on the required amount of runoff to be captured, or the Design Capture Volume (DCV). The DCV is the volume of runoff produced by the "Design Storm," which is the 85th percentile 24-hour storm event.

Drainage pattern and capacity impacts from the hydrology report are evaluated against the CEQA significance criteria for runoff, flooding, and water quality to determine the potential for significant impacts.

A preliminary review of the proposed Modified Project TTM 36841 by the Riverside County Airport Land Use Commission (ALUC) indicated the proposed LID BMPs have potential to attract wildlife hazardous to operation of the Hemet-Ryan Airport. In accordance with ALUC Staff recommendations, a Qualified Wildlife Hazard Biologist who meets the standards of the Federal Aviation Administration (FAA) Advisory Circular (AC) No. 150/2500-36B conducted a Hazardous Wildlife Attractants Analysis (Appendix F2) of the proposed LID BMPs for the Modified Project. The Hazardous Wildlife Attractants Analysis prescribes performance standards to be implemented during design and construction of the Modified Project in order to reduce the potential for the proposed water quality control basins to attract significant numbers of hazardous wildlife, such as large birds. Details of the Hazardous Wildlife Attractants Analysis, including measures to reduce impacts, are presented in Section 3.7, *Hazards and Hazardous Materials* of this SEIR.

3.8.5 Thresholds of Significance

The City has not established local CEQA significance thresholds; therefore, this SEIR incorporates the hydrology and water quality questions included in the Certified EIR in accordance with Appendix G ("CEQA Checklist") of the State *CEQA Guidelines*. Per the Certified EIR, a significant impact from hydrology and water quality would occur if the project was determined to:

- Violate any water quality standards or waste discharge requirements;
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted);
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site;

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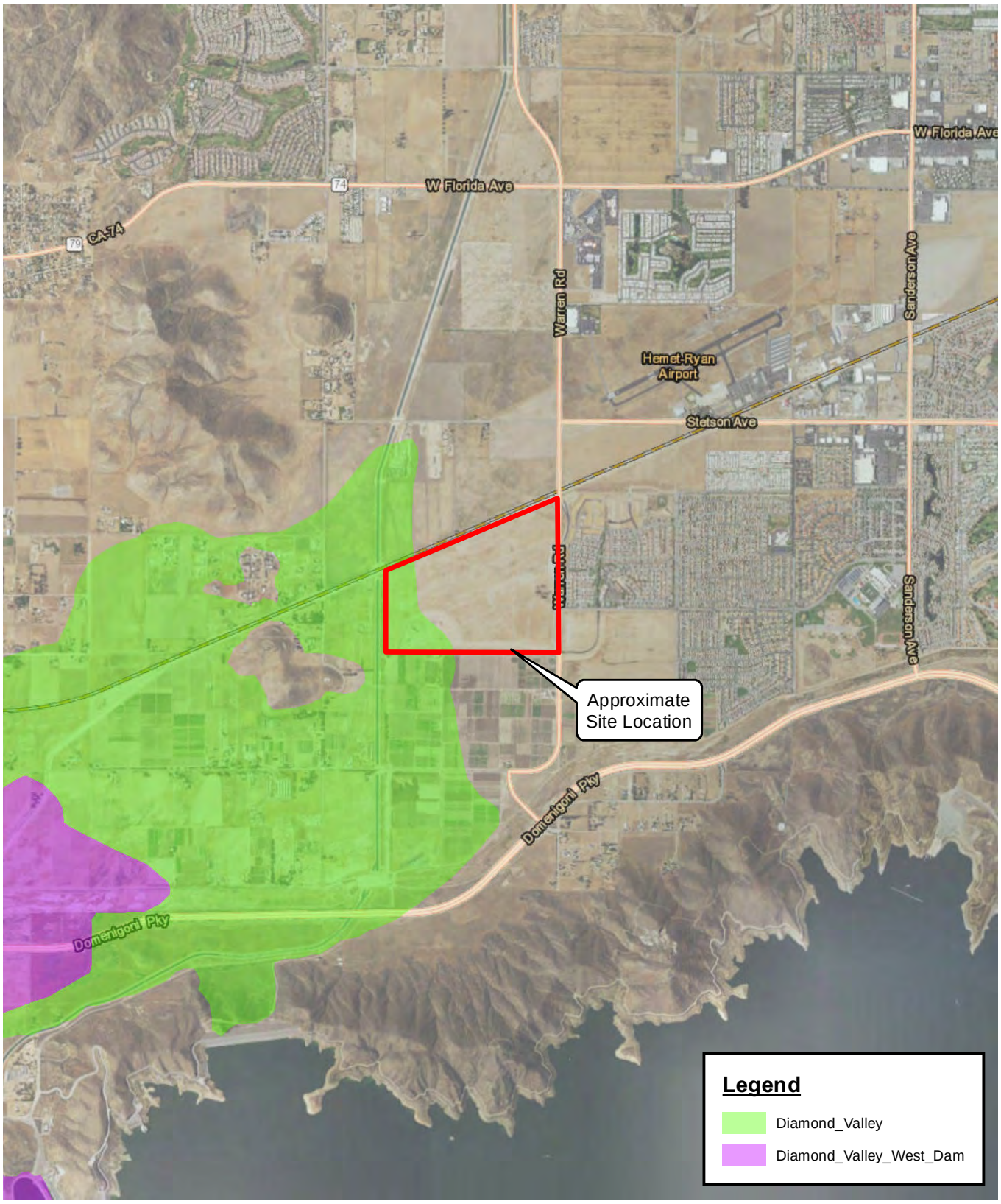

LSA

FIGURE 3.8.1

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Rancho Diamante Phase II
Subsequent Environmental Impact Report

Diamond Valley Reservoir Dam Inundation Area

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- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;
- Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;
- Otherwise substantially degrade water quality;
- Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map;
- Place within a 100-year flood hazard area structures which would impede or redirect flood flows;
- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or
- Result in inundation by seiche, tsunami, or mudflow.

3.8.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDF): These measures include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts to hydrology and water quality.

PDF 3.6-2 Impervious areas will be planted as soon as possible and include a mixture of trees, shrubs and ground cover guided by the plant palette contained in the "Inland Empire Landscape Guide" sponsored in part by Eastern Municipal Water District to prevent soil erosion.

PDF 3.8-1 The Modified Project will incorporate a variety of drought-tolerant landscaped areas that will provide water quality treatment of on-site runoff before discharge to the Hemet Channel and Salt Creek.

PDF 3.8-2 The Modified Project will incorporate a site-specific storm drain system to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm biological resources or ecosystem processes. This will be accomplished by constructing 11 infiltration basins (Best Management Practices (BMPs) 1 through 11) throughout the Modified Project site and 2 bioretention basins (BMPs 12 and 13) near the northeast corner of the site. All thirteen BMPs will be designed and constructed with design capture volumes (DCV) sufficient to retain storm water runoff for infiltration and/or treatment prior to conveyance off site into the Hemet Channel and Salt Creek in accordance with the Final Water Quality Management Plan (WQMP) (refer to **PPP 3.6-4**). The bioretention basins will provide water quality treatment during percolation with a pollutant removal efficiency rating of at least 80 percent. In order to mitigate impacts from birds potentially being attracted to the infiltration and bioretention basins and interfering with nearby operations of the Hemet-Ryan Airport, additional performance standards are prescribed to the basins above and beyond regulatory policy as detailed in **Mitigation Measure 3.7.10.3** in Section 3.7, *Hazards and Hazardous Materials* of this SEIR.

PDF 3.8-3 Under post-development conditions, storm runoff from the Modified Project site will continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's *Master Flood Control and Drainage Plan*. The proposed streets and storm drain systems will convey the majority of the Modified Project runoff to the existing earthen channel (east-west segment of Line 3B), which will be improved with concrete walls and maintain an earthen bottom along the southerly site boundary. The

on-site runoff as well as the tributary off-site runoff from the east will be detained by a detention basin (BMP Infiltration Basin 4) within the southwesterly portion of the Modified Project site. The basin will be generally at the location of the existing detention basin, but the footprint will be modified to fit the development. The 100-year flow released from BMP Infiltration Basin 4 will be less than 345 cubic feet per second (cfs) in accordance with the *Master Flood Control and Drainage Plan*.

PDF 3.8-4 The Modified Project will construct a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road. The northerly portion of this segment of Line 3B will be improved as an earthen trapezoidal channel with a 20-foot bottom width and 4:1 (horizontal:vertical) side slopes. The maximum 100-year flow rate capacity in this segment of the channel is 365 cfs in accordance with the *Master Flood Control and Drainage Plan*. The southerly portion of this segment of Line 3B will be improved as a trapezoidal channel with concrete banks and an earthen bottom. This segment of the improved channel will have a 13-foot bottom width and 2:1 side slopes. The maximum 100-year flow rate in this segment of Line 3B is 505 cfs in accordance with the *Master Flood Control and Drainage Plan*.

PDF 3.8-5 The Modified Project will incorporate on-site drainage, anchoring methods to prevent floating structures, elevation of buildings above flood levels, and flood proofing, which requires buildings to be inspected and certified by a professional engineer, surveyor or building inspector in accordance with the *Master Flood Control and Drainage Plan* and National Flood Insurance Program Section 60.3.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from hydrology and drainage.

PPP 3.8-1 Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Evidence that an NPDES permit has been issued shall be provided to the City of Hemet prior to issuance of the first grading permit.

PPP 3.8-2 Development in 100-year flood hazard areas as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map requires flood-resistant construction pursuant to the regulations set forth in National Flood Insurance Program (NFIP) Section 60.3. Additionally, NFIP Section 60.3(d) requires a Federal Emergency Management Agency (FEMA) permit for a Floodway Encroachment for construction in Flood Zone A and Flood Zone AE 100-year flood zones. A notice to FEMA of final base flood elevations must be provided for development within Flood Zone A, and the lowest floor (including basement) must be built above a predetermined base flood elevation (BFE) for both Flood Zone A and Flood Zone AE. Prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from FEMA. Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. In accordance with California Civil Code Section 1103, notification must occur to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area.

PPP 3.6-3 Prior to grading permit issuance, the Project Proponent shall prepare a Storm Water Pollution Prevention Plan (SWPPP). Project contractors shall be required to ensure compliance with the SWPPP and allow periodic inspection of the construction site by City of Hemet staff or its designee to confirm compliance.

PPP 3.6-4 A Final Water Quality Management Plan (WQMP) is required to identify, measure, and control the post-construction volume of storm water runoff that could result in erosion and/or discharge of pollutants and hydromodification of downstream waters that may be associated with the implementation of the Modified Project. The Final WQMP shall specify low impact development best management practices (LID BMPs) to address Hydrologic Conditions of Concern for the project site in accordance with the Riverside County Flood Control and Water Conservation District's September 2011 *Design Handbook for Low Impact Development Practices*, National Pollutant Discharge Elimination System Permit Number CAS000002, as amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ. Specifically, the Final WQMP shall demonstrate that proposed LID BMPs shall ensure post-development runoff volume, time of concentration, and peak flow velocity for the 2-year frequency storm shall not exceed that of the pre-development condition by more than five percent. Maintenance intervals for the LID BMPs shall be specified in the Final WQMP. The proposed LID BMPs specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the City for review and approval prior to issuance of grading permits.

3.8.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.8.7.1 Discharge Requirements

Threshold:	Would the proposed project violate any water quality standards or waste discharge requirements?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the channel would mitigate flood hazards. The 2008 Draft EIR concluded grading and construction within the site will expose ground surfaces and increase the potential for erosion and the off-site transport of sediment in storm water runoff, as well as the potential for spills from heavy equipment, machinery and materials. Operation of the Approved Project would increase the pollutant load (typically comprising minor amounts of oil and grease, pesticides and herbicides, dust debris, litter, lawn clippings, animal waste, and other organic matter) in surface runoff flowing through or originating from the site. Specific pollutants of concern which could be conveyed to downstream waters of Salt Creek, Canyon Lake, San Jacinto River (Reach 1) and Lake Elsinore include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria/viruses). 2008 Mitigation Measures HWQ-1a through HWQ-1e were prescribed to ensure a final WQMP was developed to identify, measure, and control the post-construction volume of storm water runoff that could result in erosion and/or discharge of pollutants and hydromodification of downstream waters that may be associated with the Approved Project. Impacts would be reduced to **less than significant** levels with mitigation.

Pollutants of concern during construction and operation of the proposed Modified Project include bacterial indicators (pathogens), metals, nutrients, toxic organic compounds, and sediments. During construction activities, excavated soil would be exposed and there would be an increased potential for soil erosion compared to existing conditions. In addition, chemicals, liquid products, and petroleum products (such as paints, solvents, and fuels) may be spilled or leaked and have the potential to be transported via storm runoff into downstream receiving waters (e.g., Salt Creek, Temescal Creek, Santa Ana River and, ultimately, the Pacific Ocean).

As indicated in PPP 3.8-1, construction activities must comply with the requirements of the SWRCB NPDES Construction General Permit pursuant to the CWA, California's Porter-Cologne Act, and the NPDES MS4 Permit. Compliance with Construction General Permit requires preparation of an SWPPP, as specified in PPP 3.6-3. BMPs detailed in the SWPPP would be implemented during construction activities to minimize erosion and siltation and prevent spills. Construction BMPs would include but not

be limited to erosion control,[12] sediment control,[13] and good housekeeping practices.[14] These BMPs are designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters. The SWPPP would be developed, and construction BMPs selected and implemented to target pollutants of concern during construction. The construction BMPs would be designed to retain sediment and other pollutants on site so they would not reach receiving waters.

The Modified Project site is currently undeveloped, and implementation of the proposed Modified Project would substantially increase impervious surfaces on-site. The increase in impervious surfaces would potentially increase the volume and velocity of storm water runoff and increase pollutant loading to downstream receiving waters. As discussed below, operational BMPs would be implemented to reduce pollutants of concern during operation of the Modified Project.

As detailed in Figure 3.8.2, the Modified Project site is divided into 13 DMAs, each of which would be managed by either a proposed infiltration basin (DMAs 1–11) or bioretention basin (DMAs 12 and 13). Table 3.8.C lists the Modified Project DMAs, associated BMPs (infiltration or bioretention basins), and required DCV based on the amount of pervious versus impervious surface area treated for each DMA.

The *Design Handbook for LID BMPs* indicates that typically drainage areas contributing to infiltration and bioretention facilities are 50 and 10 acres maximum, respectively. Discussions with Riverside County Flood Control and Water Conservation District plan reviewers indicate they allow leeway with these thresholds. Although DMAs 2 to 13 meet the area requirements, Table 3.8.C and Figure 3.8.2 indicate that DMA 1 covers 53.35 acres and exceeds the 50-acre threshold. However, DMA 1 contains three individual storm drain systems, so the associated BMP 1 (infiltration basin) can be subdivided to separate basins treating less than 50 acres, if needed, during final engineering. Alternatively, the drainage area can be adjusted to be less than 50 acres, if needed. Final design of the Modified Project-specific BMPs shall be established prior to issuance of grading permits in accordance with PPP 3.6-4.

As specified in PDF 3.8-2, release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm biological resources or ecosystem processes downstream will be minimized through the construction of two bioretention basins (BMPs 12 and 13). Additionally, 11 infiltration basins (BMPs 1 through 11) will be constructed throughout the Modified Project site to manage volume of storm water runoff in accordance with the NPDES MS4 Permit. Each BMP shall be designed with DCV sufficient to retain storm water runoff for infiltration and/or treatment prior to conveyance off-site into the Hemet Channel and Salt Creek in accordance with the Final Water Quality Management Plan (WQMP) (refer to PPP 3.6-4). The bioretention basins will provide water quality treatment during percolation with a pollutant removal efficiency rating of at least 80 percent in accordance with the California Toxics Rule.

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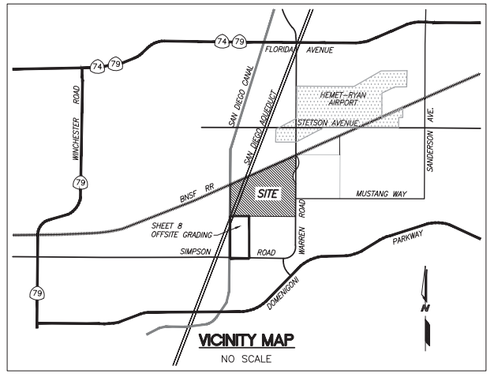
12 Erosion control is any source control that protects and prevents soil particles from detaching by rainfall, flowing water, or wind.

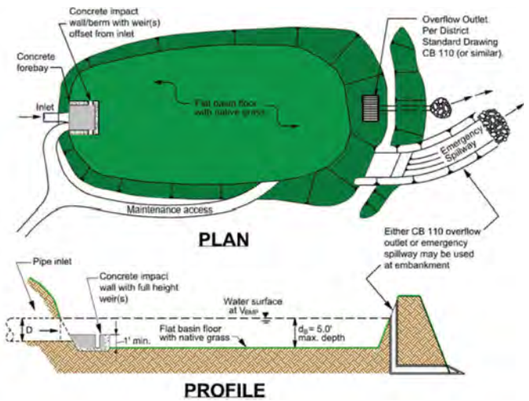
13 Sediment control is any practice that traps soil once it has been detached and moved by rain, flowing water, or wind.

14 Non-storm water management and material management "good housekeeping practices" prevent pollution by limiting or reducing potential pollutants at their source or eliminating off-site discharge. Waste management and materials pollution control "good housekeeping practices" prevent pollution by limiting or reducing potential pollutants at their source before they come in contact with storm water.

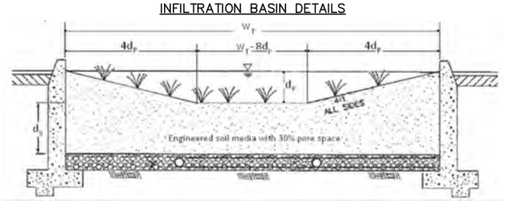


VICINITY MAP

NO SCALE



INFILTRATION BASIN DETAILS



NOTE:
BIORETENTION BASINS SHALL BE BASED ON "LID BMP HANDBOOK" REQUIREMENTS. THE RECOMMENDED PONDING DEPTH, Dp, IS 6 INCHES.

BIORETENTION BASIN DETAIL

LEGEND:

- DRAINAGE MANAGEMENT AREA (DMA) BOUNDARY
- 3.62 AC DMA ACREAGE
- PROPOSED DRAINAGE FACILITY
- OVERLAND FLOW PATH (FROM RATIONAL METHOD)
- 10 PROPOSED INFILTRATION (NO. 1–11) OR BIORETENTION BASIN (NO. 12–13)
- AVAILABLE INFILTRATION/BIORETENTION BASIN FOOTPRINT
- PROPOSED OVERFLOW LOCATION

DMA/BMP	DRAINAGE AREA, AC	IMPERVIOUS AREA, AC	PERVIOUS AREA, AC	REQUIRED WQ BASIN FOOTPRINT, AC	AVAILABLE WQ BASIN FOOTPRINT, AC	ACTUAL WQ BASIN FOOTPRINT USED, AC
1	53.35	31.02	22.33	0.46	1.65	0.46
2	22.34	11.93	10.41	0.16	2.45	0.16
3	14.34	8.32	6.02	0.11	0.47	0.11
4	36.71	16.64	20.07	0.23	8.97	0.23
5	9.97	5.62	4.35	0.08	0.61	0.08
6	2.50	1.42	1.08	0.02	0.13	0.02
7	4.14	2.37	1.77	0.03	0.19	0.03
8	1.87	1.08	0.79	0.01	0.07	0.01
9	10.55	6.07	4.48	0.08	0.43	0.08
10	9.32	5.50	3.82	0.09	0.16	0.09
11	29.60	16.98	12.62	0.27	1.30	0.27
12	6.68	3.86	2.82	0.12	0.25	0.12
13	2.63	1.49	1.14	0.05	0.14	0.05

NOTE:
TABLE SHOWS THAT THE AVAILABLE INFILTRATION AND BIORETENTION BASIN FOOTPRINTS ARE GREATER THAN THE REQUIRED FOOTPRINT. THEREFORE, THE AVAILABLE FOOTPRINT IS SUFFICIENT FOR ENTITLEMENT PURPOSES.

DMA/BMP AREAS AND FOOTPRINTS



WQMP SITE PLAN – GRADING, DRAINAGE, AND BMP EXHIBIT

FIGURE 3.8.2

LSA

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FEET

SOURCE: PROJECT SPECIFIC WATER QUALITY MANAGEMENT PLAN, REVISION DATE: JANUARY 20, 2019.

I:\HET1601\G\Proposed Water Quality Management basin.ai (2/24/2020)

Rancho Diamante Phase II
Subsequent Environmental Impact Report
Proposed Water Quality Management Basins

12.C.

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Table 3.8.C: Storm Water Management for the Modified Project Site

DMA	BMP	Impervious DMA Area (Square Feet)	Pervious DMA Area (Square Feet)	Total Acres	Sum of DMA Areas × Runoff Factor	Required DCV (Cubic Feet)	Minimum Proposed Capture Volume (Cubic Feet)
1	Infiltration Basin 1	1,351,231	900,821	53.35	1,304,801	72,851	72,852
2	Infiltration Basin 2	519,671	346,738	22.34	501,846	28,020	28,020
3	Infiltration Basin 3	362,419	241,758	14.34	349,982	19,541	19,541
4	Infiltration Basin 4	724,838	483,516	36.71	699,964	39,081	39,082
5	Infiltration Basin 5	244,807	162,914	9.97	236,363	13,197	13,197
6	Infiltration Basin 6	61,855	41,382	2.50	59,746	3,336	3,336
7	Infiltration Basin 7	103,237	68,825	4.14	99,690	5,566	5,566
8	Infiltration Basin 8	47,045	31,363	1.87	45,428	2,536	2,537
9	Infiltration Basin 9	264,409	176,418	10.55	255,340	14,257	14,257
10	Infiltration Basin 10	239,580	159,430	9.32	231,316	12,915	12,916
11	Infiltration Basin 11	739,649	493,099	29.60	714,234	39,878	39,878
12	Bioretention Basin 12	168,142	111,949	6.68	162,348	9,064	9,065
13	Bioretention Basin 13	64,904	43,560	2.63	62,706	3,501	3,502

Source: Chang Consultants. *Project Specific Water Quality Management Plan. Rancho Diamante, Tentative Tract Map No. 36841*. Table C.1: DMA Classifications, Table C.5: Type 'D' Areas Draining to BMPs, and Table D.3: DCV Calculations for LID BMPs. October 5, 2015, Revised February 1, 2018 and January 20, 2019. (Appendix G2).

As specified in PDF 3.8-3, storm runoff from the Modified Project site will continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's *Master Flood Control and Drainage Plan*. The proposed streets and storm drain systems will convey the majority of the Modified Project runoff to the existing earthen channel (east-west segment of Line 3B), which will be improved with concrete walls and maintain an earthen bottom along the southerly site boundary. The on-site runoff as well as the tributary off-site runoff from the east will be detained by an improved on-site detention basin (BMP Infiltration Basin 4) appropriately sized to capture the site's minimum DCV within the southwesterly portion of the Modified Project site (Figure 3.8.2). The 100-year flow released from the detention basin will be less than 345 cfs in accordance with the *Master Flood Control and Drainage Plan*.

To account to a potential increase on runoff volume, the Modified Project will implement PDF 3.8-4, which includes improvements to a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road. The maximum 100-year flow rate capacity of the northerly portion of this segment of Line 3B will be 365 cfs, which will be capable of conveying the anticipated

345 cfs (or less) of runoff from the on-site detention basin, in accordance with the *Master Flood Control and Drainage Plan*. The maximum 100-year flow rate capacity of the southerly portion of this segment of Line 3B will be 505 cfs in accordance with the *Master Flood Control and Drainage Plan*.

Because compliance with the requirements of the NPDES Construction General Permit pursuant to the CWA, California's Porter-Cologne Act, and the NPDES MS4 Permit would require implementation of construction and operational BMPs to reduce pollutants of concern, Modified Project impacts related to violation of water quality standards, waste discharge requirements, and degradation of water quality would be **less than significant,** and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would result in similar (less than significant) impacts regarding water quality through implementation of PDFs and PPPs.

3.8.7.2 Groundwater Supplies

Threshold:	Would the proposed project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

The Certified EIR concluded groundwater constitutes 85 percent of the City's water supply. Based on the EMWD's 2005 UWMP, water supplies to the Approved Project area are forecast to be available through Year 2025 and beyond (from both groundwater and imported water) with continued mandatory practice of water use efficiency, recharging of the Canyon Basin, and the increased use of recycled water. Impacts would be **less than significant** and no mitigation is required.

Development of the proposed Modified Project would convert pervious surfaces to impervious surfaces, thus reducing the capacity of the Modified Project site to facilitate infiltration of surface flows into the groundwater table. As specified in PDF 3.8-3, storm runoff from the Modified Project site will continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's *Master Flood Control and Drainage Plan*. The proposed streets and storm drain systems will convey the majority of the project runoff to the existing earthen channel (east-west segment of Line 3B), which will be improved with concrete walls and maintain an earthen bottom along the southerly site boundary. The improved channel's earthen bottom will ensure storm water runoff from impervious areas of the project site have opportunity for infiltration. Additionally, the on-site runoff as well as the tributary off-site runoff from the east will be detained by an improved on-site detention basin appropriately sized to capture the site's minimum DCV within the southwesterly portion of the Modified Project site, further facilitating infiltration of storm water into the local groundwater aquifer.

No direct groundwater withdrawals would be required for the proposed Modified Project. According to the project-specific Water Supply Assessment (WSA), groundwater is not being proposed to serve the Modified Project, as EMWD considers current groundwater production to be utilized completely by existing customers. New developments, including the proposed Modified Project, will be supplied with additional imported water from one of the following sources: (1) treated imported water from MWD; (2) untreated imported water from MWD, which is subsequently treated by EMWD; or (3) untreated imported water treated by EMWD and recharged into the San Jacinto River Groundwater Basin for later withdrawal.

MWD's 2015 UWMP provides information about MWD's regional supply reliability and projected demands. Based on information provided by EMWD and other member agencies, MWD concludes that it is able to meet projected demands for all member agencies through 2040, even during dry periods. Under extreme conditions, water supplies could be allocated using the MWD Water Supply Allocation Plan (WSAP) to preserve supplies in storage by requiring a reduction in demand by member agencies,

including the EMWD, pursuant to SB 1168 and 1319, and AB 1739. Since the proposed Modified Project will not be served via groundwater, and implementation of PDF 3.8-3 will not preclude or obstruct on-site infiltration of storm water into the local groundwater aquifer, the proposed Modified Project will not deplete groundwater supplies or interfere with groundwater recharge. **No impact** would occur and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar impacts (no impact) to groundwater supplies.

3.8.7.3 Drainage Pattern and Erosion/Siltation

Threshold:	Would the proposed project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. Drainage flows also would be conveyed to the improved Hemet Channel and Thornton Channel via on-site paseo swales and storm drain improvements before discharging into the Salt Creek channel. There are no existing streams or rivers on-site that would be altered. Impacts would be **less than significant** and no mitigation is required.

Construction of the proposed Modified Project would expose and disturb soil and temporarily alter drainage patterns during grading and other construction activities, and there would be an increased potential for soil erosion and siltation compared to existing conditions. Additionally, during a storm event, soil erosion and siltation could occur at an accelerated rate. As discussed Section 3.6.7.5 and indicated in PPP 3.6-3, the NPDES Construction General Permit requires preparation of an SWPPP to identify construction BMPs that would be implemented to reduce impacts to water quality during construction, including those impacts associated with soil erosion and siltation. Additionally, as specified in PDF 3.6-2, landscaping and slope maintenance will be conducted as soon as possible in order to reduce erosion potential by minimizing exposure of soils to wind, water, and gravity.

The Modified Project site is currently undeveloped, and conversion of pervious areas to impervious areas could increase peak flow of on-site storm water runoff and result in erosion of downstream waterbodies. As specified in PDF 3.8-3, storm runoff from the Modified Project site will continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's *Master Flood Control and Drainage Plan*. The proposed streets and storm drain systems will convey the majority of the Modified Project runoff to the existing earthen channel (east-west segment of Line 3B), which will be improved with concrete walls and maintain an earthen bottom along the southerly site boundary. The on-site runoff as well as the tributary off-site runoff from the east will be detained by an improved on-site detention basin (BMP Infiltration Basin 4) appropriately sized to capture the site's DCV within the southwesterly portion of the Modified Project site (Figure 3.8.2). The 100-year flow released from the detention basin will be less than 345 cfs in accordance with the *Master Flood Control and Drainage Plan*.

To account for a potential increase on runoff volume, the Modified Project will implement PDF 3.8-4, which includes improvements to a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road. The maximum 100-year flow rate capacity of the northerly portion of this segment of Line 3B will be 365 cfs, which will be capable of conveying the anticipated 345 cfs (or less) of runoff from the on-site detention basin, in accordance with the *Master Flood Control and Drainage Plan*. The maximum 100-year flow rate capacity of the southerly portion of this segment of Line 3B will be 505 cfs in accordance with the *Master Flood Control and Drainage Plan*.

The Modified Project runoff will be conveyed by either *Master Flood Control and Drainage Plan* Line 3B or the Hemet Channel (Line 1A) to Salt Creek. Salt Creek continues west to Canyon Lake, which is

an adequate sump and exempts the proposed Modified Project from hydromodification.[15] Improving the existing on-site east-west segment of Line 3B and detention basin, as well as the existing off-site north-south segment of Line 3B, would ensure the Modified Project would not alter the existing drainage pattern of the site or area. Furthermore, enhancing the capacity of the existing drainage facilities to convey storm water through the Modified Project site would minimize impacts related to off-site erosion and siltation. Finally, the closest river or stream is the Salt Creek located approximately one mile south of the Modified Project site. Therefore, development of the Modified Project would not alter the course of a stream or river. Modified Project impacts related to erosion and siltation would be **less than significant**. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts.

3.8.7.4 Drainage Pattern and Flooding

Threshold:	Would the proposed project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the channel would mitigate flood hazards. Drainage flows also would be conveyed to the improved Hemet Channel and Thornton Channel via on-site paseo swales and storm drain improvements before discharging into the Salt Creek channel. There are no existing streams or rivers on-site that would be altered. To attenuate risks of on-site and off-site flooding, Mitigation Measures HWQ-1f and HWQ-1g were prescribed to ensure proposed flood control and storm drain facilities are constructed in accordance with the project-specific hydrology studies and permit requirements of responsible regulatory agencies. Impacts would be reduced for the Approved Project to **less than significant with mitigation**.

According to the most recent FIRM, the vast majority of the Modified Project site is located within Flood Zone X (other flood areas).[16] A portion of Planning Area XIII where commercial uses are proposed and the area of proposed off-site improvements to Warren Road are within Flood Zone AE.[17] Additionally, the northern boundary of the Modified Project site abuts Flood Zone AE along the Hemet Channel. The off-site drainage channel (north-south continuation of Line 3B) to be improved between the Modified Project Site and Simpson Road is located within Flood Zone A.[18]

The Hemet Channel abuts the northern boundary of the site in a northeast/southwest alignment and will not be modified. Offsite drainage improvements include seven connections to the existing Hemet Channel, which will contribute storm water runoff volume at approximately 180 cfs. The City's *Master Flood Control and Drainage Plan* identifies a 100-year total flow rate not to exceed 200 cfs entering the Hemet Channel from the Modified project site (from Line 3C). Therefore, storm water runoff generated

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15 *Hydromodification Susceptibility Documentation Report and Mapping: Santa Ana Region.* January 18, 2017. Map 2: HCOC Applicability Map, SAR Permittees. *(http://rcflood.org/downloads/NPDES/Documents/SA_WAP/AppA_HydromodificationSusceptibilityReport.pdf).*

16 Flood Zone X (other flood areas) are areas of 0.2 percent annual chance (500-year) flood; areas of 1 percent annual chance (100-year) flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance (100-year) flood.

17 Flood Zone AE is a 100-year flood zone designation (1 percent chance of being equaled or exceeded during a given year) with base flood elevations determined.

18 Flood Zone A is a 100-year flood zone designation (1 percent chance of being equaled or exceeded during a given year) with no base flood elevations determined.

by the Modified Project will not exceed the capacity of the Hemet Channel, and on-site and off-site flooding of the Hemet Channel as a result of the Modified Project is not expected to occur.

As detailed in Section 3.8.7.3, the Modified Project runoff will be conveyed by either *Master Flood Control and Drainage Plan* Line 3B or the Hemet Channel (Line 1A) to Salt Creek. Salt Creek continues west to Canyon Lake, which is an adequate sump and exempts the proposed Modified Project from hydromodification.[19] Improving the existing on-site east-west segment of Line 3B and detention basin as specified in PDF 3.8-3, as well as the existing off-site north-south segment of Line 3B as specified in PDF 3.8-4, would ensure the Modified Project would not alter the existing drainage pattern of the site or area. Furthermore, enhancing the capacity of the existing drainage facilities to convey storm water through the Modified Project site to downstream flood control facilities in accordance with the City's *Master Flood Control and Drainage Plan* would minimize impacts related to on-site and off-site flooding. Finally, the closest river or stream is the Salt Creek located approximately one mile south of the Modified Project site. Therefore, development of the Modified Project would not alter the course of a stream or river. Modified Project impacts related to alteration of existing drainage patterns of the site or area which could lead to flooding on- or off-site would be less than significant through implementation of PDFs 3.8-3 and 3.8-4 and compliance with the City's *Master Flood Control and Drainage Plan* as a matter of regulatory policy rather than through implementation of mitigation. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts as the Approved Project but without mitigation.

3.8.7.5 Drainage Capacity

Threshold:	Would the proposed project 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?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities to mitigate flood hazards. The 2008 Draft EIR concluded construction and operation of the Approved Project would increase the pollutant load (typically comprised of minor amounts of sediment, oil and grease, pesticides and herbicides, dust debris, litter, lawn clippings, animal waste, and other organic matter) in surface runoff flowing through or originating from the site. Specific pollutants of concern which could be conveyed to downstream waters of Salt Creek, Canyon Lake, San Jacinto River (Reach 1) and Lake Elsinore include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria/viruses). 2008 Mitigation Measure HWQ-1e was prescribed to ensure a final WQMP was developed to identify, measure, and control the post-construction volume of storm water runoff that could result in erosion and/or discharge of pollutants and hydromodification of downstream waters that may be associated with the Approved Project. Impacts would be reduced to **less than significant** levels with mitigation.

As detailed in Section 3.8.7.1, Pollutants of concern during construction and operation of the proposed Modified Project include bacterial indicators (pathogens), metals, nutrients, toxic organic compounds, and sediments. Construction activities must comply with the requirements of the SWRCB NPDES Construction General Permit pursuant to the CWA, California's Porter-Cologne Act, and the NPDES MS4 Permit, as indicated in PPP 3.8-1. A SWPPP, as specified in PPP 3.6-3, will incorporate

[19] *Hydromodification Susceptibility Documentation Report and Mapping: Santa Ana Region.* January 18, 2017. Map 2: HCOC Applicability Map, SAR Permittees. *(http://rcflood.org/downloads/NPDES/Documents/SA_WAP/AppA_HydromodificationSusceptibilityReport.pdf).*

construction BMPs for erosion control,[20] sediment control,[21] and good housekeeping practices.[22] These BMPs are designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs will prevent spills, leaks, and discharge of construction debris and waste into receiving waters. The SWPPP would be developed, and construction BMPs selected and implemented to target pollutants of concern during construction. The construction BMPs would be designed to retain sediment and other pollutants on site so they would not reach receiving waters.

The Modified Project site is currently undeveloped, and implementation of the proposed Modified Project would substantially increase impervious surfaces on-site. The increase in impervious surfaces would potentially increase the volume and velocity of storm water runoff and increase pollutant loading to downstream receiving waters. As discussed below, operational BMPs would be implemented to reduce pollutants of concern during operation of the Modified Project.

As specified in PDF 3.8-2, release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm biological resources or ecosystem processes downstream will be minimized through the construction of two bioretention basins (BMPs 12 and 13). Additionally, 11 infiltration basins (BMPs 1 through 11) will be constructed throughout the Modified Project site to manage volume of storm water runoff in accordance with the NPDES MS4 Permit (refer to Table 3.8.C and Figure 3.8.2). Each BMP shall be designed with DCV sufficient to retain storm water runoff for infiltration and/or treatment prior to conveyance off-site into the Hemet Channel and Salt Creek in accordance with the Final Water Quality Management Plan (WQMP) (refer to PPP 3.6-4). The bioretention basins will provide water quality treatment during percolation with a pollutant removal efficiency rating of at least 80 percent in accordance with the California Toxics Rule.

As specified in PDF 3.8-3, storm runoff from the Modified Project site will continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's *Master Flood Control and Drainage Plan*. The proposed streets and storm drain systems will convey the majority of the project runoff to the existing earthen channel (east-west segment of Line 3B), which will be improved with concrete walls and maintain an earthen bottom along the southerly site boundary. The on-site runoff as well as the tributary off-site runoff from the east will be detained by an improved on-site detention basin (BMP Infiltration Basin 4) appropriately sized to capture the site's minimum DCV within the southwesterly portion of the Modified Project site (Figure 3.8.2). The 100-year flow released from the detention basin will be less than 345 cfs in accordance with the *Master Flood Control and Drainage Plan*.

To account to a potential increase on runoff volume, the Modified Project will implement PDF 3.8-4, which includes improvements to a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road. The maximum 100-year flow rate capacity of the northerly portion of this segment of Line 3B will be 365 cfs, which will be capable of conveying the anticipated 345 cfs (or less) of runoff from the on-site detention basin, in accordance with the *Master Flood Control and Drainage Plan*. The maximum 100-year flow rate capacity of the southerly portion of this segment of Line 3B will be 505 cfs in accordance with the *Master Flood Control and Drainage Plan*.

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[20] Erosion control is any source control that protects and prevents soil particles from detaching by rainfall, flowing water, or wind.

[21] Sediment control is any practice that traps soil once it has been detached and moved by rain, flowing water, or wind.

[22] Non-stormwater management and material management "good housekeeping practices" prevent pollution by limiting or reducing potential pollutants at their source or eliminating off-site discharge. Waste management and materials pollution control "good housekeeping practices" prevent pollution by limiting or reducing potential pollutants at their source before they come in contact with stormwater.

Offsite drainage improvements include seven connections to the existing Hemet Channel, which will contribute storm water runoff volume at approximately 180 cfs. The City's *Master Flood Control and Drainage Plan* identifies a 100-year total flow rate not to exceed 200 cfs entering the Hemet Channel from the Modified project site (from Line 3C). Therefore, storm water runoff generated by the Modified Project will not exceed the capacity of the Hemet Channel.

The proposed improvements to on-site and off-site drainage facilities will be adequately sized in accordance with the City's *Master Flood Control and Drainage Plan.* Therefore, Modified Project impacts related to the capacity of the existing or planned stormwater drainage systems would be **less than significant** with implementation of PDFs. Because compliance with the requirements of the NPDES Construction General Permit pursuant to the CWA, California's Porter-Cologne Act, and the NPDES MS4 Permit would require implementation of construction and operational BMPs to reduce pollutants of concern, Modified Project impacts related to substantial additional sources of polluted runoff would be **less than significant** with implementation of PPPs. When compared to the Approved Project, the proposed Modified Project would have similar impacts (less than significant).

3.8.7.6 Water Quality

Threshold:	Would the proposed project otherwise substantially degrade water quality?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities to mitigate flood hazards. The 2008 Draft EIR concluded construction and operation of the Approved Project would increase the pollutant load (typically comprised of minor amounts of sediment, oil and grease, pesticides and herbicides, dust debris, litter, lawn clippings, animal waste, and other organic matter) in surface runoff flowing through or originating from the site. Specific pollutants of concern which could be conveyed to downstream waters of Salt Creek, Canyon Lake, San Jacinto River (Reach 1) and Lake Elsinore include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria/viruses). 2008 Mitigation Measures HWQ-1a through HWQ-1g were prescribed to ensure a final WQMP was developed to address post-construction volume of storm water runoff that could result in discharge of pollutants and hydromodification of downstream waters, and to ensure proposed flood control and storm drain facilities are constructed in accordance with the project-specific hydrology studies and permit requirements of responsible regulatory agencies. Impacts would be reduced to **less than significant** levels with mitigation.

As discussed in Sections 3.8.7.1, 3.8.7.3, and 3.8.7.5 and specified in PDFs 3.8-2, 3.8-3, and 3.8-4, the proposed improvements to on-site and off-site drainage facilities will be adequately sized in accordance with the City's *Master Flood Control and Drainage Plan* to ensure Modified Project impacts to downstream waters remains less than significant. As specified in PDF 3.6-2, landscaping and slope maintenance will be conducted as soon as possible in order to reduce erosion potential by minimizing exposure of soils to wind, water, and gravity. PDF 3.8-1 will ensure the Modified Project will incorporate a variety of drought-tolerant landscaped areas that will provide water quality treatment of on-site runoff before discharge to the Hemet Channel and Salt Creek.

Because compliance with the requirements of the NPDES Construction General Permit pursuant to the CWA, California's Porter-Cologne Act, and the NPDES MS4 Permit would require implementation of construction and operational BMPs to reduce pollutants of concern, as specified in PPPs 3.8-1, 3.6-3, and 3.6-4, Modified Project impacts related to substantial additional sources of polluted runoff would be less than significant with implementation of PPPs. When compared to the Approved Project, the proposed Modified Project would result in similar impacts (less than significant).

3.8.7.7 Housing Placement in Flood Hazard Area

Threshold:	Would the proposed project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities to mitigate flood hazards. The 2008 Draft EIR concluded a small portion of TTM 35392 is located within a 100-year flood zone (Zone AE) along the Hemet Channel but that the City's planned construction of New Stetson Avenue parallel to the Hemet Channel would remove the portion of TTM 35392 from the 100-year flood zone. Accordingly, the Certified EIR prescribed Mitigation Measure HWQ-7a to submit to FEMA an application to revise the FIRM to remove the portion of TTM 35392 from the 100-year AE flood zone. Impacts from flooding would be **less than significant** with mitigation.

According to the most recent FIRM, all housing proposed under the Modified Project will be located within Flood Zone X (other flood areas).[23] The project-specific Drainage Study compared the contours of Flood Zone X with the proposed residential pad elevations and determined all residential pads are above the 100-year water surface with at least a foot of freeboard in accordance with PDF 3.8-5. Modified Project impacts to housing within a 100-year flood hazard area would be **less than significant**. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., **less than significant**) impacts without mitigation.

3.8.7.8 Structure Placement in Flood Hazard Area

Threshold:	Would the proposed project place within a 100-year flood hazard area, structures which would impede or redirect flood flows?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities to mitigate flood hazards. The 2008 Draft EIR concluded the Approved Project would be designed and constructed to channel peak 100-year flood flows so that the project would not impede or redirect flood flows. Impacts would be **less than significant** and no mitigation is required.

A portion of Planning Area XIII where commercial uses are proposed and the area of proposed off-site improvements to Warren Road are within Flood Zone AE.[24] Additionally, the northern boundary of the Modified Project site abuts Flood Zone AE along the Hemet Channel. The City plans to realign Stetson Avenue from its current east/west alignment to a northeast/southwest alignment adjacent to the south of the Hemet Channel and within the proposed TTM 36841. The City's realignment of Stetson Avenue is proposed independent of the Modified Project and, as indicated in the Certified EIR, would remove the 100-year flood zone (Flood Zone AE) designation from the south side of the Hemet Channel where commercial uses are proposed.

The proposed construction of the westerly half of new Warren Road, including modifications to the Stetson Avenue intersection at the northeast corner of the Modified Project site and a realigned transition back to the existing Warren Road alignment would occur within Flood Zone AE, and

[23] Flood Zone X (other flood areas) are areas of 0.2 percent annual chance (500-year) flood; areas of 1 percent annual chance (100-year) flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance (100-year) flood.

[24] Flood Zone AE is a 100-year flood zone designation (1 percent chance of being equaled or exceeded during a given year) with base flood elevations determined.

improvements to a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road, as indicated in PDF 3.8-4, are proposed within Flood Zone A.[25]

It should be noted that off-site improvements to the segment of Line 3B between the Modified Project site and Simpson Road will occur in accordance with the City's *Master Flood Control and Drainage Plan* for the purposes of safely conveying storm water runoff in order to prevent episodes of flooding. According to the project-specific Drainage Study, the northerly portion of this segment of Line 3B will be an earthen trapezoidal channel with a 20-foot bottom width and 4:1 (horizontal:vertical) side slopes. A normal depth analysis indicates that the channel can convey runoff with normal depth of 3.7 feet, and the maximum 100-year flow rate capacity of the northerly portion of this segment of Line 3B will be 365 cfs, which will be capable of conveying the anticipated 345 cfs (or less) of runoff from the on-site detention basin, in accordance with the *Master Flood Control and Drainage Plan*. The southerly portion of this segment of Line 3B will have a 13-foot bottom width and 2:1 side slopes. A normal depth analysis indicates that the channel can convey the runoff with normal depth of 4.8 feet, and the maximum 100-year flow rate capacity of the southerly portion of this segment of Line 3B will be 505 cfs in accordance with the *Master Flood Control and Drainage Plan*.

As detailed in PPP 3.8-2, the Modified Project would be required to file a notice to FEMA of final base flood elevations for development within Flood Zone A and incorporate drainage features and/or design elements to ensure construction within Flood Zone A and Flood Zone AE will not increase the upstream high-water elevation above a pre-established Base Flood Elevation (BFE) in accordance with NFIP Section 60.3 and PDF 3.8-5. Additionally, NFIP Section 60.3(d) requires a FEMA permit for a Floodway Encroachment for construction in Flood Zone A and Flood Zone AE 100-year flood zones, and the lowest floor (including basement) must be built above a predetermined BFE for both Flood Zone A and Flood Zone AE. Prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from FEMA. Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. Through compliance with NFIP Section 60.3, as specified in PPP 3.8-2, and project design pursuant to PDF 3.8-5, Modified Project impacts from construction of structures which would impede or redirect flood flows within a 100-year flood hazard area would be **less than significant**. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., **less than significant**) impacts without mitigation.

3.8.7.9 Dam Inundation Area

Threshold:	Would the proposed project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

The 2008 Draft EIR concluded portions of the Approved Project are located within the dam inundation zone of the Diamond Valley Reservoir but that the likelihood of dam failure is low due to the technology that is used to build modern dams, including the most current seismic due safety requirements. Due to the low potential for dam failure, impacts would be **less than significant**, and no mitigation is required.

The western portion (approximately 25 percent) of Modified Project is located within the dam inundation zone of the Diamond Valley Reservoir (Figure 3.8.1). Accordingly, the Modified Project will be implemented in accordance with PPP 3.8-2 and PDF 3.8-5 to ensure flood hazards are reduced through incorporation of on-site drainage, anchoring methods to prevent floating structures, elevating buildings above flood levels, and flood proofing, which requires buildings to be inspected and certified by a

[25] Flood Zone A is a 100-year flood zone designation (1 percent chance of being equaled or exceeded during a given year) with no base flood elevations determined.

professional engineer, surveyor or building inspector. The proposed Modified Project will be conditioned to meet these requirements, including compliance with State Civil Code Section 1103 requiring notification to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area. These requirements will be confirmed through the City's plan review process. Therefore, through compliance with PPP 3.8-2 and implementation of PDF 3.8-5, impacts from placing a structure within an area that would expose people or structures to a significant risk of loss, injury, or death as a result of the failure of a levee or dam will be **less than significant**. No mitigation is required. When compared to the Approved Project, impacts of the proposed Modified Project would be similar (i.e., **less than significant**) to those of the Approved Project.

3.8.7.10 Seiche, Tsunami, or Mudflow

Threshold:	Would the proposed project result in inundation by seiche, tsunami, or mudflow?

The 2008 Draft EIR concluded the nature of Diamond Valley Lake (manmade, size, type of water body) renders risks from seiches and tsunamis less than significant. Mudflows or landslides are not anticipated due to the Approved Project site's relatively flat topography. Impacts would be **less than significant**, and no mitigation is required.

Tsunamis are large waves that occur in coastal areas. Since the City is not located in a coastal area, no impact from inundation by tsunami will occur. The proposed Modified Project site and its surroundings have generally flat topography. Therefore, impacts from mudflows are unlikely and less than significant.

Seiches are oscillations in enclosed bodies of water (e.g., lakes or water tanks) that are caused by a number of factors, most often wind or seismic activity. Diamond Valley Lake is a relatively large man-made waterbody located approximately 2 miles south of the Modified Project Site. As detailed in Sections 3.8.7.8 and 3.8.7.9, the Modified Project will be implemented in accordance with PPP 3.8-2 and PDF 3.8-5 to ensure flood hazards are reduced through incorporation of on-site drainage, anchoring methods to prevent floating structures, elevating buildings above flood levels, and flood proofing, which requires buildings to be inspected and certified by a professional engineer, surveyor or building inspector. The proposed Modified Project will be conditioned to meet these requirements, including compliance with State Civil Code Section 1103 requiring notification to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area. These requirements will be confirmed through the City's plan review process. Therefore, through compliance with PPP 3.8-2 and implementation of PDF 3.8-5, Modified Project impacts from seiches would be **less than significant**. No mitigation is required. When compared to the Approved Project, impacts of the proposed Modified Project would be similar (i.e., **less than significant**) to those of the Approved Project.

3.8.8 Cumulative Impacts

3.8.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the channel would mitigate flood hazards. The 2008 Draft EIR concluded incremental impacts to waterways and groundwater from development of impervious surfaces would be mitigated through implementation of BMPs to treat "first flush" urban pollutants and compliance with local water agencies' Urban Water Management Plans, which require developers to decrease on-site runoff and properly plan flood control improvements. Additionally, cumulative impacts to local and regional water supplies is speculative and beyond the scope of the Certified EIR analysis. Nevertheless, the Approved Project represents such a small portion of potential cumulative water impacts for the region that its proportion of potential impacts are not cumulatively considerable. No mitigation is required.

The cumulative area for the hydrology and water quality resources cumulative impacts analysis is the Santa Ana River Watershed and its tributaries, including the San Jacinto River Watershed, which is where the Modified Project is located. Other reasonably foreseeable projects within the watershed will result in a cumulative increase in impervious surfaces, changes in the type and density of land use, and corresponding changes in the amount and characteristic of runoff. Increased impervious surfaces are likely to alter existing hydrology and increase potential pollutant loads. All future development in the City, County, and throughout the Santa Ana River Watershed will be required to comply with the applicable requirements of the NPDES permit program, City and County MS4 Permits, and water quality standards defined by local, regional, State, and federal agencies. Therefore, all planned projects will be required to mitigate for effects to hydrology and water quality resources on a project-by-project basis.

Implementation of PDFs and compliance with NPDES and MS4 Permit requirements, as well as the City's *Master Flood Control and Drainage Plan* and Section 60.3 of the NFIP, would address volume and velocity of storm water runoff that could result in discharge of pollutants and hydromodification of downstream waters during construction and operation. These PPPs and PDFs also would ensure the Modified Project and its occupants would be protected from flood hazards. Therefore, construction and operation of the proposed Modified Project would not result in cumulatively considerable temporary or permanent impacts related to hydrology and water quality resources. Furthermore, the proposed Modified Project would not be dependent on local groundwater and therefore would not contribute cumulatively to its depletion. MWD concludes that it is able to meet projected water demands for all member agencies through 2040, even during dry periods. Under extreme conditions, water supplies could be allocated using the MWD WSAP to preserve supplies in storage by requiring a reduction in demand by member agencies, including the EMWD, thus reducing impacts from cumulative demand on water supplies to less than significant levels. Accordingly, the proposed Modified Project, in conjunction with past, present, and reasonably foreseeable projects, would not make a significant contribution to cumulatively adverse effects to hydrology and water quality resources. Therefore, no avoidance, minimization, and/or mitigation measures for cumulative impacts are required.

3.8.9 Level of Significance Before Mitigation

Development of both the Approved Project and the proposed Modified Project would occur within the Santa Ana River Watershed and its tributaries, including the San Jacinto River Watershed and could generate impacts to waterways and groundwater from development of impervious surfaces that could increase volume and velocity of storm water runoff and quantity of urban pollutants to downstream waters. Additionally, both the Approved Project and proposed Modified Project propose development in areas identified in the FEMA's FIRM as a 100-year flood zone. It was determined the Approved Project would have a **significant impact** on hydrology, drainage, and water quality and mitigation was prescribed. The Modified Project would have a **less than significant** impact on hydrology, drainage, and water quality with implementation of PPPs and PDFs, and no mitigation is required.

3.8.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.8.10.1 Mitigation for the Proposed Modified Project

The proposed Modified Project would be designed, constructed, and operated in accordance with PPPs 3.8-1, 3.8-2, 3.6-3, and 3.6-4 and would implement PDF 3.6-2 and PDFs 3.8-1 through 3.8-5 to address volume and velocity of storm water runoff that could result in discharge of pollutants and hydromodification of downstream waters during construction and operation. These PPPs and PDFs also will ensure proposed flood control and storm drain facilities are constructed in accordance with the City's *Master Flood Control and Drainage Plan*, Section 60.3 of the NFIP, and permit requirements of responsible regulatory agencies. Impacts to hydrology and water quality resources from the proposed

Modified Project would be rendered **less than significant** through compliance with PPPs and PDFs, and no mitigation is required.

3.8.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure.

Hydrology and water quality resources mitigation measure presented in the 1979 Certified EIR and in the 2008 Draft EIR for the Approved Project is discussed below. This SEIR concludes Mitigation Measure 1 the 1979 Certified EIR does not adequately address impacts to hydrology and water quality resources through its measures to enhance visual resources along flood channels and control hours of construction, fugitive dust and diesel exhaust emissions, construction traffic and energy demand, and equipment theft and therefore is not adopted for the proposed Modified Project.

~~1979 EIR Mitigation Measure 1:~~ ~~Both the City and County have mechanisms to control and guide the development of flood plain area as proposed in the Land Use, Conservation and Open Space Elements of the County and City General Plans. The Federal Flood Insurance Program will mitigate the flood hazard.~~

~~Recreational areas and landscaping should be developed in flood channel areas to prevent adverse visual impacts. Flood control structures should be designed with equal sensitivity for aesthetics and utility.~~

~~Construction impact mitigation measures include:~~

~~1) Limit heavy construction to week days between the hours of 7:00 AM and 6:00 PM.~~

~~2) Use water and temporary paving to prevent dust.~~

~~3) Reduce air pollution by using well maintained equipment.~~

~~4) Reduce traffic problems by advance planning of construction and the use of appropriate traffic regulation and control devices and by using flagmen if necessary.~~

~~5) Conserve energy needed for construction by using proper equipment and properly maintained equipment and by avoiding unnecessary trips and shuttle runs.~~

~~6) Mitigate stored equipment and material problems by appropriate security measures.~~

The 2008 Draft EIR's Mitigation Measures HWQ-1a through HWQ-1e, which require site-specific final WQMPs, are replaced with Modified Project PDFs 3.8-2 through 3.8-4 in accordance with PPPs 3.8-1 and 3.6-4, also which require a site-specific WQMP and associated BMPs but which are designed specifically for the Modified Project site in accordance with current regulatory standards.

~~2008 Mitigation Measure HWQ-1a:~~ ~~Prior to the issuance of a grading permit for each phase of development, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include the Site Design~~

~~BMPs contained in Table 5 of the *Preliminary Water Quality Management Plan* prepared for the project (Stantec 2007a,b,c).~~

~~**2008 Mitigation Measure HWQ-1b:** Prior to the issuance of a grading permit for each phase of development, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include the Source Control BMPs contained in Table 9 of the *Preliminary Water Quality Management Plan* prepared for the project (Stantec 2007a,b,c). The BMPs are intended to minimize urban runoff, minimize impervious footprint, conserve natural areas, and minimize directly connected impervious areas.~~

~~**2008 Mitigation Measure HWQ-1c:** Prior to the issuance of a grading permit for TTM 35392, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include Treatment Control BMPs, which utilize infiltration basins at each of the six (6) discharge drainage basins A-F as identified in the Preliminary Drainage Report for TTM 32392 (Stantec 2007d). The developers engineer shall complete the final design identifying appropriate design details to the satisfaction of the City Engineer.~~

~~**2008 Mitigation Measure HWQ-1d:** Prior to the issuance of a grading permit for TTM 35393, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include the Treatment Control BMPs, which utilize an infiltration basin. The developers' engineer shall complete the final design identifying appropriate design details to the satisfaction of the City Engineer.~~

~~**2008 Mitigation Measure HWQ-1e:** Prior to the issuance of a grading permit for TTM 35394, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include the Treatment Control BMPs, which utilize an infiltration basin. The developers' engineer shall complete the final design identifying appropriate design details to the satisfaction of the City Engineer.~~

The 2008 Draft EIR's Mitigation Measure HWQ-1f, which requires approval of all flood control and storm drain structures from the City Public Works Department, is replaced with Modified Project PDFs 3.8-2 through 3.8-5, which detail the flood control and storm drain improvements specific to the Modified Project. These improvements must be implemented as a matter of regulatory policy pursuant to the regulations identified in PPP 3.8-1, 3.8-2, and 3.6-4 and will be reviewed and confirmed as conditions of project approval through the City's plan review process in accordance with current regulatory standards.

~~**2008 Mitigation Measure HWQ-1f:** Prior to the issuance of building permits, the developer shall coordinate the design and obtain approval of all flood control and storm drain structures from the City Public Works Department as identified in the project's preliminary hydrology studies (Stantec 2007x). These improvements shall be implemented to the satisfaction of the City Engineer.~~

The 2008 Draft EIR's Mitigation Measure HWQ-1g, which requires water quality permitting, is replaced with Modified Project Mitigation Measures 3.4.10.5 and 3.4.10.6 detailed in Section 3.4.10, *Biological Resources* of this SEIR, which require water quality permitting and offset to impacts to jurisdictional resources but in accordance with the project-specific Determination of Biologically Equivalent or Superior Preservation (Appendix C5) analysis.

~~**2008 Mitigation Measure HWQ-1g:** Prior to the issuance of a building permit, the developer shall obtain the following permits or approvals relative to any modifications to onsite drainage channels: I) CDFG, 1601 Streambed Alteration Agreement; 2) State Water Resources Control Board, CWA Section 401 Water Quality Certification; 3) USACE, CWA Section 404 Permit; 4) State Water Regional Control Board Construction Permit.~~

The 2008 Draft EIR's Mitigation Measure HWQ-7a, which requires an application to FEMA to revise the FIRM to remove the portion of TTM 35392 from the 100-year flood hazard area, is replaced with Modified Project PDF 3.8-5 and PPP 3.8-2, which require flood-resistant construction pursuant to the regulations set forth in NFIP Section 60.3 and include applications for CLOMR-F and LOMR-F from FEMA as they apply to the proposed Modified Project.

~~**2008 Mitigation Measure HWQ-7a:** The project applicant shall submit to FEMA au application to revise the FIRM to remove the portion of TTM 35392 from the 100-year flood hazard area shown on the map. The revised FIRM for the City of Hemet showing that the project site is not within the **1** 00-year flood hazard area shall be completed prior to granting building permits for the proposed project.~~

The intent of 2008 Mitigation Measures HWQ-1a through HWQ-1g and HWQ-7a in the 2008 Draft EIR is applicable to the proposed Modified Project, but those measures are redundant with PPPs and PDFs identified for the proposed Modified Project. Therefore, all of the Certified EIR Mitigation Measures are replaced with PPPs 3.8-1, 3.8-2, 3.6-3, and 3.6-4, PDF 3.6-2, and PDFs 3.8-1 through 3.8-5, which are designed specifically for the Modified Project site in accordance with current regulatory standards.

3.8.11 Level of Significance After Mitigation

Development of both the Approved Project and the proposed Modified Project would occur within the Santa Ana River Watershed and its tributaries. The Certified EIR prescribed 2008 Mitigation Measures HWQ-1a through HWQ-1g to ensure a final WQMP was developed to address post-construction volume of storm water runoff that could result in discharge of pollutants and hydromodification of downstream waters, and to ensure proposed flood control and storm drain facilities are constructed in accordance with the project-specific hydrology studies and permit requirements of responsible regulatory agencies. Additionally, the Certified EIR prescribed 2008 Mitigation Measures HWQ-7a for an application to FEMA to revise the FIRM to remove the portion of TTM 35392 from the 100-year AE flood zone.

The proposed Modified Project would be designed, constructed, and operated in accordance with PPPs 3.8-1, 3.8-2, 3.6-3, and 3.6-4 and would implement PDF 3.6-2 and PDFs 3.8-1 through 3.8-5 to address volume and velocity of storm water runoff that could result in discharge of pollutants and hydromodification of downstream waters during construction and operation. These PPPs and PDFs also will ensure proposed flood control and storm drain facilities are constructed in accordance with the City's *Master Flood Control and Drainage Plan*, Section 60.3 of the NFIP, and permit requirements of responsible regulatory agencies. Impacts to hydrology and water quality resources from the proposed Modified Project would be **less than significant** through compliance with PPPs and PDFs, and no mitigation is required.

In summary, no new mitigation over and above those described above or new alternatives have been identified that would substantially or further reduce any hydrology and water quality impacts of the Modified Project.

3.9 LAND USE AND PLANNING

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts associated with land use and planning as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- Southern California Association of Governments. *2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).* Adopted April 7, 2016.

Scoping Process/NOP Comments: Potential issues associated with land use and planning were identified during the public scoping meeting held in August 2016 for the proposed Modified Project. One member of the community asked if the proposed Project would be age restricted and another asked if the proposed Project would create financial impacts on the existing Solera community to the east across Warren Road. These issues do not address land use and planning impacts associated with the proposed Project in accordance with CEQA, and therefore are not specifically addressed in this SEIR.

The City received one comment letter dated September 3, 2016, from the Southern California Association of Governments (SCAG) recommending a consistency analysis of the proposed Modified Project in relation to the goals of the SCAG 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). A side-by-side comparison of SCAG goals with discussions of consistency, non-consistency, or non-applicability of the goals and supportive analysis is provided in Table 3.9.A. Performance standards-based mitigation prescribed in the Final Program Environmental Impact Report for SCAG's 2016 RTP/SCS may be considered, as applicable, for adoption and implementation by the City.

The City received one comment letter from SCAG in response to the recirculated NOP issued between April 19 and May 19, 2019 concerning the proposed Modified Project's potential impacts associated with land use and planning. The SCAG letter is dated May 15, 2019 (see Appendix A2). Similar to its response to the initial NOP, SCAG notes it is responsible for reviewing EIRs to ensure consistency with land use-related regional plans are accounted for, including the RTP/SCS.

3.9.1 Regulatory Setting

3.9.1.1 Federal Regulations

There are no federal regulations associated with land use and planning that that apply to the proposed Modified Project.

3.9.1.2 State Regulations

California Government Code Section 65450. Section 65450 et seq. of the California Government Code authorizes cities to prepare, adopt, and administer Specific Plans for portions of their jurisdictions

as a means of implementing the City's General Plan. All Specific Plans must comply with Sections 65450–65457 of the Government Code.

California Constitution, Article XI, Section 7. Article XI, Section 7, of the California State Constitution gives cities and counties the authority to regulate land use. California State Planning and Land Use Law (Government Code Section 65000 et seq.) sets forth minimum standards for the regulation of land use at the city and county level.

California Public Utilities Code Section 21676 (Airport Land Use Commission). Projects located within zones administered by airport land use compatibility plans must comply with project-specific conditions imposed by the Airport Land Use Commission with jurisdiction over such airports.

3.9.1.3 Regional Regulations

Southern California Association of Governments Plans. SCAG (the designated Metropolitan Planning Organization [MPO] for the Counties of Ventura, Orange, San Bernardino, Riverside, Imperial, and Los Angeles) is federally mandated to develop plans for transportation, growth management, hazardous waste management, and air quality. SCAG's main responsibilities under State and federal law are preparing the Regional Transportation Plan (RTP) and the Regional Housing Needs Assessment (RHNA). While SCAG does not have formal regulatory authority and cannot directly implement land use decisions, SCAG guides land use planning for the southern California region through intergovernmental coordination and consensus building.

Regional Comprehensive Plan (RCP). The SCAG prepared the 2008 RCP to serve as a framework to guide decision-making with respect to the growth and changes that can be anticipated in the region in the coming years. The RCP is a major advisory plan prepared by the SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCP serves as an advisory document to local agencies in the southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance.

The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure progress toward a more sustainable region. The RCP includes nine chapters, each based on specific areas of planning or resource management. Each of the nine chapters contains goals, policies, implementation, and strategies to achieve the SCAG's overall goals of improving the standard of living for all; improving the quality of life for all; and enhancing equity and access to government. Local governments are required to use the RCP as the basis for their own plans and are required to discuss the consistency of projects of "regional significance" with the RCP.

Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS). The 2016–2040 RTP/SCS adopted by SCAG on April 7, 2016, analyzed the region's transportation system, future growth projections, and potential funding sources in order in order to develop a long-term framework for transportation improvements and maintenance. The RTP/SCS replaces SCAG's Compass Blueprint Growth Vision and includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections. As part of the RTP, SCAG developed an SCS, which was required by Senate Bill 375, the Sustainable Communities Act of 2008. The SCS is intended to combine land use and transportation planning with the overall goal of reducing greenhouse gas emissions generated by vehicle travel.

3.9.1.4 Local Regulations

Hemet General Plan. The City's General Plan outlines several General Plan programs and policies pertaining to agricultural resources throughout the City. General Plan Programs OS-3.1, OS-3.2, OS-

3.3, and OS-3.4, and Policies OS-P-12, OS-P-13, and LU-P-48 are designed to conserve agricultural lands within the City's planning area by supporting the use of conservation easements to protect agricultural uses and by creating agricultural buffer zones between various land uses.

3.9.2 Certified EIR Findings

The 1979 Certified EIR analyzed the *Southwest Area Plan* comprised of 2,694 acres within the City of Hemet and 547 acres within unincorporated Riverside County. The *Southwest Area* encompassed the 1,621-acre Page Ranch PCD SP Planning Area. The 1979 EIR found implementation of the Approved Project might result in incompatible land uses and produce conflicts in the form of varying development standards promulgated by the City and the County of Riverside. The 1979 EIR Land Use Mitigation Measure 1 required increased coordination between Riverside County, Local Agency Formation Commission (LAFCO), and the City to provide the City with the necessary planning controls to mitigate incompatible land uses and avoid conflicts in development standards.

The most recent Specific Plan Amendment (SPA) to the Page Ranch PCD SP was approved in 2009 (2008 EIR), approved by the City as part of SPA 06-004. The SPA was subject to the environmental analysis contained in the Rancho Diamante Phase II Subsequent EIR (SCH #2007091039). The project approved in 2009 was also named Rancho Diamante Phase II. The Approved Project analyzed in the 2009 covers approximately 99.4 acres of the 245.07 Modified Project acres, although the entire 245.07-acre Modified Project site is within the original Page Ranch PCD SP Planning Area.

The 2008 EIR determined development of Approved Project was contiguous to existing residential development and represented a logical extension of the existing development pattern in the area. The EIR noted the Approved Project would connect to surrounding development by a network of streets, pedestrian oriented parkways, and sidewalks. The 2008 EIR concluded the Approved Project would not divide an established community and therefore no mitigation was required.

The 2008 EIR found the Approved Project would result in an average density of 4.3 dwelling units per acre, within the 8.0 dwelling units per acre envisioned by the City's General Plan Update being considered at that time. The EIR found the Approved Project to be consistent with the General Plan Update and therefore no mitigation was required.

The 2008 EIR found the Approved Project to be consistent with key Concepts and Strategies devised to implement the overall Community Vision of the General Plan Update. The key Concepts and Strategies were identified as follows:

- The General Plan envisions creating at theme to tie together the numerous natural resources and manmade features of the Southwest Hemet area, thereby creating a "sense of place;" and
- Incorporation of open spaces into the fabric of new development.

The 2008 EIR found the Approved Project would implement these Concepts and Strategies because:

- The project is part of the Page Ranch Master Plan, which provides for comprehensive development with a "sense of place."
- Open spaces are provided in each tract either through "paseo" systems or open space areas. The total acreage for open space and paseos ranges from 38.8 acres to 43.7 acres depending on whether or not the school site is developed in TTM 35393.
- The "Paseo" system will achieve the following benefits to the community and City:
    - Create an enhanced sense of community;

- Allow for walkable and bikeable destinations;
- Reduce vehicle trips and miles traveled; and
- Provide convenience for the recreation and educational needs in close proximity to neighborhoods.

- A pedestrian bridge is proposed over Old Warren Road to link TTM 35394 with the community center in the existing Del Webb Project. In addition, pedestrian access is provided to the Del Webb Project from TTM 35392.

The 2008 EIR found the Approved Project to be within the boundaries of the MSHCP. The Approved Project's consistency with the MSHCP was analyzed in the Biological Resources chapter of the EIR. With implementation of the biological resources related mitigation measures found in the Biological Resources chapter, the 2008 EIR concluded the Approved Project would comply with all provisions of the MSHCP and would not conflict with the Plan.

3.9.3 Existing Environmental Setting

The Modified Project site is a former agricultural property that is currently uncultivated. The site is highly disturbed with weedy vegetation and has been regularly disked for the purposes of weed abatement for at least the past twenty years. Surrounding land uses consist primarily of single-family residential uses to the east, and agricultural and undeveloped land to the north, south, and west.

3.9.4 Methodology

The focus of the land use and planning analysis is on land use impacts that would result from implementation of the project. Land use conflicts are identified and evaluated based on existing land uses, land uses proposed as part of the project, land use designations, and standards and policies related to land use. Land use compatibility is based on the intensity and patterns of land uses proposed in order to determine whether the project would result in incompatible uses or impacts to sensitive receptors (e.g., residences, medical facilities, or schools).

Section 15125 (d) of the *CEQA Guidelines* requires EIRs to "discuss any inconsistencies between the proposed project and applicable general plans and regional plans." The objective of such a discussion is to find ways to modify a project, if warranted, to eliminate any identified inconsistencies with relevant plans and policies, and thereby avoid creating an impact to the environment that consistency with the plan would otherwise mitigate. The evaluation of the potential land use impacts associated with implementation of the proposed project is based primarily on the City's General Plan, Zoning Code, and Municipal Code. Where applicable, the proposed project's consistency with SCAG's (a) Regional Comprehensive Plan; (b) Regional Transportation Plan; and (c) Sustainable Communities Strategy Plan related to the RTP also are discussed below. However, the proposed Modified Project's consistency with other regional and local plans (e.g., Air Quality Management Plan, Santa Ana Region Basin Plan, and Riverside County Master Plan of Drainage) are discussed in detail respectively in this SEIR Sections 3.4-Air Quality, 3.4-Biological Resources, and 3.8-Hydrology and Water Quality. The Modified Project's compatibility with the Hemet-Ryan Airport Land Use Compatibility Plan is presented in Section 3.7.7.5 of this SEIR.

3.9.5 Thresholds of Significance

Based on Appendix G of the *CEQA Guidelines*, the proposed Modified Project would have a significant impact associated with land use and planning if it would:

- Physically divide an established community;

- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; and/or
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

3.9.6 Proposed Modified Project Design Features and Compliance Measures

The City previously committed the Modified Project site to residential use through the adoption of the Page Ranch PCD SP (Approved Project). The proposed Modified Project will amend the existing Page Ranch PCD SP to account for a slight reduction of residential density along with inclusion of 19.67 acres of Regional Commercial uses on site.

3.9.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.9.7.1 Divide Established Community

Threshold:	Would the project physically divide an established community?

Implementation of the Modified Project would revise the land use boundaries and planning areas within the Approved Project, extend Mustang Way from its current terminus at Warren Road westward and northward through the proposed Modified Project site to realigned Stetson Avenue (on the south side and parallel to the railroad tracks), delete the alignment of Warren Road through the property, reduce residential densities resulting in a corresponding reduction in the dwelling unit count from 744 to 586 units, develop 100,000 square feet of Regional Commercial uses on 19.67 acres, and construct 64.89 acres of public and private HOA parks and open space areas. The Modified Project will also construct off-site water and reclaimed water pipelines in the abutting roads, off-site drainage conveyance features, and construct the westerly half of new Warren Road south of realigned Stetson Avenue.

The 1979 Certified EIR concluded the Approved Project might result in incompatible land uses and produce conflicts in the form of varying development standards promulgated by the City and the County of Riverside. The 1979 EIR Land Use Mitigation Measure 1 required increased coordination between Riverside County, LAFCO, and the City to provide the City with the necessary planning controls to mitigate incompatible land uses and avoid conflicts in development standards. Currently, all of the planning area addressed in the 1979 Certified EIR have been annexed into the City, and 1979 EIR Land Use Mitigation Measure 1 is no longer applicable.

The 2008 EIR found development of Approved Project was contiguous to existing residential development, represented a logical extension of the existing development pattern in the area, and would connect to surrounding development by a network of multi-modal facilities (streets, pedestrian oriented parkways and sidewalks). The 2008 EIR concluded the Approved Project would not divide an established community and therefore no mitigation was required. The proposed Modified Project represents a minor change to the underlying land uses approved as part of the Page Ranch Planned Community PCD 79-93. The Modified Project is contiguous to existing residential development, represents a logical extension of the existing residential development pattern in the area, and connects to surrounding development by a network of multi-modal facilities (streets, pedestrian-oriented parkways, and sidewalks). Additionally, development of 19.67 acres of Regional Commercial uses in Planning Area XIII would facilitate pedestrian access to various retail opportunities and create a more interactive community. Therefore, the Modified Project would not divide an established community, and mitigation is not required. When compared to the Approved Project, the proposed Modified Project would have the same [**less than significant**] impacts related to physically dividing an established community.

3.9.7.2 Conflict with Plans, Policies, or Regulations

Threshold:	Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The 2008 EIR found the Approved Project would result in an average density of 4.3 dwelling units per acre, within the 8.0 dwelling units per acre envisioned by the City's General Plan Update being considered at that time. The EIR found the Approved Project to be consistent with the General Plan Update and therefore no mitigation was required. The proposed Modified Project would reduce the quantity of residences within the Page Ranch Planned Community PCD 79-93 SP from 744 to 586 dwelling units, add 100,000 square feet of Regional Commercial space, and construct 64.89 acres of public/private parks and open space.

The 2008 EIR found the Approved Project to be consistent with key concepts and strategies devised to implement the overall Community Vision of the General Plan Update and identified four characteristics of the Approved Project that would implement the key concepts and strategies (see Section 3.9.2). The Modified Project would also implement these concepts and strategies because:

- The Modified Project is part of the Page Ranch Master Plan, which provides for comprehensive development with a "sense of place."
- 64.89 acres of public and private HOA parks and open space areas are provided in the Modified Project.

The Modified Project does not include a pedestrian bridge over Warren Road included in the Approved Project. The pedestrian bridge was envisioned as a means to allow the age-restricted community (i.e., retired, senior-aged residents) to access the existing community center in the Del Webb Solero neighborhood across Warren Road. The Modified Project is not oriented towards age-restricted uses, and therefore the pedestrian bridge is not needed.

The Modified Project includes sidewalks along all street and roads to allow for pedestrian mobility within the neighborhood and to/from the proposed commercial at the southwest corner of Warren Road/ Stetson Road (realigned). Additionally, paseos are proposed along dispersed open space, pedestrian pathways, and drainage conveyance facilities throughout the community. A distinctive trail system also is proposed, separate from drainage facilities, within Lots LL, MM, OO, V, W, and X of Tentative Tract Map 36841 (Figure 2.6). The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site. Additionally, the proposed Modified Project would have access to a Class 2 (on road) bike lane on Warren Road.

SCAG's 2016 RTP/SCS is designed to integrate land use and transportation networks to promote sustainable development and reduce air pollution and GHG emissions. SCAG's 2016 RTP/SCS contains a number of "Performance Measures"[1] that are used to evaluate various regional land use plan alternatives, with the objective being an improvement over the No Project (i.e., no SCS) baseline. These measures are programmatic-level initiatives designed for application on a regional basis and are not necessarily applicable to individual projects such as the Proposed Modified Project. However, a general discussion of consistency with the goals of SCAG's 2016 RTP/SCS is provided in Table 3.9.A.

[1] *Performance Measures (Appendix).* 2016-2040 SCAG RTP-SCS, Table 2. Adopted April 7, 2016.

Table 3.9.A: SCAG 2016 RTP/SCS Goals

Goal	Consistency Analysis
RTP/SCS G1: Align the plan investments and policies with improving regional economic development and competitiveness.	*Consistent:* The proposed Modified Project would develop approximately 100,000 square feet of commercial uses in an area of the City dominated by residential uses lacking supporting retail/commercial services. (DSEIR Sections 3.3.7.1 and 3.12.8.1.)
RTP/SCS G2: Maximize mobility and accessibility for all people and goods in the region.	*Consistent:* The proposed commercial land use would generally address key issues and implement policies of the 2016 RTP/SCS that reduce VMT (refer to Appendix I3) and associated air pollution emissions. This includes developing commercial uses in proximity to residential uses and facilitating alternative modes of transportation between such uses, which would contribute to a reduction of automobile use for local residents consistent with General Plan Policies OS-7.1 and OS-7.5. (DSEIR Sections 3.3.7.1, 3.12.8.1, and 3.15.7.1.)
RTP/SCS G3: Ensure travel safety and reliability for all people and goods in the region.	*Consistent:* The Modified Project provides pedestrian connections to surrounding areas, internally linking all on-site uses and connecting to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site. The Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other, which would contribute to travel safety and reliability for local residents. (DSEIR Section 3.3.7.1).
RTP/SCS G4: Preserve and ensure a sustainable regional transportation system.	*Consistent:* The Modified Project proponent shall pay applicable City DIF, County TUMF fees, and fair share fees towards the construction of the future improvements in the study area. Additionally, the proposed Modified Project shall install a traffic signal and left turn lanes at all approaches at the Warren Road/Esplanade Avenue intersection (#22) in order to maintain acceptable transportation service levels. (DSEIR Section 3.15.11).
RTP/SCS G5: Maximize the productivity of our transportation system.	*Consistent:* The Modified Project proposes commercial uses in proximity to residential uses and facilitates alternative modes of transportation between such uses, which would contribute to a reduction of automobile use for local residents, diversify travel, and reduce demand on a single mode of transportation (DSEIR Section 3.3.7.1).
RTP/SCS G6: Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking).	*Consistent:* The proposed commercial land use would generally address key issues and implement policies of the 2016 RTP/SCS that reduce VMT (refer to Appendix I3) and associated air pollution emissions. This includes developing commercial uses in proximity to residential uses and facilitating alternative modes of transportation between such uses, which would contribute to a reduction of automobile use for local residents consistent with General Plan Policies OS-7.1 and OS-7.5. (DSEIR Sections 3.3.7.1, 3.12.8.1, and 3.15.7.1).
RTP/SCS G7: Actively encourage and create incentives for energy efficiency, where possible.	*Consistent:* The project will design building shells and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Title 24 Standards of the California Building Code. (DSEIR Section 3.3.6).
RTP/SCS G8: Encourage land use and growth patterns that facilitate transit and active transportation.	*Consistent:* Several bus stops have been developed through the Page Ranch PCD along Mustang Way by the Riverside Transit Agency through Route 74 and Route 79 in accordance with 1979 EIR Mitigation Measure 3. The Riverside Transit Agency will continue to service these routes for the occupants of the proposed

Table 3.9.A: SCAG 2016 RTP/SCS Goals

Goal	Consistency Analysis
	Modified Project via extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of new Stetson Avenue (Figure 2.5). (DSEIR Section 3.3.10.2).
RTP/SCS G9: Maximize the security of the regional transportation system through improved system monitoring, rapid recovery, planning, and coordination with other security agencies.[1]	*Not Applicable:* This goal is designed for application on a regional basis to improve the city-wide circulation system. However, implementation of the proposed Modified Project would not obstruct or preclude the intent of this goal because the Modified Project would be developed through coordination and in accordance with Hemet Fire Department standards for circulation/roadway geometry and emergency access/evacuation. (DSEIR Section 3.15.7.5)

Source: *Chapter 4: Creating a Plan for Our Future.* 2016-2040 SCAG RTP-SCS, Page 64. Adopted April 7, 2016.

[1] SCAG does not yet have an agreed-upon security performance measure.

SCAG = Southern California Association of Governments
RTP = Regional Transportation Plan
SCS = Sustainable Communities Strategy
G = Goal
VMT = Vehicle Miles Traveled

The Modified Project provides pedestrian connections to surrounding areas consistent with General Plan Policy OS-7.2. The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site. The Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other, which would contribute to a reduction of automobile use for local residents consistent with General Plan Policies OS-7.1 and OS-7.5.

The proposed Modified Project site and surrounding area is residential in nature and lacks supporting retail/commercial services. The proposed Regional Commercial land use would generally address key issues and implements policies of the City General Plan and SCAG's 2016 RTP/SCS that reduce vehicle miles traveled (VMT) and associated air pollution emissions (refer to Appendix I3 and Section 3.15.7 of this SEIR). This includes developing commercial uses in proximity to residential uses and facilitating alternative modes of transportation between such uses. Therefore, the proposed Modified Project is substantively consistent with the City General Plan and SCAG's 2016 RTP/SCS. When compared to the Approved Project, the proposed Modified Project would have the same [**less than significant**] impacts related to conflicts with applicable land use plans, policies, or regulations. No mitigation is required.

3.9.7.3 Conflict Habitat Conservation Plan or Natural Community Conservation Plans

Threshold:	Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

The 2008 EIR found the Approved Project to be within the boundaries of the Western Riverside County MSHCP. With implementation of the biological resources related mitigation measures found in the Biological Resources chapter, the 2008 EIR concluded the Approved Project would comply with all provisions of the MSHCP and would not conflict with the Plan. The proposed Modified Project is within the boundaries of the MSHCP. The Modified Project's consistency with the MSHCP is analyzed in the biological resources chapter (3.4 Biological Resources) of this SEIR. When compared to the Approved Project, the proposed Modified Project would have the same [**less than significant with mitigation**] impacts related to conflicts with applicable habitat conservation plans or natural community conservation plans.

3.9.8 Cumulative Impacts

3.9.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The 2008 EIR found development of the Page Ranch Planned Community PCD 79-93 SP would result in suburban-type land uses. The Approved Project along with other cumulative projects would modify the character and quality of life in the project area. The City and County of Riverside are anticipating this transition, and are planning and preparing their General Plans accordingly. The anticipated level of growth is consistent with regional plans (i.e., Western Riverside Sub-regional Comprehensive Plan of the Southern California Association of Governments, SCAQMD's AQMP, Riverside County's Congestion Management Plan). The 2008 EIR found the anticipated growth would not have cumulatively considerable impacts on the environment provided the growth occurs in accordance with the General Plans for the City and the County of Riverside. No mitigation was prescribed.

The Modified Project represents a minor change to the underlying land use approvals envisioned by the City's General Plan and the Page Ranch Planned Community PCD 79-93. The changes can be characterized by a reduction in residential residences and an increase in commercial (100,000 square feet) uses. The anticipated growth associated with the Modified Project would not have cumulatively considerable impacts on the environment provided the growth occurs in accordance with the City General Plan and the Page Ranch Planned Community PCD 79-93 SP as revised by the proposed Modified Project. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [**less than significant**] cumulative impacts on the environment.

3.9.9 Level of Significance before Mitigation

Development of both the Approved Project and the proposed Modified Project would result in less than significant impacts associated with land use and planning. Impacts from the proposed Modified Project would be the same as those identified for the Approved Project (i.e., less than significant).

3.9.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

Mitigation measures identified in the 1979 Certified EIR encouraged coordination between Riverside County, LAFCO, and the City to provide the City with the necessary planning controls to mitigate incompatible land uses and avoid conflicts in development standards. However, through adoption of the *Specific Land Use Plan, Southwest Area* and associated amendments, up to and including the 2008 EIR, the City has already annexed the portions of land, and the coordination related mitigation is not required. The 2008 EIR found all Approved Project impacts associated with land use and planning to be less than significant, and no mitigation was prescribed. This SEIR has similarly found all Modified Project impacts. No mitigation measures were identified in the 2008 Certified EIR.

3.9.10.1 Land Use and Planning Mitigation for the Proposed Modified Project

Mitigation measures to reduce Modified Project impacts associated with land use and planning are not required.

3.9.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and <u>underlined text</u> is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure as follows.

As stated previously, the 1979 EIR prescribed Land Use Mitigation Measure 1 designed to encourage coordination between Riverside County, LAFCO, and the City to provide the City with the necessary

planning controls to mitigate incompatible land uses and avoid conflicts in development standards. Since that time, the City has annexed the portions of land in questions and therefore this measure is no longer required.

~~**1979 EIR Mitigation Measure:** Increased coordination between Riverside County, LAFCO, and the City of Hemet will provide tile City with necessary planning controls mitigating incompatible land uses and conflicting development standards.~~

3.9.11 Level of Significance after Mitigation

The Modified Project's impacts associated with land use and planning were determined to be less than significant and no mitigation is required. As compared to the Approved project, land use and planning impacts of the proposed Modified Project would be the same (i.e., less than significant).

In summary, no new mitigation or alternatives have been identified that would substantially or further reduce any land use and planning impacts of the Modified Project.

3.10 MINERAL RESOURCES

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts associated with mineral resources and mineral resource areas as compared to the Approved Project.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.

Scoping Process/NOP Comments: Potential impacts to mineral agricultural resources were not identified during the public scoping meeting held in August 2016 for the proposed Modified Project.

The City received no comments in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts to mineral resources. Furthermore, no additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to mineral resources.

3.10.1 Regulatory Setting

3.10.1.1 Federal Regulations

There are no federal regulations regarding mineral resources that are applicable to the proposed Modified Project.

3.10.1.2 State Regulations

Surface Mining and Reclamation Act (SMARA). SMARA requires classification of land into Mineral Resource Zones (MRZs) according to the known or inferred mineral potential of the area. Construction aggregate resources (sand and gravel) deposits were the first commodity selected for classification by the State Mining and Geology Board. Once mapped, the State Mining and Geology Board is required to designate for future use those areas that contain aggregate deposits that are of prime importance in meeting the region's future need for construction-quality aggregates. There are three key objectives of SMARA regulations:

- Adverse environmental effects are prevented or minimized, and mined lands are reclaimed to a usable condition that is readily adaptable for alternative uses;
- The production and conservation of minerals are encouraged, while consideration is given to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment; and
- Residual hazards to the public health and safety are eliminated.

The primary objective of the SMARA is for each jurisdiction to develop policies that will conserve important mineral resources, where feasible, that might otherwise be unavailable when needed. The SMARA requires that once policies are adopted, local agency land use decisions must be in accordance with its mineral resource management policies. These decisions must also balance the mineral value

of the resource to the market region as a whole, not just their importance to the local jurisdiction. Under SMARA, areas are categorized into four MRZs as follows:

MRZ-1 Areas where the available geologic information indicates no significant mineral deposits or a minimal likelihood of significant mineral deposits.

MRZ-2a Areas where the available geologic information indicates that there are significant mineral deposits.

MRZ-2b Areas where the available geologic information indicates that there is a likelihood of significant mineral deposits.

MRZ-3a Areas where the available geologic information indicates that mineral deposits are known to exist, however, the significance of the deposit is undetermined.

MRZ-3b Areas where the available geologic information indicates that mineral deposits are inferred to exist, however, the significance of the deposit is undetermined.

MRZ-4 Areas where there is not enough information available to determine the presence or absence of mineral deposits.

3.10.1.3 Local Regulations

City of Hemet General Plan. According to the Hemet General Plan 2030, the eastern and southern portions of the City have not been studied under the SMARA Mineral Land Classification system; however, the balance of the City is classified as MRZ-3, containing sedimentary deposits with potential to supply sand and gravel for concrete and crushed stone for aggregate. Based on available data, the City does not consider these deposits of significant economic value. Nevertheless, some mineral resources in the City have the potential for local significance.

3.10.2 Certified EIR Findings

The 1979 EIR concluded the Approved Project site is classified as Mineral Resource Recovery Zone (MRZ) 4, an area where available information is inadequate for assignment to any other MRZ zone. The primary mineral resources of value to the City and region are aggregate materials used for construction. However, the Approved Project site is not suitable for aggregate mining activities due to its close proximity to homes, a school, a church, and retail uses. Since several alternative aggregate materials extraction sites are located in the region in which the Approved Project is located, the Approved Project will not result in the loss of a known mineral resource for aggregate. No impacts to mineral resources are identified for the Approved Project, and no mitigation is required.

3.10.3 Existing Environmental Setting

The 245.07-acre project site is undeveloped and highly disturbed with weedy vegetation. The project site has been regularly disked for the purposes of weed abatement for at least the past twenty years. Surrounding land uses consist primarily of agricultural and undeveloped land to the north, south, and west, with single-family residential uses to the east.

The proposed Modified Project site is generally flat and ranges in elevation from approximately 1,510 feet AMSL in the northeastern corner of the site to approximately 1,490 feet AMSL in the drainage basin located in the southwestern portion of the site. Eight exploratory borings excavated to a depth of between 15 and 50 feet below grade encountered artificial fills, topsoil, and young alluvial-valley deposits (Appendix E). The artificial fill soils were encountered where construction work has been performed on the site in the past associated with the nearby flood control channel, old Warren Road,

and the storm water basin. Older alluvium was not encountered in any of the exploratory borings, but it is expected to underlie the young alluvial-valley deposits.

According to the Hemet General Plan 2030 EIR, the SMARA Mineral Land Classification system designates the City of Hemet generally as MRZ-3, containing sedimentary deposits with potential to supply sand and gravel for concrete and crushed stone for aggregate. However, the eastern and southern portions of the City have not been studied under the SMARA Mineral Land Classification system. Historically, limestone, serpentine, and sand and gravel were mined in the Bautista Canyon, Diamond Valley, and the Salt Creek and San Jacinto Riverbeds, respectively. However, based on available data, the City does not consider these deposits of significant economic value despite some mineral resources in the City having the potential for local significance. The project site is located in the Diamond Valley region but historically has been used for agricultural activities, primarily dry farming, and no evidence of mineral resource extraction is known for the project site or immediate vicinity.

3.10.4 Methodology

This SEIR is required to analyze only changes in environmental impacts between the Approved Project and proposed Modified Project, but for purposes of providing additional information for decision-makers and the public, this section analyzes also the potential impacts of the proposed Modified Project as compared to the existing conditions.

The California Geological Survey (CGS) provides objective geologic information about California's diverse non-fuel mineral resources. Maps, reports, and other data products developed by CGS were used to locate mineral extraction areas on the project site. In addition, the City's General Plan was used to determine the location of possible mineral extraction areas on the Project site.

3.10.5 Thresholds of Significance

Appendix G of the *CEQA Guidelines* (14 CCR 15000 et seq.) provides guidance for evaluating whether a project may result in significant impacts. Based on Appendix G, the proposed project could have a significant impact on mineral resources if it would:

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State;
- 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 plans.

3.10.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDF): PDFs include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts to mineral resources. There are no PDFs that address impacts related to mineral resources.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements such as plans, policies, or programs applied to the project based on the basis of federal, State, or local laws currently in place which effectively reduce impacts to mineral resources. There are no PPPs that address impacts related to mineral resources.

3.10.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.10.7.1 Loss of Statewide or Regionally Important Mineral Resources

Threshold:	Would the project result in the loss of availability of a known mineral resource that

	would be of value to the region and the residents of the State?

Although the majority of the City has been classified as MRZ-3, the southern portion of the City, in which the proposed Modified Project site is located, has not been studied under the SMARA Mineral Land Classification System.[1] Therefore, the proposed Modified Project site is classified as MRZ-4, an area where available information is inadequate for assignment to any other MRZ.

Historically, the primary mineral resources of value to the City and region were aggregate materials used for construction. Serpentine was mined in Diamond Valley in the general vicinity of the proposed Modified Project site. However, the proposed Modified Project site has been used for agricultural activities, primarily dry farming, and no evidence of mineral resource extraction is known for the site or immediate vicinity. Additionally, based on available data, the City does not consider aggregate material, such as serpentine, of significant economic value despite having the potential for local significance.

The 1979 EIR concluded the Approved Project will not result in the loss of a known mineral resource for aggregate. The proposed Modified Project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. **No impact** will occur, and no mitigation is required. When compared to the Approved Project, impacts associated with loss of statewide or regionally important mineral resources from the Modified Project would be the same (i.e., no impact).

3.10.7.2 Loss of Locally Important Mineral Resources

Threshold:	Would the project 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 plans?

Although the proposed Modified Project site has the potential to be mined for aggregate materials that could be of local economic value, the proposed Modified Project site is a relatively small site at 245.07 acres and is not compatible with the existing surrounding land uses. As detailed in Table 2.A, the General Plan designates the proposed Modified Project site for Low Density Residential (LDR) uses, and it is zoned as Page Ranch Planned Community Development. The areas directly north of the proposed Modified Project site across the railroad tracks are designated for Industrial uses, to the east and west for LDR uses, and to the south for LDR and Mixed Use uses. The zoning of properties surrounding the proposed Modified Project site include Heavy Manufacturing and Heavy Agricultural across the railroad track to the north, Page Ranch Planned Community Development to the east, Specific Plan-Low Density Residential and Specific Plan-Mixed Use to the south, and Open Space and Planned Community Development to the west. Mining would be an incompatible land use, especially with the existing residential neighborhoods to the east and proposed specific plan [residential] developments to the south, east, and west of the proposed Modified Project site.

The 1979 EIR concluded the Approved Project will not 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 plans. The proposed Modified Project will not 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 plans. **No impact** will occur, and no mitigation is required. When compared to the Approved Project, impacts associated with loss of locally important mineral resources from the Modified Project would be the same (i.e., no impact).

[1] City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report.* Page 4.6-10. January 2012.

3.10.8 Cumulative Impacts

The cumulative area for mineral resources is the City of Hemet. As population levels increase in the region, greater demand for aggregate and other mineral materials will be placed on mineral resources. Similarly, developmental pressures in areas where these materials are known or expected to occur would result in the loss of availability of these mineral resources. However, the City does not consider aggregate material of significant economic value despite having the potential for local significance, and mineral extraction from the proposed Modified Project site would not be a land use compatible with the City General Plan, Page Ranch PCD SP, or surrounding land uses, which are primarily residential in nature. Therefore, the proposed Modified Project will not have significant cumulative impacts to cultural resources and also will not make any significant contributions to cumulatively considerable impacts related to cultural resources. No additional mitigation is required.

Neither the Approved Project nor the proposed Modified Project site are identified as containing significant mineral resource extraction sites or the sites of an existing mining/mineral extraction operation. Additionally, since both the proposed Modified Project site and Approved Project site have been used historically for agricultural activities, primarily dry farming, and no evidence of mineral resource extraction is known for these sites or immediate vicinity, neither the proposed Modified Project nor the Approved Project will cumulatively decrease the local or regional availability of mineral resources. Accordingly, as compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cumulatively considerable impacts to mineral resources. No mitigation is required.

3.10.9 Level of Significance Before Mitigation

Neither the proposed Modified Project nor the Approved project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. Additionally, neither the proposed Modified Project nor the Approved Project would 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 plans. No impact will occur, and no mitigation is required. Therefore, the proposed Modified Project is concluded to have substantially the same impacts (no impact) as the Approved Project with regard to mineral resources.

3.10.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

Neither the Approved Project nor the proposed Modified Project will result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State or a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plans. No impacts to mineral resources are identified for either the Approved Project or the proposed Modified Project, and no mitigation is required.

3.10.11 Level of Significance After Mitigation

No mitigation measures are required. The analysis contained in this section of the SEIR concludes the proposed Modified Project will have no impacts related to mineral resources. This is the same conclusion reached in the Certified EIR for the Approved Project regarding impacts to mineral resources. In addition, neither the Approved Project nor the proposed Modified Project will have a cumulative impact related to mineral resources. No mitigation is required.

In summary, no new mitigation or alternatives have been identified that would substantially or further reduce any mineral resources impacts of the Modified Project.

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3.11 NOISE

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to noise as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- County of Riverside, *County of Riverside General Plan*. Revised December 8, 2015.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- Riverside County Airport Land Use Commission, *Riverside County Airport Land Use Compatibility Plan*. Adopted October 14, 2004.
- Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis.* City of Hemet. November 18, 2019 (Appendix H)

Scoping Process/NOP Comments: Potential impacts from noise were identified during the public scoping meeting held in August 2016 for the proposed Modified Project regarding concern for truck traffic, particularly along Warren Road.

The City received one comment letter during the public scoping meeting in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts from noise (Appendix A1). In a letter dated August 29, 2016, a local resident expressed concerns regarding an anticipated increase in traffic along Warren Road leading to an increase in noise levels in the community adjacent to the east of the Modified Project site.

No additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to noise.

3.11.1 Regulatory Setting

3.11.1.1 Federal Regulations

Noise Control Act. In 1972, Congress enacted the Noise Control Act. This act authorized the United States Environmental Protection Agency (EPA) to publish descriptive data on the effects of noise and establish levels of sound requisite to protect the public welfare with an adequate margin of safety. These levels are separated into health (hearing loss levels) and welfare (annoyance levels). The EPA cautions that these identified levels are not standards because they do not take into account the cost or feasibility of the levels.

For protection against hearing loss, 96 percent of the population would be protected if sound levels are less than or equal to an equivalent continuous sound level (L_{eq}) (24) of 70 A-

weighted decibels (dBA). The "(24)" signifies an L_{eq} duration of 24 hours. The EPA activity and interference guidelines are designed to ensure reliable speech communication at about five feet in the outdoor environment. For outdoor and indoor environments, interference with activity and annoyance should not occur if levels are below 55 dBA and 45 dBA, respectively.

At 55 dBA day-night average noise level (L_{dn}), 95 percent sentence clarity (intelligibility) may be expected at 11 feet, and no community reaction. However, one (1) percent of the population may complain about noise at this level, and 17 percent may indicate annoyance.

Federal Interagency Committee on Noise. The Federal Interagency Committee on Noise (FICON) developed guidance to be used for the assessment of project-generated increases in noise levels that consider the ambient noise level. Although the FICON recommendations were specifically developed to assess aircraft noise impacts, these recommendations are often used in environmental noise impact assessments involving the use of cumulative noise exposure metrics, such as the Community Noise Equivalent Level (CNEL), the energy average equivalent level (L_{eq}), or median noise level (L_{50}) based on the notion that, in general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise would typically be judged.

3.11.1.2 State Regulations

State Noise Insulation Standards (Title 24). The California Code of Regulations, Title 24 (known as the Building Standards Administrative Code), Part 2 (known as the California Building Code) establishes regulations that help prevent adverse impacts to occupants of buildings located near noise sources. Referred to as the State Noise Insulation Standard, California requires buildings to meet performance standards through design and/or building materials that would offset any noise source in the vicinity of the receptor. State regulations include requirements for new construction for the purpose of controlling interior noise levels resulting from exterior noise sources. For limiting noise transmitted between adjacent dwelling units, the noise insulation standards specify the extent to which walls, doors, and floor-ceiling assemblies must block or absorb sound. For limiting noise from exterior noise sources, the noise insulation standards set an interior standard of 45 dBA community noise equivalent level (CNEL) in any habitable room with all doors and windows closed. In addition, the standards require preparation of an acoustical analysis near major transportation noise sources and where such units are proposed in an area with exterior noise levels greater than 60 dBA CNEL demonstrating the manner in which dwelling units have been designed to meet the interior standard.

3.11.1.3 Local Regulations

City of Hemet General Plan. The General Plan incorporates policies designed to protect noise-sensitive land uses from unacceptable noise environments. Policy PS-11.1 requires construction noise to remain within acceptable noise limits. Policy PS-11.3 requires projects in the City to evaluate potential noise conflicts and mitigate such conflicts as appropriate as a condition of approval. Policy PS-11.4 requires projects in the City to protect noise-sensitive uses from new noise sources, such as construction and traffic. Policy PS-12.1 requires that traffic-noise and land use conflicts be minimized. Policy PS-13.2 requires that noise-sensitive uses be restricted near major noise sources. Additionally, General Plan EIR Programs PS-P-27 and PS-P 29 require compliance with the City's noise standards and preparation of acoustical studies when noise standards are likely to be exceeded. Program PS-P-28 requires project design modifications to reduce noise to acceptable levels.

General Plan Policy PS-12.3 requires the City to ensure that future development in the vicinity of the Hemet-Ryan Airport is compatible with both current and projected airport noise levels based on City standards for various land uses. To ensure that residents are not exposed to excessive noise levels from the Hemet-Ryan Airport (Goal PS-4), the proposed Modified Project must demonstrate attenuation of the noise levels generated by aircraft activity in accordance with the State Noise Insulation Standards (Title 24) described above.

The City has set exterior noise limits to control community noise impacts from non-transportation noise sources (such as air conditioning units, parking lot vehicle movements, and drive-through speakerphones, etc.). Table 6.5, *Noise Level Performance Standards for Non-Transportation Noise Sources,* from the General Plan Public Safety Element identifies exterior noise level limits of 60 dBA L_{eq} and 75 dBA maximum instantaneous noise level (L_{max}) during the daytime hours (7:00 a.m. to 10:00 p.m.) and 45 dBA L_{eq} and 65 dBA L_{max} during the nighttime hours (10:00 p.m. to 7:00 p.m.).

Although the *CEQA Guidelines* and the City General Plan provide direction on noise compatibility and establish standards for maximum noise levels by land use type, they do not define the levels at which increases in ambient noise levels are considered substantial.

City of Hemet General Plan Program Environmental Impact Report. The City's General Plan and Municipal Code do not identify specific vibration level standards. Therefore, vibration thresholds from the City's General Plan Program Environmental Impact Report (General Plan EIR) are used in this analysis to assess the potential vibration impacts due to construction activity at the Modified Project site. Construction-source vibration impacts would be considered potentially signficiant if vibration levels exceed the Caltrans recommended standard of 0.2 inch per second (in/sec) peak particle velocity (PPV) with respect to the prevention of structural damage for normal buildings or the Federal Transit Administration (FTA) maximum acceptable vibration standard of 80 velocity decibels (VdB) with respect to human response at nearby vibration-sensitive land uses.

City of Hemet Municipal Code. The City's Municipal Code Article II, Section 30-32 [33] permits construction activity between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May. The Code permits Saturday construction between the hours of 7:00 a.m. and 6:00 p.m. and prohibits Sunday construction.

Although the City establishes limits to the hours during which construction activity may occur, it does not identify specific noise level limits for construction noise levels. Therefore, this analysis implements a construction noise level threshold of 75 dBA L_{max} based on the *Noise Level Performance Standards for Non-Transportation Noise Sources* from Table 6.5 of the City General Plan Public Safety Element.

Riverside County Airport Land Use Compatibility Plan Policy Document. The Riverside County Airport Land Use Compatibility Plan Policy Document (ALUCP) includes the policies for determining the land use compatibility of the Modified Project since it is located within 2 miles of the Hemet-Ryan Airport runway. Chapter 2, *Countywide Policies,* of the Riverside County ALUCP establishes Policy 4.1.4, which identifies the maximum CNEL considered *normally acceptable* for new residential land uses in the vicinity of an airport as 60 dBA CNEL. Policy 4.1.6 of the Riverside County ALUCP identifies an interior noise level limit of 45 dBA CNEL with windows closed for residential homes affected by aircraft-related noise.

3.11.2 Certified EIR Findings

The Certified EIR concluded short-term impacts could result from construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities for the Approved Project. Long-term impacts could be generated from railroad, airport, and traffic noise.

The 1979 EIR Mitigation Measure 1 requires compliance with the City's hours of construction specified in the Municipal Code to reduce impacts from construction noise to less than significant levels. Based on future noise contours, traffic related noise levels at several property boundaries along Stetson Avenue and New Stetson Avenue would exceed the City's 65 dBA CNEL standards, which creates a partially significant impact. However, with Mitigation Measure MM NOI-1, construction of a permanent noise attenuation barrier would reduce operational impacts from noise to less than significant levels.

Groundborne vibration would be influenced by construction activities in the short term, and by railroad, airport and traffic noise in the long term. Neither construction nor operational activities are expected to exceed the 0.3 PPV significance level for potential structural damage. Impacts from vibration were found to be less than significant. No mitigation is required.

The Certified EIR determined the Approved Project would be located within the 60 to 65 dBA CNEL contours of the Hemet-Ryan Airport, which is below the 65 dBA CNEL threshold of significance. Train operations in proximity to the Approved Project are so limited than a substantial permanent increase in ambient noise would not occur. The 1979 EIR Mitigation Measure 4 would require consideration of noise mitigation measures if train operations increase enough to create a significant adverse noise impact. The 1979 EIR determined traffic generated through implementation of the Approved Project would result in a significant increase in ambient noise due to the relatively undeveloped condition of the *Southwest Area*. The 1979 EIR Mitigation Measure 5 would require a detailed acoustical analysis for residential development located within the 60 dBA noise contour from highway noise sources. The 1979 EIR Mitigation Measure 6 would require highway noise mitigation measures such as acoustical site planning and/or the design of earthen berms or berm/wall combinations in order to reduce noise to acceptable levels (exterior- 55 dBA or less) for residential development within the *Southwest Area*. The 1979 EIR Mitigation Measure 7 would limit heavy truck traffic to the Warren Road and Stetson-Warren/Airport Road roadway segments. Nevertheless, the 1979 EIR determined traffic generated by the Approved Project would create a significant and unavoidable impact to ambient noise levels in the *Southwest Area*.

The 2008 Draft EIR concluded the Approved Project would not contribute to a substantial increase in ambient noise based on the baseline conditions as of 2008, which included substantial build-out of the *Southwest Area* since the time of the 1979 EIR. In 2008, the majority of traffic noise increases would be less than the barely perceptible increase of 3 dBA. The maximum change in noise levels would occur from Poplar Street with a 4.6 dBA increase. However, this increase in ambient noise levels would not be significant since the ambient noise conditions in this area would remain below 60 dBA CNEL upon buildout of the Approved Project. No mitigation is required.

There are several nearby sensitive residential land uses adjacent to the east of the Approved Project site. Additionally, if the project is built in phases, new residents could be exposed to construction noise levels while subsequent phases are being completed. The 1979 EIR Mitigation Measure 2 would place limits on off-site agricultural activities and require noise

attenuation equipment on agricultural machinery. Mitigation Measures MM NOI-4a and MM NOI-4b would require development of a construction mitigation plan and execution of construction activities within specified hours in accordance with the City Municipal Code to reduce construction noise to the maximum extent feasible, which would render construction noise less than significant.

The northwestern corner of TTM 35393 would fall within the 65-dBA and 60-dBA CNEL contours of the Hemet-Ryan Airport while the remainder of the Approved Project would not occur within the 65-dBA CNEL contours. The 1979 EIR Mitigation Measure 3 would require disclosure to residents within the 55 L_{dn} contour that there would be potential for occasional aircraft-related noise events. Since airport noise levels not expected to exceed 65 dBA CNEL within the Approved Project boundaries, impacts from airport noise would be less than significant. The Approved Project is not within the vicinity of a private airstrip. No mitigation is required.

With implementation of mitigation, all impacts to noise would be reduced to less than significant levels.

3.11.3 Existing Environmental Setting

The Modified Project site is located on the southwest corner of Warren Road and the future Stetson Avenue extension in the City of Hemet. State Route 79 (SR-79) is located approximately 1.75 miles west of the site, and State Route 74 (SR-74) is located roughly 1.5 miles to the north of the site. Existing residential land uses in the vicinity of the Modified Project site are located south of existing Stetson Avenue, east of Warren Road, and west of California Avenue. Agriculture land uses are located adjacent to the south of the Modified Project site. The Hemet-Ryan Airport is located approximately 0.5 mile northeast of the Modified Project site along existing Stetson Avenue. An existing Burlington Northern Santa Fe (BNSF) railroad line is located north of the Modified Project site adjacent to the future Stetson Avenue alignment.

3.11.3.1 Noise Background

Characteristics of Noise. Noise is usually defined as unwanted sound; it consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep. To the human ear, sound described in terms of its loudness (amplitude) and pitch (frequency). Pitch is generally an annoyance, while loudness can affect our ability to hear.

Measurement of Noise. The standard unit of measurement of the loudness of sound is the decibel (dB). Decibels are based on a logarithmic scale. The logarithmic scale compresses the wide range in sound levels resulting in a more usable range of sound level values (similar to the Richter scale used to measure earthquakes). To humans, a sound 10 dB higher than another is considered to be twice as loud; a sound 20 dB higher than another is considered four times as loud; etc. Typical daily sounds in the environmental range from 30 dB (very quiet) to 100 dB (very loud). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in A-weighted decibels (dBA). The dBA scale performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear. Community noise levels are measured in terms of the dBA. Exhibit 2-A in Appendix H identifies examples of various noises sources and their typical dBA noise level.

Two categories of noise are measured to characterize noise conditions: single event noise and community, or cumulative, noise. Single event measurements describe the noise levels from an individual event such as a passing airplane or a heavy-duty truck. Cumulative measurements average the total noise in a community over a specific time period, which is typically 1 or 24 hours. The noise impact analysis performed for the proposed Modified Project includes assessments of both single event noise and community or cumulative, noise.

Several rating scales have been developed for measurement of community noise to account for the effects, variety, variation, and time of noise in the community. The scales are designed to account for the known health effects of noise on people. The potential for a noise to affect people is dependent on the total acoustical energy content of the noise. A number of noise scales have been developed to account for this observation. Two of the predominant noise scales are the L_{eq} and the CNEL.

- L_{eq} is the sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period. L_{eq} is the "energy" average noise level during the time period of the sample. Leq can be measured for any time period, but is typically measured for 1 hour. This 1-hour noise level can also be referred to as the Hourly Noise Level (HNL). It is the energy sum of all the events and background noise levels that occur during that time period.[1]
- CNEL is the predominant rating scale now in use in California for land use noise compatibility assessment. The CNEL scale represents a time weighted 24-hour average noise level based on the dBA. Time weighted refers to the inclusion of penalties for noise that occurs during certain noise-sensitive time periods. The evening time period (7 p.m. to 10 p.m.) penalizes noises by 5 dBA, while the nighttime period (10 p.m. to 7 a.m.) penalizes noises by 10 dBA, reflecting people's increased sensitivity to noise during these time periods. A CNEL noise level may be reported as a CNEL of 60 dBA, 60 dBA CNEL, or simply 60 CNEL.

L_{max} is the highest exponential time averaged sound level that occurs during a stated time period. The noise levels discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak noise conditions and addresses the annoying aspects of intermittent noise. It is often used together with another noise scale, or noise standards in terms of percentile noise levels, in noise ordinances for enforcement purposes. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level. Half the time the noise exceeds this level, and half the time it is less than this level. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, the L_{eq} and L_{50} are approximately the same.

There is no completely satisfactory way to measure the subjective effects of noise or of the corresponding human reactions of annoyance and dissatisfaction. This is primarily because of the wide variation in individual thresholds of annoyance and differing individual experiences

[1] L(%) is a statistical method of describing noise that accounts for variance in noise levels throughout a given measurement period. L(%) is a way of expressing the noise level exceeded for a percentage of time in a given measurement period. For example, since 5 minutes is 25 percent of 20 minutes, L(25) is the noise level that is equal to or exceeded for five minutes in a 20-minute measurement period. It is L(%) that is used for most Noise Ordinance standards. For example most daytime County, State, and City noise ordinances use a standard of 55 dBA for 30 minutes per hour, or an L(50) level of 55 dBA. In other words, the noise ordinance may state that no noise level should exceed 55 dBA for more than 50 percent of a given period.

with noise. Thus, an important way of determining a person's subjective reaction to a new noise is the comparison of it to the existing environment to which one has adapted—the so-called *ambient* environment.

Fundamentals of Groundborne Vibration. Vibration refers to groundborne noise and perceptible motion of the earth. Similar to noise, vibration is transmitted in noise-like waves through the earth and solid objects. There are several ways to categorize vibration sources. One way is to divide vibration into natural sources (e.g., earthquakes, volcanic eruptions, sea waves, and landslides) and human sources (e.g., explosions, machinery, traffic, trains, and construction equipment). Similar to noise sources, vibration sources can also be described as continuous (e.g., operating factory machinery) or transient (e.g., explosions).

As with noise, ground vibrations can be described by amplitude and frequency. Vibration amplitude is characterized by its displacement, velocity, and acceleration. Displacement is the distance that soil particles travel from their original location as a result of vibration, as measured in inches or millimeters. The PPV is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings, but is not always suitable for evaluating human response (annoyance) because it takes some time for the human body to respond to vibration signals. Instead, the human body responds to average vibration amplitude often described as the Root Mean Square (RMS). The RMS amplitude is defined as the average of the squared amplitude of the signal, and is most frequently used to describe the effect of vibration on the human body. Decibel notation (VdB) is commonly used to measure RMS. VdB serves to reduce the range of numbers used to describe human response to vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receivers for vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment.

The background vibration-velocity level in residential areas is generally 50 VdB. Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. Exhibit 2-C in Appendix H identifies common vibration sources and the human and structural response to groundborne vibration.

3.11.3.2 Sensitive Land Uses in the Vicinity of the Modified Project

Eight sensitive receiver locations as shown on Figure 3.11.1 were identified as representative locations for analysis. Sensitive receivers are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Sensitive receivers in the vicinity of the Modified Project site include the single-family residential dwellings located at receiver locations R1 to R8. The closest sensitive receiver is represented by location R6 at a distance of approximately 55 feet south of the Project site. Other sensitive land uses in the Modified Project study area that are located at greater distances than those identified in the noise analysis will experience lower noise levels than those presented in Figure 3.11.1 due to the additional attenuation from distance and the shielding of intervening structures.

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LSA

LEGEND

- Project Site Boundary
- Noise Measurement Locations
- Sensitive Receiver Locations
- 6' Existing Barrier Height (in feet)
- Existing Barriers
- Distance from Receiver to Project Site Boundary (Distance to Construction Activity)
- Temporary Construction Noise Barrier
- Construction Activity

N

0 500 1000
FEET

SOURCE: Google (2018); Urban Crossroads (04/2019)

I:\HET1601\Report\EIR\ModProjSensitiveNoiseRecs_MeasurementLocs.mxd (8/22/2019)

FIGURE 3.11.1

Rancho Diamanté Phase II
Subsequent Environmental Impact Report

Modified Project Sensitive Noise Receivers and Measurement Locations

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R1: Located approximately 3,542 feet northwest of the Modified Project site, R1 represents the existing residential homes north of Stetson Avenue. A 24-hour noise level measurement was taken near this location, L1, to describe the existing ambient noise environment.

R2: Location R2 represents existing single-family residential homes located approximately 1,968 feet north of the Modified Project site on Stetson Avenue.

R3: Location R3 represents the existing single-family residential home located roughly 2,126 feet north of the Modified Project Site on Stetson Avenue. A 24-hour noise level measurement was taken near this location, L2, to describe the existing ambient noise environment.

R4: Location R4 represents the single-family residential homes located approximately 292 feet east of the Modified Project site on Camino Sueno. A 24-hour noise level measurement was taken at this location, L3, to describe the existing ambient noise environment.

R5: Location R5 represents existing single-family residential homes situated approximately 81 feet east of the Modified Project site boundary on Camino Sueno.

R6: At the time of the noise analysis, receiver location R6 represented an existing noise-sensitive residential home and agricultural land use at a distance of approximately 55 feet south of the Modified Project site. However, this location may represent a vacant structure, which would not be considered a noise-sensitive land use.

R7: At a distance of 413 feet from the Modified Project site boundary, R7 represents single-family residential homes located west of the Modified Project site on California Avenue.

R8: Location R8 represents the residential home located approximately 1,447 feet west of the Modified Project site across California Avenue.

3.11.3.3 Hemet Ryan Airport

The Modified Project site located approximately 0.5 mile southwest of the Hemet-Ryan Airport outside of the Hemet-Ryan Airport 60 dBA CNEL noise level contour boundary.

3.11.3.4 Existing Traffic Noise Contours

Noise contours represent the distance to noise levels of a constant value and are measured from the center of the roadway for the 70, 65, and 60 dBA CNEL noise levels. The noise contours do not take into account the effect of any existing noise barriers or topography that may affect ambient noise levels. In addition, since the noise contours reflect modeling of vehicular noise on area roadways, they appropriately do not reflect noise contribution from any surrounding stationary noise sources within the Modified Project study area. Table 3.11.A presents a summary of the unmitigated exterior traffic noise levels for the 37 study area roadway segments analyzed from the without-Modified Project existing conditions.

Table 3.11.A: Existing without Project Conditions Noise Contours

ID	Road	Segment	Adjacent Planned Land Use[1]	dBA CNEL			
				@ Adj. Land Use	70	65	60
					CL to Contour Distance (Feet)[2]		
1	Winchester Rd.	s/o Florida Av.	Residential	68.3	RW	78	168
2	Winchester Rd.	n/o 9th St.	Residential	68.9	RW	85	184
3	Patterson Av.	s/o Grand Av.	Business Park	50.7	RW	RW	RW
4	California Av.	n/o Stowe Rd.	Residential	60.7	RW	RW	52
5	California Av.	s/o Stowe Rd.	Residential	50.9	RW	RW	RW
6	California Av.	n/o Simpson Rd.	Residential	41.2	RW	RW	RW
7	California Av.	s/o Simpson Rd.	Residential	41.2	RW	RW	RW
8	Warren Rd.	s/o Esplanade Av.	Residential	69.3	RW	135	291
9	Warren Rd.	n/o Devonshire Av.	Residential	69.3	RW	135	291
10	Warren Rd.	n/o Florida Av.	Mixed Use	68.1	RW	112	242
11	Warren Rd.	s/o Florida Av.	Mixed Use	70.0	70	151	325
12	Warren Rd.	n/o Whittier Av.	Mixed Use	69.5	RW	140	301
13	Warren Rd.	s/o Whittier Av.	Industrial	69.5	RW	139	299
14	Warren Rd.	s/o Stetson Av. (N.)	Industrial	68.0	RW	111	239
15	Warren Rd.	s/o Mustang Wy.	Residential	66.7	RW	91	195
16	Warren Rd.	s/o Simpson Rd.	Residential	65.4	RW	75	161
17	Sanderson Av.	s/o Florida Av.	Commercial	66.7	RW	70	150
18	Sanderson Av.	n/o Stetson Av.	Commercial	70.9	62	133	287
19	Florida Av.	w/o Winchester Rd.	Residential	69.8	RW	159	343
20	Florida Av.	e/o Warren Rd.	Mixed Use	69.5	RW	139	299
21	Stowe Rd.	w/o California Av.	Residential	60.6	RW	RW	51
22	Grand Av.	e/o Patterson Av.	Residential	44.4	RW	RW	RW
23	Grand Av.	w/o Calvert Av.	Residential	44.4	RW	RW	RW
24	Grand Av.	e/o Calvert Av.	Business Park	44.4	RW	RW	RW
25	Stetson Av. (S.)	e/o SR-79 SB Ramps	Mixed Use	46.9	RW	RW	RW

Table 3.11.A: Existing without Project Conditions Noise Contours

ID	Road	Segment	Adjacent Planned Land Use[1]	dBA CNEL @ Adj. Land Use	dBA CNEL 70 CL to Contour Distance (Feet)[2]	dBA CNEL 65 CL to Contour Distance (Feet)[2]	dBA CNEL 60 CL to Contour Distance (Feet)[2]
26	Stetson Av. (S.)	e/o SR-79 NB Ramps	Mixed Use	46.9	RW	RW	RW
27	Stetson Av. (S.)	w/o California Av.	Residential	46.9	RW	RW	RW
28	Stetson Av. (S.)	e/o California Av.	Residential	46.9	RW	RW	RW
29	Stetson Av. (S.)	w/o Warren Rd.	Residential	46.9	RW	RW	RW
30	Stetson Av. (S.)	e/o Warren Rd.	Residential	46.9	RW	RW	RW
31	Stetson Av. (S.)	e/o Fisher St.	Residential	46.9	RW	RW	RW
32	Stetson Av.	e/o New Stetson Av.	Business Park	46.9	RW	RW	RW
33	Stetson Av.	e/o Cawston Av.	Airport	67.3	RW	100	215
34	Stetson Av.	e/o Sanderson Av.	Residential	70.0	70	150	324
35	9th St.	w/o Winchester Rd.	Residential	51.6	RW	RW	RW
36	9th St.	e/o Winchester Rd.	Residential	39.6	RW	RW	RW
37	Simpson Rd.	e/o Warren Rd.	Residential	66.7	RW	91	195

Source: Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis*. Table 7-1. City of Hemet. November 18, 2019.

[1] Source: City of Hemet General Plan Land Use Element, Figure 2.1.

[2] "RW" = Location of the respective noise contour falls within the right-of-way of the road. "n/a" = Roadway segment does not exist under the given traffic scenario.

3.11.3.5 Railroad Operations

The rail activities at the BNSF rail lines north of the Modified Project site currently include up to two freight trains per day based on the U.S. Department of Transportation Crossing Inventory Form number 027366S at Warren Road. An extension of the Metrolink 91 Line in the City of Perris is proposed to extend to the rail lines north of the Modified Project site.

3.11.3.6 Exiting Ambient Noise Levels

Five 24-hour noise level measurements were taken at select measurement locations (L1 through L5) in the Modified Project vicinity (Figure 3.11.1). The measurement locations were selected to describe and document the existing noise environment within the Modified Project study area. The noise measurements presented below focus on the average or L_{eq}, which represents a steady state sound level containing the same total energy as a time varying signal over a given sample period. Table 3.11.B identifies the hourly daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) L_{eq} and CNEL noise levels at each noise level measurement location.

Table 3.11.B: 24-Hour Ambient Noise Level Measurements

Location[1]	Distance To Project Boundary (Feet)	Description	Energy Average Hourly Noise Level (dBA L_{eq})[2]		CNEL
			Daytime	Nighttime	
L1	3,630'	Located northwest of the Project site at the intersection of Stetson Avenue and California Avenue, south of existing residential homes.	58.5	53.4	61.3
L2	2,215'	Located north of the Project site on Stetson Avenue, west of the Hemet- Ryan Airport runway and east of existing residential homes.	60.6	56.8	64.3
L3	285'	Located east of the Project site across Warren Road adjacent to an existing 6-foot high barrier for residential homes.	59.3	57.0	64.1
L4	60'	Located east of the Project site across Warren Road, north of existing agricultural land uses.	68.7	66.0	73.2
L5	1,120'	Located southwest of the Project site near existing residential homes on California Avenue.	53.6	50.2	57.6

Source: Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis*. Table 5-1. City of Hemet. November 18, 2019.

[1] See Figure 3.11.1 for the noise level measurement locations.

[2] Energy (logarithmic) average hourly levels. The long-term 24-hour measurement worksheets are included in Appendix H.

"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

3.11.4 Methodology

To describe the existing noise environment, the hourly noise levels were measured during typical weekday conditions over a 24-hour period. To present the potential worst-case noise conditions, this analysis assumes the Modified Project commercial site would be operational 24 hours per day, seven days per week. The on-site Modified Project-related noise sources are expected to include: rooftop air conditioning units, parking lot vehicle movements, and drive-through speakerphones.

The evaluation of noise impacts associated with the proposed Modified Project includes the following:

- Determination of the short-term construction noise impacts on off-site noise-sensitive uses;
- Determination of the long-term noise impacts, including vehicular traffic and stationary noise sources, on-site and off-site noise-sensitive uses; and
- Determination of the required mitigation measures to reduce short-term construction and long-term noise impacts from all sources.

The guidelines included in the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (1977; FHWA RD-77-108) were used to evaluate roadway traffic-related noise conditions along roadway segments in the project vicinity. The standard vehicle mix for Southern California roadways was used for traffic on these roadway segments. Soft site conditions, which account for the sound propagation loss over natural surfaces such as normal earth and ground vegetation, were used to analyze the on-site and off-site traffic noise impacts for the Modified Project study area. To assess the off-site transportation CNEL noise level impacts noise contours were developed based on the *Rancho Diamante (TTM No. 36841) Traffic Impact Analysis* (Appendix I1) and *Supplemental Assessment* (Appendix I2). Noise contour boundaries represent the equal levels of noise exposure and are measured in CNEL from the center of the roadway.

The estimated railroad noise impacts from the BNSF rail lines north of the Modified Project site are calculated using the FTA General Transit Noise Assessment Model. The FTA Model calculates the predicted noise level based on the type of train, distance to receiver, number of trains per hour, speed, number of cars per train, and type of railroad tracks. The future rail volumes are based on a doubling of the existing freight train volumes from the U.S. Department of Transportation Crossing Inventory and observations made during the noise level measurements. The Metrolink extension volumes are estimated based on the similar Riverside Line commuter train volume of 12 trains per day, and the speed of each train is based on the Southern California Regional Rail Authority *Metrolink Fact Sheet* for Quarter 3 of 2015. The future noise conditions at the residential land use within the Modified Project site are based on the estimated future rail volumes for the freight and Metrolink rail activities.

For noise-sensitive receivers, this analysis utilizes the ambient noise guidance developed by FICON as follows: If the ambient noise environment is quiet (<60 dBA CNEL) and the new noise source greatly increases the noise levels, an impact may occur if the noise criteria is exceeded. Therefore, for this analysis, FICON identifies a *readily perceptible* 5 dBA or greater project-related noise level increase is considered a significant impact when the noise criteria for a given land use is exceeded. Per FICON, in areas where the without-Modified Project noise levels range from 60 to 65 dBA CNEL, a 3 dBA *barely perceptible* noise level increase is considered a significant impact. When the without project noise levels already exceed 65 dBA CNEL, any increase in community noise louder than 1.5 dBA or greater is considered a significant impact if the noise criteria for a given land use is exceeded, since it likely contributes to an existing noise exposure exceedance.

For non-noise-sensitive receivers, the General Plan Public Safety Element exterior noise level standard of 70 dBA CNEL is used. When the without-Modified Project noise levels at the non-noise-sensitive land uses are below the 70 dBA CNEL standard, a *readily perceptible* 5 dBA or greater noise level increase is considered a significant impact. When the without-Modified Project noise levels are greater than the 70 dBA CNEL standard, a *barely perceptible* 3 dBA or greater noise level increase is considered a significant impact since the noise level criteria are already exceeded.

For vibration levels expressed in velocity, the human body responds to the average vibration amplitude often described as the root-mean-square (RMS).[2] As with airborne sound, the RMS velocity is often expressed in decibel notation as vibration decibels (VdB), which serves to reduce the range of numbers used to describe human response to vibration. The City General

[2] The RMS of a signal is the average of the squared amplitude of the signal, typically calculated over a one-second period.

Plan and Municipal Code do not identify specific vibration level standards. Therefore, the County of Riverside vibration perception threshold of 0.01 in/sec in RMS velocity levels shall be used to assess the potential impacts due to Modified Project construction and operation at nearby sensitive receiver locations.

3.11.5 Thresholds of Significance

The City has not established local CEQA significance thresholds; therefore, this SEIR incorporates the noise questions included in the Certified EIR in accordance with Appendix G ("CEQA Checklist") of the State *CEQA Guidelines*. Per the Certified EIR, a significant impact from noise would occur if the project was determined to:

- Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Expose persons to or generate excessive groundborne vibration or groundborne noise levels;
- Generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- Generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels; or
- For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

Based on applicable regulatory standards described in Section 3.11.1, noise impacts shall be considered significant if any of the following occur as a result of the proposed Modified Project.

3.11.5.1 Construction Noise Significance Criteria

- If Modified Project-related construction activities:
  - Occur anytime other than between the permitted hours of Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturdays between 7:00 a.m. to 6:00 p.m.; no activity allowed on Sundays (City of Hemet Municipal Code, Section 67-10); or
  - Generate noise levels which exceed the maximum noise level threshold for non-transportation noise sources of 75 dBA L_{max} at the nearby sensitive receiver locations (City of Hemet General Plan Public Safety Element, Table 6.5).

3.11.5.2 Operational Noise Significance Criteria

- If Modified Project-related operational (stationary-source) noise levels exceed the exterior 60 dBA L_{eq} and 75 dBA L_{max} daytime or 45 dBA L_{eq} and 65 dBA L_{max} nighttime noise level standards at sensitive residential land uses in the City of Hemet (City of Hemet General Plan Public Safety Element, Table 6.5); or
- If the existing ambient noise levels at the nearby noise-sensitive receivers near the Modified Project site:

- Are less than 60 dBA L_{eq} and the Modified Project creates a readily perceptible 5 dBA L_{eq} or greater Modified project-related noise level increase; or
- Range from 60 to 65 dBA L_{eq} and the Modified Project creates a barely perceptible 3 dBA L_{eq} or greater project-related noise level increase; or
- Already exceed 65 dBA, L_{eq} and the Modified Project creates a community noise level impact of greater than 1.5 dBA L_{eq} (FICON).

3.11.5.3 Off-Site Traffic Noise Significance Criteria

- When the noise levels at existing and future noise-sensitive land uses (e.g., residential):
  - Are less than 60 dBA CNEL and the Modified Project creates a readily perceptible 5 dBA CNEL or greater project-related noise level increase; or
  - Range from 60 to 65 dBA CNEL and the Modified Project creates a barely perceptible 3 dBA CNEL or greater project-related noise level increase; or
  - Already exceed 65 dBA CNEL, and the Modified Project creates a community noise level impact of greater than 1.5 dBA CNEL (FICON).
- When the noise levels at existing and future non-noise-sensitive land uses (e.g., commercial):
  - Are less than 70 dBA CNEL and the Modified Project creates a readily perceptible 5 dBA CNEL or greater Modified Project-related noise level increase; or
  - Are greater than 70 dBA CNEL and the Modified Project creates a barely perceptible 3 dBA CNEL or greater Modified Project-related noise level increase (City of Hemet General Plan Public Safety Element, Table 6.4).

3.11.5.4 On-Site Traffic Noise Significance Criteria

- If the on-site exterior noise levels exceed 65 dBA CNEL and the interior noise levels exceed 45 dBA CNEL at the residential uses located within the Modified Project site (City of Hemet General Plan Public Safety Element, Table 6.4).

3.11.5.5 Vibration Significance Criteria

- If short-term Modified Project-generated construction vibration levels exceed the City of Hemet General Plan EIR acceptable vibration standard of 80 VdB for human annoyance; or
- If short-term Modified Project-generated construction vibration levels exceed the City of Hemet General Plan EIR acceptable vibration standard of 0.2 in/sec PPV for building damage.

3.11.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDF): These measures include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts from noise.

PDF 3.11-1 Planned 6-foot-high noise barriers shall be constructed for the outdoor living areas (backyards) of lots 303 to 305, 306, 315, 316, 322, 362, 363, 371 to 379, 393, 394, 398 to 402, 412, 414 to 422 adjacent to Stetson Avenue, and

lots 1 to 17, 512, 519, 520, 522, 540, 541, 574, 585, 586 adjacent to Warren Road. The planned noise barriers shall be constructed so that the top of each wall and/or berm combination extends to the planned height above the pad elevation of the lot it is shielding. When the road is elevated above the pad elevation, the barrier shall extend to the planned height above the highest point between the residential home and the road. The barrier shall provide a weight of at least 4 pounds per square foot of face area with no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The noise barriers shall be constructed using any combination of the following materials:

- Masonry block;
- Stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot;
- Glass (¼-inch-thick), or other transparent material with sufficient weight per square foot; or
- Earthen berm.

The barriers shall consist of a solid face from top to bottom. Unnecessary openings or decorative cutouts shall not be made. All gaps (except for weep holes) must be filled with grout or caulking.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from noise.

PPP 3.11-1 All habitable structures shall be designed and constructed in accordance with Part 2 (California Building Code) of Title 24 (Building Standards Administrative Code) of the California Code of Regulations. Pursuant to the State Noise Insulation Standard, all habitable structures must incorporate windows, walls, doors, and floor-ceiling assemblies that block or absorb sound. For limiting noise from exterior noise sources, the noise insulation standards set an interior standard of 45 dBA community noise equivalent level (CNEL) in any habitable room with all doors and windows closed.

PPP 3.11-2 Pursuant to City Municipal Code Article II, Section 30-32 [33], noise-generating construction activities shall only occur between the permitted hours on Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m., with no activity allowed on Sundays.

3.11.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.11.7.1 Noise Levels in Excess of Standards

Threshold:	Would the proposed project expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The Certified EIR concluded short-term impacts could result from construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities for the Approved Project. Long-term impacts could be generated from railroad, airport, and traffic noise.

The 1979 EIR Mitigation Measure 1 requires compliance with the City's hours of construction specified in the Municipal Code to reduce impacts from construction noise to less than significant levels. Based on future noise contours, traffic related noise levels at several property boundaries along Stetson Avenue and New Stetson Avenue would exceed the City's 65 dBA CNEL standards, which creates a partially significant impact. However, with Mitigation Measure MM NOI-1, construction of a permanent noise attenuation barrier would reduce operational impacts from noise to less than significant levels.

Construction Noise. Construction of the proposed Modified Project would generate short-term, generally intermittent noise that would cease once each construction phase is completed. As indicated in Table 3.11.C, the highest construction noise levels will occur when construction activities occur at the edge of the Modified Project site and are expected to range between 48.5 and 76.5 dBA L_{max} at the sensitive receiver locations identified in Figure 3.11.1 and represent worst-case construction noise levels, by stage, during both Phases 1 and 2.

Table 3.11.C: Unmitigated Construction Equipment Noise Level Summary

Receiver Location[1]	Construction Phase Hourly Noise Level (dBA L_{max})				
	Grading	Building Construction	Architectural Coating	Paving	Peak Activity[2]
R1	48.5	35.3	35.3	42.2	48.5
R2	53.9	40.7	40.7	47.6	53.9
R3	53.3	40.1	40.1	47.0	53.3
R4	72.5	59.3	59.3	66.2	72.5
R5	68.2	55.0	55.0	61.9	68.2
R6	76.5	63.3	63.3	70.3	76.5
R7	66.0	52.8	52.8	59.7	66.0
R8	56.2	43.0	43.0	49.9	56.2

Source: Urban Crossroads. Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis. Tables 11-2 through 11-5. City of Hemet. November 18, 2019.

[1] Noise receiver locations are shown on Figure 3.11.1.

[2] Estimated construction noise levels during peak operating conditions.

In accordance with PPP 3.11-2, construction will occur within specified daytime hours. However, the anticipated construction noise levels would exceed the City's General Plan Public Safety Element performance standard for non-transportation noise sources of 75 dBA L_{max} during the daytime hours of 7:00 a.m. to 10:00 p.m. at sensitive noise receiver R6. This would be a **significant impact**, and Mitigation Measures 3.11.10.1 through 3.11.10.5 are required to construct a temporary noise barrier at the construction boundaries near receiver location R6 and attenuate construction noise where Modified Project construction noise levels could potentially exceed the noise level thresholds. It should be noted that Mitigation Measure 3.11.10.1 would be required only if sensitive noise receiver R6 is an occupied structure during construction.

Table 3.11.D details the mitigated construction noise at the sensitive receiver locations identified in Figure 3.11.1 and indicates that with implementation of Mitigation Measures 3.11.10.1 through 3.11.10.5, the proposed Modified Project would not exceed noise level

standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Construction noise impacts from the Modified Project would be less than significant with implementation of mitigation. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant with mitigation] impacts related to construction noise.

Table 3.11.D: Mitigated Construction Equipment Noise Level Summary

Receiver Location [1]	Construction Noise Levels (dBA L_{max})			With Temporary Noise Barriers (dBA L_{max})		
	Peak Activity [2]	Threshold [3]	Threshold Exceeded? [4]	Attenuation	Construction Noise Levels[5]	Threshold Exceeded? [4]
R1	48.5	75	No	—	—	No
R2	53.9	75	No	—	—	No
R3	53.3	75	No	—	—	No
R4	72.5	75	No	—	—	No
R5	68.2	75	No	—	—	No
R6	76.5	75	Yes	-4.9	71.6	No
R7	66.0	75	No	—	—	No
R8	56.2	75	No	—	—	No

Source: Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis*. Table 11-8. City of Hemet. November 18, 2019.

1 Noise receiver locations are shown on Figure 3.11.1.
2 Estimated construction noise levels during peak operating conditions, as shown in Table 3.11.C, above.
3 Construction noise standards as shown on Table 3-1 of Appendix H
4 Do the estimated Project construction noise levels meet the construction noise level thresholds?
5 Peak construction noise levels with the minimum 6-foot high temporary construction noise barrier as shown on Figure 3.11.1. Temporary barrier attenuation calculations are provided in Appendix 11.2 of Appendix H of this SEIR.

Operational Noise. Operation of the proposed Modified Project would generate permanent noise from on-site stationary equipment, as well as off-site and on-site mobile sources (i.e. vehicle travel). Stationary sources of noise anticipated for the Modified Project are roof-top air conditioning units, parking lot vehicle movements, and drive-through speakerphones as a result of the proposed commercial uses in Planning Area XIII.

Reference measurements of stationary sources of noise from an air conditioning unit on the roof of a Santee Walmart, a parking lot at a Laguna Niguel Walmart, and from a drive-through speaker (including vehicle activity noise) at a Panera Bread restaurant in Brea are utilized for this analysis (Table 3.11.E). Figure 3.11.2 portrays the anticipated stationary noise source locations from the proposed Modified Project's commercial uses in Planning Area XIII.

Using the reference noise levels, Table 3.11.F identifies the estimated Modified Project operational stationary-source noise levels at each of the sensitive receiver locations and assume noise attenuation from the continued presence of a barrier wall along the east side of Warren Road, as depicted in Figure 3.11.2.[3]

[3] Sensitive noise receiver R6 is not shown in Table 3.11.F because the distance of R6 in relation to the proposed commercial uses (approximately 3,500 feet) and the residential structures proposed between them are expected to attenuate stationary noise to levels not discernable.



LSA

LEGEND

- Sensitive Receiver Locations
- 6' Barrier Height (in feet)
- Existing Barrier
- Roof-Top Air Conditioning Unit
- Drive-Thru Speakerphone
- Parking Lot Vehicle Movements
- Distance from receiver to center of noise source (in feet)

N

FIGURE 3.11.2

Rancho Diamante Phase II
Subsequent Environmental Impact Report

Commercial Operational Noise Sources

SOURCE: Urban Crossroads

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Table 3.11.E: Reference Noise Level Summary

Noise Source	Duration (hh:mm:ss)	Ref. Dist. (Feet)	Noise Source Height (Feet)	Hourly Activity (Min.)[3]	Noise Level (dBA L_{eq})	
					@ Ref. Distance	@ 50 Feet
Roof-Top Air Conditioning Units[1]	96:00:00	5	25'	39	77.2	57.2
Parking Lot Vehicle Movements[2]	01:00:00	5	5'	60	60.1	45.1
Drive-Through Speakerphone[3]	02:00:00	1'	3'	60	62.0	51.5

Source: Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis*. Table 10-1. City of Hemet. November 18, 2019.

1 As measured by Urban Crossroads, Inc. on 7/27/2015 at the Santee Walmart located at 170 Town Center Parkway.

2 As measured by Urban Crossroads, Inc. on 5/30/2012 at the Laguna Niguel Walmart located at 27470 Alicia Parkway.

3 Duration (minutes within the hour) of noise activity during peak hourly conditions.

Table 3.11.F: Project-Only Operational Noise Levels

Receiver Location[1]	Noise Source[2]	Project Operational Noise Levels (dBA)[3]	
		L_{eq} (Energy Avg.)	L_{max} (Anytime)
R1	Roof-Top Air Conditioning Units	6.1	7.1
	Parking Lot Vehicle Movements	5.7	25.1
	Drive-Through Speakerphone	2.4	6.8
	Combined Noise Level:	**9.8**	**25.2**
R2	Roof-Top Air Conditioning Units	12.4	13.4
	Parking Lot Vehicle Movements	10.4	29.8
	Drive-Through Speakerphone	8.7	13.1
	Combined Noise Level:	**15.5**	**30.0**
R3	Roof-Top Air Conditioning Units	12.3	13.3
	Parking Lot Vehicle Movements	10.3	29.7
	Drive-Through Speakerphone	8.5	12.9
	Combined Noise Level:	**15.4**	**29.9**
R4	Roof-Top Air Conditioning Units	32.5	33.5
	Parking Lot Vehicle Movements	27.3	46.7
	Drive-Through Speakerphone	28.3	32.7
	Combined Noise Level:	**34.8**	**47.1**
R5	Roof-Top Air Conditioning Units	29.5	30.5

Table 3.11.F: Project-Only Operational Noise Levels

Receiver Location[1]	Noise Source[2]	Project Operational Noise Levels (dBA)[3]	
		L_{eq} (Energy Avg.)	L_{max} (Anytime)
	Parking Lot Vehicle Movements	24.1	43.5
	Drive-Through Speakerphone	25.4	29.8
	Combined Noise Level:	**31.7**	**43.9**

Source: Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis.* Table 10-2. City of Hemet. November 18, 2019.
1 See Figure 3.11.1 for the receiver and noise source locations.
2 Reference noise sources as shown on Table 3.11.E, above.
3 Operational noise level calculations are provided in Appendix 10.1 of Appendix H.

When the reference noise levels are combined, Modified Project operational noise levels at the nearby sensitive receiver locations are shown to range from 9.8 to 34.8 dBA L_{eq} and 25.2 to 47.1 dBA L_{max} (Table 3.11.G), which would not exceed the City's daytime 60 dBA L_{eq} and 75 dBA L_{max}, and nighttime 45 dBA L_{eq} and 65 dBA L_{max} exterior noise level standards. Therefore, operational noise from the Modified Project's stationary sources would be **less than significant**. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant] impacts related to operational noise.

Table 3.11.G: Operational Noise Level Compliance

Receiver Location[1]	Noise Level at Receiver Locations (dBA)[2]		Thresholds				Threshold Exceeded?[3]	
			Daytime		Nighttime			
	L_{eq} (E. Avg.)	L_{max} (Anytime)	L_{eq} (E. Avg.)	L_{max} (Anytime)	L_{eq} (E. Avg.)	L_{max} (Anytime)	Daytime	Nighttime
R1	9.8	25.2	60	75	45	65	No	No
R2	15.5	30.0	60	75	45	65	No	No
R3	15.4	29.9	60	75	45	65	No	No
R4	34.8	47.1	60	75	45	65	No	No
R4	31.7	43.9	60	75	45	65	No	No

Source: Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis*. Table 10-3. City of Hemet. November 18, 2019.
1 See Figure 3.11.2 for the receiver and noise source locations.
2 Estimated Project operational noise levels as shown on Table 3.11.F, above.
3 Do the estimated Project operational noise levels meet the operational noise level standards? "E. Avg." = logarithmic (energy) average;
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Off-Site Traffic Noise. To quantify the Modified Project's operational traffic noise impacts on the surrounding areas, the changes in traffic noise levels on 37 roadway segments surrounding the Modified Project were calculated using the FHWA Highway Traffic Noise Prediction Model (1977; FHWA RD-77-108). The analysis incorporates roadway traffic-related noise conditions along roadway segments in the project vicinity based on the changes in the average daily traffic volumes from baseline (existing without Modified Project) conditions, as indicated in previously referenced Table 3.11.A, to existing baseline (with Modified Project) conditions, Year 2024 (with Modified Project Phase 1), Year 2026 (with Modified Project Buildout), and Horizon Year 2040 conditions.

Existing baseline (with Modified Project Phase 1) traffic conditions and associated noise levels are detailed in Table 7-10 in Appendix H. As indicated in Table 7-10, the proposed Modified Project is expected to generate an exterior noise level increase of up to 1.3 dBA CNEL, which is below the significance thresholds identified in Section 3.11.5.3 of this SEIR. Therefore, the Phase 1 Project-related off-site traffic noise level increases would be **less than significant** for Existing with Project Phase 1 conditions. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant] impacts related to Phase 1 off-site traffic noise.

Existing baseline (with Modified Project Buildout) traffic conditions and associated noise levels are detailed in Table 7-11 in Appendix H. As indicated in Table 7-11, the proposed Modified Project is expected to generate an exterior noise level increase of up to 3 dBA CNEL, which is below the significance thresholds identified in Section 3.11.5.3 of this SEIR. Therefore, the project buildout-related off-site traffic noise level increases would be **less than significant** for Existing with Project Buildout conditions. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant] impacts related to project buildout off-site traffic noise.

Year 2024 (with Modified Project Phase 1) traffic conditions and associated noise levels are detailed in Table 7-12 in Appendix H. As indicated in Table 7-12, the proposed Modified Project is expected to generate an exterior noise level increase of up to 1.3 dBA CNEL, which is below the significance thresholds identified in Section 3.11.5.3 of this SEIR. Therefore, the Year 2024 Phase 1 Project-related off-site traffic noise level increases would be **less than significant** for year 2024 conditions. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same (less than significant) impacts related to near-term Phase 1 off-site traffic noise.

Year 2026 (with Modified Project Buildout) traffic conditions and associated noise levels are detailed in Table 7-13 in Appendix H. As indicated in 7-13, the proposed Modified Project is expected to generate an exterior noise level increase of up to 1.7 dBA CNEL, which is below the significance thresholds identified in Section 3.11.5.3 of this SEIR. Therefore, the Year 2026 Project Buildout-related off-site traffic noise level increases would be **less than significant** for year 2026 conditions. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same (less than significant) impacts related to near-term project buildout off-site traffic noise.

Year 2040 (horizon year with Modified Project Buildout) traffic conditions and associated noise levels are detailed in Table 7-14 in Appendix H. As indicated in Table 7-14, the proposed Modified Project is expected to generate an exterior noise level increase of up to 0.5 dBA CNEL, which is below the significance thresholds identified in Section 3.11.5.3 of this SEIR. Therefore, the Year 2040 Horizon Year Project Buildout-related off-site traffic noise level increases would be **less than significant** for year 2040 conditions. No mitigation is required. When compared to the Approved Project that required sound attenuate in the future year scenario, the proposed Modified Project would have reduced (less than significant) impacts related to long-term off-site traffic noise.

On-Site Traffic Noise. It is expected that the primary sources of traffic noise impacts to the Modified Project site will be traffic noise from Stetson Avenue, Warren Road, and Mustang Way. Additional potential on-site noise impacts are expected from the BNSF rail lines currently used for freight north of the Modified Project site. Additionally, an extension of the Metrolink 91 Line in the City of Perris is proposed to extend to the rail lines north of the Modified Project site. Meanwhile, noise from the Modified Project's internal streets is not expected to make a

significant contribution to the noise environment due to the distance, topography, and low traffic volume/speed along the internal roadways.

Using the FHWA Highway Traffic Noise Prediction Model (1977; FHWA RD-77-108) to evaluate roadway traffic-related noise conditions along 37 roadway segments in the project vicinity, the expected future exterior noise levels for the single-family residential lots and commercial uses were calculated. Table 8-1 in Appendix H details the future exterior noise levels in the outdoor living areas (backyards) of lots facing Stetson Avenue, Warren Road, and Mustang Way and indicates that these lots will experience unmitigated exterior noise levels ranging from 59.9 to 68.5 dBA CNEL. The future unmitigated exterior noise levels approaching 68.5 dBA CNEL will satisfy the City's 70 dBA CNEL exterior noise level standard for commercial uses. Additionally, the proposed Modified Project shall incorporate a planned 6-foot-high noise barrier as specified in PDF 3.11-1, which would reduce future exterior noise levels to between 58.0 to 64.8 dBA CNEL in accordance with the City's 65 dBA CNEL exterior noise level standards for residential development (Table 8-1 in Appendix H and Figure 3.11.3). Therefore, no mitigation would be required.

To ensure that the interior noise levels comply with the City's 45 dBA CNEL interior noise standards, future noise levels were calculated at the first and second floor on-site building façades. The interior noise level is the difference between the predicted exterior noise level at the building façade and the noise reduction of the structure. Based on the EPA's Protective Noise Levels,[4] standard construction materials (with a combination of walls, doors, and windows with a Sound Transmission Class [STC]-24 to STC-28) would provide approximately 25 dBA in exterior-to-interior noise reduction with windows closed and 15 dBA with windows open.

Tables 8-2 and 8-3 in Appendix H detail the exterior noise levels at the first and second floor building façades of the residential homes adjacent to Stetson Avenue, Warren Road, and Mustang Way. Based on the interior noise analysis, all lots adjacent to Stetson Avenue, Warren Road, and Mustang Way will require a windows closed condition and a means of mechanical ventilation (e.g., air conditioning).

As indicated in Tables 8-2 and 8-3 (Appendix H), future unmitigated noise levels would range from 58.4 to 64.4 dBA CNEL at the first-floor building façade, and from 59 to 67.9 dBA CNEL at the second-floor building façade. This analysis indicates that the City's 45 dBA CNEL interior noise level standards can be satisfied using standard first floor windows with a minimum STC rating of 27 in accordance with the State Noise Insulation Standard detailed in PPP 3.11-1 (refer to Figure 3.11.3). To ensure implementation of the State Noise Insulation Standard and mitigate against potential noise impacts associated with peak pass-by events, for example, from freight trucks or railroad operations, Mitigation Measure 3.11.10.6 is required. With implementation of PDF 3.11-1 and Mitigation Measure 3.11.10.6, on-site traffic noise impacts to Modified Project commercial and residential uses would be reduced to less than significant levels.

[4] *Protective Noise Levels, Condensed Version of EPA Levels Document*. Page 11. United States Environmental Protection Agency November, 1978.

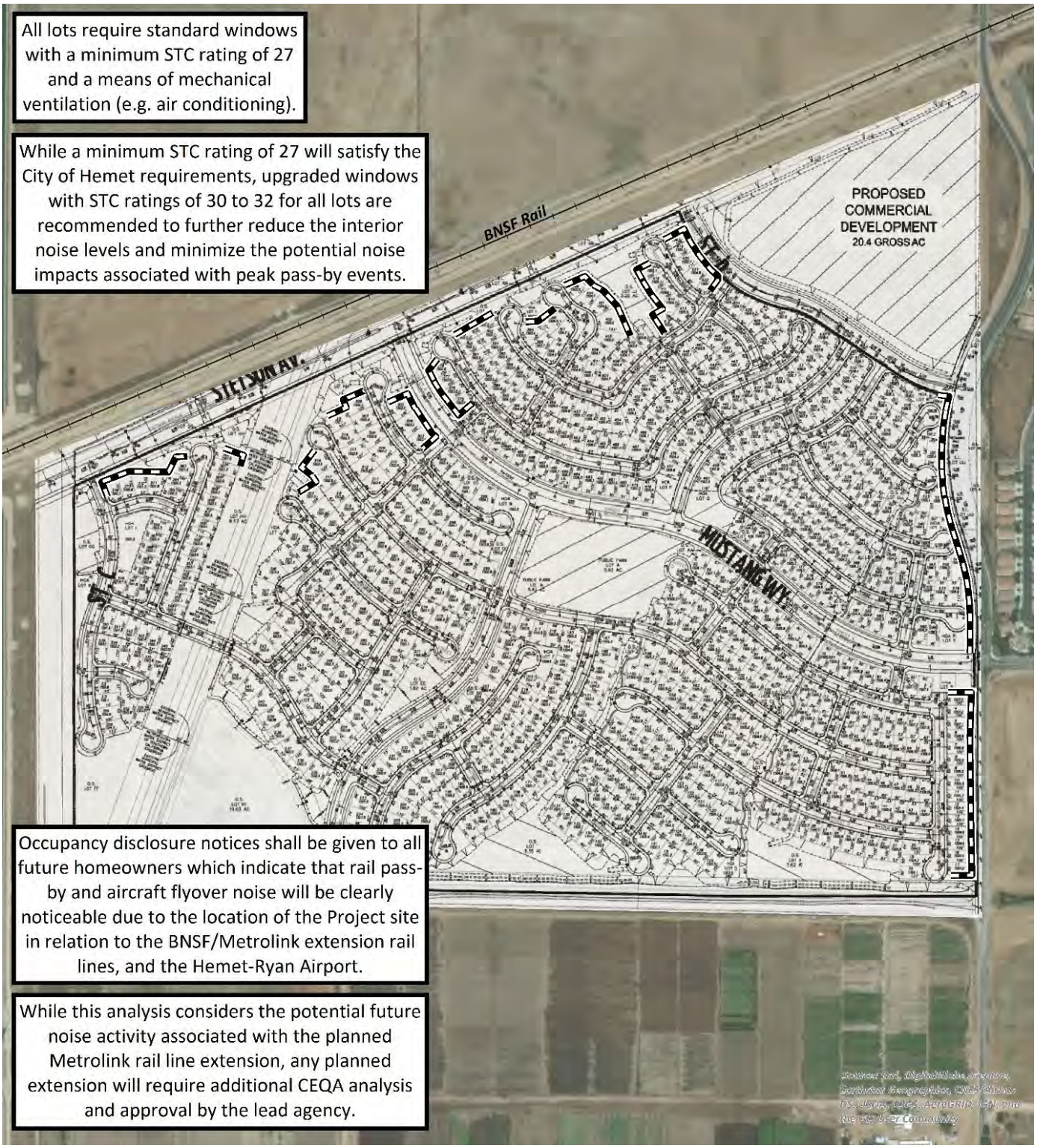

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FIGURE 3.11.3

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6' Planned Barrier Height (in feet) — Planned 6-Foot High Noise Barrier

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Rancho Diamante Phase II
Subsequent Environmental Impact Report

Summary of On-Site Noise Mitigation

SOURCE: Urban Crossroads

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Railroad Noise. Railroad noise at the nearest on-site sensitive noise receivers is calculated using the FTA Model detailed in Section 3.11.4. Table 3.11.H outlines the results of the FTA model for railroad noise and indicates the single-family residential homes closest to the BNSF rail lines will experience unmitigated average daily noise levels approaching 51.7 dBA CNEL due to freight and future Metrolink commuter rail activities.

Table 3.11.H: Exterior On-Site Noise Levels (CNEL)

Lot Number	Railroad	Unmitigated Noise Level (dBA CNEL)	
		Individual	Combined
374	BNSF Diesel Locomotives	51.4	51.7
	Future Metrolink Extension	40.2	

Source: Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis*. Table 8-4. City of Hemet. November 18, 2019.

The average daily railroad noise analysis indicates that no exterior rail noise mitigation is required to satisfy the City's 65 dBA CNEL residential use and 70 dBA CNEL commercial use exterior noise level standards. Additionally, the unmitigated 51.7 dBA CNEL railroad noise is not expected to exceed the City's 45 dBA CNEL residential use interior noise level based on standard construction materials identified by the EPA in the EPA's Protective Noise Levels.[5] Furthermore, any planned extension of Metrolink rail service would require project-specific CEQA analysis and approval by the appropriate lead and responsible agencies.

Although the average daily railroad noise activities are not expected to exceed the City's exterior and interior noise standards for residential and commercial uses, peak rail pass-by events may negatively affect the nearby residential homes. The City's General Plan EIR indicates that the noise sources associated with the BNSF rail line pass-by events include warning horns/wayside horns, at-grade crossing bells, and locomotive engine and rail car noise. Accordingly, occupancy disclosure notices shall be required for all future homeowners to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise (refer to Figure 3.11.3). The occupancy disclosures shall indicate there could be a clearly noticeable rail pass-by and aircraft flyover noise due to the location of the Modified Project site in relation to the BNSF/Metrolink extension rail lines and the Hemet-Ryan Airport, as specified in Mitigation Measure 3.11.10.7. With implementation of PDF 3.11-1, which requires the installation of 6-foot-high noise barriers, and Mitigation Measures 3.11.10.6 and 3.11.10.7, railroad noise impacts to on-site Modified Project commercial and residential uses would be reduced to less than significant levels.**Impact Conclusion.** With implementation of Mitigation Measures 3.11.10.1 through 3.11.10.5, construction of the proposed Modified Project would not exceed noise level standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Operational noise from Modified Project stationary sources would be less than significant, and no mitigation is required. Additionally, operational noise from Modified Project vehicle traffic would be less than significant to off-site sensitive noise receivers, and no mitigation is required. To ensure implementation of the State Noise Insulation Standard and mitigate against potential on-site noise impacts associated with peak pass-by events, for example, from freight trucks or railroad operations, Mitigation Measure 3.11.10.6 is required. With implementation of PDF 3.11-1 and Mitigation Measure 3.11.10.6, on-site traffic noise impacts to Modified Project commercial and residential uses would be

[5] *Protective Noise Levels, Condensed Version of EPA Levels Document*. Page 11. United States Environmental Protection Agency November, 1978.

reduced to less than significant levels (refer to Figure 3.11.3). Finally, occupancy disclosure notices shall be required for all future homeowners in accordance with Mitigation Measure 3.11.10.7 to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. With implementation of PDF 3.11-1 and Mitigation Measures 3.11.10.1 through 3.11.10.7, noise levels from construction and operation of the proposed Modified Project would not exceed standards established in the local general plan or noise ordinance, or applicable standards of other agencies. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from construction and operational noise.

3.11.7.2 Excessive Groundborne Vibration

Threshold:	Would the proposed project expose persons to or generate excessive groundborne vibration or groundborne noise levels?

The Certified EIR concluded groundborne vibration would be influenced by construction activities in the short term, and by railroad, airport and traffic noise in the long term. Neither construction nor operational activities are expected to exceed the 0.3 PPV significance level for potential structural damage. Impacts from vibration were found to be less than significant. No mitigation is required.

Typical sources of groundborne vibration are construction activities (e.g., pavement breaking and operating heavy-duty earthmoving equipment) and occasional trucks hauling building materials on rough roads. With the exception of old buildings built prior to the 1950s, potential structural damage from heavy construction activities rarely occurs. Additionally, when roadways are smooth, vibration from traffic (even heavy trucks) is rarely perceptible. The City General Plan and Municipal Code do not identify specific vibration level standards. Therefore, the City General Plan EIR vibration standard of 80 VdB for human annoyance and 0.2 in/sec PPV for building damage would be applicable.

Table 11-9 in Appendix H presents the expected Modified Project related vibration levels compared to the human annoyance threshold at each of the sensitive receiver locations identified in Figure 3.11.1 using the construction vibration assessment methodology published by the FTA.[6] Table 11-9 (refer to Appendix H) indicates construction vibration velocity levels are expected to approach a maximum of 66.0 VdB at a distance of 125 feet from the Modified Project site. Based on the City of Hemet General Plan EIR vibration threshold of 80 VdB, the proposed Modified Project construction activities will not include or require equipment, facilities, or activities that would exceed the human annoyance vibration threshold.

Table 11-10 in Appendix H presents the expected Modified Project-related vibration levels compared to the building damage threshold at each of the sensitive receiver locations identified in Figure 3.11.1 using the construction vibration assessment methodology published by the FTA. Table 11-9 (refer to Appendix H) indicates construction vibration velocity levels are expected to approach a maximum of 0.01 in/sec PPV at a distance of 125 feet from the Modified Project site. Based on the City of Hemet General Plan EIR vibration threshold of 0.2 in/sec PPV, the proposed Modified Project construction activities will not include or require equipment, facilities, or activities that would exceed the human annoyance vibration threshold.

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6 *Transit Noise and Vibration Impact Assessment*. Federal Transit Administration. May 2006.

Construction-related vibration impacts are considered **less than significant.** No mitigation is required.

The FTA *Transit Noise and Vibration Impact Assessment* contains reference vibration levels for rapid transit and light rail systems, which can generate 85 VdB at a distance of 50 feet. The 85 VdB reference vibration level at 50 feet results in a PPV vibration level of roughly 0.018 in/sec at 50 feet from the source. The distance to the closest residential lot from the BNSF rail line is approximately 279 feet. Based on FTA guidance,[7] reference vibration level at the nearest residential lot would range from 60 VdB for rapid transit or light rail to 72 VdB for locomotive powered passenger or freight rail. Therefore, vibration from railroad activities would not exceed the City of Hemet General Plan EIR vibration level threshold of 80 Vdb, and the proposed Modified Project would not expose persons to or generate excessive groundborne vibration or groundborne noise levels during operation. Impacts would be **less than significant**, and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from construction and operational vibration.

3.11.7.3 Permanent Increase in Ambient Noise Levels

Threshold:	Would the proposed project generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

The Certified EIR determined the Approved Project would occur within the 60 to 65 dBA CNEL contours of the Hemet-Ryan Airport (Figure 3.11.4), which is below the 65 dBA CNEL threshold of significance. Train operations in proximity to the Approved Project are so limited than a substantial permanent increase in ambient noise would not occur. The 1979 EIR Mitigation Measure 4 would require consideration of noise mitigation measures if train operations increase enough to create a significant adverse noise impact. The 1979 EIR determined traffic generated through implementation of the Approved Project would result in a significant increase in ambient noise due to the relatively undeveloped condition of the *Southwest Area*. The 1979 EIR Mitigation Measure 5 would require a detailed acoustical analysis for residential development located within the 60 dBA noise contour from highway noise sources. The 1979 EIR Mitigation Measure 6 would require highway noise mitigation measures such as acoustical site planning and/or the design of earthen berms or berm/wall combinations in order to reduce noise to acceptable levels (exterior- 55 dBA or less) for residential development within the *Southwest Area*. The 1979 EIR Mitigation Measure 7 would limit heavy truck traffic to the Warren Road and Stetson-Warren/Airport Road roadway segments. Nevertheless, the 1979 EIR determined traffic generated by the Approved Project would create a significant and unavoidable impact to ambient noise levels in the *Southwest Area.*

The 2008 Draft EIR concluded the Approved Project would not contribute to a substantial increase in ambient noise based on the baseline conditions as of 2008, which included substantial buildout of the *Southwest Area* since the time of the 1979 EIR. In 2008, the majority of traffic noise increases would be less than the barely perceptible increase of 3 dBA. The maximum change in noise levels would occur along Poplar Street with a 4.6 dBA increase.

[7] *Ibid.* Table 10-1.

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Source: County of Riverside Hemet-Ryan Airport Master Plan Environmental Impact Report, Figure 4.6.2.

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FIGURE 3.11.4

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Unmitigated 60 dBA CNEL Noise Level Contour Boundary

Unmitigated 65 dBA CNEL Noise Level Contour Boundary

Project Site Boundaries

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Rancho Diamante Phase II
Subsequent Environmental Impact Report

Hemet-Ryan Airport Noise Level Contour Boundaries

SOURCE: Urban Crossroads

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However, this increase in ambient noise levels would be less than significant since the ambient noise conditions in this area would remain below 60 dBA CNEL upon buildout of the Approved Project. No mitigation is required. Operation of the proposed Modified Project would generate a permanent noise increase from on-site stationary equipment, as well as off-site and on-site mobile sources (i.e., vehicle travel).**Stationary Noise.** To describe the Modified Project operational noise level contributions from stationary sources, the Modified Project operational noise levels identified in Table 3.11.G are combined with the existing ambient noise level measurements identified in Table 3.11.B for the nearby sensitive receiver locations depicted in Figure 3.11.1 potentially impacted by Modified Project operational noise sources. Noise levels that would be experienced at sensitive receiver locations when Modified Project-source noise is added to the ambient conditions are presented in Table 3.11.I for the daytime and nighttime hours.

As indicated in Table 3.11.I, the Modified Project will not generate a daytime or nighttime operational noise level increase from stationary sources in excess of the criteria established by FICON at any of the nearby sensitive receiver locations. Therefore, permanent increases in ambient noise levels from Modified Project operational stationary sources would be **less than significant**. No mitigation is required.

Table 3.11.I: Project Noise Level Contributions during Daytime and Nighttime

Receiver Location[1]	Total Project Operational Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Contribution[6]	Threshold Exceeded?[7]
Project Daytime Noise Level Contributions						
R1	9.8	L1	58.5	58.5	0.0	No
R2	15.5	L2	60.6	60.6	0.0	No
R3	15.4	L2	60.6	60.6	0.0	No
R4	34.8	L3	59.3	59.3	0.0	No
R5	31.7	L3	59.3	59.3	0.0	No
Project Nighttime Noise Level Contributions						
R1	9.8	L1	53.4	53.4	0.0	No
R2	15.5	L2	56.8	56.8	0.0	No
R3	15.4	L2	56.8	56.8	0.0	No
R4	34.8	L3	57.0	57.0	0.0	No
R5	31.7	L3	57.0	57.0	0.0	No

Source: Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Noise Impact Analysis*. Tables 10-4 and 10-5. City of Hemet. November 18, 2019.

1 See Figure 3.11.1 for the sensitive receiver locations.
2 Total Project operational noise levels as shown in Table 3.11.G, above.
3 Ambient noise level measurement locations as shown on Exhibit 5-A as measured by Urban Crossroads, Inc.
4 Observed nighttime ambient noise levels as shown in Table 3.11.B.
5 Represents the combined ambient conditions plus the Project activities.
6 The noise level increase expected with the addition of the proposed Project activities.
7 FICON criteria described in Section 4 of Appendix H.

Off-Site Traffic Noise. As detailed in Section 3.11.7.1, the additional roadway traffic anticipated from Phase 1 and from buildout (Phase 1 and Phase 2) of the proposed Modified Project would generate an increase of between 0.5 dBA CNEL and 3 dBA CNEL along the 37 study area roadway segments. This increase in ambient noise is too low to be substantially

discernable to adjacent off-site land uses. Therefore, permanent increases in off-site ambient noise levels from Modified Project vehicle traffic sources would be less than significant. No mitigation is required.

On-Site Traffic Noise. As detailed in Section 3.11.7.1, the proposed Modified Project will incorporate a planned 6-foot-high noise barrier as specified in PDF 3.11-1, which will reduce future exterior noise levels to between 58.0 to 64.8 dBA CNEL in accordance with the City's 65 dBA CNEL exterior noise level standards for residential development. Future unmitigated noise levels would range from 58.4 to 64.4 dBA CNEL at the first-floor building façade, and from 59 to 67.9 dBA CNEL at the second-floor building façade. This analysis indicates that the City's 45 dBA CNEL interior noise level standards can be satisfied using standard first floor windows with a minimum STC rating of 27 in accordance with the State Noise Insulation Standard detailed in PPP 3.11-1. To ensure implementation of the State Noise Insulation Standard and mitigate against potential noise impacts associated with peak pass-by events, for example, from freight trucks or railroad operations, Mitigation Measure 3.11.10.6 is required. With implementation of PDF 3.11-1 and Mitigation Measure 3.11.10.6, on-site traffic noise impacts to Modified Project commercial and residential uses would be reduced to less than significant levels.

Railroad Noise. The average daily railroad noise analysis indicates that no exterior rail noise mitigation is required to satisfy the City's 65 dBA CNEL residential use and 70 dBA CNEL commercial use exterior noise level standards. Additionally, the unmitigated 51.7 dBA CNEL railroad noise is not expected to exceed the City's 45 dBA CNEL residential use interior noise level based on standard construction materials identified by the EPA in the EPA's Protective Noise Levels.[8] Occupancy disclosure notices will be required for all future homeowners to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. The occupancy disclosures will indicate there could be a clearly noticeable rail pass-by and aircraft flyover noise due to the location of the Modified Project site in relation to the BNSF/Metrolink extension rail lines and the Hemet-Ryan Airport, as specified in Mitigation Measure 3.11.10.7 (refer to Figure 3.11.3). With implementation of PDF 3.11-1 and Mitigation Measures 3.11.10.6 and 3.11.10.7, railroad noise impacts to on-site Modified Project commercial and residential uses would be reduced to less than significant levels.

Impact Conclusion. As indicated in Table 3.11.I, the Modified Project will not generate a daytime or nighttime operational noise level increase from stationary sources in excess of the criteria established by FICON at any of the nearby sensitive receiver locations. The analysis in Section 3.11.7.1 indicates that the additional roadway traffic anticipated from Phase 1 and from buildout (Phase 1 and Phase 2) of the proposed Modified Project would generate an increase of between 0.5 dBA CNEL and 3 dBA CNEL along the 37 study area roadway segments. This increase in ambient noise is too low to be substantially discernable to adjacent off-site land uses. Therefore, permanent increases in off-site ambient noise levels from Modified Project vehicle traffic sources would be **less than significant**. To ensure implementation of the State Noise Insulation Standard and mitigate against potential noise impacts associated with peak pass-by events, for example, from freight trucks or railroad operations, PDF 3.11-1 and Mitigation Measure 3.11.10.6 will reduce on-site traffic noise impacts to Modified Project commercial and residential uses to less than significant levels (refer to Figure 3.11.3). Finally, occupancy disclosure notices as specified in Mitigation Measure 3.11.10.7 shall be required for all future homeowners to ensure that residents of the

[8] *Protective Noise Levels, Condensed Version of EPA Levels Document*. Page 11. United States Environmental Protection Agency November, 1978.

Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. With implementation of PDF 3.11-1 and Mitigation Measures 3.11.10.6 and 3.11.10.7, railroad noise impacts to on-site Modified Project commercial and residential uses would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., **less than significant with mitigation**) impacts from permanent increases in ambient noise levels.

3.11.7.4 Temporary Increase in Ambient Noise Levels

Threshold:	Would the proposed project generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

The Certified EIR determined there are several nearby sensitive residential land uses adjacent to the east of the Approved Project site. Additionally, if the project is built in phases, new residents could be exposed to construction noise levels while subsequent phases are being completed. The 1979 EIR Mitigation Measure 2 would place limits on off-site agricultural activities and require noise attenuation equipment on agricultural machinery. Mitigation Measures MM NOI-4a and MM NOI-4b would require development of a construction mitigation plan and execution of construction activities within specified hours in accordance with the City Municipal Code to reduce construction noise to the maximum extent feasible, which would render construction noise less than significant.

Construction of the proposed Modified Project would generate short-term, generally intermittent noise that would cease once each construction phase is completed. As indicated in previously referenced Table 3.11.C, the highest construction noise levels will occur when construction activities occur at the edge of the Modified Project site and are expected to range between 48.5 and 76.5 dBA L_{max} at the sensitive receiver locations identified in Figure 3.11.1 and represent worst-case construction noise levels, by stage, during both Phases 1 and 2.

The Modified Project construction noise identified in Table 3.11.C represents a short-term increase in ambient noise levels in the vicinity of the Modified Project site. Based on the five phases of Modified Project construction, construction activities are expected to create temporary and intermittent high-level noise at receivers surrounding the Modified Project site when certain activities occur near the property line, and mitigation is required.

In accordance with PPP 3.11-2, construction will occur within specified daytime hours. Mitigation Measures 3.11.10.1 through 3.11.10.5 will ensure a temporary noise barrier is erected at the construction boundaries near receiver location R6 and will attenuate construction noise where Modified Project construction noise levels could potentially exceed the City's 75 dBA L_{max} during the daytime hours of 7:00 a.m. to 10:00 p.m. performance standard for non-transportation noise sources. It should be noted that Mitigation Measure 3.11.10.1 would be required only if sensitive noise receiver R6 is an occupied structure during construction.

Previously referenced Table 3.11.D details the mitigated construction noise at the sensitive receiver locations identified in Figure 3.11.1 and indicates that temporary increases in ambient noise levels from Modified Project construction would be less than significant with implementation of Mitigation Measures 3.11.10.1 through 3.11.10.5. It should also be noted that the Modified Project has no jurisdiction over the nature and frequency of agricultural uses that may occur in the vicinity. As indicated in previously referenced Table 3.11.B, ambient noise levels for the nearby sensitive receiver locations depicted in Figure 3.11.1 incorporate

the adjacent agricultural land uses in the noise measurements. Therefore, when compared to the Approved Project, for which mitigation was prescribed to attenuate construction noise as well as noise from adjacent agricultural uses, the proposed Modified Project would have similar (i.e., **less than significant with mitigation**) impacts from any temporary increases in ambient noise with implementation of PPP 3.11-2 and Mitigation Measures 3.11.10.1 through 3.11.10.5.

Finally, occupancy disclosure notices will be required for all future homeowners to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise (refer to Figure 3.11.3). The occupancy disclosures will indicate there could be a clearly noticeable rail pass-by and aircraft flyover noise due to the location of the Modified Project site in relation to the BNSF/Metrolink extension rail lines, and the Hemet-Ryan Airport, as specified in Mitigation Measure 3.11.10.7. With implementation of PDF 3.11-1 and Mitigation Measures 3.11.10.6 and 3.11.10.7, railroad noise impacts to on-site Modified Project commercial and residential uses would be reduced to less than significant levels.

When compared to the Approved Project, the proposed Modified Project would have similar (i.e., **less than significant with mitigation**) impacts from temporary increases in ambient noise levels.

3.11.7.5 Public Airport Noise Levels

Threshold:	For a project located within an airport land use plan or, where such a plan has not been adopted, within two 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?

The Certified EIR determined the northwestern corner of TTM 35393 would fall within the 65-dBA and 60-dBA CNEL contours of the Hemet-Ryan Airport while the remainder of the Approved Project would not occur within the 65-dBA CNEL contours (Figure 3.11.4). The 1979 EIR Mitigation Measure 3 would require disclosure to residents within the 55 L_{dn} contour that there would be potential for occasional firebombing aircraft related noise events. Since airport noise levels not expected to exceed 65 dBA CNEL within the Approved Project boundaries, impacts from airport noise would be less than significant.

The Modified Project site located approximately 0.5 mile southwest of the Hemet-Ryan Airport. Future 2031 Airport Noise Contours published in the *Hemet-Ryan Airport Master Plan Environmental Impact Report* are provided in Figure 3.11.4. The Modified Project site is located outside of the Hemet-Ryan Airport 60 dBA CNEL noise level contour boundary. According to Policy 4.1.4 of the Riverside County ALUCP new residential land uses outside the 60 dBA CNEL contour are normally acceptable. Additionally, Policy 4.1.6 of the Riverside County ALUCP identifies an interior noise level limit of 45 dBA CNEL with windows closed for residential homes affected by aircraft-related noise. Based on Policy 4.1.4 and Table 2B of the Riverside County ALUCP, the Project is considered normally acceptable, and slight interference with outdoor activities may occur, but conventional construction methods will eliminate most noise intrusions upon indoor activities.

Based on the EPA's Protective Noise Levels,[9] standard construction materials (with a combination of walls, doors, and windows with a Sound Transmission Class [STC]-24 to STC-28) would provide approximately 25 dBA in exterior-to-interior noise reduction with windows closed and 15 dBA with windows open. To ensure implementation of the State Noise Insulation Standard and mitigate against potential noise impacts associated with peak pass-by events, for example, from airport operations, Mitigation Measure 3.11.10.6 is required (refer to Figure 3.11.3). Additionally, occupancy disclosure notices will be required for all future homeowners to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. The occupancy disclosures will indicate there could be a clearly noticeable rail pass-by and aircraft flyover noise due to the location of the Modified Project site in relation to the BNSF/Metrolink extension rail lines and the Hemet-Ryan Airport, as specified in Mitigation Measure 3.11.10.7. With implementation of PDF 3.11-1 and Mitigation Measures 3.11.10.6 and 3.11.10.7, airport noise impacts to on-site Modified Project commercial and residential uses would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., **less than significant with mitigation**) impacts from airport noise levels.

3.11.7.6 Private Airport Noise Levels

Threshold:	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The Certified EIR concluded the Approved Project is not within the vicinity of a private airstrip. No mitigation is required.

The proposed Modified Project is located approximately 4,500 feet (0.85 mile) north of the Hemet Model Masters-Simpson Field, a recreational airstrip for flying radio-controlled fixed wing and multi-rotor drone aircraft. Due to the substantial distance and scale of model aeronautics occurring at this facility, implementation of the proposed Modified project is not expected to expose people residing or working in the project area to excessive noise levels, particularly in comparison to the distance of the project site to Hemet-Ryan Airport. No impact would occur, and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar [no] impacts from private airstrip noise levels.

3.11.8 Cumulative Impacts

3.11.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The Certified EIR concluded although construction activities of the various development projects would cause temporary impacts on the ambient noise environment, which is relatively quiet, construction impacts would not contribute to any cumulative noise impacts. The major cumulative noise impacts in the area would result from increased traffic volumes affecting existing surrounding dwelling units and increasing noise levels beyond local standards. Stetson Avenue between Warren Road and Sanderson Avenue, and Warren Road between Simpson Road and Stetson Avenue are predicted to have future noise levels with the proposed project in excess of the City's 65 dBA CNEL standard, but the Approved Project is not expected to contribute a cumulative noise increase to these roadways above the barely

[9] *Protective Noise Levels, Condensed Version of EPA Levels Document*. Page 11. United States Environmental Protection Agency November, 1978.

discernable level of 3 dBA. Project-specific mitigation requiring noise attenuating walls and the relatively large setbacks from impacted roadways along the proposed project boundaries is expected to maintain the City's 65 dBA standard within the yards of residential properties. Therefore, the Approved Project would not make a significant contribution to cumulatively considerable noise impacts. No additional mitigation is required.

Noise by definition is a localized phenomenon that drastically reduces in magnitude as the distance from the noise source increases. Therefore, the cumulative "universe" for noise effects is the immediate vicinity of the Modified Project site where there are sensitive land uses that could be affected by noise from construction and operation. Consequently, only planned projects in the immediate vicinity of the proposed Modified Project are likely to contribute to cumulative noise effects. Based on the analysis presented in Section 3.11.7, all construction and operational noise effects could be reduced to less than significant levels with the implementation of PDFs, PPPs, and Mitigation Measures. Additionally, the analysis in Section 3.11.7.1 indicates the additional roadway traffic anticipated from Phase 1 and from buildout (Phase 1 and Phase 2) of the proposed Modified Project would generate an increase of between 0.5 dBA CNEL and 3 dba CNEL along the 37 study area roadway segments. This increase in ambient noise would be barely discernable to adjacent off-site land uses from existing baseline conditions. Therefore, the proposed Modified Project would not contribute to a cumulative considerable increase in noise when considered in the context of reasonably foreseeable current and future projects. No additional mitigation is required.

3.11.9 Level of Significance Before Mitigation

Development of both the Approved Project and the proposed Modified Project could expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, although neither project would have the potential to generate excessive vibration levels that could significantly affect persons or structures. Construction and operation of both the Approved Project and the proposed Modified Project would increase construction activity and vehicle trips in the Project vicinity, which would increase ambient noise levels. Additionally, proximity to the Hemet-Ryan Airport for both the Approved Project and the proposed Modified Project could expose persons in the area to excessive noise levels.

3.11.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.11.10.1 Mitigation for the Proposed Modified Project

The following mitigation is required to reduce impacts from noise generated through construction and operation of the proposed Modified Project.

MM 3.11.10.1 Prior to approval of grading plans and/or issuance of building permits, construction plans shall include a note indicating that noise-generating Modified Project construction activities shall only occur between the permitted hours on Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m. with no activity allowed on Sundays. The Modified Project construction supervisor shall ensure compliance with the note, and the City shall conduct periodic inspection at its discretion. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.2 If receiver location R6 is an inhabited noise-sensitive residential home at the time of Modified Project construction, the installation of a temporary noise control barrier, as shown in Figure 3.11.1, at the Modified Project site boundaries when construction activities occur within 140 feet is required. The noise control barrier must present a solid face from top to bottom and be a minimum height of 6 feet.

- The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, *Noise Barrier Design Handbook*). The noise barrier may be constructed using an acoustical blanket (e.g., vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts.
- The noise barriers must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.
- The noise control barriers and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.

This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.3 During all Modified Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Modified Project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.4 During all Modified Project site construction, the construction contractor shall locate equipment staging in areas that will create the greatest distance (i.e., at the center) between construction-related noise sources and noise-sensitive receivers nearest the Modified Project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.5 The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m. with no activity allowed on Sundays). The Project Applicant shall prepare a haul route exhibit to design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.6 Prior to issuance of Occupancy Permits, the Project Applicant shall provide evidence to the City that the following noise attenuation features have been incorporated into the construction of the on-site residential structures:

- Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped, and shall have a minimum Sound Transmission Classification (STC) rating of 27. Although a minimum STC rating of 27 will satisfy the City of Hemet requirements, upgraded windows with STC

ratings of 30 to 32 for all lots are recommended to further reduce the interior noise levels and to minimize the potential noise impacts associated with peak pass-by events.

- Doors: All exterior doors shall be well weather-stripped and have minimum STC ratings of 25. Well-sealed perimeter gaps around the doors are essential to achieve the optimal STC rating.
- Walls: At any penetrations of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal.
- Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or well sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.
- Attic: Attic vents should be oriented away from Stetson Avenue and Warren Road. If such an orientation cannot be avoided, then an acoustical baffle shall be placed in the attic space behind the vents. Insulation with at least a rating of R-19 shall be used in the attic space.
- Ventilation: When any habitable room is in use, arrangements shall be such that circulated air is received when any exterior door(s) or window(s) are closed. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code.

Upon implementation of the noise attenuation features and prior to issuance of Occupancy Permits, the Project Applicant shall prepare an acoustical study to verify the interior noise levels from aircraft noise will comply with the Countywide criterion of 45 dBA Community Noise Equivalent Level (CNEL) or such more restrictive criterion as the City of Hemet may choose to require. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.7 Prior to the issuance of occupancy permits, the Project Applicant shall provide the City of Hemet a copy of a *Railroad and Airport Proximity Disclosure* that will be presented to prospective buyers of real estate within the Modified Project site. The *Railroad and Airport Proximity Disclosure* shall convey information to prospective buyers about railroad- and airport-associated annoyances or inconveniences such as noise and/or vibration.

The *Airport Proximity Disclosure* shall:

1. Contain the following language dictated by State law in conjunction with real estate transfer:

   "NOTICE OF RAILROAD AND AIRPORT IN VICINITY: This property is presently located in the vicinity of a railroad and airport, and within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to railroad and airport operations (for example: noise and/or vibration). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what railroad and airport

annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you."

2. Include signs declaring the *NOTICE OF RAILROAD AND AIRPORT IN VICINITY* and a map of the Airport Influence Area to be prominently posted in the real estate sales office and/or other key locations at the project site.

This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

3.11.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and <u>underlined text</u> is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure.

Every noise mitigation measure presented in the 1979 EIR and in the 2008 Draft EIR for the Approved Project is discussed below. This SEIR concludes the intent of Mitigation Measures 1 through 7 of the 1979 EIR and Mitigation Measures MM NOI-1, MM NOI-4a, and MM NOI-4 b of the 2008 Draft EIR is applicable to the proposed Modified Project, but the Certified EIR mitigation measures are redundant with PDFs 3.11-1, PPPs 3.11-1 and 3.11-2, and proposed Mitigation Measures 3.11.10.1 through 3.11.10.7. Therefore, all of the Certified EIR Mitigation Measures are replaced with PDFs 3.11-1, PPPs 3.11-1 and 3.11-2, and proposed Mitigation Measures 3.11.10.1 through 3.11.10.7, which are designed in accordance with current regulatory standards and reflect site-specific conditions in relation to noise sensitive receptors proximal to the Modified Project site.

The 1979 EIR Mitigation Measure 1 is replaced with PPP 3.11-2 and Mitigation Measure 3.11.10.1, which require compliance with the City Construction Ordnance but in accordance with current regulatory standards.

~~**1979 EIR Mitigation Measure 1:** Grading and construction activities should not be permitted between the hours of 7 PM and 7 AM, and on Saturday, Sunday, and legal holidays.~~

The Modified Project has no jurisdiction over the nature and frequency of agricultural uses that may occur in the vicinity. Additionally, ambient noise levels incorporate the adjacent agricultural land uses in the noise measurements (Table 3.11.B). The intent of 1979 EIR Mitigation Measure 2 is incorporated in PPP 3.11-2 and Mitigation Measures 3.11.10.1 through 3.11.10.5 and therefore removed from this SEIR.

~~**1979 EIR Mitigation Measure 2:** Agricultural property owners within or adjacent to the Southwest Area should limit agricultural operations as much as possible during late evening and early morning hours. Farming equipment which must be operated during the noise sensitive hours should be equipped with adequate and well maintained exhaust mufflers.~~

The 1979 EIR Mitigation Measure 3 is replaced with Mitigation Measure 3.11.10.7, also which requires real estate disclosures but in accordance with current regulatory standards.

~~**1979 EIR Mitigation Measure 3:** Future residents of the Southwest Area who will be purchasing homes in the area near the 55 L_{dn} contour~~

~~should be informed through the Real Estate "white paper", as notice concerning occasional fire bombing aircraft related noise events.~~

The analysis in Sections 3.11.7.1, 3.11.7.3, and 3.11.7.4 demonstrate noise impacts from existing railroad operations and anticipated Metrolink operations would be reduced to less than significant levels with implementation of PDF 3.11-1 and Mitigation Measures 3.11.10.6 and 3.11.10.7. Furthermore, any planned extension of Metrolink rail service would require project-specific CEQA analysis and approval by the appropriate lead and responsible agencies. Therefore, 1979 EIR Mitigation Measure 4 is removed from this SEIR.

~~**1979 EIR Mitigation Measure 4:** If train operations increase enough to create a significant adverse noise impact, noise mitigation measures should be considered. Land uses such as residences and school would not be suitable for development at locations immediately adjacent to the rail road right-of-way. Residences which would be located in the general vicinity of the railroad should be screened from railroad noise sources by solid sound barriers such as earthen berms or earthen berm/walls. Project design should stress the orientation of structures away from the railroad including windows and other openings.~~

The Modified Project- and site-specific *Noise Impact Analysis* (Appendix H) and analysis in Sections 3.11.7.1, and 3.11.7.3 demonstrate the indoor environment will maintain a 45 dBA with implementation of PPP 3.11-1 and Mitigation Measure 3.11.10.6. Therefore, 1979 EIR Mitigation Measure 5 is removed from this SEIR.

~~**1979 EIR Mitigation Measure 5:** A detailed acoustical analysis will be required for residential development located within the 60 dBA noise contour from highway noise sources. The analysis is required in order to prove that the indoor environment will be reduced to a level of 45 dBA or less.~~

PDF 3.11-1 proposes noise barriers specifically positioned to attenuate noise found to be excessive on the Modified Project site and therefore replaces 1979 EIR Mitigation Measure 6 in this SEIR.

~~**1979 EIR Mitigation Measure 6:** Highway noise mitigation measures such as acoustical site planning and/or the design of earthen berms or berm/wall combinations will be necessary in order to reduce noise to acceptable levels (exterior 55 dBA or less) for residential development within the Southwest Area.~~

1979 EIR Mitigation Measure 7 is replaced with Mitigation Measure 3.11.10.5, which is designed specifically for the proposed Modified Project in accordance with current regulatory standards.

~~**1979 EIR Mitigation Measure 7:** Heavy trucks (3 axles or more) are a major source of highway noise. Therefore, limit heavy truck traffic to the following roadway segments (within or adjacent to the Southwest Area):~~

~~- Warren~~

~~- Stetson-Warren/Airport Road~~

~~The mitigation of highway noise outside the Southwest Area may only be practical or economically viable for new rather than existing noise sensitive land uses.~~

The 2008 Draft EIR's Mitigation Measure MM NOI-1 is replaced with PDF 3.11-1, which proposes noise barriers specifically positioned to attenuate noise found to be excessive on the Modified Project site.

~~2008 Mitigation Measure MM NOI-1:~~ ~~The project applicant shall construct a noise barrier, likely in the form of a sound attenuation wall, per recommendations made in the Final Noise Study prepared by Urban Crossroads. The wall will be a minimum height and design to attenuate noise levels below City of Hemet standards and should be constructed in the vicinity of the residential receptors where City of Hemet noise level standards may be exceeded.~~

The intent of 2008 Draft EIR's Mitigation Measure MM NOI-4a is incorporated into PPP 3.11-2 and Mitigation Measures 3.11.10.1 through 3.11.10.5, which propose various construction noise attenuating measures tailored specifically to the Modified Project site and its proximity to sensitive noise receivers. Therefore, Draft EIR Mitigation Measure MM NOI-4a is replaced with PPP 3.11-2 and Mitigation Measures 3.11.10.1 through 3.11.10.5.

~~2008 Mitigation Measure MM NOI-4a:~~ ~~At the time of grading permit application is submitted, the project applicant shall submit a construction noise mitigation plan to the City of Hemet for review and approval. The plan shall depict the location of construction equipment and describe how noise would be mitigated through methods such as, but not limited to, locating stationary noise-generating equipment, as far as possible from nearby noise-sensitive receptors. Where practicable, noise-generating equipment will be shielded from nearby noise-sensitive receptors by noise-attenuating buffers such as structures or haul tracks trailers. Onsite noise sources such as heavy equipment located less than 200 feet from noise-sensitive receptors will be equipped with noise-reducing engine housings. Portable acoustic barriers able to attenuate at least 6-dB will be placed around noise-generating equipment located within 200 feet of residences. Water tanks and equipment storage, staging, and warm-up areas will be located as far from noise-sensitive receptors as possible. The noise attenuation measures identified in the plan shall be incorporated into the project.~~

The intent of 2008 Draft EIR's Mitigation Measure MM NOI-4b is incorporated into PPP 3.11-2 and Mitigation Measures 3.11.10.1 through 3.11.10.5, which propose various construction noise attenuating measures tailored specifically to the Modified Project site and its proximity to sensitive noise receivers. Therefore, Draft EIR Mitigation Measure MM NOI-4b is replaced with PPP 3.11-2 and Mitigation Measures 3.11.10.1 through 3.11.10.5.

~~**2008 Mitigation Measure MM NOI-4b:** Construction activities shall adhere to the following noise requirements:~~

- ~~All construction equipment shall utilize noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.~~
- ~~Hours of construction shall comply with those established in Sections 30-32 of Division 1 of the City of Hemet Code of Ordinances. Those hours are weekdays from 6 a.m. through 6 p.m. during the months of June through September and from 7 a.m. through 6 p.m. during the months of October to May. Construction is permitted on Saturdays from 7:00 a.m. to 6:00 p.m. Construction is prohibited on Sundays.~~

3.11.11 Level of Significance After Mitigation

The Certified EIR concluded implementation of mitigation would reduce people's exposure to noise levels to below standards established in the local general plan or noise ordinance. Additionally, mitigation would reduce temporary increases in ambient noise levels from construction. The 1979 EIR determined traffic generated through implementation of the Approved Project would result in a significant increase in ambient noise due to the relatively undeveloped condition of the Southwest Area, for which mitigation would be required to reduce traffic noise levels, but impacts would remain significant and unavoidable. However, the 2008 Draft EIR concluded the Approved Project would not contribute to a substantial increase in ambient noise based on the baseline conditions as of 2008, which included substantial buildout of the Southwest Area since the time of the 1979 EIR. In 2008, the majority of traffic noise increases would be less than the barely perceptible increase of 3 dBA. The increase in ambient noise levels would not be significant since the ambient noise conditions in this area would remain below 60 dBA CNEL upon buildout of the Approved Project. Finally, mitigation would reduce people's exposure to excessive noise levels in proximity to the Hemet-Ryan Airport to less than significant levels.

The proposed Modified Project would incorporate project-specific PDF 3.11-1, PPPs 3.11-1 and 3.11-2, and Mitigation Measures 3.11.10.1 through 3.11.10.7, collectively which would reduce people's exposure to noise to levels below standards established in the local general plan or noise ordinance. Additionally, mitigation would reduce both temporary and permanent increases in ambient noise levels from construction and operation activities, as well as from the proposed Modified Project's proximity to the BNSF railroad and Hemet-Ryan Airport. No new mitigation over and above those described above or new alternatives have been identified that would substantially or further reduce any noise impacts of the Modified Project.

3.12 POPULATION AND HOUSING

Based on Appendix G of the *CEQA Guidelines,* this section evaluates the proposed Modified Project's potential to induce substantial population growth or to displace housing or people. The analysis is based in part on population and housing projections identified by the California Department of Finance (DOF), the Southern California Association of Governments (SCAG), and information contained in the City's *General Plan 2030*.

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to population and housing as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *General Plan 2030*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- Southern California Association of Governments. *2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).* Adopted April 7, 2016.
- Southern California Association of Governments 5th Cycle Regional Housing Needs Assessment Final Allocation Plan, 1/1/2014–10/1/2021.

Scoping Process/NOP Comments: Potential impacts to population and housing were identified during the public scoping meeting held in August 2016 for the proposed Modified Project. It was questioned if the proposed project would accommodate Section 8 or low income housing. There were also comments from the Southern California Association of Government (SCAG).

The SCAG Regional Council adopted the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) in April 2016. The 2016 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The goals included in the 2016 RTP/SCS may be pertinent to the proposed project.

SCAG recommends that the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS be reviewed for guidance, as appropriate. SCAG's Regional Council certified the Final PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on April 7, 2016. The Final PEIR includes a list of project performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project-and-site specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

The City received one comment letter from SCAG in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to population

and housing. The SCAG letter is dated May 15, 2019 (see Appendix A2). Similar to their response to the initial NOP, SCAG notes they are responsible for reviewing EIRs to ensure consistency with population and housing-related regional plans are accounted for including the RTP/SCS.

3.12.1 Regulatory Setting

3.12.1.1 Federal Regulations

There are no federal regulations regarding population and housing that are applicable to the proposed Modified Project.

3.12.1.2 State Regulations

Regional Housing Needs Assessment (RHNA). The Regional Housing Needs Assessment (RHNA) is mandated by State Housing Law as part of the periodic process for updating local housing elements of the General Plan. The RHNA quantifies the need for housing within each jurisdiction during specified planning periods. The RHNA for Riverside County is developed by SCAG and allocates to cities and the County (for unincorporated areas) their "fair share" of the region's projected housing needs. The 5th Cycle RHNA Allocation Plan, which covers the planning period from January 2014 to October 2021, was adopted by SCAG on October 4, 2012.

The project housing needs in the RHNA are categorized by income levels (very low, low, moderate, and above moderate income) established by the U.S. Department of Housing and Urban Development (HUD). According to the Allocation Plan, the City must provide 2,797 units in various income categories, including 134 very low-income, 96 low-income, 112 moderate income, and 262 above moderate income housing units.

3.12.1.3 Local Regulations

Hemet General Plan. Pursuant to State Housing Element law (Section 65580) of the Government Code, the Housing Element must contain local commitments to:

- Provide sites with appropriate zoning and development standards and with services and facilities to accommodate the jurisdiction's Regional Housing Needs Assessment (RHNA) for each income level.
- Assist in the development of adequate housing to meet the needs of low and moderate income households.
- Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing, including for all income levels and housing for persons with disabilities.
- Conserve and improve the condition of the existing affordable housing stock.
- Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability; and
- Preserve for lower income households the assisted housing developments.

The Housing Element must establish specific actions, objectives, and timelines for addressing the above requirements. The 2013–2021 Housing Element represents a revision of the City's 2006–2014 Housing Element. The revision was prepared to comply with Section 65583 of the Government Code and to address revisions of other State laws that address housing, planning, and zoning issues.

3.12.2 Certified EIR Findings

The 1979 EIR did not address population and housing.

The 2008 EIR concluded population increase would occur due to the overall estimated build-out population of the Page Ranch Community Plan primarily due to changing Planning Area XII for TTM 35392 from Industrial to Residential and increasing the density in Planning Area VI for TTM 35394 from 2.5 du/ac to 5.0 du/ac. The overall population increase in the Specific Plan is 438 persons representing an 8.1 percent increase. No mitigation measures are required.

3.12.3 Existing Environmental Setting

3.12.3.1 Population

According to the California Department of Finance, the City's population as of January 1, 2012 was 80,800. This represents a 13.8 percent increase from January 1, 2007, population of 71,015. SCAG has adopted population growth forecasts between the years of 2020 and 2040 for the City of Hemet. The population of the City is projected to increase to 126,500 by the year 2040.

3.12.3.2 Housing

According to the Department of Finance data, there are 30,300 dwelling units within City limits, with an average of 2.79 persons per household.

Table 3.12.A: SCAG Population and Housing Forecasts

	Year 2020	Year 2035	Year 2040
Population	91,900	115,400	126,500
Households	35,600	46,800	52,200
Employment	27,200	39,500	45,500

Source: *SCAG Comments on the Notice of Preparation*. Letter dated September 3, 2016. Appendix A1.

3.12.4 Methodology

To determine the potential for impacts related to population and housing, the current uses, overall condition of the project site, historic and current population and housing characteristics, and future projections for population and housing were identified. This analysis is based on data published by the DOF and SCAG, as well as information presented in the City's General Plan.

3.12.5 Thresholds of Significance

The following thresholds of significance regarding potential impacts related to population and housing are based on Appendix G of *CEQA Guidelines*. The project would have a significant impact relative to population or housing if it:

- Induced substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
- Displaced substantial numbers of existing housing, necessitating construction of replacement housing elsewhere.
- Displaced substantial numbers of people, necessitating the construction of replacement housing elsewhere.

3.12.6 Proposed Modified Project Design Features and Compliance Measures

The City previously committed the Modified Project site to residential use through the adoption of the Page Ranch PCD SP (Approved Project). The proposed Modified Project will amend the existing Page Ranch PCD SP to account for a slight reduction of residential density along with inclusion of 19.67 acres of commercial uses on site. The Page Ranch PCD SP does not contain any design features that specifically address population or housing. The Modified Project proposes 586 units of additional housing and 100,000 square feet of commercial uses within the City. The City General Plan Housing Element contains local commitments detailed in Section 3.12.1.3 that would enable the Modified Project to contribute toward the City's housing needs, consistent with the City's General Plan Housing Element and RHNA, pursuant to State Housing Element law (Section 65580) of the California Government Code.

3.12.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.12.7.1 Induce Substantial Growth in Area

Threshold:	Would the project induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

A project could be viewed as growth inducing if directly or indirectly fosters economic or population growth, or the construction of additional housing. Direct forms of growth include increased employment opportunities from new commercial or industrial uses and additional residents occupying new residential development. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area.

A project could indirectly induce growth by reducing or removing barriers to growth, or by creating a condition (e.g., increased demand for goods and services) that attracts additional population or new economic activity. Substantial growth impacts could also occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies.

Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Generally, the growth-inducing potential of a project would be considered significant if it promotes growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies (e.g., SCAG). In general, growth induced by a project is considered a significant impact if it can be demonstrated that the potential growth significantly affects the environment in some way.

The SCAG 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is based on growth projections for population, households, and employment prepared for regional, county, and local jurisdictional areas. The 2016 RTP/SCS forecasts represent the likely growth scenario for the Southern California region in the future, taking into account recent and past trends, reasonable key technician assumptions, and local or regional growth policies.

The 2008 EIR concluded the project population increase would increase the overall estimated build-out population of the Page Ranch Community Plan primarily due to changing the Planning Area XII for TTM 35392 from Industrial to Residential and increasing the density in Planning Area VI for TTM 35394 from 2.5 du/ac to 5.0 du/ac. The overall population increase in the Specific Plan is 438 persons which is an 8.1 percent increase. The project would contribute toward the City's housing needs, consistent with the City's General Plan Housing Element. It would also allow for more compatible land uses

adjacent to existing residential land uses. The housing is consistent with current and anticipated needs based on population projections. Impacts would be less than significant and no mitigation is required.

The proposed Modified Project will not induce population growth. The number of dwelling units is decreasing from 740 units as approved under the Certified EIR to 586 units, which would not result in substantially more population growth than that which was anticipated under the Approved Project. When compared to the Approved Project, impacts associated with induced population growth would be the same (i.e., less than significant), and no mitigation is required.

3.12.7.2 Displace Substantial Numbers of Existing Housing

Threshold:	Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The 2008 EIR concluded the project site is currently vacant. Therefore, implementation of the project will not displace substantial numbers of existing housing and no impact to existing housing is anticipated. **No impact** would occur, and no mitigation is required.

The proposed Modified Project site is located in the west/southwest portion of the City of Hemet. The project site is undeveloped and does not contain any residential units. Implementation of the Project will not displace substantial numbers of existing housing (as the site is vacant) and no impact to existing housing is anticipated. Impacts would be the same as the Approved Project (i.e., no impact) and no mitigation is required.

3.12.7.3 Displace Substantial Numbers of People

Threshold:	Would the project displace substantial numbers of people necessitating the construction of replacement housing elsewhere?

The 2008 EIR concluded the project site is vacant and no persons permanently reside on the site. Therefore, development of the proposed project will not displace substantial numbers of people. **No impact** would occur and no mitigation is required.

The Modified Project site is currently vacant. Implementation of the project will not displace substantial numbers of people. When compared to the Approved Project, impacts associated with displacement of substantial numbers of people would be the same (i.e., no impact), and no mitigation is required.

3.12.8 Cumulative Impacts

3.12.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The Certified EIR concluded the Approved Project would increase the overall population.

The cumulative universe for population and housing is the City of Hemet. The Approved Project would introduce population growth. Using the average household size of the City of Hemet, the total buildout population of the Approved Project on TM 35392, TM 35393, and TM 35394 is approximately 1,965 persons. The population increase would increase the overall estimated build-out population of the Page Ranch Community Plan primarily due to changing Planning Area XII for TM 35392 from Industrial to Residential and increasing the density in Planning Area VI from TTM 35394 from 2.5 du/ac to 5.0 du/ac. This increase is offset by a reduction in population for an adjacent development area within the Page Ranch Community Plan that reduced its build-out population from 3,803 to 1,409, or a decrease of 2,394 persons. Thus, although the project as amended in 2008 would increase population on the

project's site over the number originally estimated for the same area within the Page Ranch Community Plan, the project population increase would not increase the overall estimated build-out population of the Page Ranch Community Plan.

Land uses currently approved under the Page Ranch PCD would allow for the development of 744 residential units on the Modified Project site. The proposed Modified Project would reduce residential dwelling unit count from 744 to 586 units. Based on the acreages detailed in Table 2.B, the gross Modified Project density will be 2.60 dwelling units per acre as compared to the Approved Project density of 3.13 dwelling units per acre. According to the 2019 SCAG Local Profile Report for Hemet, the population per household is 2.7.[1] Assuming the 586 dwelling units proposed under the Modified Project, the Modified Project would introduce approximately 1,582 persons to the City. Although the Modified Project would introduce additional permanent residents to the City, the intensity of the proposed residential uses is substantially less than that which was anticipated under the Approved Project. Therefore, both the Approved Project and the proposed Modified Project were found not to have a cumulatively considerable impact to population and housing.

3.12.9 Level of Significance before Mitigation

The 1979 EIR did not prescribe mitigation measures for population and housing.

The Certified EIR did not prescribe mitigation measures for population and housing.

The proposed Modified Project would reduce residential density. Therefore, no impacts would occur, and no mitigation is required.

3.12.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

The 1979 EIR did not provide mitigation measures, as population and housing were not addressed.

Mitigation measures were not identified in the 2008 EIR for the Approved Project. The proposed Modified Project would reduce population and create a less than significant impact related to growth inducement and no impact related to displacement of residents and housing. No mitigation is required.

3.12.10.1 Population and Housing Mitigation for the Proposed Modified Project

No mitigation measures are applicable to the proposed Modified Project in regard to population and housing.

3.12.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure as follows:

As stated previously, the 1979 EIR does not state any mitigation measures. All impacts stated are less than significant and no mitigation is required. The City has already committed the Approved Project site and therefore the proposed Modified Project site to population and housing through adoption of the

[1] SCAG *Local Profile Report for the City of Hemet*, May 2019.

Specific Land Use Plan, Southwest Area and associated amendments, up to and including the 2009 SPA to the Page Ranch PCD SP.

3.12.11 Level of Significance after Mitigation

Mitigations measures in the 1979 EIR were not addressed and there are no mitigation measures for population and housing identified in the 2008 EIR. Since the land is already approved for non-agricultural use, no new mitigation measures are applicable for the Modified Project with regard to population and housing. Accordingly, impacts of the proposed Modified Project would be the same as those identified for the Approved Project. (i.e., less than significant).

In summary, no new mitigation or alternatives have been identified that would substantially or further reduce any population and housing impacts of the Modified Project.

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3.13 PUBLIC SERVICES

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to public services as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162. Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- City of Hemet, *Hemet Fire/EMS Department*. http://www.hemetfire.org/ (accessed May 8, 2019). CivicPlus Content Management System. 2006-2019.
- City of Hemet, *Hemet Police Department*. http://www.cityofhemet.org/index.aspx?nid=97 (accessed May 8, 2019). CivicPlus Content Management System. 2006-2019.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- Hemet Unified School District, *Our District*. https://www.hemetusd.org/apps/pages/index.jsp?uREC_ID=253706&type=d&pREC_ID=594864 (accessed May 8, 2019). 2016-2017.

Scoping Process/NOP Comments: Potential impacts from the provision of public services were identified during the public scoping meeting held in August 2016 for the proposed Modified Project regarding adequate fire, police, emergency response, and school services.

The City received no comments in response to the Initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts from the provision of public services. Furthermore, no additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts from the provision of public services.

3.13.1 Regulatory Setting

3.13.1.1 Federal Regulations

There are no federal regulations regarding provision of public services that are applicable to the proposed Modified Project.

3.13.1.2 State Regulations

California Fire Code. The California Fire Code (CFC; California Code of Regulations Title 24, Part 9) sets forth requirements including emergency access, emergency egress routes, interior and exterior design and materials, fire safety features including sprinklers, and hazardous materials. The CFC is issued on a 3-year cycle; the 2016 Edition (the most recent version, which took effect January 1, 2016) of the CFC is adopted and incorporated by reference in Division 10 (California Fire Code, Section 14-75 (Adoption) of the City's Municipal Code, as amended pursuant to Section 14-76 (Amendments) of the City's Municipal Code.

California Building Code. Title 24 of the California Code of Regulations, also known as the California Building Code (CBC or Title 24), contains the design standards that govern the construction of buildings in California to "safeguard life or limb, health, property, and public welfare by regulation and controlling

the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment." The current edition of the CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. The CBC is composed of 12 parts. Part 2 of the CBC outlines building design and construction requirements relating to fire, life safety, and structural safety. Part 9, California Fire Code, which overall regulations and design features pertaining to fire safety, has been adopted by reference in Division 11 (California Existing Building Code, Section 14-80 (Adoption) of the City's Municipal Code, as amended pursuant to Section 14-81 (Amendments) of the City's Municipal Code. Typical fire safety requirements of the CBC include the installation of fire sprinklers in all residential and commercial buildings, the establishment of fire resistance standards for fire doors, buildings materials, and particular types of construction, and the clearance of debris and vegetation within a prescribed distance from occupied structures. The CBC applies to all occupancies in California, except where stricter standards have been adopted by local agencies.

California Health and Safety Code. Sections 13000 et seq. of the California Health and Safety Code include fire regulations for building standards (also contained in the CBC), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, childcare facility standards, and fire suppression training.

Hemet Unified School District. The Hemet Unified School District (HUSD) is regulated by the California Education Code and governed by the State Board of Education. Traditionally, the State has enacted legislation for the funding of local public schools and provided the majority of monies to fund education in the State. To assist in providing facilities to serve students generated from new development projects, the State has enacted a variety of funding legislation, as described below.

California State Assembly Bill 2926. To assist in providing facilities to serve students generated from new development projects, the State enacted Assembly Bill (AB) 2926 in 1986, which allows school districts to collect impact fees from developers of new residential, commercial, and industrial developments. The bill was expanded and revised in 1987 through the passage of AB 1600, which added Sections 66000 et seq. to the Government Code. Under this statute, payment of impact fees by developers serves as CEQA mitigation to satisfy the impact of development on school facilities.

Senate Bill 50 and California Education Code Section 17620. Senate Bill (SB) 50, the Leroy F. Greene School Facilities Act of 1998, was signed into law on August 27, 1998. SB 50 (codified as California Education Code Section 17620) provides a comprehensive school facilities financing and reform program and enables a statewide bond issue to be placed on the ballot. Under the provisions of SB 50, school districts are authorized to collect fees to offset the costs associated with increasing school capacity as a result of development and related population increases. The funding goes toward acquiring school sites, constructing new school facilities, and modernizing existing school facilities. SB 50 establishes a process for determining fee amounts charged to developers to mitigate the development impacts on school districts from increased enrollment. According to Section 65996 of the California Government Code, development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation."

The payment of these fees by a developer serves to mitigate all potential impacts on school facilities that may result from implementation of a project to levels that are less than significant (see California Government Code Section 65996). Stated another way, the provisions of Senate Bill 50 provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA or other State or local laws.

There are three levels of developer fees that may be imposed upon new development by the governing school district. Level I fees are assessed based upon the proposed square footage of residential,

commercial/industrial, and/or parking structure uses. Level II fees require the developer to provide one-half of the cost of accommodating students in new schools, and the State provides the remaining half. To qualify for Level II fees, the board of the governing school district must adopt a School Facilities Needs Analysis and meet other prerequisites in accordance with Section 65995.6 of the California Government Code. Level III fees apply if the State runs out of bond funds, allowing the governing school district to impose on the developer 100 percent of the cost of the school facility or mitigation, minus any local dedicated school monies.

Senate Bill 50 allows school districts to levy a fee, charge, dedication, or other requirement against any development project within its boundaries for the purpose of funding the construction or reconstruction of school facilities. The maximum fee amount that school districts can assess is limited by statutes provided in California Government Code Section 65995.

The California Department of Education (DOE) permits local school districts to increase facility fees subject to DOE review and with approval of a nexus study from the school District that demonstrates that costs incurred by the school district for the provision of school facilities and services are higher than Level 1 funding provides. In such an instance, a nexus must be demonstrated in the study between the increase proposed by the local school District and the actual cost of provision of school facilities and services.

Quimby Act (California Code 66477). The Quimby Act (California Government Code 66477) governs requirements for dedication of land and/or fees for park and recreational purposes as a condition of approval of a tentative map or parcel map and allows local governments to acquire land sufficient to accommodate three acres of park improvements per 1,000 residents. This standard can be increased locally to five acres per 1,000 residents if the amount of existing parkland in a community exceeds the 3/1,000 ratio. Article X (Public Parklands and/or Dedication) of Chapter 70 (Subdivisions) of the City Municipal Code amends the Quimby Act to require five acres per 1,000 residents (Section 70-282) and establishes park development fee payment criteria per City Council resolution (Section 70-284) and a standard for dedication of land in lieu of fees (Section 70-285).

3.13.1.3 Local Regulations

Ballot Measure C. Ballot Measure C, approved by Hemet voters on June 7, 1988, establishes a set of legally mandated performance standards for several public services in Hemet, including fire and police protection and the provision of parkland. The performance standard for fire protection in Hemet is a response time of five minutes or less for 80 percent of fire and emergency medical calls, provided on both a citywide and response area basis. The performance standard for police services in Hemet is a seven minute average response time for emergency calls maintained within urban areas, and a nine minute average response time for emergency calls maintained within rural areas. Pursuant to Ballot Measure C, the City established a park ratio of 5.0 acres of developed parkland for every 1,000 residents.

City of Hemet General Plan. Public Services standards are contained in the City of Hemet General Plan Public Safety Element, which identifies natural and human-caused hazards in the community and addressed the City's plans to provide a high level of public safety services, and the Community Facilities and Services Element, which addresses all community facilities and services provided within the community, including parks, schools, libraries, water and sewer facilities, utilities, solid waste services, etc.

Implementation of General Plan Policies PS-7.3, PS-7.5, PS-8.1, PS-8.3, CSI-9.4, and CSI-9.5 and General Plan EIR Programs PS-P-16 and PS-P-24 require development projects to pay for their proportional share of new emergency and other public service demand. These development fees

enable construction of new public service facilities so that the City may maintain adequate personnel, facilities, and equipment to respond to emergencies in accordance with the City's response time performance standards. The City is also required to solicit funding from diverse sources to support development of library services.

3.13.2 Certified EIR Findings

The Certified EIR concluded the Approved Project would result in an increase in fire, police, school, and park services demand through the generation of additional residents. Payment of Development Impact Fees (DIFs) in conjunction with increased property tax and sales tax revenue anticipated as a result of the increased population from buildout of the Approved Project are expected to facilitate additional fire, police, school, and park services, including firefighters and fire stations, police personnel and facilities, schools, parks, and other public service facilities. Each of these facilities is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA.

In addition to the mitigation prescribed in the Certified EIR for the balance of environmental factors considered under CEQA, specific mitigation pertaining to the provision of public services include incorporating adequate design features and locating new development adjacent to existing developed areas rather than in remote fringe areas to minimize the response times. Therefore, though execution of mitigation measures and compliance with regulatory policies identified throughout the Certified EIR, impacts associated with an increase in fire, police, school, and park services demand through the generation of additional residents would be reduced to less than significant levels.

3.13.3 Existing Environmental Setting

The Modified Project site is a former agricultural property that is currently uncultivated. The site is highly disturbed with weedy vegetation and has been regularly disked for the purposes of weed abatement for at least the past twenty years. Surrounding land uses consist primarily of single-family residential uses to the east, and agricultural and undeveloped land to the north, south, and west. Due to the substantial undeveloped acreage in the project vicinity, there has been little demand for public services in the area. However, the City has undergone rapid growth in the past decade, and recent residential development in the area, including continued execution of the Approved Project, has increased the demand for public services in the immediate vicinity of the Modified Project site.

3.13.3.3 Fire Services

The City of Hemet Fire Department provides fire protection and suppression services to the Modified Project site and vicinity. The City has entered into a mutual aid agreement with CALFIRE, Riverside County, and the Idyllwild Fire Protection District. The response time standard for the City is five minutes or less for 80 percent of emergency calls. The City operates five fire stations which are as follows:

- Fire Station #1 – This station was constructed in 1960 and includes three double bays capable of housing six fire apparatus. Station #1 is located at 220 N. Juanita Street.
- Fire Station #2 – Located at 895 W. Stetson Avenue. Station #2 has two double bays capable of housing four fire apparatus.
- Fire Station #3 – Located at 4110 W. Devonshire Avenue and can house up to four fire apparatus.
- Fire Station #4 – This Station is located at 1035 S. Cawston Avenue and can house up to six fire apparatus.
- Fire Station #5 – Located at 120 N. Hemet Street which was reopened in April of 2015.

The nearest fire station is Fire Station #4 located at 1035 S. Cawston Avenue, which is approximately 1.5 miles northeast of the Modified Project site. Additionally, the Hemet Ryan Airport maintains the Riverside County/CALFIRE Air Attack-Helitack facility approximately one mile northeast of the Modified Project site.

3.13.3.2 Police Services

The Hemet Police Department provides police protection services to the Modified Project site and vicinity. The main Hemet Police Department station is located at 450 E. Latham Street approximately 5 miles east-northeast of the proposed Modified Project site. Additionally, there are three substations throughout the City:

- East End: 2047 E. Florida Avenue;
- Hemet Valley Mall: 2200 W. Florida Avenue, #110; and
- West End: 3663 W. Florida Avenue.

Additionally, the Riverside County Sheriff's Department maintains a station in Hemet located at 43950 Acacia Avenue.

The nearest police station is the West End Substation approximately 2.5 miles northwest of the Modified Project site. Police response times vary depending on urgency, with high priority response times typically occurring within six minutes and non-emergency responses occurring within 24 minutes. The Ballot Measure C establishes goals of seven-minute response times for emergency calls in urban areas and nine minutes for calls received from rural areas. The Department strives for a police to population of 1.3 police officers per 1,000 residents.

3.13.3.3 School Services

The HUSD serves approximately 21,710 students over a 650-square mile territory. The HUSD administers preschool centers at nine school locations, 12 elementary schools (K–5), three elementary/ middle schools (K–8), four middle schools (6–8), four comprehensive high schools (9–12), and one continuation high school (11–12). Additionally, the HUSD maintains a vocational education-focused charter High School, a science-based charter Middle/High School (6–10), an Adult Education Center, Independent Study Programs, a Home School Program, and a self-paced online instruction program that offer a wide variety of learning opportunities for students of all ages throughout the City. The HUSD strives to maintain a 30:1 district-wide student/teacher ratio.

Residents of the Modified Project site would be served by Winchester Elementary School, Diamond Valley Middle School, and West Valley High School of the HUSD.

3.13.3.4 Parks Services

The City maintains nine City Parks: Gibbel, Mary Henley, Simpson, Cawston Community, Weston, Dave Oltman, Spencer, Brubaker, and Griffith Way Community Park. Parks enrich the quality of life for the local community and provide economic value through parks and facilities, which create tourism and encourage long-term community stability and growth.

The City maintains the 5 acres of parks per 1,000 residents standard. The nearest City park in proximity to the Modified Project site is Brubaker Park approximately 1 mile to the east.

3.13.4 Methodology

The evaluation of fire and police protection impacts takes into account information on current protection service levels, and whether the project would require new or physically altered firefighting and/or law enforcement facilities in order to main satisfactory service levels. Applicable fire codes and regulations and the City Municipal Code were also reviewed in determining impacts.

School service impacts are determined by calculating how many school-aged children would be generated by the Modified Project, and then determining whether this increase would cause negative impacts to existing or future school facilities or programs.

Parks service impacts are determined by calculating how many residents would be generated by the Modified Project pursuant to City Municipal Code Section 70-285 (Standard for dedication of land in lieu of fee), and then determining whether this increase would conflict with the City's 5 acres of parks per 1,000 residents standard.

3.13.5 Thresholds of Significance

The City has not established local CEQA significance thresholds; therefore, this SEIR incorporates the public services questions included in the Certified EIR in accordance with Appendix G ("CEQA Checklist") of the State *CEQA Guidelines*. Per the Certified EIR, would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 public services:

a) Fire Protection?

b) Police Protection?

c) Schools?

d) Parks?

e) Other public facilities?

3.13.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDF): These measures include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts from demand for public services.

PDF 3.13-1 Pursuant to the California Fire Code, all habitable structures will be constructed of ignition-resistant construction materials and include automatic fire sprinkler systems based on the latest Building and Fire Codes for occupancy types. Fuel modification will be provided around the perimeter of the site, where required, and will be maintained by the landlord, or another approved entity, at least annually and as needed. Landscape plantings will not utilize prohibited plants that have been found to be highly flammable. Fire apparatus access roads (i.e., public and private streets) will be provided throughout the site and will vary in width and configuration, but will all provide at least the minimum required unobstructed travel lanes, lengths, turnouts, turnarounds, and clearances. Primary access and internal circulation will comply with the requirements of the Hemet Fire Department. Water capacity and delivery will be provided for a reliable water source for operations and during emergencies requiring extended fire flow.

PDF 3.13-2 The Modified Project will incorporate Crime Prevention Through Environmental Design (CPTED) features to keep service demand increases to a minimum. The site will incorporate public zones and private zones via physical and symbolic barriers to define acceptable uses of the proposed residential and commercial facilities and determine who has a right to occupy such zones. Additionally, the commercial uses will be equipped with surveillance through the use of closed-circuit television, electronic monitoring, and potentially security patrols, as well as informal surveillance such as architecture, landscaping, and lighting designed to minimize visual obstacles and eliminate places of concealment for potential assailants.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from noise.

PPP 3.13-1 All habitable structures shall be designed and constructed in accordance with Part 9 (California Fire Code) of Title 24 (Building Standards Administrative Code) of the California Code of Regulations.

PPP 3.13-2 State law requires the design and construction of new structures comply with current California Building Code (CBC) requirements to "safeguard life or limb, health, property, and public welfare by regulation and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment." The current edition of the CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance.

PPP 3.13-3 In accordance with California State Assembly Bill 2926, Senate Bill 50, California Education Code Section 17620, and California Government Code (Section 65995[b]), the Modified Project applicant shall pay Statutory School Fees: Level I for commercial construction and Level 2 for new residential construction.

3.13.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.13.7.1 Fire Protection and Emergency Services

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

The Certified EIR concluded the Approved Project would result in an increase in fire and emergency services demand through the generation of additional residents. Payment of Development Impact Fees in conjunction with increased property tax and sales tax revenue anticipated as a result of the increased population from buildout of the Approved Project are expected to pay for additional fire services, including firefighters, fire stations, hospital facilities, and related equipment. Construction of new or expansion of existing fire and emergency services facilities is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA. In addition to the mitigation prescribed in the Certified EIR, 1979 EIR Mitigation Measure 1 pertaining to the provision of public services includes incorporating adequate design features and locating new development adjacent to existing developed areas rather than in remote fringe areas to minimize the response times. Additionally, 1979 EIR Mitigation Measure 2 suggests that three additional floors be added to the Hemet Valley Hospital

medical surgical unit when a need for the addition is demonstrated. Therefore, though execution of mitigation measures and compliance with regulatory policies identified throughout the Certified EIR, impacts associated with an increase in demand for fire protection and emergency services would be reduced to less than significant levels.

The nearest fire station in proximity to the Modified Project site is Fire Station No. 4 located at 1035 S. Cawston Avenue approximately 1.5 miles northeast of the Modified Project site, and the Hemet Valley Medical Center (General Hospital) is located at 1117 E Devonshire Avenue approximately 5.6 miles northeast of the Modified Project site. According to the City General Plan, the City's fire and emergency response time is five minutes or less for 80 percent of fire and emergency medical calls. In 2010, the City-wide average first unit response time was just under seven minutes. However, through compliance with California Vehicle Code 21806(A)(1), which requires all vehicles to yield to emergency vehicles, travel time between Fire Station No. 4 and the Modified Project site is expected to be between three and five minutes. Therefore, the Modified Project is consistent with the City's response time standard.

Project design features incorporated into the structural design and layout of the Modified Project site would keep service demand increases to a minimum. For example, in accordance with PDF 3.13-1, the Modified Project shall incorporate adequate emergency water flow, fire-resistant design and materials, and early warning systems and evacuation routes. These site design and building techniques are required pursuant to PPP 3.13-1 and PPP 3.13-2. Additionally, the Hemet Fire Department shall review the project construction plans to identify and mitigate any fire hazards during the development review process. The City also maintains mutual aid agreements with CALFIRE, the Riverside County Fire Department, and the Idyllwild Fire Protection District, which allow for the services of nearby fire departments to assist the City during major emergencies. Therefore, it is possible the Modified Project site could be served with Riverside County/CALFIRE Air Attack-Helitack resources from Hemet-Ryan Airport approximately one mile northeast of the Modified Project site with an estimated three to five minute travel time.

In accordance with General Plan Policies PS-7.3, PS-7.5, PS-8.1, PS-8.3, CSI-9.4, and CSI-9.5 and General Plan EIR Programs PS-P-16 and PS-P-24, the Modified Project would be required to pay Development Impact Fees (DIFs) used to fund capital costs associated with constructing new public safety structures and purchasing equipment for new public safety structures. Any future construction of new or expansion of existing fire protection and emergency response facilities would be subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated.

The Modified Project site has been approved for development of 744 residential dwelling units under the Approved Project, and the Modified Project proposes to develop the site with 586 residential dwelling units and approximately 100,000 square feet of commercial uses. The provision of fire service personnel and emergency facilities has already been anticipated for buildout of the Page Ranch PCD SP, as evidenced by the construction of Fire Station No. 4 in 2005 approximately 1.5 miles northeast of the Modified Project site. Therefore, it is reasonable to conclude that development of TTM 36841 proposed as part of the Modified Project in accordance with current development codes that are generally more stringent than those under which the Approved Project was evaluated would not require new or physically altered fire protection or emergency facilities beyond those which have been identified under the Approved Project. Since 1979 EIR Mitigation Measure 2 is designed to address the growth anticipated through buildout of the Approved Project as it relates to provision of emergency facilities (Hemet Valley Hospital), this measure no longer applies to the proposed Modified Project since the hospital has already been constructed. In addition, the proposed Modified Project is not expected to trigger implementation of 1979 EIR Mitigation Measure 2 since the Modified Project proposes an overall reduction in population compared to the Approved Project. Therefore, impacts would be **less than significant**. When compared to the Approved Project, the proposed Modified Project would have similar or a lesser impact on fire and emergency services.

3.13.7.2 Police Protection

Threshold:	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 police protection services?

The Certified EIR concluded the Approved Project would result in an increase in demand for police protection services through the generation of additional residents. Payment of DIFs in conjunction with increased property tax and sales tax revenue anticipated as a result of the increased population from buildout of the Approved Project are expected to facilitate additional police services, including sworn officers, police substations, and related equipment. Construction of new or expansion of existing police stations is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA. In addition to the mitigation prescribed in the Certified, 1979 EIR Mitigation Measure 1 pertaining to the provision of public services includes incorporating adequate design features and locating new development adjacent to existing developed areas rather than in remote fringe areas to minimize the response times. Therefore, though execution of mitigation measures and compliance with regulatory policies identified throughout the Certified EIR, impacts associated with an increase in demand for police protection services would be reduced to less than significant levels.

The main Hemet Police Department station located at 450 E. Latham Street is approximately 5 miles east-northeast of the proposed Modified Project site, and the nearest substation is West End Station located at 3663 W. Florida Avenue approximately 2.5 miles northwest of the Modified Project site. Based on the City's performance standard of 1.3 officers per 1,000 residents and the City's projected 2030 population of approximately 109,000 residents, the Hemet Police Department would require 142 officers at buildout of the General Plan, compared to 91 officers in 2010. The City monitors staffing levels to ensure that adequate police protection and response times continue to be provided as individual development projects are proposed and on an annual basis as part of the City Council's budgeting process. Through compliance with California Vehicle Code 21806(A)(1), which requires all vehicles to yield to emergency vehicles, the proposed Modified Project would not result in a significant reduction in police response times because of the continual monitoring of police staffing levels by the City.

The City maintains a mutual aid agreement with the Riverside County Sheriff's Department, which maintains a station in Hemet at 43950 Acacia Avenue to allow for the services of nearby departments to assist the Hemet Police Department during major emergencies. Additionally, the Modified Project would be designed and operated per applicable standards required by the City for new development with regard to public safety and in accordance with PDF 3.13-2 to minimize further service demand increases.

Funding for new police facilities commensurate with the increased demand for services in the City would be provided from capital improvement fees levied on new development. These DIFs are one-time charges applied to new development and are imposed to raise revenue for the construction or expansion of capital facilities located out of the project boundaries of a new development that benefit the area. DIFs enable the City to collect fair-share fees from new development projects to fund new infrastructure and services. DIFs are collected for specific infrastructure needs and are deposited into different accounts representing these requirements.

Payment of DIFs commensurate with the increased demand for services in the City would offset any increase in demand for police services. Any future construction of new or expansion of existing police

protection facilities would be subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated. The Modified Project site has been approved for development of 744 residential dwelling units under the Approved Project, and the Modified Project proposes to develop the site with 586 residential dwelling units and approximately 100,000 square feet of commercial uses. Since the Modified Project would generate fewer residents than the Approved Project, the provision of police service personnel and facilities has already been anticipated for buildout of the Page Ranch PCD SP in order to meet the City's performance standard of 1.3 officers per 1,000 residents through buildout of the City's General Plan in 2030. Therefore, it is reasonable to conclude that development of TTM 36841 proposed as part of the Modified Project with fewer residents than what was evaluated under the Approved Project would maintain the City's police officer to resident performance standard (1.3 per 1,000 residents) and not require new or physically altered police protection facilities, the construction of which could cause significant environmental impacts. Impacts would be **less than significant** and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from an increased demand for police protection services but without mitigation.

3.13.7.3 Schools

Threshold:	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 schools?

The Certified EIR concluded the Approved Project would result in an increase in demand for school services through the generation of additional residents. 1979 EIR Mitigation Measure 3 suggests that student generation rates are uncertain at this time, and although builder contributions to the school system may be a means of purchasing relocatable classrooms and putting them on existing sites, the cost may be prohibitive under the developer assessment program. Payment of DIFs in conjunction with increased property tax and sales tax revenue anticipated as a result of the increased population from buildout of the Approved Project are expected to facilitate additional school services, including new campuses and expansion of existing campuses, and related equipment. Construction of new or expansion of existing schools is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA. Therefore, though compliance with regulatory policies identified throughout the Certified EIR, impacts associated with an increase in demand for school services would remain less than significant. No mitigation is required.

Residents of the Modified Project site would be served by Winchester Elementary School, Diamond Valley Middle School, and West Valley High School of the HUSD. The HUSD School Facilities Needs Analysis identifies HUSD student generation rates of 0.2538 student per household for elementary schools (K through 5th grade), 0.1568 student per household for middle schools (grades 6 through 8), and 0.1965 student per household for high schools (grades 9 through 12). Therefore, implementation of the proposed 586 dwelling units under the Modified Project would generate approximately 149 elementary students, 92 middle school students, and 115 high school students.[1]

The Modified Project site has been approved for development of 744 residential dwelling units under the Approved Project, and the Modified Project proposes to develop the site with 586 residential dwelling units and approximately 100,000 square feet of commercial uses. Since the Modified Project

[1] 586 households × 0.2538 per unit for elementary = 149 students; 586 households × 0.1568 per unit for middle school = 92 students; 586 households × 0.1965 per unit for high school = 115 high school students.

would generate fewer residents than the Approved Project, the provision of school services and facilities has already been anticipated for buildout of the Page Ranch PCD SP in order to meet the HUSD's performance standard of 30:1 districtwide student/teacher ratio through buildout of the City's General Plan in 2030. Therefore, it is reasonable to conclude that implementation of the proposed Modified Project would not require new or physically altered school facilities, the construction of which could cause significant environmental impacts.

California Government Code (Section 65995[b]) establishes the base amount of allowable developer fees imposed by school districts. These base amounts are commonly referred to as "Level 1 fees" and are subject to inflation adjustment every two years. School districts are placed into a specific "level" based on school impact fee amounts that are imposed on the development. With the adoption of Senate Bill 50 and Proposition 1A in 1998, schools meeting certain criteria can now adopt Level 2 and 3 developer fees. The amount of fees that can be charged over the Level 1 amount is determined by the district's total facilities needs and the availability of State matching funds. If there is State facility funding available, districts are able to charge fees equal to 50 percent of their total facility costs, termed "Level 2" fees. If, however, there are no State funds available, "Level 3" fees may be imposed for the full cost of their facility needs.[2]

As specified in PPP 3.13-3, the proposed Modified Project shall pay the approved Alternate School Fee (Level 2) for new residential construction effective at the time building permits are pulled. Per California Government Code, "The payment or satisfaction of a fee, charge, or other requirement levied or imposed…are hereby deemed to be full and complete mitigation of the impacts…on the provision of adequate school facilities." The Modified Project will be required to pay these development fees in accordance with Government Code 65995 and Education Code 17620. Through payment of development fees in accordance with Government Code 65995 and Education Code 17620, **no impacts** related to school services would occur. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar [no] impacts from an increased demand for school services.

3.13.7.4 Parks

Threshold:	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 parks?

The Certified EIR concluded the Approved Project would result in an increase in demand for parks through the generation of additional residents. Payment of DIFs in conjunction with increased property tax and sales tax revenue anticipated as a result of the increased population from buildout of the Approved Project are expected to facilitate additional parks and related equipment. Construction of new or expansion of existing parks is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA. Therefore, though compliance with the City's Quimby standard as implemented by City Municipal Code Section 70-285, impacts associated with an increase in demand for parks would remain less than significant. No mitigation is required.

The City maintains the 5 acres of parks per 1,000 residents standard (Section 70-282 of the City Municipal Code) and establishes park development fee payment criteria per City Council resolution

[2] *An Evaluation of the School Facility Fee Affordable Housing Assistance Programs*, Legislative Analyst's Office, January 2001. http://www.lao.ca.gov/2001/011701_school_facility_fee.html. (Accessed May 9, 2019).

(Section 70-284) and a standard for dedication of land in lieu of fees (Section 70-285). The nearest City park in proximity to the Modified Project site is Brubaker Park approximately 1 mile to the east.

According to the 2019 SCAG Local Profile Report for Hemet, the population per household is 2.7.[3] Assuming the 586 dwelling units proposed under the Modified Project, the Modified Project must include at least 7.91 acres of public parkland to comply with the City's standard of 5 acres of parks per 1,000 residents pursuant to Section 70-282 of the Municipal Code.[4] The Modified Project includes 5.62 acres of public parks and 5.12 acres of parks to be maintained by the homeowner's association (total of 10.74 acres of parks), as well as 54.15 acres of open space. Additionally, the Mitigation Fee Act[5] governs the establishment and administration of DIFs to fund public facilities such as parks needed to serve new development. Fees must be separately accounted for and used for the specific purpose for which the fee was imposed. Collected fees are used to fund services and park/recreation improvements of a nature and at locations determined necessary by the City.

As permitted under the City Municipal Code, the payment of the City's DIF for park development will offset any increased demand on neighborhood and community parks and recreation facilities in the City as a result of the proposed Modified Project. Construction of new or expansion of existing parks is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA. The parkland proposed under the Modified Project is encompassed in the analyses throughout this SEIR, and physical impacts to the environment are mitigated accordingly. Therefore, no additional mitigation is required to comply with the Quimby Act or City Municipal Code pertaining to the provision of parkland. Impacts would be **less than significant** and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from an increased demand for parks.

3.13.8 Cumulative Impacts

3.13.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The Certified EIR concluded the Approved Project would result in an increase in fire/emergency, police, school, and park services demand through the generation of additional residents. The Hemet Fire Department indicated it has adequate facilities and resources to serve the Approved Project in conjunction with continued growth in the area. Additional development would reduce fire hazards in the region through improvement of roads, water conveyance facilities, and other infrastructure. 1979 EIR Mitigation Measure 2 would address the growth anticipated through buildout of the Approved Project as it relates to provision of emergency facilities, which is no longer relevant to the Modified Project.

The Hemet Police Department indicated additional facilities and resources would be needed to adequately serve the Approved Project in conjunction with planned growth in the area. However, the Approved Project's incremental contribution to demand for police services would not be cumulatively considerable due to its location in an upscale residential neighborhood.

The HUSD indicated additional facilities and resources would be needed to adequately serve the Approved Project in conjunction with planned growth in the area. However, the Approved Project would fully mitigate its incremental contribution to demand for school services through payment of development fees in accordance with Government Code 65995 and Education Code 17620.

[3] SCAG *Local Profile Report for the City of Hemet*, May 2019.
[4] 586 dwelling units × 2.7 persons per household = 1,582 population. 1,582 /1,000 × 5 acres = 7.91 total acres of parkland.
[5] Government Code §66000 et seq.

Payment of DIFs in conjunction with increased property tax and sales tax revenue anticipated as a result of the increased population from buildout of the Approved Project are expected to facilitate additional fire, police, school, and park services, including firefighters and fire stations, police personnel and facilities, schools, parks, and other public service facilities. Therefore, the Approved Project would not have a cumulatively considerable impact on public services. Impacts would be less than significant, and no additional mitigation is required.

The cumulative "universe" for impacts to public services is the respective service territory of each of the services providers. Funding for new public service facilities commensurate with the increased demand for services in the City would be provided from capital improvement fees levied on new development. These DIFs are one-time charges applied to new development and are imposed to raise revenue for the construction or expansion of capital facilities located out of the project boundaries of a new development that benefit the area. DIFs enable the City to collect fair-share fees from new development projects to fund new infrastructure and services. DIFs are collected for specific infrastructure needs and are deposited into different accounts representing these requirements.

The Modified Project site has been approved for development of 744 residential dwelling units under the Approved Project, and the Modified Project proposes to develop the site with 586 residential dwelling units and approximately 100,000 square feet of commercial uses. Therefore, the provision of public service personnel and facilities (including fire, police, schools, and parks) has already been anticipated for buildout of the Page Ranch PCD SP. For example, Fire Station No. 4 was constructed in 2005 approximately 1.5 miles northeast of the Modified Project site, and the proposed reduction in residential density would support the City's performance standard of 1.3 officers per 1,000 residents through buildout of the City's General Plan in 2030. The Modified Project proposes an overall reduction in population compared to the Approved Project, so the Modified Project would not result in a cumulative contribution to demand for emergency services beyond that which has already been anticipated under the Approved Project.

The Modified Project would offset its incremental enrollment of students to public schools through payment of development fees in accordance with Government Code 65995 and Education Code 17620. Per California Government Code, "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts…on the provision of adequate school facilities." Finally, the Modified Project includes 5.62 acres of public parks and 5.12 acres of parks to be maintained by the homeowner's association (total of 10.74 acres of parks), as well as 54.15 acres of open space. The amount of parkland proposed exceeds the 7.91 acres of parkland required to comply with the City's standard of 5 acres of parks per 1,000 residents pursuant to Section 70-282 of the Municipal Code. Therefore, the proposed Modified Project would not contribute to a cumulatively considerable increase in demand for public services when considered in the context of reasonably foreseeable current and future projects. No additional mitigation is required.

3.13.9 Level of Significance Before Mitigation

Development of both the Approved Project and the proposed Modified Project would result in an increase in fire, police, school, and park services demand through the generation of additional residents. The 1979 EIR indicated the increased population would require additional manpower, equipment, and facilities which could result in significant impacts to the physical environment. Additionally, growth anticipated through buildout of the Approved Project may contribute cumulatively to the need to expand the Hemet Valley Hospital. Although the proposed Modified Project would contribute to the buildout of the Page Ranch PCD, it would do so with a reduction in overall population. Therefore, the Modified Project is not expected to result in a cumulative contribution would not result in a cumulative contribution to demand for emergency services beyond that which has already been anticipated under the Approved Project.

The 2008 EIR concluded implementation of the Approved Project would not result in a significant impact to the environment from an increased demand for public services based on the baseline conditions as of 2008, which included substantial buildout of the *Southwest Area* since the time of the 1979 EIR. Likewise, through compliance with PDF 3.13-1 and PDF 3.13-2, as well as PPPs 3.13-1 through 3.13-3, the proposed Modified Project would not result in a significant project-specific impact to public services requiring mitigation.

3.13.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.13.10.1 Mitigation for the Proposed Modified Project

Impacts on public services are less than significant, and no mitigation is required.

3.13.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure.

Every public services mitigation measure presented in the 1979 EIR is discussed below. This SEIR concludes the intent of Mitigation Measures 1 and 3 of the 1979 EIR no longer apply to the proposed Modified Project. The baseline conditions under which those mitigation measures were developed have changed substantially, and the infrastructure required to serve the proposed Modified Project is either in place or planned through existing programs required to facilitate its expansion. Therefore, 1979 EIR Mitigation Measures 1 and 3 are replaced with PDF 3.13-1 and PDF 3.13-2, as well as PPPs 3.13-1 through 3.13-3.

The 1979 EIR Mitigation Measure 1 is replaced with PDF 3.13-1 and PDF 3.13-2, which incorporate project features designed to minimize increases in service demand in accordance with current regulatory standards (PPP 3.13-1 and PPP 3.13-2).

~~**1979 EIR Mitigation Measure 1:** New development should be located adjacent to existing developed areas, rather than in remote fringe areas, to minimize the response time. Adequate street and security design features should be incorporated into all new developments.~~

Since the 1979 EIR Mitigation Measure 2 is designed to address the growth anticipated through buildout of the Approved Project as it relates to provision of emergency facilities, this measure applies to the proposed Modified Project because it, too, contributes to buildout of the Page Ranch PCD. However, the Modified Project proposes an overall reduction in population compared to the Approved Project, so the Modified Project would not result in a cumulative contribution to demand for emergency services beyond that which has already been anticipated under the Approved Project and for which implementation of 1979 EIR Mitigation Measure 2 is designed to mitigate. In addition the Hemet Valley Hospital has been modified since the 1979 EIR was written, and the mitigation is no longer relevant.

~~**1979 EIR Mitigation Measure 2:** The new medical-surgical unit will partially mitigate the additional demand created by the project. Three more floors can be added to this structure when a need for the addition is demonstrated.~~

The 1979 EIR Mitigation Measure 3 is replaced with PPP 3.13-3, which requires payment of development fees for schools in accordance with current regulatory standards.

~~**1979 EIR Mitigation Measure 3:** Student generation rates are uncertain at this time. SB 201, relating to builder contributions to the school system, may be a means of purchasing relocatable classrooms and putting them on existing sites. However, the cost may be prohibitive under the developer assessment program.~~

3.13.11 Level of Significance After Mitigation

With implementation of 1979 EIR Mitigation Measures 1 through 3, the Certified EIR concluded buildout of the Approved Project would require construction of additional fire and police manpower and equipment, construction of additional schools, and possible expansion of hospital facilities. The 2008 EIR concluded implementation of the Approved Project would not result in a significant impact to the environment from an increased demand for public services based on the baseline conditions as of 2008, which included substantial buildout of the *Southwest Area* since the time of the 1979 EIR. However, the Modified Project proposes an overall reduction in population compared to the Approved Project, so the Modified Project would not result in a cumulative contribution to demand for emergency services beyond that which has already been anticipated under the Approved Project and for which implementation of 1979 EIR Mitigation Measure 2 was designed to mitigate. Through implementation of PDF 3.13-1, through PDF 3.13-3, impacts to public services from the proposed Modified Project would be reduced to less than significant levels.

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3.14 RECREATION

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to recreation as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents which are incorporated by reference:

- City of Hemet, *General Plan 2030*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.

Scoping Process/NOP Comments: Potential impacts to recreation were not identified during the public scoping meeting held in August 2016 for the proposed Modified Project. However, one comment regarding if the park space will be used for private or public use of the Modified Project was received.

The City received one comment letter in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts to recreational facilities. The Valley-Wide Recreation and Park District (VWRPD) provided a letter dated August 31, 2016 (see Appendix A1). The VWRPD requests the project proponent annex the Modified Project site into VWRPD jurisdiction and into a specified Community Facilities District for continued public park and parkway landscape maintenance. The VWRPD indicates development of 635 residential units requires 9.9 acres of additional active parkland, and private homeowner-maintained parks, linear parks, and open space areas not providing active park amenities would not count toward the required parkland acreage. VWRPD landscape standards and specifications include provisions for ball fields, restrooms, shade shelters, tot-lots, basketball courts, park benches, tables, and other amenities. In lieu of paying park fees, the project proponent would be required to develop active parks to VWRPD standards and be landscaped in accordance with current local and State irrigation requirements, including use of recycled water where feasible.

No additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to recreation facilities.

3.14.1 Regulatory Setting

3.14.1.1 Federal Regulations

There are no federal regulations regarding recreation that are applicable to the proposed Modified Project.

3.14.1.2 State Regulations

Quimby Act (California Code 66477). The Quimby Act (California Government Code 66477) governs requirements for dedication of land and/or fees for park and recreational purposes as a condition of approval of a tentative map or parcel map and allows local governments to acquire land sufficient to allocate 3 acres of park improvements per 1,000 residents. This standard can be increased locally to 5 acres of existing parkland in a community exceeds the 3:1,000 ratio. Article X (Public Parklands and/or Dedication) or Chapter 70 (subdivisions) of the City Municipal Code amends the Quimby Act to require 5 acres per 1,000 residents (Section 70-282) and establishes park development fee payment criteria

per City Council resolution (Section 70-284) and a standard for dedication of land in lieu of fees (Section 70-285).

3.14.1.3 Local Regulations

City of Hemet General Plan 2030. The purpose of the Recreation and Trails Element is to describe the current parks and recreational resources available in the City of Hemet and the Planning Area acknowledge deficiencies in the provision of those resources establish goals and objectives to enhance the public's ability to access and enjoy these resources, and present an implementation strategy to meet the elements goals and objectives.

3.14.2 Certified EIR Findings

The 1979 EIR concluded the Hemet Open Space Conservation Element designates the southern portions of the Approved Project as a significant scenic area and are located within the Domenigoni Mountains.

The 2008 EIR concluded the Approved Project would result in the development of 852 units, which would increase the population by approximately 1,965 persons. Based on the City of Hemet Municipal Code requirement of 5 acres of parkland per 1,000 residents, the development would create need for approximately 9.8 acres of parkland. The 2008 EIR also concluded the Approved Project is part of the Page Ranch Specific Plan, the plan is providing the City with approximately 30 acres of open space/ recreational land and approximately 108 acres of open space/preserve areas. The residents in the area would increase the use of community and residential parks.

3.14.3 Existing Environmental Setting

The Modified Project site is a former agricultural property that is currently uncultivated. The site is highly disturbed with ruderal vegetation and has been regularly disked for the purposes of weed abatement for at least the past 20 years. Surrounding land uses consist primarily of single-family residential uses to the east, and agricultural and undeveloped land to the north, south, and west.

3.14.4 Methodology

The proposed Modified Project was assessed via the City's General Plan 2030. The potential impacts of the proposed Modified Project on recreation and park resources were evaluated based on whether implementation of the proposed Modified Project could result in increased use of existing recreation and park resources, or whether implementation of the proposed Modified Project could necessitate the construction or expansion of recreation and park facilities.

3.14.5 Thresholds of Significance

Appendix G of the *CEQA Guidelines* (14 CCR 15000 et seq.) provides guidance for evaluating whether a project may result in significant impacts. Based on Appendix G, the proposed project could have a significant impact on recreational facilities if it would:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; and/or
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

3.14.6 Proposed Modified Project Design Features and Compliance Measures

The City previously committed the Modified Project site to residential use through the adoption of the Page Ranch PCD SP (Approved Project). The proposed Modified Project will amend the existing Page Ranch PCD SP to account for a slight reduction of residential density along with the inclusion of 19.67 acres of commercial uses on site.

The Modified Project will dedicate 64.89 acres of the overall 245.07-acre Modified Project site to public parks, private homeowners' association parks, and open space areas allocated as follows: 5.12 acres of private homeowners' association parks, 5.62 acres of public parks, and 54.15 acres of open space areas.

3.14.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.14.7.1 Increase the Use of Existing Neighborhood and Regional Parks

Threshold:	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities that substantial physical deterioration of the facility would occur or be accelerated?

The 1979 EIR did not address regional parks or other recreational facilities.

The 2008 EIR concluded the Approved Project would result in the development of 852 units which would result in an increase in population of approximately 1,965 persons. Based on the City of Hemet Municipal Code requirement of 5 acres of parkland per 1,000 residents, the development would create a need for approximately 9.8 acres of parkland. The 2008 EIR also included the Approved Project is part of the larger Page Ranch Specific Plan, the plan is providing the City with approximately 30 acres of open space/recreational land and approximately 108 acres of open space/preserve areas. The residents in the area would increase the use of community and residential parks. Since the project has already been approved, impacts would be less than significant and no mitigation is required.

The proposed Tentative Tract Map (TTM) No. 36841 would subdivide the 245.07 acre project site into 586 single-family residential lots and 64.89 acres of park and open space area. The Hemet General Plan Recreation and Trails Element indicates the City has established a park ratio of 5.0 acres of developed parkland for every 1,000 residents. Although the Modified Project would introduce additional permanent residents to the City, the intensity of the proposed residential uses is substantially less than that which was anticipated under the Approved Project. TTM 36841 proposed as part of the Modified Project will reduce the dwelling unit count from 744 to 586 units and include 19.67 acres of commercial uses in Planning Area XIII. Based on the acreages detailed in Table 2.B, the gross Modified Project density will be 2.60 dwelling units per acre compared to the Approved Project density of 3.13 dwelling units per acre.

According to the 2019 SCAG Local Profile Report for Hemet, the population per household is 2.7.[1] Assuming the 586 dwelling units proposed under the Modified Project, the Modified Project must include at least 7.91 acres of public parkland to comply with the City's standard of 5 acres of parks per 1,000 residents pursuant to Section 70-282 of the Municipal Code.[2] The Modified Project includes 5.62 acres of public parks and 5.12 acres of parks to be maintained by the homeowner's association (refer to Mitigation Measure 3.7.10.3 in Section 3.7 of this SEIR for landscaping requirements), as well as 54.15 acres of open space (total of 64.89 acres), which is over 26 percent of the overall 245.07-acre Modified

[1] SCAG *Local Profile Report for the City of Hemet*, May 2019.
[2] 586 dwelling units × 2.7 persons per household = 1,582 population. 1,582 ÷ 1,000 × 5 acres = 7.91 total acres of parkland.

Project site, the Modified Project includes provisions for park and open space areas to be utilized for the enjoyment of the on-site residents and public at large. However, as indicated by the VWRPD in a letter dated August 31, 2016 (see Appendix A1), private HOA parks and open space do not contribute toward the City's public parkland requirement. To supplement the proposed public parkland, the Modified Project would pay Quimby fees for the development of parks and recreation facilities in the City in accordance with Section 70-284 (park development fee payment criteria) and Section 70-285 (standard for dedication of land in lieu of fees) of the City Municipal Code. As deemed appropriate by the City, a credit for the provision of private park and recreation space may be deemed appropriate at time of approval of a project's tentative tract.

The Mitigation Fee Act[3] governs the establishment and administration of development impact fees (DIFs) to fund public facilities needed to serve new development. Fees must be separately accounted for and used for the specific purpose for which the fee was imposed. The City maintains a comprehensive list of all fees imposed in the City, including those used to fund services and park/ recreation improvements of a nature and at locations determined necessary by the City.

As permitted under the Municipal Code, the payment of the City's DIF for park development will ensure impacts associated with any increased demand on neighborhood and community parks and recreation facilities in the City as a result of the proposed project do not result in their substantial physical deterioration. Therefore, Modified Project impacts from the potential increased use of existing neighborhood and regional parks would be the same as those identified for the Approved Project (i.e., less than significant). No mitigation is required.

3.14.7.2 Include Recreational Facilities or Require the Construction or Expansion of Recreational Facilities

Threshold:	Would the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

The 2008 EIR concluded the Approved Project includes open space for each tract, this results in 45.3 acres. TTM 35392 includes approximately 10.2 acres of open space, TTM 35393 includes approximately 15.4 acres of open space, and TTM 35394 is estimated to contain 16.3 open space acres. These facilities are not anticipated to result in an advance physical effect on the environment. The project is also providing an open space preserve area of approximately three acres along Warren Road. This preserve area is a benefit as it preserves existing habitat. Therefore, the preserve area will not have an adverse physical impact effect on the environment. The impacts to recreational facilities would be less than significant and no mitigation is required.

The proposed Modified Project consists of 5.12 acres of private HOA parks, 5.62 acres of public parks, and 54.15 acres of open space areas (total of 64.89 acres), which is over 26 percent of the overall 245.07-acre Modified Project site. The Modified Project's private and public recreation facilities are included as part of proposed TM 36841; therefore, the environmental effects associated with the development of these facilities have been considered through the analysis of the Modified Project as a whole. The construction of these facilities would not result in adverse physical effects on the environment beyond those analyzed for the overall development of the Modified Project. The Modified Project will be required to pay applicable park and recreation fees in accordance with Section 70-284 (park development fee payment criteria) and Section 70-285 (standard for dedication of land in lieu of fees) of the City Municipal Code, which will be used in part to maintain existing park facilities and/or

[3] Government Code §66000 et seq.

construct new park facilities at a time and place determined appropriate by the City. The construction of such new park and recreation facilities would be an action independent of the Modified Project. The CEQA review for such an action would occur at a time on a level commensurate with each specific City-sponsored park development project. Therefore, the Modified Project impacts from the construction of new or expansion of existing park or recreation facilities would be the same as those identified for the Approved Project (i.e., less than significant). No mitigation is required.

3.14.8 Cumulative Impacts

3.14.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The 2008 EIR concluded as the City of Hemet and Western Riverside County continue to grow, the increased population will require additional parkland and recreational opportunities. The Approved Project includes onsite parks with a 13,000-square-foot Active Adult Community Center, and the Page Ranch CMP includes 127.50 acres of parks and recreational facilities. As development occurs within the Page Ranch CMP, the project area will have an increase in recreational parks and facilities. As long as future projects continue to provide onsite parks or in lieu fees, there would be no cumulatively considerable impacts to recreational services. Therefore, no additional mitigation is required.

Approximately 99.4 acres of the 245.07-acre proposed Modified Project overlap TTM 35394 (Planning Area X) of the Approved Project, and the remaining 145.67 acres of the proposed Modified Project entail portions of Planning Areas VI and XIII of the Approved Project.

The proposed Modified Project would reduce the residential density from 744 to 586 units and add approximately 100,000 square feet of commercial uses, which in turn reduces the amount of required parkland from approximately 9.8 acres to 7.9 acres. Neither the Approved Project nor the proposed Modified Project are expected to have substantial physical deterioration of the facilities. The Approved Project included open space in each tract, with a combined acreage of 45.3 acres. The proposed Modified Project consists of 64.89 acres of park and open space, adding an additional 19.59 acres when compared to the Approved Project.

Neither the Approved Project nor the proposed Modified Project is anticipated to have physical deterioration of recreational facilities or is expected to require the construction of new or expansion of existing recreational facilities that could have an adverse physical effect on the environment. Implementation of the proposed Modified Project in combination with cumulative projects in the City would increase use of existing parks and recreation facilities. However, as future residential development is proposed, the City will require developers to provide the appropriate amount of parkland or pay the in-lieu fees, which will contribute to future recreational facilities. Payment of these fees and/or implementation of facilities on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities. When considered with other projects in the City, the cumulative park impact of the proposed Modified Project is the same as that identified for the Approved project (i.e., less than significant). No mitigation is required.

3.14.9 Level of Significance before Mitigation

The 2008 EIR concluded development of 852 residential units as part of the Approved Project would create a need of approximately 9.8 acres of parkland. While the project residents would increase the use of these community and regional parks, the parks were established for their use, and substantial physical deterioration of the facilities is not anticipated. As a result, impacts to parks and recreation facilities are less than significant.

The proposed Modified Project would subdivide the 245.07 acre Modified Project site into 586 single-family residential lots and 64.89 acres of park and open space area. Impacts of the proposed Modified Project would be the same as those identified for the Approved Project (i.e., less than significant).

3.14.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

There are no mitigation measures necessary and impacts are less than significant for the Approved Project and the proposed Modified Project.

3.14.11 Level of Significance After Mitigation

Neither the Approved Project nor the proposed Modified Project is determined to result in significant impacts to recreation. Mitigation is not required.

In summary, no new mitigation or alternatives have been identified that would substantially or further reduce any recreation impacts of the Modified Project.

3.15 TRANSPORTATION

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts associated with transportation as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Fehr & Peers*. WRCOG SB 743 Implementation Pathway Document Package.* March 2019.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- State of California, Governor's Office of Planning and Research. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. December 2018.
- Urban Crossroads. *Traffic Impact Analysis Rancho Diamante (TTM No. 36841), City of Hemet*. April 2018 (Appendix I1).
- Urban Crossroads. *Rancho Diamante (TTM No. 36841) Traffic Impact Analysis-Supplemental Assessment, City of Hemet*. November 2019 (Appendix I2).
- Urban Crossroads. *Rancho Diamante (TTM No. 36841) Vehicle Miles Travelled (VMT) Assessment*. March 4, 2020 (Appendix I3).

Scoping Process/NOP Comments: Potential transportation impacts were identified during the public scoping meeting held in August 2016 for the proposed Modified Project regarding:

- Concerns regarding the addition of more traffic on Warren Road, which is already congested.
- Question asking how Warren Road will transition from two lanes to four lanes.
- Request for safer access and turning on Warren Road.
- Concerns regarding the traffic speeds on Warren Road and Mustang Way.
- Question asking if the proposed project will affect the railroad or future Metrolink station.
- Request for a dedicated southbound lane on Warren Road for Corte del Mar.
- Request that a stop sign or signal at the intersection of Thornton Avenue and Cawston Avenue be studied because of poor visibility and high speeds.
- Question asking what the timing and status is of the Stetson Avenue realignment.
- Question asking what the traffic vehicle counts are for the proposed project.
- Question asking if improvements/realignments to Simpson Road will be provided.

The City received comment letters from the California Department of Transportation (Caltrans) and the Southern California Association of Governments (SCAG) in response to the initial Notice of Preparation

(NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential transportation impacts.

SCAG recommended the discussion of transportation impacts include a consistency analysis of the proposed Modified Project in relation to the goals of the SCAG 2016 Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS). A side-by-side comparison of SCAG goals with discussions of consistency, non-consistency, or non-applicability of the goals and supportive analysis is provided in Table 3.9.A of Section 3.9 – *Land Use and Planning* of this SEIR. Performance standards-based mitigation prescribed in the Final Program Environmental Impact Report for SCAG's 2016 RTP/SCS may be considered, as applicable, for adoption and implementation by the City. However, these measures are programmatic-level initiatives designed for application on a regional basis and are not necessarily applicable to individual projects such as the Proposed Modified Project.

Caltrans provided three comments. Comment 1 requested the project traffic study use the *Highway Capacity Manual* 2010 methodology to address impacts to affected intersections along State Routes 74 and 79, the study ensure that intersection Level of Service (LOS) is maintained at the transition between C and D during peak hours; and requested receipt of two hard copies of the study and electronic copies of Synchro files used in the analysis. Comment 2 suggested the study discuss bicycle, pedestrian, and transit network opportunities and propose strategies to increase multi-modal trips and provided recommended strategies to accomplish this goal. Comment 3 addressed "quality neighborhood planning" to "foster community, aesthetics, and sustainability."

Comment 3 provided recommendations regarding the Modified Project's land use density and proximity to rail transit, tree placement, use of recycled water, solar PV, and roundabouts. Comments on an NOP by responsible state agencies "shall provide the lead agency with specific detail about the scope and content of the environmental information related to the responsible or trustee agency's area of statutory responsibility that must be included in the draft EIR" (*CEQA Guidelines* Sections 15082, 15096, Appendix B: Statutory Authority of State Departments). Caltrans recommendations regarding tree placement, use of recycled water, and solar PV is not related to the responsible agency's area of statutory responsibility.

The City received one comment letter in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to transportation. The Riverside Transit Agency (RTA) provided a letter dated May 14, 2019 (see Appendix A2). RTA provided recommendation to install Americans with Disabilities (ADA)-compliant bus stops at five locations and asked if the project would install crosswalks and traffic signals at these locations.

3.15.1 Regulatory Setting

3.15.1.1 Federal Regulations

There are no federal regulations related to transportation and traffic that are applicable to the proposed Modified Project.

3.15.1.2 State Regulations

There are no relevant State regulations related to transportation and traffic applicable to the proposed Modified Project.

3.15.1.3 Local Regulations

City of Hemet General Plan. According to the Hemet General Plan 2030, Warren Road is classified as the 6-lane Arterial. The *City of Hemet 2030 General Plan* established level of service (LOS) D as

the LOS standard for peak-hour intersection movements and LOS C as the LOS standard for roadway segments.

3.15.2 Certified EIR Findings

The 1979 EIR analyzed a master plan of development covering a very large area (3,241 acres) of mostly undeveloped land. The EIR analyzed seven Alternatives in detail. The EIR found that Stetson Avenue in particular and all roadways within the Planning Area would receive a significant increase in traffic volumes and associated traffic impacts. The EIR prescribed traffic mitigation consisting primarily of requirements to:

- Construct and improve roadways to their master planned standards;
- Install traffic signals where warranted;
- Provide sufficient off-street parking to accommodate parking demand from the specific land use; and
- Establish land use patterns, intensities, and relationships to reduce vehicle trips and promote alternative modes of travel such as bicycling, walking, and transit.

The 2008 EIR found all traffic level of service impacts to study area roads and intersections would be mitigated to less than significant with implementation of mitigation consisting of:

- Construction of on-site improvements and payment of fair-share costs of off-site improvements; and
- Payment of Transportation Uniform Mitigation Fee (TUMF).

3.15.3 Existing Environmental Setting

Existing study area intersections are currently operating at an acceptable LOS during the peak hours, with the exception of the following intersections:

- Winchester Road (SR-79)/9th Street (#2);
- Winchester Road (SR-79)/Domenigoni Parkway (#4);
- Warren Road/Devonshire Avenue (#24); and
- Warren Road/Stetson Avenue (#28).

Existing study area roadway segments currently operate at an unacceptable LOS based on the applicable planning level daily roadway capacity thresholds, with the exception of the following locations:

- Simpson Road, east of Warren Road (#45);
- Domenigoni Parkway, Winchester Road (SR-79) to Patterson Avenue (#46);
- Domenigoni Parkway, Patterson Avenue to SR-79 (#47); and
- Domenigoni Parkway, west of Warren Road (#49).

Daily roadway capacities are “rule of thumb” estimates for planning purposes and are affected by such factors as intersections (spacing, configuration, and control features), degree of access control, roadway grades, design geometrics (horizontal and vertical alignment standards), sight distance,

vehicle mix (truck and bus traffic), and pedestrian bicycle traffic. Where the daily-based roadway segment analysis indicates a deficiency (unacceptable LOS), a review of the more detailed peak hour intersection analysis has been undertaken. The more detailed peak hour intersection analysis explicitly accounts for factors that affect roadway capacity. Therefore, roadway segment LOS deficiencies are usually only of concern and only require widening if the peak hour intersection analysis indicates the need for additional through lanes.

3.15.4 Methodology

The 2019 CEQA Guidelines were updated to remove vehicle delay and LOS from consideration under CEQA pertaining to transportation impacts. With the change in the 2019 CEQA Guidelines (particularly Section 15064.3(b)), transportation impacts are to be evaluated based on a project's effect on Vehicle Miles Traveled (VMT). Lead agencies are allowed to opt-in to the revised transportation guidelines at this time, but the new guidelines must be used starting on July 1, 2020. The City of Hemet, as the Lead Agency of the proposed Modified Project, has opted to analyze transportation impacts using both VMT and LOS for the Modified Project, as certification of this SEIR is not guaranteed to occur prior to the July 1, 2020 mandatory date.

Pursuant to the California Office of Planning and Research (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory), this SEIR analyzes the Modified Project's residential VMT and commercial (retail) VMT separately and compares each result to the appropriate threshold.[1] The City of Hemet as the Lead Agency of the Modified Project has not yet established thresholds related to VMT. However, State law provides guidance to evaluate a project's impact related to VMT through California Public Resources Code Section 15064.3(b)(4), which states in part: "A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure."

The Western Riverside Council of Governments (WRCOG) published a *Senate Bill 743 Implementation Pathway Document Package* (WRCOG Document),[2] which recommends use of the Riverside County Transportation Analysis Model (RivTAM) for VMT impact analysis in the WRCOG region, including the City of Hemet. To analyze the residential portion of the Modified Project, the City compares the Modified Project Home-Based VMT per capita with the City-wide average Home-Based VMT per capita. To analyze the commercial (retail) portion of the Modified Project, the City calculates the daily total VMT for the WRCOG region without and with the Modified Project's retail component.

Traffic impacts were analyzed also by examining the proposed Modified Project's impacts on intersections and roadways. Two phases of the Modified Project were assessed, with Phase 1 consisting of the proposed 588 single-family residential dwelling units and Phase 2 consisting of the residences plus 100,000 square feet of neighborhood retail space.

Trips generated by the Modified Project were estimated based on trip generation rates contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition, 2012. Phase 1 of the Modified Project is estimated to generate a net total of 5,598 trip-ends per day on a typical weekday with approximately 441 AM peak hour trips and 588 PM peak hour trips. Phase 2 is estimated to generate a net total of 8,211 trip-ends per day with 587 AM peak hour trips and 810 PM peak hour trips.

The analysis in the TIA assessed impacts to Existing (2017), Opening Year Cumulative (2024), Opening Year Cumulative (2026), and General Plan Buildout (2040) scenarios. Impacts were assessed for

[1] *Technical Advisory on Evaluating Transportation Impacts in CEQA.* State of California, Governor's Office of Planning and Research. Page 6. December 2018.
[2] *WRCOG SB 743 Implementation Pathway Document Package.* Fehr & Peers. March 2019.

Phase 1 and Project Buildout impacts in the Existing, Opening Year Cumulative (2026), and General Plan Buildout (2040) scenarios. The Opening Year Cumulative (2024) scenario assessed Phase 1 impacts only because Phase 2 will not be built at that time. For the purposes of this SEIR, Phase 1 impacts contained in the TIA have not been reported in order to focus the analysis on impacts from the entire project (Phases 1 and 2 combined). From this point forward in this section, reference to the proposed Modified Project implies buildout (i.e., Phases 1 plus 2) and consequently the Modified Project's impacts have been reported for the Existing (2017), Opening Year Cumulative (2026), and General Plan Buildout (2040) scenarios.

Intersection impacts to 41 study area intersections (see Exhibit 1-2 in the Project TIA, Appendix I1) were evaluated using the Highway Capacity Manual (HCM) 2010 analysis methodology and in accordance with the County of Riverside Traffic Study Guidelines. Signal warrants at unsignalized study area intersections were evaluated using signal warrant criteria presented in the latest edition of the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD), as amended by the MUTCD 2014 California Supplement. Because the traffic study area includes intersections and roadways in other jurisdictions, the applicable LOS standards for the City of San Jacinto, County of Riverside and Caltrans were used in addition to the City's LOS standards. Roadway segment impacts to 49 existing/future roadway segments (see Table 1-2 in the Project TIA, Appendix I1) were evaluated using daily maximum volume-to-capacity (v/c) values identified by the County of Riverside's General Plan for each applicable street classification. Table 3.15.A summarizes the minimum LOS standards by jurisdiction.

Table 3.15.A: Minimum LOS Standard By Jurisdiction

Jurisdiction	Intersection LOS Standard	Roadway LOS Standard
Hemet	D	C
San Jacinto	D	D
Riverside County	D	D
Caltrans	D	NA

Source: *Traffic Impact Analysis Rancho Diamante (TTM No. 36841), City of Hemet*. Section 2 (Methodologies). Urban Crossroads. April 2018 (Appendix I1).

3.15.5 Thresholds of Significance

The WRCOG Document includes recommendations on VMT assessment methodology, thresholds of significance, and examples of potential mitigation measures. WRCOG recommends the following thresholds of significance in accordance with OPR's Technical Advisory:

- For residential projects, failing to reduce VMT by at least 15 percent below City-wide average VMT per capita would be considered a significant impact.
- For commercial (retail) projects, any net increase in total daily VMT for the WRCOG region would be considered a significant impact.

Based on Appendix G of the *CEQA Guidelines* (14 CCR 15000 et seq.), the proposed Modified Project could produce a significant traffic impact if it would:

- Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections).
- Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

- 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.
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- Result in inadequate emergency access.
- Conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks).

3.15.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDF): PDFs include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts to traffic. The Modified Project includes a General Plan Amendment (GPA) to amend the City's General Plan Circulation Element to include extension of Mustang Way from Warren Road westward and northward to realigned Stetson Avenue (see Figure 2.5). The GPA would also change the classification of Warren Road from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and realigned Stetson Avenue. Roadway engineering improvements in the form of realignment of the curves on Warren Road south of the railroad tracks/realigned Stetson Avenue are included as part of the Modified Project. These frontage improvements would ensure the design speed of the roadway meets the acceptable engineering standard. Improvement to the curves on Warren Road north of the railroad tracks/realigned Stetson Avenue is not part of the Modified Project and would be implemented by the City or others.

As introduced in Section 3.3, Air Quality, of this SEIR, The proposed Modified Project provides a framework of development standards to guide development of the proposed residential and commercial uses. These standards establish development and design criteria to promote a reduction in VMT and associated vehicular emissions:

PDF 3.3-1: The Modified Project provides pedestrian connections to surrounding areas consistent with the City's General Plan. The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site.

PDF 3.3-2: The Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other, which would contribute to a reduction of automobile use for local residents and employees.

PDF 3.3-3: The Modified Project includes commercial retail uses to reduce the need for residents of the community to travel farther distances to obtain retails goods such as groceries.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from noise.

PPP 3.15-1 **City of Hemet Development Impact Fee (DIF) Program.** The Modified Project will be subject to City's Development Impact Fee (DIF) program which includes a component for Road Facilities Fees. The Road Facilities Fees finances highways, roads, bridges, and traffic signals. The most recent City DIF Nexus Study is dated January 3, 2006 (Resolutions No. 3981 and 3837).

PPP 3.15-2 **Transportation Uniform Mitigation Fee (TUMF) Program.** The TUMF program is administered by the Western Riverside Council of Governments (WRCOG) based

upon a regional Nexus Study most recently updated in 2009 to address major changes in right of way acquisition and improvement cost factors. WRCOG is currently in the process of completing a current Nexus Study update to the program. Final changes to network facilities, network cost allocations, and fee changes were not available at the time this assessment was prepared. This regional program was put into place to ensure that development pays its fair share and that funding is in place for construction of facilities needed to maintain the requisite level of service and critical to mobility in the region. TUMF is a truly regional mitigation fee program, and is imposed and implemented in every jurisdiction in Western Riverside County.

TUMF fees are imposed on new residential, industrial, and commercial development through application of the TUMF fee ordinance and fees are collected at the building or occupancy permit stage. In addition, an annual inflation adjustment is considered each year in February. In this way, TUMF fees are adjusted upwards on a regular basis to ensure that the development impact fees collected keep pace with construction and labor costs, etc.

A number of the facilities forecast to be affected by the Project are programmed for improvements through the TUMF program. The Project Applicant will be subject to the TUMF fee program and will pay the requisite TUMF fees at the rates then in effect pursuant to the TUMF Ordinance. The project is located in the Hemet/San Jacinto TUMF zone. The facilities planned through the TUMF program are constructed prior to the time at which the identified facility is expected to deteriorate to an inadequate level of service. WRCOG has a successful track record funding and overseeing the construction of improvements funded through the TUMF program. In total, the TUMF program is anticipated to generate nearly $5 billion in transportation projects for Western Riverside County.

3.15.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.15.7.1 Vehicle Miles Traveled

Threshold:	Would the commercial (retail) portion of the project result in a net increase in total daily vehicle miles traveled (VMT) for the Western Riverside Council of Governments (WRCOG) region? Would the residential portion of the project fail to reduce vehicle miles traveled (VMT) by at least 15 percent below City-wide average VMT per capita?

The Certified EIR in 1979 concluded the Approved Project would generate approximately 745,000 daily VMT. However, the context and methodology under which this figure was calculated, such as trip distribution assumptions pertaining to various land uses (e.g., residential, commercial centers, the Seven Hills Golf Course, the Hemet-Ryan Airport, and any future industrial development), are vastly different from the existing baseline condition and RivTam modeling framework. Furthermore, the City had not established VMT-specific thresholds at the time of certification of the 1979 EIR. Therefore, a meaningful comparison of VMT between the Approved Project and proposed Modified Project is impractical.

VMT analysis for the proposed Modified Project is based on the *Rancho Diamante (TTM No. 36841) Vehicle Miles Travelled (VMT) Assessment* prepared by Urban Crossroads on March 4, 2020 (Appendix I3). The calculation of the Modified Project's commercial (retail) and residential VMT considers interaction between different land uses based on socio-economic data such as population, households and employment.

Commercial (retail)

The daily total VMT for the WRCOG region without and with the Modified Project's commercial/retail component was calculated based on the RivTAM model. The Modified Project's commercial/retail component is expected to generate a daily VMT of 23,300. The daily total VMT for the WRCOG region without the Modified Project's commercial/retail component is approximately 38,274,048. The daily total VMT for WRCOG region with the Modified Project's commercial/retail component is approximately 38,266,797. Therefore, the Modified Project's commercial/retail component is anticipated to result in a net reduction of 7,251 VMT within the WRCOG region compared to without-Project conditions. Impacts from commercial/retail VMT would be less than significant, and mitigation is not required.

Residential

Based on the RivTAM model, the City's baseline average VMT per capita is 25.4. The WRCOG and OPR Technical Advisory significance threshold recommendation is 15 percent below City-wide average VMT per capita. Therefore, [Modified] Project-generated Home-Based VMT per capita in excess of 21.59 would be a significant impact requiring mitigation.

The Modified Project Home-Based VMT per capita is projected to be 30.64, which is higher than the City's 25.4 baseline average Home-Based VMT per capita and also higher than the 21.59 Home-Based VMT per capita threshold. Impacts would be significant, and mitigation is required.

Fifty (50) transportation demand management (TDM) strategies prepared for WRCOG have been evaluated for reducing VMT impacts determined to be potentially significant.[3] Of those, 41 are applicable at the building and site level, 7 of which may be effective at the Project level, and only 3 of which are determined to provide for potentially meaningful reduction in VMT as follows (refer to Appendix I3):

- *Measure 1: Increase Diversity of Land Uses.* Having different types of land uses near one another can decrease VMT since trips between land use types are shorter and may be accommodated by non-auto modes of transport. For example, when residential areas are in the same neighborhood as retail and office buildings, a resident does not need to travel outside of the neighborhood to meet his/her trip needs.

In order for the above measure to apply, at least three of the following will be located on or off-site within ¼ mile of the Project: Residential Development, Retail Development, Park, Open Space, or Office. In accordance with **PDF 3.3-2** and **PDF 3.3-3**, the Modified Project includes residential, regional retail, and park space within one-quarter mile of each other with supporting amenities, which would tend to decrease the propensity for vehicle travel for local residents.

- *Measure 2: Provide Pedestrian Network Improvements.* Providing a pedestrian access network to link areas of the Project site encourages people to walk instead of drive. This mode shift results in people driving less and thus a reduction in VMT.

In accordance with **PDF 3.3-1**, pedestrian connections shall be provided to surrounding areas consistent with the City's General Plan. Providing a pedestrian access network to link areas of the Modified Project site encourages people to walk instead of drive. The Modified Project would provide a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site. Additionally, the Modified Project would minimize barriers to pedestrian access and interconnectivity.

[3] *WRCOG SB 743 Implementation Pathway Document Package.* Page 86. Fehr & Peers. March 2019.

- *Measure 3: Provide Traffic Calming Measures.* Providing traffic calming measures encourages people to walk or bike instead of using a vehicle. This mode shift will result in a decrease in VMT. Traffic calming features may include: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others.

Roadway engineering improvements in the form of realignment of the curves on Warren Road south of the railroad tracks/realigned Stetson Avenue are included as part of the Modified Project.[4] These frontage improvements would ensure the design speed of the roadway meets the acceptable engineering standard. Construction of the intersection of Warren Road with "future" realigned Stetson Avenue would include enhanced pedestrian facilities such as marked crosswalks, count-down signal timers, and traffic signals. Additionally, adding an extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of Stetson Avenue (Figure 2.5) would further enhance pedestrian and bicycle facilities by improving marked crosswalks and count-down signal timers at the existing Mustang Way/Warren road intersection and expanding the City's network of bicycle lanes.

Roadway improvements would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control, site access requirements and internal circulation. As part of the City's standard plan check process, the final design of all roadways, intersections, and circulation within and adjacent to the Modified Project site would be reviewed by and subject to approval by City staff prior to issuance (as relevant) of any grading, construction, or occupancy permit. The review and approval by City staff sufficiently ensures the proposed Modified Project will incorporate the necessary design features to ensure safe travel to, from, and within the project site not only via motor vehicle, but also by pedestrians and cyclists.

According to WRCOG,[5] a 15 percent reduction in VMT is the maximum potential reduction when combining multiple reduction strategies for a *suburban center*, which typically involves a cluster of multi-use development within dispersed, low-density, automobile dependent land use patterns (a suburb) and serves the population of the suburb with office, retail and housing which is denser than the surrounding suburb.[6] The land use context of the Modified Project is characteristically *suburban*, which acts to reduce the range of feasible TDM measures and moderates their potential effectiveness. For *suburban* place types, characterized by dispersed, low-density, single-use, automobile dependent land use patterns usually outside of the central city,[7] a more feasible maximum VMT reduction potential is 10 percent and requires a project to contain a diverse land use mix, workforce housing, and project-specific transit.[8] WRCOG further states, "…the maximum percent reductions were not based on data or research comparing the actual performance of VMT reduction strategies in these place types. Instead, the percentages were derived from a limited comparison of aggregate citywide VMT performance for Sebastopol, San Rafael, and San Mateo where VMT performance ranged from 0 to 17 percent below the statewide VMT/capita average based on data collected prior to 2002. Little evidence exists about the long-term performance of similar TDM strategies in different land use contexts. As such, VMT reductions from TDM strategies cannot be guaranteed in most cases."[9]

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4 The double reverse curve on Warren Road is an existing condition required to protect vernal pools. Improvement to the curves on Warren Road north of the railroad tracks/realigned Stetson Avenue is not part of the Modified Project and would be implemented by the City or others.

5 *WRCOG SB 743 Implementation Pathway Document Package.* Pages 65 and 66. Fehr & Peers. March 2019.

6 *Quantifying Greenhouse Gas Mitigation Measures.* Page 60. California Air Pollution Control Officers Association. August 2010.

7 *Ibid.*

8 *WRCOG SB 743 Implementation Pathway Document Package.* Pages 65 and 66. Fehr & Peers. March 2019.

9 *Ibid.* Page 66.

Under a best-case scenario, if the proposed Modified Project achieved the maximum 10 percent VMT reduction through implementation of **PDF 3.3-1** through **3.3-3** and the proposed transportation infrastructure improvements described above, the Modified Project's reduced Home-Based VMT per capita would be approximately 27.58, which would still exceed the City-wide average of 25.4 Home-Based VMT per capita for Hemet.

1979 EIR Air Quality Mitigation Measure 3 (also provided in Section 3.3.10 of this SEIR) requires provision of convenient bus stop locations, and several bus stops have been developed within the Page Ranch PCD along Mustang Way by the RTA in support of Route 74 and Route 79 in accordance with **1979 EIR Air Quality Mitigation Measure 3**. Therefore, it is expected the project proponent and RTA will continue to service these routes through further expansion of bus stations for the occupants of the proposed Modified Project in conjunction with the proposed extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of new Stetson Avenue (Figure 2.5). Additionally, **1979 EIR Air Quality Mitigation Measure 3** facilitates execution of **PDF 3.3-2** to reduce the use of automobiles for residents and employees. **1979 EIR Traffic Mitigation Measure 10** promotes a variety of land uses in proximity to each other to reduce dependency on automobiles and promote alternative modes of transportation. Additionally, **2008 EIR Mitigation Measure AQ-07** requires the project proponent to develop a plan to encourage and facilitate carpooling, which further facilitates execution of **PDF 3.3-2** to reduce the use of automobiles for residents and employees. However, because implementation of TDM strategies cannot guarantee VMT reductions, and the Modified Project's reduced Home-Based VMT per capita would still exceed the City-wide average Home-Based VMT per capita for Hemet even if TDM strategies for the Modified Project would achieve the maximum 10 percent VMT reduction potential, Modified Project impacts from residential VMT would be *significant and unavoidable*. No additional mitigation is feasible to reduce the impact further.

3.15.7.2 Increase in Vehicle Trips or Volume-to-Capacity on Roads, or Congestion at Intersections

Threshold:	Would the project cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Existing Plus Project Intersection LOS

Table 3.15.B presents the results of the Existing Plus Project intersection level of service analysis and shows the following study area intersections are anticipated to experience unacceptable levels of service during one or more peak hours with the addition of Project traffic to existing:

- Winchester Road (SR-79)/9th Street (#2);
- Winchester Road (SR-79)/Domenigoni Parkway (#4);
- Warren Road/Esplanade Avenue (#22);
- Warren Road/Devonshire Avenue (#24);
- Warren Road/Auto Boulevard (#26); and
- Warren Road/Stetson Avenue (#28).

As shown in Table 3.15.B, deficiencies at four of the study area intersections (#2, #4, #24, and #28) occur in the Existing Without Project condition. The Modified Project's impacts to these intersections are considered to be cumulative in nature, and mitigation is required. The Modified Project's mitigation

Table 3.15.B: Existing Plus Project Intersection LOS

#	Intersection	Traffic Control[2]	Existing (2017)				E+P (Phase 1)				E+P (Project Buildout)			
			Delay[1] (secs.)		LOS		Delay[1] (secs.)		LOS		Delay[1] (secs.)		LOS	
			AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
1	Winchester Rd. (SR-79) / Florida Av. (SR-74)	TS	17.9	25.2	B	C	18.0	26.4	B	C	18.0	26.8	B	C
2	Winchester Rd. (SR-79) / 9th St.	CSS	27.2	**42.6**	D	**E**	28.0	**45.1**	D	**E**	28.2	**46.0**	D	**E**
3	Winchester Rd. (SR-79) / Simpson Rd.	TS	22.7	17.7	C	B	23.3	18.8	C	B	23.4	19.0	C	B
4	Winchester Rd. (SR-79) / Domenigoni Pkwy.	TS	**>200.0**	**176.0**	**F**	**F**	**>200.0**	**182.0**	**F**	**F**	**>200.0**	**182.6**	**F**	**F**
5	Patterson Av. / Grand Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
6	Patterson Av. / Domenigoni Pkwy.	CSS	16.7	0.0	C	A	17.1	0.0	C	A	17.1	0.0	C	A
7	El Callado Rd./Remington Wy. / Grand Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
8	SR-79 SB Ramps / Tres Cerritos Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
9	SR-79 SB Ramps / Florida Av. (SR-74)		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
10	SR-79 SB Ramps / Stetson Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
11	SR-79 SB Ramps / Domenigoni Pkwy.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
12	SR-79 NB Ramps / Tres Cerritos Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
13	SR-79 NB Ramps / Florida Av. (SR-74)		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
14	SR-79 NB Ramps / Stetson Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
15	SR-79 NB Ramps / Domenigoni Pkwy.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
16	California Av. / Stowe Rd.	CSS	9.0	9.3	A	A	9.0	9.3	A	A	9.0	9.3	A	A
17	California Av. / Stetson Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
18	California Av. / Simpson Rd.	CSS	11.5	10.7	B	B	12.0	11.2	B	B	12.1	11.3	B	B
19	St. C / New Stetson Av.	**CSS**	Future Analysis Location				8.4	8.4	A	A	8.4	8.4	A	A
20	Mustang Wy. / New Stetson Av.	**CSS**	Future Analysis Location				8.7	8.6	A	A	8.8	8.7	A	A
21	St. D / New Stetson Av.	**CSS**	Future Analysis Location				9.0	8.7	A	A	9.1	9.1	A	A
22	Warren Rd. / Esplanade Av.	AWS	33.8	27.0	D	D	**46.4**	**39.0**	**E**	**E**	**45.7**	**41.6**	**E**	**E**
23	Warren Rd. / Tres Cerritos Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
24	Warren Rd. / Devonshire Av.	AWS	**83.0**	**98.2**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
25	Warren Rd. / Florida Av. (SR-74)	TS	30.6	27.5	C	C	36.3	41.3	D	D	42.9	53.3	D	D
26	Warren Rd. / Auto Bl.	CSS	13.1	29.0	B	D	15.6	**47.1**	C	**E**	15.8	**70.9**	C	**F**
27	Warren Rd. / Whittier Av.	CSS	12.9	13.0	B	B	14.7	14.3	B	B	15.2	15.5	C	C
28	Warren Rd. / Stetson Av.	AWS	26.5	**58.7**	D	**F**	**54.6**	**>100.0**	**F**	**F**	**76.7**	**>100.0**	**F**	**F**
29	Warren Rd. / New Stetson Av.	**TS**	Future Analysis Location				9.6	9.9	A	A	10.5	12.2	B	B
30	Warren Rd. / St. D	**TS**	Future Analysis Location				4.0	4.6	B	B	5.7	10.9	B	B

Table 3.15.B: Existing Plus Project Intersection LOS

#	Intersection	Traffic Control[2]	Existing (2017)				E+P (Phase 1)				E+P (Project Buildout)			
			Delay[1] (secs.)		LOS		Delay[1] (secs.)		LOS		Delay[1] (secs.)		LOS	
			AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
31	Warren Rd. / Mustang Wy.	TS	12.4	10.1	B	B	14.5	11.6	B	B	14.7	11.9	B	B
32	Warren Rd. / Simpson Rd.	AWS	18.2	15.7	C	C	27.0	22.6	D	C	27.8	22.3	D	C
33	Warren Rd. / Domenigoni Pkwy.	TS	31.1	25.7	C	C	38.4	35.7	D	D	39.1	37.6	D	D
34	Myers St. / Florida Av. (SR-74)	TS	17.4	33.1	B	C	18.2	35.4	B	D	18.6	36.7	B	D
35	Fisher St. / New Stetson Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
36	Acacia Av. / Florida Av. (SR-74)	CSS	0.0	10.1	A	B	0.0	10.1	A	B	0.0	10.1	A	B
37	New Stetson Av. / Stetson Av.		2040 Analysis Location				2040 Analysis Location				2040 Analysis Location			
38	Cawston Av. / Florida Av. (SR-74)	TS	22.3	23.9	C	C	22.3	25.0	C	C	22.5	24.9	C	C
39	Cawston Av. / Stetson Av.	TS	11.1	11.3	B	B	11.3	11.3	B	B	11.3	11.4	B	B
40	Sanderson Av. / Florida Av. (SR-74)	TS	33.8	46.9	C	D	33.8	47.4	C	D	33.9	47.4	C	D
41	Sanderson Av. / Stetson Av.	TS	52.8	43.9	D	D	53.8	44.9	D	D	53.9	44.9	D	D

Source: *Traffic Impact Analysis Rancho Diamante (TTM No. 36841)*, *City of Hemet*. Table 5-1. Urban Crossroads. April 2018 (Appendix I1).

BOLD = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

[1] Per the 2010 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with a traffic signal or all-way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown.

[2] AWS = All Way Stop; CSS = Cross-street Stop; TS = Traffic Signal; **CSS** = Improvement

would be in the form of payment of applicable traffic impact fees as defined by **PPP 3.15-1** (City DIF), **PPP 3.15-2** (TUMF), and payment of fair-share costs for the additional improvement requirements not covered by City or TUMF fees. Payment of fair-share costs are required as part of **Mitigation Measure 3.15.10.1**. Additionally, roadway improvements as prescribed in **2008 EIR Mitigation Measure T-2a** shall be implemented.

The reduction in LOS at the Warren Road intersections at Esplanade Avenue (#22) and Auto Boulevard (#26) are caused by the Modified Project and are considered to be significant impacts, and mitigation is required. **Mitigation Measure 3.15.10.2** provides mitigation for the Warren Road/Esplanade Avenue intersection (#22). Improvements to the Warren Road/Auto intersection (#26) are already planned, scheduled, and funded through the City's Capital Improvement Plan, and payment of the City DIF constitutes the Modified Project's mitigation. The Approved Project's traffic impacts are reduced to less than significant with mitigation. When compared to the Approved Project, the Modified Project would have the same [**less than significant with mitigation**] intersection LOS impacts in the Existing condition.

Existing Plus Project Roadway LOS

Table 3.15.C presents the results of the Existing Plus Project roadway level of service analysis. As shown in Table 3.15.C, the following study area roadway segments are anticipated to experience unacceptable levels of service during one or more peak hours with the addition of Project traffic to existing:

- Warren Road, south of Esplanade Avenue (#8);
- Warren Road/north of Tres Cerritos Avenue (#9);
- Warren Road, Tres Cerritos Avenue to Devonshire Avenue (#10);
- Warren Road, Auto Boulevard to Whittier Avenue (#13);
- Warren Road, Whitter Avenue to Stetson Avenue (#14);
- Warren Road/Stetson Avenue to New Stetson Avenue (#15);
- Stetson Avenue, east of Warren Road (#25); and
- Stetson Avenue, west of New Stetson Av. (#26).

A review of the detailed peak hour intersection analysis conducted previously reveals that the anticipated roadway segment deficiencies anticipated along Warren Road, Stetson Avenue, Simpson Road, and Domenigoni Parkway operate at acceptable LOS with recommended intersection improvements but without additional through lanes. For this reason, roadway segment widening has not been recommended for these deficient roadway segments. Roadway segment impacts are less than significant (i.e., no mitigation is required), while roadway intersection impacts are reduced to less than significant levels with implementation of **Mitigation Measure 3.15.10.1** and **2008 EIR Mitigation Measure T-2a**. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] roadway LOS impacts in the Existing condition.

Opening Year Cumulative (2026) Plus Project Intersection LOS

Table 3.15.D presents the results of the Opening Year Cumulative (2026) Plus Project intersection level of service analysis. As shown in Table 3.15.D, the following study area intersections, with corresponding reference number in the table, are anticipated to experience unacceptable levels of service during one or more peak hours with the addition of Project traffic to existing:

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Table 3.15.C: Existing Plus Project Roadway LOS

#	Roadway	Segment Limits	Roadway Section	LOS[3] Capacity[1]	Existing (2017)	V/C[2]	LOS[3]	E+P Phase 1	V/C[2]	LOS[3]	E+P Buildout	V/C[2]	LOS[3]	Acceptable LOS[3]
1	Winchester Rd. (SR-79)	South of Florida Av. (SR-74)	2U	17,050	12,346	0.72	C	12,514	0.73	C	12,667	0.74	C	D
2		North of 9th St.	2U	17,050	14,159	0.83	D	14,327	0.84	D	14,296	0.84	D	D
3	Patterson Av.	South of Grand Av.	2U	12,950	448	0.03	A	448	0.03	A	448	0.03	A	D
4	California Av.	Stowe Rd. to New Stetson Av.	2U	12,950	320	0.02	A	320	0.02	A	320	0.02	A	C
5		New Stetson Av. to Simpson Rd.	2U	12,950	103	0.01	A	103	0.01	A	103	0.01	A	C
6	Mustang Wy.	South of New Stetson Av.		13,000	Future Segment			1,120	0.09	A	3,140	0.24	A	C
7		West of Warren Rd.		13,000	Future Segment			2,524	0.19	A	2,054	0.16	A	C
8	Warren Rd.	South of Esplanade Av.	2U	18,000	13,724	0.76	C	14,508	**0.81**	**D**	14,728	**0.82**	**D**	C
9		North of Tres Cerritos Av.	2U	18,000	13,724	0.76	C	14,508	**0.81**	**D**	14,728	**0.82**	**D**	C
10		Tres Cerritos Av. to Devonshire Av.	2U	18,000	13,724	0.76	C	14,508	**0.81**	**D**	14,728	**0.82**	**D**	C
11		Devonshire Av. to Florida Av. (SR-74)	2U	18,000	10,405	0.58	A	11,245	0.62	B	11,711	0.65	B	C
12		Florida Av. (SR-74) to Auto Bl.	3U	27,000	16,222	0.60	A	18,462	0.68	B	20,348	0.75	C	C
13		Auto Bl. to Whittier Av.	2U	18,000	14,403	0.80	C	16,755	**0.93**	**E**	18,620	**1.03**	**F**	C
14		Whitter Av. to Stetson Av.	2U	18,000	14,403	0.80	C	16,755	**0.93**	**E**	18,620	**1.03**	**F**	C
15		Stetson Av. to New Stetson Av.	2U	18,000	10,211	0.57	A	13,739	0.76	C	16,006	**0.89**	**D**	C
16		New Stetson Av. to Street D	2U	18,000	10,046	0.56	A	12,454	0.69	B	13,467	0.75	C	C
17		Street D to Mustang Wy.	2U	18,000	10,046	0.56	A	12,176	0.68	B	12,510	0.70	B	C
18		South of Mustang Wy.	2U	18,000	12,506	0.69	B	14,242	0.79	C	14,430	0.80	C	C
19		Simpson Rd. to Domenigoni Pkwy.	2U	18,000	9,380	0.52	A	10,556	0.59	A	10,519	0.58	A	C

Table 3.15.C: Existing Plus Project Roadway LOS

#	Roadway	Segment Limits	Roadway Section	LOS[3] Capacity[1]	Existing (2017)	V/C[2]	LOS[3]	E+P Phase 1	V/C[2]	LOS[3]	E+P Buildout	V/C[2]	LOS[3]	Acceptable LOS[3]
20	Florida Av. (SR-74)	Warren Rd. to Myers St.	4D	35,900	23,687	0.66	B	24,863	0.69	B	25,595	0.71	C	C
21		Myers St. to Acacia Av.	5D	44,875	26,281	0.59	A	27,289	0.61	B	27,869	0.62	B	C
22		Acacia Av. to Cawston Av.	4D	35,900	23,744	0.66	B	24,668	0.69	B	25,172	0.70	B	C
23		East of Cawston Av.	4D	34,100	21,655	0.64	B	22,439	0.66	B	22,659	0.66	B	C
24		West of Sanderson Av.	4D	34,100	24,167	0.71	C	24,727	0.73	C	24,989	0.73	C	C
25	Stetson Av.	East of Warren Rd.	2U	13,000	9,087	0.70	B	10,263	0.79	C	10,665	**0.82**	**D**	C
26		West of New Stetson Av.	2U	13,000	9,087	0.70	B	10,263	0.79	C	10,665	**0.82**	**D**	C
27		New Stetson Av. to Cawston Av.	2U	18,000	9,008	0.50	A	10,184	0.57	A	10,585	0.59	A	C
28		East of Cawston Av.	4D	35,900	11,097	0.31	A	12,161	0.34	A	12,364	0.34	A	C
29		West of Sanderson Av.	4D	35,900	15,530	0.43	A	16,594	0.46	A	16,798	0.47	A	C
30	9th St.	East of Winchester Rd. (SR-79)	2U	17,950	115	0.01	A	115	0.01	A	189	0.01	A	D
31	Grand Av.	Patterson Av. to Calvert Av.	2U	18,000	64	0.00	A	64	0.00	A	64	0.00	A	D
32		Calvert Av. to SR-79		18,000	2040 Segment			2040 Segment			2040 Segment			D
33	New Stetson Av.	East of SR-79		35,900	2040 Segment			2040 Segment			2040 Segment			D
34		West of California Av.		35,900	2040 Segment			2040 Segment			2040 Segment			D
35		California Av. to Street C		35,900	2040 Segment			2040 Segment			2040 Segment			C
36		Street C to Mustang Wy.		35,900	2040 Segment			2040 Segment			2040 Segment			C
37		Mustang Wy. to Street D		35,900	2040 Segment			2040 Segment			2040 Segment			C
38		Street D to Warren Rd.		35,900	2040 Segment			2040 Segment			2040 Segment			C

Table 3.15.C: Existing Plus Project Roadway LOS

#	Roadway	Segment Limits	Roadway Section	LOS[3] Capacity[1]	Existing (2017)	V/C[2]	LOS[3]	E+P Phase 1	V/C[2]	LOS[3]	E+P Buildout	V/C[2]	LOS[3]	Acceptable LOS[3]
39		Warren Rd. to Fisher St.		35,900	2040 Segment			2040 Segment			2040 Segment			C
40		Fisher St. to Stetson Av.		35,900	2040 Segment			2040 Segment			2040 Segment			C
41	Simpson Rd.	East of Winchester Rd. (SR-79)	2U	12,950	5,407	0.42	A	5,967	0.46	A	6,119	0.47	A	C
42		West of California Av.	2U	12,950	4,587	0.35	A	5,147	0.40	A	5,372	0.41	A	C
43		East of California Av.	2U	12,950	4,562	0.35	A	5,122	0.40	A	5,347	0.41	A	C
44		West of Warren Rd.	2U	12,950	4,677	0.36	A	5,237	0.40	A	5,462	0.42	A	C
45		East of Warren Rd.	2U	12,950	12,506	**0.97**	**E**	14,242	**1.10**	**F**	14,429	1.11	**F**	C
46	Domenigoni Pkwy.	Winchester Rd. (SR-79) to Patterson Av.	4D	35,900	39,851	**1.11**	**F**	40,635	**1.13**	**F**	40,599	1.13	**F**	C
47		Patterson Av. to SR-79	4D	35,900	39,800	**1.11**	**F**	40,584	**1.13**	**F**	40,547	1.13	**F**	C
48		East of SR-79		35,900	2040 Segment			2040 Segment			2040 Segment			C
49		West of Warren Rd.	4D	35,900	39,428	**1.10**	**F**	40,212	**1.12**	**F**	40,175	1.12	**F**	C

Source: *Traffic Impact Analysis Rancho Diamante (TTM No. 36841), City of Hemet*. Table 5-2. Urban Crossroads. April 2018 (Appendix I1).
BOLD = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).
[1] These maximum roadway capacities have been extracted from the County of Riverside's General Plan.
[2] V/C = Volume to Capacity Ratio
[3] LOS = Level of Service

Table 3.15.D: Opening Year Cumulative (2026) Plus Project Intersection LOS

#	Intersection	Traffic Control[2]	2026 Without Project				2026 With Project			
			Delay[1] (secs.)		LOS		Delay[1] (secs.)		LOS	
			AM	PM	AM	PM	AM	PM	AM	PM
1	Winchester Rd. (SR-79) / Florida Av. (SR-74)	TS	33.6	**160.0**	C	**F**	34.6	**164.4**	C	**F**
2	Winchester Rd. (SR-79) / 9th St.	CSS	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
3	Winchester Rd. (SR-79) / Simpson Rd.	TS	40.6	25.8	D	C	41.0	27.3	D	C
4	Winchester Rd. (SR-79) / Domenigoni Pkwy.	TS	**>200.0**	**>200.0**	**F**	**F**	**>200.0**	**>200.0**	**F**	**F**
5	Patterson Av. / Grand Av.		2040 Analysis Location				2040 Analysis Location			
6	Patterson Av. / Domenigoni Pkwy.	CSS	21.2	0.0	C	A	21.8	0.0	C	A
7	El Callado Rd./Remington Wy. / Grand Av.		2040 Analysis Location				2040 Analysis Location			
8	SR-79 SB Ramps / Tres Cerritos Av.		2040 Analysis Location				2040 Analysis Location			
9	SR-79 SB Ramps / Florida Av. (SR-74)		2040 Analysis Location				2040 Analysis Location			
10	SR-79 SB Ramps / Stetson Av.		2040 Analysis Location				2040 Analysis Location			
11	SR-79 SB Ramps / Domenigoni Pkwy.		2040 Analysis Location				2040 Analysis Location			
12	SR-79 NB Ramps / Tres Cerritos Av.		2040 Analysis Location				2040 Analysis Location			
13	SR-79 NB Ramps / Florida Av. (SR-74)		2040 Analysis Location				2040 Analysis Location			
14	SR-79 NB Ramps / Stetson Av.		2040 Analysis Location				2040 Analysis Location			
15	SR-79 NB Ramps / Domenigoni Pkwy.		2040 Analysis Location				2040 Analysis Location			
16	California Av. / Stowe Rd.	CSS	9.1	9.4	A	A	9.1	9.4	A	A
17	California Av. / Stetson Av.		2040 Analysis Location				2040 Analysis Location			
18	California Av. / Simpson Rd.	CSS	12.3	11.3	B	B	13.0	12.0	B	B
19	St. C / New Stetson Av.	**CSS**	Future Analysis Location				8.4	8.4	A	A
20	Mustang Wy. / New Stetson Av.	**CSS**	Future Analysis Location				8.8	8.8	A	A
21	St. D / New Stetson Av.	**CSS**	Future Analysis Location				9.1	9.1	A	A
22	Warren Rd. / Esplanade Av.	AWS	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
23	Warren Rd. / Tres Cerritos Av.		2040 Analysis Location				2040 Analysis Location			
24	Warren Rd. / Devonshire Av.	AWS	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
25	Warren Rd. / Florida Av. (SR-74)	TS	**93.1**	**101.6**	**F**	**F**	**108.0**	**133.6**	**F**	**F**
26	Warren Rd. / Auto Bl.	CSS	**41.4**	**>100.0**	**E**	**F**	**70.2**	**>100.0**	**F**	**F**
27	Warren Rd. / Whittier Av.	CSS	25.3	31.6	D	D	33.3	**44.0**	D	**E**
28	Warren Rd. / Stetson Av.	**TS**[3]	47.4	51.3	D	D	51.7	53.6	D	D
29	Warren Rd. / New Stetson Av.	**TS**	Future Analysis Location				14.4	37.1	B	D
30	Warren Rd. / St. D	**TS**	Future Analysis Location				5.9	47.9	A	D
31	Warren Rd. / Mustang Wy.	TS	42.9	**62.9**	D	**E**	**78.1**	**84.5**	**E**	**F**

Table 3.15.D: Opening Year Cumulative (2026) Plus Project Intersection LOS

#	Intersection	Traffic Control[2]	2026 Without Project				2026 With Project			
			Delay[1] (secs.)		LOS		Delay[1] (secs.)		LOS	
			AM	PM	AM	PM	AM	PM	AM	PM
32	Warren Rd. / Simpson Rd.	AWS	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
33	Warren Rd. / Domenigoni Pkwy.	TS	**>200.0**	**>200.0**	**F**	**F**	**>200.0**	**>200.0**	**F**	**F**
34	Myers St. / Florida Av. (SR-74)	TS	**98.6**	**>200.0**	**F**	**F**	**115.2**	**>200.0**	**F**	**F**
35	Fisher St. / New Stetson Av.		2040 Analysis Location				2040 Analysis Location			
36	Acacia Av. / Florida Av. (SR-74)	CSS	0.0	14.4	A	B	0.0	14.4	A	B
37	New Stetson Av. / Stetson Av.		2040 Analysis Location				2040 Analysis Location			
38	Cawston Av. / Florida Av. (SR-74)	TS	**134.2**	**174.7**	**F**	**F**	**147.0**	**186.5**	**F**	**F**
39	Cawston Av. / Stetson Av.	TS	11.6	11.4	B	B	11.9	11.4	B	B
40	Sanderson Av. / Florida Av. (SR-74)	TS	**105.8**	**>200.0**	**F**	**F**	**106.3**	**>200.0**	**F**	**F**
41	Sanderson Av. / Stetson Av.	TS	**171.8**	**>200.0**	**F**	**F**	**185.9**	**>200.0**	**F**	**F**

Source: *Traffic Impact Analysis Rancho Diamante (TTM No. 36841), City of Hemet*. Table 7-1. Urban Crossroads. April 2018 (Appendix I1).

BOLD = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

[1] Per the 2010 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with a traffic signal or all-way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown.

[2] AWS = All Way Stop; CSS = Cross-street Stop; TS = Traffic Signal; **CSS** = Improvement

[3] As a Condition of Approval and Mitigation Measure for Tract 31807/31808, Warren Road and Stetson Avenue will be analyzed as a signalized intersection for future conditions.

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- Winchester Road (SR-79)/Florida Avenue (SR-74) (#1)
- Winchester Road (SR-79)/9th Street (#2);
- Winchester Road (SR-79)/Domenigoni Parkway (#4);
- Warren Road/Esplanade Avenue (#22);
- Warren Road/Devonshire Avenue (#24);
- Warren Road/Florida Avenue (#25);
- Warren Road/Auto Boulevard (#26);
- Warren Road/Whittier Avenue (#27);
- Warren Road/Stetson Avenue (#28);
- Warren Road/Mustang Way (#31);
- Warren Road/Simpson Road (#32);
- Warren Road/Domenigoni Parkway (#33);
- Myers Street/Florida Avenue (SR-74) (#34);
- Cawston Avenue/Florida Avenue (SR-74) (#38);
- Sanderson Avenue/Florida Avenue (SR-74) (#40); and
- Sanderson Avenue/Stetson Avenue (#41).

As shown in Table 3.15.D, deficiencies at all but one of the study area intersections (#27) occur in the Opening Year Cumulative (2026) Without Project condition. However, the deficiency at the Warren Road/Whittier Avenue (#27) intersection is caused by the combination of cumulative traffic growth and the traffic additions from the Modified Project. The Modified Project's impacts to all of these intersections are therefore considered to be cumulative in nature. The Modified Project's mitigation would be in the form of payment of applicable traffic impact fees as defined by **PPP 3.15-1** (City DIF), **PPP 3.15-2** (TUMF), and payment of fair-share costs for the additional improvement requirements not covered by City or TUMF fees. Payment of fair-share costs are required as part of **Mitigation Measure 3.15.10.1**. Additionally, roadway improvements as prescribed in **2008 EIR Mitigation Measure T-2a** shall be implemented. The Modified Project's traffic impacts are reduced to less than significant with mitigation. When compared to the Approved Project, the Modified Project would have the same [**less than significant with mitigation**] intersection LOS impacts in the Opening Year Cumulative (2026) condition.

Opening Year Cumulative (2026) Plus Project Roadway LOS

Table 3.15.E presents the results of the Opening Year Cumulative (2026) Plus Project roadway level of service analysis. As shown in Table 3.15.E, the following study area roadway segments are anticipated to experience unacceptable levels of service during one or more peak hours with the addition of Project traffic to Opening Year Cumulative (2026):

- Winchester Road (SR-79), south of Florida Avenue (SR-74) (#1);
- Winchester Road (SR-79), north of 9th Street (#2);
- Warren Road, south of Esplanade Avenue (#8);
- Warren Road/north of Tres Cerritos Avenue (#9);
- Warren Road, Tres Cerritos Avenue to Devonshire Avenue (#10);

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Table 3.15.E: Opening Year Cumulative (2026) Plus Project Roadway LOS

#	Roadway	Segment Limits	Roadway Section	LOS[3] Capacity[1]	2026 Without Project	V/C[2]	LOS[3]	2026 With Project	V/C[2]	LOS[3]	Acceptable LOS[3]
1	Winchester Rd. (SR-79)	South of Florida Av. (SR-74)	2U	17,050	21,997	**1.29**	**F**	22,318	**1.31**	**F**	D
2		North of 9th St.	2U	17,050	21,625	**1.27**	**F**	21,762	**1.28**	**F**	D
3	Patterson Av.	South of Grand Av.	2U	12,950	535	0.04	A	535	0.04	A	D
4	California Av.	Stowe Rd. to New Stetson Av.	2U	12,950	396	0.03	A	396	0.03	A	C
5		New Stetson Av. to Simpson Rd.	2U	12,950	123	0.01	A	123	0.01	A	C
6	Mustang Wy.	South of New Stetson Av.		13,000	0	0.00	A	3,140	0.24	A	C
7		West of Warren Rd.		13,000	2,284	0.18	A	4,338	0.33	A	C
8	Warren Rd.	South of Esplanade Av.	2U	18,000	27,837	**1.55**	**F**	28,841	**1.60**	**F**	C
9		North of Tres Cerritos Av.	2U	18,000	18,107	**1.01**	**F**	19,111	**1.06**	**F**	C
10		Tres Cerritos Av. to Devonshire Av.	2U	18,000	18,107	**1.01**	**F**	19,111	**1.06**	**F**	C
11		Devonshire Av. to Florida Av. (SR-74)	2U	18,000	23,527	**1.31**	**F**	24,833	**1.38**	**F**	C
12		Florida Av. (SR-74) to Auto Bl.	3U	27,000	31,298	**1.16**	**F**	35,424	**1.31**	**F**	C
13		Auto Bl. to Whittier Av.	2U	18,000	18,333	**1.02**	**F**	22,550	**1.25**	**F**	C
14		Whitter Av. to Stetson Av.	2U	18,000	29,520	**1.64**	**F**	33,737	**1.87**	**F**	C
15		Stetson Av. to New Stetson Av.	2U	18,000	22,685	**1.26**	**F**	28,480	**1.58**	**F**	C
16		New Stetson Av. to Street D	2U	18,000	22,488	**1.25**	**F**	25,909	**1.44**	**F**	C
17		Street D to Mustang Wy.	2U	18,000	22,488	**1.25**	**F**	24,952	**1.39**	**F**	C
18		South of Mustang Wy.	2U	18,000	23,397	**1.30**	**F**	25,321	**1.41**	**F**	C
19		Simpson Rd. to Domenigoni Pkwy.	2U	18,000	17,792	**0.99**	**E**	18,931	**1.05**	**F**	C
20	Florida Av. (SR-74)	Warren Rd. to Myers St.	4D	35,900	51,303	**1.43**	**F**	53,211	**1.48**	**F**	C
21		Myers St. to Acacia Av.	5D	44,875	54,455	**1.21**	**F**	56,043	**1.25**	**F**	C
22		Acacia Av. to Cawston Av.	4D	35,900	48,023	**1.34**	**F**	49,451	**1.38**	**F**	C
23		East of Cawston Av.	4D	34,100	47,395	**1.39**	**F**	48,399	**1.42**	**F**	C
24		West of Sanderson Av.	4D	34,100	49,026	**1.44**	**F**	49,848	**1.46**	**F**	C
25	Stetson Av.	East of Warren Rd.	2U	13,000	16,493	**1.27**	**F**	18,071	**1.39**	**F**	C
26		West of New Stetson Av.	2U	13,000	16,493	**1.27**	**F**	18,071	**1.39**	**F**	C
27		New Stetson Av. to Cawston Av.	2U	18,000	11,776	0.65	B	13,353	0.74	C	C
28		East of Cawston Av.	4D	35,900	14,273	0.40	A	15,540	0.43	A	C
29		West of Sanderson Av.	4D	35,900	25,893	0.72	C	27,161	0.76	C	C
30	9th St.	East of Winchester Rd. (SR-79)	2U	17,950	177	0.01	A	251	0.01	A	D
31	Grand Av.	Patterson Av. to Calvert Av.	2U	18,000	76	0.00	A	76	0.00	A	D
32		Calvert Av. to SR-79		18,000	2040 Segment			2040 Segment			D

Table 3.15.E: Opening Year Cumulative (2026) Plus Project Roadway LOS

#	Roadway	Segment Limits	Roadway Section	LOS[3] Capacity[1]	2026 Without Project	V/C[2]	LOS[3]	2026 With Project	V/C[2]	LOS[3]	Acceptable LOS[3]
33	New Stetson Av.	East of SR-79		35,900	2040 Segment			2040 Segment			D
34		West of California Av.		35,900	2040 Segment			2040 Segment			D
35		California Av. to Street C		35,900	2040 Segment			2040 Segment			C
36		Street C to Mustang Wy.		35,900	2040 Segment			2040 Segment			C
37		Mustang Wy. to Street D		35,900	2040 Segment			2040 Segment			C
38		Street D to Warren Rd.		35,900	2040 Segment			2040 Segment			C
39		Warren Rd. to Fisher St.		35,900	2040 Segment			2040 Segment			C
40		Fisher St. to Stetson Av.		35,900	2040 Segment			2040 Segment			C
41	Simpson Rd.	East of Winchester Rd. (SR-79)	2U	12,950	9,848	0.76	C	10,560	**0.82**	**D**	C
42		West of California Av.	2U	12,950	5,482	0.42	A	6,267	0.48	A	C
43		East of California Av.	2U	12,950	5,452	0.42	A	6,237	0.48	A	C
44		West of Warren Rd.	2U	12,950	7,457	0.58	A	8,242	0.64	B	C
45		East of Warren Rd.	2U	12,950	23,396	**1.81**	**F**	25,319	**1.96**	**F**	C
46	Domenigoni Pkwy.	Winchester Rd. (SR-79) to Patterson Av.	4D	35,900	50,180	**1.40**	**F**	50,928	**1.42**	**F**	C
47		Patterson Av. to SR-79	4D	35,900	50,118	**1.40**	**F**	50,865	**1.42**	**F**	C
48		East of SR-79		35,900	2040 Segment			2040 Segment			C
49		West of Warren Rd.	4D	35,900	60,552	**1.69**	**F**	61,299	**1.71**	**F**	C

Source: *Traffic Impact Analysis Rancho Diamante (TTM No. 36841), City of Hemet*. Table 7-2. Urban Crossroads. April 2018 (Appendix I1).

BOLD = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

[1] These maximum roadway capacities have been extracted from the County of Riverside's General Plan.

[2] V/C = Volume to Capacity Ratio

[3] LOS = Level of Service

- Warren Road, Devonshire Avenue to Florida Avenue (SR-74) (#11);
- Warren Rd., Florida Avenue (SR-74) to Auto Bl. (#12) – LOS E
- Warren Road, Auto Boulevard to Whittier Avenue (#13);
- Warren Road, Whitter Avenue to Stetson Avenue (#14);
- Warren Road/Stetson Avenue to New Stetson Avenue (#15);
- Warren Road, New Stetson Avenue to Street D (#16);
- Warren Road, Street D to Mustang Way (#17);
- Warren Road, south of Mustang Way (#18);
- Warren Road, Simpson Road to Domenigoni Parkway (#19);
- Florida Avenue (SR-74), Warren Road to Myers Street (#20);
- Florida Avenue (SR-74), Myers Street to Acacia Avenue (#21);
- Florida Avenue (SR-74), Acacia Avenue to Cawston Avenue (#22);
- Florida Avenue (SR-74), east of Cawston Avenue (#23);
- Florida Avenue (SR-74), west of Sanderson Avenue (#24);
- Stetson Avenue, east of Warren Road (#25);
- Stetson Avenue, west of New Stetson Avenue (#26);
- Simpson Road, east of Warrant Road (#45);
- Domenigoni Parkway, Winchester Road (SR-79) to Patterson Avenue (#46);
- Domenigoni Parkway, Patterson Avenue to SR-79 (#47);
- Domenigoni Parkway, east of SR-79 (#48); and
- Domenigoni Parkway, west of Warren Road (#49).

A review of the detailed peak hour intersection analysis conducted previously reveals that the anticipated roadway segment deficiencies anticipated along all roadway segments operate at acceptable LOS with recommended intersection improvements. For this reason, roadway segment widening has not been recommended for the roadway segments. When compared to the Approved Project, the Modified Project would have reduced [less than significant] roadway LOS impacts in the Opening Year Cumulative (2026) condition.

General Plan Buildout (2040) Plus Project Intersection LOS

Table 3.15.F presents the results of the General Plan Buildout (2040) Plus Project intersection level of service analysis. As shown in Table 3.15.F, the following study area intersections are anticipated to experience unacceptable levels of service during one or more peak hours with the addition of Modified Project traffic to General Plan Buildout (2040) conditions:

- Winchester Road (SR-79)/Florida Avenue (SR-74) (#1)
- Winchester Road (SR-79)/9th Street (#2);
- Winchester Road (SR-79)/Domenigoni Parkway (#4);
- Patterson Avenue/Domenigoni Parkway (#6);

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Table 3.15.F: General Plan Buildout (2040) Plus Project Intersection LOS

#	Intersection	Traffic Control[2]	2040 Without Project				2040 With Project			
			Delay[1] (secs.)		LOS		Delay[1] (secs.)		LOS	
			AM	PM	AM	PM	AM	PM	AM	PM
1	Winchester Rd. (SR-79) / Florida Av. (SR-74)	TS	**144.7**	**>200.0**	**F**	**F**	**152.5**	**>200.0**	**F**	**F**
2	Winchester Rd. (SR-79) / 9th St.	CSS	**35.5**	**>100.0**	**E**	**F**	**35.7**	**>100.0**	**E**	**F**
3	Winchester Rd. (SR-79) / Simpson Rd.	TS	52.4	45.4	D	D	53.4	46.0	D	D
4	Winchester Rd. (SR-79) / Domenigoni Pkwy.	TS	**>200.0**	**66.9**	**F**	**E**	**>200.0**	**68.8**	**F**	**E**
5	Patterson Av. / Grand Av.		See Improvements[3]				See Improvements[3]			
6	Patterson Av. / Domenigoni Pkwy.	CSS	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
7	El Callado Rd./Remington Wy. / Grand Av.		See Improvements[3]				See Improvements[3]			
8	SR-79 SB Ramps / Tres Cerritos Av.		See Improvements[3]				See Improvements[3]			
9	SR-79 SB Ramps / Florida Av. (SR-74)		See Improvements[3]				See Improvements[3]			
10	SR-79 SB Ramps / Stetson Av.		See Improvements[3]				See Improvements[3]			
11	SR-79 SB Ramps / Domenigoni Pkwy.		See Improvements[3]				See Improvements[3]			
12	SR-79 NB Ramps / Tres Cerritos Av.		See Improvements[3]				See Improvements[3]			
13	SR-79 NB Ramps / Florida Av. (SR-74)		See Improvements[3]				See Improvements[3]			
14	SR-79 NB Ramps / Stetson Av.		See Improvements[3]				See Improvements[3]			
15	SR-79 NB Ramps / Domenigoni Pkwy.		See Improvements[3]				See Improvements[3]			
16	California Av. / Stowe Rd.	CSS	**>100.0**	22.4	**F**	C	**>100.0**	27.3	**F**	D
17	California Av. / Stetson Av.		See Improvements[3]				See Improvements[3]			
18	California Av. / Simpson Rd.	CSS	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
19	St. C / New Stetson Av.	**TS**	Future Analysis Location				26.0	35.2	C	D
20	Mustang Wy. / New Stetson Av.	**TS**	Future Analysis Location				28.4	47.5	C	D
21	St. D / New Stetson Av.	**TS**	Future Analysis Location				26.0	10.7	C	B
22	Warren Rd. / Esplanade Av.	AWS	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
23	Warren Rd. / Tres Cerritos Av.		See Improvements[3]				See Improvements[3]			
24	Warren Rd. / Devonshire Av.	AWS	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
25	Warren Rd. / Florida Av. (SR-74)	TS	**>200.0**	**182.8**	**F**	**F**	**>200.0**	**198.9**	**F**	**F**
26	Warren Rd. / Auto Bl.	CSS	**>100.0**	**>100.0**	**F**	**F**	**>100.0**	**>100.0**	**F**	**F**
27	Warren Rd. / Whittier Av.	CSS	**37.0**	**>100.0**	**E**	**F**	**43.0**	**>100.0**	**F**	**F**
28	Warren Rd. / Stetson Av.	AWS	**>200.0**	**>200.0**	**F**	**F**	**>200.0**	**>200.0**	**F**	**F**
29	Warren Rd. / New Stetson Av.	**TS**	**81.7**	**68.4**	**F**	**E**	**104.7**	**179.5**	**F**	**F**
30	Warren Rd. / St. D	**TS**	Future Analysis Location				13.7	4.6	B	A
31	Warren Rd. / Mustang Wy.	TS	**71.9**	**149.1**	**F**	**F**	**82.1**	**149.4**	**F**	**F**

Table 3.15.F: General Plan Buildout (2040) Plus Project Intersection LOS

#	Intersection	Traffic Control[2]	2040 Without Project				2040 With Project			
			Delay[1] (secs.)		LOS		Delay[1] (secs.)		LOS	
			AM	PM	AM	PM	AM	PM	AM	PM
32	Warren Rd. / Simpson Rd.	AWS	**75.8**	**151.7**	**F**	**F**	**78.0**	**155.7**	**F**	**F**
33	Warren Rd. / Domenigoni Pkwy.	TS	**177.6**	**128.6**	**F**	**F**	**181.7**	**132.9**	**F**	**F**
34	Myers St. / Florida Av. (SR-74)	TS	**>200.0**	**>200.0**	**F**	**F**	**>200.0**	**>200.0**	**F**	**F**
35	Fisher St. / New Stetson Av.		See Improvements[3]				See Improvements[3]			
36	Acacia Av. / Florida Av. (SR-74)	CSS	24.9	22.0	C	C	24.9	25.5	C	D
37	New Stetson Av. / Stetson Av.		See Improvements[3]				See Improvements[3]			
38	Cawston Av. / Florida Av. (SR-74)	TS	**183.8**	**135.6**	**F**	**F**	**185.7**	**137.8**	**F**	**F**
39	Cawston Av. / Stetson Av.	TS	33.7	**>200.0**	C	**F**	39.8	**>200.0**	D	**F**
40	Sanderson Av. / Florida Av. (SR-74)	TS	**103.6**	**96.7**	**F**	**F**	**103.7**	**98.7**	**F**	**F**
41	Sanderson Av. / Stetson Av.	TS	**>200.0**	**156.6**	**F**	**F**	**>200.0**	**159.8**	**F**	**F**

Source: *Traffic Impact Analysis Rancho Diamante (TTM No. 36841), City of Hemet*. Table 8-1. Urban Crossroads. April 2018 (Appendix I1).

BOLD = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

[1] Per the 2010 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with a traffic signal or all-way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown.

[2] AWS = All Way Stop; CSS = Cross-street Stop; TS = Traffic Signal; **CSS** = Improvement

[3] Grade separated SR-79 ramps are evaluated as "with improvements" only (see Table 8-3)

- California Avenue/Stowe Road (#16);
- California Avenue/Simpson Road (#18);
- Warren Road/Esplanade Avenue (#22);
- Warren Road/Devonshire Avenue (#24);
- Warren Road/Florida Avenue (#25);
- Warren Road/Auto Boulevard (#26);
- Warren Road/Whittier Avenue (#27);
- Warren Road/Stetson Avenue (#28);
- Warren Road/New Stetson Avenue (#29);
- Warren Road/Mustang Way (#31);
- Warren Road/Simpson Road (#32);
- Warren Road/Domenigoni Parkway (#33);
- Myers Street/Florida Avenue (SR-74) (#34);
- Cawston Avenue/Florida Avenue (SR-74) (#38);
- Cawston Avenue/Stetson Avenue (#39);
- Sanderson Avenue/Florida Avenue (SR-74) (#40); and
- Sanderson Avenue/Stetson Avenue (#41).

As shown in Table 3.15.F, deficiencies at all of the study area intersections occur in the General Plan Buildout (2040) Without Project condition. The Modified Project's impacts to all of these intersections are therefore considered to be cumulative in nature. The Modified Project's mitigation would be in the form of payment of applicable traffic impact fees as required by **PPP 3.15-1** (City DIF, **PPP 3.15-2** (TUMF), and payment of fair-share costs for the additional improvement requirements not covered by City or TUMF fees. Payment of fair-share costs are required as part of **Mitigation Measure 3.15.10.1**. Additionally, roadway improvements as prescribed in **2008 EIR Mitigation Measure T-2a** shall be implemented. The Modified Project's traffic impacts are reduced to less than significant with mitigation. When compared to the Approved Project, the Modified Project would have the same [**less than significant with mitigation**] intersection LOS impacts in the General Plan Buildout (2040) condition.

General Plan Buildout (2040) Plus Project Roadway LOS

Table 3.15.G presents the results of the General Plan Buildout (2040) Plus Project roadway level of service analysis. As shown in Table 3.15.G, the following study area roadway segments are anticipated to experience unacceptable levels of service during one or more peak hours with the addition of Project traffic to General Plan Buildout (2040):

- Winchester Road (SR-79), south of Florida Avenue (SR-74) (#1);
- Winchester Road (SR-79), north of 9th Street (#2);
- Patterson Avenue, south of Grand Avenue (#3);
- California Avenue, Stowe Road to New Stetson Avenue (#4);
- California Avenue, New Stetson Avenue to Simpson Road (#5);

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Table 3.15.G: General Plan Buildout (2040) Plus Project Roadway LOS

#	Roadway	Segment Limits	Roadway Section	LOS[3] Capacity[1]	2040 Without Project	V/C[2]	LOS[3]	2040 With Project	V/C[2]	LOS[3]	Acceptable LOS[3]
1	Winchester Rd. (SR-79)	South of Florida Av. (SR-74)	2U	17,050	24,990	**1.47**	**F**	25,582	**1.50**	**F**	D
2		North of 9th St.	2U	17,050	29,073	**1.71**	**F**	29,117	**1.71**	**F**	D
3	Patterson Av.	South of Grand Av.	2U	12,950	13,621	**1.05**	**F**	13,667	**1.06**	**F**	D
4	California Av.	Stowe Rd. to New Stetson Av.	2U	12,950	17,744	**1.37**	**F**	18,562	**1.43**	**F**	C
5		New Stetson Av. to Simpson Rd.	2U	12,950	18,616	**1.44**	**F**	19,162	**1.48**	**F**	C
6	Mustang Wy.	South of New Stetson Av.	**4D**	34,100	14,207	0.42	A	18,028	0.53	A	C
7		West of Warren Rd.	**4D**	34,100	5,011	0.15	A	5,467	0.16	A	C
8	Warren Rd.	South of Esplanade Av.	2U	18,000	34,860	**1.94**	**F**	35,300	**1.96**	**F**	C
9		North of Tres Cerritos Av.	2U	18,000	33,885	**1.88**	**F**	34,326	**1.91**	**F**	C
10		Tres Cerritos Av. to Devonshire Av.	2U	18,000	35,910	**2.00**	**F**	36,621	**2.03**	**F**	C
11		Devonshire Av. to Florida Av. (SR-74)	2U	18,000	28,665	**1.59**	**F**	29,635	**1.65**	**F**	C
12		Florida Av. (SR-74) to Auto Bl.	3U	27,000	38,535	**1.43**	**F**	40,967	**1.52**	**F**	C
13		Auto Bl. to Whittier Av.	2U	18,000	30,901	**1.72**	**F**	33,560	**1.86**	**F**	C
14		Whitter Av. to Stetson Av.	2U	18,000	35,595	**1.98**	**F**	38,345	**2.13**	**F**	C
15		Stetson Av. to New Stetson Av.	2U	18,000	23,432	**1.30**	**F**	26,182	**1.45**	**F**	C
16		New Stetson Av. to Street D	2U	18,000	21,125	**1.17**	**F**	23,277	**1.29**	**F**	C
17		Street D to Mustang Wy.	2U	18,000	21,125	**1.17**	**F**	22,189	**1.23**	**F**	C
18		South of Mustang Wy.	2U	18,000	19,950	**1.11**	**F**	20,388	**1.13**	**F**	C
19		Simpson Rd. to Domenigoni Pkwy.	2U	18,000	16,698	**0.93**	**E**	16,954	**0.94**	**E**	C
20	Florida Av. (SR-74)	Warren Rd. to Myers St.	4D	35,900	86,860	**2.42**	**F**	87,666	**2.44**	**F**	C
21		Myers St. to Acacia Av.	5D	44,875	62,895	**1.40**	**F**	63,655	**1.42**	**F**	C
22		Acacia Av. to Cawston Av.	4D	35,900	58,485	**1.63**	**F**	59,131	**1.65**	**F**	C
23		East of Cawston Av.	4D	34,100	43,155	**1.27**	**F**	43,503	**1.28**	**F**	C
24		West of Sanderson Av.	4D	34,100	43,155	**1.27**	**F**	43,459	**1.27**	**F**	C
25	Stetson Av.	East of Warren Rd.	2U	13,000	28,140	**2.16**	**F**	28,140	**2.16**	**F**	C
26		West of New Stetson Av.	2U	13,000	28,140	**2.16**	**F**	28,140	**2.16**	**F**	C
27		New Stetson Av. to Cawston Av.	2U	18,000	36,803	**2.04**	**F**	37,851	**2.10**	**F**	C
28		East of Cawston Av.	4D	35,900	33,589	**0.94**	**E**	34,317	**0.96**	**E**	C
29		West of Sanderson Av.	4D	35,900	35,490	**0.99**	**E**	36,218	**1.01**	**F**	C
30	9th St.	East of Winchester Rd. (SR-79)	2U	17,950	12,352	0.69	B	13,228	0.74	C	D
31	Grand Av.	Patterson Av. to Calvert Av.	2U	18,000	34,278	**1.90**	**F**	35,428	**1.97**	**F**	D

Table 3.15.G: General Plan Buildout (2040) Plus Project Roadway LOS

#	Roadway	Segment Limits	Roadway Section	LOS[3] Capacity[1]	2040 Without Project	V/C[2]	LOS[3]	2040 With Project	V/C[2]	LOS[3]	Acceptable LOS[3]
32		Calvert Av. to SR-79	**4D**	35,900	25,158	0.70	B	26,399	0.74	C	D
33	New Stetson Av.	East of SR-79	**4D**	35,900	31,895	0.89	D	33,913	**0.94**	**E**	D
34		West of California Av.	**4D**	35,900	21,577	0.60	A	23,595	0.66	B	D
35		California Av. to Street C	**4D**	35,900	41,087	**1.14**	**F**	44,469	**1.24**	**F**	C
36		Street C to Mustang Wy.	**4D**	35,900	40,182	**1.12**	**F**	42,882	**1.19**	**F**	C
37		Mustang Wy. to Street D	**4D**	35,900	35,337	**0.98**	**E**	37,425	**1.04**	**F**	C
38		Street D to Warren Rd.	**4D**	35,900	35,637	**0.99**	**E**	37,723	**1.05**	**F**	C
39		Warren Rd. to Fisher St.	**4D**	35,900	31,240	**0.87**	**D**	32,361	**0.90**	**D**	C
40		Fisher St. to Stetson Av.	**4D**	35,900	31,240	**0.87**	**D**	32,362	**0.90**	**D**	C
41	Simpson Rd.	East of Winchester Rd. (SR-79)	2U	12,950	18,832	**1.45**	**F**	18,832	**1.45**	**F**	C
42		West of California Av.	2U	12,950	32,386	**2.50**	**F**	32,614	**2.52**	**F**	C
43		East of California Av.	2U	12,950	11,643	**0.90**	**D**	11,827	**0.91**	**E**	C
44		West of Warren Rd.	2U	12,950	27,899	**2.15**	**F**	28,083	**2.17**	**F**	C
45		East of Warren Rd.	2U	12,950	15,000	**1.16**	**F**	15,440	**1.19**	**F**	C
46	Domenigoni Pkwy.	Winchester Rd. (SR-79) to Patterson Av.	4D	35,900	29,348	**0.82**	**D**	29,576	**0.82**	**D**	C
47		Patterson Av. to SR-79	4D	35,900	49,033	**1.37**	**F**	49,397	**1.38**	**F**	C
48		East of SR-79	**4D**	35,900	48,523	**1.35**	**F**	48,705	**1.36**	**F**	C
49		West of Warren Rd.	4D	35,900	27,090	0.75	C	27,136	0.76	C	C

Source: *Traffic Impact Analysis Rancho Diamante (TTM No. 36841), City of Hemet*. Table 8-2. Urban Crossroads. April 2018 (Appendix I1).
BOLD = LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).
[1] These maximum roadway capacities have been extracted from the County of Riverside's General Plan.
[2] V/C = Volume to Capacity Ratio
[3] LOS = Level of Service

- Warren Road, south of Esplanade Avenue (#8);
- Warren Road/north of Tres Cerritos Avenue (#9);
- Warren Road, Tres Cerritos Avenue to Devonshire Avenue (#10);
- Warren Road, Devonshire Avenue to Florida Avenue (SR-74) (#11);
- Warren Road, Florida Avenue (SR-74) to Auto Boulevard (#12);
- Warren Road, Auto Boulevard to Whittier Avenue (#13);
- Warren Road, Whitter Avenue to Stetson Avenue (#14);
- Warren Road/Stetson Avenue to New Stetson Avenue (#15);
- Warren Road, New Stetson Avenue to Street D (#16);
- Warren Road, Street D to Mustang Way (#17);
- Warren Road, south of Mustang Way (#18);
- Warren Road, Simpson Road to Domenigoni Parkway (#19);
- Florida Avenue (SR-74), Warren Road to Myers Street (#20);
- Florida Avenue (SR-74), Myers Street to Acacia Avenue (#21);
- Florida Avenue (SR-74), Acacia Avenue to Cawston Avenue (#22);
- Florida Avenue (SR-74), east of Cawston Avenue (#23);
- Florida Avenue (SR-74), west of Sanderson Avenue (#24);
- Stetson Avenue, east of Warren Road (#25);
- Stetson Avenue, west of New Stetson Avenue (#26);
- Stetson Avenue, New Stetson Avenue to Cawston Avenue (#27);
- Stetson Avenue, east of Cawston Avenue (#28);
- Stetson Avenue, west of Sanderson Avenue (#29);
- Grand Avenue, Patterson Avenue to Calvert Avenue (#31);
- New Stetson Avenue, east of SR-79 (#33);
- New Stetson Avenue, California Avenue to Street C (#35);
- New Stetson – LOS F, Street C to Mustang Way (#36);
- New Stetson – LOS F, Mustang Way to Street D (#37);
- New Stetson Avenue, Street D to Warren Road (#38);
- New Stetson Avenue, Warren Road to Fisher Street (#39);
- New Stetson Avenue, Fisher Street to Stetson Avenue (#40);
- Simpson Road, east of Winchester Road (SR-79) (#41);
- Simpson Road, west of California Avenue (#42);
- Simpson Road, east of California Avenue (#43);
- Simpson Road, west of Warren Road (#44);

- Simpson Road, east of Warren Road (#45);
- Domenigoni Parkway, Winchester Road (SR-79) to Patterson Avenue (#46);
- Domenigoni Parkway, Patterson Avenue to SR-79 (#47); and
- Domenigoni Parkway, east of SR-79 (#48).

A review of the detailed peak hour intersection analysis conducted previously reveals that the anticipated roadway segment deficiencies anticipated along all roadway segments operate at acceptable LOS with recommended intersection improvements. For this reason, roadway segment widening has not been recommended for the roadway segments. When compared to the Approved Project, the Modified Project would have reduced [less than significant] roadway LOS impacts in the General Plan Buildout (2040) condition.

3.15.7.3 Exceed CMP Level of Service Standard

Threshold:	Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

The 2008 EIR concluded the Approved Project will not conflict the Riverside County Congestion Management Program (CMP) based on the payment of required TUMF fees used to fund regional transportation improvements. The traffic analysis conducted for the Modified Project utilized the applicable minimum LOS standards for the jurisdiction in which the facility is located. As shown in Table 3.15.A, these standards include LOS D for all intersections and roadways in the study area, with the exception of LOS C for roadways in the City. The Riverside County Congestion Management Program (CMP) LOS Standard is LOS E. As discussed in Section 3.15.7.2, all study area intersections and roadways are anticipated to operate at LOS D or better with the implementation of planned improvements and mitigation measures contained in this SEIR. The Modified Project would meet the CMP LOS standard as well as the standards of the affected local jurisdictions. Impacts are considered to be less than significant and no mitigation is required over and above that already prescribed in Section 3.15.7.2. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts associated with meeting the CMP LOS standard.

3.15.7.4 Change in Air Traffic Patterns

Threshold:	Would the project 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?

The Modified Project site is approximately 1,250 feet southeast of the Hemet-Ryan Airport. Section 3.7, Hazards in this SEIR contains a detailed analysis of the Modified Project's impacts associated with the Hemet-Ryan Airport.

3.15.7.5 Design Features or Incompatible Uses

Threshold:	Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The 2008 EIR concluded the Approved Project will not increase hazards due to a design feature or incompatible uses. Access to the proposed Modified Project will be provided by three connections to New Stetson Avenue on the north side of the site (proposed Streets "A", "B" and "NN"), and two connections to Warren Road on the east side of the site (proposed Streets "A" and "B"). As shown in

proposed Tract Map 36841 (Figure 2.6), the proposed Modified Project includes a network of collector and local roadways connections to these roadways.

The double reverse curve on Warren Road is an existing condition required to protect vernal pools. The Modified Project would realign Warren Road south of the railroad tracks/realigned Stetson Avenue, which would ensure the design speed of the curves meets the acceptable roadway engineering standard. With this improvement in place, the design of the Modified Project's circulation system does not include any sharp curves or dangerous intersections. Roadway improvements would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control, site access requirements and internal circulation. As part of the City's standard plan check process, the final design of all roadways, intersections, and circulation within and adjacent to the Modified Project site would be reviewed by and subject to approval by City staff prior to issuance (as relevant) of any grading, construction, or occupancy permit. The review and approval by City staff sufficiently ensures the proposed Modified Project will incorporate the necessary design features to ensure safe travel to, from, and within the project site.

The proposed Modified Project site will be developed as a single-family residential subdivision and neighborhood commercial center. On-site improvements include landscaped parkways and parks, lighting, detention basins, streets, curbs, gutters, and sidewalks. The site is generally surrounded by undeveloped property to the north, south, and west. An existing residential neighborhood is located to the east across Warren Road. The Modified Project includes residential uses that are compatible with the existing residential neighborhood to the east proposed adjacent development. The Modified Project would generally be compatible with planned land uses surrounding the site. With implementation of the proposed Modified Project and adherence to applicable existing requirements of the City, a **less than significant impact** related to design features and land use compatibility would occur. No mitigation is required. When compared to the Approved Project, impacts of the Modified Project would be the same (less than significant).

3.15.7.6 Result in Inadequate Emergency Access

Threshold:	Would the project result in inadequate emergency access?

The 2008 EIR concluded the Approved Project will result in improvements to roadway in the project area and enhance emergency access. Impacts were determined to be less than significant and no mitigation was required. As discussed in Section 3.15.7.5, all construction associated with the Modified Project will comply the City's standard design requirements for roadways, intersections, and circulation within and adjacent to the Modified Project site. The Modified Project would be designed, constructed, and maintained to provide required emergency/evacuation access. As part of the development process, project plans will be submitted to law enforcement, fire protection, and/or other emergency service providers (as appropriate) for review. Therefore, with adherence to applicable existing requirements of the City, the Modified Project would have a less than significant impact related to emergency service providers. Additionally, the Modified Project would not create potential impacts at study area intersections that may be used by emergency vehicles. No mitigation is required. When compared to the Approved Project, impacts would be the same (no impact).

3.15.7.7 Conflict with Alternative Transportation Policies, Plans or Programs

Threshold:	Would the project conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?

The Certified EIR prescribed (air quality) **Mitigation Measure 3** in 1979, which includes provision for convenient bus stops in the project area and (traffic) **Mitigation Measures 4** through **6** and **9** in 1979

and **Mitigation Measure AQ-7** in 2008, which collectively are designed to reduce the use of automobiles for residents and employees through promotion of ride-pooling and public transit, expansion of RTA services and bicycle infrastructure, and development of a plan listing measures that will be used to encourage employee carpooling as recommended by the Riverside County Transportation Commission Inland Empire Commuter Services. Through implementation of these measures, the Certified EIR concluded the Approved Project will not conflict with policies, plans, or programs supporting alternative transportation.

The study area is currently served by the RTA. The nearest bus stops are located at the Warren Road/Mustang Way, intersection, providing service to Hemet Valley Mall and additional RTA connections. In a letter dated May 14, 2019 (see Appendix A2), RTA recommended installation of ADA-compliant bus stops at five locations and asked if the Project would install crosswalks and traffic signals at these locations. Transit service is reviewed and updated by the RTA periodically to address ridership, budget, and community demand needs. Changes in land use can affect these periodic adjustments, which may lead either to enhanced or reduced service where appropriate. In accordance with Certified EIR **1979** (air quality) **Mitigation Measure 3**, the proposed Modified Project will include provisions for convenient bus stop locations. Several bus stops have already been developed within the Page Ranch PCD along Mustang Way by the RTA in support of Route 74 and Route 79 in accordance with Certified EIR **1979** (air quality) **Mitigation Measure 3**. Therefore, it is expected the project proponent and RTA will continue to service these routes through further expansion of bus stations for the occupants of the proposed Modified Project in conjunction with the proposed extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of new Stetson Avenue (Figure 2.5). As a matter of regulatory policy, any new bus stops would be developed in accordance with Title III, Public Accommodations, of 28 Code of Federal Regulations Part 36, the Americans with Disabilities Act and applicable City standards that support and/or facilitate alternative modes of transportation.

The Modified Project includes 100,000 square feet of commercial development not included as part of the Approved Project. The surrounding area is residential in nature and lacks supporting retail/ commercial services. The Modified Project would promote the reduction in VMT by bringing the proposed commercial uses closer to both project and non-project residents resulting in shorter trip lengths, as detailed in PDF 3.3-2 in Section 3.3.6 of this SEIR. As detailed in PDF 3.3-1, the Modified Project provides pedestrian connections to surrounding areas consistent with General Plan Policy OS-7.2.

Paseos are proposed along dispersed open space, pedestrian pathways, and drainage conveyance facilities throughout the community. Additionally, a distinctive trail system is proposed, separate from drainage facilities, within Lots LL, MM, OO, V, W, and X of Tentative Tract Map 36841 (Figure 2.6). The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site as indicated in PDF 3.3-1. Additionally, the proposed Modified Project would have access to a Class 2 (on road) bike lane on Warren Road. Through implementation of Certified EIR **1979** (air quality) **Mitigation Measure 3, 1979** (traffic) **Mitigation Measures 4** through **6** and **9**, and **2008 Mitigation Measure AQ-7**, as well as PDF 3.3-1 and PDF 3.3-2, the Modified Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise cause a decrease in the performance or safety of such facilities. When compared to the Approved Project, impacts of the Modified Project would be the same [**less than significant with mitigation**].

3.15.8 Cumulative Impacts

As discussed in Section 3.15.7.1 above, the Project proposes a mix of commercial retail and residential uses. Based on the RivTAM model, the Modified Project's retail component is expected to result in a

net reduction of 7,251 VMT within the WRCOG region compared to without-Project conditions. The proposed retail component is expected to reduce VMT not only for residents of the Modified Project, but also for residents in the surrounding area, including those that would result from future projects in the vicinity. Therefore, the proposed retail component of the Modified Project would not result in a cumulatively considerable impact. However, under a best-case scenario maximum 10 percent VMT reduction through implementation of PDF 3.3-1 through 3.3-3 and the proposed transportation infrastructure improvements described above, the residential component of the proposed Modified Project would generate 27.58 Home-Based VMT per capita, which would still exceed the City-wide average of 25.4 Home-Based VMT per capita for Hemet.

As summarized in *WRCOG Senate Bill 743 Implementation Pathway Document Package,* "…VMT thresholds based on an efficiency form of the metric such as VMT per capita, can address project and cumulative impacts in a similar manner that some air districts do for criteria pollutants and greenhouse gas emissions."[10] In this respect, significant and unavoidable VMT impacts at the Project level would also be considered cumulatively significant. Because implementation of TDM strategies cannot guarantee VMT reductions, and the Modified Project's reduced Home-Based VMT per capita would still exceed the City-wide average Home-Based VMT per capita for Hemet even if TDM strategies for the Modified Project would achieve the maximum 10 percent VMT reduction potential, Modified Project impacts from residential VMT would be cumulatively considerable. No additional mitigation is feasible to reduce the impact further.

Cumulative traffic LOS impacts were assessed by analyzing potential Modified Project impacts in Existing, Opening Year Cumulative (2026), and General Plan Buildout (2040) conditions. The traffic study area was determined based on direction from City staff and a quantitative process whereby specific study intersections and roadway segments of collector or higher classification street were included where the Modified Project would add 50 or more peak hour trips.

Cumulative impacts associated with traffic volumes are determined based on the addition of traffic volumes from approved and pending cumulative projects in the area and projected traffic growth to existing traffic volumes. With the project-specific mitigation previously identified, project-related short-term and long-term impacts to intersections would be reduced to less than significant levels for Existing With Project, Opening Year Cumulative (2016) With Project, and General Plan Buildout (2040) With Project conditions. As stated in Section 3.15.7.2, cumulative impacts related to local roadways and State highway facilities are less than significant with implementation of **Mitigation Measures** MM **3.15.10.1** and **3.15.10.2** and **2008 EIR Mitigation Measure T-2a**.

Given the distance between the proposed project site and cumulative project sites, impacts associated with air traffic patterns, design hazards, emergency access, or conflicts with adopted policies, plans, or programs supporting alternative transportation would not comingle and create impacts over and above those associated with the Modified Project. Cumulative impacts are considered less than significant with **Mitigation Measures** MM **3.15.10.1** and **3.15.10.2** and **2008 EIR Mitigation Measure T-2a.** When compared to the Approved Project, cumulative impacts of the Modified Project would be the same (less than significant with mitigation).

3.15.9 Level of Significance Before Mitigation

The Certified EIR in 1979 concluded the Approved Project would generate approximately 745,000 daily VMT but did not make a finding of significance for transportation impacts because there were no thresholds against which to consider the Approved Project's VMT. For LOS, the 2008 Certified EIR concluded construction of the Approved Project would result in significant traffic impacts at 16

[10] *WRCOG SB 743 Implementation Pathway Document Package.* Page 67. Fehr & Peers. March 2019.

intersections in the Existing condition and 18 intersections in the General Plan Buildout Plus Project condition. Impacts associated with air traffic patterns, design hazards, emergency access, or conflicts with adopted policies, plans, or programs supporting alternative transportation were determined to be less than significant.

As shown in previously referenced Tables 3.15.B, 3.15.D, 3.15.F, the Modified Project would result in or contribute to significant traffic impacts at six intersections in the Existing condition, 15 intersections in the Opening Year Cumulative (2026) condition, and 21 intersections in the General Plan Buildout (2040) condition. Impacts associated with air traffic patterns, design hazards, emergency access, or conflicts with adopted policies, plans, or programs supporting alternative transportation were determined to be less than significant.

3.15.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.15.10.1 Mitigation for the Proposed Modified Project

The following mitigation is required to reduce traffic impacts to intersections from operation of the proposed Modified Project.

MM 3.15.10.1: **Payment of Fair-Share Costs**. The project applicant shall be responsible for payment of the project's Fair-Share Contribution for study area intersection improvements as shown on "Table 1-3: Summary of Intersection Improvements" contained in *Rancho Diamante (TTM No. 36841) Traffic Impact Analysis*, City of Hemet, Urban Crossroads, April 2018.

MM 3.15.10.2: **Warren Road/Esplanade Avenue (#22).** The following improvement is necessary to reduce the Modified Project's project specific impact to less than significant:

- The installation of a traffic signal.
- Construction of a northbound left-turn lane, southbound left-turn lane, eastbound left-turn lane, and westbound left-turn lane.

3.15.10.2 Mitigation for the Approved Project

Deletions and additions from the original mitigation measures are identified in ~~strikeout~~ and underlined text. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure.

1979 EIR Air Quality Mitigation Measure 3 (also provided in Section 3.3.10 of this SEIR) regarding provision of convenient bus stop locations is applicable to the proposed Modified Project, as several bus stops have been developed within the Page Ranch PCD along Mustang Way by the RTA in support of Route 74 and Route 79 in accordance with 1979 EIR (Air Quality) Mitigation Measure 3. Therefore, it is expected the project proponent and RTA will continue to service these routes through further expansion of bus stations for the occupants of the proposed Modified Project in conjunction with the proposed extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of new Stetson Avenue (Figure 2.5). Additionally, 1979 EIR Mitigation Measure 3 facilitates execution of PDF 3.3-2 to reduce the use of automobiles and associated VMT for residents and employees.

1979 EIR Air Quality Mitigation Measure 3: Provide for convenient bus stop locations.

1979 EIR Traffic Mitigation Measure 1 is no longer applicable because all of the roadways have been constructed to their master planned cross sections.

~~**1979 EIR Traffic Mitigation Measure 1:** The construction and improvement of the following roadways to their recommended master plan cross-section will be required to accommodate the anticipated traffic volumes that are projected from development within the Southwest Hemet study area:~~

~~Roadway~~	~~Master Plan Cross-Section~~
~~Sanderson Avenue~~	~~Secondary~~
~~Stetson Avenue~~	~~Arterial~~
~~Acacia Avenue~~	~~Collector~~
~~Harrison Avenue~~	~~Collector~~
~~Simpson Road~~	~~Secondary~~
~~Warren Road~~	~~Collector/Secondary~~
~~Cawston Avenue~~	~~Collector~~
~~Fischer Street~~	~~Collector~~
~~Lyon Avenue~~	~~Secondary~~
~~Kirby Avenue~~	~~Collector~~

1979 EIR Traffic Mitigation Measure 2 is no longer applicable because all roadways are located in the City, and their construction is required to comply with the City's standard plans.

~~**1979 EIR Traffic Mitigation Measure 2:** Construction of all planned local collector streets to the standards set forth in the Riverside County General Plan and the Hemet-San Jacinto General Plan.~~

1979 EIR Traffic Mitigation Measure 3 is no longer applicable because traffic signals have been installed at the intersections.

~~**1979 EIR Mitigation Measure 3:** The installation of traffic signals at the following intersections will undoubtedly be warranted. These intersections would include Sanderson Avenue and Stetson Avenue, Lyon Avenue and Stetson Avenue, Sanderson Avenue and Acacia Avenue, Stetson Avenue and Cawston Avenue, and Stetson Avenue and Warren Road, Sanderson Avenue and Harrison Avenue, Harrison Avenue and Lyon Avenue, Warren Road and Florida Avenue, Kirby Avenue and Stetson Avenue, and Kirby Avenue and Acacia Avenue. However, as previously discussed, the installation of traffic signals should be made only after positive identification of their need has been established and it is recommended that these intersections be evaluated as necessary prior to ultimate occupancy of the areas planned development.~~

1979 EIR Traffic Mitigation Measure 4 is applicable to the Modified Project.

1979 EIR Mitigation Measure 4: Promote ride-pooling (car-pools/van-pools) with regard to persons employed in any planned commercial and industrial activities. This would have the potential of reducing daily commuter traffic and onsite parking requirements.

1979 EIR Traffic Mitigation Measure 5 is applicable to the Modified Project.

1979 EIR Mitigation Measure 5: Demand-responsive (dial-a-ride) public transit should be encouraged. Where practical small vans or busses should be used. Provision of. a public transit system will reduce potential auto travel, and provide mobility to those residents who are either too young to drive, do not drive, no longer drive, or are not capable of bicycling.

1979 EIR Traffic Mitigation Measure 6 is applicable to the Modified Project.

1979 EIR Mitigation Measure 6: The feasibility of expanding the Riverside Transit Agency's transportation service in the Hemet area should be considered.

1979 EIR Traffic Mitigation Measure 7 is no longer applicable to the Modified Project because roadway access control is required to comply with the City's standard plans.

~~**1979 EIR Mitigation Measure 7:** Control of access to the arterial and major street system as outlined in the Riverside County Subdivision Ordinance No. 460 should be encouraged. Control of access reduces the number of potential traffic conflicts, smoothes out traffic flow and increases traffic capacity.~~

1979 EIR Traffic Mitigation Measure 8 is no longer applicable to the Modified Project because parking requirements are required to comply with the City's zoning code and parking in and of itself is no longer a CEQA impact category.

~~**1979 EIR Mitigation Measure 8:** Provide sufficient off-street parking to meet anticipated demand for each planned use, taking into account the County zoning ordinances and the potential for overlapping or joint use of parking areas serving such complimentary land uses as may be developed.~~

1979 EIR Traffic Mitigation Measure 9 is applicable to the Modified Project, as modified below.

1979 EIR Mitigation Measure 9: Provide ~~separate~~ bicycle and pedestrian travelways ~~pathways~~ throughout the project as a means of promoting alternative forms of movement. ~~For safety, convenience and efficiency, these systems should be separated from the vehicular traffic system and from one-another.~~

1979 EIR Traffic Mitigation Measure 10 is applicable to the Modified Project.

1979 EIR Mitigation Measure 10: Establish land use patterns, intensities and relationships which would reduce vehicle trip making characteristics and promote the use of alternative modes of travel such as

bicycles, walking and transit. For example, increased residential densities adjacent to the planned commercial activities and open spaces designed with integral bike paths and pedestrian ways.

The 2008 EIR's Mitigation Measure AQ-07 is applicable to the proposed Modified Project, as it facilitates execution of PDF 3.3-2 to reduce the use of automobiles for residents and employees. Minor modifications of the text are provided in accordance with current regulatory standards.

2008 Mitigation Measure AQ-07: Prior to the issuance of a grading permit, the developer shall provide a plan to the City listing the measures that will be used to encourage employee carpooling using measures recommended by the Riverside County Transportation Commission Inland Empire Commuter Services. Workers shall be informed in writing of the measures available, and a letter will be placed on file at the City documenting the extent of carpooling anticipated. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

2008 EIR Mitigation Measure T-1a prescribed traffic improvements associated with Tract 35393 and are not applicable to the Modified Project.

~~**2008 EIR Mitigation Measure T-1a:** The developer shall construct the following on-site roadway improvements as described on Exhibit 10-A of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007, as determined by the City Public Works Department:~~

- ~~Construct Mustang Way at its ultimate half section width as a secondary roadway from Warren Road to Fisher Street in conjunction with development.~~
- ~~Construct Poplar Street at its ultimate half section width as a collector roadway from Warren Road to Fisher Street in conjunction with development.~~
- ~~Construct Warren Road at its ultimate half section width as a secondary roadway from Mustang Way to Poplar Street in conjunction with development.~~
- ~~Construct Fisher Street at its ultimate half section width as a collector roadway from Mustang Way to Poplar Street in conjunction with development.~~
- ~~Restrict Driveway #3 to the right in/out only by constructing a raised median within the driveway.~~
- ~~Restrict Driveway #5 to right in/out and left in only by providing a painted median on Old Warren Road.~~
- ~~On-site signing and striping shall be implemented in conjunction with detailed construction plans for the project site.~~
- ~~Sight distance at the project entrance shall be reviewed with respect to Caltrans and City of Hemet sight distance~~

~~standards at the time of preparation of final grading, landscaping, and street improvement plans.~~

- ~~Provide stop sign control at the project driveway that intersect with public roadways that do not meet traffic signal warrants. Install traffic signal when warranted.~~

2008 EIR Mitigation Measure T-2a prescribed traffic improvements associated with Tract 35394. With minor text changes, several of the improvements are applicable to the Modified Project.

2008 EIR Mitigation Measure T-2a: The developer shall construct the following on-site roadway improvements ~~as described on Exhibit 10-C of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007~~, as determined by the City Public Works Department:

- Construct New Stetson Avenue at its ultimate half section width as an Urban Arterial ~~from New Warren Road to Old Warren Road~~ along the Modified Project frontage in conjunction with development.
- Construct ~~New~~ Warren Road at its ultimate ~~half section~~ width as a Major Roadway from New Stetson Avenue to ~~the southerly project boundary~~ Warren Road in conjunction with development.
- Construct Warren Road at its ultimate half section width as a Secondary Roadway from New Stetson Avenue to the southerly project boundary in conjunction with development.
- ~~Install a traffic signal at the intersection of Warren Road and New Stetson Avenue when warranted.~~
- ~~Install a traffic signal at the intersection of New Warren Road and New Stetson Avenue when warranted.~~
- ~~Install a traffic signal at the intersection of Warren Road and Mustang Way when warranted.~~
- ~~Left turns out of Driveway #1 on New Warren Road shall be prevented in the future when the through volumes on New Warren Road have increased to the point where the City deems the restriction necessary.~~
- ~~Left turns out of Driveway #2 on New Stetson Avenue shall be prevented in the future when the through volumes on New Stetson Avenue have increased to the point where the City deems the restriction necessary.~~
- ~~On-site signing and striping shall be implemented in conjunction with detailed construction plans for the project site.~~
- ~~Sight distance at the project entrance shall be reviewed with respect to Caltrans and City of Hemet sight distance standards at the time of preparation of final grading, landscaping, and street improvement plans.~~

- ~~Provide stop sign controls at the project driveway that intersect with public roadways that do not meet traffic signal warrants.~~

2008 EIR Mitigation Measure T-3a prescribed traffic improvements associated with Tract 35392 and are not applicable to the Modified Project.

~~**2008 EIR Mitigation Measure T-3a:** The developer shall construct the following on site roadway improvements as described on Exhibit 10-E of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007, as determined by the City Public Works Department:~~

- ~~Construct New Stetson Avenue at its ultimate half section width as a Major Roadway from the westerly project boundary to the easterly project boundary in conjunction with development.~~
- ~~Construct Thornton Avenue at its ultimate half section (as appropriate) width as a Collector Roadway from the westerly project boundary to the easterly project boundary in conjunction with development.~~
- ~~Construct Fisher Street at its ultimate full width as a Collector Roadway from Stetson Avenue to Thornton Avenue in conjunction with development.~~
- ~~Install a traffic signal at the intersection of New Stetson Avenue and Old Stetson Avenue when warranted.~~
- ~~Install a traffic signal at the intersection of New Stetson Avenue and Fisher Street when warranted.~~
- ~~On-site signing and striping shall be implemented in conjunction with detailed construction plans for the project site.~~
- ~~Sight distance at the entrance shall be reviewed with respect to standard Cal trans and City of Hemet sight distance standards at the time of preparation of final grading, landscaping, and street improvement plans.~~
- ~~Provide stop sign controls at all project entrances that intersect with public roads that do not meet traffic signal warrants.~~

2008 EIR Mitigation Measure T-4a, b, and c prescribed off-site traffic improvements for the Approved Project. These prior measures are supersede by **PPPs 3.15-1** through **3.15-4** and **Mitigation Measures 3.15.1** and **3.15.2** and are not applicable to the Modified Project.

~~**2008 EIR Mitigation Measure T-4a:** Prior to the issuance of building permits, TTMs 35392, 35393, and 35394 shall pay their respective individual Transportation Uniform Mitigation Fee (TUMF).~~

~~**2008 EIR Mitigation Measure T-4b:** Prior to the issuance of building permits, TTMs 35392, 35393, and 35394 shall coordinate off-site improvements for Rancho~~

~~Diamante Phase II with the proposed Southwest Hemet Roadway Phasing and Financing Program. In the event that the Southwest Hemet Roadway Phasing and Financing Program is not in effect at the time one or more of the subject TTMs (35392, 35393, or 35394) are ready to be issued building permits, this requirement may be waived by the Public Works Director.~~

~~**2008 EIR Mitigation Measure T-4b:** Prior The developer shall be responsible for the project's Fair Share Contribution for study area intersection improvements as shown in Table 8-1 "Year 2009 With Project without Schools Conditions" of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007. The fair share percentage may be modified by the City Public Works Department based on actual number of units approved.~~

3.15.11 Level of Significance After Mitigation

PDFs 3.3-1 through **3.3-3**, **1979 [Air Quality] Mitigation Measure 3**, **1979 [Traffic] Mitigation Measure 10,** and **2008 EIR Mitigation Measure AQ-07,** and would serve as TDM strategies to reduce VMT form the proposed Modified Project. However, because implementation of TDM strategies cannot guarantee VMT reductions, and the Modified Project's reduced Home-Based VMT per capita would still exceed the City-wide average Home-Based VMT per capita for Hemet even if TDM strategies for the Modified Project would achieve the maximum 10 percent VMT reduction potential, Modified Project impacts from residential VMT would be *significant and unavoidable*.

PPPs 3.15-1 and **PPP 3.15-2** note existing requirements in which the Modified Project proponent shall pay applicable City DIF and County TUMF fees. **Mitigation Measure 3.15.10.1** requires the Modified Project proponent to pay fair-share fees toward the construction of the additional improvement requirements in the study area not covered by DIF or TUMF (see SEIR Appendix I1, Table 1-3, *Traffic Impact Analysis Rancho Diamante (TTM No. 36841*, City of Hemet, Urban Crossroads, April 2018). **Mitigation Measure 3.15.10.2** requires the proposed Modified Project install a traffic signal and left-turn lanes at all approaches at the Warren Road/Esplanade Avenue intersection (#22). **2008 Mitigation Measure T-2a** requires construction of various roadway improvements. With implementation of **PPPs 3.15-1**, **PPP 3.15-2**, **Mitigation Measures MM 3.15.10.1** and **3.15.10.2**, and **2008 Mitigation Measure T-2a,** the traffic impacts associated with the Modified Project would be reduced to less than significant. Through implementation of Certified EIR **1979** [Air Quality] **Mitigation Measure 3, 1979** [Traffic] **Mitigation Measures 4** through **6** and **9**, and **2008 Mitigation Measure AQ-7**, as well as **PDF 3.3-1** through **PDF 3.3-3**, the Modified Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise cause a decrease in the performance or safety of such facilities. When compared to the Approved Project, the Modified Project would have the same [**less than significant with mitigation**] traffic impacts. No new mitigation over and above those described above or new alternatives have been identified that would substantially or further reduce any transportation impacts of the Modified Project.

3.16 UTILITIES

This section of the SEIR provides an analysis of the proposed Modified Project's potential impacts to utilities as compared to the Approved Project in accordance with *CEQA Guidelines* Section 15162.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- California Department of Resources Recycling and Recovery (CalRecycle). California's 2017 Per Capita Disposal Rate Estimate. 2019. https://www.calrecycle.ca.gov/LGCentral/GoalMeasure/DisposalRate/MostRecent/ (accessed May 13, 2019).
- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- City of Hemet, *General Plan 2030*. January 2012.
- City of Hemet. *Master Flood Control and Drainage Plan*. January 24, 1984.
- Chang Consultants. *Preliminary Drainage Study for Tentative Tract Map No. 36841 (Rancho Diamante).* January 20, 2019 (Appendix G1).
- Draft Environmental Impact Report*. Rancho Diamante Phase II, Hemet, Riverside County, California.* SCH #2007091039. City of Hemet. May 2008.
- Eastern Municipal Water District. *2015 Urban Water Management Plan*. June 2016.
- Eastern Municipal Water District. *Draft Water Supply Assessment Report, Rancho Diamante*. June 19, 2018 (Appendix G3).
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- Metropolitan Water District of Southern California. *2015 Urban Water Management Plan.* June 2016.
- Southern California Association of Governments. *Employment Density Study Summary Report*. October 31, 2001.

Scoping Process/NOP Comments: A local resident identified potential impacts from the provision of utilities via an email dated August 22, 2016, regarding adequate water supply. Additional comments from the public at the scoping meeting for the proposed Modified Project regard whether the project will provide recycled water to the area and if the Modified Project would result in additional power surges in the area.

The City received one comment letter in response to the initial Notice of Preparation (NOP) issued between August 4 and September 3, 2016, concerning the proposed Modified Project's potential impacts from the provision of utilities. The Metropolitan Water District of Southern California (MWD) provided a letter dated August 29, 2016 (see Appendix A1) requesting the SEIR evaluate any potential impacts of the Modified Project on MWD facilities, including the San Diego Aqueduct Nos. 1 and 2 and Diamond Valley Lake and property. MWD also requested development plans to be submitted to them for review and approval prior to construction.

No additional comments were received in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts related to the provision of public services.

3.16.1 Regulatory Settings

3.16.1.1 Federal Regulations

Clean Water Act. In 1972 Congress amended the Federal Water Pollution Control Act, making the addition of pollutants to the waters of the United States from any point source unlawful unless the discharge is in compliance with a NPDES permit. Known today as the Clean Water Act (CWA), Congress has amended it several times. The U.S. Environmental Protection Agency (EPA) has published regulations establishing requirements for application of storm water permits for specified categories of industries, municipalities, and certain construction activities. The regulations require that discharges of storm water from construction activity of 1.0 acre or more must be regulated and covered by an NPDES permit. When a construction area exceeds 1.0 acre in size, the applicant must develop and implement a Storm Water Pollution Prevention Plan (SWPPP). Additional analysis and information regarding NPDES requirements and regulations is provided in Section 3.8 of this SEIR, *Hydrology and Water Quality*.

3.16.1.2 State Regulations

California Energy Conservation Standards. Title 20 and Title 24 of the California Code of Regulations contains California Energy Conservation Standards for New Buildings. These regulations prohibit installation of fixtures unless the manufacturer has certified compliance with CEC regulations; sets the flow rates of all plumbing fixtures; addresses pipe installation; and prohibits the sale of non-conforming fixtures among other regulations.

Porter-Cologne Water Quality Control Act. California's Porter-Cologne Act,[1] enacted in 1969, provides the legal basis for water quality regulation within California. This Act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the State. It predates the CWA and regulates discharges to waters of the State. It prohibits discharges of "waste" as defined, which is broader than the CWA definition of "pollutant."

Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the CWA. The State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCBs) are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and for regulating discharges to ensure compliance with the water quality standards.

Water Conservation in Landscaping Act. To ensure adequate supplies are available for future uses and to promote the conservation and efficient use of water, local agencies are required to adopt water-efficient landscape ordinances. When such an ordinance has not been adopted, a finding as to why such an ordinance is not necessary (based on the climatic, geologic, or topographical conditions) must be adopted. In the absence of a local ordinance, an ordinance drafted by the State of California applies within the affected jurisdiction. The City's Municipal Code (Section 90-1706, Landscape Water Use Standards) implements landscaping and irrigation standards to promote water-efficient landscapes.

Water Recycling in Landscaping Act. The Water Recycling in Landscaping Act requires that a water producer capable of providing recycled water that meets certain conditions notify local agencies eligible

[1] Water Code §§13000 et seq.

to receive the recycled water. It also requires necessary infrastructure be provided to support the delivery of recycled water.

The Eastern Municipal Water District (EMWD), which is the water purveyor for the Modified Project, regularly uses 100 percent of its recycled water supply for beneficial use within its 555-square mile service area. EMWD is one of the largest by-volume recyclers in the nation and one of the few agencies that achieves 100 percent beneficial reuse. EMWD's recycled water system currently receives and treats more than 45 million gallons of wastewater each day at its four operating regional treatment plants. The treated water is then distributed throughout the service area, through more than 200 miles of pipeline.[2]

Urban Water Management Planning Act (Cal. Water Code Section 10631). Since 1984, the Urban Water Management Planning Act, has required "urban water suppliers" to develop written "urban water management plans." While generally aimed at encouraging water suppliers to implement water conservation measures, it also created long-term planning obligations. In preparing urban water management plans, urban water suppliers must describe the following: (a) existing and planned water supply and demand; (b) water conservation measures and a schedule for implementing and evaluating such measures; and (c) water shortage contingency measures. The Urban Water Management Planning Act requires that urban water suppliers use a 20-year planning horizon and update the data in the urban water plans every five years.

In preparing their 20-year management plans, water suppliers must address the subject of future population growth directly. The suppliers must also identify sources of supply to meet demand. The plan must "identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier." In identifying these future water sources, the suppliers need not conduct environmental review.

Water Supply and Demand Reliability Assessment (Cal. Water Code Section 10910) (Senate Bill 901). Changes in the California Water Code require a city or county to request each public water system serving a project to assess the projected water demand associated with said project and an assessment of whether the projected water demand associated with selected projects was included as part of the most recent Urban Water Management Plan (UWMP). As part of this assessment, the public water system is required to indicate whether its total projected water supplies available during normal, single-dry, and multiple-dry water years will meet the project demand associated with the proposed Modified Project, in addition to the public water system's existing and planned uses.

Pursuant to Section 10912 of the State Water Code, a "Project" is specifically defined as development meeting any of the following criteria:

- 500 or more dwelling units;
- Commercial center employing more than 1,000 persons or having more than 500,000 square feet;
- Office building employing more than 1,000 persons or having more than 250,000 square feet;
- A hotel/motel with 500 or more rooms;
- An industrial, manufacturing, processing plant, or industrial park employing more than 1,000 persons or occupying more than 40 acres, or having more than 650,000 square feet of floor area;

[2] *Recycled Water Service.* Eastern Municipal Water District. https://www.emwd.org/recycled-water-service (accessed May 10, 2019).

- A mixed-use project that would demand an amount of water equal to the amount of water required by a 500-dwelling unit project; or
- In areas where the public water system has fewer than 5,000 service connections, any development that would increase water demand by 10 percent or greater in the number of existing service connections, or in the case of a mixed-use development, an increase in water required by residential development representing a 10 percent or greater increase in the number of existing service connections.

After receiving such information, cities and counties may agree or disagree with the conclusions of the water purveyors, but cannot approve projects in the face of documented water shortfalls without first making certain findings. Since the proposed Modified Project proposes 586 dwelling units, in addition to approximately 100,000 square feet of commercial uses, it is defined as a "Project" pursuant to Section 10912 of the State Water Code.

Water Supply Planning (Cal. Water Code Section Sections 10910 through 10915) (Senate Bill 610). Signed into law October 9, 2001, Senate Bill (SB) 610 requires that any city or county having determined that a project is subject to CEQA identify any public water systems that may supply water for the project and to request those public water systems to prepare a specified WSA if the project exceeds the specified threshold for a WSA. Such an assessment would include, among other information, the following:

- Identification of existing water entitlements, water rights, or water service contracts relevant to the water supply identified for a proposed project; and
- The amount of water received pursuant to such entitlements, rights, or contracts.

SB 610 requires the public water system, city, or county to submit plans for acquiring the required water supply for the proposed project if the WSA concludes that water supplies are or will become insufficient. Any such WSA and other information would be included in the environmental document prepared for the project pursuant to CEQA. The Modified Project includes over 500 dwelling units (586 total) in addition to approximately 100,000 square feet of commercial uses. Accordingly, a Water Supply Assessment (WSA) was prepared for the Modified Project pursuant to SB 901 and SB 610.

Groundwater Management Act (AB 3030). The Groundwater Management Act[3] provides a systematic procedure for an existing local agency to develop a groundwater management plan. Assembly Bill (AB) 3030 allows a local agency whose service includes a groundwater basin that is not already subject to groundwater management pursuant to law or court order to adopt and implement a groundwater management plan and includes plans to mitigate overdraft conditions, control brackish water, and to monitor and replenish groundwater.

Solid Waste Reuse and Recycling Access Act of 1991. Assembly Bill 1327 (AB 1327) California. Signed into law in 1991, AB 1327 added Chapter 18 to Part 3 of Division 30 of the Public Resources Code. Chapter 18 required the California Integrated Waste Management Board (CIWMB) to develop a model ordinance for adoption of recyclable materials in development projects. Local agencies were then required to adopt the model, or ordinances of their own, in order to govern adequate areas for collection and loading of recyclable materials in development projects by September 1, 1993. If a local agency had not adopted a model ordinance by that date, the CIWMB model would be adopted and enforced by the local agency.

[3] California Water Code, §§ Sections 10750–10756

Senate Bill 1016 (SB 1016). The California Integrated Waste Management Act of 1989 (AB 939) requires each jurisdiction to divert 50 percent of its solid waste from being disposed in landfills. The new per capita disposal measurement system (SB 1016, Wiggins, Chapter 343, Statutes of 2008) became effective January 1, 2009. It builds on AB 939 compliance requirements by implementing a simplified measure of local jurisdictions' performance. SB 1016 accomplishes this by changing to a disposal-based indicator: the per capita disposal rate, which uses only two factors: a jurisdiction's population and its disposal as reported by disposal facilities. SB 1016 changes how each jurisdiction's progress is measured to reach the 50 percent goal for diverting waste from landfills. This measurement is no longer determinative of compliance. In order for the CIWMB and jurisdictions to more properly focus on successful program implementation, SB 1016 shifts from the historical emphasis on using calculated generation and estimated diversion to using annual disposal as a factor when evaluating jurisdictions' program implementation.

Assembly Bill 341 (Chapter 476, Statutes of 2011). AB 341 was signed into law in 2011 and established a goal of processing 75 percent of generated waste through source reduction, recycling, or composting activities by the year 2020. The bill also instituted a commercial recycling mandate. In the mandate, businesses that generate four or more cubic yards of waste per week and multifamily developments of five or units are required to arrange for recycling services.

California Public Utilities Commission (CPUC). The CPUC is a regulatory agency that regulates privately owned public utilities in the State, including electric power, telecommunications, natural gas, and water companies. The CPUC oversees energy-related costs, procurement and generation, infrastructure, customer energy resources, energy efficiency, etc.

3.16.1.3 Local Regulations

Hemet General Plan. General Plan Policies require compliance with water quality, energy conservation, and solid waste standards and preclude development lacking adequate utility capacity. The City and the applicable utility providers must review the proposed Modified Project and continue to coordinate with the EMWD, SCE, SCG, Verizon, CC&R, etc. to determine that sufficient capacity exists to serve the specific development and ensure payment of fair share DIFs to increase capacity of those facilities as required.

General Plan Policies CSI-1.2, CSI-1.3, CSI-1.5, CSI-3.1, and CSI-3.2 require that future projects implementing the General Plan provide and/or fund wastewater facilities that meet the performance standards set by the applicable wastewater collection agency to ensure proper conveyance of collected wastewater. Policies CSI-2.3 and CSI-2.6 require new developments to install water facilities and recycled water lines, depending on their proximity to a tertiary water trunk line, that meet performance standards set by the applicable water provider. Additionally, General Plan EIR Program CSI-P.3 requires that new developments provide for reclaimed water lines, with implementation of a fair-share contribution mechanism to provide funding for the incremental extension of reclaimed water trunk lines.

General Plan Policies CSI-1.5, CSI-4.1, and CSI-4.2, and General Plan EIR Program CSI-P.4 would minimize the physical environmental impacts that could result from construction of storm water drainage improvements through payment of DIFs; provision of adequate storm water infrastructure; and incorporation of on-site opportunities for groundwater recharge and BMPs to decrease storm water runoff.

General Plan Policies CSI-2.2, CSI-2.6, and CSI-4.4, and General Plan EIR Programs CSI-P-1, CSI-P.2, and CSI-P.4 are designed to protect groundwater resources in the planning area through requisite evidence of adequate water supply; preparation of a WSA for projects of 500 dwelling units or more (or

equivalent thereof); implementation of measures to reduce demand for water; and implementation of BMPs to reduce storm water runoff and increase opportunities for groundwater recharge.

General Plan Policies CSI-6.2 and CSI-6.3, and General Plan EIR Program CSI-P-16 are designed to reduce impacts to solid waste facilities through maximizing the diversion of solid waste materials that can be reused or recycled to minimize the amount of waste sent to landfills.

3.16.2 Certified EIR Findings

The 1979 EIR concluded even with implementation of Mitigation Measures 1 through 4, buildout of the Approved Project would increase demand for utilities. The 2008 EIR concluded implementation of the Approved Project would not result in a significant impact to the environment from an increased demand for utilities based on the baseline conditions as of 2008, which included substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR. With implementation of 2008 Draft EIR Mitigation Measures MM U-2a through MM U-2c, coordination with the RWCQB and all affected utility providers would ensure impacts to the environment from increased demand on utility infrastructure would be reduced to less than significant levels.

3.16.3 Existing Setting

The Modified Project site is a former agricultural property that is currently uncultivated. The site is highly disturbed with ruderal vegetation and has been regularly disked for the purposes of weed abatement for at least the past twenty years. Surrounding land uses consist primarily of single-family residential uses to the east, and agricultural and undeveloped land to the north, south, and west. Due to the substantial undeveloped acreage in the project vicinity, there has been little demand for utility infrastructure in the area. However, the City has undergone rapid growth in the past decade. Recent residential development in the area, including continued execution of the Approved Project, has increased the demand for utilities in the immediate vicinity of the Modified Project site and facilitated expansion of utility infrastructure in response to the increased demand.

3.16.3.1 Electricity

The Modified Project site is currently undeveloped and does not generate any electricity demand. SCE provides electricity to the City in the vicinity of the Modified Project site. There are existing sub-transmission (66 kilovolt (kV)) and distribution (33kV and 12kV) electrical circuits throughout the project site. The 115 kV circuit with a 12 kV underbuild circuit proceeds along the south side of Hemet Channel abutting the northern boundary of the Modified Project site. The 33 kV circuit enters the Modified Project site along the west side of Warren Road and proceeds through the eastern portion of the site. The 12 kV circuit proceeds though the southwest portion of the project site in the vicinity of the existing detention basin to be improved. Coordination with SCE will occur to determine appropriate relocation and/or undergrounding of electrical utilities in order to interconnect the Modified Project site.

3.16.3.2 Natural Gas

The Modified Project site is currently undeveloped and does not generate any natural gas demand. SCG provides natural gas to the City in the vicinity of the Modified Project site. A 4-inch medium pressure natural gas distribution pipeline exist along Mustang Way and would be extended to interconnect the Modified Project site.

3.16.3.3 Water

The EMWD provides water and wastewater service to the City in the vicinity of the Modified Project site. The Modified Project site is located within the Hemet Subbasin of the 235-square-mile San Jacinto Ground Water Basin (Department of Water Resources Bulletin 118 Groundwater Basin Number 8-05).

Groundwater in this portion of the Hemet Subbasin is estimated between 50 and 120 feet below surface grade.[4] Portions of the groundwater basin from which EMWD pumps potable groundwater are adjudicated under the Hemet-San Jacinto Watermaster and subject to adjusted base production rights. EMWD's water supply reliability is primarily established through MWD, of which EMWD is a member agency. Recent development of two desalinization plants operated by the EMWD has increased its reliance on regional groundwater, in conjunction with imported water from the MWD, for its potable water sources.[5]

The MWD is a consortium of 26 cities and water districts that provides drinking water to nearly 19 million people in parts of Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura Counties. Under drought conditions, withdrawals from MWD's dry-year storage reserves will be necessary in order to meet water demands of the Modified Project. Water demands in Southern California generally have been reduced through ongoing MWD conservation efforts and outreach to conserve water and reduce withdrawals from MWD's dry-year storage reserves. Accordingly, MWD's 2015 UWMP indicates under normal, dry, and even multiple dry-year conditions, State Water Project supplies in combination with other water supplies (e.g., conservation, local and regional supplies, and Colorado River) would be adequate to meet MWD water entitlements despite periodic restrictions during dry years.[6]

No direct groundwater withdrawals would be required for the Modified Project. Under the 2007 Hemet/San Jacinto Groundwater Management Area Water Management Plan (HSJ Management Plan) prepared pursuant to AB 3030, EMWD will be responsible for providing water to recharge the groundwater basin. To prevent continued overdraft in the Hemet Subbaisn, EMWD has developed alternatives to assure water supply reliability, including an Integrated Recharge and Recovery Program (IRRP), filtration plants to treat and deliver imported water to areas dependent on groundwater, and recycled water use for irrigation of landscape and agriculture. In addition to the existing IRRP, EMWD is developing the Enhanced Recharge and Recovery Program (ERRP) to increase conjunctive use and facilitate groundwater banking. Phase 1 of the ERRP program is included in the Santa Ana River Conservation & Conjunctive Use Program, a cooperative program to store imported water during wet years for use during dry years. Both management plan areas are part of the San Jacinto Groundwater Basin (Department of Water Resources Bulletin 118 Groundwater Basin Number 8-05). As detailed in Tables ES-4 and ES-5 of the EMWD 2015 Urban Water Management Plan (UWMP), the EMWD is projected to meet current and projected water demands through the year 2040 under normal, historic single-dry and historic multiple-dry year scenarios. EMWD's 2015 UWMP also discloses that in the event of a water supply shortage or water emergency, the City has in place water shortage contingency plans, which ensure provision of priority water services to all its existing and anticipated customers.

3.16.3.4 Wastewater

The Modified Project site is currently undeveloped and does not generate any wastewater flow. The EMWD would be responsible for the treatment of wastewater generated by the Modified Project. The City provides local sewer lines for conveyance of wastewater to EMWD's San Jacinto Valley Regional Water Reclamation Facility (SJVRWRF).[7] According to the EMWD, expansion of the SJVRWRF commenced in 2011, and by 2015, the facility featured a permitted treatment capacity of 14.0 mgd of

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4 *Phase I Environmental Site Assessment, Rancho Diamante Tract No. 36841, Hemet, California.* Page 11. IWS Environmental, Inc. November 4, 2016.

5 *2015 Urban Water Management Plan.* Page 5-2. Eastern Municipal Water District. June 2016.

6 *2015 Urban Water Management Plan.* Tables 2-4, 2-5, and 2-6. The Metropolitan Water District of Southern California. June 2016.

7 *San Jacinto Valley Regional Water Reclamation Facility, Fact Sheet.* Eastern Municipal Water District. October 2016. https://www.emwd.org/sites/main/files/file-attachments/sjvrwrffactsheet.pdf (accessed May 10, 2019).

wastewater. Today, the SJVRWRF treats approximately 7.0 mgd and maintains approximately 7.0 mgd of surplus capacity.

The expanded SJVRWRF allows EMWD to transform wastewater into tertiary-level recycled water that is pumped through a separate distribution system and delivered to the region for non-potable reuse. The EMWD maintains a 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site.

3.16.3.5 Storm Water Drainage

The Modified Project site is within the jurisdiction of the Santa Ana RWQCB. Storm water runoff from the majority of the site sheet flows over the gently sloping ground surface in a southwesterly direction. A drainage channel and a detention basin are located along the southern border of the proposed Modified Project site. The drainage channel and basin were constructed as part of the Tracts 31807 and 31808 located on the east side of Warren Road to collect runoff from the site and adjacent properties. The drainage channel represents the east-west segment of Line 3B from the City of Hemet's *Master Flood Control and Drainage Plan* and conveys storm water runoff into the detention basin for infiltration. Overflow volumes are conveyed via an off-site drainage channel (north-south continuation of Line 3B) to the south to the improved channel maintained by the Riverside County Flood Control District at Simpson Road. The *Master Flood Control and Drainage Plan* indicates that the 100-year flow rate immediately downstream of the site should not exceed 345 cubic feet per second (cfs). The north-south portion of Line 3B between the Modified Project site and Simpson Road will be improved as part of the Modified Project to facilitate conveyance of storm water runoff to Salt Creek approximately one mile south of the Modified Project site. The southerly half of north-south Line 3B between Simpson Road and Salt Creek has already been constructed.

The Hemet Channel abuts the northern boundary of the site in a northeast/southwest alignment and will not be modified. The City's *Master Flood Control and Drainage Plan* identifies a 100-year total flow rate not to exceed 200 cfs entering the Hemet Channel from the site (from Line 3C).

3.16.3.6 Solid Waste

The Modified Project site is currently undeveloped and does not generate any solid waste. In its undeveloped state, the site has been subject to discarded fill material and organics from agricultural and weed abatement activities. The City contracts with CR&R Inc. for trash, recycling, and green waste services for residences and businesses within the city limits. Solid waste generate by the proposed Modified Project would be taken to a transfer station in Perris, CA for consolidation and transfer to the Lamb Canyon Landfill, a Riverside County regional municipal solid waste landfill. The Lamb Canyon Landfill has a maximum daily throughput of 5,000 tons and maintains approximately 19,242,950 cubic yards of remaining solid waste capacity, which is expected to last until approximately April 2029.

3.16.3.7 Other Utilities

The Second San Diego Aqueduct abuts the western boundary of the site as an above-ground canal in a north to south direction. The First San Diego Aqueduct traverses the site below ground in northeasterly to southwesterly direction within a 150-foot-wide easement adjacent and parallel to two EMWD easements (20-foot and 40-foot) for public utilities. The First and Second San Diego Aqueducts are owned and operated by MWD.

A drainage channel and a detention basin are located along the southern border of the proposed Modified Project site. The drainage channel and basin were constructed as part of the Tracts 31807 and 31808 located on the east side of Warren Road to collect runoff from the site and adjacent properties. A drainage channel conveys runoff from the existing drainage basin south to the existing

channel at Simpson Road. This channel will be improved as part of the Modified Project. The Hemet Channel abuts the northern boundary of the site in a northeast/southwest alignment and will not be modified.

3.16.4 Methodology

3.16.4.1 Water Supply

Projected water demand for the proposed Modified Project is evaluated against available water supplies for normal, single-dry, and multiple-dry years through a 25-year projection based on data included in the EMWD's UWMP.

3.16.4.2 Storm Water Drainage

The Drainage Study (Appendix G1) prepared for the Modified Project used the Rational Method to estimate the peak discharge for drainage area based on ratio of runoff depth to rainfall depth, time-averaged rainfall intensity for a storm duration equal to the time of concentration, the area of the basin, and the land use type and soil condition. The study determined the required storage volume of BMPs to mitigate increased runoff from the proposed Modified Project site. The post-project flows are evaluated against the City's *Master Flood Control and Drainage Plan* to determine if capacity of existing flood control facilities are adequate and to what extent improvements are required.

3.16.4.3 Wastewater

Projected wastewater demand for the proposed Modified Project is evaluated against available wastewater treatment capacity identified in EMWD's UWMP.

3.16.4.4 Solid Waste

The solid waste analysis is based on evaluating the existing capacity of nearby landfills that serve the City, future solid waste capacity that would be available to the City, and the identification of existing solid waste demand and future solid waste demand associated with the development of the proposed Modified Project. The analysis also identifies existing City goals, and policies that the City implements to reduce generated waste.

3.16.5 Thresholds of Significance

The City has not established local CEQA significance thresholds; therefore, this SEIR incorporates the utility questions included in the Certified EIR in accordance with Appendix G ("CEQA Checklist") of the State *CEQA Guidelines*. Per the Certified EIR, a significant impact to the environment from the provision of utilities would occur if the project was determined to:

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- Require or result in the construction of new utilities and water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

- Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- Comply with federal, State, and local statutes and regulations related to solid waste?

3.16.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDF): These measures include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts from the provision of utilities.

PDF 3.8-3 (From Section 3.8.6 of this SEIR) Under post-development conditions, storm runoff from the Modified Project site will continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's *Master Flood Control and Drainage Plan*. The proposed streets and storm drain systems will convey the majority of the Modified Project runoff to the existing earthen channel (east-west segment of Line 3B), which will be improved with concrete walls and maintain an earthen bottom along the southerly site boundary. The on-site runoff as well as the tributary off-site runoff from the east will be detained by a detention basin within the southwesterly portion of the Modified Project site. The basin will be generally at the location of the existing detention basin, but the footprint will be modified to fit the development. The 100-year flow released from the detention basin will be less than 345 cubic feet per second (cfs) in accordance with the *Master Flood Control and Drainage Plan*.

PDF 3.8-4 (From Section 3.8.6 of this SEIR) The Modified Project will construct a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road. The northerly portion of this segment of Line 3B will be improved as an earthen trapezoidal channel with a 20-foot bottom width and 4:1 (horizontal:vertical) side slopes. The maximum 100-year flow rate capacity in this segment of the channel is 365 cfs in accordance with the *Master Flood Control and Drainage Plan*. The southerly portion of this segment of Line 3B will be improved as a trapezoidal channel with concrete banks and an earthen bottom. This segment of the improved channel will have a 13-foot bottom width and 2:1 side slopes. The maximum 100-year flow rate in this segment of Line 3B is 505 cfs in accordance with the *Master Flood Control and Drainage Plan*.

PDF 3.16-1 The Modified Project will construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from hydrology and drainage.

PPP 3.3-1 (From Section 3.3.6 of this SEIR) Building design and construction shall meet 2019 Title 24 Standards of the California Building Code. The project will design building shells and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Title 24

Standards, which is anticipated to consume 30 percent less energy use due to lighting upgrades.

PPP 3.3-2 (From Section 3.3.6 of this SEIR) Pursuant to City Emergency Order 2014-0718-01E, the Modified Project shall incorporate a Water Conservation Strategy to reduce water demand by at least 25 percent when compared to water demand without implementation of the Water Conservation Strategy.

PPP 3.3-3 (From Section 3.3.6 of this SEIR) Pursuant to Assembly Bill 939, the Modified Project shall engage in a 50 percent diversion of solid waste from landfills

PPP 3.6-3: (From Section 3.6.6 of this SEIR) Prior to grading permit issuance, the project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP). Project contractors shall be required to ensure compliance with the SWPPP and allow periodic inspection of the construction site by City of Hemet staff or its designee to confirm compliance.

PPP 3.8-1 (From Section 3.8.6 of this SEIR) Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Evidence that an NPDES permit has been issued shall be provided to the City of Hemet prior to issuance of the first grading permit.

PPP 3.16-1 Pursuant to Assembly Bill 341, businesses that generate four or more cubic yards of waste per week and multifamily developments of five or units are required to arrange for recycling services.

3.16.7 Proposed Modified Project Compared to Approved Project Impact Analysis

3.16.7.1 Wastewater Treatment Requirements

Threshold:	Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The Approved Project would generate 2.8 million gallons per day (mgd) of sewage to be managed by the EMWD, which would require expansion of EMWD's wastewater infrastructure in the project vicinity. Implementation of the Approved Project would generate enough wastewater almost to exceed capacity of the existing sewage infrastructure even with mitigation. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR, concluded the Approved Project would not exceed wastewater treatment requirements, as there are no enforcement actions involving the Hemet/San Jacinto Water Reclamation Facility. Impacts would be less than significant, and no mitigation is required.

As detailed in Section 3.8.7.1, Pollutants of concern during construction and operation of the proposed Modified Project include bacterial indicators (pathogens), metals, nutrients, toxic organic compounds, and sediments. Construction activities must comply with the requirements of the SWRCB NPDES Construction General Permit pursuant to the CWA, California's Porter-Cologne Act, and the NPDES MS4 Permit, as indicated in PPP 3.8-1. A SWPPP, as specified in PPP 3.6-3, will incorporate construction BMPs for erosion control,[8] sediment control,[9] and good housekeeping practices.[10] These

[8] Erosion control is any source control that protects and prevents soil particles from detaching by rainfall, flowing water, or wind.

[9] Sediment control is any practice that traps soil once it has been detached and moved by rain, flowing water, or wind.

[10] Non-stormwater management and material management "good housekeeping practices" prevent pollution by limiting or reducing potential pollutants at their source or eliminating off-site discharge. Waste management and materials pollution

BMPs are designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs will prevent spills, leaks, and discharge of construction debris and waste into receiving waters. The SWPPP would be developed, and construction BMPs selected and implemented to target pollutants of concern during construction. The construction BMPs would be designed to retain sediment and other pollutants on site so they would not reach receiving waters.

Local governments and water districts are responsible for complying with federal regulations (CWA), both for wastewater plant operation and the collection systems (e.g., sanitary sewers) that convey wastewater to the wastewater treatment facility. Proper operation and maintenance is critical for sewage collection and treatment, as impacts from these processes can degrade water resources and affect human health. For these reasons, publicly owned treatment works (POTWs) receive Waste Discharge Requirements (WDRs) to ensure that such wastewater facilities operate in compliance with water quality regulations set forth by the State's Porter-Cologne Act. WDRs, issued by the State, establish effluent limits on the kinds and quantities of pollutants that POTWs can discharge. These permits also contain pollutant monitoring, recordkeeping, and reporting requirements. POTWs that intend to discharge into the nation's waters must obtain a WDR prior to initiating discharge.

The EMWD serves approximately 239,000 customers in the western Riverside County and treats approximately 43 mgd of wastewater at its four active regional water reclamation facilities through 1,813 miles of sewer pipelines. Wastewater generated by the Modified Project would be treated at the SJVRWRF, which was expanded in 2015, and features a permitted treatment capacity of 14.0 mgd of wastewater. The SJVRWRF treats approximately 7.0 mgd and maintains approximately 7.0 mgd of surplus capacity.

Proposed project discharge flows treated at the SJVRWRF would be required to comply with the WDRs for that facility. Compliance with condition or permit requirements established by the City, and WDRs at the EMWD would ensure that discharges into the wastewater treatment facility system from the proposed Modified Project would not exceed applicable RWQCB wastewater treatment requirements. Impacts would be **less than significant** and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts related to wastewater treatment requirements.

3.16.7.2 Electricity, Natural Gas, Telephone, Water, or Wastewater Treatment Facilities

Threshold:	Would the project require or result in the construction of new utilities and water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The 1979 Certified EIR concluded the Approved Project would be supplied with electricity by Southern California Edison Company (SCE) primarily through the consumption of low sulfur fuel oil. SCE was expected to be able to meet peak demand through 1977, after which electricity supply would be contingent upon SCE expanding its electrical generation capacity and transmission and distribution grids. 1979 EIR Mitigation Measure 1 was prescribed for the proponent of the Approved Project to consult with SCE for implementation of energy conservation measures to reduce demand for electricity. Implementation of the Approved Project would increase electricity demand and require expansion of infrastructure even with mitigation. The Approved Project would be supplied with natural gas by the Southern California Gas Company (SCG), which would require expansion of SCG's natural gas infrastructure in the project vicinity. 1979 EIR Mitigation Measure 2 was prescribed for the proponent

control "good housekeeping practices" prevent pollution by limiting or reducing potential pollutants at their source before they come in contact with stormwater.

of the Approved Project to consult with SCG for implementation of energy conservation measures to reduce demand for natural gas. Implementation of the Approved Project would increase natural gas demand and require expansion of infrastructure even with mitigation. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR, concluded the Approved Project would be sufficiently served by SCE and SCG through interconnection with existing main lines and installation of new service lines as long as coordination with the utility providers occurs. 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c were prescribed to ensure development plans are provided to SCE and SCG in order to facilitate engineering, design, and construction of improvements necessary to provide electrical service to the Approved Project site. With implementation of 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c, impacts from the increased demand for electricity and natural gas would be reduced to less than significant levels.

Water consumption for the Approved Project was estimated to be 210,962,508 gallons per month, and conversion of the Approved Project site from agricultural use to the Page Ranch PCD would not require appreciably more water than was being used for agriculture. Impacts from the demand for water would occur to water quality due to sewage generated by the Approved Project residents. 1979 EIR Mitigation Measure 3 was prescribed for the proponent of the Approved Project to implement water conservation measures. Implementation of the Approved Project would increase water demand even with mitigation. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR, concluded the Approved Project would be adequately served by EMWD through interconnection with existing main lines and installation of new service lines both on-site and off-site in the vicinity of the Approved Project site. 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c were prescribed to ensure development plans are provided to EMWD in order to facilitate engineering, design, and construction of improvements necessary to provide water service to the Approved Project site. With implementation of 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c, impacts from the increased demand for water would be reduced to less than significant levels.

The Approved Project would generate 2.8 million gallons per day (mgd) of sewage to be managed by the EMWD, which would require expansion of EMWD's wastewater infrastructure in the project vicinity. 1979 EIR Mitigation Measure 3 was prescribed for the proponent of the Approved Project to implement water conservation measures. Implementation of the Approved Project would generate almost enough wastewater to exceed capacity of the existing sewage infrastructure even with mitigation. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR, concluded the Approved Project would not exceed wastewater treatment requirements but that interconnection with existing main lines and installation of new service lines both on-site and off-site in the vicinity of the Approved Project site would be required. 2008 Draft EIR Mitigation Measure MM U-2a was prescribed to ensure compliance with all RWQCB wastewater treatment requirements. 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c were prescribed to ensure development plans are provided to EMWD in order to facilitate engineering, design, and construction of improvements necessary to provide wastewater service to the Approved Project site. With implementation of 2008 Draft EIR Mitigation Measures MM U-2a, through MM U-2c, impacts from the increased demand for wastewater would be reduced to less than significant levels.

Telephone service was determined to be available to serve the Approved Project through extension of existing distribution lines. The Approved Project would not cause a significant impact on the plans of the telephone company for providing service to the area, provided that growth occur incrementally. No mitigation was prescribed. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR, concluded the Approved Project would be adequately served by Verizon through interconnection with existing conduits and installation of new conduits both on site and off site in the vicinity of the Approved Project

site. 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c were prescribed to ensure development plans are provided to Verizon in order to facilitate engineering, design, and construction of improvements necessary to provide telephone service to the Approved Project site. With implementation of 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c, impacts from the increased demand for telephone service would be reduced to less than significant levels.

The proposed Modified Project's on-site electrical, natural gas, and telephone infrastructure will be constructed underground. Building design and construction shall meet 2019 Title 24 Standards of the California Building Code, as specified in PPP 3.3-1. The project will design building shells and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Title 24 Standards, which is anticipated to consume 30 percent less energy use due to lighting upgrades. To facilitate interconnection with future recycled water infrastructure, the Modified Project will construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site, as specified in PDF 3.16-1. Additionally, the Modified Project will incorporate a Water Conservation Strategy pursuant to City Emergency Order 2014-0718-01E and PPP 3.3-2 to reduce water demand by at least 25 percent when compared to water demand without implementation of the Water Conservation Strategy. In order to interconnect the Modified Project site and maintain easements required for operations and maintenance of utility infrastructure, the proposed Modified Project will require coordination with SCE, SCG, EMWD, Verizon, Riverside County Flood Control District, and any other affected utility, including MWD, to determine appropriate avoidance, relocation, and/or undergrounding of affected utilities. This requirement is codified in 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c and incorporated into this SEIR.

All proposed utility infrastructure, both on-site and off-site, would be installed simultaneously with finish grading activities and required roadway frontage improvements for the Modified Project site. As a result, interconnection to the existing utilities surrounding the site would not result in substantial disturbance of native habitat or soils, or existing roadways or utilities. There would be no significant environmental effects specifically related to the installation of utility interconnections that are not encompassed within the Modified Project's construction and operational footprint, and therefore already identified, disclosed, and subject to all applicable mitigation measures, PDFs, PPPs, as well as local, State, and federal regulations, as part of this SEIR. Therefore, with implementation of 2008 EIR **Mitigation Measures MM U-2b** and **MM U-2c**, significant environmental effects from the construction of new utilities and water or wastewater treatment facilities or expansion of existing facilities would be reduced to **less than significant** levels. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant with mitigation incorporated] impacts related to construction of new utilities and water or wastewater treatment facilities or expansion of existing facilities.

3.16.7.3 Storm Water Drainage Facilities

Threshold:	Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR, concluded the City's development review process and construction inspection program will assure that planned improvements to stormwater infrastructure occur according to

appropriate standards as a matter of regulatory policy. Impacts would be less than significant, and no mitigation is required.

As detailed in Section 3.8.7.5 of this SEIR, the Modified Project site is currently undeveloped, and implementation of the proposed Modified Project would substantially increase impervious surfaces on-site. The increase in impervious surfaces would potentially increase the volume and velocity of storm water runoff and require improvements to the existing on-site earthen channel (east-west segment of Line 3B) along the southern portion of the Modified Project site as specified in PDF 3.8-3. Additionally, the proposed Modified Project would improve a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road as specified in PDF 3.8-4. Finally, seven off-site drainage connections will be made to the Hemet Channel adjacent to the north of the Modified Project site.

The proposed improvements to on-site and off-site drainage facilities will be adequately sized in accordance with the City's *Master Flood Control and Drainage Plan* and through coordination with the Riverside County Flood Control District. The proposed on-site and off-site drainage improvements are planned as part of the proposed Modified Project. Therefore, there would be no significant environmental effects specifically related to their construction and operation that are not encompassed within the project's construction and operational footprint, and therefore already identified, disclosed, and subject to all applicable mitigation measures, PDFs, PPPs, as well as local, State, and federal regulations, as part of this SEIR. With implementation of 2008 EIR **Mitigation Measures MM U-2b** and **MM U-2c**, which would ensure coordination with the Riverside County Flood Control District, significant environmental effects from the construction of new on-site and off-site drainage facilities or expansion of existing facilities would be reduced to **less than significant** levels. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant with mitigation incorporated] impacts related to construction of new on-site and off-site drainage facilities or expansion of existing facilities.

3.16.7.4 Water Supplies

Threshold:	Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The Certified EIR concluded groundwater constitutes 85 percent of the City's water supply. Based on the EMWD's 2005 UWMP, water supplies to the Approved Project area are forecast to be available through Year 2025 and beyond (from both groundwater and imported water) with continued mandatory practice of water use efficiency, recharging of the Canyon Basin, and the increased use of recycled water. Impacts would be **less than significant**, and no mitigation is required.

As detailed in Section 3.8.7.2 of this SEIR, no direct groundwater withdrawals would be required for the proposed Modified Project. According to the project-specific Water Supply Assessment (WSA), groundwater is not being proposed to serve the Modified Project, as EMWD considers current groundwater production to be utilized completely by existing customers. New developments, including the proposed Modified Project, will be supplied with additional imported water from one of the following sources: (1) treated imported water from MWD; (2) untreated imported water from MWD, which is subsequently treated by EMWD; or (3) untreated imported water treated by EMWD and recharged into the San Jacinto River Groundwater Basin for later withdrawal.

According to the project-specific WSA, the Modified Project will demand approximately 365 acre-feet (118.9 million gallons) of water per year. MWD's 2015 UWMP provides information about MWD's regional supply reliability and projected demands. Based on information provided by EMWD and other member agencies, MWD concludes that it is able to meet projected demands for all member agencies

through 2040, even during dry periods. Under extreme conditions, water supplies could be allocated using the MWD Water Supply Allocation Plan (WSAP) to preserve supplies in storage by requiring a reduction in demand by member agencies, including the EMWD, pursuant to SB 1168 and 1319, and AB 1739. The Modified Project will incorporate a Water Conservation Strategy pursuant to City Emergency Order 2014-0718-01E and PPP 3.3-2 to reduce water demand by at least 25 percent when compared to water demand without implementation of the Water Conservation Strategy. Additionally, the Modified Project will construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site, as specified in PDF 3.16-1, to further reduce impacts from the Modified Project's demand on water supplies.

Since the EMWD and MWD have the ability to meet all of their existing entitlements and projected supplemental demand through 2040, even under a repeat of historic multiple-year drought scenarios, the proposed Modified Project will have sufficient water supplies available to serve the Project. In the event that the lead agency determines adequate water supply exists for the proposed Modified Project, the project proponent is required to meet with EMWD Development Services Staff to establish development design conditions. Accordingly, implementation of 2008 EIR **Mitigation Measures MM U-2b** and **MM U-2c**, which would ensure coordination with the EMWD, would reduce significant environmental effects from the Modified Project's demand for water to **less than significant** levels. When compared to the Approved Project, the proposed Modified Project would have the same (less than significant but with mitigation incorporated) impacts related to water supply and demand.

3.16.7.5 Wastewater Treatment Capacity

Threshold:	Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

As discussed in Section 3.16.7.2 above, the Approved Project would generate 2.8 million gallons per day (mgd) of sewage to be managed by the EMWD, which would require expansion of EMWD's wastewater infrastructure in the project vicinity. Even with 1979 EIR Mitigation Measure 3, implementation of the Approved Project would generate almost enough wastewater to exceed capacity of the existing sewage infrastructure. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR, concluded the Approved Project would not exceed wastewater treatment requirements but that interconnection with existing main lines and installation of new service lines both on-site and off-site in the vicinity of the Approved Project site would be required. 2008 Draft EIR Mitigation Measure MM U-2a was prescribed to ensure compliance with all RWQCB wastewater treatment requirements. 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c were prescribed to ensure development plans are provided to EMWD in order to facilitate engineering, design, and construction of improvements necessary to provide wastewater service to the Approved Project site. With implementation of 2008 Draft EIR Mitigation Measures MM U-2a, through MM U-2c, impacts from the increased demand for wastewater would be reduced to less than significant levels.

Today, the SJVRWRF treats approximately 7.0 mgd of wastewater and maintains approximately 7.0 mgd of surplus capacity.[11] EMWD's actual 2015 per capita gross water use is 129 gallons per day, and average daily per capita water demand for commercial uses is 17.6 gallons per day.[12] As specified in Section 3.12.1 of this SEIR, the City's average population per household is 2.79 persons. With 586

[11] *San Jacinto Valley Regional Water Reclamation Facility, Fact Sheet.* Eastern Municipal Water District. October 2016. https://www.emwd.org/sites/main/files/file-attachments/sjvrwrffactsheet.pdf (accessed May 10, 2019).

[12] *2015 Urban Water Management Plan.* Table 5-7 and Page 5-6. Eastern Municipal Water District. June 2016

propose dwelling units the proposed Modified Project is expected to generate an additional 1,635 residents in the City.[13] Modified Project-generated population estimates for the proposed commercial uses in Planning Area XIII are based on anticipated employment generation from development of 100,000 square feet of regional commercial uses on 19.67 acres. Southern California Association of Governments (SCAG) anticipates 1 employee per 268 square feet or 20.68 employees per acre of development of a regional retail commercial center with services (e.g., fuel station, restaurant, etc.) in Riverside County.[14] Using these factors, the proposed Modified Project would generate between 373 and 407 new employees for Planning Area XIII.[15] As a worst case scenario, even if the new employees (up to 407 new employees) were added to the anticipated residential population increase (1,635 new residents), totaling 2,042 persons, and 100 percent of actual per capita water use (129 gallons per day) were dedicated to wastewater, the proposed Modified Project would generate approximately 263,418 gallons of wastewater per day.[16] Since the SJVRWRF treats approximately 7.0 mgd of wastewater and maintains approximately 7.0 mgd of surplus capacity, the proposed Modified Project would not exceed the capacity of the SJVRWRF to serve the project's projected demand in addition to the provider's existing commitments.

The expanded SJVRWRF also allows EMWD to transform wastewater into tertiary-level recycled water that is pumped through a separate distribution system and delivered to the region for non-potable reuse. The EMWD maintains a 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site. The Modified Project will construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline, as specified in PDF 3.16-1, to further reduce impacts from the Modified Project's demand on wastewater treatment supplies. In the event that the lead agency determines adequate wastewater supply exists for the proposed Modified Project, the project proponent is required to meet with EMWD Development Services Staff to establish development design conditions. Accordingly, implementation of 2008 EIR **Mitigation Measure MM U-2a** will ensure compliance with all RWQCB wastewater treatment requirements, and implementation of 2008 **EIR Mitigation Measures MM U-2b** and **MM U-2c** will ensure coordination with the EMWD in order to reduce environmental effects from the Modified Project's demand for wastewater to **less than significant** levels. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant but with mitigation incorporated] impacts related to wastewater treatment capacity.

3.16.7.6 Landfill Capacity

Threshold:	Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The Approved Project would generate 101,687 pounds (50.8 tons) of solid waste per day, to be managed by two landfill sites with projected capacity beyond the year 2000 serving the *Southwest Area*. 1979 EIR Mitigation Measure 4 was prescribed for the proponent of the Approved Project to encourage recycling efforts. There would be an increased burden on landfill sites even with mitigation. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR, concluded the Approved Project would be adequately served by the Lamb Canyon Landfill through payment of DIFs. The Approved Project would be

[13] 586 dwelling units × 2.79 persons per dwelling unit = 1,634.94 persons.
[14] *Employment Density Study Summary Report*. Table 10A. Southern California Association of Governments. October 31, 2001.
[15] 100,000 square feet of proposed commercial/retail uses ÷ 268 square feet per employee = 373.13 employees. Conversely, 19.67 acres × 20.68 employees per acre = 406.78 employees.
[16] 2,042 persons × 129 gross gallons of wastewater per capita per day = 263,418 gallons of wastewater

constructed and operated in accordance with the CIWMB (AB 1372) and City Municipal Code regarding solid waste generation and disposal. Impacts would be less than significant and no mitigation is required.

The proposed Modified Project site is currently undeveloped and does not generate any solid waste. In its undeveloped state, the site has been subject to discarded fill material and organics from agricultural and weed abatement activities. Fill material and organic wastes will be properly recompacted and/or disposed of during early grading operations associated with the Modified Project. The City contracts with CR&R Inc. for trash, recycling, and green waste services for residences and businesses within the city limits. Solid waste generate by the proposed Modified Project would be taken to a transfer station in Perris, CA for consolidation and transfer to the Lamb Canyon Landfill, a Riverside County regional municipal solid waste landfill. The Lamb Canyon Landfill has a maximum daily throughput of 5,000 tons and maintains approximately 19,242,950 cubic yards of remaining solid waste capacity, which is expected to last until approximately April 2029.

California's 2017 per capita disposal rate is estimated at approximately 6.2 pounds/resident/day calculated using AB 341's measurement system and a recycling rate of 42 percent.[17] Using SB 1016's measurement system, which does not include "disposal-related" tonnages as disposal, the State's per resident disposal rate is estimated at 5.2 pounds/resident/day and a "diversion rate equivalent" of 58 percent; the 2017 per employee disposal rate was 11.9 pounds/employee/day, and the per employee "diversion rate equivalent" was at 62 percent.[18]

As detailed in Section 3.16.7.5 above, the Modified Project is expected to generate up to 407 new employees and a residential population increase of approximately 1,635 new residents (total of 2,042 persons). Therefore, using AB 341's measurement system and a recycling rate of 42 percent, the Modified Project is expected to generate approximately 12,660 pounds (6.33 tons or 23.44 cubic yards) of solid waste per day.[19] Using SB 1016's measurement system and a "diversion rate equivalent" of 58 percent, the Modified Project is expected to generate approximately 13,345.3 pounds (6.67 tons or 24.70 cubic yards) of solid waste per day.[20] Since the Lamb Canyon Landfill has a maximum daily throughput of 5,000 tons and maintains approximately 19,242,950 cubic yards of remaining solid waste capacity, the proposed Modified Project's solid waste contribution to the Lamb Canyon Landfill (between 6.33 and 6.67 tons per day) would be approximately 0.13 percent of the landfill's maximum daily throughput.

The Modified Project would utilize CR&R Inc. for trash, recycling, and green waste services in order to comply with AB 939, as codified in PPP 3.3-3 and Chapter 61 (Solid Waste Management) of the City Municipal Code. Additionally, the proposed commercial uses in Planning Area XIII would comply with AB 341, as codified in PPP 3.16-1 if businesses would generate four or more cubic yards of waste per week. Solid waste generate by the proposed Modified Project would be taken to a transfer station in Perris, CA for consolidation and transfer to the Lamb Canyon Landfill. Through compliance with regulatory policy related to solid waste disposal and diversion, the proposed Modified Project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. Impacts would be **less than significant** and no mitigation is required. When compared to the

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17 *California's 2017 Per Capita Disposal Rate Estimate.* California Department of Resources Recycling and Recovery (CalRecycle). 2019. https://www.calrecycle.ca.gov/LGCentral/GoalMeasure/DisposalRate/MostRecent/ (accessed May 13, 2019).

18 *Ibid.*

19 2,042 persons × 6.2 pounds of solid waste per person per day = 12,660.4 pounds of solid waste per day.

20 1,635 residents × 5.2 pounds of solid waste per resident per day = 8,502 pounds of residential solid waste per day (plus) 407 employees × 11.9 pounds of solid waste per employee per day = 4,843.3 pounds of commercial solid waste per day. 8,502 pounds of residential solid waste per day + 4,843.3 pounds of commercial solid waste per day = 13,345.3 pounds of residential and commercial solid waste per day.

Approved Project, the proposed Modified Project would have the same(less than significant) impacts related to solid waste disposal.

3.16.7.7 Legal Compliance for Solid Waste

Threshold:	Would the project comply with federal, state, and local statutes and regulations related to solid waste?

The Certified EIR concluded the Approved project would be required to contract with a licensed and permitted waste hauler and comply with CIWMB with regard to source reduction, recycling, composting, and public education. Additionally, the Approved Project must comply with City Municipal Code as it relates to solid waste. Compliance with regulations related to solid waste disposal and diversion is required for all projects within the City as a matter of regulatory policy. Therefore, impacts would be less than significant and no mitigation is required.

As discussed in Section 3.16.7.6 above, the Modified Project would utilize CR&R Inc. for trash, recycling, and green waste services in order to comply with AB 939, as codified in PPP 3.3-3 and Chapter 61 (Solid Waste Management) of the City Municipal Code. Additionally, the proposed commercial uses in Planning Area XIII would comply with AB 341, as codified in PPP 3.16-1 if businesses would generate four or more cubic yards of waste per week. Solid waste generate by the proposed Modified Project would be taken to a transfer station in Perris, CA for consolidation and transfer to the Lamb Canyon Landfill. Compliance with regulations related to solid waste disposal and diversion is required for all projects within the City as a matter of regulatory policy. Therefore, the Modified Project would not conflict with statutes and regulations related to solid waste. Impacts would be **less than significant** and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant] impacts related to compliance with solid waste regulations.

3.16.8 Cumulative Impacts

3.16.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The Certified EIR concluded continued growth will require expansion of existing utility generation and distribution facilities. No major impacts to local soils or energy resources are expected as a result of continued growth because expansion of utility facilities would occur as needed. However, there may be significant cumulative impacts if more groundwater is removed than can be sustained by the local aquifers. Over the long term, Riverside County and the region will have to increase dependence on imported water to prevent overdrafting of local sources. This shift will make the area more dependent on non-local water, which in turn could require more water facilities to be built, the construction of which could result in additional environmental impacts. The Approved Project would contribute incrementally to an increased dependence on imported water from northern California; however, this contribution is determined to be negligible. As long as utility systems continue to be expanded and upgrade as needed, the Approved Project's utility impacts would not be cumulatively considerable. No mitigation is required.

Since utilities are generally provided on a citywide basis, the cumulative area for most utilities is the City of Hemet. Water supply, however, would expand the cumulative area under consideration to the Santa Ana River Watershed and its tributaries, including the San Jacinto River Watershed, which is where the Modified Project is located. As is the case for the Approved Project, construction and operation of the Modified Project would require expansion of utility infrastructure in order to serve the Modified Project site. All proposed utility infrastructure, both on-site and off-site, would be installed simultaneously with finish grading activities and required roadway frontage improvements for the Modified Project site. As a result, interconnection to the existing utilities surrounding the site would not

result in substantial disturbance of native habitat or soils, or existing roadways or utilities. There would be no significant environmental effects specifically related to the installation of utility interconnections that are not encompassed within the project's construction and operational footprint, and therefore already identified, disclosed, and subject to all applicable mitigation measures, PDFs, PPPs, as well as local, State, and federal regulations, as part of this SEIR.

Through California Public Utilities Commission oversight, utility providers constantly monitor capacity to ensure that adequate utility services continue to be provided as individual development projects are proposed. Therefore, coordination with affected utility providers, as specified in 2008 EIR **Mitigation Measures MM U-2a** through **MM U-2c**, would reduce Modified Project-level impacts related to the provision of utilities to less than significant levels and therefore would preclude the Modified Project's incremental demand for utilities to become cumulatively considerable. Furthermore, the proposed Modified Project would not depend on local groundwater and therefore would not contribute cumulatively to its depletion. MWD concludes that it is able to meet projected water demands for all member agencies through 2040, even during dry periods. Under extreme conditions, water supplies could be allocated using the MWD WSAP to preserve supplies in storage by requiring a reduction in demand by member agencies, including the EMWD, thus reducing impacts from cumulative demand on water supplies to less than significant levels. Accordingly, the proposed Modified Project, in conjunction with past, present, and reasonably foreseeable projects, would not make a significant contribution to cumulatively adverse effects to utility infrastructure. Therefore, no additional mitigation measures for cumulative impacts are required.

3.16.9 Level of Significance Before Mitigation

Development of both the Approved Project and the proposed Modified Project would require expansion of existing utility generation and distribution facilities in order to accommodate the anticipated growth of residential and commercial uses and increased population. Impacts from increased demand for utility infrastructure would be significant, and mitigation is required.

3.16.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.16.10.1 Mitigation for the Proposed Modified Project

Incorporation of 2008 EIR **Mitigation Measures MM U-2a** through **MM U-2c**, as specified below, is required for the proposed Modified Project to reduce impacts on utilities to less than significant levels.

3.16.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure.

Every utilities mitigation measure presented in the 1979 Certified EIR is discussed below. This SEIR concludes Mitigation Measures 1 through 4 of the 1979 Certified EIR are reiterated in 2008 Draft EIR Mitigation Measures MM U-2a through MM U-2c, Modified Project PDFs 3.8-3, 3.8-4, and 3.16-1, and Modified Project PPPs 3.3-1, 3.3-2, 3.3-3, and 3.16-1 in accordance with current regulatory standards and therefore are replaced as discussed below.

The 1979 EIR Mitigation Measure 1 is replaced with 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c with regard to coordination with SCE, and with PPP 3.3-1 regarding incorporation of energy-efficient building design and construction in accordance with current regulatory standards.

~~1979 EIR Mitigation Measure 1:~~ ~~Energy conservation measures should be required to minimize the loss of low sulfur fuel oil, a non-renewable natural resource. Southern California Edison Company should be consulted to incorporate energy conservation measures into future development proposals.~~

~~Generally, energy conservation measures include application of solar energy for water heating, use of energy-efficient appliances, building insulation, and energy conserving design of common facilities. Refer to Section 4.4.11 regarding energy mitigation measures.~~

The 1979 EIR Mitigation Measure 2 is replaced with 2008 Draft EIR Mitigation Measures MM U-2b and MM U-2c with regard to coordination with SCG, and with PPP 3.3-1 regarding incorporation of energy-efficient building design and construction in accordance with current regulatory standards.

~~1979 EIR Mitigation Measure 2:~~ ~~Energy conservation measures should be required to minimize the loss of a valuable, non-renewable natural resource. Consultation should be made with the Southern California Gas Company to implement conservation measures. Possible energy conservation measures include application of solar energy for water heating, use of energy efficient appliances, building insulation and energy conserving design. Refer to Section 4.4.11 regarding energy mitigation measures.~~

The 1979 EIR Mitigation Measure 3 is replaced with PDF 3.16-1, which would facilitate incorporation of future recycled water systems for landscape irrigation when they become available, and PPP 3.3-2, which requires the Modified Project to incorporate a Water Conservation Strategy to reduce water demand by at least 25 percent in accordance with current regulatory standards.

~~1979 EIR Mitigation Measure 3:~~ ~~Efforts toward water conservation should be made. Possible measures include:~~

- ~~Landscape watering during early morning hours or during the evening to reduce water loss from evaporation.~~
- ~~Selection of drought-tolerant plants in landscaping.~~
- ~~Use of plumbing fixtures, which will reduce water loss or consumption.~~

The 1979 EIR Mitigation Measure 4 is replaced with PPPs 3.3-3 and 3.16-1, which require the Modified Project to comply with current regulatory standards AB 939 and AB 341 related to solid waste diversion.

~~1979 EIR Mitigation Measure 4:~~ ~~Separation of wastes at the source could be encouraged to facilitate resource reclamation and recycling efforts.~~

The 2008 Draft EIR's Mitigation Measure U-2a is applicable to the proposed Modified Project, as it requires compliance with all RWQCB wastewater treatment requirements in accordance with current regulatory standards.

2008 Mitigation Measure U-2a: During construction and operation activities, the proposed Modified Project shall provide evidence to the City of Hemet that ~~The proposed project~~ it will comply with all RWQCB wastewater treatment requirements. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.

The 2008 Draft EIR's Mitigation Measure U-2b is applicable to the proposed Modified Project, as it requires coordination with all affected utility providers in order to interconnect the Modified Project to the existing utility infrastructure.

2008 Mitigation Measure U-2b: Prior to the issuance of building permits, development plans shall be provided to Eastern Municipal Water District ~~EMWD~~, Southern California Edison, the Southern California Gas Company, Verizon, Metropolitan Water District of Southern California, Riverside County Flood Control District, and other local utilities as they become available. Coordination with these utility providers is required in order to facilitate engineering, design and construction of improvements necessary to provide water, electrical, natural gas, flood control, and telephone service to the project site. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.

The 2008 Draft EIR's Mitigation Measure U-2c is applicable to the proposed Modified Project, as it requires coordination with all affected utility providers in order to interconnect the Modified Project to the existing utility infrastructure.

2008 Mitigation Measure U-2c: Prior to the issuance of building permits, the applicant shall comply with the guidelines provided by Southern California Gas and Edison, Metropolitan Water District of Southern California, and Riverside County Flood Control District. Compliance with such guidelines shall include coordination in regard to easement restrictions, construction guidelines, protection of pipeline, canal, and drainage channel easements, and potential amendments to right-of-way in the areas of any existing easements of these companies. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.

3.16.11 Level of Significance After Mitigation

The 1979 EIR concluded even with implementation of Mitigation Measures 1 through 4, buildout of the Approved Project would increase demand for utilities. The 2008 EIR concluded implementation of the Approved Project would not result in a significant impact to the environment from an increased demand for utilities based on the baseline conditions as of 2008, which included substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR. With implementation of 2008 Draft EIR Mitigation Measures MM U-2a through MM U-2c, coordination with the RWCQB and all affected utility providers would ensure impacts to the environment from increased demand on utility infrastructure would be reduced to less than significant levels.

Likewise, the proposed Modified Project would increase demand for utilities and require expansion of utility infrastructure to interconnect the Modified Project site to the existing utility grids. Accordingly, 2008 Draft EIR Mitigation Measures MM U-2a through MM U-2c would apply to the Modified Project, as they require coordination with the RWCQB and all affected utility providers to facilitate interconnection. Implementation of 2008 Draft EIR Mitigation Measures MM U-2a through MM U-2c would reduce Modified Project-level impacts related to the provision of utilities to less than significant levels. The project-level coordination with utility providers would preclude the Modified Project's incremental demand for utilities to become cumulatively considerable because utility providers constantly monitor capacity, through California Public Utilities Commission oversight, to ensure that adequate utility services continue to be provided as individual development projects are proposed. Additionally, Modified Project PDFs 3.8-3, 3.8-4, and 3.16-1, and Modified Project PPPs 3.3-1, 3.3-2, 3.3-3, and 3.16-1 would ensure the Modified Project would be constructed and operated in an energy-efficient manner in accordance with current regulatory policies. Through compliance with 2008 Draft EIR Mitigation Measures MM U-2a through MM U-2c and Modified Project PDFs 3.8-3, 3.8-4, and 3.16-1, and Modified Project PPPs 3.3-1, 3.3-2, 3.3-3, and 3.16-1, impacts from the provision of utilities to the Modified Project site would be reduced to **less than significant levels.**

In summary, no new mitigation over and above those described above or new alternatives have been identified that would substantially or further reduce any utilities impacts of the Modified Project.

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3.17 GREENHOUSE GAS EMISSIONS

This section of the SEIR provides an analysis of the proposed Modified Project's potential climate change impacts resulting from project-related greenhouse gas (GHG) emissions as compared to the Approved Project in accordance with Appendix G and Section 15162 of *CEQA Guidelines*.

Analysis contained in this section is based in part on the following documents, which are incorporated by reference:

- City of Hemet. *Adoption of Hemet Climate Action Plan: Adoption and Implementation of the Western Riverside Council of Governments (WRCOG) Sub-regional Climate Action Plan (CAP)*. Staff Report. Agenda 7, August 21, 2018. Formally adopted by the Hemet City Council under Resolution No. 4835 on September 11, 2018.
- City of Hemet, *General Plan 2030*. January 2012.
- City of Hemet, *City of Hemet General Plan 2030 Environmental Impact Report*. January 2012.
- Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.
- Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.
- Southern California Association of Governments, *Final 2016/2040 Regional Transportation Plan/Sustainable Communities Strategy*. April, 2016.
- Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Greenhouse Gas Analysis*. City of Hemet. July 19, 2018 (Appendix J).
- Urban Crossroads. *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality and Greenhouse Gas Impact Analysis-Supplemental Assessment*, November 20, 2019 (Appendix B2).

Scoping Process/NOP Comments: The SCAQMD provided a written letter, dated August 10, 2016, to the City during the NOP comment period. In the letter, the SCAQMD outlines basic recommendations to reduce potential GHG impacts from the proposed project, and requests a copy of the Draft Subsequent EIR upon its completion. The letter specifically states that the Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. SCAQMD also recommended that the Lead Agency use the latest California Emissions Estimator Model (CalEEMod) land use emissions software. This software has recently been updated (v2016.3.2) to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. The SCAQMD also recommends thresholds for GHG emissions. However, the thresholds adopted in the City's qualified Climate Action Plan (CAP) will be used for this analysis.

In a letter dated September 3 2016, the Southern California Association of Governments (SCAG) recommends a consistency analysis of the proposed Modified Project in relation to the goals of the SCAG 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). A side-by-side comparison of SCAG goals with discussions of consistency, non-consistency, or non-applicability of the goals and supportive analysis is provided in Table 3.9.A of Section 3.9 – Land Use and Planning of this SEIR. Performance standards-based mitigation prescribed in the Final Program Environmental Impact Report for SCAG's 2016 RTP/SCS may be considered, as applicable, for adoption and implementation by the City. However, these measures are programmatic-level initiatives designed for application on a regional basis and are not necessarily applicable to individual projects such as the Proposed Modified Project.

The City received two comment letters in response to the recirculated NOP issued between April 19 and May 19, 2019, concerning the proposed Modified Project's potential impacts to GHGs. The SCAQMD provided a letter dated May 14, 2019, and SCAG provided a letter dated May 15, 2019, (see Appendix A2). The SCAQMD letter includes a reference to a source to consider for purposes of mitigating significant greenhouse gas emissions impacts (California Air Pollution Control Officers Association [CAPCOA]'s *Quantifying Greenhouse Gas Mitigation Measures*). Similar to its response to the initial NOP, SCAG notes it is responsible for reviewing EIRs to ensure consistency with land use-related regional plans promoting sustainability and GHG reductions are accounted for including the RTP/SCS.

3.17.1 Regulatory Setting

Numerous initiatives, policies, and regulations have been adopted internationally, nationally, and in the state of California to address climate change. California has taken a progressive approach to climate change and global warming and was one of the first states to adopt a law to track and reduce statewide greenhouse gas emissions. Assembly Bill (AB) 32, the California Global Warming Solutions Act, is the prevailing State statute addressing climate change.

3.17.1.1 Federal Regulations

Massachusetts v. Environmental Protection Agency (EPA). The United States has historically taken a voluntary approach to reducing GHG emissions. However, on April 2, 2007, the United States Supreme Court ruled that the EPA has the authority to regulate CO_2 emissions under the Clean Air Act (CAA). While there currently are no adopted federal regulations for the control or reduction of GHG emissions, the EPA commenced several actions in 2009 that are required to implement a regulatory approach to Global Climate Change (GCC). On September 30, 2009, the EPA announced a proposal that focuses on large facilities emitting over 25,000 tons of GHG emissions per year. These facilities would be required to obtain permits that would demonstrate they are using the best practices and technologies to minimize GHG emissions.

On December 7, 2009, the EPA Administrator signed a final action under the CAA, finding that six GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) constitute a threat to public health and welfare, and that the combined emissions from motor vehicles cause and contribute to GCC. This EPA action does not impose any requirements on industry or other entities. However, the findings are a prerequisite to finalizing the GHG emission standards for light-duty vehicles discussed below.

EPA and National Highway Traffic Safety Administration (NHTSA) Joint Final Rule for Vehicle Standards.[1,2] On April 1, 2010, the EPA and NHTSA announced a joint final rule to establish a national program consisting of new standards for light-duty vehicles model years 2012 through 2016. The joint rule is intended to reduce GHG emissions and improve fuel economy. The final rule became effective on July 6, 2010.

In August 2012, the EPA and NHTSA approved a second round of GHG and Corporate Average Fuel Economy (CAFE) standards for model years 2017 and beyond. These standards will reduce motor vehicle GHG emissions to 163 grams of CO_2 per mile, which is equivalent to 54.5 mpg if this level were

[1] *EPA and NHTSA Finalize Historic National Program to Reduce Greenhouse Gases and Improve Fuel Economy for Cars and Trucks*. United States Environmental Protection Agency, Regulatory Announcement. Office of Transportation and Air Quality. April 2010.

[2] *EPA and NHTSA Set Standards to Reduce Greenhouse Gases and Improve Fuel Economy for Model Years 2017-2025 Cars and Light Trucks*. United States Environmental Protection Agency, Regulatory Announcement. Office of Transportation and Air Quality. August 2012.

achieved solely through improvements in fuel efficiency, for cars and light-duty trucks by model year 2025.

3.17.1.2 State Regulations/Standards

California Climate Action Milestones. In 1988, AB 4420 directed the California Energy Commission (CEC) to report on "how global warming trends may affect the State's energy supply and demand, economy, environment, agriculture, and water supplies" and offer "recommendations for avoiding, reducing and addressing the impacts." This marked the first statutory direction to a State agency to address climate change.

The California Climate Action Registry was created to encourage voluntary reporting and early reductions of GHG emissions with the adoption of Senate Bill (SB) 1771 in 2000. The CEC was directed to assist by developing metrics and identifying and qualifying third-party organizations to provide technical assistance and advice to GHG emission reporters. The next year, SB 527 amended SB 1771 to emphasize third-party verification. SB 1771 also contained several additional requirements for the CEC, including: (1) updating the State's GHG inventory from an existing 1998 report and continuing to update it every 5 years; (2) acquiring, developing, and distributing information on GCC to agencies and businesses; (3) establishing a State interagency task force to ensure policy coordination; and (4) establishing a climate change advisory committee to make recommendations on the most equitable and efficient ways to implement GCC requirements. In 2006, AB 1803 transferred preparation of the inventory from the CEC to the ARB by AB 1803. The ARB updates the inventory annually.

AB 1493, authored by Assembly member Fran Pavley in 2002, directed the ARB to adopt regulations to achieve the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles. The so-called "Pavley" regulations, or Clean Car regulations, were approved by the ARB in 2004. On September 24, 2009, the ARB adopted amendments to the Pavley regulations that reduced GHG emissions in new passenger vehicles from 2009 through 2016. AB 1493 also directed the State's Climate Action Registry to adopt protocols for reporting reductions in GHG emissions from mobile sources prior to the operative date of the regulations.

The California Renewable Portfolio Standard Program, which requires electric utilities and other entities under the jurisdiction of the California Public Utilities Commission to meet 20 percent of their retail sales with renewable power by 2017, was established by SB 1078 in 2002. The Renewable Portfolio Standard was accelerated to 20 percent by 2010 by SB 107 in 2006. The program was subsequently expanded by the renewable electricity standard approved by the ARB in September 2010, requiring all utilities to meet a 33 percent target by 2020. The renewable electricity standard is projected to reduce GHG emissions from the electricity sector by at least 12 million metric tons of carbon dioxide equivalent ($MTCO_2e$) in 2020.

EO S-3-05 (June 2005) established GHG targets for the State (e.g., returning to year 2000 emission levels by 2010, to 1990 levels by 2020, and to 80 percent below 1990 levels by 2050). EO S-3-05 directed the Secretary of the California Environmental Protection Agency to coordinate efforts to meet the targets with the heads of other State agencies. This group became the Climate Action Team.

In 2006, the State Legislature passed the California Global Warming Solutions Act of 2006 (AB 32), which created a comprehensive, multiyear program to reduce GHG emissions in California. AB 32 required the ARB to develop a Scoping Plan that describes the approach California will take to reduce GHGs to achieve the goal of reducing emissions to 1990 levels by 2020. The Scoping Plan was first approved by the ARB in 2008 and must be updated every 5 years. The First Update to the Climate Change Scoping Plan was approved by the ARB on May 22, 2014. In 2016, the State Legislature passed SB 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels.

With SB 32, the State Legislature passed companion legislation AB 197, which provides additional direction for developing the Scoping Plan. The ARB is moving forward with a second update to the Scoping Plan to reflect the 2030 target set by EO B-30-15 and codified by SB 32.

California is implementing the world's first Low Carbon Fuel Standard for transportation fuels, pursuant to both EO S-01-07 (signed January 2007) and AB 32. The standard requires a reduction of at least 10 percent in the CO intensity of the State's transportation fuels by 2020. This reduction is expected to reduce GHG emissions in 2020 by 17.6 million MT CO_2e. Also in 2007, AB 118 created the Alternative and Renewable Fuel and Vehicle Technology Program. The CEC and the ARB administer the program. This act provides funding for alternative fuel and vehicle technology research, development, and deployment in order to attain the State's climate change goals, achieve the State's petroleum reduction objectives and clean air and GHG emission reduction standards, develop public-private partnerships, and ensure a secure and reliable fuel supply.

In addition to vehicle emissions regulations and the Low Carbon Fuel Standard, the third effort to reduce GHG emissions from transportation is the reduction in the demand for personal vehicle miles traveled (i.e., VMT). This measure was addressed in September 2008 through the Sustainable Communities and Climate Protection Act of 2008, or SB 375. The enactment of SB 375 initiated an important new regional land use planning process to mitigate GHG emissions by integrating and aligning planning for housing, land use, and transportation for California's 18 MPOs. The bill directed the ARB to set regional GHG emission reduction targets for most areas of the State. SB 375 also contained important elements related to federally mandated regional transportation plans and the alignment of State transportation and housing planning processes.

The ARB released the California's 2017 Climate Change Scoping Plan in November 2017. This Scoping Plan Update establishes a proposed framework of action for California to meet the target of 40 percent reduction in GHGs by 2030 compared to 1990 levels. This goal builds on California's success in establishing effective policies that have helped reduce emissions of GHGs while delivering substantial economic and environmental benefits. Further, the goal aligns California with the rest of the world in the global effort to fight climate change. The first Scoping Plan was required by AB 32, the Global Warming Solutions Act, and was adopted in 2008. Under that plan, California set in place a range of effective programs to slash GHGs from cars, trucks, fuels, industry, and electrical generation, and the State is well on its way to achieving the goal of AB 32 to reach 1990 levels of GHGs by 2020. The 2017 Climate Change Scoping Plan builds on those programs and takes aim at the 2030 target established by SB 32 (Pavley). That bill, and related laws, designed specifically to continue California's leadership in the fight against climate change and guide the State toward an equitable clean energy economy and prosperous future. To reach that future, the 2017 Climate Change Scoping Plan draws on the successes and the lessons learned from the first chapter of California's efforts to fight climate change under AB 32. The 2017 Climate Change Scoping Plan builds on key programs such as the Cap-and-Trade Regulation; the Low Carbon Fuel Standard; and much cleaner cars, trucks, and freight movement, powering the State off cleaner renewable energy, and strategies to reduce methane emissions from agricultural and other wastes by using methane to meet energy needs.

3.17.1.3 Local Regulations/Standards

South Coast Air Quality Management District. In April 2008, the SCAQMD, in order to provide guidance to local Lead Agencies on determining the significance of greenhouse gas emissions identified in CEQA documents, convened a "GHG CEQA Significance Threshold Working Group."[3] The goal of the working group was to develop and reach consensus on an acceptable *State CEQA Guidelines* significance threshold for greenhouse gas emissions that would be utilized on an interim

[3] South Coast Air Quality Management District. Greenhouse Gases (GHG) CEQA Significance Thresholds. Available at: http://www.aqmd.gov/ceqa/handbook/GHG/GHG.html, last accessed February 2012.

basis until CARB (or some other state agency) develops statewide guidance on assessing the significance of greenhouse gas emissions under the *State CEQA Guidelines*.

In December 2008, staff presented the SCAQMD Governing Board with a significance threshold for stationary source "industrial" projects in which it is the Lead Agency. This threshold uses a tiered approach to determine a project's significance, with 10,000 $MTCO_2e$ per year (direct and indirect operational emissions plus construction emissions amortized over 30 years) as a screening numerical threshold. A significance threshold for residential, non-residential (commercial) projects has not yet been developed.

On February 6, 2009, the SCAQMD announced the adoption of the Greenhouse Gas Reduction Program, which will implement an air quality investment program for the SoCal Climate Solutions Exchange. In December 2008, SCAQMD's Governing Board adopted Rule 2700, General; and Rule 2701, SoCal Climate Solutions Exchange; which set up the administrative structure for the initiative by providing a mechanism to recognize and quantify reductions by third parties. Rule 2702 is a voluntary program, and since many greenhouse gas reduction strategies also result in reductions of smog-forming pollutants, there are additional benefits for the region's air quality. However, Rules 2700, 2701, and 2702 regard boilers and process heaters, forestry, and manure management projects, none of which are required by the proposed project.

In September 2010, the GHG CEQA Significance Threshold Working Group released additional revisions and the following tiered approach was proposed:

- Tier 1 consists of evaluating whether or not the project qualifies for applicable CEQA exemptions.
- Tier 2 consists of determining whether or not a project is consistent with a greenhouse gas reduction plan. If a project is consistent with a greenhouse gas reduction plan, it would not have a significant impact.
- Tier 3 consists of screening values at the discretion of the lead agency; however they should be consistent for all projects within its jurisdiction. Project-related construction emissions should be amortized over 30 years and should be added back the Project's operational emissions. The following thresholds are proposed for consideration:
  a. 3,000 $MTCO_2e$ per year for all land use types;

     or

  b. 3,500 $MTCO_2e$ per year for residential; 1,400 $MTCO_2e$ per year for commercial; or 3,000 $MTCO_2e$ per year for mixed-use projects.
- Tier 4 has the following options:
  a. Option 1: Reduce emissions from business as usual by a certain percentage (currently undefined);
  b. Option 2: Early implementation of applicable AB 32 Scoping Plan measures;
  c. Option 3: A project-level efficiency target of 4.8 $MTCO_2e$ per service population as a 2020 target and 3.0 $MTCO_2e$ per service population as a 2035 target. The recommended plan-level target for 2020 is 6.6 $MTCO_2e$ and the plan level target for 2035 is 4.1 $MTCO_2e$;
- Tier 5 involves mitigation offsets to achieve target significance thresholds.

The SCAQMD has not announced when staff is expecting to present a finalized version of these thresholds to the Governing Board.

Southern California Association of Governments. The SCAG has proposed regional greenhouse gas emissions targets as required under Senate Bill 375. As detailed in the discussion above on Senate Bill 375, the regional greenhouse gas reduction targets proposed by SCAG include an 8 percent reduction by the year 2020 and a 13 percent reduction for the year 2035 as compared to year 2005 emissions. These reduction goals were incorporated into SCAG's 2012 RTP/SCS, which was adopted by the SCAG Regional Council on April 4, 2012. The RTP quantified a nine percent reduction by 2020 and a sixteen percent reduction by 2035. On June 4, 2012, the CARB executive officer issued an executive order accepting SCAG's quantification of GHG reductions and the determination that the 2012 RTP/SCS would achieve the GHG emission reduction targets established by CARB. The 2016 RTP/SCS builds upon the approaches taken in the 2012 RTP/SCS and is further designed to integrate land use and transportation networks to promote sustainable development and reduce air pollution and GHG emissions. As stated previously, an analysis of the proposed Modified Project's consistency with applicable goals of SCAG's 2016 RTP/SCS is provided in Table 3.9.A of Section 3.9 – *Land Use and Planning* of this SEIR.

Hemet General Plan. The City of Hemet published the final City of Hemet General Plan 2030 EIR on January 12, 2012, and adopted multiple policies and programs designed to reduce dependability on single-passenger motor vehicle trips and increase energy efficiency in buildings for the purposes of reducing GHG emissions. These policies and programs, including Program OS-P-34 to develop and adopt a Climate Action Plan (CAP), indicate the City's intent to conserve energy and reduce emissions.

Hemet Climate Action Plan and Emission Reduction Targets. The City of Hemet is a participant in the Western Riverside Council of Government's (WRCOG) CAP and adopted the WRCOG subregional CAP on September 11, 2018.[4] One of the major benefits of a qualified CAP is that the development projects within the City would not require additional GHG emissions analysis and mitigation under CEQA if they consistent with the CAP. The CAP recommends GHG emissions targets that are consistent with the reduction targets of the State of California and presents a number of strategies that will make it possible for the City to meet the recommended targets. The City uses WRCOG's subregion emissions reduction target of 15 percent below 2010 levels by 2020. Based on guidance from CARB and the Governor's Office of Planning and Research, this reduction target level is consistent with AB 32 and serves as a basis for projects to be consistent with meeting statewide reduction targets.

The following CAP emission reduction measures apply to the proposed Modified Project:

- **Measure E-1 Energy Action Plans (EAP):** Improve municipal and communitywide energy efficiency and reduce energy consumption through the adoption of local EAPs.
    - **R2-E1: New Residential Energy Efficiency:** Increase Energy Efficiency in new residential developments an average of 15 percent beyond 2008 Title 24 standards.
    - **R2-E2: New Commercial Energy Efficiency:** Increase energy efficiency in new commercial developments an average of 10 percent beyond Title 24 Standards.
    - **R2-E3: Residential Renewable Energy:** Derive 10 percent of the electricity use in new residential developments from renewable energy
    - **R2-E4:** Derive 10 percent of electricity use in new commercial developments from renewable energy and install an average of 5 kW of solar photovoltaic cells per 10,000 square feet of building space.

[4] City of Hemet, Riverside County CA. Adoption of Hemet Climate Action Plan: Adoption and Implementation of the Western Riverside Council of Governments (WRCOG) Sub-regional Climate Action Plan (CAP).Staff Report. Agenda 7, August 21, 2018. Formally adopted by the Hemet City Council under Resolution No. 4835 on September 11, 2018.

- **R2-E5: Residential Energy Retrofits:** Reduce electricity and natural gas use in existing residential developments by 20 percent through retrofits.
- **R2-E6: Commercial Energy Retrofits:** Reduce electricity and natural gas use in existing commercial developments by 20 percent through retrofits.
- **R2-W2: Water Conservation Strategies:** Reduce water consumption in new developments by 20 percent through low flush toilets, landscape ordinance, incentive programs, on-site storm water capture, and other similar programs.

3.17.2 Certified EIR Findings

The 1979 EIR for the *Specific Land Use Plan, Southwest Area* did not analyze impacts to the environment from GHG emissions from implementation of the Approved Project because GHGs were not a topic that required analysis under the *State CEQA Guidelines* at that time. In the absence of available guidelines for preparing project-level CEQA assessment for GHG emissions and applicable CEQA thresholds, the 2008 EIR provided the CEQA-level discussions that include thresholds of significance to determine the potential impact of the Approved Project's greenhouse gas emissions and its potential conflict with the intent of AB 32. The 2008 EIR presented the analysis of climate change impacts on the project basis as well as cumulative basis and focused on analyzing three questions:

1. Would the project result in an increase in greenhouse gas emissions that would significantly interfere with California's ability to meet the reduction targets contained in AB 32?
2. Would the impacts of climate change significantly affect the project?
3. Would the project's greenhouse gas emissions contribute cumulatively to climate change?

The 2008 EIR concluded that the level of significance of GHG emissions resulting from the Approved Project would be potentially significant. However, after the implementation of mitigation measures based on City of Hemet General Plan air quality policies that potentially reduce energy use and VMT (2008 Mitigation Measures CC-1 through CC-4), the Approved Project impacts would be less than significant with mitigation. The 2008 EIR also concluded that climate change impacts *to* the Approved Project are anticipated to be less than significant. In answering the third question, the 2008 EIR concluded that the "determination of the [Approved] Project's contribution to cumulative impacts is speculative, and a significance determination cannot be made based on available evidence. Due to the large scale nature of climate change and the correspondingly global contributions, additional mitigation on a project-by-project basis is not feasible. Any additional mitigation for cumulative impacts of climate change is the responsibility and jurisdiction of state and federal agencies."[5]

3.17.3 Existing Environmental Setting

3.17.3.1 Existing Land Uses

The 245.07-acre Modified Project site is undeveloped and highly disturbed with ruderal vegetation. The site has been regularly disked for the purposes of weed abatement for at least the past 20 years. Surrounding land uses consist primarily of agricultural and undeveloped land to the north, south, and west, with single-family residential uses to the east.

3.17.3.2 Climate and Greenhouse Gas Emissions

Climate change refers to any significant change in measures of climate, such as temperature, precipitation, or wind, lasting for an extended period (decades or longer). Gases that trap heat in the

[5] Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. Page 4.17-13. SCH #2007091039. City of Hemet. May 2008.

atmosphere are often called GHGs. The greenhouse effect traps heat in the troposphere through a threefold process: short-wave radiation emitted by the sun is absorbed by the Earth; the Earth emits a portion of this energy in the form of long-wave radiation; and GHGs in the upper atmosphere absorb this long-wave radiation and emit it into space and back toward the Earth. This "trapping" of the long-wave (thermal) radiation emitted back toward the Earth is the underlying process of the greenhouse effect.

Principal GHGs include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), ozone (O_3), and water vapor (H_2O). Some GHGs, such as CO_2, CH_4, and N_2O, can occur naturally and are emitted into the atmosphere through natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely byproducts of fossil-fuel combustion, whereas CH_4 results mostly from off-gassing associated with agricultural practices and landfills. Man-made GHGs, which have a much greater heat-absorption potential than CO_2, include fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3), which are associated with certain industrial products and processes.[6]

The greenhouse effect is a natural process that contributes to regulating the Earth's temperature. Without it, the average temperature of the Earth would be about 0°F (−18°C) instead of its current 57°F (14°C). Global climate change concerns are focused on whether human activities are leading to an enhancement of the greenhouse effect.

The effect each GHG has on climate change is measured as a combination of the mass of its emissions and the potential of a gas or aerosol to trap heat in the atmosphere, known as its global warming potential (GWP). The GWP varies between GHGs; for example, the GWP of CH_4 is 21, and the GWP of N_2O is 310. Total GHG emissions are expressed as a function of how much warming would be caused by the same mass of CO_2. Thus, GHG gas emissions are typically measured in terms of pounds or tons of CO_2 equivalent (CO_2E).[7]

In 2013, the United States generated approximately 6,673 million metric tons (MMT) of CO_2E.[8] The primary GHG emitted by human activities in the United States was CO_2, representing approximately 84 percent of total GHG emissions. The largest source of CO_2, and of overall GHG emissions, was fossil-fuel combustion, which accounted for approximately 94 percent of the CO_2 emissions.

According to the 2019 GHG inventory data compiled by California Air Resources Board (CARB) for the California Greenhouse Gas Emission Inventory for 2000–2017, California emitted 424.1 $MMTCO_2e$ in 2017, which is 35.2 $MMTCO_2e$ less than the 459.3 MMT CO_2E, including emissions resulting from out-of-state electrical generation, emitted in 2015.[9] The primary contributors to GHG emissions in California are transportation, electric power production from both in-state and out-of-state sources, industry, agriculture, residential, commercial, and other sources, which include commercial and residential

6 *Climate Action Team Report to Governor Schwarzenegger and the Legislature*. CAT (California Climate Action Team), Sacramento, California. March 2006. http://www.climatechange.ca.gov/climate_action_team/reports/2006report/2006-04-03_FINAL_CAT_REPORT.PDF. (Accessed 8/19/2019).

7 The CO_2 equivalent for a gas is derived by multiplying the mass of the gas by the associated GWP, such that metric tons of CO_2E = (metric tons of a GHG) × (GWP of the GHG). For example, the GWP for CH_4 is 21. This means that emissions of one metric ton of CH_4 are equivalent to emissions of 21 metric tons of CO_2.

8 *U.S. Greenhouse Gas Emissions, Climate Change Indicators in the United States.* United States Environmental Protection Agency (EPA). https://www3.epa.gov/climatechange/science/indicators/ghg/us-ghg-emissions.html (Accessed 8/19/2019).

9 *California Greenhouse Gas Emission Inventory - 2015 Edition and 2019 Edition.* California Environmental Protection Agency, California Air Resources Board. http://www.arb.ca.gov/cc/inventory/data/data.htm (accessed May 19, 2016, and August 19, 2019).

activities. These primary contributors to California's GHG emissions and their relative contributions in 2017 are presented in Table 3.17.A.

Table 3.17.A: GHG Sources in California (2017)

Source Category	Annual GHG Emissions (MMT CO_2E)	% of Total[a]
Agriculture	33.93	8%
Commercial uses	21.21	5%
Electricity generation	63.62[b]	15%
Industrial uses	101.78	24%
Residential uses	29.69	7%
Transportation	173.88	41%
Totals[c]	**424.1**	**100%**

Source: *California Greenhouse Gas Emission Inventory - 2019 Edition.* California Environmental Protection Agency, California Air Resources Board. http://www.arb.ca.gov/cc/inventory/data/data.htm (Accessed August 19, 2019).

[a] Percentage of total has been rounded.

[b] Includes emissions associated with imported electricity (generated out-of-state), which account for 25.45 MMT CO_2E annually.

[c] Totals may not sum due to rounding.

The following discussion summarizes the characteristics of the six primary greenhouse gases.

Carbon Dioxide. In the atmosphere, carbon generally exists in its oxidized form, as CO_2. Natural sources of CO_2 include the respiration (breathing) of humans, animals and plants, volcanic outgassing, decomposition of organic matter, and evaporation from the oceans. Human-caused sources of CO_2 include the combustion of fossil fuels and wood, waste incineration, mineral production, and deforestation. The Earth maintains a natural carbon balance and when concentrations of CO_2 are upset, the system gradually returns to its natural state through natural processes. Natural changes to the carbon cycle work slowly, especially compared to the rapid rate at which humans are adding CO_2 to the atmosphere. Natural removal processes, such as photosynthesis by land- and ocean-dwelling plant species, cannot keep pace with this extra input of human-made CO_2, and consequently, the gas is building up in the atmosphere. The concentration of CO_2 in the atmosphere has risen about 30 percent since the late 1800s.[10] The transportation sector accounted for California's largest portion of CO_2 emissions, with gasoline consumption making up the greatest portion of these emissions. Electricity generation was California's second largest category of greenhouse gas emissions.

Methane. Methane (CH_4) is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, oceans, and termites. Anthropogenic sources include rice cultivation, livestock, landfills and waste treatment, biomass burning, and fossil fuel combustion (burning of coal, oil, natural gas, etc.). Enteric fermentation (emissions from the digestive processes of livestock) accounts for the majority of human-generated methane emissions in California, followed by manure management.[11] Decomposition occurring in landfills and rice cultivation are also significant sources of manmade methane in California. It is estimated over 60 percent of global methane emissions are related to human-related activities.[12] As with CO_2, the major removal process of

[10] California Environmental Protection Agency (CalEPA). March 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature*.

[11] *California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators.* California Environmental Protection Agency, California Air Resources Board. Page 15. https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2017/ghg_inventory_trends_00-17.pdf (accessed August 19, 2019).

[12] Intergovernmental Panel on Climate Change 2007. *Climate Change 2007: The Physical Science Basis.* Contribution of Working Group I to the Fourth Assessment Report of the IPCC. Page 541. https://www.ipcc.ch/site/assets/uploads/2018/05/ar4_wg1_full_report-1.pdf (accessed August 19, 2019).

atmospheric methane—a chemical breakdown in the atmosphere—cannot keep pace with source emissions, and methane concentrations in the atmosphere are increasing.

Nitrous Oxide. Nitrous oxide (N_2O) is produced naturally by a wide variety of biological sources, particularly microbial action in soils and water. Tropical soils and oceans account for the majority of natural source emissions. Nitrous oxide is a product of the reaction that occurs between nitrogen and oxygen during fuel combustion. Both mobile and stationary combustion emit nitrous oxide, and the quantity emitted varies according to the type of fuel, technology, and pollution control device used, as well as maintenance and operating practices. Agricultural soil management and fossil fuel combustion are the primary sources of human-generated nitrous oxide emissions in California.

Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), and Sulfur Hexafluoride (SF_6). HFCs are primarily used as substitutes for ozone (O_3)-depleting substances regulated under the Montreal Protocol.[13] PFCs and SF_6 are emitted from various industrial processes, including aluminum smelting, semiconductor manufacturing, electric power transmission and distribution, and magnesium casting. There is no aluminum or magnesium production in California; however, the rapid growth in the semiconductor industry, which is active in California, leads to greater use of PFCs. HFCs, PFCs, and SF_6, which are not tracked separately.

Halons. These compounds are used in fire extinguishers and behave as both O_3-depletors and greenhouse gases. Halon production ended in the United States in 1993. SCAQMD Rule 1418, *Halon Emissions from Fire Extinguishing Equipment,* requires the recovery and recycling of halons used in fire extinguishing systems and prohibits the sale of halon in small fire extinguishers.

Emissions Sources and Inventories. An emissions inventory that identifies and quantifies the primary human-generated sources and sinks of greenhouse gases is a well-recognized and useful tool for addressing climate change. This section summarizes the latest information on global, United States, California, and local greenhouse gas emission inventories. However, because greenhouse gases persist for a long time in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere and climate cannot be tied to a specific point of emission.

Global Emissions. Worldwide emissions of greenhouse gases in 2010 were approximately 46 billion metric tons of CO_2 equivalent ($MTCO_2e$) per year.[14] Global estimates are based on country inventories developed by the World Resources Institute and Food and Agriculture Organization and include emissions and sinks due to land-sue change and forestry.

United States Emissions. In 2017, the United States emitted approximately 6.46 billion $MTCO_2e$.[15] Of the six major sectors nationwide—electric power industry, transportation, industry, agriculture, commercial, residential—the electric power industry and transportation sectors combined account for approximately 72 percent of the greenhouse gas emissions; the majority of the electrical power industry and all of the transportation emissions are generated from direct fossil fuel combustion. Between 1990 and 2017, total United States greenhouse gas emissions rose approximately 1.3 percent.[16]

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13 The Montreal Protocol is an international treaty that was approved on January 1, 1989, and was designed to protect the ozone layer by phasing out the production of several groups of halogenated hydrocarbons believed to be responsible for ozone depletion.

14 United States Environmental Protection Agency (EPA). 2014. *Global Greenhouse Gas Emissions*, https://www.epa.gov/ghgemissions/global-greenhouse-gas-emissions-data (accessed August 19, 2019).

15 United States Environmental Protection Agency (EPA). April 2019. *1990-2017 National-Level U.S. Greenhouse Gas Inventory, Fast Facts.* https://www.epa.gov/sites/production/files/2019-04/documents/2019_fast_facts_508_0.pdf (accessed August 20, 2019).

16 *Ibid.*

State of California Emissions. The CARB is responsible for developing the California Greenhouse Gas Emission Inventory. This inventory estimates the amount of greenhouse gases emitted to and removed from the atmosphere by human activities within the State of California and supports the Assembly Bill (AB) 32 Climate Change Program. The CARB's current greenhouse gas emission inventory covers the years 1990–2017 and is based on fuel use, equipment activity, industrial processes, and other relevant data (e.g., housing, landfill activity, agricultural lands).[17]

According to CARB emission inventory estimates, California emitted approximately 424.1 million $MTCO_2e$ emissions in 2017.[18] The year 2017 saw a small decrease in statewide greenhouse gas emissions, driven by a noticeable drop in agriculture, commercial, and electricity generation emissions. California's gross emissions of greenhouse gas decreased almost 9 percent from 465.9 million $MTCO_2e$ in 2000 to 424.1 million $MTCO_2e$ in 2017, with a maximum of 487.6 million $MTCO_2e$ in 2004. During the same period, California's population grew by 13.9 percent, from 34 to 39.5 million people,[19] and greenhouse gas emissions per person decreased from 13.7 to 9.3 $MTCO_2e$ per person.

The CARB estimates that transportation was the source of approximately 41 percent of the State's greenhouse gas emissions in 2017, followed by industrial sources at 24 percent and electricity generation at 15 percent. Other sources of greenhouse gas emissions were agriculture at 8 percent, residential at 7 percent, commercial activities at 5 percent, and recycling and waste at <1 percent.[20]

The CARB staff has projected statewide unregulated greenhouse gas emissions for 2020, which represent the emissions that would be expected to occur in the absence of any greenhouse gas reduction actions, will be approximately 509 million $MTCO_2e$. Greenhouse gas emissions from the transportation and industrial sectors as a whole are expected to decrease to approximately 36.4 percent and 18.4 percent of total CO_2e emissions, respectively. The electric generation sector would consist of 55 percent in-state generation and 45 percent imported power, and the total electric generation percentage of the total 2020 emissions is projected to be 20.4 percent of total CO_2e emissions. The remaining sources of greenhouse gas emissions in 2020 are residential and commercial activities at 9.7 percent, agriculture at 7.1 percent, high global warming potential gases at 6.2 percent, and recycling and waste at 1.8 percent.[21]

Local Greenhouse Gas Levels. There are no local air quality monitoring stations that measure greenhouse gas concentrations. This is partially due to the relatively new concern with these pollutants, but also because these are atmospheric pollutants. The ground-level concentrations are unrelated to the upper atmospheric effects of concern.

3.17.4 Methodology

In accordance with SB 97, the amended CEQA Guidelines state in Section 15064.4(a) that lead agencies should "make a good faith effort, to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions. The *CEQA Guidelines*[22] note that an agency may identify emissions by either (1) quantifying GHG emissions resulting from a project, or (2) relying on

17 *California Greenhouse Gas Emission Inventory - 2019 Edition.* California Environmental Protection Agency, California Air Resources Board. http://www.arb.ca.gov/cc/inventory/data/data.htm (accessed August 19, 2019).

18 *Ibid.*

19 United States Census Bureau, California. 2017. https://www.census.gov/schools/facts/california (accessed August 20, 2019).

20 *California Greenhouse Gas Emission Inventory - 2019 Edition.* California Environmental Protection Agency, California Air Resources Board. http://www.arb.ca.gov/cc/inventory/data/data.htm (accessed August 19, 2019).

21 California Air Resources Board. 2020 BAU Forecast, Version: May 27, 2014. Mid Case Forecast for Updated Scoping Plan – $MMTCO_2e$ (AR4). https://ww3.arb.ca.gov/cc/inventory/data/tables/2020_bau_forecast_by_scoping_category_2014-05-22.pdf (accessed August 20, 2019).

22 14 CCR 15000–15387 and Appendices A–L. 2019 Guidelines for Implementation of the California Environmental Quality Act, as amended.

"qualitative analysis or performance based standards." Section 15064.4(b) provides that the lead agency should "focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change. A project's incremental contribution may be cumulatively considerable even if it appears relatively small compared to statewide, national, or global emissions. The agency's analysis should consider a timeframe that is appropriate for the project … [and] also must reasonably reflect evolving scientific knowledge and state regulatory schemes." A lead agency should consider the following when determining the significance of impacts from GHG emissions on the environment:

1. The extent a project may increase or reduce GHG emissions as compared to the existing environmental setting.
2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (Section 15064.4(b)).

Currently, there is no statewide GHG emissions threshold that has been used to determine the potential GHG emissions impacts of a project. Threshold methodology and thresholds are still being developed and revised by air districts in the State. This analysis will determine whether the project is consistent with the City's CAP, which sets forth a GHG emissions reduction target of 15 percent below 2010 by 2020, as well as the CAP's emissions reduction measures and action steps to demonstrate consistency with AB 32. Based on guidance from CARB and the Governor's Office of Planning and Research, this reduction target level (15 percent below 2010 by 2020) is consistent with AB 32 and serves as a basis for projects to be consistent with meeting statewide reduction targets.

To provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, SCAQMD convened a GHG CEQA Significance Threshold Stakeholder Working Group. This Working Group proposed a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency. As such, if a project meets the emissions reduction target of 15 percent below 2010 emissions levels by 2020, the project is consistent with the policies and goals of the CAP and complies with the SCAQMD Tier 2 GHG emissions threshold directive, rendering impacts less than significant related to greenhouse gas emissions and global climate change. Conversely, projects that do not meet the CAP's emissions reduction target may have significant impacts related to greenhouse gas emissions and global climate change and would require additional analysis and mitigation.

3.17.5 Thresholds of Significance

The CEQA Guidelines do not prescribe specific methodologies for performing an assessment, do not establish specific thresholds of significance, and do not mandate specific mitigation measures. Rather, the *CEQA Guidelines* emphasize the lead agency's discretion to determine the appropriate methodologies and thresholds of significance supported by substantial evidence as to their relevance to the analysis of the project under consideration and how their requirements reduce project impacts.[23] Section 15064.7(c) specifies that "[w]hen adopting or using thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence."[24] The GHG analysis presented below is prepared to evaluate the Modified Project's potential for creation of new impacts, increasing the severity of a previously identified

[23] *Ibid.* 14 CCR 15064.7.
[24] *Ibid.*

impact, and/or the introduction of new information of substantial importance in accordance with *CEQA Guidelines* Section 15162. Accordingly, the significance criteria or thresholds for GHG provided in Appendix G of the *CEQA Guidelines* will be incorporated as follows into the *Proposed Modified Project Compared to Approved Project Impact Analysis* presented in Section 3.17.7 below to determine significance of Modified Project impacts.

- Would the project result in an increase in greenhouse gas emissions that would significantly interfere with California's ability to meet the reduction targets contained in AB 32? Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?
- Would the impacts of climate change significantly affect the project?
- Would the project's greenhouse gas emissions contribute cumulatively to climate change? Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

3.17.6 Proposed Modified Project Design Features and Compliance Measures

Project Design Features (PDF): PDFs include design features proposed by the Modified Project that reduce or avoid impacts to the environment from GHG emissions. The proposed Modified Project SPA 15-001 provides a framework of district regulations and development standards to guide development of the proposed residential and commercial uses. These regulations and standards establish development and design criteria to promote a reduction in VMT and associated vehicular emissions, as well as a reduction in energy and water demand and waste generation and associated stationary source emissions. These PDFs are common to the PDFs detailed in Section 3.3-*Air Quality* of this SEIR and therefore are numbered according to Section 3.3 for the GHG analysis.

PDF 3.3-1: The Modified Project provides pedestrian connections to surrounding areas consistent with the City's General Plan. The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site.

PDF 3.3-2: The Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other, which would contribute to a reduction of automobile use for local residents and employees.

PDF 3.3-3: The Modified Project includes commercial retail uses to reduce the need for residents of the community to travel farther distances to obtain retails goods such as groceries.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to the environment from GHG emissions. These PPPs are common to the PPPs detailed in Section 3.3-*Air Quality* of this SEIR and therefore are numbered according to Section 3.3 for the GHG analysis.

PPP 3.3-1 Building design and construction shall meet 2019 Title 24 Standards of the California Building Code. The project will design building shells and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Title 24 Standards, which is anticipated to consume 30 percent less energy use due to lighting upgrades.

PPP 3.3-2 Pursuant to City Emergency Order 2014-0718-01E, the Modified Project shall incorporate a Water Conservation Strategy to reduce water demand by at least 25

percent when compared to water demand without implementation of the Water Conservation Strategy.

PPP 3.3-3 Pursuant to Assembly Bill 939, the Modified Project shall engage in a 50 percent diversion of solid waste from landfills.

PPP 3.3-7 Pursuant to Title 13, Section 2449(d)(D) of the California Code of Regulations, operators of off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) shall limit vehicle idling to five minutes or less.

3.17.7 Proposed Modified Project Compared to Approved Project Impact Analysis

The 1979 EIR for the *Specific Land Use Plan, Southwest Area* did not analyze the impacts to climate change from implementation of the Approved Project because it was not a topic that required analysis under the *State CEQA Guidelines* at that time. The 2008 EIR, analyzed the impacts of Climate Change and Greenhouse Gases on a project basis and cumulative basis. The Proposed Modified Project assesses the GHG emissions associated with the project under current CEQA requirements to determine the significant impact on the environment associated with project related GHG emissions and the confirmity with applicable plan/policy or regulation adopted for the purpose of reducing GHG emissions. This section compares the Approved Project impacts with the Proposed Modified Project findings to understand the significance of project related GHG emissions and how the GHG emissions are addressed per applicable plans/policies or regulations on both, project and cumulative basis.

3.17.7.1 Consistency with an Applicable Plan, Policy, or Regulation to Reduce GHG Emissions

Threshold:	Would the project result in an increase in greenhouse gas emissions that would significantly interfere with California's ability to meet the reduction targets contained in AB 32? Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

At the time when 2008 EIR was being prepared, there were no applicable guidelines for preparing CEQA assessments for Climate Change. In the absence of published CEQA thresholds, the 2008 analysis consisted of a CEQA-level discussion that included threshold of significance and determining the potential impact of the Project's greenhouse gases to conflict with the intent of AB 32. The 2008 analysis takes into consideration the GHG reduction targets proposed through Executive Order S-3-05 and AB 32 to reduce the State's GHG emissions to 1990 levels by 2020. To assess compliance with California strategies to reduce GHG emissions, two main documents were used: the 2006 Climate Action Team Report (2006 CAT Report) and CARBs early action measures for AB 32. Pursuant to Executive Order S-3-05, the CAT Team prepared strategies for reducing greenhouse gases. Also, pursuant to AB 32, CARB was in the process of finalizing the GHG reduction strategies and had published a list of early GHG reduction measures that were anticipated to reduce 2020 target emissions by 25 percent.

The climate change analysis presented in 2008 EIR contains a full assessment of project consistency with the 2006 CAT Report strategies. The project was consistent with the applicable strategies except for the "Smart Land Use" strategy, as the project was not considered a "Smart Land Use." For CARB's early GHG reduction measures, the 2008 EIR stated that since many measures had not yet been considered by CARB, only a few measures would be applicable to the project. Furthermore, if the Approved Project is rendered consistent with the strategies, then it would be consistent with the State's strategies to reduce climate change ahead of schedule. CARB's Cool Communities Program had

strategies to incorporate cool roofs, cool pavements, and shade trees in an effort to reduce heating and cooling needs. The Approved Project was considered consistent with this strategy through implementation **2008 EIR Mitigation Measures CC-1** through **CC-4**.

The 2008 EIR presented an inventory and analysis of the GHG emissions associated with the construction and operational phase of the Approved Project and concluded the potentially significant GHG emissions. The following PDFs were incorporated in the Approved Project:

- The "Pasco" system would allow for walking and bicycling destinations, reduce vehicle trips and miles traveled; and provide convenience for the recreation, and educational needs in close proximity to neighborhoods.
- A pedestrian bridge is proposed over Old Warren Road to link TTM 35394 with the community center in the existing Del Webb project. In addition, pedestrian access is provided to the Del Webb project from TTM 35392.
- There are two bike lanes that run along the perimeter of the site. A Class 2 bike lane runs along Mustang Way between New Warren Road and Cawston Avenue. A Class I bike lane runs along Warren Road between Florida Avenue and Newport Road.
- The project would incorporate on-site trees, which would sequester greenhouse gases.

The 2008 EIR, further provides voluntary greenhouse gas reduction strategies/mitigation measures that would help reduce the GHG emissions associated with the Approved Project. These mitigation measures were mainly derived from the Hemet General Plan Air Quality Policies that potentially reduce energy use and VMT. After the application of the mitigation measures, the impacts of GHG emissions were deemed less than significant.

The City of Hemet adopted its CAP in 2018. The CAP recommends GHG emissions targets that are consistent with the State's reduction targets and presents a number of strategies that will make it possible for the City to meet the recommended targets. The City uses WRCOG's subregion emissions reduction target of 15 percent below 2010 by 2020. Based on guidance from CARB and the Governor's Office of Planning and Research, this reduction target level is consistent with AB-32 and serves as a basis for projects to be consistent with meeting statewide reduction targets. As such, if a project meets the emissions reduction target of 15 percent below 2010 emissions levels by 2020 it will have a less than significant impacts related to greenhouse gas emissions and global climate change.

Table 3.17.B provides a general discussion of the Modified Project's consistency with the goals of the City's CAP to show conformity.

Table 3.17.B: Hemet Climate Action Plan Consistency Analysis

Hemet Climate Action Plan Reduction Measure	Project Consistency
R2-E1: New Residential Energy Efficiency: Increase Energy Efficiency in new residential developments an average of 15% beyond 2008 Title 24 standards.	*Consistent:* The Modified Project will comply with 2019 Title 24 Standards, which use about 53 percent less energy than those under the 2016 standards when rooftop solar electricity generation is incorporated.
R2-E2: New Commercial Energy Efficiency: Increase energy efficiency in new commercial developments an average of 10% beyond Title 24 Standards.	*Consistent:* In 2008, California set energy-use reduction goals targeting zero-net-energy use in all new commercial buildings by 2030. The goal meant that new buildings would use a combination of energy efficiency and distributed renewable energy generation to meet all annual energy needs. However, the Renewables Portfolio Standard requires utilities to have 50

Table 3.17.B: Hemet Climate Action Plan Consistency Analysis

Hemet Climate Action Plan Reduction Measure	Project Consistency
	percent of their electrical resources come from renewables by 2030. As a result, electricity produced for the grid is already much cleaner than 10 years ago, and the Modified Project will comply with 2019 Title 24 Standards.
R2-E3: Residential Renewable Energy: Derive 10 percent of the electricity use in new residential developments from renewable energy	*Consistent:* The Modified Project will comply with 2019 Title 24 Standards, which use about 53 percent less energy than those under the 2016 standards when rooftop solar electricity generation is incorporated.
R2-E4: Derive 10 percent of electricity use in new commercial developments from renewable energy and install an average of 5 kw of solar photovoltaic cells per 10,000 square feet of building space.	*Consistent:* In 2008, California set energy-use reduction goals targeting zero-net-energy use in all new commercial buildings by 2030. The goal meant that new buildings would use a combination of energy efficiency and distributed renewable energy generation to meet all annual energy needs. However, the Renewables Portfolio Standard requires utilities to have 50 percent of their electrical resources come from renewables by 2030. As a result, electricity produced for the grid is already much cleaner than 10 years ago, and the Modified Project will comply with 2019 Title 24 Standards.
R2-E5: Residential Energy Retrofits: Reduce electricity and natural gas use in existing residential developments by 20 percent through retrofits.	*Not Applicable:* The Modified Project does not include existing residential uses.
R2-E6: Commercial Energy Retrofits: Reduce electricity and natural gas use in existing commercial developments by 20 percent through retrofits.	*Not Applicable:* The Modified Project does not include existing commercial uses.
R3-E1: Regional Energy Planning Coordination: Continue to coordinate with local utilities, regional organizations, non-profits, and other local agencies to optimize energy efficiency and renewable resource development and usage.	*Not Applicable:* This objective is not directed toward private developers.
R3-E2: Energy Efficient Development and Renewable Energy Deployment Facilitation and Streamlining. Identify and remove any regulatory and procedural barriers to the implementation of green building practices and the incorporation of renewable energy systems.	*Not Applicable:* This objective is not directed toward private developers.
R3-E3: Energy Efficiency Training and Public Education. Provide public education and publicity about energy efficiency measures and reduction programs available within the City through a variety of methods including newsletters, brochures and the City's website.	*Not Applicable:* This objective is not directed toward private developers.
R2-W2: Water Conservation Strategies. Reduce water consumption in new developments by 20 percent through low flush toilets, landscape ordinance, incentive	*Consistent:* The Modified Project shall incorporate PPP 3.3-2, which requires a Water Conservation Strategy to reduce water demand by at least 25 percent pursuant to City Emergency Order 2014-0718-01E.

Table 3.17.B: Hemet Climate Action Plan Consistency Analysis

Hemet Climate Action Plan Reduction Measure	Project Consistency
programs, on-site storm water capture, and other similar programs.	
R2-W3: Increased Recycled Water Use. Convert 5 percent of City's water to reclaimed water.	*Consistent:* The Eastern Municipal Water District, which is the water purveyor for the Modified Project, regularly uses 100 percent of its recycled water supply for beneficial use within its 555-square mile service area. The Modified Project shall incorporate PDF 3.16-1, which requires construction of on-site recycled water pipeline infrastructure to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site.
R3-W1: Water Efficiency and Conservation Education: In coordination with local water purveyors, continue to implement public information and education programs that promote water conservation.	*Not Applicable:* This objective is not directed toward private developers.
T-1: Bicycle Infrastructure Improvements: Implement a 10 percent increase in bicycle land mileage from baseline levels.	*Not Applicable:* This objective is designed to be implemented at the citywide level. However, the Modified Project shall incorporate bicycle lanes and other facilities throughout the site so as not to conflict with this goal.
T-2: Bicycle Parking: Amend zoning to require provision of bike parking for all multifamily or mixed use projects consisting of a mix of residential, retail, and office space.	*Not Applicable:* This objective is designed to be implemented by the City. However, the Modified Project shall incorporate bicycle facilities throughout the site so as not to conflict with this goal.
T-3: End of Trip Facilities: Provide information to commercial project applicants describing the benefits of installing end-of-trip facilities.	*Not Applicable:* This objective is designed to be implemented by the City. However, the Modified Project shall incorporate bicycle, transit, and pedestrian facilities throughout the site so as not to conflict with this goal.
T-4: Promotional Transportation Demand Management: Train a staff to promote TDM strategies to existing businesses.	*Not Applicable:* This objective is designed to be implemented by the City. However, the Modified Project shall incorporate bicycle, transit, and pedestrian facilities throughout the site so as not to conflict with this goal.
T-7: Traffic Signal Coordination: Coordinate traffic signals on an additional 25 percent of arterial roads which were not coordinated in the base year (2014).	*Not Applicable:* This objective is designed to be implemented by the City. However, the Modified Project shall incorporate intersection improvements in accordance with City requirements.
T-8: Density: Achieve a 5 percent increase in community-wide household and employment density over baseline conditions by 2020	*Consistent:* The proposed commercial land use would be developed in proximity to proposed residential uses and facilitate alternative modes of transportation between such uses, which would contribute to a reduction of automobile use and VMT (refer to Appendix I3) for local residents and associated GHG emissions.
T-9: Mixed Use Development: Achieve a 10 percent jobs/housing ratio improvement over baseline conditions	*Consistent:* The Modified Project proposes approximately 100,000 square feet of commercial uses in an area of the City dominated by residential uses lacking supporting retail/ commercial services.
T-10: Design/Site Planning: Achieve a five percent increase in intersection density and reduction in block length in new	*Consistent:* The Modified Project provides pedestrian connections to surrounding areas, internally linking all on-site uses and connecting to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site.

Table 3.17.B: Hemet Climate Action Plan Consistency Analysis

Hemet Climate Action Plan Reduction Measure	Project Consistency
development compared to the baseline countywide average	The Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other, which would reduce VMT (refer to Appendix I3) and contribute to travel safety and reliability for local residents.
T-11: Pedestrian-Only Areas: Design one additional pedestrian only area during weekends tied to special event (e.g. farmers market) over baseline conditions.	*Consistent:* The Modified Project provides pedestrian connections to surrounding areas, internally linking all on-site uses and connecting to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site.
T-12: Limit Parking Requirements for New Development: Amend zoning to reduce parking requirements for new non-residential development by 5 percent over baseline conditions.	*Not Applicable:* This objective is designed to be implemented by the City and is not directed toward private developers.
T-13: High Frequency Transit Service: Work with RTA to offer high frequency transit service within one (1) corridor.	*Consistent:* Several bus stops have been developed through the Page Ranch PCD along Mustang Way by the Riverside Transit Agency through Route 74 and Route 79 in accordance with 1979 EIR Mitigation Measure 3. The Riverside Transit Agency will continue to service these routes for the occupants of the proposed Modified Project via extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of new Stetson Avenue.
T-15: Accelerated Bike Plan Improvements: Install 25 percent of all bicycle facility miles identified in the General Plan by 2020.	*Not Applicable:* This objective is not directed toward private developers. However, the Modified Project shall incorporate bicycle lanes and other facilities throughout the site so as not to conflict with this goal.
T-17: Neighborhood Electric Vehicle Programs: Adopt an educational program related to the use of NEVs.	*Not Applicable*: This objective is designed to be implemented by the City and is not directed toward private developers.
SW-1: Yard Waste Collection: Provide residential green waste bins for collection and transport to an organic waste processing facility.	*Consistent:* The Modified Project proponent shall coordinate with the City's waste management purveyor to incorporate residential green waste receptacles.

Sources: *2019 Building Energy Efficiency Standards*. The California Energy Commission, Efficiency Division. March 2018. https://ww2.energy.ca.gov/title24/2019standards/documents/2018_Title_24_2019_Building_Standards_FAQ.pdf (accessed August 20, 2019).
2018 Hemet Climate Action Plan. Hemet Reduction Measures (Chapter 3). City of Hemet. Adopted September 11, 2018.

As shown in Table 3.17.C in Section 3.17.7.3, the proposed Modified Project's emissions for the baseline year 2010, would be 19,215.39 $MTCO_2e$ per year. After incorporating PPPs, PDFs, and **Mitigation Measure 3.3.10.1**, the Modified Project's 2020 emissions would be 16,026.65 $MTCO_2e$ per year. This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2.

When compared to the Approved Project, for which mitigation was prescribed to ensure compliance with the State's GHG reduction targets contained in AB 32, GHG emissions quantified for the proposed Modified Project (Table 3.17.C) assume implementation of PDFs 3.3-1 through 3.3-3, PPPs 3.3-1 through PPP 3.3-3 and PPP 3.3-7, and **Mitigation Measure 3.3.10.1**. Through implementation of these policies, programs, and mitigation, the proposed Modified Project complies with the GHG reduction

target set forth under the City CAP and is consistent with the GHG emission reduction measures outlined in Chapter 3 of the CAP. Accordingly, impacts of the proposed Modified Project related to interference with the State's GHG emissions reduction goals outlined in AB 32 or conflict with an applicable plan, policy, or regulation (i.e., the City's CAP) adopted for the purpose of reducing GHG emissions would **less than significant with mitigation incorporated** in the same manner as the Approved Project.

3.17.7.2 Impacts of Climate Change

Threshold:	Would the impacts of climate change significantly affect the project?

The 2008 EIR assessed the risks of climate change to the Approved Project based on the risks identified in AB 32 and the California Climate Change Center report that assesses the risks of climate change to California and concluded impacts of Climate Change to the Approved Project would be less than significant with implementation of **2008 EIR Mitigation Measure CC-1**.

The California Supreme Court has established[25] that "… agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project's impact on the environment—and not the environment's impact on the project—that compels an evaluation of how future residents or users could be affected by exacerbated conditions." In certain instances, a project may exacerbate the environmental hazards or conditions that already exist and, in those instances, an agency must analyze the potential impact of such hazards on future residents.

Pursuant to the applicable California Supreme Court ruling (CBIA), Table 3.17.C in Section 3.17.7.3, indicates the proposed Modified Project's emissions for the baseline year 2010 would be 19,215.39 $MTCO_2e$ per year. After incorporating PPPs, PDFs, and **Mitigation Measure 3.3.10.1**, the Modified Project's 2020 emissions would be 16,026.65 $MTCO_2e$ per year. This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP, meets the threshold specified in SCAQMD GHG Tier 2, and therefore does not exacerbate a GHG-related environmental hazard or condition that already exists. Accordingly, impacts of Climate Change resulting in significant impacts to the proposed Modified Project are **not applicable** when compared to the Approved Project, and no mitigation is required.

3.17.7.3 Cumulative Contribution of Project GHG Emissions to Climate Change

Threshold:	Would the project's greenhouse gas emissions contribute cumulatively to climate change? Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The 2008 EIR concluded that the Approved Project's contribution to cumulative impacts is speculative, and a significance determination cannot be made based on available evidence. Due to the large scale nature of climate change and the correspondingly global contributions, additional mitigation on a project-by-project basis is not feasible, and any additional mitigation for cumulative impacts of climate change is the responsibility and jurisdiction of state and federal agencies.

[25] *California Building Industry Assn. v. Bay Area Air Quality Management Dist*. (2015) 62 Cal. 4th 369, 377-378 (CBIA).

The latest version of CalEEMod (v2016.3.2) is used to calculate construction and operational GHG emissions of the proposed Modified Project. Outputs from the model runs for both construction and operational activities are provided in the *Rancho Diamante (Tentative Tract Map No. 36841) Greenhouse Gas Analysis* (Appendix J). The CalEEMod model includes GHG emissions from the following source categories: construction, area, energy, mobile, waste, and water.

Construction Activities. During Modified Project construction, GHGs would be emitted through the operation of construction equipment and from worker and vendor vehicles, most of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs (e.g., CO_2, CH_4, and N_2O). Furthermore, CH_4 is emitted during the fueling of heavy equipment. For construction phase emissions, GHGs are quantified and amortized[26] over the life of the Modified Project.

Operational Activities. The proposed Modified Project will result in emissions of CO_2, CH_4, and N_2O from the following primary sources during operation:

- Area Source Emissions;
- Energy Source Emissions;
- Mobile Source Emissions;
- Solid Waste; and
- Water Supply, Treatment, and Distribution.

Area Source Emissions: Equipment in this category would include lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Modified Project. Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. The GHG emissions associated with landscape maintenance equipment were calculated based on assumptions provided in the CalEEMod.

Energy Source Emissions: GHGs are emitted from buildings as a result of activities for which electricity and natural gas are typically used as energy sources. Combustion of any type of fuel emits CO_2 and other GHGs directly into the atmosphere; these emissions are considered direct emissions associated with a building. GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are considered to be indirect emissions. Unless otherwise noted, CalEEMod default parameters were used to calculate GHG emissions from these energy sources.

Mobile Source Emissions: Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Modified Project on peak hour traffic volumes and traffic operations in the vicinity of the site. Operational air quality impacts derive primarily from vehicle trips generated by the Modified Project. Trip generation data from the *Traffic Impact Analysis Rancho Diamante (TTM No. 36841)*, prepared by Urban Crossroads in April 2018 (Appendix I1) was incorporated into the CalEEMod to quantify mobile source emissions.

Solid Waste: Project land uses will result in the generation and disposal of solid waste. A large percentage of this waste will be diverted from landfills by a variety of means, such as reducing the amount of waste generated, recycling, and/or composting. The remainder of the waste not diverted will be disposed of at a landfill. GHG emissions from landfills are associated with the anaerobic breakdown

[26] The SCAQMD recommends calculating the total greenhouse gas emissions for the construction activities, dividing it by a 30-year project life then adding that number to the annual operational phase GHG emissions.

of material. GHG emissions associated with the disposal of solid waste associated with the proposed project were calculated by the CalEEMod using default parameters.

Water Supply, Treatment, and Distribution: Indirect GHG emissions result from the production of electricity used to convey, treat and distribute water and wastewater. The amount of electricity required to convey, treat, and distribute water depends on the volume of water as well as the sources of the water. Unless otherwise noted, CalEEMod default parameters were used to calculate GHG emissions from these sources.

Table 3.17.C summarizes the proposed Modified Project related emissions for construction and operation for the baseline year 2010 compared to buildout project year 2020.

Table 3.17.C: 2010 versus Total Project Year 2020 Greenhouse Gas Emissions Reduction Levels (with Project Design Features)

Emission Source	CO2e Emissions Levels by Year (Metric Tons per Year)	
	2010	2020
Residential		
Annual Construction-related emissions amortized over 30 years	564.48	564.48
Area	152.25	10.15
Energy Use	2,604.62	2,098.81
Mobile Sources	10,107.92	8,420.74
Waste	346.81	173.41
Water Usage	297.46	276.01
Total	*14,130.40*	*11,543.60*
Commercial		
Annual Construction-related emissions amortized over 30 years	21.84	21.84
Area	2.65E-03	2.62E-03
Energy Use	544.39	368.75
Mobile Sources	4,408.91	4,013.04
Waste	52.80	26.40
Water Usage	57.05	53.02
Total	*5,084.99*	*4,483.05*
Total (Residential + Commercial)	**19,215.39**	**16,026.65**
Reduction of 2020 BAU	**16.59%**	
Project Minimum Improvement	**15%**	
Meets Requirement?	**YES**	

Source: *Rancho Diamante (Tentative Tract Map No. 36841) Greenhouse Gas Analysis.* Table ES-2. Urban Crossroads. July 19, 2018.

GHG emissions from construction of the Modified Project's off-site components are discussed in the *Rancho Diamante (Tentative Tract Map No. 36841) Air Quality and Greenhouse Gas Impact Analysis Supplemental Assessment* (Appendix B2). Due to the substantially smaller off-site disturbance area, amortized construction emissions associated with off-site improvements as described in Section 2.6.4 of this SEIR would not result in a substantive change in the total GHG emissions identified in Table 3.17.C. Furthermore, GHG emissions from operation of the Modified Project's off-site components are not expected because the nature of the off-site components is primarily flood control, water conveyance, and road improvements that are not in and of themselves expected to generate additional

unanticipated vehicle trips because they are consistent with or less than the geometrics assumed in the City of Hemet and County of Riverside General Plan Circulation Elements.[27]

In accordance with Section 15183.5(b) of the *CEQA Guidelines*, a project's incremental contribution to a cumulative GHG effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances. The City has adopted a CAP that qualifies as a plan for the reduction of greenhouse gas emissions pursuant to the *CEQA Guidelines*. The Modified Project's consistency with the City's CAP is discussed above in Section 3.17.7.1. The proposed Modified Project's emissions for the baseline year 2010 would be 19,215.39 $MTCO_2e$ per year (Table 3.17.C). After incorporating PPPs, PDFs, and **Mitigation Measure 3.3.10.1**, the Modified Project's 2020 emissions would be 16,026.65 $MTCO_2e$ per year (Table 3.17.C). This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2. Pursuant to Section 15183.5(b) of the *CEQA Guidelines*, incorporation of PPPs, PDFs, and **Mitigation Measure 3.3.10.1** will ensure the proposed Modified Project's incremental contribution to a cumulative GHG effect is not cumulatively considerable. When compared to the Approved Project, for which a significance determination regarding cumulative GHG effects was not made, the proposed Modified Project is determined to have **less than significant impacts with mitigation incorporated.**

3.17.8 Cumulative Impacts

3.17.8.1 Proposed Modified Project Compared to Approved Project Cumulative Impact Analysis

The 2008 EIR concluded that assessment of cumulative global climate change impacts is speculative, and a significance determination cannot be made based on available evidence. due to following reasons:

- The list of cumulative projects for climate change is unknown, in that it could conceivably include all projects around the globe.
- There is no approved plan that covers the jurisdiction of the Approved Project that discusses climate change or greenhouse gases; therefore, the plan approach is not viable at this time.
- There are no adopted legal, regulatory, or advisory thresholds for measuring project or cumulative impacts of greenhouse gases.

Although both the Approved Project and proposed Modified Project are expected to emit GHG, the emission of GHG by any single project into the atmosphere is not itself necessarily an adverse environmental effect. GHGs are those gases that will contribute to global climate change; therefore, the cumulative impact area for GHG emissions is the earth's atmosphere. Implementation of the proposed Modified Project along with the cumulative projects will contribute GHG emissions to the atmosphere.

Due to the global nature of GHG, a project's greenhouse gas emissions and the resulting significance of potential impacts are more properly assessed on a cumulative basis. The project-specific analysis conducted above is essentially already a cumulative analysis because it takes into consideration statewide GHG reduction targets and demonstrates that the proposed Modified Project would be consistent with those targets.

Despite the global nature of GHG impacts, it is important to note that the scope of the City's jurisdictional authority is limited to certain types of emissions generated within the City's physical boundaries. The City's authority does not include the regulation of the majority of actions, including for example

[27] Urban Crossroads. *Traffic Impact Analysis Rancho Diamante (TTM No. 36841), City of Hemet*. Page 13. April 2018.

transportation policy, fuel consumption, and energy generation, which the State has determined are necessary to meet all of AB 32's greenhouse gas reduction goals. Further, some of the GHG emissions associated with the Modified Project can be reduced only by measures to be implemented by other governmental agencies which are outside the City's jurisdiction. GHG emissions are clearly significant on a global basis, and when GHG emissions are outside of the lead agency's jurisdiction and control, consistent with CEQA Section 21081(a)(2), a project has cumulatively considerable significant and unavoidable GHG impacts if other agencies do not take necessary action.

In accordance with Section 15183.5(b) of the *CEQA Guidelines*, a project's incremental contribution to a cumulative GHG effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances. The City has adopted a CAP to ensure that projects within the City will comply with all necessary policies to achieve a 15 percent reduction in GHG emissions by 2020 compared to a business as usual scenario. The Modified Project's consistency with the City's CAP is discussed above in Section 3.17.7.1. The proposed Modified Project's emissions for the baseline year 2010 would be 19,215.39 $MTCO_2e$ per year (Table 3.17.C). After incorporating PPPs, PDFs, and **Mitigation Measure 3.3.10.1**, the Modified Project's 2020 emissions would be 16,026.65 $MTCO_2e$ per year (Table 3.17.C). This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2.

Additional cumulative development projects also will be subject to consistency analysis with the City's CAP as well as state and subregional policies that restrict GHG emissions. As these buildings, roads, or other cumulative developments are updated or replaced over time, they will be subject to the then-existing requirements for GHG emissions reductions, including those set forth to ensure compliance with AB 32, SB 32, Executive Orders S-3-05 and B-30-15, as described in Section 3.17.3, as well as then-existing technologies employed to achieve deep reductions in GHG emissions.

Incorporation of PPPs, PDFs, and **Mitigation Measure 3.3.10.1** will ensure the proposed Modified Project complies with the City's CAP to reduce its incremental contribution to a cumulative GHG effect to **less than significant with mitigation incorporated**. When compared to the Approved Project, for which a significance determination regarding cumulative GHG effects was not made, the proposed Modified Project is determined to have **less than significant impacts with mitigation incorporated.**

3.17.9 Level of Significance before Mitigation

At the time when 2008 EIR was being prepared, there were no applicable guidelines for preparing CEQA assessments for climate change. In the absence of published CEQA thresholds, the 2008 analysis consisted of a CEQA-level discussion that included threshold of significance and determining the potential impact of the project's greenhouse gases to conflict with the intent of AB 32. Without mitigation, the Approved Project was deemed inconsistent with the GHG reduction strategies identified under AB 32, and the impacts of climate change could adversely affect the Approved Project. The 2008 EIR further concluded that the Approved Project's contribution to cumulative impacts is speculative and a significance determination cannot be made based on available evidence.

The proposed Modified Project's emissions for the baseline year 2010 would be 19,215.39 $MTCO_2e$ per year (Table 3.17.C), and a reduction of GHG emissions reduction to a level 15 percent below 2010 levels by 2020 would not be feasible without implementation of mitigation. Therefore, the proposed Modified Project would be inconsistent with the City's CAP and would result in a significant impact to the environment from emission of GHG unless PPPs and PDFs designed to reduce such emissions and mitigation is incorporated.

3.17.10 Mitigation Measures for the Proposed Modified Project Compared to Approved Project Impact Analysis

3.17.10.1 Mitigation for the Proposed Modified Project

The proposed Modified Project includes following mitigation (also provided in Section 3.3.10 of this SEIR) during construction of the project.

MM 3.3.10.1 Prior to issuance of any grading permit, the applicant shall submit evidence to the City that all diesel-powered construction equipment greater than 150 horsepower shall be compliant with the United States Environmental Protection Agency and California Air Resources Board Tier 3 emissions standards. Only Tier 3 diesel-powered construction equipment greater than 150 horsepower shall be utilized throughout the construction of Phase 1 and Phase 2 of the Modified Project. Additionally, the applicant shall provide evidence to the City at least once every two weeks that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and subject to review by the City and the SCAQMD. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

The Modified Project will implement PDF 3.3-1 through PDF 3.3-3, which incorporate pedestrian connections to surrounding areas and varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other in order to reduce VMT and associated mobile emissions of GHG (refer to Appendix I3 and Section 3.15.7.1 of this SEIR). Furthermore, the Modified Project will comply with PPP 3.3-1 through PPP 3.3-3 and PPP 3.3-7, which incorporate the 2019 provisions of Title 24 (2019 California Building Code) to ensure efficient building design, energy and water conservation, increase recycling, and reduce construction vehicle idling. Additionally **Mitigation Measure 3.3.10.1** will require construction equipment greater than 150 horsepower to be compliant with EPA/CARB Tier 3 emissions standards and be tuned and maintained in accordance with the manufacturer's specifications.

3.17.10.2 Mitigation for the Approved Project

Deletions or deviations from the original mitigation measures are identified in ~~strikeout~~ text, and underlined text is used to signify new additions. Where modifications are being proposed, an explanation for the modification is provided prior to each revised mitigation measure.

Every GHG mitigation measure presented in the 2008 EIR, is discussed below. This SEIR concludes the intent of Mitigation Measures in the 2008 EIR is applicable to the proposed Modified Project but are redundant with the PDFs and PPPs applicable to the proposed Modified Project while in other cases require updates in accordance with current regulatory standards.

The 2008 EIR assesses the Approved Project's consistency with 2006 CAT GHG reduction strategies and CARB's early mitigation measures for AB 32, as discussed above. The 2008 EIR Mitigation Measure CC-1 is replaced with PPP 3.3-1, 3.3-2 and 3.3-3 to reflect the updates in regulations and policies associated with the 2019 provisions of Title 24.

~~**2008 Mitigation Measure CC-1:** Prior to approval of each Final Tract Map OR prior to issuance of grading permits, the applicant or merchant builders shall provide an "Energy and Water Efficiency Plan." The Plan shall provide implementation and design level details demonstrating inclusion of feasible energy and water efficiency measures. The Plan shall~~

~~incorporate energy standards in effect at the time the plan is prepared, and commercially available technology or features. The Plan will be prepared to the satisfaction of the City of Hemet, Community Development Director. Design features to be included include but are not limited to the following:~~

~~a) Design to meet or exceed 2008 Title 24 requirements.~~

~~b) Use of cool paints on buildings and driveway areas.~~

~~c) Incorporation of a minimum of two deciduous shade trees on the south and west sides of each of the residential units.~~

~~d) Incorporation of energy efficient (EPA star rated or equivalent) appliances (i.e., dishwashers, washer, dryer, refrigerator, stoves, etc.) where they are provided by the developer.~~

~~e) Incorporation of energy efficient exterior lighting and compact fluorescent lights in residential units.~~

~~f) Tank less water heaters installed in the residential units. Additionally, water efficient fixtures and appliances shall be installed where feasible.~~

~~g) A Landscape Plan for the developer-installed landscaping pursuant to City of Hemet Ordinance, Article XL VIII, Landscaping and Irrigation shall be prepared. Included in the Plan shall be the following: the landscaping in the open space areas shall use drought-resistant plants; water efficiency training and certification shall be required for irrigation designers, installers, and managers; the Homeowner's Association(s) shall be audited for their water use to promote efficient water use; and there shall be restrictions on watering methods in the open space areas to prohibit systems that apply water to non-vegetated systems.~~

~~h) The residential areas shall have a limit on the amount of turf (grass) of a maximum of 25 percent of the total yard. There shall be no minimum grass area requirement.~~

~~i) Graywater and rain capture systems shall be offered to the homebuyers as an option. This option shall be actively advertised and demonstrated in all of the model homes.~~

The 2008 EIR's Mitigation Measure CC-2 is replaced with PDF 3.3-1 through PDF 3.3-3, which incorporate land use planning principals to reduce VMT and associated GHG emissions, as well as **Mitigation Measure 3.15.10.1** detailed in Section 3.15 of this SEIR to ensure payment of fair-share costs to facilitate efficient flow of traffic. Finally, several bus stops have been developed through the Page Ranch PCD along Mustang Way by the Riverside Transit Agency through Route 74 and Route 79 in accordance with 1979 EIR Mitigation Measure 3. The Riverside Transit Agency will continue to service these routes for the occupants of the proposed Modified Project via extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of new Stetson Avenue (Figure 2.5).

~~**2008 Mitigation Measure CC-2:** To reduce vehicle miles traveled and emissions associated with trucks and vehicles, the following measures shall be implemented~~

~~to the satisfaction of the City of Hemet, Community Development Director:~~

~~a) Onsite bicycle storage parking shall be provided where designated by the City of Hemet Parks and Facilities Department.~~

~~b) The applicant shall pay its fair share contribution to traffic impact fees and coordinate with the City regarding intersections within the project vicinity, such that traffic passes more efficiently through congested areas. If signals are installed as part of the project, the applicant shall install the use of Light Emitting Diode traffic lights.~~

~~c) Bicycle lanes and sidewalks/pedestrian paths shall be incorporated into the project area, to connect project residences to schools, parks, and the nearest transit stop.~~

~~d) Work with the County of Riverside Transit Agency to determine if there is a need for a bus pull out area and benches on the project site. If there is a need, they shall be installed at the expense of the applicant.~~

The 2008 EIR Mitigation Measure CC-3 is replaced by PPP 3.3-3 of the proposed Modified Project, which requires at least 50 percent diversion of solid waste as a matter of regulatory policy.

~~**2008 Mitigation Measure CC-3**: To reduce waste, the applicant shall prepare a Waste Management Plan with the goal of reducing waste during construction by at least 50 percent. There shall be an area designated for recycling waste from the project during construction.~~

The 2008 EIR Mitigation Measure CC-4 is omitted from this SEIR and the proposed Modified Project's compliance requirements because area source emissions from lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Modified Project site are included in the CalEEMod quantification of GHG emissions, which are demonstrated to comply with the City's CAP requirements through incorporation of PPPs 3.3-1 through 3.3-3 and PDFs 3.3-1 through 3.3-3 pertaining to operation of the Modified Project.

~~**2008 Mitigation Measure CC-4:** Electrical outlets shall be installed in the exterior of the residences to power outdoor electric lawn and garden equipment for landscaping. Additionally, any landscape equipment to be used to maintain the public areas in the development shall be electric.~~

3.17.11 Level of Significance after Mitigation

The 2008 Certified EIR concluded development of the Approved Project would comply with the 2006 CAT GHG reduction strategies and CARB's early mitigation measures for AB 32 through implementation of **Mitigation Measures CC-1** through **CC-4**. Likewise, the proposed Modified Project would be consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2 through implementation of PPPs, PDFs, and **Mitigation Measure 3.3.10.1.** As shown in Table 3.17.C in Section 3.17.7.3, emissions for the baseline year 2010, would be 19,215.39 $MTCO_2e$ per year and emissions for the proposed Modified Project's buildout year 2020 would be 16,026.65 $MTCO_2e$ per year. This yields a reduction of approximately 16.59 percent from baseline levels in accordance with the City's CAP and SCAQMD GHG Tier 2 threshold.

The 2008 EIR assessed the risks of climate change to the Approved Project based on the risks identified in AB 32 and the California Climate Change Center report that assesses the risks of Climate Change to California and concluded impacts of climate change to the Approved Project would be less than significant with implementation of **2008 EIR Mitigation Measure CC-1**. Pursuant to the CBIA,[28] Table 3.17.C in Section 3.17.7.3 demonstrates the proposed Modified Project is consistent with the goals of the City's CAP, meets the threshold specified in SCAQMD GHG Tier 2, and therefore does not exacerbate a GHG-related environmental hazard or condition that already exists. Accordingly, impacts of climate change resulting in significant impacts to the proposed Modified Project are **not applicable** when compared to the Approved Project and no mitigation is required.

The 2008 EIR concluded that the Approved Project's contribution to cumulative impacts is speculative, and a significance determination cannot be made based on available evidence. Due to the large-scale nature of climate change and the correspondingly global contributions, additional mitigation on a project-by-project basis is not feasible, and any additional mitigation for cumulative impacts of climate change is the responsibility and jurisdiction of State and federal agencies. In accordance with Section 15183.5(b) of the *CEQA Guidelines*, a project's incremental contribution to a cumulative GHG effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances. The Modified Project's consistency with the City's CAP is discussed above in Section 3.17.7.1. After incorporating PPPs, PDFs, and **Mitigation Measure 3.3.10.1**, the Modified Project's emissions would be reduced by approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2. Pursuant to Section 15183.5(b) of the *CEQA Guidelines*, incorporation of incorporation of PPPs, PDFs, and **Mitigation Measure 3.3.10.1** will ensure the proposed Modified Project's incremental contribution to a cumulative GHG effect is not cumulatively considerable.

In summary, no new mitigation over and above those described above or new alternatives have been identified that would substantially or further reduce any greenhouse gas impacts of the Modified Project.

[28] *California Building Industry Assn. v. Bay Area Air Quality Management Dist*. (2015) 62 Cal. 4th 369, 377-378 (CBIA).

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4.0 OTHER CEQA TOPICS

CEQA Guidelines Section 15126 requires environmental impact reports (EIRs) to include a discussion of (1) the significant environmental effects of a project, (2) the unavoidable significant environmental effects if the project is implemented, (3) any irreversible changes should the project be implemented, (4) growth-inducing impacts, (5) mitigation measures, and (6) alternatives to the proposed Modified Project (14 CCR 15000 et seq.).

The following is a guide to where most of these issues are discussed in this SEIR:

- Significant Environmental Effects – throughout Chapter 3.0.
- Growth-Inducing Impacts – Section 3.12.
- Mitigation Measures – Executive Summary and throughout Chapter 3.0.
- Alternatives – Discussed in the 1979 EIR for the Specific Land Use Plan, Southwest Area[1] and 2008 EIR of the Approved Project.[2] As indicated throughout Chapter 3.0 of this SEIR, no new alternatives have been identified that would substantially or further reduce environmental impacts of the Modified Project as proposed.

Since the above issues are discussed in other sections of this document, this chapter will address only the proposed Modified Project's significant unavoidable and irreversible impacts.

4.1 SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL EFFECTS

CEQA Guidelines Section 15126.2(b) further directs EIRs to address impacts from a project that will result in significant impacts, including those that cannot be mitigated below a level of significance. A summary of all the environmental issue areas and the resultant significance and listing of mitigation measures is found in the Executive Summary of this SEIR. To summarize, the following issue areas will result in a significant impact even after mitigation measures have been incorporated, thus resulting in an unavoidable impact.

4.1.1 Agricultural Resources

Both the Approved Project and proposed Modified Project are located on land designated Farmland of Local Importance, and portions of the Modified Project's off-site improvements are proposed on Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. Therefore, implementation of the Modified Project would convert farmland to non-agricultural use and impacts would be significant and unavoidable. The Modified Project would incrementally decrease the availability of soils that have value for agricultural production. Therefore, in combination with other projects in the City's planning area, the Modified Project would result in a cumulatively considerable impact to agricultural resources. When compared to the Approved Project, impacts associated with conversion of farmland to non-agricultural use would be the same (i.e., significant and unavoidable). No feasible mitigation is available since the Page Ranch PCD SP is already approved for non-agricultural uses. This finding also applies to the Modified Project, as it is encompassed within the Page Ranch PCD SP and will convert farmland to non-agricultural uses.

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1 Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.

2 Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. Section 7.0. SCH #2007091039. City of Hemet. May 2008.

4.1.2 Air Quality

The Modified Project has a significant and unavoidable impact related to AQMP Consistency Criterion No. 1. Mitigation is prescribed in Section 3.3.10 to reduce emissions of criteria pollutants to the extent feasible, but NOx emissions would still occur at levels above SCAQMD thresholds after mitigation in the same manner as the Approved Project. Although the Approved Project was found to be consistent with the AQMP, that consistency determination conflicts with the fact that Modified Project's operational NOx emissions exceeded regional thresholds. The proposed Modified Project would result in less severe but still significant and unavoidable, cumulative impacts to regional air quality from emissions of NOx during operation even with implementation of mitigation, PPPs, and PDFs.

4.1.3 Transportation

The Modified Project has a significant and unavoidable impact related to residential Home-Based VMT per capita. Transportation Demand Management (TDM) strategies are prescribed in Section 3.15.6 to encourage mixed-use development and roadway infrastructure improvements to promote pedestrian and bicycle mobility, but implementation of TDM strategies cannot guarantee VMT reductions. Additionally, mitigation is prescribed in Section 3.15.10 to facilitate transit and carpool opportunities, but even with implementation of TDM strategies and mitigation, the Modified Project's reduced Home-Based VMT per capita would be approximately 27.58, which would still exceed the citywide average of 25.4 Home-Based VMT per capita for Hemet. The proposed Modified Project would result in significant and unavoidable project-level and cumulative impacts to citywide VMT even with implementation of TDMs, mitigation, PPPs, and PDFs.

4.2 SIGNIFICANT IRREVERSIBLE CHANGES

CEQA Guidelines mandate that EIRs must address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented (14 CCR 15126(c)). An impact would fall into this category if:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

Determining whether the proposed Modified Project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The Modified Project would result in the use of nonrenewable resources and energy sources, including fossil fuels during construction activities. Fossil fuels would be used to power equipment, as well as delivery and construction employee vehicles. Use of these energy sources would be considered a permanent commitment of resources. Operation of the Modified Project would have a long-term permanent commitment of nonrenewable energy sources such as electricity, natural gas, and fossil fuels (employee and resident vehicular trips). The consumption of energy resources is discussed in Section 3.16 *Utilities* and Section 3.17 *Greenhouse Gas Emissions*. PPPs, PDFs, and mitigation are provided to reduce energy consumption under the discussion on greenhouse gas emissions. Ongoing advancements in energy efficiency to construction equipment, building design, and motor vehicles will reduce the demand of energy resources, for example through increased use of electric, hybrid, and increasingly fuel-efficient vehicles, as well as continued

refinement of Title 24 of the California Code of Regulations (e.g., implementation of increased insulation and cool roofs to reduce the use of air conditioning, water efficient fixtures, roof-top photovoltaic infrastructure, and heating and air conditioning within buildings by individual sectors that can be controlled locally). Accordingly, the proposed Modified Project's energy consumption during construction and operation is expected to be less when compared to the Approved Project. Therefore, this would not be considered a significant irreversible environmental effect.

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Water Supply Assessment

APPENDIX A1:

NOTICE OF PREPARATION DATED AUGUST 6, 2016, AND RESPONSE TO COMMENTS

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APPENDIX A2:

RECIRCULATED NOTICE OF PREPARATION DATED APRIL 16, 2019, AND RESPONSE TO COMMENTS

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APPENDIX B1:

RANCHO DIAMANTE (TENTATIVE TRACT MAP NO. 36841) AIR QUALITY IMPACT ANALYSIS, JULY 19, 2018

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APPENDIX B2:

RANCHO DIAMANTE (TENTATIVE TRACT MAP NO. 36841) AIR QUALITY AND GREENHOUSE GAS IMPACT ANALYSIS-SUPPLEMENTAL ASSESSMENT, NOVEMBER 20, 2019

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APPENDIX C1:

BIOLOGICAL RESOURCES TECHNICAL REPORT, RANCHO DIAMANTE PROJECT SITE, CITY OF HEMET, CALIFORNIA, TTM 36841, JUNE 2018

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APPENDIX C2:

MSHCP FOCUSED BURROWING OWL SURVEYS FOR THE 245.07-ACRE RANCHO DIAMANTE PROJECT SITE, CITY OF HEMET, CALIFORNIA, JULY 5, 2017

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APPENDIX C3:

MSHCP SENSITIVE PLANT SURVEYS FOR THE 245.07-ACRE (16.70-ACRE OFFSITE) RANCHO DIAMANTE PROJECT SITE, CITY OF HEMET, CALIFORNIA, JULY 5, 2017

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APPENDIX C4:

GENERAL MSHCP HABITAT ASSESSMENT, REGULATORY CONSTRAINTS, AND MSHCP CONSISTENCY APPROACH FOR THE 245.07-ACRE RANCHO DIAMANTE PROJECT SITE, CITY OF HEMET, CALIFORNIA, JULY 5, 2017

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APPENDIX C5:

MSHCP DETERMINATION OF BIOLOGICALLY EQUIVALENT OR SUPERIOR PRESERVATION/CONSISTENCY ANALYSIS, RANCHO DIAMANTE PROJECT SITE, CITY OF HEMET, CALIFORNIA, TTM 36841, JUNE 2018

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APPENDIX D:

CULTURAL RESOURCES ASSESSMENT, RANCHO DIAMANTE PROJECT, CITY OF HEMET, RIVERSIDE COUNTY, CALIFORNIA, SEPTEMBER 2016; UPDATED DECEMBER 2019

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APPENDIX E:

SUPPLEMENTAL GEOTECHNICAL EXPLORATION, RANCHO DIAMANTE RESIDENTIAL DEVELOPMENT, TENTATIVE TRACT MAP NO. 36841, CITY OF HEMET, CALIFORNIA, AUGUST 25, 2015

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APPENDIX F1:

PHASE I ENVIRONMENTAL SITE ASSESSMENT, RANCHO DIAMANTE TRACT NO. 36841, HEMET, CALIFORNIA, NOVEMBER 2016

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APPENDIX F2:

HAZARDOUS WILDLIFE ATRACTANTS ANALYSIS OF 13 WATER QUALITY CONTROL BASINS FOR THE PROPOSED RANCHO DIAMANTE RESIDENTIAL DEVELOPMENT IN HEMET, RIVERSIDE COUNTY, CALIFORNIA, FEBRUARY 4, 2020

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APPENDIX F3:

AIRPORT LAND USE COMMISSION NOTICE OF AIRPORT IN VICINITY. FEBRUARY 13, 2020

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APPENDIX F4:

COUNTY OF RIVERSIDE, AIRPORT LAND USE COMMISSION DEVELOPMENT REVIEW: CASE NUMBER ZAP1061HR19 – GPA 15-002 (GENERAL PLAN AMENDMENT), SPA 15-001 (SPECIFIC PLAN AMENDMENT), TTM36841 (TENTATIVE TRACT MAP). FEBRUARY 27, 2020

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APPENDIX F5:

FEDERAL AVIATION ADMINISTRATION, OBSTRUCTION EVALUATION SERVICE: DETERMINATION OF NO HAZARD TO AIR NAVIGATION. OCTOBER 28, 2019.

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APPENDIX G1:

PRELIMINARY DRAINAGE STUDY FOR TENTATIVE TRACT MAP NO. 36841 (RANCHO DIAMANTE), JANUARY 20, 2019

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APPENDIX G2:

PROJECT SPECIFIC WATER QUALITY MANAGEMENT PLAN, RANCHO DIAMANTE, TENTATIVE TRACT MAP NO. 36841, OCTOBER 5, 2015, REVISED FEBRUARY 1, 2018, AND JANUARY 20, 2019

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APPENDIX G3:

DRAFT WATER SUPPLY ASSESSMENT REPORT, RANCHO DIAMANTE, JUNE 19, 2018

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APPENDIX H:

RANCHO DIAMANTE, NOISE IMPACT ANALYSIS, CITY OF HEMET, NOVEMBER 18, 2019

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APPENDIX I1:

TRAFFIC IMPACT ANALYSIS RANCHO DIAMANTE (TTM NO. 36841), CITY OF HEMET, APRIL 2018

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APPENDIX I2:

RANCHO DIAMANTE (TTM NO. 36841) TRAFFIC IMPACT ANALYSIS-SUPPLEMENTAL ASSESSMENT, CITY OF HEMET, NOVEMBER 2019

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APPENDIX I3:

RANCHO DIAMANTE (TTM NO. 36841) VEHICLE MILES TRAVELLED (VMT) ASSESSMENT, FEBRUARY 4, 2020

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APPENDIX J:

RANCHO DIAMANTE (TENTATIVE TRACT MAP NO, 36841), GREENHOUSE GAS ANALYSIS, CITY OF HEMET, FEBRUARY 26, 2016

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Facts and Findings Regarding the Environmental Effects and Approval of the Rancho Diamante Phase II Specific Plan Amendment Project(State Clearinghouse No. 2016081013)

I. INTRODUCTION

The California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (the "Guidelines") provide that no public agency shall approve or carry out a project for which an environmental impact report ("EIR"), or a supplement to the EIR, has been certified which identifies one or more significant effects on the environment that would occur if a project is approved or carried out unless the public agency makes one or more of the following findings:

A. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects identified in the EIR.

B. Such changes or alterations are within the responsibility of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

C. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.[1]

The City Council of the City of Hemet (this "Council"), in certifying the Subsequent EIR for the Rancho Diamante Phase II Specific Plan Amendment Project (the " Modified Project") makes the Findings below and adopts a Statement of Overriding Considerations. The Subsequent EIR was prepared by the City of Hemet ("City") acting as lead agency pursuant to the CEQA. Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft Subsequent EIR ("DSEIR"), Technical Studies, Final Subsequent EIR containing Responses to Comments and textual revisions to the Draft EIR ("FSEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "Subsequent EIR." These Findings are based on the entire record before this Council, including the Subsequent EIR. This Council adopts the facts and analyses in the Subsequent EIR, which are summarized below for convenience. The omission of some detail or aspect of the Subsequent EIR does not mean that it has been rejected by this Council.

[1] California Public Resources Code § 21081; 14 California Code Regulations. §§ 15091, 15163.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The proposed Modified Project encompasses approximately 245 acres of the approximately 1,621-acre Page Ranch Planned Community Development (PCD) as well as 6.22 acres of off-site improvements. The proposed Modified Project is located in the southwestern portion of the City of Hemet and comprises Assessor's Parcel Numbers (APNs) 465-100-016, 465-100-020, 465-110-021, 465-110-022, 465-110-023, and 465-110-027. The off-site improvements of the Modified Project include a new drainage channel to the south connecting to an existing channel at Simpson Road, seven new drainage connections to Hemet Channel to the north, and construction of the intersection of Warren Road with "future" realigned Stetson Avenue. The proposed Modified Project site is surrounded by primarily undeveloped land to the north, south, and west. Two rural residential units are located to the west across the Second San Diego Aqueduct canal, and another rural residential unit is located to the south. A residential subdivision, Solera Diamond Valley, is located across Warren Road to the east.

2. Approved Project Description

The last Specific Plan Amendment to the Page Ranch PCD SP was in 2009, approved by the City as part of SPA 06-004. The SPA was subject to the environmental analysis contained in the Rancho Diamante Phase II Subsequent EIR (SCH #2007091039). It should be noted that the project approved in 2009 was also named Rancho Diamante Phase II. As stated in Chapter 1.0, references to Rancho Diamante Phase II in this SEIR refer to the proposed Modified Project, while the Page Ranch PCD Project as amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2004, 2005, 2008, and 2009 are referred to as the "Approved Project.

The Page Ranch PCD SP covers 1,621 acres and is mostly developed. The Approved Project consists of 99.4 acres exclusively within PA X. The proposed Modified Project (as described below) adds land to the Approve Project footprint by merging PA IV and PA X, and modifying PA XIII to occupy 245.07 acres, or approximately 15 percent of the Page Ranch PCD SP Planning Area.

The Page Ranch PCD SP regulates land uses within its Planning Area. These regulations specify a variety of land uses governed by supporting master plan and development standards. The Page Ranch PCD SP also provides flexibility in terms of both land use and development standards so that a high quality development product is achieved. Land uses under the Page Ranch PCD SP include residential uses ranging from Low Density (1 dwelling unit per 2.4 acres) up to High Medium Density (17 dwelling units per acre), Open Space Preserve, Open Space Recreation, Commercial, Industrial, Fire Station and

Public School. Land uses within the Approved Project boundary include residential uses ranging from Low Density (1 dwelling unit per 2.5 acres) up to Low-Medium Density (5 dwelling units per acre).

3. Proposed Modified Project

The proposed Modified Project site is bound by Warren Road to the east; the Second San Diego Aqueduct to the west; the Hemet Channel, the Burlington Northern Santa Fe (BNSF) railroad tracks, and new Stetson Avenue alignment to the north; and agricultural land to the south. The proposed Modified Project site and off-site improvements are approximately one-quarter mile southwest of the Hemet-Ryan Airport. The Modified Project would include the following four components:

- Proposed changes to the Page Ranch PCD SP as amended in 1984, 1987, 1990, 1997, 1998, 2001, 2003, 2005, 2008, and 2009 and analyzed in the previously approved Rancho Diamante Phase II EIR (SCH #2007091039) certified in 2009 (Approved Project);

- Proposed General Plan Amendment (GPA) (GPA 15-002) to amend the City's General Plan Circulation Element by adding an extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of Stetson Avenue;

- Proposed Tentative Tract Map (TTM) No. 36841 (MAP 15-008) to subdivide 245.07 acres into 586 single-family residential lots on approximately 160.5 acres, 1 lot of approximately 100,000 square feet of commercial uses on 19.67 acres, and 64.89 acres of public and private Homeowners Association (HOA) park and open space areas; and,

- The Modified Project also includes 6.2 acres of off-site improvements including construction of utilities in abutting rights-of-way, drainage conveyance features, and construction of the west half of Warren Road in the northeast part of the Modified Project including the intersection with "future" realigned Stetson Avenue and an interim transition back to the existing Warren Road alignment. Off-site drainage improvements include seven connections to the existing Hemet Channel north of the site and improvements to the existing drainage channel from the existing drainage basin in the southwest corner of the site extending southerly to Simpson Road. From Simpson Road, the channel would continue to convey runoff south toward Salt Creek without further modifications. Temporary impacts for the channel assume a width of 20 feet for construction purposes on both sides of the ultimate channel and maintenance drive.

The proposed SPA (SPA 15-001) would amend the adopted Page Ranch PCD 79-93/SP within Planning Areas VI, X, and XIII. Planning Areas VI and X are currently separated by the location of new Warren Road, and Planning Area XIII is located in the northeast corner of the Modified Project site. The proposed SPA would revise land use boundaries and planning areas, extend Mustang Way from its current terminus at Warren Road westward and northward through the proposed Modified Project site to the realignment of Stetson Avenue (on the south side and parallel to the railroad tracks), and reduce residential density resulting in a corresponding reduction in the dwelling unit count from 744 to 586 units. The SPA would merge Planning Areas VI and X into Planning Area X due to the extension of Mustang Way and convert the land use designation of former Planning Area VI from Low Density Residential to that of Planning Area X: Low Medium Density Residential. Lastly, the SPA would modify the boundary between Planning Areas X and XIII and change the Specific Plan designation for Planning Area XIII from Low Density Residential to C-2 General Commercial Zone.[2] The SPA also includes associated text changes.

The proposed GPA (GPA 15-002) would amend the City's General Plan Circulation Element to extend Mustang Way from Warren Road westward and northward to realigned Stetson Avenue and to change the classification of Warren Road from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and realigned Stetson Avenue. In addition, the Modified Project would amend the General Plan Land Use Designation for 19.67 acres of the site from Low Density Residential (LDR) to Regional Commercial (RC)[3] in Planning Area XIII located at the southwest corner of Warren Road/realigned Stetson Avenue.

The proposed Tentative Tract Map (TTM) No. 36841 (MAP 15-008) would subdivide 245.07 acres into 586 single-family residential lots on approximately 160.51 acres,[4] one lot of approximately 100,000 square feet of commercial uses on 19.67 acres, and 64.89 acres of public parks and private HOA parks and open space areas. The new community would contain a mix of residential lot sizes, with the smallest lot having a minimum of 5,000 square feet and the largest lot having approximately 10,990 square feet, with an average lot size of 6,434 square feet. Paseos are proposed for dispersed open space, pedestrian pathways, and the conveyance of drainage and other water quality benefits throughout the community. Drainage would be conveyed north to the Hemet Channel or south to the existing drainage channel and basin serving TTM 31807 and 31808, then south in the new drainage channel to Simpson Road. Improvements also would be made flanking the existing channel along the southern boundary with a wall or berm a maximum of 3 feet high to ensure its intended function and capacity to accommodate a 100-

[2] Pursuant to Hemet Municipal Code Article XXVI, Section 90-892. – Zones Established, the C-2 General Commercial Zone is intended to provide appropriate areas for the development of commercial districts having a wide range of offices, services, retail stores, recreation, and

[3] Regional Commercial designation provides for intensive and broadly mixed retail concentrations. The representative form is a retail center, anchored by one or more major tenants other than a supermarket, and which draws from a regional rather than local market.

[4] 160.51 acres comprising 86.56 acres of single-family home, 2.58 acres of street landscape, and 71.37 acres of public streets.

year storm event, while preserving the vegetation that has occurred within the existing channel. Proposed TTM No. 36841 establishes the locations of legal lots that would be ultimately sold to merchant home builders who would then subdivide the "for sale" residential lots. The proposed TTM replaces and expands previously approved TTM No. 35394 (Planning Areas VI, X and XIII) of the Approved Project and is being processed concurrently with the other two discretionary actions associated with the proposed Modified Project.

Off-site improvements to be implemented under the proposed Modified Project include construction of water and reclaimed water pipelines in the abutting roads, drainage conveyance features, and the construction of the westerly half of Warren Road along the eastern frontage of the Modified Project site. The Warren Road improvements also include modifications to the Stetson Avenue intersection at the northeast corner of the Modified Project site including a realigned transition back to the existing Warren Road alignment (2.05 acres of permanent impacts). Proposed utility lines would be constructed to the extent they are required within the rights-of-way of the abutting roads. Off-site utility pipelines would be constructed by others during future off-site road construction. Off-site drainage improvements include connections to the existing Hemet Channel north of the site (0.05 acre of temporary impacts for the installation of seven drainage connections) and improvements to an existing drainage channel from the existing drainage basin in the southwest corner of the Modified Project site extending southerly to Simpson Road (4.17 acres of permanent impacts and 2.42 acres of temporary impacts). From Simpson Road, the channel would continue to convey runoff south toward Salt Creek without further modifications. Temporary impacts for the channel assume a width of 20 feet for construction purposes on both sides of the ultimate channel and maintenance drive. Modified Project permanent impacts for off-site improvements total 6.22 acres and temporary impacts total 2.47 acres.

4. Comparison of Proposed Modified Project to Approved Project

The proposed Modified Project entails the westernmost 245.07 acres of the [Approved Project] 1,621-acre Page Ranch PCD SP. The application for new Tentative Tract Map 36841 encompasses former Planning Areas VI, X, and XIII of the Page Ranch PCD SP (i.e., the Approved Project). Approximately 99.4 acres of the 245.07-acre proposed Modified Project were encompassed as Planning Area X (TTM 35394) of the Approved Project. Planning Areas VI and X would be consolidated and merged into a single Planning Area X as part of the Modified Project. Planning Area XIII would remain, but with a slightly modified acreage. The SPA would also change the land use for Planning Area XIII from Low Density Residential to C-2 General Commercial. Lastly, the SPA would modify the land use designation for Planning Area X from Low Density Residential to Low-Medium Density Residential and Open Space Recreation.

TTM 36841 proposed as part of the Modified Project would replace and expand TTM 35394 (Planning Area X) of the Approved Project, extend Mustang Way from its current terminus at Warren Road westward and northward through the proposed Modified Project site to the realignment of Stetson Avenue (on the south side and parallel to the railroad tracks), reduce the residential density resulting in a corresponding reduction in the dwelling unit count from 744 to 586 units, and include 19.67 acres of commercial uses in Planning Area XIII. Based on the acreages detailed in Table 2.B, the gross Modified Project density would be 2.60 dwelling units per acre as compared to the Approved Project density of 3.13 dwelling units per acre.

Previously, "new" Warren Road was aligned to serve as the western boundary of an existing active adult community and to divert traffic from existing Warren Road to "new" Warren Road so the areas flanking existing Warren Road could function as a cohesive community. However, due to changing market conditions, the intent to expand the existing age-restricted community has changed, and the proposed Modified Project instead would create a larger community with broader market appeal. The previous alignment of "New" Warren Road was deleted at the western boundary of the Modified Project under the Hemet General Plan 2030, and a non-age-restricted community is envisioned in proposed Planning Area X/TTM 36841. The westward extension of Mustang Way, and change in the classification of Warren Road from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and new Stetson Avenue requires an amendment to the General Plan Circulation Element. In addition, the Modified Project would amend the General Plan Land Use Designation for 19.67 acres of the site from Low Density Residential (LDR) to Regional Commercial (RC).

5. Actions Covered by the SEIR

The SEIR would support the following discretionary and non-discretionary approvals:

- **Approval of a Specific Plan Amendment (SPA 15-001):** To revise the Pahe Ranch Planned Community Development Specific Plan land use boundaries and planning areas, extend Mustang Way to realigned Stetson Avenue, and reduce the residential density resulting in a corresponding reduction in the unit count from 744 to 586 units.
- **Approval of a General Plan Amendment (GPA 15-002):** To amend the City's General Plan Circulation Element to include the extension of Mustang Way from Warren Road westward to the future realignment of Stetson Avenue, and to change the classification of Warren Road from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and realigned Stetson Avenue. In addition, the Modified Project would amend the General Plan Land Use Designation for 19.67 acres of the site from Low Density Residential (LDR) to Regional Commercial (RC).

- **Approval of a Tentative Tract Map (TTM 36841):** To subdivide the 245.07-acre Modified Project site into 586 residential lots, 1 commercial lot, and 64.89 acres of public parks and private HOA parks and open space areas to implement the proposed Modified Project (i.e., tentative and final maps).
- **Approval of a Subsequent Environmental Impact Report (SEIR):** The City of Hemet has determined an SEIR to the Certified EIR (SCH #2007091039) is required to analyze the potential environmental impacts of the proposed Modified Project. The SEIR to the Certified EIR (SCH #2007091039) would include mitigation measures, as appropriate, to reduce potential environmental impacts and would be prepared in accordance with CEQA. The City of Hemet will consider certification of the SEIR prior to taking action on the requested approvals. In conjunction with Certification of the SEIR and approval of the proposed Modified Project, the City will adopt a Mitigation Monitoring and Reporting Program (MMRP), which will ensure implementation of the measures and conditions of project approval that were adopted to mitigate or avoid potentially significant effects on the environment.
- **Encroachment Permits:** To excavate or otherwise encroach within the City of Hemet's public road right-of-way and for connections to the existing Hemet Channel for drainage purposes.
- **Any Other Discretionary Approvals:** As required by applicable laws or regulations to implement the proposed Modified Project.

5.1 Actions by Others

Although the City of Hemet is the Lead Agency for the Modified Project, a number of other Federal, State, or special purpose agencies may consult this SEIR for their own decision-making and actions now or in the future. The following is a list of anticipated or possible discretionary or non-discretionary actions by other agencies. However, this list is not exhaustive and may include other agencies and processes in the future as appropriate.

- ***State of California***
    - Santa Ana Regional Water Quality Control Board
    - California Department of Fish and Wildlife
    - Metropolitan Water District of Southern California
- ***Federal***

- U.S. Fish and Wildlife Service

- ***Riverside County***
  - Western Riverside County Regional Conservation Authority [Habitat Acquisition and Negotiation Strategy (HANS) and Joint Project Review (JPR) processes].
  - Riverside County Airport Land Use Commission
  - Eastern Municipal Water District
  - Riverside County Flood Control and Water Conservation District

B. MODIFIED PROJECT OBJECTIVES

The *State CEQA Guidelines* require that an EIR Project Description include "a statement of objectives sought by the proposed project." Rancho Diamante Investments, LLC, the project applicant, developed the following objectives for the proposed Modified Project. Additions to the Approved Project objectives made as part of the proposed Modified Project are underlined; text that has been removed from the Approved Project objectives is in strikeout:

- Provide diversity in housing types for ~~both senior housing and~~ family housing;
- Provide more compatible land uses for the existing development in the immediate area by elimination of industrial uses ~~south~~ north of the new alignment of Stetson Avenue;
- Provide a logical extension of infrastructure in the project area;
- Provide for a variety of residential development types which are functionally compatible with surrounding neighborhoods (~~Proposed~~ General Plan Goals and Policies ~~Workbook Policies~~ LU-5.1);
- Provide for the attainment of quality housing within a satisfying living environment for households of all socioeconomic, age, and ethnic types in Hemet (General Plan Goals and Policies ~~Workbook Goal~~ H-1);
- Provide residential product type to meet forecast demand in the Specific Plan area;
- Contribute to the creation of a community identity for the City of Hemet through conformance with architectural and landscape standards; and,
- ~~Eliminate conflicts between adjacent uses, and the provision of clear buffers and transitions between dissimilar uses (1992 Hemet General Plan Page 2).~~

C. MODIFIED PROJECT DESIGN FEATURES AND COMPLIANCE MEASURES TO BE IMPLEMENTED, AND 1979 EIR AND 2008 EIR MITIGATION MEASURES NO LONGER APPLICABLE TO THE MODIFIED PROJECT

1979 EIR and 2008 EIR Mitigation Measures no longer applicable to the Modified Project are shown in strikeout text.

a. Aesthetics

Project Design Features: Project Design Features (PDFs) include features proposed by the Modified Project that are already incorporated into the project's design as appended in the Modified Project SPA 15-001 and are specifically intended to reduce or avoid impacts to aesthetic resources. The proposed Modified Project SPA 15-001 provides regulations and development standards to guide development of the proposed residential and commercial uses. These regulations and standards are codified in the *Page Ranch Planned Community*, PCD 79-93 Master Plan and Development Standards Amendment Design Guidelines and establish development and design criteria to ensure a cohesive and aesthetically pleasing community that is not only architecturally compatible with surrounding land uses but also complements the existing development in proximity to the site.

Architectural design would be cohesive throughout the Modified Project Site and consider the relationship and compatibility of the proposed residential and commercial uses in Planning Areas X and XIII, respectively, with the existing developed uses of the Approved Project. Landscape design would be implemented to achieve unification of a community identity while respecting the separation between the public commercial from the private residential domains, as well as between the individual residential lots themselves, through the use of appropriate structural setbacks, hardscape materials, plant materials, and planting character arranged in various scales and intensities. Fence and wall design would be compatible with and consist of materials and color schemes similar to those of the existing developed uses of the Approved Project. Additionally, the fence and wall concept is important to provide security, privacy, and a sense of enclosure and ownership. Open space design includes a network of landscaped areas and lawns, paseos, a water detention basin, and parks of varying sizes and for a variety of purposes. Throughout the Modified Project site, the open space design elements would ensure a parklike setting is achieved. Lighting would be designed in accordance with City standards (see **PPP 3.1-2**), resulting in warm, subdued lighting geared to the semi-rural character of the City, while a comprehensive sign program would promote commerce, traffic safety, and community identity, while also promoting and enhancing the quality of the visual environment of the area.

Plans, Policies, or Programs: Plans, Policies, or Programs (PPPs) are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to aesthetic resources.

> **PPP 3.1-1**: To ensure conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the SPA 15-001, as well as the City General Plan pursuant to Section 65450 et seq. of the California Government Code, the proposed Tentative Tract Map (TTM) No. 36841 (MAP 15-008) must undergo Planning Staff review and approval in accordance with Section VI (Site Plan Requirements) of the SPA 15-001 prior to permit issuance.
>
> **PPP 3.1-2:** Pursuant to Section 90-386 (Site Development Requirements) of the City Municipal Code, all on-site lighting shall be shielded to prevent off-site glare.
>
> (1) All outdoor lighting shall be designed to illuminate uses, while minimizing light trespass into neighboring areas.
>
> (2) The candlepower of outdoor lighting shall be the minimum required for safety purposes.
>
> (3) Light for safety purposes shall be provided at entryways, along walkways, between buildings, and within parking areas.
>
> (4) All lights shall be directed, oriented, and shielded downward to prevent light from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct drivers' vision.
>
> (5) Light sources shall not be located in required buffer areas, except those required to illuminate pedestrian walkways.

Mitigation Measures No Longer Applicable to the Modified Project: Mitigation measures to reduce impacts to aesthetic resources to less than significant levels are not required for either the Approved Project or the proposed Modified Project.

b. Agricultural Resources

Project Design Features: The City previously committed the Modified Project site to residential use through the adoption of the Page Ranch PCD SP (Approved Project). The proposed Modified Project would amend the existing Page Ranch PCD SP to account for a slight reduction of residential density along with inclusion of 19.67 acres of commercial uses on site. Since neither the Approved Project nor proposed Modified Project includes any proposed agricultural uses, there are no project design features or compliance measures related to agricultural resources that would apply to the Modified Project.

Mitigation Measures No Longer Applicable to the Modified Project: The 1979 EIR's mitigation measure to encourage participation in the Williamson Act Preservation Program and provision of incentives for agricultural landowners not eligible for preservation status is infeasible for the 2009 SPA to the Page Ranch PCD SP, and likewise would not apply to the Modified Project, because the City has

already committed the Approved Project site and therefore the proposed Modified Project site to non-agricultural use through adoption of the Specific Land Use Plan, Southwest Area and associated amendments, up to and including the 2009 SPA to the Page Ranch PCD SP. The following 1979 EIR Mitigation Measures no longer applies to the Modified Project and is therefore shown in ~~strikeout text~~:

> ~~**1979 EIR Mitigation Measure:** Policies should be formulated to encourage participation in the Williamson Act Preservation program, granting tax relief to owners of agricultural property who agrees not to develop their land for a minimum of 10 years. Additional incentives should be provided for agricultural land owners holding less than 100 acres who are not eligible for preservation status and the economic security it provides.~~

c. Air Quality

Project Design Features: Project Design Features (PDFs) include design features proposed by the Modified Project that reduce or avoid impacts to air quality. The proposed Modified Project provides a framework of development standards to guide development of the proposed residential and commercial uses. These standards establish development and design criteria to promote a reduction in vehicle miles traveled (VMT) and associated vehicular emissions, as well as a reduction in energy and water demand and waste generation and associated stationary source emissions as follows:

> **PDF 3.3-1:** The Modified Project provides pedestrian connections to surrounding areas consistent with the City's General Plan. The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site.
>
> **PDF 3.3-2:** The Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other, which would contribute to a reduction of automobile use for local residents and employees.
>
> **PDF 3.3-3:** The Modified Project includes commercial retail uses to reduce the need for residents of the community to travel farther distances to obtain retails goods such as groceries.

Plans, Policies, or Programs: Plans, Policies, or Programs (PPPs) are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to air quality.

> **PPP 3.3-1**: Building design and construction shall meet 2019 Title 24 Standards of the California Building Code. The project will design building shells and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Title 24 Standards, which is anticipated to consume 30 percent less energy use due to lighting upgrades.
>
> **PPP 3.3-2**: Pursuant to City Emergency Order 2014-0718-01E, the Modified Project shall incorporate a Water Conservation Strategy to reduce water demand by at least 25 percent when compared to water demand without implementation of the Water Conservation Strategy.

PPP 3.3-3: Pursuant to Assembly Bill 939, the Modified Project shall engage in a 50 percent diversion of solid waste from landfills.

PPP 3.3-4: Pursuant to SCAQMD Rule 403, the following measures shall be incorporated into project plans and specifications:

- All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 miles per hour (mph) per SCAQMD guidelines in order to limit fugitive dust emissions.

- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project construction limits are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.

- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 mph or less.

PPP 3.3-5: Pursuant to SCAQMD Rule 402, no person may discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

PPP 3.3-6: Pursuant to SCAQMD Rule 1113, architectural coatings shall have a low VOC default level of 50 grams per liter unless otherwise specified in the SCAQMD Table of Standards.

PPP 3.3-7: Pursuant to Title 13, Section 2449(d)(D) of the California Code of Regulations, operators of off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) shall limit vehicle idling to five minutes or less.

PPP 3.3-8: SCAQMD Rule 1108 governs the sale, use, and manufacturing of asphalt and limits the VOC content in asphalt used in the Basin during construction.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**1979 EIR Mitigation Measure 1:** Normal wetting procedures should be followed during the site grading operations to reduce dust emissions.~~

~~**1979 EIR Mitigation Measure 2:** The Southern California Association of Governments 9SCAG) and South Coast Air Quality Management District are currently preparing in cooperation with City and County governments an Air Quality Management Plan (AQMP) designed to achieve and maintain Federal and State air quality standards within the South Coast Air Basin. The AQMP is to be submitted for approval to the State Air Resources board by January 1979 prior to submittal to EPA as a revision to the State's Implementation Plan. The AQMP is to identify the need for further control of stationary and mobile sources, alternate transportation strategies, and measures to reduce adverse air quality impacts associated with further growth and development. The proposed project should be reviewed for consistency with the objectives of the AQMP if finalized prior to project approval.~~

~~**2008 Mitigation Measure AQ-02:** Construction equipment shall be equipped Tier II diesel particulate matter filters.~~

~~**2008 Mitigation Measure AQ-03:** Construction equipment shall be properly maintained in accordance with manufacturer's specifications at an offsite location; maintenance shall include proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and subject to review by the City and the SCAQMD.~~

~~**2008 Mitigation Measure AQ-04:** The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use.~~

~~**2008 Mitigation Measure AQ-11:** Any fireplaces installed in residences shall be only natural gas fired. Any stoves installed in residences shall be only natural gas or electric.~~

d. Biological Resources

Project Design Features (PDFs): PDFs include biological resource conservation features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts to biological resources. The proposed Modified Project provides a framework of development standards to guide development of the proposed residential and commercial uses. These regulations and standards establish best management practices (BMPs) during construction activities and the installation and proper maintenance of structural BMPs to ensure adequate long-term treatment of all surface runoff from paved and developed areas of the Modified Project site before entering into any stream course or off-site conservation areas in accordance with **Mitigation Measures 3.4.10.6** and **3.4.10.7**.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to biological resources.

PPP 3.1-2: Pursuant to Section 90-386 (Site Development Requirements) of the City Municipal Code and General Plan Program CD-P-20, all on-site lighting shall be shielded to prevent off-site glare.

(1) All outdoor lighting shall be designed to illuminate uses, while minimizing light trespass into neighboring areas.

(2) The candlepower of outdoor lighting shall be the minimum required for safety purposes.

(3) Light for safety purposes shall be provided at entryways, along walkways, between buildings, and within parking areas.

(4) All lights shall be directed, oriented, and shielded downward to prevent light from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct drivers' vision.

(5) Light sources shall not be located in required buffer areas, except those required to illuminate pedestrian walkways.

PPP 3.4-1: The Modified Project will obtain and comply with waste discharge requirements (WDRs) of the Porter-Cologne Act and the National Pollutant Discharge Elimination System (NPDES) permit to treat all surface runoff from paved and developed areas through implementation of applicable BMPs during construction and installation and proper maintenance of structural BMPs during operation. Runoff patterns will be recreated to mimic the pre-channelization conditions within the Modified Project site. Storm water treatment BMPs will be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant material, or other elements to minimize edge effects to the Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Project Site (Salt Creek) associated with the Urban/Wildlands interface.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**1979 EIR Mitigation Measure 1:** The proposed preservation of 15% of the site as open space will somewhat mitigate the impact upon vegetation and wildlife. The natural and undisturbed areas will provide a habitat for wildlife to relocate. Biological resources surveys, prior to development would provide assurance that no rare or endangered plant and wildlife species will be disturbed.~~

~~**2008 Mitigation Measure BR-1a:** Determination of Biologically Equivalent or Superior Preservation (DBESP) has been completed for BUOW. Recommendations in the DBESP must be followed to reduce impacts to BUOW. These recommendations include a preconstruction survey to determine if BUOW occur within the disturbance area, avoiding disturbance within 75 meters of a burrow during breeding season (February 1 through August 31) and within 50 meters during the nonbreeding season, passive relocation of all BUOW onsite outside of the nesting season, the conservation and maintenance of at least 6.5 acres of suitable habitat, and the construction of six artificial burrows in the conservation area. The specific mitigation can be found in the DBESP (Appendix D).~~

~~**2008 Mitigation Measure BR-2:** Prior to issuance of a grading permit, detailed plans of the infrastructure improvements shall be reviewed by a qualified regulatory specialist to determine the extent of impacts to jurisdictional areas and confirm the permits required. Applicable permits must be obtained from the regulatory agencies (including a 404 permit from the USACE, a 401 Certification from RWQCB, and a streambed alteration agreement from CDFG, as applicable) prior to issuance of a grading permit. The paseo system proposed by the project will provide riparian resource value; therefore, no additional mitigation is recommended for impacts to waters of the U.S. and CDFG jurisdictional streambed.~~

~~**2008 Mitigation Measure BR-3:** Ground disturbance activities should take place outside the avian nesting season, which extends from early February through August, but can vary slightly from year to year based upon seasonal weather conditions. If ground disturbance must occur during avian breeding season, a clearance survey for nesting birds shall be conducted within 2 weeks prior to any ground disturbing and vegetation/tree removal activities. If nesting birds are determined to occur within the impact area, the biological monitor shall mark a buffer around the nest and no ground or vegetation disturbance can occur until it is determined by a qualified biologist that the nest has successfully fledged young and that the nest is no longer active.~~

~~**2008 Mitigation Measure BR-4:** The project must conform with the MSHCP Urban/Wildland Interface Guidelines as described in the MSHCP Consistency Analysis Report (Appendix D). Conformance with these Guidelines shall be reviewed by the City during final plan check.~~

~~**2008 Mitigation Measure BR-5:** The project must demonstrate conformance with the MSHCP to the satisfaction of the City Planning Director prior to issuance of grading permits. Conformance with the MSHCP includes, but is not limited to the following:~~

- ~~Completion of the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process;~~
- ~~Compliance with the Riparian/Riverine Areas and Vernal Pools Guidelines;~~
- ~~Compliance with the Protection of Narrow Endemic Plant Species Guidelines;~~
- ~~Compliance with the Criteria Species Survey Area requirements;~~
- ~~Completion of a DBESP for BUOW;~~
- ~~Conformance with the Urban/Wildlands Interface Guidelines; and~~
- ~~Payment of the MSHCP Local Development Mitigation Fee.~~

e. Cultural Resources

Project Design Features (PDF): PDFs include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts to cultural resources. There are no PDF's that address impacts related to cultural resources.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements such as plans, policies, or programs applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to cultural resources.

PPP 3.5-1: Prior to grading permit issuance, the City shall verify that the following note is included on the grading plan. Project contractors shall be required to ensure compliance with the note. This note also shall be specified in bid documents issued to prospective construction contractors.

"If human remains are encountered, California Health and Safety Code Section 7050.5 requires that no further disturbance occur until the Riverside County Coroner has made the necessary findings as to origin. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). 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 by the Coroner. If the Riverside County Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately notify 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 Section 5097.98."

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**1979 EIR Mitigation Measure:** The RIV-1162 archaeological site should be surveyed for collection of any surface debris. Based on these findings, a final report should be prepared to provide mitigation measures and recommendations. In addition, future development sites must be surveyed for archaeological resources and mitigation measures recommended on the basis of future finds.~~

~~**2008 Mitigation Measure CR-1:** Should previously unidentified cultural resource sites, prehistoric or historic cultural resources be encountered during monitoring, they should be Phase II tested and evaluated for significance following CEQA Guidelines prior to allowing a continuance of grading in the area. A foundation associated with the former house in the northwest comer of the project area may be uncovered during grading. This material is not more than 45 years old and so can be discounted.~~

~~**2008 Mitigation Measure CR-2a:** Limited archaeological monitoring is recommended during all earthmoving, grading, grubbing, trenching or other earth-disturbing activities on the project site. A City-approved Project Archaeologist must create a mitigation-monitoring plan prior to earthmoving in the project area, a pre-grade meeting associated with the details of that plan must occur between the monitoring archaeologist, the City representative, and the grading contractor before grading begins.~~

~~The plan must discuss contingency plans associated with Native American tribal representation if any prehistoric artifacts are found during earthmoving. These may be considered sacred items by Native American tribes. The mitigation-monitoring plan document must contain a description of how and where artifacts will be curated if found during monitoring.~~

~~**2008 Mitigation Measure CR-2b:** Once a depth below the modem ground surface of 3 feet is reached, monitoring of development-related excavation is required during all construction-related earthmoving. Earthmoving should be monitored on a full-time basis. The Project Archaeologist may, at his or her discretion, terminate monitoring if and only if no buried cultural resources have been detected after 50 percent of the ground in the project area has been graded. If buried cultural resources are detected during monitoring, monitoring must continue until 100 percent of virgin earth within the project has been disturbed and inspected by the monitor (s).~~

~~**2008 Mitigation Measure CR-3a:** Monitoring of excavation in areas identified as likely to contain Paleontologic resources by a qualified Paleontologic monitor. Based upon the results of this review, areas of concern include undisturbed older Pleistocene alluvium. Paleontologic monitors should be equipped to salvage fossils, as they are unearthed, to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units described are not present, or, if present, are determined upon exposure and examination by qualified Paleontologic personnel to have low potential to contain fossil resources.~~

~~**2008 Mitigation Measure CR-3b:** Paleontologic monitoring of any earthmoving will be conducted by a monitor, under direct guidance of a qualified paleontologist. Earthmoving in areas of the parcel where previously undisturbed sediments will be buried but not otherwise disturbed will not be monitored. Monitoring shall begin once earthmoving reaches 5 feet below the original ground surface. If too few fossil remains are found after 50 percent of the planned-for earthmoving has been completed, monitoring can be reduced or discontinued in those areas at the project paleontologist's direction.~~

~~**2008 Mitigation Measure CR-3c:** If Paleontological resources are detected during monitoring, a report must be generated. The following items must be presented in the report: Recovered~~

~~specimens must be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. The recovered fossils must be identified and curated into a professional, fully accredited museum repository with permanent retrievable storage (e.g., SBCM). The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. The report and inventory, when submitted to the Lead Agency, will signify completion of the program to mitigate for impacts to Paleontologic resources.~~

f. Geology and Soils

Project Design Features (PDF): PDFs include features proposed by the Modified Project that are already incorporated into the Project's design and are specifically intended to reduce or avoid impacts from geology and soils.

PDF 3.6-1: The site contains thin deposits of relatively loose surficial soils overlying dense younger or older alluvium. Loose surface soils shall be overexcavated and recompacted, and grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation (also codified in **Mitigation Measure 3.6.10.1**).

PDF 3.6-2: Impervious areas will be planted as soon as possible and include a mixture of trees, shrubs and groundcover guided by the plant palette contained in the "Inland Empire Landscape Guide" sponsored in part by the Eastern Municipal Water District to prevent soil erosion.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from geology and soils.

PPP 3.6-1: State law requires the design and construction of new structures comply with current California Building Code requirements which address general geologic, seismic (including ground shaking), and soil constraints for new buildings. Building design and construction shall meet 2019 Title 24 Standards of the California Building Code.

PPP 3.6-2: Prior to the issuance of grading permits, the project applicant shall prepare and submit to the City of Hemet detailed grading plans for each phase of development. These plans will be prepared in conformance with applicable standards of the City, the California Building Code, and the project-specific geotechnical investigation. Construction of off-site utility and roadway improvements also will be subject to the same permitting and plan checking processes.

PPP 3.6-3: Prior to grading permit issuance, the project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP). Project contractors shall be required to ensure compliance with the SWPPP and allow periodic inspection of the construction site by City of Hemet staff or its designee to confirm compliance.

PPP 3.6-4: A Final Water Quality Management Plan (WQMP) is required to identify, measure, and control the post-construction volume of stormwater runoff that could result in erosion and/or discharge of pollutants and hydromodification of downstream waters that may be associated with the implementation of the Modified Project. The Final WQMP shall specify low impact development best management practices to address Hydrologic Conditions of Concern for the project site in accordance with the Riverside County Flood Control and Water Conservation District's September 2011 Design Handbook for Low Impact Development Practices, National

Pollutant Discharge Elimination System Permit Number CAS000002, as amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ. Specifically, the Final WQMP shall demonstrate that proposed low impact development best management practices shall ensure post-development runoff volume, time of concentration, and peak flow velocity for the 2-year frequency storm shall not exceed that of the pre-development condition by more than five percent. The proposed low impact development best management practices specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the City for review and approval prior to issuance of grading permits.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**1979 EIR Mitigation Measure:** Engineering geologic investigations should be required for all new construction within the Southwest Area. Construction according to the Earthquake Regulations of the Uniform Building Code and recommendations of a qualified structural engineer should mitigate the risks of human and structural loss.~~

~~**2008 Mitigation Measure GS-1a:** Grading and Building Design. Prior to the issuance of grading and building permits, the developer shall comply with each measure described in Sections 4.1 through 5.2 of the *Update Geotechnical Investigation Rancho Diamante, Tentative Tract Map 35392, 35393, and 35394 City of Hemet Riverside County, California,* Leighton and Associates, June 15, 2007 (see Appendix X). All grading and design/construction measures recommended by the detailed geological investigation shall be identified on grading and building plans and implemented to the satisfaction of the City Public Works Department.~~

~~**2008 Mitigation Measure GS-1b:** Construction Design. Prior to the issuance of grading and building permits, the developer shall demonstrate that all grading and building activities comply with the most recent Uniform Building Code seismic design standards. This shall be completed to the satisfaction of the City Public Works Department.~~

~~**2008 Mitigation Measure GS-2a:** Erosion Controls. Prior to the issuance of a grading permit, the developer shall submit a grading plan describing the wind and water erosion controls that will be employed during all grading activities. These controls shall be consistent with Best Management Practices and shall be demonstrated to the satisfaction of the City Engineering Department and any other departments deemed approp1iate by the City. Further, these plans shall include the methods of erosion control and be compiled be a registered civil engineer (also see Mitigation Measures in Sections 4.3, Air Quality pertaining to dust control measures, and 4.8, Hydrology/Water Quality, pertaining to erosion and siltation control measures.~~

g. Hazards and Hazardous Materials

The Phase I Environmental Site Assessment identified evidence of environmental concerns on the Modified Project site. Historical use of the site for agriculture may have contaminated the soil on the site with agriculturally related chemicals; therefore, soil testing would be conducted on the Modified Project site. This testing would be implemented as part of **2008 Mitigation Measure HHM-1a** for the Modified Project.

The Riverside County ALUC prescribed various Conditions on the design, construction, and operation of the Modified Project in order to find it consistent with the 2017 Hemet-Ryan ALUCP under case

ZAP1061HR19. These Conditions regard project lighting, water quality control basins, interior noise levels, and structure height and would be implemented as part of **MM 3.7.10.1** through **MM 3.7.10.6**, **MM 3.11.10.6**, and **2008 Mitigation Measures HHM-5g**, and **HHM-5i** to dictate development of the Modified Project near the Hemet-Ryan ALUCP with the goal to minimize airport hazards. There are no additional project design features or compliance measures related to hazards and hazardous materials applicable to the Modified Project.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

> ~~**2008 Mitigation Measure HHM-5a:** The following uses shall be prohibited from Tentative Tract Map 35394: public or private children's schools, places of assembly (i.e., auditorium, theatre, recreation facility, shopping mall, restaurant, clubhouse, arena, stadium, circus, major retail outlets, funeral homes, bowling alleys, banks, professional office buildings, or labor intensive industrial operations), institutional uses (i.e., church, motel, hospital, nursing home, health facility, clinic, care home, convalescent facility or day care).~~
>
> ~~**2008 Mitigation Measure HHM-5b:** The following uses, if proposed within Tentative Tract Maps 35392 or 35393, shall require discretionary approval by the Riverside County Airport Land Use Commission: public or private children's schools, places of assembly (i.e., auditorium, theatre, recreation facility, shopping mall, restaurant, clubhouse, arena, stadium, circus, major retail outlets, funeral homes, bowling alleys, banks, professional office buildings, or labor intensive industrial operations), institutional uses (i.e., church, motel, hospital, nursing home, health facility, clinic, care home, convalescent facility of daycare).~~
>
> ~~**2008 Mitigation Measure HHM-5c:** The project applicant shall obtain discretionary approval for the density proposed in Tentative Tract Map 35394 by the Riverside County Airport Land Use Commission.~~
>
> ~~**2008 Mitigation Measure HHM-5f:** Height limits within the project shall be restricted to 35 feet or two stories, whichever is less.~~
>
> ~~**2008 Mitigation Measure HHM-5h:** The developer shall complete the Federal Aviation Administration Form 7460 and provide documentation to the City of Hemet that the form was submitted.~~
>
> ~~**2008 Mitigation Measure HHM-5j:** There are 4.8 acres within Tentative Tract Map 35394 in the Inner Turning Zone near the northwestern corner that shall be designated with a land use consistent with the California Airport Land Use Planning Handbook unless the plan for extension of the Hemet-Ryan Airport is modified prior to the issuance of building permits. If the plan for the extension of the Hemet-Ryan Airport is modified prior to the issuance of building permits, a subsequent analysis shall be conducted to ensure that the project is consistent with the new zone designations.~~

h. Hydrology and Water Quality

Project Design Features (PDF): These measures include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts to hydrology and water quality.

PDF 3.6-2: Impervious areas will be planted as soon as possible and include a mixture of trees, shrubs and ground cover guided by the plant palette contained in the "Inland Empire Landscape Guide" sponsored in part by Eastern Municipal Water District to prevent soil erosion.

PDF 3.8-1: The Modified Project will incorporate a variety of drought-tolerant landscaped areas that will provide water quality treatment of on-site runoff before discharge to the Hemet Channel and Salt Creek.

PDF 3.8-2: The Modified Project will incorporate a site-specific storm drain system to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm biological resources or ecosystem processes. This will be accomplished by constructing 11 infiltration basins (Best Management Practices (BMPs) 1 through 11) throughout the Modified Project site and 2 bioretention basins (BMPs 12 and 13) near the northeast corner of the site. All thirteen BMPs will be designed and constructed with design capture volumes (DCV) sufficient to retain storm water runoff for infiltration and/or treatment prior to conveyance off site into the Hemet Channel and Salt Creek in accordance with the Final Water Quality Management Plan (WQMP) (refer to **PPP 3.6-4**). The bioretention basins will provide water quality treatment during percolation with a pollutant removal efficiency rating of at least 80 percent. In order to mitigate impacts from birds potentially being attracted to the infiltration and bioretention basins and interfering with nearby operations of the Hemet-Ryan Airport, additional performance standards are prescribed to the basins above and beyond regulatory policy as detailed in **Mitigation Measure 3.7.10.3** in Section 3.7, Hazards and Hazardous Materials, of the SEIR.

PDF 3.8-3: Under post-development conditions, storm runoff from the Modified Project site will continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's Master Flood Control and Drainage Plan. The proposed streets and storm drain systems will convey the majority of the Modified Project runoff to the existing earthen channel (east-west segment of Line 3B), which will be improved with concrete walls and maintain an earthen bottom along the southerly site boundary. The on-site runoff as well as the tributary off-site runoff from the east will be detained by a detention basin (BMP Infiltration Basin 4) within the southwesterly portion of the Modified Project site. The basin will be generally at the location of the existing detention basin, but the footprint will be modified to fit the development. The 100-year flow released from BMP Infiltration Basin 4 will be less than 345 cubic feet per second (cfs) in accordance with the Master Flood Control and Drainage Plan.

PDF 3.8-4: The Modified Project will construct a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road. The northerly portion of this segment of Line 3B will be improved as an earthen trapezoidal channel with a 20-foot bottom width and 4:1 (horizontal:vertical) side slopes. The maximum 100-year flow rate capacity in this segment of the channel is 365 cfs in accordance with the Master Flood Control and Drainage Plan. The southerly portion of this segment of Line 3B will be improved as a trapezoidal channel with concrete banks and an earthen bottom. This segment of the improved channel will have a 13-foot bottom width and 2:1 side slopes. The maximum 100-year flow rate in this segment of Line 3B is 505 cfs in accordance with the *Master Flood Control and Drainage Plan*.

PDF 3.8-5: The Modified Project will incorporate on-site drainage, anchoring methods to prevent floating structures, elevation of buildings above flood levels, and flood proofing, which requires

buildings to be inspected and certified by a professional engineer, surveyor or building inspector in accordance with the Master Flood Control and Drainage Plan and National Flood Insurance Program Section 60.3.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from hydrology and drainage.

PPP 3.8-1: Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Evidence that an NPDES permit has been issued shall be provided to the City of Hemet prior to issuance of the first grading permit.

PPP 3.8-2: Development in 100-year flood hazard areas as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map requires flood-resistant construction pursuant to the regulations set forth in National Flood Insurance Program (NFIP) Section 60.3. Additionally, NFIP Section 60.3(d) requires a Federal Emergency Management Agency (FEMA) permit for a Floodway Encroachment for construction in Flood Zone A and Flood Zone AE 100-year flood zones. A notice to FEMA of final base flood elevations must be provided for development within Flood Zone A, and the lowest floor (including basement) must be built above a predetermined base flood elevation (BFE) for both Flood Zone A and Flood Zone AE. Prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from FEMA. Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. In accordance with California Civil Code Section 1103, notification must occur to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area.

PPP 3.6-3: Prior to grading permit issuance, the Project Proponent shall prepare a Storm Water Pollution Prevention Plan (SWPPP). Project contractors shall be required to ensure compliance with the SWPPP and allow periodic inspection of the construction site by City of Hemet staff or its designee to confirm compliance.

PPP 3.6-4: A Final Water Quality Management Plan (WQMP) is required to identify, measure, and control the post-construction volume of storm water runoff that could result in erosion and/or discharge of pollutants and hydromodification of downstream waters that may be associated with the implementation of the Modified Project. The Final WQMP shall specify low impact development best management practices (LID BMPs) to address Hydrologic Conditions of Concern for the project site in accordance with the Riverside County Flood Control and Water Conservation District's September 2011 *Design Handbook for Low Impact Development Practices*, National Pollutant Discharge Elimination System Permit Number CAS000002, as amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ. Specifically, the Final WQMP shall demonstrate that proposed LID BMPs shall ensure post-development runoff volume, time of concentration, and peak flow velocity for the 2-year frequency storm shall not exceed that of the pre-development condition by more than five percent. Maintenance intervals for the LID BMPs shall be specified in the Final WQMP. The proposed LID BMPs specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the City for review and approval prior to issuance of grading permits.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**1979 EIR Mitigation Measure 1:** Both the City and County have mechanisms to control and guide the development of flood plain area as proposed in the Land Use, Conservation and Open Space Elements of the County and City General Plans. The Federal Flood Insurance Program will mitigate the flood hazard.~~

~~Recreational areas and landscaping should be developed in flood channel areas to prevent adverse visual impacts. Flood control structures should be designed with equal sensitivity for aesthetics and utility. Construction impact mitigation measures include:~~

~~1) Limit heavy construction to week days between the hours of 7:00 AM and 6:00 PM.~~

~~2) Use water and temporary paving to prevent dust.~~

~~3) Reduce air pollution by using well maintained equipment.~~

~~4) Reduce traffic problems by advance planning of construction and the use of appropriate traffic regulation and control devices and by using flagmen if necessary.~~

~~5) Conserve energy needed for construction by using proper equipment and properly maintained equipment and by avoiding unnecessary trips and shuttle runs.~~

~~6) Mitigate stored equipment and material problems by appropriate security measures.~~

~~**2008 Mitigation Measure HWQ-1a:** Prior to the issuance of a grading permit for each phase of development, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include the Site Design BMPs contained in Table 5 of the *Preliminary Water Quality Management Plan* prepared for the project (Stantec 2007a,b,c).~~

~~**2008 Mitigation Measure HWQ-1b:** Prior to the issuance of a grading permit for each phase of development, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include the Source Control BMPs contained in Table 9 of the *Preliminary Water Quality Management Plan* prepared for the project (Stantec 2007a,b,c). The BMPs are intended to minimize urban runoff, minimize impervious footprint, conserve natural areas, and minimize directly connected impervious areas.~~

~~**2008 Mitigation Measure HWQ-1c:** Prior to the issuance of a grading permit for TTM 35392, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include Treatment Control BMPs, which utilize infiltration basins at each of the six (6) discharge drainage basins A-F as identified in the Preliminary Drainage Report for TTM 32392 (Stantec 2007d). The developers engineer shall complete the final design identifying appropriate design details to the satisfaction of the City Engineer.~~

~~**2008 Mitigation Measure HWQ-1d:** Prior to the issuance of a grading permit for TTM 35393, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include the Treatment Control BMPs, which utilize an infiltration basin. The developers' engineer shall complete the final design identifying appropriate design details to the satisfaction of the City Engineer.~~

~~**2008 Mitigation Measure HWQ-1e:** Prior to the issuance of a grading permit for TTM 35394, a final WQMP shall be approved by the City Public Works Department. The WQMP shall include the Treatment Control BMPs, which utilize an infiltration basin. The developers' engineer shall complete the final design identifying appropriate design details to the satisfaction of the City Engineer.~~

~~**2008 Mitigation Measure HWQ-1f:** Prior to the issuance of building permits, the developer shall coordinate the design and obtain approval of all flood control and storm drain structures from the City Public Works Department as identified in the project's preliminary hydrology studies (Stantec 2007x). These improvements shall be implemented to the satisfaction of the City Engineer.~~

~~**2008 Mitigation Measure HWQ-1g:** Prior to the issuance of a building permit, the developer shall obtain the following permits or approvals relative to any modifications to onsite drainage channels: I) CDFG, 1601 Streambed Alteration Agreement; 2) State Water Resources Control Board, CWA Section 401 Water Quality Certification; 3) USACE, CWA Section 404 Permit; 4) State Water Regional Control Board Construction Permit.~~

~~**2008 Mitigation Measure HWQ-7a:** The project applicant shall submit to FEMA au application to revise the FIRM to remove the portion of TTM 35392 from the 100-year flood hazard area shown on the map. The revised FIRM for the City of Hemet showing that the project site is not within the **1** 00-year flood hazard area shall be completed prior to granting building permits for the proposed project.~~

i. Land Use and Planning

Project Design Features (PDF) and Plans, Policies, or Programs (PPP): The City previously committed the Modified Project site to residential use through the adoption of the Page Ranch PCD SP (Approved Project). The proposed Modified Project would amend the existing Page Ranch PCD SP to account for a slight reduction of residential density along with inclusion of 19.67 acres of Regional Commercial uses on site.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**1979 EIR Mitigation Measure:** Increased coordination between Riverside County, LAFCO, and the City of Hemet will provide tile City with necessary planning controls mitigating incompatible land uses and conflicting development standards.~~

j. Mineral Resources

Project Design Features (PDF): There are no PDFs that address impacts related to mineral resources.

Plans, Policies, or Programs (PPP): There are no PPPs that address impacts related to mineral resources.

Mitigation Measures No Longer Applicable to the Modified Project: Mitigation measures to reduce impacts to mineral resources to less than significant levels are not required for either the Approved Project or the proposed Modified Project.

k. Noise

Project Design Features (PDF): These measures include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts from noise.

> **PDF 3.11-1**: Planned 6-foot-high noise barriers shall be constructed for the outdoor living areas (backyards) of lots 303 to 305, 306, 315, 316, 322, 362, 363, 371 to 379, 393, 394, 398 to 402, 412, 414 to 422 adjacent to Stetson Avenue, and lots 1 to 17, 512, 519, 520, 522, 540, 541, 574, 585, 586 adjacent to Warren Road. The planned noise barriers shall be constructed so that the top of each wall and/or berm combination extends to the planned height above the pad elevation of the lot it is shielding. When the road is elevated above the pad elevation, the barrier shall extend to the planned height above the highest point between the residential home and the road. The barrier shall provide a weight of at least 4 pounds per square foot of face area with no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The noise barriers shall be constructed using any combination of the following materials:
>
> - Masonry block;
> - Stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot;
> - Glass (¼-inch-thick), or other transparent material with sufficient weight per square foot; or
> - Earthen berm.
>
> The barriers shall consist of a solid face from top to bottom. Unnecessary openings or decorative cutouts shall not be made. All gaps (except for weep holes) must be filled with grout or caulking.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from noise.

> **PPP 3.11-1:** All habitable structures shall be designed and constructed in accordance with Part 2 (California Building Code) of Title 24 (Building Standards Administrative Code) of the California Code of Regulations. Pursuant to the State Noise Insulation Standard, all habitable structures must incorporate windows, walls, doors, and floor-ceiling assemblies that block or absorb sound. For limiting noise from exterior noise sources, the noise insulation standards set an interior standard of 45 dBA community noise equivalent level (CNEL) in any habitable room with all doors and windows closed.
>
> **PPP 3.11-2:** Pursuant to City Municipal Code Article II, Section 30-32 [33], noise-generating construction activities shall only occur between the permitted hours on Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m., with no activity allowed on Sundays.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

> ~~**1979 EIR Mitigation Measure 1:** Grading and construction activities should not be permitted between the hours of 7 PM and 7 AM, and on Saturday, Sunday, and legal holidays.~~

1979 EIR Mitigation Measure 2: Agricultural property owners within or adjacent to the Southwest Area should limit agricultural operations as much as possible during late evening and early morning hours. Farming equipment which must be operated during the noise sensitive hours should be equipped with adequate and well maintained exhaust mufflers.

1979 EIR Mitigation Measure 3: Future residents of the Southwest Area who will be purchasing homes in the area near the 55 Ldn contour should be informed through the Real Estate "white paper", as notice concerning occasional fire bombing aircraft related noise events.

1979 EIR Mitigation Measure 4: If train operations increase enough to create a significant adverse noise impact, noise mitigation measures should be considered. Land uses such as residences and school would not be suitable for development at locations immediately adjacent to the rail road right-of-way. Residences which would be located in the general vicinity of the railroad should be screened from railroad noise sources by solid sound barriers such as earthen berms or earthen berm/walls. Project design should stress the orientation of structures away from the railroad including windows and other openings.

1979 EIR Mitigation Measure 5: A detailed acoustical analysis will be required for residential development located within the 60 dBA noise contour from highway noise sources. The analysis is required in order to prove that the indoor environment will be reduced to a level of 45 dBA or less.

1979 EIR Mitigation Measure 6: Highway noise mitigation measures such as acoustical site planning and/or the design of earthen berms or berm/wall combinations will be necessary in order to reduce noise to acceptable levels (exterior- 55 dBA or less) for residential development within the Southwest Area.

1979 EIR Mitigation Measure 7: Heavy trucks (3 axles or more) are a major source of highway noise. Therefore, limit heavy truck traffic to the following roadway segments (within or adjacent to the Southwest Area):

- Warren
- Stetson-Warren/Airport Road

The mitigation of highway noise outside the Southwest Area may only be practical or economically viable for new rather than existing noise sensitive land uses.

2008 Mitigation Measure MM NOI-1: The project applicant shall construct a noise barrier, likely in the form of a sound attenuation wall, per recommendations made in the Final Noise Study prepared by Urban Crossroads. The wall will be a minimum height and design to attenuate noise levels below City of Hemet standards and should be constructed in the vicinity of the residential receptors where City of Hemet noise level standards may be exceeded.

2008 Mitigation Measure MM NOI-4a: At the time of grading permit application is submitted, the project applicant shall submit a construction noise mitigation plan to the City of Hemet for review and approval. The plan shall depict the location of construction equipment and describe how noise would be mitigated through methods such as, but not limited to, locating stationary noise-generating equipment, as far as possible from nearby noise sensitive receptors. Where practicable, noise generating equipment will be shielded from nearby noise-sensitive receptors by noise-attenuating buffers such as structures or haul tracks trailers. Onsite noise sources such as heavy equipment located less than 200 feet from noise-sensitive receptors will be equipped with noise-reducing engine housings. Portable acoustic barriers able to attenuate at least 6- dB will be placed around noise-generating equipment located within 200 feet of residences. Water tanks and equipment storage, staging, and warm-up areas will be located as far from noise-sensitive

~~receptors as possible. The noise attenuation measures identified in the plan shall be incorporated into the project.~~

~~**2008 Mitigation Measure MM NOI-4b:** Construction activities shall adhere to the following noise requirements:~~

- ~~All construction equipment shall utilize noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.~~
- ~~Hours of construction shall comply with those established in Sections 30-32 of Division 1 of the City of Hemet Code of Ordinances. Those hours are weekdays from 6 a.m. through 6 p.m. during the months of June through September and from 7 a.m. through 6 p.m. during the months of October to May. Construction is permitted on Saturdays from 7:00 a.m. to 6:00 p.m. Construction is prohibited on Sundays~~

I. Population and Housing

Project Design Features (PDF): The City previously committed the Modified Project site to residential use through the adoption of the Page Ranch PCD SP (Approved Project). The proposed Modified Project would amend the existing Page Ranch PCD SP to account for a slight reduction of residential density along with inclusion of 19.67 acres of commercial uses on site. The Page Ranch PCD SP does not contain any design features that specifically address population or housing. The Modified Project proposes 586 units of additional housing and 100,000 square feet of commercial uses within the City.

Plans, Policies, or Programs (PPP): The City General Plan Housing Element contains local commitments detailed in Section 3.12.1.3 that would enable the Modified Project to contribute toward the City's housing needs, consistent with the City's General Plan Housing Element and RHNA, pursuant to State Housing Element law (Section 65580) of the California Government Code.

Mitigation Measures No Longer Applicable to the Modified Project: Mitigation measures to reduce population and housing impacts to less than significant levels are not required for either the Approved Project or the proposed Modified Project.

M. Public Services

Project Design Features (PDF): These measures include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts from demand for public services.

PDF 3.13-1: Pursuant to the California Fire Code, all habitable structures will be constructed of ignition-resistant construction materials and include automatic fire sprinkler systems based on the latest Building and Fire Codes for occupancy types. Fuel modification will be provided around the perimeter of the site, where required, and will be maintained by the landlord, or another approved entity, at least annually and as needed. Landscape plantings will not utilize prohibited plants that have been found to be highly flammable. Fire apparatus access roads (i.e., public and private streets) will be provided throughout the site and will vary in width and configuration, but will all

provide at least the minimum required unobstructed travel lanes, lengths, turnouts, turnarounds, and clearances. Primary access and internal circulation will comply with the requirements of the Hemet Fire Department. Water capacity and delivery will be provided for a reliable water source for operations and during emergencies requiring extended fire flow.

PDF 3.13-2: The Modified Project will incorporate Crime Prevention Through Environmental Design (CPTED) features to keep service demand increases to a minimum. The site will incorporate public zones and private zones via physical and symbolic barriers to define acceptable uses of the proposed residential and commercial facilities and determine who has a right to occupy such zones. Additionally, the commercial uses will be equipped with surveillance through the use of closed-circuit television, electronic monitoring, and potentially security patrols, as well as informal surveillance such as architecture, landscaping, and lighting designed to minimize visual obstacles and eliminate places of concealment for potential assailants.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from noise.

PPP 3.13-1: All habitable structures shall be designed and constructed in accordance with Part 9 (California Fire Code) of Title 24 (Building Standards Administrative Code) of the California Code of Regulations.

PPP 3.13-2: State law requires the design and construction of new structures comply with current California Building Code (CBC) requirements to "safeguard life or limb, health, property, and public welfare by regulation and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment." The current edition of the CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance.

PPP 3.13-3: In accordance with California State Assembly Bill 2926, Senate Bill 50, California Education Code Section 17620, and California Government Code (Section 65995[b]), the Modified Project applicant shall pay Statutory School Fees: Level I for commercial construction and Level 2 for new residential construction.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**1979 EIR Mitigation Measure 1:** New development should be located adjacent to existing developed areas, rather than in remote fringe areas, to minimize the response time. Adequate street and security design features should be incorporated into all new developments.~~

~~**1979 EIR Mitigation Measure 2:** The new medical-surgical unit will partially mitigate the additional demand created by the project. Three more floors can be added to this structure when a need for the addition is demonstrated.~~

~~**1979 EIR Mitigation Measure 3:** Student generation rates are uncertain at this time. SB 201, relating to builder contributions to the school system, may be a means of purchasing relocatable classrooms and putting them on existing sites. However, the cost may be prohibitive under the developer assessment program.~~

n. Recreation

Project Design Features (PDF) and Plans, Policies, or Programs (PPP): The City previously committed the Modified Project site to residential use through the adoption of the Page Ranch PCD SP (Approved Project). The proposed Modified Project would amend the existing Page Ranch PCD SP to account for a slight reduction of residential density along with the inclusion of 19.67 acres of commercial uses on site.

The Modified Project would dedicate 64.89 acres of the overall 245.07-acre Modified Project site to public parks, private homeowners' association parks, and open space areas allocated as follows: 5.12 acres of private homeowners' association parks, 5.62 acres of public parks, and 54.15 acres of open space areas.

Mitigation Measures No Longer Applicable to the Modified Project: Mitigation measures to reduce recreation impacts to less than significant levels are not required for either the Approved Project or the proposed Modified Project.

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o. Transportation

Project Design Features (PDF): PDFs include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts to traffic. The Modified Project includes a General Plan Amendment (GPA) to amend the City's General Plan Circulation Element to include extension of Mustang Way from Warren Road westward and northward to realigned Stetson Avenue (see Figure 2.5 of the DSEIR). The GPA would also change the classification of Warren Road from a 6-lane arterial to a 4-lane secondary arterial between Domenigoni Parkway and realigned Stetson Avenue. Roadway engineering improvements in the form of realignment of the curves on Warren Road south of the railroad tracks/realigned Stetson Avenue are included as part of the Modified Project. These frontage improvements would ensure the design speed of the roadway meets the acceptable engineering standard. Improvement to the curves on Warren Road north of the railroad tracks/realigned Stetson Avenue is not part of the Modified Project and would be implemented by the City or others.

As introduced in Section 3.3, Air Quality, of the DSEIR, the proposed Modified Project provides a framework of development standards to guide development of the proposed residential and commercial uses. These standards establish development and design criteria to promote a reduction in VMT and associated vehicular emissions:

> **PDF 3.3-1:** The Modified Project provides pedestrian connections to surrounding areas consistent with the City's General Plan. The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site.
>
> **PDF 3.3-2:** The Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other, which would contribute to a reduction of automobile use for local residents and employees.
>
> **PDF 3.3-3:** The Modified Project includes commercial retail uses to reduce the need for residents of the community to travel farther distances to obtain retails goods such as groceries.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from transportation.

> **PPP 3.15-1**: **City of Hemet Development Impact Fee (DIF) Program.** The Modified Project will be subject to City's Development Impact Fee (DIF) program which includes a component for Road Facilities Fees. The Road Facilities Fees finances highways, roads, bridges, and traffic signals. The most recent City DIF Nexus Study is dated January 3, 2006 (Resolutions No. 3981 and 3837).
>
> **PPP 3.15-2**: Transportation Uniform Mitigation Fee (TUMF) Program. The TUMF program is administered by the Western Riverside Council of Governments (WRCOG) based upon a

regional Nexus Study most recently updated in 2009 to address major changes in right of way acquisition and improvement cost factors. WRCOG is currently in the process of completing a current Nexus Study update to the program. Final changes to network facilities, network cost allocations, and fee changes were not available at the time this assessment was prepared. This regional program was put into place to ensure that development pays its fair share and that funding is in place for construction of facilities needed to maintain the requisite level of service and critical to mobility in the region. TUMF is a truly regional mitigation fee program, and is imposed and implemented in every jurisdiction in Western Riverside County.

TUMF fees are imposed on new residential, industrial, and commercial development through application of the TUMF fee ordinance and fees are collected at the building or occupancy permit stage. In addition, an annual inflation adjustment is considered each year in February. In this way, TUMF fees are adjusted upwards on a regular basis to ensure that the development impact fees collected keep pace with construction and labor costs, etc.

A number of the facilities forecast to be affected by the Project are programmed for improvements through the TUMF program. The Project Applicant will be subject to the TUMF fee program and will pay the requisite TUMF fees at the rates then in effect pursuant to the TUMF Ordinance. The project is located in the Hemet/San Jacinto TUMF zone. The facilities planned through the TUMF program are constructed prior to the time at which the identified facility is expected to deteriorate to an inadequate level of service. WRCOG has a successful track record funding and overseeing the construction of improvements funded through the TUMF program. In total, the TUMF program is anticipated to generate nearly $5 billion in transportation projects for Western Riverside County.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**1979 EIR Traffic Mitigation Measure 1:** The construction and improvement of the following roadways to their recommended master plan cross-section will be required to accommodate the anticipated traffic volumes that are projected from development within the Southwest Hemet study area:~~

~~**Roadway**~~	~~**Master Plan Cross-Section**~~
~~Sanderson Avenue~~	~~Secondary~~
~~Stetson Avenue~~	~~Arterial~~
~~Acacia Avenue~~	~~Collector~~
~~Harrison Avenue~~	~~Collector~~
~~Simpson Road~~	~~Secondary~~
~~Warren Road~~	~~Collector/Secondary~~
~~Cawston Avenue~~	~~Collector~~
~~Fischer Street~~	~~Collector~~
~~Lyon Avenue~~	~~Secondary~~
~~Kirby Avenue~~	~~Collector~~

~~**1979 EIR Traffic Mitigation Measure 2:** Construction of all planned local collector streets to the standards set forth in the Riverside County General Plan and the Hemet-San Jacinto General Plan.~~

~~**1979 EIR Mitigation Measure 3:** The installation of traffic signals at the following intersections will undoubtedly be warranted. These intersections would include Sanderson Avenue and Stetson Avenue, Lyon Avenue and Stetson Avenue, Sanderson Avenue and Acacia Avenue, Stetson Avenue and Cawston Avenue, and Stetson Avenue and Warren Road, Sanderson Avenue and~~

Harrison Avenue, Harrison Avenue and Lyon Avenue, Warren Road and Florida Avenue, Kirby Avenue and Stetson Avenue, and Kirby Avenue and Acacia Avenue. However, as previously discussed, the installation of traffic signals should be made only after positive identification of their need has been established and it is recommended that these intersections be evaluated as necessary prior to ultimate occupancy of the areas planned development.

1979 EIR Mitigation Measure 7: Control of access to the arterial and major street system as outlined in the Riverside County Subdivision Ordinance No. 460 should be encouraged. Control of access reduces the number of potential traffic conflicts, smoothes out traffic flow and increases traffic capacity.

1979 EIR Mitigation Measure 8: Provide sufficient off-street parking to meet anticipated demand for each planned use, taking into account the County zoning ordinances and the potential for overlapping or joint use of parking areas serving such complimentary land uses as may be developed.

2008 EIR Mitigation Measure T-1a: The developer shall construct the following on-site roadway improvements as described on Exhibit 10-A of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007, as determined by the City Public Works Department:

- Construct Mustang Way at its ultimate half section width as a secondary roadway from Warren Road to Fisher Street in conjunction with development.
- Construct Poplar Street at its ultimate half section width as a collector roadway from Warren Road to Fisher Street in conjunction with development.
- Construct Warren Road at its ultimate half section width as a secondary roadway from Mustang Way to Poplar Street in conjunction with development.
- Construct Fisher Street at its ultimate half section width as a collector roadway from Mustang Way to Poplar Street in conjunction with development.
- Restrict Driveway #3 to the right in/out only by constructing a raised median within the driveway.
- Restrict Driveway #5 to right in/out and left in only by providing a painted median on Old Warren Road.
- On-site signing and striping shall be implemented in conjunction with detailed construction plans for the project site.
- Sight distance at the project entrance shall be reviewed with respect to Caltrans and City of Hemet sight distance standards at the time of preparation of final grading, landscaping, and street improvement plans.
- Provide stop sign control at the project driveway that intersect with public roadways that do not meet traffic signal warrants. Install traffic signal when warranted.

2008 EIR Mitigation Measure T-3a: The developer shall construct the following on site roadway improvements as described on Exhibit 10-E of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007, as determined by the City Public Works Department:

- ~~Construct New Stetson Avenue at its ultimate half section width as a Major Roadway from the westerly project boundary to the easterly project boundary in conjunction with development.~~

- ~~Construct Thornton Avenue at its ultimate half section (as appropriate) width as a Collector Roadway from the westerly project boundary to the easterly project boundary in conjunction with development.~~

- ~~Construct Fisher Street at its ultimate full width as a Collector Roadway from Stetson Avenue to Thornton Avenue in conjunction with development.~~

- ~~Install a traffic signal at the intersection of New Stetson Avenue and Old Stetson Avenue when warranted.~~

- ~~Install a traffic signal at the intersection of New Stetson Avenue and Fisher Street when warranted.~~

- ~~On-site signing and striping shall be implemented in conjunction with detailed construction plans for the project site.~~

- ~~Sight distance at the entrance shall be reviewed with respect to standard Cal trans and City of Hemet sight distance standards at the time of preparation of final grading, landscaping, and street improvement plans.~~

- ~~Provide stop sign controls at all project entrances that intersect with public roads that do not meet traffic signal warrants.~~

~~**2008 EIR Mitigation Measure T-4a:** Prior to the issuance of building permits, TTMs 35392, 35393, and 35394 shall pay their respective individual Transportation Uniform Mitigation Fee (TUMF).~~

~~**2008 EIR Mitigation Measure T-4b:** Prior to the issuance of building permits, TTMs 35392, 35393, and 35394 shall coordinate off-site improvements for Rancho Diamante Phase II with the proposed Southwest Hemet Roadway Phasing and Financing Program. In the event that the Southwest Hemet Roadway Phasing and Financing Program is not in effect at the time one or more of the subject TTMs (35392, 35393, or 35394) are ready to be issued building permits, this requirement may be waived by the Public Works Director.~~

~~**2008 EIR Mitigation Measure T-4b:** Prior The developer shall be responsible for the project's Fair Share Contribution for study area intersection improvements as shown in Table 8-1 "Year 2009 With Project without Schools Conditions" of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007. The fair share percentage may be modified by the City Public Works Department based on actual number of units approved.~~

p. Utilities

Project Design Features (PDF): These measures include features proposed by the Modified Project that are already incorporated into the project's design and are specifically intended to reduce or avoid impacts from the provision of utilities.

PDF 3.8-3: Under post-development conditions, storm runoff from the Modified Project site will continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's Master Flood Control and Drainage Plan. The proposed streets and storm drain systems will convey the majority of the Modified Project runoff to the existing earthen channel (east-west segment of Line 3B), which will be improved with concrete walls and maintain an earthen bottom along the southerly site boundary. The on-site runoff as well as the tributary off-site runoff from the east will be detained by a detention basin within the southwesterly portion of the Modified Project site. The basin will be generally at the location of the existing detention basin, but the footprint will be modified to fit the development. The 100-year flow released from the detention basin will be less than 345 cubic feet per second (cfs) in accordance with the *Master Flood Control and Drainage Plan*.

PDF 3.8-4: The Modified Project will construct a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road. The northerly portion of this segment of Line 3B will be improved as an earthen trapezoidal channel with a 20-foot bottom width and 4:1 (horizontal:vertical) side slopes. The maximum 100-year flow rate capacity in this segment of the channel is 365 cfs in accordance with the Master Flood Control and Drainage Plan. The southerly portion of this segment of Line 3B will be improved as a trapezoidal channel with concrete banks and an earthen bottom. This segment of the improved channel will have a 13-foot bottom width and 2:1 side slopes. The maximum 100-year flow rate in this segment of Line 3B is 505 cfs in accordance with the Master Flood Control and Drainage Plan.

PDF 3.16-1: The Modified Project will construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts from utilities.

PPP 3.3-1: Building design and construction shall meet 2019 Title 24 Standards of the California Building Code. The project will design building shells and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Title 24 Standards, which is anticipated to consume 30 percent less energy use due to lighting upgrades.

PPP 3.3-2: Pursuant to City Emergency Order 2014-0718-01E, the Modified Project shall incorporate a Water Conservation Strategy to reduce water demand by at least 25 percent when compared to water demand without implementation of the Water Conservation Strategy.

PPP 3.3-3: Pursuant to Assembly Bill 939, the Modified Project shall engage in a 50 percent diversion of solid waste from landfills.

PPP 3.6-3: Prior to grading permit issuance, the project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP). Project contractors shall be required to ensure compliance with the SWPPP and allow periodic inspection of the construction site by City of Hemet staff or its designee to confirm compliance.

PPP 3.8-1: Prior to grading permit issuance, the Project Proponent shall obtain a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control

Board. Evidence that an NPDES permit has been issued shall be provided to the City of Hemet prior to issuance of the first grading permit.

PPP 3.16-1: Pursuant to Assembly Bill 341, businesses that generate four or more cubic yards of waste per week and multifamily developments of five or units are required to arrange for recycling services.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**1979 EIR Mitigation Measure 1:** Energy conservation measures should be required to minimize the loss of low sulfur fuel oil, a non-renewable natural resource. Southern California Edison Company should be consulted to incorporate energy conservation measures into future development proposals. Generally, energy conservation measures include application of solar energy for water heating, use of energy-efficient appliances, building insulation, and energy conserving design of common facilities. Refer to Section 4.4.11 regarding energy mitigation measures.~~

~~**1979 EIR Mitigation Measure 2:** Energy conservation measures should be required to minimize the loss of a valuable, non-renewable natural resource. Consultation should be made with the Southern California Gas Company to implement conservation measures. Possible energy conservation measures include application of solar energy for water heating, use of energy efficient appliances, building insulation and energy conserving design. Refer to Section 4.4.11 regarding energy mitigation measures.~~

~~**1979 EIR Mitigation Measure 3:** Efforts toward water conservation should be made. Possible measures include:~~

- ~~Landscape watering during early morning hours or during the evening to reduce water loss from evaporation.~~
- ~~Selection of drought-tolerant plants in landscaping.~~
- ~~Use of plumbing fixtures, which will reduce water loss or consumption.~~

~~**1979 EIR Mitigation Measure 4:** Separation of wastes at the source could be encouraged to facilitate resource reclamation and recycling efforts.~~

q. Greenhouse Gas Emissions

Project Design Features (PDF): PDFs include design features proposed by the Modified Project that reduce or avoid impacts to the environment from GHG emissions. The proposed Modified Project SPA 15-001 provides a framework of district regulations and development standards to guide development of the proposed residential and commercial uses. These regulations and standards establish development and design criteria to promote a reduction in VMT and associated vehicular emissions, as well as a reduction in energy and water demand and waste generation and associated stationary source emissions. These PDFs are common to the PDFs detailed in Section 3.3-*Air Quality* of the DSEIR and therefore are numbered according to Section 3.3 for the GHG analysis.

PDF 3.3-1: The Modified Project provides pedestrian connections to surrounding areas consistent with the City's General Plan. The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site.

PDF 3.3-2: The Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other, which would contribute to a reduction of automobile use for local residents and employees.

PDF 3.3-3: The Modified Project includes commercial retail uses to reduce the need for residents of the community to travel farther distances to obtain retails goods such as groceries.

Plans, Policies, or Programs (PPP): PPPs are compliance measures and regulatory requirements applied to the project on the basis of federal, State, or local laws currently in place which effectively reduce impacts to the environment from GHG emissions. These PPPs are common to the PPPs detailed in Section 3.3-*Air Quality* of the DSEIR and therefore are numbered according to Section 3.3 for the GHG analysis.

PPP 3.3-1: Building design and construction shall meet 2019 Title 24 Standards of the California Building Code. The project will design building shells and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Title 24 Standards, which is anticipated to consume 30 percent less energy use due to lighting upgrades.

PPP 3.3-2: Pursuant to City Emergency Order 2014-0718-01E, the Modified Project shall incorporate a Water Conservation Strategy to reduce water demand by at least 25 percent when compared to water demand without implementation of the Water Conservation Strategy.

PPP 3.3-3: Pursuant to Assembly Bill 939, the Modified Project shall engage in a 50 percent diversion of solid waste from landfills.

PPP 3.3-7: Pursuant to Title 13, Section 2449(d)(D) of the California Code of Regulations, operators of off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) shall limit vehicle idling to five minutes or less.

Mitigation Measures No Longer Applicable to the Modified Project: The following 1979 EIR and 2008 EIR Mitigation Measures no longer apply to the Modified Project and are therefore shown in strikeout text:

~~**2008 Mitigation Measure CC-1:** Prior to approval of each Final Tract Map OR prior to issuance of grading permits, the applicant or merchant builders shall provide an "Energy and Water Efficiency Plan." The Plan shall provide implementation and design level details demonstrating inclusion of feasible energy and water efficiency measures. The Plan shall incorporate energy standards in effect at the time the plan is prepared, and commercially available technology or features. The Plan will be prepared to the satisfaction of the City of Hemet, Community Development Director. Design features to be included include but are not limited to the following:~~

~~a) Design to meet or exceed 2008 Title 24 requirements.~~

~~b) Use of cool paints on buildings and driveway areas.~~

~~c) Incorporation of a minimum of two deciduous shade trees on the south and west sides of each of the residential units.~~

~~d) Incorporation of energy efficient (EPA star rated or equivalent) appliances (i.e., dishwashers, washer, dryer, refrigerator, stoves, etc.) where they are provided by the developer.~~

~~e) Incorporation of energy efficient exterior lighting and compact fluorescent lights in residential units.~~

~~f) Tank less water heaters installed in the residential units. Additionally, water efficient fixtures and appliances shall be installed where feasible.~~

~~g) A Landscape Plan for the developer-installed landscaping pursuant to City of Hemet Ordinance, Article XL VIII, Landscaping and Irrigation shall be prepared. Included in the Plan shall be the following: the landscaping in the open space areas shall use drought-resistant plants; water efficiency training and certification shall be required for irrigation designers, installers, and managers; the Homeowner's Association(s) shall be audited for their water use to promote efficient water use; and there shall be restrictions on watering methods in the open space areas to prohibit systems that apply water to non-vegetated systems.~~

~~h) The residential areas shall have a limit on the amount of turf (grass) of a maximum of 25 percent of the total yard. There shall be no minimum grass area requirement.~~

~~i) Graywater and rain capture systems shall be offered to the homebuyers as an option. This option shall be actively advertised and demonstrated in all of the model homes.~~

~~**2008 Mitigation Measure CC-2:** To reduce vehicle miles traveled and emissions associated with trucks and vehicles, the following measures shall be implemented to the satisfaction of the City of Hemet, Community Development Director:~~

~~a) Onsite bicycle storage parking shall be provided where designated by the City of Hemet Parks and Facilities Department.~~

~~b) The applicant shall pay its fair share contribution to traffic impact fees and coordinate with the City regarding intersections within the project vicinity, such that traffic passes more efficiently through congested areas. If signals are installed as part of the project, the applicant shall install the use of Light Emitting Diode traffic lights.~~

~~c) Bicycle lanes and sidewalks/pedestrian paths shall be incorporated into the project area, to connect project residences to schools, parks, and the nearest transit stop.~~

~~d) Work with the County of Riverside Transit Agency to determine if there is a need for a bus pull out area and benches on the project site. If there is a need, they shall be installed at the expense of the applicant.~~

~~**2008 Mitigation Measure CC-3**: To reduce waste, the applicant shall prepare a Waste Management Plan with the goal of reducing waste during construction by at least 50 percent. There shall be an area designated for recycling waste from the project during construction.~~

~~**2008 Mitigation Measure CC-3**: To reduce waste, the applicant shall prepare a Waste Management Plan with the goal of reducing waste during construction by at least 50 percent. There shall be an area designated for recycling waste from the project during construction.~~

III. INDEPENDENT JUDGMENT FINDING

The City retained the independent consulting firm of LSA Associates, Inc. ("LSA") to prepare the SEIR for the Modified Project. LSA has prepared the SEIR under the supervision, direction and review of the City. The City of Hemet is the Lead Agency for the preparation of the SEIR, as defined by CEQA

CPRC Section 21067 as amended. The City Council has received and reviewed the SEIR prior to certifying the SEIR and prior to making any decision to approve or disapprove the project. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the SEIR, adopted these Facts, Findings and Statement of Overriding Considerations, and the further recommendations in the Staff Report, and approved the Modified Project (collectively the "Approvals")

Finding: The SEIR for the Modified Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c) (3) in directing the consultant in the preparation of the SEIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Modified Project, City staff incorporated the mitigation measures recommended in the SEIR as applicable to the Modified Project. The mitigation measures in the Approvals are intended to reflect the final mitigation measures prescribed for the Modified Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the SEIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions made for the purpose of improving clarity or to better define the intended purpose would be reflected in the Final SEIR and MMRP.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the SEIR which are applicable to the Modified Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the SEIR are intended to be substantially similar to the mitigation measures recommended in the SEIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

IV. ENVIRONMENTAL IMPACTS AND FINDINGS

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Modified Project is presented in Sections 3.0 through 3.17 of the DSEIR and Sections 3.0 and 4.0

of the FSEIR. Responses to comments on the DSEIR, along with copies of the comments, are provided in Chapter 2.0 of the FSEIR.

The SEIR evaluated 17 major environmental categories for potential impacts including Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services and Facilities, Recreation and Parks, Transportation and Traffic, Utilities and Service Systems, and Greenhouse Gas Emissions and Climate Change. Both project-specific and cumulative impacts were evaluated. In its own independent judgment and as determined in the SEIR, the City Council finds that the impact categories and sub-categories in Sections V.A and V.B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, the City Council finds that overriding considerations exist which make these potential impacts acceptable to this Council.

A. NO IMPACT OR LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Hemet City Council hereby finds that the Modified Project would have no impact or a less-than-significant impact in the following impact categories and therefore do not require the imposition of mitigation measures.

1. Aesthetics

a. Substantial Adverse Change on a Scenic Vista (Impact 3.1.7.1)

Potential Significant Impact: Whether the Modified Project would have a substantial adverse effect on a scenic vista.

Findings: Potential impacts of the Approved Project and the Modified Project related to substantial adverse changes on a scenic vista are discussed in detail in Section 3.1.7.1 of the SDEIR. The Modified Project, similar to the Approved Project, would be required to implement Plans, Policies or Programs (PPP) 3.1-1 (identified above in Section C of this Findings Document) ensuring conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the SPA 15-001, as well as the City General Plan pursuant to Section 65450 et. seq. Based on the entire record before us, this Council finds that development of the Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to scenic vistas; therefore, no mitigation is required.

Facts in Support of the Findings: The Certified EIR of the Approved Project concluded unobstructed views of open fields and mountains in the distance would be partially blocked depending on a person's viewpoint. With residential development, different factors (location and height of residential structures, topography, trees) can have a direct bearing on views. Since development under the Approved Project would be of similar scale and height and at relatively similar elevation as the surrounding developed uses to the east, the Approved Project would not have a significant adverse effect on scenic vistas.

Development under the proposed Modified Project would be similar in scale and massing as the existing surrounding land uses developed under the Approved Project. PDFs detailed in the Modified Project SPA 15-001 (refer to Section 3.1.6 of the SDEIR) would ensure residential and commercial building heights are commensurate with the existing developed uses surrounding the Modified Project site and shall not exceed 35 feet in height. Additionally, the comprehensive sign program includes design criteria for the proposed commercial use in Planning Area XIII that control the location, size, type, and number of signs permitted and which regulate and control all other matters pertaining to signs.

Similar to the Approved Project, the Modified Project would implement **PPP 3.1-1** (identified above in Section C of this Findings Document). As specified in **PPP 3.1-1**, Section 65450 et seq. of the California Government Code authorizes cities to prepare, adopt, and administer Specific Plans for portions of their jurisdictions as a means of implementing the City's General Plan. To ensure conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the SPA 15-001, as well as the City General Plan and Zoning Code, the proposed Tentative Tract Map (TTM) No. 36841 (MAP 15-008) must undergo Planning Staff review and approval in accordance with Section VI (Site Plan Requirements) of the SPA 15-001 prior to permit issuance. This review process would ensure the proposed Modified Project incorporates architectural elements that protect scenic vistas (DSEIR pg.3.1-6).

b. Substantially Damage Scenic Resources within a State Scenic Highway (Impact 3.1.7.2)

Potential Significant Impact: Whether the Modified Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway.

Findings: Potential impacts of the Approved Project and the Modified Project related to damage to scenic resources within a State Scenic Highway are discussed in detail in Section 3.1.7.2 of the SDEIR. The Modified Project would implement **PPP 3.1-1** which requires development of the proposed Modified Project to include Planning Staff review and approval to ensure all appropriate measures to minimize adverse visual impacts and enhance the public's aesthetic enjoyment of the scenic highway corridors are implemented. Based on the entire record before us, this Council finds that development of the Modified Project would not involve new significant environmental effects or a substantial increase in the severity of

previously identified significant effects related to damaging scenic resources within a State Scenic Highway; therefore, no mitigation is required.

Facts in Support of the Findings: The Certified EIR of the Approved Project concluded the designated City Scenic Highway Warren Road occurs along the western property boundary. The Approved Project included improvements to this road along the west boundary of TTM 35394, but it would require a 25-foot setback with landscaped parkways and meandering bike/pedestrian paths (as part of the Paseo system from the Page Ranch PCD SP) along the project boundary. Since there are no historic buildings, significant trees, or rock outcroppings on-site, impacts were determined to be less than significant.

Warren Road, which abuts the eastern boundary of the Modified project site, is a designated City Scenic Highway. The Page Ranch PCD SP and proposed SPA 15-001 establish design criteria for development along Warren Road, as well as for the proposed off-site improvements to Warren Road north of the Modified Project site, which include building setbacks, a California Friendly Landscape Palette in accordance with General Plan Policy CD-3.7.2 and meandering bike/pedestrian paths in accordance with Chapter 90 (Zoning) and Article XXXII (Scenic Highway Setback Overlay Zone) of the City Municipal Code. Landscaping in the detention basins, if not riprap, shall be in accordance with the guidance provided in Riverside County Airport Land Use Commission's Landscaping Near Airports brochure, and the Airports Wildlife and Stormwater Management brochure available at www.rcaluc.org and Appendix F2.

Implementation of **PPP 3.1-1** requires development of the proposed Modified Project to include Planning Staff review and approval to ensure all appropriate measures to minimize adverse visual impacts and enhance the public's aesthetic enjoyment of the scenic highway corridors are implemented. Therefore impacts to the [City Scenic] Warren Road would be less than significant. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to scenic resources within a state scenic highway. No mitigation is required (DSEIR pg.3.1-6 and 3.1-7).

c. Substantially Degrade Existing Visual Character or Quality (Impact 3.1.7.3)

Potential Significant Impact: Whether the Modified Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Approved Project and the Modified Project related to degrading existing visual character or quality of the site and surrounding area is discussed in detail in Section 3.1.7.3 of the SDEIR. The Modified Project would implement **PPP 3.1-1** to ensure conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the

SPA 15-001, as well as the City General Plan and Zoning Code. This review process would ensure the City's visual character is considered and appropriate design elements are incorporated into the Modified Project to protect the semi-rural character of the City. Based on the entire record before us, this Council finds that development of the Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to degrading existing visual character or quality of the site or surrounding area; therefore, no mitigation is required.

Facts in Support of the Findings: The City's overall visual character is a mix of urban, suburban, and rural residential land uses, as large undeveloped parcels are distributed throughout the planning area and contribute to open views toward the surrounding mountains and hillsides. The Certified EIR of the Approved Project concluded the project could generate short-term visual impacts during construction through the use of heavy construction equipment and machinery during grading and eventually the construction of new single family residential units. Temporary impact to views would be most prominent from the existing residential development located on the east side of the proposed site. Operation of the Approved Project would alter the visual character of the site and its surroundings through conversion of open space and agricultural lands into suburban landscapes. However, the Approved Project site is generally flat, and development of the site would result in only a slight modification of the natural contours to create a series of housing pads and streets. Therefore, views of the site and its surroundings would appear similar to those of the neighborhoods east of Fisher Street, and the change of the visual character of the area would not substantially degrade the quality of the site and its surroundings.

Development under the proposed Modified Project would be similar in scale and massing as the existing surrounding land uses developed under the Approved Project. Design guidelines appended in the Modified Project SPA 15-001 would ensure residential and commercial building heights are commensurate with the existing developed uses surrounding the Modified Project site and shall not exceed 35 feet in height. Additionally, the comprehensive sign program includes design criteria for the proposed commercial use in Planning Area XIII that control the location, size, type, and number of signs permitted and which regulate and control all other matters pertaining to signs. Furthermore, the Modified Project, similar to the Approved Project, would implement **PPP 3.1-1** to ensure conformance with development standards set forth in the Planned Community Regulations and Policy Guidelines of the SPA 15-001, as well as the City General Plan and Zoning Code. This review process would ensure the City's visual character is considered and appropriate design elements are incorporated into the Modified Project to protect the semi-rural character of the City. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to degrading of existing visual character or quality of the site and City. No mitigation is required (DSEIR pg.3.1-7 and 3.1-8).

d. Substantial Light or Glare (Impact 3.1.7.4)

Potential Significant Impact: Whether the Modified Project would create a new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area.

Findings: Potential impacts of the Approved Project and the Modified Project related to substantial light or glare generation is discussed in detail in Section 3.1.7.4 of the SDEIR. The proposed Modified Project would implement **PPP 3.1-2**, which requires reductions in the amount of reflective surfaces used in new construction, implementation of lighting that reduces light pollution in new development areas, and new lighting to cast light downward and reduce spillover onto adjacent properties, pursuant to Section 90-386 (Site Development Requirements) of the City Municipal Code. Additionally, the proposed TTM No. 36841 (MAP 15-008) would be subject to the City's development review process to ensure consistency with the applicable Zoning Ordinances and General Plan Policies, as specified in **PPP 3.1-1**. Based on the entire record before us, this Council finds that development of the Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to substantial amounts of light or glare generation; therefore, no mitigation is required.

Facts in Support of the Findings: The Certified EIR of the Approved Project concluded the proposed uses would require a variety of lighting at night, including street lights and residential lighting that would create a new light source in the community and contribute to an increase in lighting in the area. Glare would increase minimally with the addition of windows on the proposed structures, as windows are not the primary material of single-family homes and therefore would not generate a substantial amount of glare. The Modified Project site is located in an area that is developed with commercial and residential uses. The amount and level of lighting would generally be similar to that which currently exists in the project vicinity. Development under the proposed Modified Project would be similar to the Approved Project and include 586 residential dwelling units, approximately 100,000 square feet of regional commercial uses, and 64.89 acres of private HOA and public parks and open space areas. The Modified Project site is approximately 26.5 miles north of the Palomar Observatory, within Zone B of the Mount Palomar Lighting Policy Area. Accordingly, the Modified Project shall restrict the use of certain light fixtures emitting into the night sky undesirable light rays that have a detrimental effect on astronomical observation and research.

The proposed Modified Project would implement **PPP 3.1-2,** which requires reductions in the amount of reflective surfaces used in new construction, implementation of lighting that reduces light pollution in new development areas, and new lighting to cast light downward and reduce spillover onto adjacent properties, pursuant to Section 90-386 (Site Development Requirements) of the City Municipal Code. Additionally, the proposed TTM No. 36841 (MAP 15-008) will be subject to the City's development review process to ensure consistency with the applicable Zoning Ordinances and General Plan Policies, as

specified in **PPP 3.1-1**. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to light and glare generation. No mitigation is required (DSEIR pg.3.1-7 and 3.1-8).

e. Cumulative Aesthetic Impacts (Impact 3.1.8)

Potential Significant Impact: Whether the Modified Project in connection with past, current, and probable future projects would make a significant contribution to cumulatively considerable aesthetic impacts.

Findings: Potential impacts of the proposed Modified Project related to aesthetics are discussed in detail in Section 3.1.8.1 of the DSEIR. The Modified Project would implement PDFs related to architecture, landscaping, building heights and setback, and **PPP 3.1-1** and **PPP 3.1-2** to reduce its incremental contribution to cumulative aesthetic impacts. Based on the entire record before us, this Council finds that development of the proposed Modified Project would not result in cumulative aesthetic significant impacts, and therefore, no mitigation is required.

Facts in Support of the Findings: The Certified EIR of the Approved Project concluded that as long as new development, including the proposed project, is similar in appearance and scale to existing development, and meets local planning and design guidelines, neither it nor they would contribute to cumulatively considerable aesthetic impacts.

The proposed Modified Project SPA 15-001 establishes development standards and design criteria to ensure development does not result in significant impacts to scenic resources or results in a substantial increase in lighting or glare. Cumulatively, construction of 586 residential dwelling units and approximately 100,000 square feet of regional commercial uses, as well as development surrounding the Modified Project site, would add more lighting and glare to the area. Although the proposed Modified Project SPA 15-001 cannot administer development standards outside of its jurisdiction, it would reduce its incremental contribution to cumulative aesthetic-related impacts from development to less than significant levels by implementing the various design guideline PDFs related to architecture, landscaping, building heights and setbacks, and a comprehensive sign program, as well as **PPP 3.1-1** and **PPP 3.1-2** to ensure compliance with local planning and design guidelines. Compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cumulative aesthetic (visual or lighting) resources (DSEIR pg.3.1-9).

2. Agricultural Resources

a. Conflict with Existing Agricultural Zoning or Williamson Act Contract (Impact 3.2.7.2)

Potential Significant Impact: Whether the Modified Project would conflict with existing zoning for agricultural use, or a Williamson Act Contract.

Findings: Potential impacts of the Modified Project related to agricultural zoning and Williamson Act Contracts are discussed in detail in Section 3.2.7.2 of the SEIR. Based on the entire record before us, this Council finds that development of the Modified Project would not result in significant impacts related to agricultural use zoning designation or Williamson Act Contract conflicts; therefore, no mitigation is required. The 1979 EIR's mitigation measure to encourage participation in the Williamson Act Preservation Program and provision of incentives for agricultural landowners not eligible for preservation status is infeasible for the 2009 SPA to the Page Ranch PCD SP, and likewise would not apply to the Modified Project, because the City has already committed the Approved Project site and therefore the proposed Modified Project site to non-agricultural use through adoption of the Specific Land Use Plan, Southwest Area and associated amendments, up to and including the 2009 SPA to the Page Ranch PCD SP. The **1979 Mitigation Measures** pertaining to Williamson Act Preservation would no longer apply to the Modified Project (See Section II(C) of this Findings Document).

Facts in Support of the Findings: According to the City General Plan, there are no Williamson Act contract lands within the City limits. The Modified Project site is not under a Williamson Act contract and the nearest properties under Williamson Act contract are over 3.5 miles to the west and southwest. The City has already committed the Modified Project site for residential use through the adoption of the Page Ranch PCD SP. Construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to zoning for agricultural use or a Williamson Act Contract (DSEIR pg.3.2-5).

b. Other Changes Resulting in Farmland Conversion to Non-Agricultural Use (Impact 3.2.7.3)

Potential Significant Impact: Whether the Modified Project would involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural land.

Findings: Potential impacts of the Modified Project related to other changes resulting in farmland conversion to non-agricultural uses is discussed in detail in Section 3.2.7.3 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would not result in significant impacts related to with other changes resulting in farmland conversion to non-agricultural uses; therefore, no mitigation is required.

Facts in Support of the Findings: The analysis in the 2008 Certified EIR included implementation of the LESA Model on Planning Areas XIII, XII, XI, and X of the Approved Project, which identified the SPA Zone of Influence (ZOI) to encompass 2,137 acres of surrounding parcels, of which approximately 335 acres, 16 percent, of the ZOI were under agricultural use as of 2009. Although the Certified EIR concluded the Approved Project would have a significant impact on agricultural resources through the conversion of 213.8 acres of Farmland of Local Importance to non-agricultural use, the LESA Model's "Surrounding Agricultural Land" score was found to be "0" due to the negligible amount of active farming (16 percent of the ZOI) occurring on properties surrounding the Approved Project site. Therefore, the Certified EIR concluded that the Approved Project would not result in other changes to the existing environment that would result in the indirect conversion of farmland to non-agricultural uses. The current land uses surrounding the Modified Project site are substantially similar to those which were analyzed under the LESA Model for the Approved Project, including the unincorporated properties engaged in active farming adjacent to the south of the Modified Project site. Off-site improvements for the proposed Modified Project in this portion of the Approved Project's Zone of Influence (ZOI) include improving the existing pilot channel that conveys storm water runoff from the existing on-site drainage basin south to the existing channel at Simpson Road. Approximately 50 percent of the off-site acreage dedicated for channel improvement is located within Farmland of Statewide Importance, while the other 50 percent is located within Unique Farmland. However, the proposed improvements to the existing pilot channel would encompass a negligible amount of farmland property, as they would require permanent easements between 55 feet and 84 feet wide for approximately 2,250 feet along the far western boundary of the existing farmland, and therefore would not obstruct or preclude the continued use of the property for farming.

As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to other changes resulting in farmland conversion to non-agricultural use. No mitigation is required (DSEIR pg.3.2-5 and 3.2-6).

4. Biological Resources

a. Cumulative Biological Resources Impacts (Impact 3.4.8)

Potential Significant Impact: Whether the Modified Project in connection with past, current, and probable future projects would make a significant contribution to cumulatively considerable biological resources impacts.

Findings: Potential cumulative impacts of the proposed Modified Project related to biological resources are discussed in detail in Section 3.4.8.1 of the DSEIR. The Modified Project would be consistent with the

MSHCP and therefore would contribute to the development of the Conservation Area to mitigate the Modified Project's incremental impacts to biological resources. Based on the entire record before us, this Council finds that development of the proposed Modified Project in accordance with the MSHCP would not result in cumulative significant impacts pertaining to biological resources, and therefore, no additional mitigation is required.

Facts in Support of the Findings: As detailed in Section 3.4.7.6 of the DSEIR, the Modified Project would be consistent with the MSHCP. Through participation in and compliance with the MSHCP, the Modified Project would contribute to the development of the Conservation Area, which would adequately mitigate its incremental impacts to biological resources.

Other reasonably foreseeable projects proposed within the City, San Jacinto Valley, and land administered under the MSHCP may result in loss of threatened and/or endangered species and their habitats. These projects would be evaluated on a project-by-project basis to determine the presence of threatened and/or endangered species and their associated habitats, and the appropriate measures required to reduce impacts. Since the Modified Project's impacts to biological resources would be covered through project participation in the MSHCP, the Modified Project, in conjunction with past, present, and reasonably foreseeable projects, would not make a significant contribution to cumulatively adverse effects to biological resources. No avoidance, minimization, and/or mitigation measures for cumulative impacts are required over and above those previously defined for project-specific impacts.

5. Geology and Soils

a. Fault Rupture (Impact 3.6.7.1)

Potential Significant Impact: Whether the Modified Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Maps issued by the State Geologist for the area or based on other substantial evidence of a known fault.

Findings: Potential impacts of the Modified Project related fault rupture is discussed in detail in Section 3.6.7.1 of the DSEIR. The Modified Project would implement **PDF 3.6-1** and **PPP 3.6-2,** which would reduce impacts related to the Modified Project being exposed to fault rupture impacts. The following mitigation measures previously adopted for the Approved Project, shown in crossed out ~~text~~, would no longer be applicable to the proposed Modified Project (See Section II(C) of this Findings Document): **1979 EIR Mitigation Measure 1**; **2008 EIR Mitigation Measure GS-1a**; **2008 EIR Mitigation Measure GS-1b**; and, **2008 EIR Mitigation Measure GS-2a**. Based on the entire record before us, this Council

finds that development of the Modified Project would result in a less than significant impact related to fault rupture; therefore, no mitigation is required.

Facts in Support of the Findings: No known active or inactive faults traverse the Modified Project site, and no evidence of faulting was observed on site during the geotechnical investigation. Accordingly, the site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone or County of Riverside Fault Zone. The main trace of the San Jacinto Fault, which forms the east margin of the valley, is located approximately 4.9 miles northeast of the site. The San Jacinto-Anza Fault is located approximately 6.1 miles southeast of the site, and the Elsinore-Temecula Fault is located approximately 17.2 miles southwest of the site. The Modified Project would implement **PDF 3.6-1** to ensure grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation, **PPP 3.6-1** to ensure building design and construction occurs in accordance with 2019 Title 24 Standards of the CBC, and **PPP 3.6-2** to ensure detailed grading plans for each phase of development are prepared in conformance with applicable standards of the City, the CBC, and the project-specific geotechnical investigation. The **PDF 3.6-1** and **PPP 3.6-2** implemented by the Modified Project would replace **1979 EIR Mitigation Measure 1**; **2008 EIR Mitigation Measure GS-1a**; **2008 EIR Mitigation Measure GS-1b**; and, **2008 EIR Mitigation Measure GS-2a** of the Approved Project. When compared to the Approved Project, the proposed Modified Project would have similar less than significant impacts from fault rupture. No mitigation is required (DSEIR pg.3.6-6 and 3.6-7).

b. Ground Shaking (Impact 3.6.7.2)

Potential Significant Impact: Whether the Modified Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong ground shaking.

Findings: Potential impacts of the Modified Project related to ground shaking is discussed in detail in Section 3.6.7.2 of the DSEIR. The Modified Project would implement **PDF 3.6-1**, **PPP 3.6-1**, and **PPP 3.6-2** which would reduce impacts related to ground shaking. The following mitigation measures previously approved for the Approved Project would no longer be applicable to the proposed Modified Project (See Section II(C) of this Findings Document): **1979 EIR Mitigation Measure 1**; **2008 EIR Mitigation Measure GS-1a**; **2008 EIR Mitigation Measure GS-1b**; and, **2008 EIR Mitigation Measure GS-2a**. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to ground shaking; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 Certified EIR, there is a significant hazard to structures and people in the Approved Project area due to its proximity to the San Jacinto Fault Zone. The 2008 EIR concluded development of the Approved Project would introduce new homes into an area subject to

moderate ground shaking, settling, and other seismic related hazards, but that these hazards are similar to those experienced throughout most of southern California, and are not substantially elevated for the Approved Project site. The Modified Project site is located within Seismic Zone 4 as defined by the UBC, but it is not located within an Alquist-Priolo Earthquake Fault Zone. The Modified Project site could be subjected to moderate to severe ground shaking from regional faults (e.g., San Jacinto Fault and/or San Andreas Fault) during the lifetime of the project. Design and construction in accordance with current California Building Code (CBC) requirements is anticipated to address the issues related to potential ground shaking. The Modified Project would implement **PDF 3.6-1** to ensure grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation, **PPP 3.6-1** to ensure building design and construction occurs in accordance with 2019 Title 24 Standards of the CBC, and **PPP 3.6-2** to ensure detailed grading plans for each phase of development are prepared in conformance with applicable standards of the City, the CBC, and the project-specific geotechnical investigation. The **PDF 3.6-1** and **PPP 3.6-2** implemented by the Modified Project would replace **1979 EIR Mitigation Measure 1**; **2008 EIR Mitigation Measure GS-1a**; **2008 EIR Mitigation Measure GS-1b**; and, **2008 EIR Mitigation Measure GS-2a** of the Approved Project. When compared to the Approved Project, the proposed Modified Project would have similar less than significant impacts from ground shaking. No mitigation is required (DSEIR pg.3.6-7 and 3.6-8).

c. Landslides (Impact 3.6.7.4)

Potential Significant Impact: Whether the Modified Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

Findings: Potential impacts of the Modified Project related to landslides is discussed in detail in Section 3.6.7.4 of the DSEIR. The Modified Project would implement **PDF 3.6-1**, **PDF 3.6-2**, and **PPPs 3.6-1**, and **PPP 3.6-4** which would reduce impacts related landslides and rockfalls. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to landslides and rockfalls; therefore, no mitigation is required.

Facts in Support of the Findings: The Certified EIR concluded the Approved Project site is flat with no rocky outcroppings and has been subject to repeated disking. The project would, therefore, not create or be affected by any landslides or rockfalls, and no significant impacts would occur. The proposed Modified Project site is generally flat and ranges in elevation from approximately 1,510 feet above mean sea level (AMSL) in the northeastern corner of the site to approximately 1,490 feet AMSL in the drainage basin located in the southwestern portion of the site. According to the current geotechnical investigation, the site is not located in an area susceptible to seismic slope instability. Through design and construction of the Modified Project site in conformance with applicable State law and local regulations, implementation of **PDFs 3.6-1** and **3.6-2** and **PPPs 3.6-1** through **3.6-4**, impacts related to landslides and rockfalls would

be reduced to less than significant and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar less than significant impacts related to landslides and rockfalls (DSEIR pg.3.6-9).

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d. Soil Erosion and Loss of Topsoil (Impact 3.6.7.5)

Potential Significant Impact: Whether the Modified Project would result in substantial soil erosion or the loss of topsoil.

Findings: Potential impacts of the Modified Project related to soil erosion and loss of topsoil is discussed in detail in Section 3.6.7.5 of the DSEIR. The Modified Project would implement **PDFs 3.6-1** and **3.6-2** and **PPPs 3.6-2** through **3.6-4** which would reduce impacts related to soil erosion and loss of topsoil. The following mitigation measure previously approved for the Approved Project would no longer be applicable to the proposed Modified Project (See Section II(C) of this Findings Document): **2008 EIR Mitigation Measure GS-2a**. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to soil erosion and loss of topsoil; therefore, no mitigation is required.

Facts in Support of the Findings: The 2008 Certified EIR concluded soil types with larger silt or clay components are identified within the Approved Project site, making them more susceptible to runoff and erosion. Through the disturbance of surface soils during construction, the protective vegetative cover would be removed and render the soils susceptible to runoff and erosion. The anticipated increase in impervious surfaces could generate increased volume of storm water runoff during operation of the Approved Project. Fill slopes on the Modified Project site are anticipated to be less than 10 feet in height and are expected to meet minimum factors of safety for stability through implementation of the recommendations in the project-specific geotechnical investigation. However, there may be a potential for significant erosion if granular fill soils are used on slope faces, which are inherently subject to erosion, particularly if exposed to rainfall and irrigation during construction or operation of the Modified Project. Development of the site and related off-site improvements would involve the disturbance of more than one acre; therefore, **PPP 3.6-3** specifies the project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit and a Storm Water Pollution Prevention Plan (SWPPP) to address erosion and discharge impacts associated with the proposed on-site grading. As specified in **PDF 3.6-2**, landscaping and slope maintenance would be conducted as soon as possible in order to increase long-term surficial stability. Additionally, **PDF 3.6-1** indicates the recommendations in the project-specific geotechnical investigation, for example, that berms would be provided at the top of fill slopes and drainage would be directed such that surface runoff on the slope face is minimized, would further reduce the likelihood of soil erosion during construction of the Modified Project. As required through **PPP 3.6-2**, the Modified Project applicant would submit detailed grading plans for review by the City for conformance with all applicable standards of the City, the CBC, and the project-specific geotechnical investigation. A site-specific Water Quality Management Plan (WQMP) was prepared pursuant to **PPP 3.6-4** for the

project site and contains the following post-construction measures to help reduce potential impacts to soil erosion to less than significant levels. With implementation of **PDFs 3.6-1** and **3.6-2** and **PPPs 3.6-2** through **3.6-4**, the proposed Modified Project's construction and operational impacts associated with soil erosion hazards remain less than significant and no mitigation is required. When compared to the Approved Project, the proposed Modified Project would have similar less than significant impacts from soil erosion and loss of topsoil, albeit through compliance with regulatory policy rather than mitigation (DSEIR pgs.3.6-9 through 3.6-11).

e. Septic Tanks (Impact 3.6.7.8)

Potential Significant Impact: Whether the Modified Project would have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

Findings: Potential impacts of the Modified Project related to septic tanks is discussed in detail in Section 3.6.7.8 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in no impact related to septic tanks; therefore, no mitigation is required.

Facts in Support of the Findings: The Certified EIR concluded the Approved Project would interconnect to the Municipal sewer system and therefore would not require septic tanks. No impact would occur. When compared to the Approved Project, the proposed Modified Project likewise would interconnect to the Municipal sewer system and would not require the use of septic tanks. Impacts of the Modified Project would be similar to those identified for the Approved Project (i.e., no impacts), and no mitigation is required (DSEIR pg.3.6-14).

6. <u>Hazards and Hazardous Materials</u>

a. Hazards through Upset and Accident Conditions (Impact 3.7.7.2)

Potential Significant Impact: Whether the Modified Project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.

Findings: Potential impacts of the Modified Project related to hazards through upset and accident conditions is discussed in detail in Section 3.7.7.2 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to hazards through upset and accident conditions; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 EIR did not address hazards for the Approved Project. The 2008 EIR concluded the residential and open space uses of the Approved Project would not result in

foreseeable upset and accident conditions that would release hazardous materials into the environment, and mitigation was not required. The Modified Project would include the development of residential uses and commercial uses on the site; whereas, the Approved Project included the development of residential and open space uses. Typically, small quantities of hazardous materials are stored and used at residential units; however, larger quantities of hazardous materials may be stored and used at the commercial uses that would be developed on site. As a condition of approval of the Modified Project, owners of businesses within the commercial use area of the site would be required to maintain (and keep within the businesses) a set of Material Safety Data Sheets that provides information on the type of hazardous materials stored and used in the buildings, and directions in the event an accidental release of such materials were to occur. Overall, similar to the Approved Project, the uses associated with the Modified Project would not store or use enough hazardous chemicals that would result in a significant hazard to the public or environment through foreseeable upset and/or accident conditions. When compared to the Approved Project, impacts from the Modified Project associated would be the same, less than significant. Additional mitigation specific to the Modified Project is not required (DSEIR pg.3.7-12).

b. Emit Hazardous Emissions within One-Quarter Mile of a School (Impact 3.7.7.3)

Potential Significant Impact: Whether the Modified Project would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.

Findings: Potential impacts of the Modified Project related to emitting hazardous emissions within one-quarter mile of a school is discussed in detail in Section 3.7.7.3 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to emitting hazardous emissions within one-quarter mile of a school; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 EIR did not address hazards materials for the Approved Project. The 2008 EIR found the Approved Project was not located within 0.25 mile of an existing school or proposed school. Additionally, due to the type of hazardous materials used at residential and open space areas, the 2008 EIR determined that the Approved Project would not handle or emit hazardous materials in quantities that are considered significant. The Modified Project site is approximately 0.90 mile west of Harmony Elementary School (located at 1500 S Cawston Avenue in Hemet); therefore, similar to the Approved Project, the Modified Project is not located within 0.25 mile of a school. The Hemet General Plan EIR (Exhibit 4.12-1) does show that a future school may be developed near the Modified Project site; however, the exact distance from the Modified Project site is not known at this time. Similar to the Approved Project, the Modified Project consists of uses that would not emit or handle a large amount of

hazardous materials. When compared to the Approved Project, the Modified Project's impacts to schools from the release of hazardous materials would be the same, less than significant. Additional mitigation specific to the Modified Project is not required (DSEIR pg.3.7-13).

c. Site Located on a List of Hazardous Materials Site (Impact 3.7.7.4)

Potential Significant Impact: Whether the Modified Project would be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

Findings: Potential impacts of the Modified Project related to being located on a parcel listed as a hazardous materials site is discussed in detail in Section 3.7.7.4 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to be located on a parcel listed as a hazardous materials site; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 EIR did not address hazards for the Approved Project. A Phase I ESA was completed a part of the 2008 EIR for the Approved Project. The Phase I included a standard computer search of federal, state and regional regulatory agency databases identify and locate properties in the area of concern that have been reported as sites known or suspected to contain underground storage tanks, or have been the scene of hazardous materials spills, pursuant to Government Code Section 65962.5. The Phase I ESA completed for the Modified Project found that other than the application of chemicals on the Modified Project site for agricultural purposes, there have been no records of any dumping or spills of hazardous materials. Additionally the Phase I ESA found no records of adjacent or nearby properties that may negatively affect the Modified Project site. For this reason, impacts to the Modified Project related to being located on a site containing hazardous materials would be less than significant and no mitigation is required; similar to the Approved Project (DSEIR pg.3.7-13).

d. In the Vicinity of a Private Airstrip (Impact 3.7.7.6)

Potential Significant Impact: Whether the Modified Project would be within the vicinity of a private airstrip, resulting in a safety hazard for people residing or working in the Modified Project area.

Findings: Potential impacts of the Modified Project related to being located in the vicinity of a private airstrip is discussed in detail in Section 3.7.7.6 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in no impact related to be located in the vicinity of a private airstrip; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 and 2008 EIRs did not address safety hazards from a private airstrip for the Approved Project. There are no private airstrips or helipads within the immediate vicinity of the Modified Project site, and there is no plan to develop such facilities in proximity to the Modified Project site. The proposed Modified Project is located approximately 4,500 feet (0.85 mile) north of the Hemet Model Masters-Simpson Field, a recreational airstrip for flying radio-controlled fixed wing and multi-rotor drone aircraft. Due to the substantial distance and scale of model aeronautics occurring at this facility, implementation of the proposed Modified project is not expected to result in a safety hazard for people residing or working in the Project area. Accordingly, implementation of the Modified Project would not result in a safety hazard for people residing or working on the site due to operations at a private airstrip. No impact would occur, and no mitigation is required; similar to the Approved Project (DSEIR pg.3.7-19).

e. Interfere with Emergency Response or Evacuation Plan (Impact 3.7.7.7)

Potential Significant Impact: Whether the Modified Project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Findings: Potential impacts of the Modified Project related to interfering with emergency response or evacuation plans is discussed in detail in Section 3.7.7.7 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to interfering with emergency response or evacuation plan; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 and 2008 EIRs did not address potential Approved Project interference with adopted emergency response plans or emergency evacuation plans. The site plan of the Modified Project shows multiple access points along Stetson Avenue, New Warren Road, and Warren Road. These access points would allow for residents and people working on the site to exit the area and access local main and regional roads in the event of an emergency evacuation. The Modified Project would also include improvements to the local roadway system with an extension of Mustang Way to the new alignment of Stetson Avenue. The off-site road improvements would be consistent with road improvement standards prescribed by the City of Hemet. The internal circulation system (internal streets) of the Modified Project would be reviewed by the Hemet Fire Department to ensure that they are developed to City of Hemet roadway design standards to allow for the adequate movement of emergency response equipment. During construction of the Modified Project and off-site street improvements, temporary road closures or lane closures may be required; however, as a condition of approval, the applicant and construction contractor would be required to provide closure plans to local emergency service providers to ensure response routes are maintained and not compromised. Implementation of the Modified Project would not impair or physically interfere with an adopted emergency response plan or

emergency evacuation plan. Impacts would be less than significant, and no mitigation is required; similar to the Approved Project (DSEIR pg.3.7-19).

f. Expose People or Structures to a Significant Wildlands Fire Risk (Impact 3.7.7.8)

Potential Significant Impact: Whether the Modified Project would expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Findings: Potential impacts of the Modified Project related to exposing people or structures to a significant wildfire risk is discussed in detail in Section 3.7.7.8 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related exposing people or structures to a significant wildfire risk; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 and 2008 EIRs did not address wildland fire risks associated with Approved Project implementation. Similar to the Approved Project, the Modified Project is located in an urbanized portion of the City of Hemet. According to the CALFIRE Fire Hazard Severity Zone Map for the City of Hemet the Modified Project site is located in a Local Responsibility Area (LRA) that is classified as Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ). The residential and commercial buildings that would be developed under the Modified Project would be designed to comply with the most current California Fire Code, which requires implementation of defensible space, automatic sprinkler systems in residential and commercial buildings, building material for different load occupancies, and additional design features. Implementation of standard building design would reduce potential exposure of people and structures on the Modified Project site to risk or loss, injury, or death involving exposure to fires and wildland fires. Impacts would be less than significant and no mitigation is required; similar to the impact conclusion found for the Approved Project (DSEIR pgs.3.7-19 and 3.7-20).

7. <u>Hydrology and Water Quality</u>

a. Discharge Requirements (Impact 3.8.7.1)

Potential Significant Impact: Whether the Modified Project would violate any water quality standards or waste discharge requirements.

Findings: Potential impacts of the Modified Project related to discharge requirements is discussed in detail in Section 3.8.7.1 of the DSEIR. The Modified Project would implement **PPP 3.8-1**, **PPP 3.6-3**, **PPP 3.6-4**, **PDF 3.8-2**, **PDF 3.8-3**, **PDF 3.8-4**, which would reduce impacts associated with discharge

requirements during Modified Project construction and operation. **2008 Mitigation Measures HWQ-1a** through **HWQ-1e** (see Section II(C) of this Findings Document) would no longer be applicable to the Modified Project. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related hydrological discharge requirements; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the channel would mitigate flood hazards. The 2008 Draft EIR concluded grading and construction within the site would expose ground surfaces and increase the potential for erosion and the off-site transport of sediment in storm water runoff, as well as the potential for spills from heavy equipment, machinery and materials. Operation of the Approved Project would increase the pollutant load (typically comprising minor amounts of oil and grease, pesticides and herbicides, dust debris, litter, lawn clippings, animal waste, and other organic matter) in surface runoff flowing through or originating from the site. Specific pollutants of concern which could be conveyed to downstream waters of Salt Creek, Canyon Lake, San Jacinto River (Reach 1) and Lake Elsinore include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria/viruses). **2008 Mitigation Measures HWQ-1a** through **HWQ-1e** were prescribed to ensure a final WQMP would be implemented to reduce hydrological discharge requirements to a less than significant level.

Pollutants of concern during construction and operation of the proposed Modified Project include bacterial indicators (pathogens), metals, nutrients, toxic organic compounds, and sediments. During construction activities, excavated soil would be exposed and there would be an increased potential for soil erosion compared to existing conditions. In addition, chemicals, liquid products, and petroleum products (such as paints, solvents, and fuels) may be spilled or leaked and have the potential to be transported via storm runoff into downstream receiving waters (e.g., Salt Creek, Temescal Creek, Santa Ana River and, ultimately, the Pacific Ocean). The Modified Project site is divided into 13 Drainage Management Areas (DMAs), each of which would be managed by either a proposed infiltration basin (DMAs 1–11) or bioretention basin (DMAs 12 and 13).

Compliance with the requirements of the NPDES Construction General Permit pursuant to the Clean Water Act (CWA), California's Porter-Cologne Act, and the NPDES municipal separate storm sewer system (MS4) Permit would require implementation of construction and operational BMPs to reduce pollutants of concern, Modified Project impacts related to violation of water quality standards, waste discharge requirements, and degradation of water quality would be less than significant. The proposed Modified Project would be designed, constructed, and operated in accordance with **PPP 3.8-1**, **PPP 3.6-3**, **PPP 3.6-4**, **PDF 3.8-2**, **PDF 3.8-3**, and **PDF 3.8-4.** These PPPs and PDFs would ensure proposed flood

control and storm drain facilities in accordance with the City's Master Flood Control and Drainage Plan and would ensure compliance with hydrological discharge requirements. When compared to the Approved Project, the proposed Modified Project would result in similar (less than significant) impacts regarding water quality; therefore, no mitigation is required (DSEIR pgs.3.8-19 to 3.8-24).

b. Groundwater Supplies (Impact 3.8.7.2)

Potential Significant Impact: Whether the Modified Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

Findings: Potential impacts of the proposed Modified Project related to groundwater supplies are discussed in detail in Section 3.8.7.2 of the DSEIR. **PDF 3.8-3** would be implemented by the proposed Modified Project to ensure that stormwater runoff from the site continues to be conveyed to the existing drainage patterns in accordance with City of Hemet's *Master Flood Control and Drainage Plan*. Based on the entire record before us, this Council finds that development of the Modified Project would result in no impact related to groundwater supplies; therefore, no mitigation is required.

Facts in Support of the Findings: The Certified EIR concluded groundwater constitutes 85 percent of the City's water supply. Based on the EMWD's 2005 UWMP, water supplies to the Approved Project area are forecast to be available through Year 2025 and beyond (from both groundwater and imported water) with continued mandatory practice of water use efficiency, recharging of the Canyon Basin, and the increased use of recycled water. No direct groundwater withdrawals would be required for the proposed Modified Project. According to the project-specific Water Supply Assessment (WSA), groundwater is not being proposed to serve the Modified Project, as Eastern Municipal Water District (EMWD) considers current groundwater production to be utilized completely by existing customers. Since the proposed Modified Project would not be served via groundwater, and development of the site would not preclude or obstruct on-site infiltration of storm water into the local groundwater aquifer, the proposed Modified Project would not deplete groundwater supplies or interfere with groundwater recharge. When compared to the Approved Project, the proposed Modified Project would have a similar no impact to groundwater supplies conclusion (see DSEIR pgs. 3.8-24 and 3.8-25).

c. Drainage Pattern and Erosion/Siltation (Impact 3.8.7.3)

Potential Significant Impact: Whether the Modified Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site.

Findings: Potential impacts of the proposed Modified Project related to drainage pattern and erosion/siltation issues are discussed in detail in Section 3.8.7.3 of the DSEIR. **PPP 3.6-3, PDF 3.6-2, PDF 3.8-3, PDF 3.8-4** would be implemented by the proposed Modified Project to ensure drainage patterns changes do not result in increased erosion or downstream siltation. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to a change in the drainage pattern and increases in erosion and siltation; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. Drainage flows also would be conveyed to the improved Hemet Channel and Thornton Channel via on-site paseo swales and storm drain improvements before discharging into the Salt Creek channel. The Approved Project was determined to be less than significant.

The NPDES Construction General Permit requires preparation of an SWPPP to identify construction BMPs that would be implemented to reduce impacts to water quality during construction, including those impacts associated with soil erosion and siltation. Landscaping and slope maintenance would be conducted as soon as possible in order to reduce erosion potential by minimizing exposure of soils to wind, water, and gravity.

The Modified Project site is currently undeveloped, and conversion of pervious areas to impervious areas could increase peak flow of on-site storm water runoff and result in erosion of downstream waterbodies. Storm runoff from the Modified Project site would continue to be conveyed similar to the existing drainage patterns and in accordance with the City of Hemet's Master Flood Control and Drainage Plan. Stormwater runoff would be captured and discharged at rates and volumes mimicking the pre-developed condition. Improving the existing on-site east-west segment of Line 3B and detention basin, as well as the existing off-site north-south segment of Line 3B, would ensure the Modified Project would not alter the existing drainage pattern of the site or area. Furthermore, enhancing the capacity of the existing drainage facilities to convey storm water through the Modified Project site would minimize impacts related to off-site erosion and siltation. Finally, **PPP 3.6-3, PDF 3.6-2, PDF 3.8-3, PDF 3.8-4** would be implemented by the proposed Modified Project to ensure drainage patterns changes do not result in increased erosion or downstream siltation. When compared to the Approved Project, the proposed Modified Project would

have similar, less than significant, impacts related to erosion and siltation (see DSEIR pgs. 3.8-25 and 3.8-26).

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d. Drainage Pattern and Flooding (Impact 3.8.7.4)

Potential Significant Impact: Whether the Modified Project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site.

Findings: Potential impacts of the proposed Modified Project related to drainage pattern and flooding issues are discussed in detail in Section 3.8.7.4 of the DSEIR. **PDF 3.8-3** and **PDF 3.8-4** would be implemented by the proposed Modified Project to ensure drainage patterns changes do not result in increased flooding. The Approved Project required implementation of **2008 Mitigation Measures HWQ-1f** and **HWQ-1g** (see Section II(C) of this Findings Document) to reduce impacts pertaining to drainage pattern change and flooding; however, these mitigation measures would not be applicable to the proposed Modified Project. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to drainage pattern change and increases in flooding; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the channel would mitigate flood hazards. Drainage flows also would be conveyed to the improved Hemet Channel and Thornton Channel via on-site paseo swales and storm drain improvements before discharging into the Salt Creek channel. There are no existing streams or rivers on-site that would be altered. To attenuate risks of on-site and off-site flooding, **2008 Mitigation Measures HWQ-1f** and **HWQ-1g** were prescribed to ensure proposed flood control and storm drain facilities are constructed in accordance with the project-specific hydrology studies and permit requirements of responsible regulatory agencies.

The vast majority of the Modified Project site is located within Flood Zone X (other flood areas). A portion of Planning Area XIII where commercial uses are proposed and the area of proposed off-site improvements to Warren Road are within Flood Zone AE. Additionally, the northern boundary of the Modified Project site abuts Flood Zone AE along the Hemet Channel. The off-site drainage channel (north south continuation of Line 3B) to be improved between the Modified Project Site and Simpson Road is located within Flood Zone A. The City's Master Flood Control and Drainage Plan identifies a 100-year total flow rate not to exceed 200 cubic feet per second (cfs) entering the Hemet Channel from the Modified project site (from Line 3C). Therefore, storm water runoff generated by the Modified Project would not exceed the capacity of the Hemet Channel, and on-site and off-site flooding of the Hemet

Channel as a result of the Modified Project is not expected to occur. Improving the existing on-site east-west segment of Line 3B and detention basin, as well as the existing off-site north-south segment of Line 3B, would ensure the Modified Project would not alter the existing drainage pattern of the site or area. **PDFs 3.8-3** and **PDF 3.8-4** would replace **2008 Mitigation Measure HWQ-1f** and **HWQ-1g**. Furthermore, enhancing the capacity of the existing drainage facilities to convey storm water through the Modified Project site would minimize impacts related to flooding on- or off-site. When compared to the Approved Project, the proposed Modified Project would have similar, less than significant, impacts related to flooding (see DSEIR pgs. 3.8-26 and 3.8-27).

e. Drainage Capacity (Impact 3.8.7.5)

Potential Significant Impact: Whether the Modified Project would 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.

Findings: Potential impacts of the proposed Modified Project related to drainage capacity issues are discussed in detail in Section 3.8.7.5 of the DSEIR. **PPP 3.8-1, PPP 3.6-3, PPP 3.6-4, PDF 3.8-3** and **PDF 3.8-4** would be implemented by the proposed Modified Project to ensure drainage capacity issues are not generated or exceeded. The Approved Project required implementation of **2008 Mitigation Measures HWQ-1a** through **2008 Mitigation Measures HWQ-1f** (see Section II(C) of this Findings Document) to reduce impacts pertaining to drainage capacity issues; however, these mitigation measures would be replaced by **PPP 3.8-1, PPP 3.6-3, PPP 3.6-4, PDF 3.8-3** and **PDF 3.8-4** and therefore would no longer be applicable to the proposed Modified Project. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to drainage capacity; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities to mitigate flood hazards. The 2008 Draft EIR concluded construction and operation of the Approved Project would increase the pollutant load (typically comprised of minor amounts of sediment, oil and grease, pesticides and herbicides, dust debris, litter, lawn clippings, animal waste, and other organic matter) in surface runoff flowing through or originating from the site. Specific pollutants of concern which could be conveyed to downstream waters of Salt Creek, Canyon Lake, San Jacinto River (Reach 1) and Lake Elsinore include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria/viruses). **2008 Mitigation Measure HWQ-1a** through **HWQ-1f** was prescribed to ensure a final WQMP was developed to identify, measure, and control the post-construction volume of storm water runoff that could result in erosion and/or discharge of pollutants and hydromodification of downstream waters that may be associated with the Approved Project.

Construction activities pertaining to the Modified Project would comply with the requirements of the SWRCB NPDES Construction General Permit pursuant to the CWA, California's Porter-Cologne Act, and the NPDES MS4 Permit, as indicated in **PPP 3.8-1**. A SWPPP, as specified in **PPP 3.6-3**, would incorporate construction BMPs for erosion control, sediment control, and good housekeeping practices. The Modified Project site is currently undeveloped, and implementation of the proposed Modified Project would substantially increase impervious surfaces on-site. The increase in impervious surfaces would potentially increase the volume and velocity of storm water runoff and increase pollutant loading to downstream receiving waters. The on-site runoff as well as the tributary off-site runoff from the east would be detained by an improved on-site detention basin appropriately sized to capture the site's minimum design capture volume (DCV) within the southwesterly portion of the Modified Project site. The 100-year flow released from the detention basin would be less than 345 cubic feet per second (cfs) in accordance with the *Master Flood Control and Drainage Plan*. The maximum 100-year flow rate capacity of the northerly portion of this segment of Line 3B would be 365 cfs, which would be capable of conveying the anticipated 345 cfs (or less) of runoff from the on-site detention basin, in accordance with the *Master Flood Control and Drainage Plan*. The maximum 100-year flow rate capacity of the southerly portion of this segment of Line 3B would be 505 cfs in accordance with the *Master Flood Control and Drainage Plan*. Offsite drainage improvements include seven connections to the existing Hemet Channel, which would contribute storm water runoff volume at approximately 180 cfs. The City's *Master Flood Control and Drainage Plan* identifies a 100-year total flow rate not to exceed 200 cfs entering the Hemet Channel from the Modified Project site (from Line 3C). Therefore, storm water runoff generated by the Modified Project would not exceed the capacity of the Hemet Channel.

Release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm biological resources or ecosystem processes downstream would be minimized through the construction of 13 bioretention basins. Each bioretention basin shall be designed with DCV sufficient retain all storm water runoff for treatment prior to conveyance off-site into the Hemet Channel and Salt Creek in accordance with the project and site-specific WQMP. The 13 bioretention basins would provide water quality treatment during percolation with a pollutant removal efficiency rating of at least 80 percent in accordance with the California Toxics Rule.

The Approved Project required implementation of **2008 Mitigation Measures HWQ-1a** through **2008 Mitigation Measures HWQ-1f** (see Section II(C) of this Findings Document) to reduce impacts pertaining to drainage capacity issues; however, these mitigation measures would be replaced by **PPP 3.8-1, PPP 3.6-3, PPP 3.6-4, PDF 3.8-3** and **PDF 3.8-4** and therefore would no longer be applicable to the proposed Modified Project. When compared to the Approved Project, the proposed Modified Project would have similar (less than significant) impacts related to drainage capacity (DSEIR pgs.3.8-27 to 3.8-29).

f. Water Quality (Impact 3.8.7.6)

Potential Significant Impact: Whether the Modified Project would otherwise substantially degrade water quality.

Findings: Potential impacts of the proposed Modified Project related to water quality issues are discussed in detail in Section 3.8.7.6 of the DSEIR. **PDFs 3.8-1, 3.8-2, 3.8-3, 3.8-4, 3.6-2, PPPs 3.8-1, 3.6-3** and **3.6-4** would be implemented by the proposed Modified Project to ensure reduced affects pertaining to water quality issues. The Approved Project required implementation of **2008 Mitigation Measures HWQ-1a** through **2008 Mitigation Measures HWQ-1g** (see Section II(C) of this Findings Document) to reduce impacts pertaining to water quality issues; however, these mitigation measures would be replaced by **PDFs 3.8-1, 3.8-2, 3.8-3, 3.8-4, 3.6-2, PPPs 3.8-1, 3.6-3** and **3.6-4** and therefore would no longer be applicable to the proposed Modified Project. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to water quality; therefore, no mitigation is required.

Facts in Support of the Findings: The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities to mitigate flood hazards. The 2008 Draft EIR concluded construction and operation of the Approved Project would increase the pollutant load (typically comprised of minor amounts of sediment, oil and grease, pesticides and herbicides, dust debris, litter, lawn clippings, animal waste, and other organic matter) in surface runoff flowing through or originating from the site. Specific pollutants of concern which could be conveyed to downstream waters of Salt Creek, Canyon Lake, San Jacinto River (Reach 1) and Lake Elsinore include sediment/turbidity, nutrients, oxygen demanding substances, and pathogens (bacteria/viruses). **2008 Mitigation Measures HWQ-1a** through **HWQ-1g** were prescribed to ensure a final WQMP was developed to address post-construction volume of storm water runoff that could result in discharge of pollutants and hydromodification of downstream waters, and to ensure proposed flood control and storm drain facilities are constructed in accordance with the project-specific hydrology studies and permit requirements of responsible regulatory agencies. Impacts were determined to be less than significant with implementation of the Approved Project.

The proposed improvements to on-site and off-site drainage facilities would be adequately sized in accordance with the City's *Master Flood Control and Drainage Plan* to ensure Modified Project impacts to downstream waters remains less than significant. Landscaping and slope maintenance would be conducted as soon as possible in order to reduce erosion potential by minimizing exposure of soils to wind, water, and gravity. The Modified Project would incorporate a variety of drought tolerant landscaped

areas that would provide water quality treatment of on-site runoff before discharge to the Hemet Channel and Salt Creek. Because compliance with the requirements of the NPDES Construction General Permit pursuant to the CWA, California's Porter-Cologne Act, and the NPDES MS4 Permit would require implementation of construction and operational BMPs to reduce pollutants of concern, Modified Project impacts related to substantial additional sources of polluted runoff would be less than significant. The Approved Project required implementation of **2008 Mitigation Measures HWQ-1a** through **2008 Mitigation Measures HWQ-1g** (see Section II(C) of this Findings Document) to reduce impacts pertaining to water quality issues; however, these mitigation measures would be replaced by **PDFs 3.8-1, 3.8-2, 3.8-3, 3.8-4, 3.6-2, PPPs 3.8-1, 3.6-3** and **3.6-4** and therefore would no longer be applicable to the proposed Modified Project. When compared to the Approved Project, the proposed Modified Project would have similar (less than significant) impacts related to water quality (DSEIR pg.3.8-29).

g. Housing Placement in Flood Hazard Area (Impact 3.8.7.7)

Potential Significant Impact: Whether the Modified Project would place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

Findings: Potential impacts of the proposed Modified Project related to housing placement in flood hazard areas are discussed in detail in Section 3.8.7.7 of the DSEIR. The **2008 Mitigation Measure HWQ-7a**, which requires an application to Federal Emergency Management Agency (FEMA) to revise the Flood Insurance Rate Map (FIRM) to remove the portion of TTM 35392 from the 100-year flood hazard area, is replaced with Modified Project **PDF 3.8-5** and **PPP 3.8-2**, which require flood-resistant construction pursuant to the regulations set forth in NFIP Section 60.3 and include applications for CLOMR-F and LOMR-F from FEMA as they apply to the proposed Modified Project. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to housing placement in flood hazard areas; therefore, no mitigation is required.

Facts in Support of the Findings: According to the most recent FIRM, all housing proposed under the Modified Project would be located within Flood Zone X (other flood areas). The project-specific Drainage Study compared the contours of Flood Zone X with the proposed residential pad elevations and determined all residential pads are above the 100- year water surface with at least a foot of freeboard. The **2008 Mitigation Measure HWQ-7a**, which requires an application to FEMA to revise the FIRM to remove the portion of TTM 35392 from the 100-year flood hazard area, is replaced with Modified Project **PDF 3.8-5** and **PPP 3.8-2.** When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts regarding housing in flood hazard areas (DSEIR pg.3.8-30).

h. Structure Placement in Flood Hazard Area (Impact 3.8.7.8)

Potential Significant Impact: Whether the Modified Project would place within a 100-year flood hazard area, structures which would impede or redirect flood flows.

Findings: Potential impacts of the proposed Modified Project related to structure placement in flood hazard areas are discussed in detail in Section 3.8.7.8 of the DSEIR. The **2008 Mitigation Measure HWQ-7a**, which requires an application to Federal Emergency Management Agency (FEMA) to revise the Flood Insurance Rate Map (FIRM) to remove the portion of TTM 35392 from the 100-year flood hazard area, is replaced with Modified Project **PDF 3.8-5** and **PPP 3.8-2**, which require flood-resistant construction pursuant to the regulations set forth in NFIP Section 60.3 and include applications for CLOMR-F and LOMR-F from FEMA as they apply to the proposed Modified Project. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to structure placement in flood hazard areas; therefore, no mitigation is required.

Facts in Support of the Findings: A portion of Planning Area XIII where commercial uses are proposed and the area of proposed off-site improvements to Warren Road are within Flood Zone AE. Additionally, the northern boundary of the Modified Project site abuts Flood Zone AE along the Hemet Channel. The City plans to realign Stetson Avenue from its current east/west alignment to a northeast/southwest alignment adjacent to the south of the Hemet Channel and within the proposed TTM 36841. The City's realignment of Stetson Avenue is proposed independent of the Modified Project and, as indicated in the Certified EIR, would remove the 100-year flood zone (Flood Zone AE) designation from the south side of the Hemet Channel where commercial uses are proposed. The proposed construction of the westerly half of new Warren Road, including modifications to the Stetson Avenue intersection at the northeast corner of the Modified Project site and a realigned transition back to the existing Warren Road alignment would occur within Flood Zone AE, and improvements to a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road, as indicated in **PDF 3.8-4**, are proposed within Flood Zone A. It should be noted that off-site improvements to the segment of Line 3B between the Modified Project site and Simpson Road would occur in accordance with the City's Master Flood Control and Drainage Plan for the purposes of safely conveying storm water runoff in order to prevent episodes of flooding. the Modified Project would be required to file a notice to the FEMA of final base flood elevations for development within Flood Zone A and incorporate drainage features and/or design elements to ensure construction within Flood Zone A and Flood Zone AE would not increase the upstream high-water elevation above a pre-established Base Flood Elevation (BFE) in accordance with National Flood Insurance Program (NFIP) Section 60.3. Additionally, NFIP Section 60.3(d) requires a FEMA permit for a Floodway Encroachment for construction in Flood Zone A and Flood Zone AE 100-year flood zones, and

the lowest floor (including basement) must be built above a predetermined BFE for both Flood Zone A and Flood Zone AE. Prior to grading plan approval, the developer shall obtain a Conditional Letter of Map Revision based on Fill (CLOMR-F) from FEMA. Prior to issuance of the first building permit, the developer shall obtain a Letter of Map Revision based on Fill (LOMR-F) from FEMA. These actions are conditioned as project design features or required pursuant to regulation (**PDF 3.8-5** and **PPP 3.8-2**). When compared to the Approved Project, the proposed Modified Project would have similar, less than significant impacts, from construction of structures which would impede or redirect flood flows within a 100-year flood hazard area (DSEIR pgs.3.8-30 to 3.8-31).

i. Dam Inundation Area (Impact 3.8.7.9)

Potential Significant Impact: Whether the Modified Project would expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.

Findings: Potential impacts of the proposed Modified Project related to dam inundation areas are discussed in detail in Section 3.8.7.9 of the DSEIR. The Modified Project would implement **PPP 3.8-2** and **PDF 3.8-5** to ensure flood hazards are reduced pertaining to potential dam failures. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to dam inundation areas; therefore, no mitigation is required.

Facts in Support of the Findings: The western portion (approximately 25 percent) of Modified Project is located within the dam inundation zone of the Diamond Valley Reservoir. Accordingly, the Modified Project would incorporate on-site drainage and anchoring methods to prevent floating structures, elevate buildings above flood levels, and flood proof, which requires buildings to be inspected and certified by a professional engineer, surveyor or building inspector through implementation of **PPP 3.8-2** and **PDF 3.8-5**. The proposed Modified Project would be conditioned to meet these requirements, including compliance with State Civil Code Section 1103 requiring notification to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area. These requirements would be confirmed through the City's plan review process. Therefore, impacts from placing a structure within an area that would expose people or structures to a significant risk of loss, injury, or death as a result of the failure of a levee or dam would be less than significant. When compared to the Approved Project, impacts of the Modified Project would be similar, less than significant, to those of the Approved Project (DSEIR pgs.3.8-31 to 3.8-32).

j. Seiche, Tsunami, or Mudflow (Impact 3.8.7.10)

Potential Significant Impact: Whether the Modified Project would result in inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the proposed Modified Project related to dam inundation areas are discussed in detail in Section 3.8.7.9 of the DSEIR. The Modified Project would implement **PPP 3.8-2** and **PDF 3.8-5** to ensure potential issues from seiches, tsunamis, or mudflows are reduce. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to issues from seiches, tsunamis, or mudflows; therefore, no mitigation is required.

Facts in Support of the Findings: Tsunamis are large waves that occur in coastal areas. Since the City is not located in a coastal area, no impact from inundation by tsunami would occur. The proposed Modified Project site and its surroundings have generally flat topography. Therefore, impacts from mudflows are unlikely and less than significant. Diamond Valley Lake is a relatively large man-made waterbody located approximately 2 miles south of the Modified Project Site. The Modified Project would incorporate on-site drainage, anchoring methods to prevent floating structures, elevation of buildings above flood levels, and flood proofing, which requires buildings to be inspected and certified by a professional engineer, surveyor or building inspector. The proposed Modified Project would be conditioned (through implementation of **PPP 3.8-2** and **PDF 3.8-5**) to meet these requirements, including compliance with State Civil Code Section 1103 requiring notification to those potentially affected of the risk involved in locating within a flood hazard or dam inundation area. These requirements would be confirmed through the City's plan review process. Therefore, Modified Project impacts from seiches would be less than significant. When compared to the Approved Project, impacts of the Modified Project would be similar, less than significant, to those of the Approved Project (DSEIR pg.3.8-32).

k. Cumulative Hydrology and Water Quality Impacts (Impact 3.8.8)

Potential Significant Impact: Whether the Modified Project would cumulatively contribute to hydrology and water quality impacts.

Findings: Potential cumulative impacts of the proposed Modified Project related to hydrology and water quality issues is discussed in Section 3.8.8 of the DSEIR. The Modified Project would implement **PDFs 3.8-1, 3.8-2, 3.8-3, 3.8-4, 3.8-5, 3.6-2, PPPs 3.8-1, 3.6-3** and **3.6-4** to reduce potential affects pertaining to hydrology and water quality issues. These PPPs and PDFs replace **1979 EIR Mitigation Measure 1, 2008 Mitigation Measures HWQ-1a** through **HWQ-1g** and **2008 Mitigation Measure HWQ-7a**. Based on the entire record before us, this Council finds that development of the Modified Project would contribute to a less than significant cumulative impact related to issues pertaining to hydrology and water quality; therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative area is the Santa Ana watershed. Cumulatively, development within the watershed would result in an increase in impervious surfaces, changes in the type and density of land use, and corresponding changes in the amount and characteristic of runoff characteristics. All future development in the City and throughout the Santa Ana Regional Water Quality Control Board (RWQCB) would be required to comply with the applicable requirements of the NPDES permit program and water quality standards defined by local, regional, State and federal agencies. Continued growth is anticipated to occur in the City and surrounding areas, and all new development and significant redevelopment would be required to minimize its individual impacts to water quality and pollutant transport through implementation of BMPs. The proposed Modified Project drainage plan sufficiently reduces project-specific drainage impacts. It is reasonable to conclude that drainage impacts associated with development of other sites in the project area would be equally required to provide drainage improvements sufficiently sized and located to address the unique site requirements. Furthermore, the proposed Modified Project would not be dependent on local groundwater and therefore would not contribute cumulatively to its depletion (DSEIR pgs.3.8-32 to 3.8-33).

8. Land Use and Planning

a. Divide Established Community (Impact 3.9.7.1)

Potential Significant Impact: Whether the Modified Project would physically divide an established community.

Findings: Potential impacts of the proposed Modified Project related to dividing an established community is discussed in detail in Section 3.9.7.1 of the DSEIR. The **1979 EIR Land Use Mitigation Measure 1** required increased coordination between Riverside County, LAFCO, and the City to provide the City with the necessary planning controls to mitigate incompatible land uses and avoid conflicts in development standards. Currently, all of the planning area addressed in the 1979 Certified EIR have been annexed into the City, and **1979 EIR Land Use Mitigation Measure 1** is no longer applicable to the Modified Project. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to dividing an established community; therefore, no mitigation is required.

Facts in Support of the Findings: The Modified Project is contiguous to existing residential development, represents a logical extension of the existing development pattern in the area, and connects to surrounding development by a network of multi-modal facilities (streets, pedestrian-oriented parkways, and sidewalks). The Modified Project would not divide an established community and therefore no mitigation is required. When compared to the Approved Project, the proposed Modified Project would

have the same, less than significant, impacts related to physically dividing an established community (DSEIR pg. 3.9-5).

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b. Conflict with Plans, Policies, or Regulations (Impact 3.9.7.2)

Potential Significant Impact: Whether the Modified Project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Findings: Potential impacts of the proposed Modified Project related to conflicts with plans, policies or regulations is discussed in detail in Section 3.9.7.2 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to conflicts with land use plans, policies or regulations; therefore, no mitigation is required.

Facts in Support of the Findings: The proposed Modified Project site and surrounding area is residential in nature and lacks supporting retail/commercial services. The proposed commercial land use would generally address key issues and implements policies of the City General Plan and the Southern California Association of Governments (SCAG) 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) that reduce vehicle miles traveled (VMT) and associated air pollution emissions. This includes developing commercial uses in proximity to residential uses and facilitating alternative modes of transportation between such uses. Therefore, the proposed Modified Project is substantively consistent with the City General Plan and SCAG's 2016 RTP/SCS. When compared to the Approved Project, the proposed Modified Project would have the same, less than significant impacts, related to conflicts with applicable land use plans, policies, or regulations (DSEIR pgs.3.9-5 to 3.9-8).

c. Cumulative Land Use and Planning Impacts (Impact 3.9.8)

Potential Significant Impact: Whether the Modified Project would cumulatively contribute to land use and planning impacts.

Findings: Potential cumulative impacts of the proposed Modified Project related to land use and planning issues is discussed in Section 3.9.8 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would contribute to a less than significant cumulative impact related to issues pertaining to land use and planning issues; therefore, no mitigation is required.

Facts in Support of the Findings: The Modified Project represents a minor change to the underlying land use approvals envisioned by the City's General Plan and the Page Ranch Planned Community PCD 79-93. The changes can be characterized by a reduction in residential residences and an increase in neighborhood serving commercial (100,000 square feet). The anticipated growth associated with the

Modified Project would not have cumulatively considerable impacts on the environment provided the growth occurs in accordance with the City General Plan and the Page Ranch Planned Community PCD 79-93 SP as revised by the proposed Modified Project. When compared to the Approved Project, the proposed Modified Project would have the same less than significant cumulative impacts pertaining to land use and planning issues (DSEIR pg.3.9-9).

9. Mineral Resources

a. Loss of Statewide or Regionally Important Mineral Resources (Impact 3.10.7.1)

Potential Significant Impact: Whether the Modified Project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State.

Findings: Potential impacts of the proposed Modified Project related to the loss of statewide or regionally important mineral resources is discussed in detail in Section 3.10.7.1 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in no impact related to loss of statewide or regionally important mineral resources; therefore, no mitigation is required.

Facts in Support of the Findings: Historically, the primary mineral resources of value to the City and region were aggregate materials used for construction. Serpentine was mined in Diamond Valley in the general vicinity of the proposed Modified Project site. The proposed Modified Project site has been used for agricultural activities, primarily dry farming, and no evidence of mineral resource extraction is known for the site or immediate vicinity. Additionally, based on available data, the City does not consider aggregate material, such as serpentine, of significant economic value despite having the potential for local significance. When compared to the Approved Project, impacts associated with loss of statewide or regionally important mineral resources from the Modified Project would be the same (i.e., no impact) (DSEIR pg. 3.10-4).

b. Loss of Locally Important Mineral Resources (Impact 3.10.7.2)

Potential Significant Impact: Whether the Modified Project would 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 plans.

Findings: Potential impacts of the proposed Modified Project related to the loss of locally important mineral resources is discussed in detail in Section 3.10.7.2 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in no impact related to loss of locally important mineral resources; therefore, no mitigation is required.

Facts in Support of the Findings: The zoning of properties surrounding the proposed Modified Project site include Heavy Manufacturing and Heavy Agricultural across the railroad track to the north, Page Ranch Planned Community Development to the east, Specific Plan-Low Density Residential and Specific Plan-Mixed Use to the south, and Open Space and Planned Community Development to the west. Mining would be an incompatible land use, especially with the existing residential neighborhoods to the east and proposed specific plan [residential] developments to the south, east, and west of the proposed Modified Project site. When compared to the Approved Project, impacts associated with loss of locally important mineral resources from the Modified Project would be the same (i.e., no impact) (DSEIR pg. 3.10-4).

c. Cumulative Mineral Resources Impacts (Impact 3.10.8)

Potential Significant Impact: Whether the Modified Project would cumulatively contribute to mineral resource impacts.

Findings: Potential cumulative impacts of the proposed Modified Project related to mineral resources is discussed in Section 3.10.8 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would not contribute to a cumulative impact related to issues pertaining to mineral resources; therefore, no mitigation is required.

Facts in Support of the Findings: Neither the Approved Project nor the proposed Modified Project site are identified as containing significant mineral resource extraction sites or the sites of an existing mining/mineral extraction operation. Additionally, since both the proposed Modified Project site and Approved Project site have been used historically for agricultural activities, primarily dry farming, and no evidence of mineral resource extraction is known for these sites or immediate vicinity, neither the proposed Modified Project nor the Approved Project would cumulatively decrease the local or regional availability of mineral resources. Accordingly, as compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cumulatively considerable impacts to mineral resources (DSEIR pg. 3.10-5).

10. <u>Noise</u>

a. Excessive Groundborne Vibration (Impact 3.11.7.2)

Potential Significant Impact: Whether the Modified Project would expose persons to or generate, excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the proposed Modified Project related to excessive groundborne vibration is discussed in detail in Section 3.11.7.2 of the DSEIR. Based on the entire record before us, this Council

finds that development of the Modified Project would result in a less than significant impact related to excessive groundborne vibration; therefore, no mitigation is required.

Facts in Support of the Findings: The Certified EIR concluded groundborne vibration would be influenced by construction activities in the short term, and by railroad, airport and traffic noise in the long term. Neither construction nor operational activities are expected to exceed the 0.3 PPV significance level for potential structural damage. Impacts from vibration were found to be less than significant. No mitigation is required. Construction vibration velocity levels are expected to approach a maximum of 66.0 velocity decibels (VdB) at a distance of 125 feet from the Modified Project site, which is below the City of Hemet General Plan EIR vibration threshold of 80 VdB. Construction vibration velocity levels are expected to approach a maximum of 0.01 inch per second (in/sec) peak particle velocity (PPV) at a distance of 125 feet from the Modified Project site, which is below the City of Hemet General Plan EIR vibration threshold of 0.2 in/sec PPV, Therefore, construction-related vibration impacts are considered less than significant.

Reference vibration level at the nearest residential lot would range from 60 VdB for rapid transit or light rail to 72 VdB for locomotive powered passenger or freight rail. Therefore, vibration from railroad activities would not exceed the City of Hemet General Plan EIR vibration level threshold of 80 Vdb, and the proposed Modified Project would not expose persons to or generate excessive groundborne vibration or groundborne noise levels during operation. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts from construction and operational vibration (DSEIR pgs.3.11-30 to 3.11-31).

b. Private Airport Noise Levels (Impact 3.11.7.6)

Potential Significant Impact: Whether the Modified Project is within the vicinity of a private airstrip which would expose people residing or working in the Modified Project area to excessive noise levels.

Findings: Potential impacts of the proposed Modified Project related to private airport noise levels is discussed in detail in Section 3.11.7.6 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in no significant impact related to private airport noise levels; therefore, no mitigation is required.

Facts in Support of the Findings: The proposed Modified Project is located approximately 4,500 feet (0.85 mile) north of the Hemet Model Masters Simpson Field, a recreational airstrip for flying radio-controlled fixed wing and multi-rotor drone aircraft. Due to the substantial distance and scale of model aeronautics occurring at this facility, implementation of the proposed Modified project is not expected to expose people residing or working in the project area to excessive noise levels, particularly in comparison

to the distance of the project site to Hemet- Ryan Airport. When compared to the Approved Project, the proposed Modified Project would have similar [no] impacts from private airstrip noise levels (DSEIR pg. 3.11-39).

c. Cumulative Noise Impacts (Impact 3.11.8)

Potential Significant Impact: Whether the Modified Project would cumulatively contribute to noise impacts.

Findings: Potential cumulative impacts of the proposed Modified Project related to noise is discussed in Section 3.11.8 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would not contribute to a cumulative impact related to issues pertaining to noise; therefore, no mitigation is required.

Facts in Support of the Findings: Only planned projects in the immediate vicinity of the proposed Modified Project are likely to contribute to cumulative noise effects. Based on the analysis presented in Section 3.11.7 of the DSEIR, all construction and operational noise effects could be reduced to less than significant levels with compliance with regulations and implementation of project design features and mitigation. Additionally, the analysis in Section 3.11.7.1 of the DSEIR indicates the additional roadway traffic anticipated from Phase 1 and from buildout (Phase 1 and Phase 2) of the proposed Modified Project would generate an increase of between 0.5 dBA CNEL and 3 dba CNEL along the 37 study area roadway segments. This increase in ambient noise would be barely discernable to adjacent off-site land uses from existing baseline conditions. Therefore, similar to the Approved Project, the proposed Modified Project would not contribute to a cumulative considerable increase in noise when considered in the context of reasonably foreseeable current and future projects. No additional mitigation is required (DSEIR pgs.3.11-39 to 3.11-40).

11. <u>Population and Housing</u>

a. Induce Substantial Growth in Area (Impact 3.12.7.1)

Potential Significant Impact: Whether the Modified Project would induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure).

Findings: Potential impacts of the proposed Modified Project related to inducing substantial growth in the area is discussed in detail in Section 3.12.7.1 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in a less than significant impact related to substantial growth in the area; therefore, no mitigation is required.

Facts in Support of the Findings: The 2008 EIR concluded the project population increase would increase the overall estimated buildout population of the Page Ranch Community Plan primarily due to changing the Planning Area XII for TTM 35392 from Industrial to Residential and increasing the density in Planning Area VI for TTM 35394 from 2.5 du/ac to 5.0 du/ac. The overall population increase in the Specific Plan is 438 persons which is an 8.1 percent increase. The project would contribute toward the City's housing needs, consistent with the City's General Plan Housing Element. It would also allow for more compatible land uses adjacent to existing residential land uses. The housing is consistent with current and anticipated needs based on population projections. Impacts would be less than significant and no mitigation is required. The proposed Modified Project would not induce population growth. The number of dwelling units is decreasing from 740 units as approved under the Certified EIR to 586 units, which would not result in substantially more population growth than that which was anticipated under the Approved Project. When compared to the Approved Project, impacts associated with induced population growth would be the same (i.e., less than significant), and no mitigation is required (DSEIR pgs. 3.12-4 and 3.12-5).

b. Displace Substantial Numbers of Existing Housing (Impact 3.12.7.2)

Potential Significant Impact: Whether the Modified Project would displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

Findings: Potential impacts of the proposed Modified Project related to displacing substantial numbers of existing housing in the area is discussed in detail in Section 3.12.7.2 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in no impact related to the displacement of substantial numbers of existing homes on the site; therefore, no mitigation is required.

Facts in Support of the Findings: The 2008 EIR concluded the project site is currently vacant. Therefore, implementation of the project would not displace substantial numbers of existing housing and no impact to existing housing is anticipated. No impact would occur, and no mitigation is required. The proposed Modified Project site is located in the west/southwest portion of the City of Hemet. The project site is undeveloped and does not contain any residential units. Implementation of the Project would not displace substantial numbers of existing housing (as the site is vacant) and no impact to existing housing is anticipated. Impacts would be the same as the Approved Project (i.e., no impact) and no mitigation is required (DSEIR pg. 3.12-5).

c. Displace Substantial Numbers of People (Impact 3.12.7.3)

Potential Significant Impact: Whether the Modified Project would displace substantial numbers of people necessitating the construction of replacement housing elsewhere.

Findings: Potential impacts of the proposed Modified Project related to displacing substantial numbers of people in the area is discussed in detail in Section 3.12.7.3 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in no impact related to the displacement of substantial numbers of people on the site; therefore, no mitigation is required.

Facts in Support of the Findings: The 2008 EIR concluded the project site is vacant and no persons permanently reside on the site. Therefore, development of the proposed project would not displace substantial numbers of people. No impact would occur and no mitigation is required. The Modified Project site is currently vacant. Implementation of the Modified Project would not displace substantial numbers of people. When compared to the Approved Project, the Modified Project impacts associated with displacement of substantial numbers of people would be the same (i.e., no impact), and no mitigation is required (DSEIR pg. 3.12-5).

d. Cumulative Population and Housing Impacts (Impact 3.12.8)

Potential Significant Impact: Whether the Modified Project would cumulatively contribute to population and housing impacts.

Findings: Potential cumulative impacts of the proposed Modified Project related to population and housing is discussed in Section 3.12.8 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would not contribute to a cumulative impact related to issues pertaining to population and housing; therefore, no mitigation is required.

Facts in Support of the Findings: Land uses currently approved under the Page Ranch PCD would allow for the development of 744 residential units on the Modified Project site. The proposed Modified Project would reduce residential dwelling unit count from 744 to 586 units. Based on the acreages detailed in Table 2.B of the DSEIR, the gross Modified Project density would be 2.60 dwelling units per acre as compared to the Approved Project density of 3.13 dwelling units per acre. According to the 2019 SCAG Local Profile Report for Hemet, the population per household is 2.7. Assuming the 586 dwelling units proposed under the Modified Project, the Modified Project would introduce approximately 1,582 persons to the City. Although the Modified Project would introduce additional permanent residents to the City, the intensity of the proposed residential uses is substantially less than that which was anticipated under the Approved Project. Therefore, similar to the Approved Project, the proposed Modified Project would not have a cumulatively considerable impact to population and housing (DSEIR pg. 3.12-6).

12. <u>Public Services</u>

a. Fire Protection and Emergency Services (Impact 3.13.7.1)

Potential Significant Impact: Whether the Modified Project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services.

Findings: Potential impacts of the proposed Modified Project related to fire protection and emergency services is discussed in detail in Section 3.13.7.1 of the DSEIR. The DSEIR concluded the intent of **1979 Mitigation Measures 1** and **3** no longer apply to the proposed Modified Project and are replaced with **PDF 3.13-1**, **PPPs 3.13-1** and **3.13-2**. The baseline conditions under which those mitigation measures were developed have changed substantially, and the infrastructure required to serve the proposed Modified Project is either in place or planned through existing programs required to facilitate its expansion. Based on the entire record before us, this Council finds that development of the Modified Project would result in less than significant impacts related to fire protection and emergency services; therefore, no mitigation is required.

Facts in Support of the Findings: The Modified Project site has been approved for development of 744 residential dwelling units under the Approved Project, and the Modified Project proposes to develop the site with 586 residential dwelling units and approximately 100,000 square feet of commercial uses. The provision of fire service personnel and emergency facilities has already been anticipated for buildout of the Page Ranch PCD SP, as evidenced by the construction of Fire Station No. 4 in 2005 approximately 1.5 miles northeast of the Modified Project site. Therefore, it is reasonable to conclude that development of TTM 36841 proposed as part of the Modified Project in accordance with current development codes that are generally more stringent than those under which the Approved Project was evaluated would not require new or physically altered fire protection or emergency facilities beyond those which have been identified under the Approved Project. Therefore, impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar or a lesser impact on fire and emergency services (DSEIR pgs.3.13-7 and 3.13-8).

b. Police Protection Services (Impact 3.13.7.2)

Potential Significant Impact: Whether the Modified Project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 police protection services.

Findings: Potential impacts of the proposed Modified Project related to police protection services is discussed in detail in Section 3.13.7.2 of the DSEIR. The DSEIR concluded the intent of **1979 Mitigation Measures 1** no longer applies to the proposed Modified Project and is replaced with **PDF 3.13-2**. Based on the entire record before us, this Council finds that development of the Modified Project would result in less than significant impacts related to police protection services; therefore, no mitigation is required.

Facts in Support of the Findings: The Modified Project site has been approved for development of 744 residential dwelling units under the Approved Project, and the Modified Project proposes to develop the site with 586 residential dwelling units and approximately 100,000 square feet of commercial uses. Since the Modified Project would generate fewer residents than the Approved Project, the provision of police service personnel and facilities has already been anticipated for buildout of the Page Ranch PCD SP in order to meet the City's performance standard of 1.3 officers per 1,000 residents through buildout of the City's General Plan in 2030. Therefore, it is reasonable to conclude that development of TTM 36841 proposed as part of the Modified Project with fewer residents than what was evaluated under the Approved Project would maintain the City's police officer to resident performance standard (1.3 per 1,000 residents) and not require new or physically altered police protection facilities, the construction of which could cause significant environmental impacts. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar less than significant impacts from an increased demand for police protection services but without mitigation (DSEIR pgs.3.13-9 to 3.13-10).

c. Schools (Impact 3.13.7.3)

Potential Significant Impact: Whether the Modified Project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 school services.

Findings: Potential impacts of the proposed Modified Project related to school services is discussed in detail in Section 3.13.7.3 of the DSEIR. The **1979 EIR Mitigation Measure 3** is replaced with **PPP 3.13-3**, which requires payment of development fees for schools in accordance with current regulatory standards. Based on the entire record before us, this Council finds that development of the Modified Project would result in no significant impacts related to school services; therefore, no mitigation is required.

Facts in Support of the Findings: The proposed Modified Project would pay the approved Alternate School Fee (Level 2) through implementation of **PPP 3.13-3** for new residential construction effective at the time building permits are pulled. Per California Government Code, "The payment or satisfaction of a fee, charge, or other requirement levied or imposed…are hereby deemed to be full and complete

mitigation of the impacts…on the provision of adequate school facilities." The Modified Project would be required to pay these development fees in accordance with Government Code 65995 and Education Code 17620. Through payment of development fees in accordance with Government Code 65995 and Education Code 17620, no impacts related to school services would occur. When compared to the Approved Project, the proposed Modified Project would have similar [no] impacts from an increased demand for school services (DSEIR pgs.3.13-10 and 3.13-11).

d. Parks (Impact 3.13.7.4)

Potential Significant Impact: Whether the Modified Project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 parks.

Findings: Potential impacts of the proposed Modified Project related to parks is discussed in detail in Section 3.13.7.4 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in less than significant impacts related to parks; therefore, no mitigation is required.

Facts in Support of the Findings: The Modified Project must include at least 7.91 acres of public parkland to comply with the City's standard of 5 acres of parks per 1,000 residents pursuant to Section 70-282 of the Municipal Code. The Modified Project includes 5.62 acres of public parks and 5.12 acres of parks to be maintained by the homeowner's association (total of 10.74 acres of parks), as well as 54.15 acres of open space. Additionally, the Mitigation Fee Act governs the establishment and administration of development impact fees (DIFs) to fund public facilities such as parks needed to serve new development. As permitted under the City Municipal Code, the payment of the City's DIF for park development would offset any increased demand on neighborhood and community parks and recreation facilities in the City as a result of the proposed Modified Project. Construction of new or expansion of existing parks is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA. The parkland proposed under the Modified Project is encompassed in the analyses throughout the DSEIR, and physical impacts to the environment are mitigated accordingly. Therefore, no additional mitigation is required to comply with the Quimby Act or City Municipal Code pertaining to the provision of parkland. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar less than significant impacts from an increased demand for parks (DSEIR pgs.3.13-11 to 3.13-12).

e. Cumulative Public Services and Facilities Impacts (Impact 3.13.8)

Potential Significant Impact: Whether the Modified Project would cumulatively contribute to impacts on public services and facilities.

Findings: Potential contribution of cumulative impacts of the proposed Modified Project related to public services and facilities is discussed in detail in Section 3.13.8 of the DSEIR. The **1979 EIR Mitigation Measure 1** is replaced with **PDF 3.13-1** and **PDF 3.13-2**, which incorporate project features designed to minimize increases in service demand in accordance with current regulatory standards (**PPP 3.13-1** and **PPP 3.13-2**). **1979 EIR Mitigation Measure 2** no longer applies to the Modified Project. The **1979 EIR Mitigation Measure 3** is replaced with **PPP 3.13-3**, which requires payment of development fees for schools in accordance with current regulatory standards. Based on the entire record before us, this Council finds that development of the Modified Project would not contribute to a cumulative impact related to public services and facilities; therefore, no mitigation is required.

Facts in Support of the Findings: All development within the service areas of the City of Hemet Police and Fire Departments would be required to adhere to conditions established by these agencies and would be subject to applicable fees that would contribute to the maintenance of their facilities. The project would result in the development of uses that are typical of those currently present in the service area for the City of Hemet Police and Fire Departments and does not include any use or structure anticipated to disproportionally increase service demand beyond that which currently exists. With adherence to standard conditions and payment of required fees, no significant cumulative impact on law enforcement and fire services in the City would occur.

The Hemet Unified School District (HUSD) requires the payment of development fees to provide for maintenance of existing and the expansion or construction of new facilities. All new development is required to provide school impact fees at the level identified by the HUSD, and it is anticipated that no cumulatively significant impact to school services would occur with implementation of the proposed Modified Project.

The Modified Project includes 5.62 acres of public parks and 5.12 acres of parks to be maintained by the homeowner's association (total of 10.74 acres of parks), as well as 54.15 acres of open space. The payment of the City's DIF for park development would offset any increased demand on neighborhood and community parks and recreation facilities in the City as a result of the proposed Modified Project. As future residential development is proposed, the City would require developers to provide the appropriate amount of parkland or pay the in-lieu fees, which would contribute to future recreational facilities.

Payment of these fees and/or implementation of facilities on a project by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities (DSEIR pgs.3.13-12 to 3.13-13).

13. Recreation

a. Increase the Use of Existing Neighborhood and Regional Parks (Impact 3.14.7.1)

Potential Significant Impact: Whether the Modified Project would increase the use of existing neighborhood and regional parks or other recreational facilities that substantial physical deterioration of the facility would occur or be accelerated.

Findings: Potential impacts of the proposed Modified Project related to increasing use of existing neighborhoods and regional parks is discussed in detail in Section 3.14.7.1 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in less than significant impacts related to increasing use of existing neighborhoods and regional parks; therefore, no mitigation is required.

Facts in Support of the Findings: The Modified Project must include at least 7.91 acres of public parkland to comply with the City's standard of 5 acres of parks per 1,000 residents pursuant to Section 70-282 of the Municipal Code. The Modified Project includes 5.62 acres of public parks and 5.12 acres of parks to be maintained by the homeowner's association (total of 10.74 acres of parks), as well as 54.15 acres of open space. Additionally, the Mitigation Fee Act governs the establishment and administration of development impact fees (DIFs) to fund public facilities such as parks needed to serve new development.

As permitted under the City Municipal Code, the payment of the City's DIF for park development would offset any increased demand on neighborhood and community parks and recreation facilities in the City as a result of the proposed Modified Project. Construction of new or expansion of existing parks is subject to project-level environmental review and site-specific mitigation as appropriate in order to ensure significant environmental impacts are avoided or mitigated in accordance with CEQA. The parkland proposed under the Modified Project is encompassed in the analyses throughout this SEIR, and physical impacts to the environment are mitigated accordingly. Therefore, no additional mitigation is required to comply with the Quimby Act or City Municipal Code pertaining to the provision of parkland. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have similar less than significant impacts from an increased demand for existing neighborhood and regional parks (DSEIR pgs.3.14-3 and 3.14-4).

b. Include Recreational Facilities or Require the Construction or Expansion of Recreational Facilities (Impact 3.14.7.2)

Potential Significant Impact: Whether the Modified Project would include recreational or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Findings: Potential impacts of the proposed Modified Project related to including recreational facilities or require the construction/expansion of recreational facilities is discussed in detail in Section 3.14.7.2 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in less than significant impacts related to including recreational facilities or require the construction/expansion of recreational facilities; therefore, no mitigation is required.

Facts in Support of the Findings: The proposed Modified Project consists of 5.12 acres of private HOA parks, 5.62 acres of public parks, and 54.15 acres of open space areas (total of 64.89 acres), which is over 26 percent of the overall 245.07-acre Modified Project site. The Modified Project's private and public recreation facilities are included as part of proposed TM 36841; therefore, the environmental effects associated with the development of these facilities have been considered through the analysis of the Modified Project as a whole. The construction of these facilities would not result in adverse physical effects on the environment beyond those analyzed for the overall development of the Modified Project. The Modified Project would be required to pay applicable park and recreation fees in accordance with Section 70-284 (park development fee payment criteria) and Section 70-285 (standard for dedication of land in lieu of fees) of the City Municipal Code, which would be used in part to maintain existing park facilities and/or construct new park facilities at a time and place determined appropriate by the City. The construction of such new park and recreation facilities would be an action independent of the Modified Project. The CEQA review for such an action would occur at a time on a level commensurate with each specific City sponsored park development project. Therefore, the Modified Project impacts from the construction of new or expansion of existing park or recreation facilities would be the same as those identified for the Approved Project (i.e., less than significant) (DSEIR pgs.3.14-4 and 3.14-5).

c. Cumulative Recreation and Parks Impacts (Impact 3.14.8)

Potential Significant Impact: Whether the Modified Project would cumulatively contribute to recreation impacts.

Findings: Potential contribution of cumulative impacts of the proposed Modified Project related to recreation is discussed in detail in Section 3.14.8 of the DSEIR. Based on the entire record before us, this

Council finds that development of the Modified Project would not contribute to a cumulative impact related to recreation; therefore, no mitigation is required.

Facts in Support of the Findings: As future residential development is proposed, the City would require developers to provide the appropriate amount of parkland/recreation or pay the in-lieu fees, which would contribute to future recreational facilities. Payment of these fees and/or implementation of facilities on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities. Since the Modified Project would develop parkland and recreation or pay the in-lieu fees, the Modified Project would not cumulatively contribute to recreation impacts (DSEIR pg. 3.14-5).

14. <u>Transportation</u>

a. Design Features or Incompatible Uses (Impact 3.15.7.5)

Potential Significant Impact: Whether the Modified Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the proposed Modified Project related to design features or incompatible uses pertaining to transportation is discussed in detail in Section 3.15.7.5 of the DSEIR. Based on the entire record before us, this Council finds that development of the Modified Project would result in less than significant impacts related to transportation related design features or incompatible uses; therefore, no mitigation is required.

Facts in Support of the Findings: Roadway improvements in and around the Modified Project site would be designed and constructed to satisfy all City requirements. With the installation of Modified Project improvements (similar to the Original Project), full participation in the applicable fee programs, and adherence to applicable existing requirements of the City and other agencies, impacts associated with this issue would be reduced to a less than significant level. No mitigation is required. (DSEIR pgs.3.15-34 and 3.15-35).

b. Inadequate Emergency Access (Impact 3.15.7.6)

Potential Significant Impact: Whether the Modified Project would result in inadequate emergency access.

Findings: Potential impacts of the proposed Modified Project related to inadequate emergency access is discussed in detail in Section 3.15.7.6 of the DSEIR. Based on the entire record before us, this Council

finds that development of the Modified Project would result in no significant impacts related to inadequate emergency access; therefore, no mitigation is required.

Facts in Support of the Findings: Traffic associated with Modified Project construction may have a temporary effect on existing traffic circulation patterns. Therefore, it may also affect emergency access. The proposed Modified Project is not expected to cause significant impacts to roadways or intersections that may be used by emergency vehicles. With installation of Modified Project improvement, full participation in the applicable fee program, and adherence to applicable existing requirements of the City, the necessary long-term emergency access features required for the Modified Project site and the City in general would be installed and appropriately maintained (DSEIR pg. 3.15-35).

15. Utilities

a. Wastewater Treatment Requirements (Impact 3.16.7.1)

Potential Significant Impact: Whether the Modified Project would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

Findings: Potential impacts of the proposed Modified Project related to wastewater treatment requirements is discussed in detail in Section 3.16.7.1 of the DSEIR. The Modified Project would implement **PPPs 3.8-1** and **3.6-3** to reduce potential affects pertaining to wastewater treatment requirements. Based on the entire record before us, this Council finds that development of the Modified Project would result in less than significant impacts related to wastewater treatment requirements; therefore, no mitigation is required.

Facts in Support of the Findings: Compliance with condition or permit requirements established by the City, and waste discharge requirements at the EMWD would ensure that discharges into the wastewater treatment facility system from the operation of the proposed Modified Project would not exceed applicable Regional Water Quality Control Board (RWQCB) wastewater treatment requirements. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant) impacts related to wastewater treatment requirements (DSEIR pgs.3.16-11 and 3.16-12).

b. Landfill Capacity (Impact 3.16.7.6)

Potential Significant Impact: Whether the Modified Project would be served by a landfill with sufficient permitted capacity to accommodate the Modified Project's solid waste disposal needs.

Findings: Potential impacts of the proposed Modified Project related to landfill capacity is discussed in detail in Section 3.16.7.6 of the DSEIR. The **1979 EIR Mitigation Measure 4** is replaced with **PPPs 3.3-3** and **3.16-1**, which require the Modified Project to comply with current regulatory standards AB 939 and

AB 341 related to solid waste diversion. Based on the entire record before us, this Council finds that development of the Modified Project would result in less than significant impacts related to solid waste disposal; therefore, no mitigation is required.

Facts in Support of the Findings: The Modified Project is expected to generate approximately 11,631.2 pounds (5.82 tons or 21.55 cubic yards) of solid waste per day. This amount is equivalent to 0.11 percent of the daily surplus at the Lamb Canyon Landfill serving the project site. Therefore, the Lamb Canyon Landfill has adequate capacity to serve the proposed project, and impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have the same (less than significant) impacts related to solid waste disposal (DSEIR pgs.3.16-17 to 3.16-19).

c. Legal Compliance for Solid Waste (Impact 3.16.7.7)

Potential Significant Impact: Whether the Modified Project would comply with federal, state, and local statutes and regulations related to solid waste.

Findings: Potential impacts of the proposed Modified Project related to legal compliance for solid waste is discussed in detail in Section 3.16.7.7 of the DSEIR. The **1979 EIR Mitigation Measure 4** is replaced with **PPPs 3.3-3** and **3.16-1**, which require the Modified Project to comply with current regulatory standards AB 939 and AB 341 related to solid waste diversion. Based on the entire record before us, this Council finds that development of the Modified Project would result in less than significant impacts related to federal, state, and local statutes and solid waste disposal regulations; therefore, no mitigation is required.

Facts in Support of the Findings: The proposed Modified Project would be required to coordinate with the waste hauler to develop collection of recyclable materials for the project on a common schedule as set forth in applicable local, regional, and State programs. Additionally, the proposed Modified Project would be required to implement the City's waste reduction procedures and comply with applicable elements of AB 939, AB 341, and Chapter 61 (Solid Waste Management) of the City Municipal Code and other applicable local, State, and federal solid waste disposal standards. Therefore, the Modified Project would not conflict with statutes and regulations related to solid waste. Impacts would be less than significant. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant] impacts related to compliance with solid waste regulations (DSEIR pg. 3.16-19).

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

1. <u>Air Quality</u>

a. Expose Sensitive Receptors to Substantial Pollutant Concentrations (Impact 3.3.7.4)

Potential Significant Impact: Whether the Modified Project would expose sensitive receptors to substantial pollutant concentrations.

Findings: The Council finds implementation of **2008 Mitigation Measure AQ-01 (as modified), 2008 Mitigation Measure AQ-09 (as modified), 2008 Mitigation Measure AQ-10 (as modified),** new **Mitigation Measure MM 3.3.10.1,** and **PPP 3.3-4** would reduce significant impacts pertaining to exposure of sensitive receptors to substantial pollutant concentrations to less than significant levels.

Some of the 2008 EIR Mitigation Measures are still applicable to the Modified Project; however, minor modifications of such mitigation measures are required for applicability to the Modified Project. Deletions or deviations from the 2008 EIR mitigation measures are identified in ~~strikeout~~ ~~text~~, and <u>underlined text</u> is used to signify new additions.

> **2008 Mitigation Measure AQ-01:** Prior to construction of the Project, the Project proponent shall provide a Fugitive Dust Control Plan that will describe the application of standard best management practices to control dust during construction. Best management practices (BMPs) shall include application of water on disturbed soils a minimum of ~~two~~ <u>three</u> times per day except on days when a rain event occurs, then exposed surfaces would be watered as necessary to meet the intent of Rule 403, covering haul vehicles, replanting disturbed areas as soon as practical, restricting vehicle speeds on unpaved roads to 15 mph, suspending grading activities when the wind exceeds 25 mph, and other measures, as deemed appropriate to the site, to

control fugitive dust. The Fugitive Dust Control Plan shall be submitted to the City and SCAQMD prior to construction.

2008 Mitigation Measure AQ-09: During construction, bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

2008 Mitigation Measure AQ-10: During all construction activities, construction contractors shall sweep on-site and off-site streets if silt is carried to adjacent public thoroughfares, to reduce the amount of particulate matter on public streets. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

The Modified Project would also implement the following new mitigation measures that were not disclosed in the previous 2008 EIR:

MM 3.3.10.1: Prior to issuance of any grading permit, the applicant shall submit evidence to the City that all diesel-powered construction equipment greater than 150 horsepower shall be compliant with the United States Environmental Protection Agency and California Air Resources Board Tier 3 emissions standards. Only Tier 3 diesel-powered construction equipment greater than 150 horsepower shall be utilized throughout the construction of Phase 1 and Phase 2 of the Modified Project. Additionally, the applicant shall provide evidence to the City at least once every two weeks that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. Equipment maintenance records and equipment design specification data sheets shall be kept on site during construction and subject to review by the City and the SCAQMD. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

Facts in Support of the Findings: The 1979 Certified EIR concluded exhaust emissions during construction and dust from grading operations would be a short-term nuisance to people in the vicinity of the Approved Project site, while emissions from operational activities would generate a regional impact but not a localized impact. Accordingly, the Certified EIR prescribed **1979 EIR Mitigation Measure 1** to ensure proper wetting of the project site during grading. The 2008 EIR concluded construction of the Approved Project would exceed the South Coast Air Quality Management District (SCAQMD) localized construction emission thresholds for PM_{10}, and $PM_{2.5}$. Additionally, the Approved Project was analyzed for CO hotspot conditions during operation and concluded CO concentrations would not exceed State or national ambient air standards. The 2008 Certified EIR prescribed **2008 Mitigation Measures AQ-1** through **AQ- 11** to reduce construction emissions to below Localized Significance Thresholds (LST). The EIR concluded the Approved Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant with mitigation incorporated.

The proposed Modified Project could actively disturb approximately 6.5 acres per day during the grading for Phase 1 and 2 of construction. As such, the dispersion modeling was conducted to estimate emissions for LSTs. Pollutant concentrations in proximity to eight sensitive residential receptor locations were

calculated. The nearest sensitive receptors to the Modified Project site are one single-family residential dwelling unit (R6) approximately 55 feet/16.8 meters south of the Modified Project site and several single-family residential dwelling units (R4) comprising Planning Area V of the Approved Project across Warren Road approximately 81 feet/24.7 meters east of the Modified Project site.

Construction of the Modified Project without mitigation is expected to exceed the LST for PM_{10}, which is a significant impact, and mitigation is required. The Modified Project would implement **PPP 3.3-4**, which incorporates Best Available Control Measures (BACMs) such as SCAQMD Rule 403 to reduce fugitive dust in accordance with General Plan Policy OS-7.11. Adoption of the **2008 Certified EIR Mitigation Measures AQ-01 (as modified)**, **AQ-09 (as modified)**, and **AQ-10 (as modified)** would further ensure reduction of fugitive dust in accordance with SCAQMD requirements. **Mitigation Measure 3.3.10.1** would require construction equipment greater than 150 horsepower to be compliant with EPA/CARB Tier 3 emissions standards and be tuned and maintained in accordance with the manufacturer's specifications. With implementation of **PPP 3.3-4**, **2008 Certified EIR Mitigation Measures AQ-01 (as modified), AQ-09 (as modified)**, and **AQ-10 (as modified)**, and **Mitigation Measure 3.3.10.1**, construction of the Modified Project would not exceed any LST.

When compared to construction of the Approved Project, for which mitigation was prescribed to reduce construction emissions to below LST, implementation of **PPP 3.3-4**, **2008 Certified EIR Mitigation Measures AQ-01 (as modified)**, **AQ-09 (as modified)**, and **AQ-10 (as modified)**, and **Mitigation Measure 3.3.10.1** would ensure the Modified Project would not expose sensitive receptors to substantial pollutant concentrations during construction. Therefore, impacts to sensitive receptors during construction of the Modified Project would be less than significant with mitigation incorporated in the same manner as the Approved Project.

The proposed Modified Project includes operation of 586 single-family residential dwelling units and 100,000 square feet of commercial uses. According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., transfer facilities and warehouse buildings). However, in accordance with General Plan Policies OS-7.9 and OS-7.10, the proposed Modified Project does not include such uses. Due to the lack of significant stationary source emissions, operational localized significance threshold analysis is not warranted and therefore was not conducted for the Modified Project.

The Basin was designated nonattainment under the CAAQS and NAAQS for CO during development of the 1993 SCAQMD CEQA Air Quality Handbook. However, the 2008 EIR CO concentrations would not exceed State or national air standards. Due to the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO

concentration in the Basin are now designated as attainment, and CO concentrations in the Modified Project vicinity have steadily declined. Since the Modified Project would not produce the volume of traffic required to generate a CO "hot spot," CO "hot spots" are not an environmental impact of concern for the proposed Modified Project. LST impacts from air pollutant emissions resulting from operations of the Approved Project were found to be **less than significant with mitigation**. The proposed Modified Project would result in less than significant LST impacts, less severe than the Approved Project (DSEIR pgs.3.3-24 to 3.3-26).

b. Objectionable Odors (Impact 3.3.7.5)

Potential Significant Impact: Whether the Modified Project would create objectionable odors affecting a substantial number of people.

Findings: The Council finds implementation of **2008 Mitigation Measure AQ-01 (as modified), 2008 Mitigation Measure AQ-05 (as modified), 2008 Mitigation Measure AQ-06 (as modified), 2008 Mitigation Measure AQ-08 (as modified), 2008 Mitigation Measure AQ-09 (as modified), 2008 Mitigation Measure AQ-10 (as modified), PPP 3.3-5, PPP 3.3-7, PPP 3.3-8** would reduce significant impacts pertaining to exposure of sensitive receptors to objectionable odors to less than significant levels.

Some of the 2008 EIR Mitigation Measures are still applicable to the Modified Project; however, minor modifications of such mitigation measures are needed to be applicable to the Modified Project. Deletions or deviations from the 2008 EIR mitigation measures are identified in ~~strikeout~~ ~~text~~, and underlined text is used to signify new additions. Refer to **2008 Mitigation Measure AQ-01 (as modified), 2008 Mitigation Measure AQ-09 (as modified),** and **2008 Mitigation Measure AQ-10 (as modified)** listed above under Impact 3.3.7.4. The following additional mitigation measures would be applicable to the Modified Project:

> **2008 Mitigation Measure AQ-05**: Prior to construction of the project, the developer shall provide a traffic control plan to the City that will describe in detail safe detours around the project construction site and provide temporary traffic control (e.g., flag person) during construction-related truck hauling activities. The traffic control plan is primarily intended as a safety measure but also can minimize traffic congestion and delays that increase idling and acceleration emissions. The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart J, Developing and Implementing Traffic Management Plans for Work Zones. This measure shall be implemented to the satisfaction of the City of Hemet Planning and Public Works Departments.
>
> **2008 Mitigation Measure AQ-06:** Prior to issuance of building permits, t~~T~~he developer shall provide evidence to the City that ~~require~~ painting ~~to~~ will be applied using either high-volume low-pressure (HVLP) spray equipment capable of achieving 65 percent transfer efficiency or by hand application. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

2008 Mitigation Measure AQ-07: Prior to the issuance of a grading permit, the developer shall provide a plan to the City listing the measures that will be used to encourage employee carpooling using measures recommended by the Riverside County Transportation Commission Inland Empire Commuter Services. Workers shall be informed in writing of the measures available, and a letter will be placed on file at the City documenting the extent of carpooling anticipated. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

2008 Mitigation Measure AQ-08: Prior to issuance of grading and building permits, the developer shall provide evidence to the City that o~~O~~n-site electrical hookups shall be provided for electric construction tools including saws, drills and compressors, to minimize the need for diesel powered electric generators. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

Facts in Support of the Findings: The 2008 Certified EIR concluded that construction of the Approved Project would generate diesel exhaust and VOCs, which are objectionable to some persons. However, emissions would disperse rapidly and therefore are not expected to occur at a level or frequency to induce a negative response. Furthermore, operation of the Approved Project would not generate objectionable odors since it does not contain land uses typically associated with emitting objectionable odors, such as wastewater treatment facilities, waste-disposal facilities, or agricultural operations. Therefore, Approved Project impacts from generation of objectionable odors were found to be **less than significant** and no mitigation was required.

The Modified Project has potential to generate objectionable odors from construction and operational activities. Project construction would generate limited odors over the short term, mainly from fumes emanating from gasoline and diesel powered construction equipment and temporary asphalt laying and paving activities. These odors would be temporary and are expected to be isolated to the immediate vicinity of the construction site. The Modified Project would implement **PPP 3.3-5** (SCAQMD Rule 402) regarding nuisances. Adoption of the **2008 EIR Mitigation Measure AQ-08 (as modified)** would further ensure reduction of nuisance emissions in accordance with SCAQMD requirements. Pursuant to **PPP 3.3-4** (SCAQMD Rule 403), fugitive dust must be controlled so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Adoption of the **2008 EIR Mitigation Measures AQ-01 (as modified)**, **AQ-09 (as modified)**, and **AQ-10 (as modified)** would further ensure reduction of fugitive dust in accordance with SCAQMD requirements. Additionally, **PPP 3.3-7** (Title 13, Section 2449(d)(D) of the California Code of Regulations) requires operators of off-road vehicles (i.e., self-propelled diesel fueled vehicles 25 horsepower and up that were not designed to be driven on road) to limit vehicle idling to five minutes or less. Adoption of the **2008 EIR Mitigation Measure AQ-05 (as modified)** would further minimize construction equipment idling in accordance with the California Code of Regulations.

The painting of buildings or the installation of asphalt surfaces may also create odors. PPP 3.3-6 (SCAQMD Rule 1113) outlines standards for paint applications, while **PPP 3.3-8** (SCAQMD Rule 1108) identifies standards regarding the application of asphalt. Adoption of the **2008 EIR Mitigation Measure AQ-06 (as modified)** would further minimize VOC emissions in accordance with SCAQMD Regulations. Adherence to the standards identified in these SCAQMD rules would reduce temporary odor impacts to a **less than significant level with mitigation**. When compared to construction of the Approved Project, the proposed Modified Project would have the same impacts related to objectionable odors.

Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed Modified Project may generate localized odors from garbage and green waste collections. However, the odors would cease to occur after the wastes are removed from the individual homes and businesses each week. As such, proposed residential and commercial uses would not generate objectionable odors off site. No other sources of objectionable odors have been identified for the proposed Modified Project during operation; therefore, impacts associated with odors during operation would be **less than significant**. When compared to operation of the Approved Project, the proposed Modified Project would have the same impacts related to objectionable odors. No mitigation is required (DSEIR pgs.3.3-26 to 3.3-27).

2. <u>Biological Resources</u>

a. Candidate, Sensitive, or Special-Status Plant and Wildlife Species (Impact 3.4.7.1)

Potential Significant Impact: Whether the Modified Project would 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 or U.S. Fish and Wildlife Service.

Findings: The Council finds impacts to common and MSHCP-covered species will be mitigated to a level of less than significant by implementing **Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4**. Implementation of **Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4** would ensure the Modified Project would have a less than significant impact to candidate, sensitive, or special status species. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts to candidate, sensitive, or special status species. The Certified EIR Mitigation Measures are replaced with proposed **Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4**, which are designed specifically for the Modified Project site in accordance with current regulatory standards:

MM 3.4.10.1: Prior to issuance of grading permits, the project applicant shall pay Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation fees as established and implemented by the City of Hemet. Five categories of the fee are defined and include: Residential, density less than 8.0 dwelling units per acre; Residential, density between 8.1 and 14.0 dwelling units per acre; Residential, density greater than 14.1 dwelling units per acre; Commercial per acre; and Industrial per acre. This measure shall be implemented at the rates in force at the time grading permits are issued to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.3: A burrowing owl pre-construction survey shall be conducted not more than 30 days prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities. If burrowing owls are detected on site during the 30-day pre-construction survey within the breeding season (February 1st to August 31st), then construction activities shall site during the 30-day pre-construction survey outside the breeding season (February 1 to August 31), then the buffer for construction activities shall be determined by a qualified biologist in consultation with the City. No construction activity shall be permitted within any burrowing owl construction buffer until a qualified biologist has confirmed that nesting efforts are complete or not initiated.

In addition to monitoring breeding activity, if construction is initiated during the breeding season or active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, California Department of Fish and Wildlife and United States Fish and Wildlife Service requirements for the relocation of individuals to Riverside Conservation Authority conserved lands located north of the Project Site within Proposed Noncontiguous Habitat Block 7. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.4: Mitigation for potential direct/indirect impacts to common and Riverside County Multiple Species Habitat Conservation Plan (MSHCP) covered sensitive bird and raptor species will require compliance with the federal Migratory Bird Treaty Act (MBTA). Construction outside the nesting season (between September 16 and January 31) does not require pre-construction nesting bird surveys. However, if construction is proposed within the nesting season (between February 1 and September 15), a qualified biologist must conduct a nesting bird survey(s) no more than 14 days prior to initiation of construction to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Modified Project site.

The survey(s) will focus on identifying any raptors and/or passerines (perching bird) 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 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 City of Hemet 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

City of Hemet 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. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

Facts in Support of the Findings: The Certified EIR concludes the Approved Project would impact vegetation and wildlife during construction and operation. The MSHCP was developed in 2001 by the County of Riverside in cooperation with State and federal agencies to address the direct, indirect, cumulative, and growth-related effects on covered species resulting from build out of planned land use and infrastructure, including the Approved Project. Biological surveys conducted for the Approved Project identified no candidate, sensitive, or special-status plant or wildlife species documented within the Approved Project site that are not covered by the MSHCP. Specifically, two species covered by the MSHCP were documented within the Approved Project site, the little mousetail and the burrowing owl. The on-site occurrence of little mousetail is outside the MSHCP Criteria Area Survey Area and is not associated with a vernal pool or any soil targeted for conservation by the MSHCP. Therefore, impacts to little mousetail were determined to be less than significant. However, the Approved Project site is located within the MSHCP-designated burrowing owl survey area. Accordingly, the Certified EIR prescribed Mitigation Measure 1 in the 1979 EIR to preserve some open space and Mitigation Measure BR-1a requiring pre-construction surveys for the burrowing owl and avoidance and/or relocation measures in accordance with the project-specific DBESP and concluded impacts to candidate, sensitive, or special-status species would be less than significant with mitigation.

As indicated in Table 3.4.A of the DSEIR, development of the proposed Modified Project would directly affect approximately 221.68 acres of vegetation communities (213.43 acres on site and 8.25 acres off site), of which 220.05 acres would be permanently affected while 1.63 acres would be temporarily affected (Figure 3.4.1).

A 62.75-acre portion of the Modified Project site is located within MSHCP Criteria Cell 4007, and a 20.23-acre portion is located within Criteria Cell 3892 (SU4 Hemet Vernal Pool Areas East). No conservation within Criteria Cell 4007 or 3892 is proposed or identified by the MSHCP criteria for the region located within the Modified Project site.

The Modified Project site is located within MSHCP narrow endemic plant, criteria area, and specific wildlife survey areas for the following 18 species (15 plant and 3 wildlife species), for which focused surveys were conducted in accordance with the MSHCP. None of the focused biological surveys identified any federal or state listed threatened or endangered plants or wildlife within the Modified Project site. However, one MSHCP criteria area species, smooth tarplant (191 plants), was identified within the off-site Modified Project boundary during the focused sensitive plant surveys. Although burrowing owl were detected within and adjacent to the Modified Project site during initial MSHCP focused surveys

conducted in 2005 and 2006 as part of the Approved Project, the results of those surveys did not meet the MSHCP requirements of three or more pairs for a site requiring on-site conservation.

Incidental MSHCP covered species documented during the Modified Project habitat assessment and/or focused survey efforts include the *California Species of Special Concern* white-tailed kite, California horned lark, and San Diego black-tailed jackrabbit, as well as the non-listed loggerhead shrike, turkey vulture, and coyote. Impacts to common and MSHCP-covered species will be mitigated to a less than significant level by implementing **Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4. Mitigation Measure 3.4.10.1,** requires the Project applicant to pay MSHCP Local Development Mitigation fees as determined by the City of Hemet in order to offset impacts from development of 221.68 acres of vegetation communities. **Mitigation Measures 3.4.10.3 and 3.4.10.4** require a 30-day pre-construction burrowing owl survey and 14-day pre-construction nesting bird survey, respectively, to ensure protection for MSHCP-covered species and compliance with the conservation goals as outlined in the MSHCP. Implementation of **Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4** would ensure the Modified Project would have a less than significant impact to candidate, sensitive, or special status species. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts to candidate, sensitive, or special status species (DSEIR pgs.3.4-14 to 3.4-17).

b. Riparian Habitat or other Sensitive Natural Communities (Impact 3.4.7.2)

Potential Significant Impact: Whether the Modified Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Findings: The Council finds impacts would occur to riparian and riverine resources characterized and regulated by MSHCP Section 6.1.2, including 16.05-acres of mule fat scrub, southern willow scrub, tamarisk scrub, and understory herbaceous and disturbed wetland that has established within the on-site man-made channel and basin. Unvegetated streambed resources meeting MSHCP 6.1.2 jurisdiction also include non-wetland and non-riparian streambed and bank associated with the Hemet Channel and portions of the on-site man-made channel and basin. Approximately 0.02 acre of permanent and 0.74 acre of temporary impact on riparian-vegetated streambed/basin, and 0.06 acre of permanent and 0.70 acre of temporary impact on unvegetated streambed would result from project execution (total of 1.52 acres of permanent/temporary impacts to jurisdictional resources regulated by CDFW and MSHCP Section 6.1.2). These impacts would be mitigated to less than significant levels by implementing **Mitigation Measures 3.4.10.5 and 3.4.10.6**. Implementation of **Mitigation Measures 3.4.10.5 and 3.4.10.6** would ensure the Modified Project would have a less than significant impact to riparian habitat or other sensitive natural communities. When compared to the Approved Project, the Modified Project would

have the same [less than significant with mitigation] impacts to riparian habitat or sensitive natural communities. The Certified EIR Mitigation Measures are replaced with proposed **Mitigation Measures 3.4.10.5 and 3.4.10.6**, which are designed specifically for the Modified Project site in accordance with current regulatory standards:

> **MM 3.4.10.5:** To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 1.52 acres of Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.2 riparian and riverine resources as follows in accordance with the MSHCP Determination of Biological Equivalent or Superior Preservation.
>
> **Off-Site Establishment/Reestablishment.** The project shall purchase 0.03 acre of establishment/reestablishment credits from the Riverpark Mitigation Bank. This element of the mitigation proposal will mitigate permanent impacts to wetland and non-wetland waters of the U.S./State and isolated waters of the State at a 2:1 ratio for non-wetlands and 3:1 ratio for wetlands. This will also mitigate temporary impacts to non-wetland waters of the U.S./State and isolated non-wetland waters of the State. The entirety of United States Army Corps of Engineers (USACE) jurisdiction will be mitigated with this measure.
>
> **On-Site Rehabilitation, Enhancement, and Preservation.** The project shall rehabilitate and enhance a minimum of 3.1 acres of on-site waters of the State, California Department of Fish and Wildlife (CDFW) jurisdiction, and Riparian/Riverine resources in the form of herbaceous wetland- and southern willow scrub-vegetated areas. The 3.1 acres will be contained within approximately 14.5 acres of on-site waters of the State, CDFW jurisdiction, and Riparian/Riverine resources that will be preserved. This element of the mitigation proposal will mitigate permanent and temporary impacts to CDFW jurisdiction and MSHCP Riparian/Riverine resources at a 3:1 ratio for wetland/riparian-vegetated streambed and 2:1 ratio for unvegetated streambed. This will also mitigate temporary impacts to isolated wetland waters of the State at a minimum 1:1 ratio.
>
> **On-Site Replacement and Enhancement of Beneficial Uses.** Five of the 13 non-jurisdictional features were determined to support two beneficial uses: limited warm freshwater habitat (LWRM) and wild habitat (WILD). These features will be permanently impacted by the project. The project shall be designed to incorporate 19.2 acres of water quality features to compensate the loss of these two beneficial uses and provide additional uses of value (Ground Water Recharge [GWR], Warm Freshwater Habitat [WARM], Wetland Habitat [WET], and Water Quality Enhancement [WQE]) to the local area and watershed.
>
> **MM 3.4.10.6:** Prior to issuance of a grading permit, the project applicant will obtain a Clean Water Act (CWA) Section 404 permit from the United States Army Corps of Engineers (USACE), 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW) and a Waste Discharge Requirement (WDR) permit issued by the Regional Water Quality Control Board (RWQCB) pursuant to the California Water Code Section 13260 (Porter-Cologne Act). Additionally, the project applicant shall provide to the City written correspondence from the United States Fish and Wildlife Service (USFWS) and CDFW confirming that the Determination of Biologically Equivalent or Superior Preservation (DBESP) has been approved.
>
> Mitigation for permanent and/or temporary impacts shall be determined as specified in the DBESP through consultation with the CDFW, USFWS, and the Western Riverside County Regional Conservation Authority (RCA). Mitigation may include on-site and/or off-site replacement and/or restoration of similar habitat. Off-site mitigation may occur on land acquired for the purpose of in-perpetuity preservation or through the purchase of mitigation credits at an agency-approved off-site mitigation bank. Mitigation shall be subject to pre-approval by USACE,

USFWS, CDFW, and RWQCB. This measure shall be implemented to the satisfaction of the City Development Services Department, CDFW, USFWS, and the RCA.

Facts in Support of the Findings: The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. The 2008 Draft EIR, encompassing 91.66 acres of the 245.07-acre proposed Modified Project as Planning Area X (TTM 35394) of the Approved Project, concluded no riparian habitat or other sensitive natural community is located within the Approved Project site.

Salt Creek is located between 0.5 and 1 mile south of the Modified Project site. Design elements would contribute to the Regional Drainage Plan and significantly improve the existing hydrology contributing to the sensitive resources located southwest of the Modified Project site within Salt Creek. Specifically, the proposed project would safely convey the region-wide peak flows (the maximum flow rate associated with a 100-year storm event), as well as the increased surface flows that would result from the development of the site. Therefore, Salt Creek would not be subject to adverse physical changes from construction or operation of the Modified Project.

A formal jurisdictional delineation of the Modified Project site was conducted to determine the boundaries or absence of streambed and riparian habitat subject to the regulatory jurisdiction of the CDFW, Sections 1600 *et seq*. of the California Fish and Game Code, and Riparian/Riverine Areas and Vernal Pools defined in MSHCP Section 6.1.2. Table 3.4.A and Figure 3.4.1 of the DSEIR identify the natural vegetation communities of the Modified Project site.

Most of the Modified Project site consists of active agricultural land—field croplands, which is routinely disked as part of dry-land farming practices. In 2007, an artificial ditch was constructed along the southern boundary of the Modified Project site as part of the Tracts 31807 and 31808 located on the east side of Warren Road to collect runoff from the site and adjacent properties. This constructed ditch now supports Disturbed Wetland**,** Herbaceous Wetland**,** Mule Fat Scrub**,** Southern Willow Scrub**,** Tamarisk Scrub**,** and Unvegetated Streambed vegetation communities. An infiltration basin was also constructed in the southwestern portion of the Modified Project site to collect overflow runoff from the drainage ditch and adjacent farmlands. This shallow basin supports Disturbed Wetland, Unvegetated Streambed**,** Seasonal Depression**,** and Tamarisk Scrub**.** Finally, the off-site reach of Hemet Channel located immediately north of the Modified Project site and generally devoid of vegetation was mapped as Unvegetated Streambed**.**

Site soils include artificial fills, topsoil, young alluvial-valley deposits, and older alluvium. Soils mapped within the eastern two-thirds of the site consist primarily of the Exeter, Hanford, Grangeville, and Greenfield soils, and soils on the western portion of the site are saline-alkali Domino and Traver soils.

Domino, Traver and Willows soil types are classified as sensitive substrates considered important for the conservation of certain plant species and vernal pool resources in the region.

The Modified Project site does not occur within a designated critical habitat for federally endangered or threatened species. Furthermore, no sensitive or undisturbed native habitats listed by CDFW as sensitive were documented within the Modified Project site. One of the 15 MSHCP Criteria Area and Narrow Endemic plant species, smooth tarplant (a small population consisting of 191 individual plants), was detected during the focused survey program along the proposed off-site drainage channel improvement alignment between the Modified Project site and Simpson road to the south. This small population is located within habitat characterized as agricultural land – field croplands. The limited distribution of this species off site is not expected to have long-term conservation value, and no mitigation obligations specific to this species are warranted. The other 14 target MSHCP species were not detected during the survey program and/or are not expected to grow on site due to a lack of detection.

Thirteen on-site seasonal depressions are inundated during high rainfall years, but not long enough to develop primary constituent elements of jurisdictional wetlands and waters (Figure 3.4.2 of the DSEIR). The features were confirmed to become inundated and saturated, but not over sufficient timeframes to support a dominance of hydrophytic vegetation or vernal pool indicator plants, develop hydric soils, support multiple wetland hydrology criterion, or support significant or critical populations of wildlife, including fairy shrimp. However, 5 of the 13 on-site seasonal depressions were determined to support two beneficial uses, Limited Warm Freshwater Habitat (LWRM)[5] and Wildlife Habitat (WILD)[6] due to the presence of the non-listed, common versatile fairy shrimp. The CDFW and MSHCP riparian/riverine acreages of the Modified Project site are identified in DSEIR Table 3.4.B and Figure 3.4.2.

Riparian and riverine resources characterized and regulated by MSHCP Section 6.1.2 include 16.05-acres of mule fat scrub, southern willow scrub, tamarisk scrub, and understory herbaceous and disturbed wetland that has established within the on-site man-made channel and basin. Unvegetated streambed resources meeting MSHCP 6.1.2 jurisdiction also include non-wetland and non-riparian streambed and bank associated with the Hemet Channel and portions of the on-site man-made channel and basin. No suitable habitat for the least Bell's vireo, southwestern willow flycatcher, or western yellow-billed cuckoo was detected within or adjacent to the Modified Project site.

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5 LWRM uses include waters that support warm water ecosystems which are severely limited in diversity and abundance as the result of concrete-lined watercourses and low, shallow dry weather flows which result in extreme temperature, pH, and/or dissolved oxygen conditions. Naturally reproducing finfish populations are not expected to occur in LWRM waters.

6 WILD uses include water that supports terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

As indicated in DSEIR Table 3.4.B, 0.02 acre of permanent and 0.74 acre of temporary impact on riparian-vegetated streambed/basin, and 0.06 acre of permanent and 0.70 acre of temporary impact on unvegetated streambed would result from project execution (total of 1.52 acres of permanent/temporary impacts to jurisdictional resources regulated by CDFW and MSHCP Section 6.1.2). These impacts are considered to be significant and will be mitigated to less than significant levels by implementing **Mitigation Measures 3.4.10.5 and 3.4.10.6**. **Mitigation Measure 3.4.10.5** requires a Determination of Biological Equivalent or Superior Preservation (DBESP) to ensure replacement of any lost functions and values of habitat as it relates to MSHCP riparian, riverine, and covered species. **Mitigation Measure 3.4.10.6** requires acquisition of a 1602 Streambed Alteration Agreement from CDFW. When compared to the Approved Project, the Modified Project would have similar [less than significant with mitigation] impacts to riparian habitat or sensitive natural communities (DSEIR pgs.3.4-17 to 3.4-21).

c. Wetland and Non-wetland Waters (Impact 3.4.7.3)

Potential Significant Impact: Whether the Modified Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, march, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Findings: The Council finds 0.01 acre of permanent and 0.51 acre of temporary impacts to wetland and non-wetland waters would result from project execution (total of 0.52 acre of permanent/temporary impacts to jurisdictional resources regulated by USACE and RWQCB). These impacts are considered to be significant and would be mitigated to less than significant levels by implementing **Mitigation Measures 3.4.10.5 and 3.4.10.6.** Implementation of **Mitigation Measures 3.4.10.5 and 3.4.10.6** would ensure the Modified Project would have a less than significant impact to wetland and non-wetland waters. When compared to the Approved Project, the Modified Project would have similar [less than significant with mitigation] impacts to wetland and non-wetland waters of the U.S. and waters of the State. The Certified EIR Mitigation Measures are replaced with proposed **Mitigation Measures 3.4.10.5 and 3.4.10.6**, which are designed specifically for the Modified Project site in accordance with current regulatory standards:

> **MM 3.4.10.5:** To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 1.52 acres of Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.2 riparian and riverine resources as follows in accordance with the MSHCP Determination of Biological Equivalent or Superior Preservation.
>
> **Off-Site Establishment/Reestablishment.** The project shall purchase 0.03 acre of establishment/reestablishment credits from the Riverpark Mitigation Bank. This element of the mitigation proposal will mitigate permanent impacts to wetland and non-wetland waters of the U.S./State and isolated waters of the State at a 2:1 ratio for non-wetlands and 3:1 ratio for wetlands. This will also mitigate temporary impacts to non-wetland waters of the U.S./State and

isolated non-wetland waters of the State. The entirety of United States Army Corps of Engineers (USACE) jurisdiction will be mitigated with this measure.

On-Site Rehabilitation, Enhancement, and Preservation. The project shall rehabilitate and enhance a minimum of 3.1 acres of on-site waters of the State, California Department of Fish and Wildlife (CDFW) jurisdiction, and Riparian/Riverine resources in the form of herbaceous wetland- and southern willow scrub-vegetated areas. The 3.1 acres will be contained within approximately 14.5 acres of on-site waters of the State, CDFW jurisdiction, and Riparian/Riverine resources that will be preserved. This element of the mitigation proposal will mitigate permanent and temporary impacts to CDFW jurisdiction and MSHCP Riparian/Riverine resources at a 3:1 ratio for wetland/riparian-vegetated streambed and 2:1 ratio for unvegetated streambed. This will also mitigate temporary impacts to isolated wetland waters of the State at a minimum 1:1 ratio.

On-Site Replacement and Enhancement of Beneficial Uses. Five of the 13 non-jurisdictional features were determined to support two beneficial uses: limited warm freshwater habitat (LWRM) and wild habitat (WILD). These features will be permanently impacted by the project. The project shall be designed to incorporate 19.2 acres of water quality features to compensate the loss of these two beneficial uses and provide additional uses of value (Ground Water Recharge [GWR], Warm Freshwater Habitat [WARM], Wetland Habitat [WET], and Water Quality Enhancement [WQE]) to the local area and watershed.

MM 3.4.10.6: Prior to issuance of a grading permit, the project applicant will obtain a Clean Water Act (CWA) Section 404 permit from the United States Army Corps of Engineers (USACE), 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW) and a Waste Discharge Requirement (WDR) permit issued by the Regional Water Quality Control Board (RWQCB) pursuant to the California Water Code Section 13260 (Porter-Cologne Act). Additionally, the project applicant shall provide to the City written correspondence from the United States Fish and Wildlife Service (USFWS) and CDFW confirming that the Determination of Biologically Equivalent or Superior Preservation (DBESP) has been approved.

Mitigation for permanent and/or temporary impacts shall be determined as specified in the DBESP through consultation with the CDFW, USFWS, and the Western Riverside County Regional Conservation Authority (RCA). Mitigation may include on-site and/or off-site replacement and/or restoration of similar habitat. Off-site mitigation may occur on land acquired for the purpose of in-perpetuity preservation or through the purchase of mitigation credits at an agency-approved off-site mitigation bank. Mitigation shall be subject to pre-approval by USACE, USFWS, CDFW, and RWQCB. This measure shall be implemented to the satisfaction of the City Development Services Department, CDFW, USFWS, and the RCA.

Facts in Support of the Findings: The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. The 2008 Draft EIR, encompassing 91.66 acres of the 245.07-acre proposed Modified Project as Planning Area X (TTM 35394) of the Approved Project, concluded no federally protected wetlands as defined by Section 404 of the Clean Water Act are located within the Approved Project site. However, the Hemet Channel and Thornton Channel, which are waters of the U.S. and CDFW jurisdictional streambeds, would be subject to impacts, and Mitigation Measure BR-2 is required to ensure compliance with appropriate water permitting regulations. With implementation of 2008 **Mitigation Measure BR-2**, impacts to waters of the U.S. and CDFG jurisdictional streambeds would be reduced to less than significant levels.

A formal jurisdictional delineation of the Modified Project site was conducted to determine the boundaries or absence of potential wetland and non-wetland waters of the U.S per Section 404 of the CWA, and wetland and non-wetland waters of the State per Section 401 of the CWA and Porter-Cologne. Thirteen on-site seasonal depressions are inundated during high rainfall years, but not long enough to develop primary constituent elements of jurisdictional wetlands and waters (Figure 3.4.2 of the DSEIR). As indicated in Table 3.4.B of the DSEIR, 0.01 acre of permanent and 0.51 acre of temporary impacts to wetland and non-wetland waters would result from project execution (total of 0.52 acre of permanent/ temporary impacts to jurisdictional resources regulated by USACE and RWQCB). These impacts are considered to be significant and will be mitigated to less than significant levels by implementing **Mitigation Measures 3.4.10.5 and 3.4.10.6. Mitigation Measure 3.4.10.5** requires a DBESP to ensure replacement of any lost functions and values of wetland and non-wetland waters of the U.S./State and isolated waters of the State. **Mitigation Measure 3.4.10.6** requires acquisition of a CWA Section 404 permit and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260 (Porter-Cologne Act). When compared to the Approved Project, the Modified Project would have similar [less than significant with mitigation] impacts to wetland and non-wetland waters of the U.S. and waters of the State (DSEIR pgs. 3.4-21 and 3.4-22).

d. Wildlife Movement, Corridors, and Nursery Sites (Impact 3.4.7.4)

Potential Significant Impact: Whether the Modified Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, march, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Findings: The Council finds project design and BMPs shall be incorporated into the Modified Project in accordance with **Mitigation Measure 3.4.10.7** to minimize edge effects to the Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Project Site (Salt Creek) associated with the Urban/Wildlands interface. Additionally, implementation of a 30-day pre-construction burrowing owl survey and 14-day pre-construction nesting bird survey in accordance with **Mitigation Measures 3.4.10.3 and 3.4.10.4**, respectively, will ensure protection for migratory birds that may occupy the site. Implementation of these PDFs and Mitigation Measures will reduce these impacts to less than significant. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts to wildlife movement, corridors, and nursery sites. The Certified EIR Mitigation Measures are replaced with proposed **Mitigation Measures 3.4.10.3, 3.4.10.4, and 3.4.10.7**, which are designed specifically for the Modified Project site in accordance with current regulatory standards:

MM 3.4.10.3: A burrowing owl pre-construction survey shall be conducted not more than 30 days prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities.

If burrowing owls are detected on site during the 30-day pre-construction survey within the breeding season (February 1st to August 31st), then construction activities shall be limited to beyond 300 feet of the active burrows. If burrowing owls are detected on site during the 30-day pre-construction survey outside the breeding season (February 1 to August 31), then the buffer for construction activities shall be determined by a qualified biologist in consultation with the City. No construction activity shall be permitted within any burrowing owl construction buffer until a qualified biologist has confirmed that nesting efforts are complete or not initiated.

In addition to monitoring breeding activity, if construction is initiated during the breeding season or active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, California Department of Fish and Wildlife and United States Fish and Wildlife Service requirements for the relocation of individuals to Riverside Conservation Authority conserved lands located north of the Project Site within Proposed Noncontiguous Habitat Block 7. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.4: Mitigation for potential direct/indirect impacts to common and Riverside County Multiple Species Habitat Conservation Plan (MSHCP) covered sensitive bird and raptor species will require compliance with the federal Migratory Bird Treaty Act (MBTA). Construction outside the nesting season (between September 16 and January 31) does not require pre-construction nesting bird surveys. However, if construction is proposed within the nesting season (between February 1 and September 15), a qualified biologist must conduct a nesting bird survey(s) no more than 14 days prior to initiation of construction to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Modified Project site.

The survey(s) will focus on identifying any raptors and/or passerines (perching bird) 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 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 City of Hemet 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 City of Hemet 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. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.7 Prior to issuance of grading permits, the project applicant shall provide evidence to the City that the Modified Project shall comply with Urban/Wildlands Interface guidelines

presented in Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.4 to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. Final project design shall be developed to ensure best management practices in accordance with the National Pollutant Discharge Elimination System (NPDES) permit are incorporated into the proposed Modified Project to address and minimize edge effects associated with the Urban/Wildlands Interface to Hemet Channel (PQP Conserved Land, Western Riverside County Multiple Species Habitat Conservation Plan Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Modified Project site (Salt Creek). This measure shall be implemented to the satisfaction of the City Development Services Department.

Facts in Support of the Findings: The Certified EIR concluded the nearest wildlife movement corridors in proximity to the Approved Project site are the Hemet Channel and Salt Creek, which provide habitat for species and also provide for movement of species from the Hemet area to the east to Canyon Lake in to the west. The Approved Project site is subject to occupancy by migratory birds and includes trees and other features that provide nesting opportunities for many bird species, particularly raptors; however, due to the Approved Project site's geographic location, surrounding land uses, and absence of native or natural habitat on adjacent parcels, it is not considered an essential component for regional wildlife movement. To mitigate for potential impacts to migratory birds, the 2008 Draft EIR prescribed **Mitigation Measures BR-3 and BR-4**, respectively, which require a pre-construction nesting bird survey during the nesting bird season and conformance with the with the MSHCP Urban/Wildland Interface Guidelines for the Approved Project. Implementation of **Mitigation Measures BR-3 and BR-4** would ensure impacts from the Approved Project to wildlife movement, corridors, and nursery sites would be less than significant with mitigation.

The Modified Project site is not recognized as a regional wildlife movement corridor. According to the MSHCP, the site is not located within an MSHCP designated core, extension of existing core, non-contiguous habitat block, constrained linkage, or linkage area. The site provides minimal cover or food, and it contains no natural unrestricted water courses that would facilitate regional wildlife movement on site. Salt Creek, located between 0.5 and 1 mile south of the Modified Project site, is the nearest recognized wildlife movement corridor. The off-site drainage channel conveying runoff from the existing on-site drainage basin south to the existing channel at Simpson Road will be improved as part of the Modified Project. Implementation of **Mitigation Measure 3.4.10.7** will contribute to the Regional Drainage Plan and significantly improve the existing hydrology contributing to the sensitive resources located southwest of the Modified Project site within Salt Creek. Specifically, the proposed project will safely convey the region-wide peak flows (the maximum flow rate associated with a 100-year storm event), as well as the increased surface flows that will result from the development of the site. Therefore, Salt Creek would not be subject to adverse physical changes from construction or operation of the Modified Project.

In addition to Salt Creek, the adjacent Hemet Channel (Constrained Linkage B) is expected to be utilized by wildlife for local and regional movement. However, this linkage is constrained on its northern and southern edges by urban development. A permanent barrier between the Modified Project site and Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) will be constructed to minimize unauthorized public access to the channel. The Modified Project would include seven new off-site storm drain connections to Hemet Channel that are not expected to preclude its continued function as a constrained linkage for local and regional wildlife movement. The seven storm drain facilities will be located partially within an area designated as Public/Quasi-Public (PQP) in Hemet Channel. Three outfall structures will extend north of the Modified Project site to the Hemet Channel discharging captured and treated waters. Therefore, the proposed storm drain connections will not impede or conflict with the conservation value of channel as a drainage facility and wildlife movement corridor, and no PQP replacement is necessary.

In accordance with **PPP 3.1-2,** night lighting throughout the Modified Project site, including adjacent to the Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B), would be directed downward and away from off-site areas of the project to reduce potential indirect impacts to wildlife species. Project-related noise that could deter wildlife in the project vicinity will be attenuated to below residential, commercial, or mixed use noise standards established for Riverside County through implementation of PPPs, PFDs, and mitigation measures specified in Section 3.12 of the DSEIR. Implementation of a 30-day pre-construction burrowing owl survey and 14-day pre-construction nesting bird survey in accordance with **Mitigation Measures 3.4.10.3 and 3.4.10.4,** respectively, will ensure protection for migratory birds that may occupy the site. Additionally, **Mitigation Measure 3.4.10.7** will ensure final project design will be developed to ensure best management practices are incorporated into the project to address and minimize edge effects associated with the Urban/Wildlands Interface to Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows into Salt Creek southwest of the Modified Project site.

The Modified Project will obtain and comply with waste discharge requirements (WDRs) and the National Pollutant Discharge Elimination System (NPDES) permit to treat all surface runoff from paved and developed areas through implementation of applicable Best Management Practices (BMPs) during construction and installation and proper maintenance of structural BMPs during operation. Runoff patterns will be recreated to mimic the pre-channelization conditions within the Modified Project site. Storm water treatment BMPs will be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant material, or other elements that could degrade or harm downstream biological or aquatic resources. **PPP 3.4-1** will ensure adequate long-term treatment of water before entering into any stream course or off-site conservation areas.

Implementation of these PDFs and Mitigation Measures will reduce these impacts to less than significant. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts to wildlife movement, corridors, and nursery sites (DSEIR pgs. 3.4-22 and 3.4-23).

e. Local Policies or Ordinances Protecting Biological Resources (Impact 3.4.7.5)

Potential Significant Impact: Whether the Modified Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: The Council finds the Modified Project is designed to comply with the western Riverside County MSHCP, Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP), and General Plan Policies requiring preservation of habitat, vernal pool hydration, maintenance of open space and wildlife movement corridors, and integration of biological resource planning through implementation of **PPPs 3.1-2 and 3.4-1** and **Mitigation Measures 3.4.10.1, 3.4.10.3, 3.4.10.4, 3.4.10.5, 3.4.10.6, 3.4.10.7, and 3.4.10.8**. When compared to the Approve Project, the Modified Project would have a similar [less than significant, albeit with mitigation] from conflict with local policies or ordinances protecting biological resources. The Certified EIR Mitigation Measures are replaced with proposed **Mitigation Measures 3.4.10.1, 3.4.10.3, 3.4.10.4, 3.4.10.5, 3.4.10.6, and 3.4.10.7**, which are designed specifically for the Modified Project site in accordance with current regulatory standards:

> **MM 3.4.10.1:** Prior to issuance of grading permits, the project applicant shall pay Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation fees as established and implemented by the City of Hemet. Five categories of the fee are defined and include: Residential, density less than 8.0 dwelling units per acre; Residential, density between 8.1 and 14.0 dwelling units per acre; Residential, density greater than 14.1 dwelling units per acre; Commercial per acre; and Industrial per acre. This measure shall be implemented at the rates in force at the time grading permits are issued to the satisfaction of the City of Hemet Planning Department.
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> **MM 3.4.10.2:** The Modified Project Site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR Habitat Conservation Plan (HCP). Prior to issuance of grading permits, the project applicant shall pay the applicable fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the County. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.
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> **MM 3.4.10.3:** A burrowing owl pre-construction survey shall be conducted not more than 30 days prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities.

If burrowing owls are detected on site during the 30-day pre-construction survey within the breeding season (February 1st to August 31st), then construction activities shall be limited to beyond 300 feet of the active burrows. If burrowing owls are detected on site during the 30-day pre-construction survey outside the breeding season (February 1 to August 31), then the buffer for construction activities shall be determined by a qualified biologist in consultation with the City. No construction activity shall be permitted within any burrowing owl construction buffer until a qualified biologist has confirmed that nesting efforts are complete or not initiated.

In addition to monitoring breeding activity, if construction is initiated during the breeding season or active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, California Department of Fish and Wildlife and United States Fish and Wildlife Service requirements for the relocation of individuals to Riverside Conservation Authority conserved lands located north of the Project Site within Proposed Noncontiguous Habitat Block 7. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.4: Mitigation for potential direct/indirect impacts to common and Riverside County Multiple Species Habitat Conservation Plan (MSHCP) covered sensitive bird and raptor species will require compliance with the federal Migratory Bird Treaty Act (MBTA). Construction outside the nesting season (between September 16 and January 31) does not require pre-construction nesting bird surveys. However, if construction is proposed within the nesting season (between February 1 and September 15), a qualified biologist must conduct a nesting bird survey(s) no more than 14 days prior to initiation of construction to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Modified Project site.

The survey(s) will focus on identifying any raptors and/or passerines (perching bird) 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 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 City of Hemet 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 City of Hemet 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. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.5: To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 1.52 acres of Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.2 riparian and riverine resources as follows in accordance with the MSHCP Determination of Biological Equivalent or Superior Preservation.

Off-Site Establishment/Reestablishment. The project shall purchase 0.03 acre of establishment/reestablishment credits from the Riverpark Mitigation Bank. This element of the mitigation proposal will mitigate permanent impacts to wetland and non-wetland waters of the U.S./State and isolated waters of the State at a 2:1 ratio for non-wetlands and 3:1 ratio for

wetlands. This will also mitigate temporary impacts to non-wetland waters of the U.S./State and isolated non-wetland waters of the State. The entirety of United States Army Corps of Engineers (USACE) jurisdiction will be mitigated with this measure.

On-Site Rehabilitation, Enhancement, and Preservation. The project shall rehabilitate and enhance a minimum of 3.1 acres of on-site waters of the State, California Department of Fish and Wildlife (CDFW) jurisdiction, and Riparian/Riverine resources in the form of herbaceous wetland- and southern willow scrub-vegetated areas. The 3.1 acres will be contained within approximately 14.5 acres of on-site waters of the State, CDFW jurisdiction, and Riparian/Riverine resources that will be preserved. This element of the mitigation proposal will mitigate permanent and temporary impacts to CDFW jurisdiction and MSHCP Riparian/Riverine resources at a 3:1 ratio for wetland/riparian-vegetated streambed and 2:1 ratio for unvegetated streambed. This will also mitigate temporary impacts to isolated wetland waters of the State at a minimum 1:1 ratio.

On-Site Replacement and Enhancement of Beneficial Uses. Five of the 13 non-jurisdictional features were determined to support two beneficial uses: limited warm freshwater habitat (LWRM) and wild habitat (WILD). These features will be permanently impacted by the project. The project shall be designed to incorporate 19.2 acres of water quality features to compensate the loss of these two beneficial uses and provide additional uses of value (Ground Water Recharge [GWR], Warm Freshwater Habitat [WARM], Wetland Habitat [WET], and Water Quality Enhancement [WQE]) to the local area and watershed.

MM 3.4.10.6: Prior to issuance of a grading permit, the project applicant will obtain a Clean Water Act (CWA) Section 404 permit from the United States Army Corps of Engineers (USACE), 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW) and a Waste Discharge Requirement (WDR) permit issued by the Regional Water Quality Control Board (RWQCB) pursuant to the California Water Code Section 13260 (Porter-Cologne Act). Additionally, the project applicant shall provide to the City written correspondence from the United States Fish and Wildlife Service (USFWS) and CDFW confirming that the Determination of Biologically Equivalent or Superior Preservation (DBESP) has been approved.

Mitigation for permanent and/or temporary impacts shall be determined as specified in the DBESP through consultation with the CDFW, USFWS, and the Western Riverside County Regional Conservation Authority (RCA). Mitigation may include on-site and/or off-site replacement and/or restoration of similar habitat. Off-site mitigation may occur on land acquired for the purpose of in-perpetuity preservation or through the purchase of mitigation credits at an agency-approved off-site mitigation bank. Mitigation shall be subject to pre-approval by USACE, USFWS, CDFW, and RWQCB. This measure shall be implemented to the satisfaction of the City Development Services Department, CDFW, USFWS, and the RCA.

MM 3.4.10.7: Prior to issuance of grading permits, the project applicant shall provide evidence to the City that the Modified Project shall comply with Urban/Wildlands Interface guidelines presented in Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.4 to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. Final project design shall be developed to ensure best management practices in accordance with the National Pollutant Discharge Elimination System (NPDES) permit are incorporated into the proposed Modified Project to address and minimize edge effects associated with the Urban/Wildlands Interface to Hemet Channel (PQP Conserved Land, Western Riverside County Multiple Species Habitat Conservation Plan Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Modified Project site (Salt Creek). This measure shall be implemented to the satisfaction of the City Development Services Department.

Facts in Support of the Findings: The Certified EIR concluded there are no local policies or ordinances protecting biological resources within the project site. No impact would occur, and no mitigation is required.

Regarding the Modified Project site, the City General Plan includes a variety of Programs and Policies intended to support the conservation and protection of biological resources. General Plan Policies OS-1.1 and OS-1.4 require the Modified Project to consider biological resources and incorporate mitigation and site planning techniques to reduce impacts to these resources. Conservation of upland habitat areas and maintenance of adequate hydration would protect vernal pool complexes and wetland habitats in accordance with Policy OS-1.3. Recreational use of open space would be limited to select areas in order to preserve sensitive biological resources in accordance with Policy OS-1.5. Furthermore, the Modified project must comply with the City's habitat conservation activities, including implementation of HCPs, in accordance with Policy OS-1.6. Finally, the Modified Project must not conflict with the City's efforts to establish wildlife movement corridor connections in the planning area in accordance with Policy OS-1.7.

Project-specific focused biological surveys, a jurisdictional delineation, and DBESP were prepared in accordance with MSHCP Section 6.1.2, Volume I. Significant vernal pool resources and sensitive plant species are located southwest of the Modified Project site within Salt Creek. Project implementation of **Mitigation Measure 3.4.10.7** would ensure safe conveyance of the region-wide peak flows (the maximum flow rate associated with a 100-year storm event), as well as the increased surface flows that will result from the development of the site, and significantly improve the existing hydrology contributing to the sensitive resources located southwest of the Modified Project site within Salt Creek.

Impacts to common and MSHCP-covered species will be mitigated to a level of less than significant by implementing **Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4**. Impacts to riparian habitat, sensitive natural communities, wetlands, and non-wetland waters will be mitigated to less than significant levels by implementing **Mitigation Measure 3.4.10.5**, which requires a DBESP to ensure replacement of any lost functions and values of habitat as it relates to MSHCP riparian, riverine, and covered species, as well as wetland and non-wetland waters of the U.S./State and isolated waters of the State. Finally, **Mitigation Measure 3.4.10.6** requires acquisition of a 1602 Streambed Alteration Agreement from CDFW, CWA Section 404 permit, and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260 (Porter-Cologne Act). Implementation of **PPPs 3.1-2 and 3.4-1, and Mitigation Measures 3.4.10.3 and 3.4.10.4**, would ensure the Modified Project would have less than significant impacts with mitigation to wildlife movement, corridors, and nursery sites.

The City adopted a tree replacement ordinance (Chapter 2, Article IV, Division 4, Section 2-227), which is applicable to trees and shrubs on public property only. The Modified Project does not include removal of

any trees on public property but will be subject to development impact fees, a portion of which would be allocated to the City CIP for urban forestry. Furthermore, the Modified Project will incorporate California-friendly or City-approved trees within public parks and along public roadways abutting the project pursuant to the City's tree replacement ordinance (Chapter 2, Article IV, Division 4, Section 2-227).

The Modified Project is designed to comply with the General Plan Policies requiring preservation of habitat, vernal pool hydration, maintenance of open space and wildlife movement corridors, and integration of biological resource planning through implementation of the **PPPs (3.1-2 and 3.4-1)** and **Mitigation Measures (3.4.10.1, 3.4.10.3, 3.4.10.4, 3.4.10.5, 3.4.10.6, and 3.4.10.7)** described above. When compared to the Approve Project, the Modified Project would have a similar [less than significant, albeit with mitigation] from conflict with local policies or ordinances protecting biological resources (DSEIR pgs. 3.4-24 and 3.4-25).

f. Adopted Habitat Conservation Plans (Impact 3.4.7.6)

Potential Significant Impact: Whether the Modified Project would conflict with provisions of an adopted Habitat Conservation Plan.

Findings: The Council finds the project site falls within the SKR fee area outlined in the Riverside County SKR HCP. In accordance with **Mitigation Measure 3.4.10.2**, the project applicant is required to 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. Additionally, with implementation of **Mitigation Measures 3.4.10.1 through 3.4.10.8,** the Modified Project will comply with the MSHCP, and impacts would be rendered less than significant. When compared to the Approved Project, the Modified Project would result in the same [less than significant with mitigation] impact from conflict with local policies or ordinances protecting biological resources. The Certified EIR Mitigation Measures are replaced with proposed **Mitigation Measures 3.4.10.1 through 3.4.10.8**, which are designed specifically for the Modified Project site in accordance with current regulatory standards:

> **MM 3.4.10.1:** Prior to issuance of grading permits, the project applicant shall pay Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation fees as established and implemented by the City of Hemet. Five categories of the fee are defined and include: Residential, density less than 8.0 dwelling units per acre; Residential, density between 8.1 and 14.0 dwelling units per acre; Residential, density greater than 14.1 dwelling units per acre; Commercial per acre; and Industrial per acre. This measure shall be implemented at the rates in force at the time grading permits are issued to the satisfaction of the City of Hemet Planning Department.
>
> **MM 3.4.10.2:** The Modified Project Site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR Habitat Conservation Plan (HCP). Prior to issuance of grading permits, the project applicant shall pay the applicable fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and

implemented by the County. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.3: A burrowing owl pre-construction survey shall be conducted not more than 30 days prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities.

If burrowing owls are detected on site during the 30-day pre-construction survey within the breeding season (February 1st to August 31st), then construction activities shall be limited to beyond 300 feet of the active burrows. If burrowing owls are detected on site during the 30-day pre-construction survey outside the breeding season (February 1 to August 31), then the buffer for construction activities shall be determined by a qualified biologist in consultation with the City. No construction activity shall be permitted within any burrowing owl construction buffer until a qualified biologist has confirmed that nesting efforts are complete or not initiated.

In addition to monitoring breeding activity, if construction is initiated during the breeding season or active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, California Department of Fish and Wildlife and United States Fish and Wildlife Service requirements for the relocation of individuals to Riverside Conservation Authority conserved lands located north of the Project Site within Proposed Noncontiguous Habitat Block 7. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.4: Mitigation for potential direct/indirect impacts to common and Riverside County Multiple Species Habitat Conservation Plan (MSHCP) covered sensitive bird and raptor species will require compliance with the federal Migratory Bird Treaty Act (MBTA). Construction outside the nesting season (between September 16 and January 31) does not require pre-construction nesting bird surveys. However, if construction is proposed within the nesting season (between February 1 and September 15), a qualified biologist must conduct a nesting bird survey(s) no more than 14 days prior to initiation of construction to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Modified Project site.

The survey(s) will focus on identifying any raptors and/or passerines (perching bird) 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 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 City of Hemet 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 City of Hemet 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. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.5: To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 1.52 acres of Western Riverside County Multiple Species Habitat

Conservation Plan (MSHCP) Section 6.1.2 riparian and riverine resources as follows in accordance with the MSHCP Determination of Biological Equivalent or Superior Preservation.

Off-Site Establishment/Reestablishment. The project shall purchase 0.03 acre of establishment/reestablishment credits from the Riverpark Mitigation Bank. This element of the mitigation proposal will mitigate permanent impacts to wetland and non-wetland waters of the U.S./State and isolated waters of the State at a 2:1 ratio for non-wetlands and 3:1 ratio for wetlands. This will also mitigate temporary impacts to non-wetland waters of the U.S./State and isolated non-wetland waters of the State. The entirety of United States Army Corps of Engineers (USACE) jurisdiction will be mitigated with this measure.

On-Site Rehabilitation, Enhancement, and Preservation. The project shall rehabilitate and enhance a minimum of 3.1 acres of on-site waters of the State, California Department of Fish and Wildlife (CDFW) jurisdiction, and Riparian/Riverine resources in the form of herbaceous wetland- and southern willow scrub-vegetated areas. The 3.1 acres will be contained within approximately 14.5 acres of on-site waters of the State, CDFW jurisdiction, and Riparian/Riverine resources that will be preserved. This element of the mitigation proposal will mitigate permanent and temporary impacts to CDFW jurisdiction and MSHCP Riparian/Riverine resources at a 3:1 ratio for wetland/riparian-vegetated streambed and 2:1 ratio for unvegetated streambed. This will also mitigate temporary impacts to isolated wetland waters of the State at a minimum 1:1 ratio.

On-Site Replacement and Enhancement of Beneficial Uses. Five of the 13 non-jurisdictional features were determined to support two beneficial uses: limited warm freshwater habitat (LWRM) and wild habitat (WILD). These features will be permanently impacted by the project. The project shall be designed to incorporate 19.2 acres of water quality features to compensate the loss of these two beneficial uses and provide additional uses of value (Ground Water Recharge [GWR], Warm Freshwater Habitat [WARM], Wetland Habitat [WET], and Water Quality Enhancement [WQE]) to the local area and watershed.

MM 3.4.10.6: Prior to issuance of a grading permit, the project applicant will obtain a Clean Water Act (CWA) Section 404 permit from the United States Army Corps of Engineers (USACE), 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW) and a Waste Discharge Requirement (WDR) permit issued by the Regional Water Quality Control Board (RWQCB) pursuant to the California Water Code Section 13260 (Porter-Cologne Act). Additionally, the project applicant shall provide to the City written correspondence from the United States Fish and Wildlife Service (USFWS) and CDFW confirming that the Determination of Biologically Equivalent or Superior Preservation (DBESP) has been approved.

Mitigation for permanent and/or temporary impacts shall be determined as specified in the DBESP through consultation with the CDFW, USFWS, and the Western Riverside County Regional Conservation Authority (RCA). Mitigation may include on-site and/or off-site replacement and/or restoration of similar habitat. Off-site mitigation may occur on land acquired for the purpose of in-perpetuity preservation or through the purchase of mitigation credits at an agency-approved off-site mitigation bank. Mitigation shall be subject to pre-approval by USACE, USFWS, CDFW, and RWQCB. This measure shall be implemented to the satisfaction of the City Development Services Department, CDFW, USFWS, and the RCA.

MM 3.4.10.7: Prior to issuance of grading permits, the project applicant shall provide evidence to the City that the Modified Project shall comply with Urban/Wildlands Interface guidelines presented in Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.4 to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. Final project design shall be developed to ensure best management practices in accordance with the National Pollutant Discharge Elimination System (NPDES) permit are incorporated into the proposed Modified Project to address and minimize edge effects associated with the Urban/Wildlands Interface to Hemet Channel (PQP Conserved Land, Western Riverside County Multiple Species Habitat Conservation Plan Constrained Linkage B) including the reestablishment and conveyance of

seasonal clean water flows southwest of the Modified Project site (Salt Creek). This measure shall be implemented to the satisfaction of the City Development Services Department.

MM 3.4.10.8 Prior to issuance of any grading permit the Modified Project shall demonstrate compliance with the Multiple Species Habitat Conservation Plan (MSHCP) and its associated Implementing Agreement, via the completion of the Joint Project Review (JPR) process through the Western Riverside County Regional Conservation Authority (RCA), or via the provision of written correspondence from the RCA, United States Fish and Wildlife Service, and California Department of Fish and Wildlife stating that the Project is not subject to the JPR process.

Facts in Support of the Findings: The Certified EIR concluded the Approved Project is within the adopted MSHCP and designated Criteria Cells. With implementation of Mitigation Measure BR-5, which requires the Approved Project to demonstrate conformance with applicable provisions of MSHCP, the Approved Project would not conflict with any Habitat Conservation Plan.

The Modified Project site is located within the MSHCP San Jacinto Valley Area Plan, south of Proposed Noncontiguous Habitat Block 7 and Constrained Linkage B (Hemet Channel). A 62.75-acre portion of the Project Site is located within Criteria Cell 4007 and 20.23-acre portion is located within Criteria Cell 3892 (SU4 Hemet Vernal Pool Areas East). Accordingly, the Modified Project is required to be reviewed through the Habitat Acquisition and Negotiation Strategy (HANS) and the Regional Conservation Authority Joint Project Review (JPR) process as codified in **Mitigation Measure 3.4.10.8.**

No conservation within Criteria Cell 4007 is proposed or identified by the MSHCP criteria for the region located within the Modified Project site. Therefore, the project is consistent with conservation goals identified for Criteria Cell 4007 – SU4 Hemet Vernal Pool Areas East.

No conservation within Criteria Cell 3892 is proposed or identified by the MSHCP criteria for the region located within the Modified Project site. Significant vernal pool resources and sensitive plant species are located north and southwest of the Modified Project site within Salt Creek as well as along Warren Road near the Modified Project's road frontage within Criteria Cell 3892. No playa/vernal pool habitat is identified in this off-site portion of the Modified Project. Therefore, the project is consistent with conservation goals identified for Criteria Cell 3892 – SU4 Hemet Vernal Pool Areas East.

The Modified Project site is within MSHCP narrow endemic plant, criteria area, and specific wildlife survey areas for 18 species, for which focused surveys were conducted as specified in Section 3.6.7.1 of the DSEIR. A single MSHCP sensitive plant species, smooth tarplant, was documented along the proposed off-site drainage channel improvement alignment between the Modified Project site and Simpson road to the south. Pursuant to MSHCP Section 6.3.2, the limited distribution of this species documented within the off-site impact area is not expected to have long-term conservation value, and no additional mitigation obligations specific to this species is required.

Although burrowing owl were detected within and adjacent to the Modified Project site during initial MSHCP focused surveys conducted in 2005 and 2006 as part of the Approved Project, the results of those surveys did not meet the MSHCP requirements of three or more pairs for a site requiring on-site conservation. Incidental MSHCP covered species documented during the Modified Project habitat assessment and/or focused survey efforts include the *California Species of Special Concern* white-tailed kite, California horned lark, and San Diego black-tailed jackrabbit, as well as the non-listed loggerhead shrike, turkey vulture, and coyote. Impacts to common and MSHCP-covered species will be mitigated to a level of less than significant by implementing **Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4. Mitigation Measures 3.4.10.1** requires the project applicant to pay MSHCP Local Development Mitigation fees as determined by the City of Hemet in order to offset impacts from development of 221.68 acres of vegetation communities. **Mitigation Measures 3.4.10.3 and 3.4.10.4** require a 30-day pre-construction burrowing owl survey and 14-day pre-construction nesting bird survey, respectively, to ensure protection for MSHCP-covered species and compliance with the conservation goals as outlined in the MSHCP.

Pursuant to MSHCP Section 6.1.2, Volume I, impacts to Riparian/Riverine Section 6.1.2 regulated resource areas, including riparian habitat, sensitive natural communities, wetlands, and non-wetland waters will be mitigated to less than significant levels by implementing **Mitigation Measure 3.4.10.5,** which requires a DBESP to ensure replacement of any lost functions and values of habitat as it relates to MSHCP riparian, riverine, and covered species, as well as wetland and non-wetland waters of the U.S./State and isolated waters of the State. Finally, **Mitigation Measure 3.4.10.6** requires acquisition of a 1602 Streambed Alteration Agreement from CDFW, CWA Section 404 permit, and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260 (Porter-Cologne Act).

All Urban/Wildlands Interface guidelines presented in MSHCP Section 6.1.4 are intended to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. Project design and BMPs will be incorporated into the Modified Project in accordance with **Mitigation Measure 3.4.10.7** to minimize edge effects to the Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the project site (Salt Creek) associated with the Urban/Wildlands interface.

The project site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR HCP. In accordance with **Mitigation Measure 3.4.10.2**, the project applicant is required to 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.

With implementation of **Mitigation Measures 3.4.10.1 through 3.4.10.8**, the Modified Project will comply with the MSHCP and impacts will be rendered less than significant. When compared to the Approved Project, the Modified Project would result in the same [less than significant with mitigation] impact from conflict with local policies or ordinances protecting biological resources (DSEIR pgs. 3.425 and 3.4-26).

3. Cultural Resources

a. Substantial Adverse Change in the Significance of a Historical and/or Archaeological Resource (Impact 3.5.7.1)

Potential Significant Impact: Whether the Modified Project would cause a substantial adverse change in the significance of a historical resource or archaeological resource as defined/pursuant in/to § 15064.5.

Findings: The Council finds the discovery on site of previously undetected historical or archaeological resources is a potentially significant impact for both the Approved Project and the proposed Modified Project, and mitigation is required (Refer to Section 3.5.10 of the DSEIR). With implementation of mitigation, impacts to historical or archaeological resources as defined in *CEQA Guidelines* Section 15064.5 would be reduced to less than significant levels for both the Approved Project and the proposed Modified Project. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to historical or archaeological resources as defined in *CEQA Guidelines* Section 15064.5. The Certified EIR Mitigation Measures are replaced with proposed **Mitigation Measures 3.5.10.1A through 3.5.10.1E**, which are designed specifically for the Modified Project site through consultation with the Soboba Band of Luiseño Indians (Soboba) pursuant to Assembly Bill 52 and Senate Bill 18:

> **MM 3.5.10.1A** Prior to issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that they have entered into a Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians (Soboba) to address treatment and disposition of archaeological/cultural resources and human remains associated with Soboba that may be uncovered or otherwise discovered during ground disturbing activities related to the project. Soboba Native American Monitor(s) shall be allowed to monitor ground disturbing activities and the TDA will establish provisions for tribal monitors. The Soboba Band shall receive a minimum of 30 days advance notice prior to the commencement of ground disturbing activities associated with the project. The Soboba tribal monitor shall be invited to attend pre-grading meetings with the City to inform the grading and excavation contractors of the Cultural Resources Management Plan (CRMP) and to provide best practice methods with respect to its implementation.
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> **MM 3.5.10.1B:** Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified registered professional archaeologist has been retained to perform archaeological monitoring and shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all surface level field work, mass grading, and trenching activities. The archaeological monitor shall prepare a Cultural Resources Management Plan (CRMP) in

consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The CRMP shall include provisions for a trained archaeological monitor, monitoring methods and discovery protocol, the treatment of inadvertent archaeological resources finds, Non-Disclosure of location(s) of archaeological materials. The qualified archaeologist shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the CRMP and to consult with and instruct them with respect to its implementation. The CRMP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit. The archaeological monitor shall be on site at all times during the initial phases of grubbing, rough grading, and other ground disturbing activities to inspect cuts for archaeological resources. If no archaeological resources are encountered after approximately fifty percent of rough grading, the qualified project archaeologist shall have discretion to recommend to the City that archaeological monitoring get scaled back to a part time or spot-check basis. Any recommendation to scale back archaeological monitoring must be in accordance with the methodology and protocols to be established in the CRMTP through consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The City, in consultation with the qualified archaeologist, applicant, and Soboba Band of Luiseño Indians (Soboba), shall determine the appropriate level of subsequent monitoring, during which time the stipulations of Mitigation Measures 3.5.10.1A, 3.5.10.1C, 3.5.10.1D, and 3.5.10.1E shall still apply. A final archaeological report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.1C: If cultural resources are discovered during ground disturbing activities, the archaeological monitor shall record them on California Department of Parks and Recreation Forms (DPR 523).

Recovered cultural resources, along with copies of pertinent field notes, and maps, shall be treated with appropriate dignity in accordance with the Treatment and Disposition Agreement (TDA) and Cultural Resources Management Plan (CRMP). The qualified archaeologist shall document any reburial of cultural resources on DPR 523 forms in accordance with the CRMP.

A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor and Soboba tribal monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.1D: Discovery of Human Remains: In accordance with Section 7050.5 of the California Health and Safety Code, if human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Hemet Planning Department immediately. The coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate

means of treating the human remains and any associated grave artifacts, in consultation with the property owner and the lead agency.

MM 3.5.10.1E: Prior to the issuance of a grading permit, the City of Hemet shall verify that the following note is included on the project's Grading Plans:

"If any suspected cultural resources are encountered during ground-disturbing activities and the archaeological monitor is not present, the construction supervisor is obligated to halt all ground disturbing work within 50 feet of the find and call the project archaeologist/archaeological monitor to the site to assess the significance of the find."

Facts in Support of the Findings: Approximately 99.4 acres of the 245.07-acre proposed Modified Project overlap TTM 35394 (Planning Area X) of the Approved Project, and the remaining 145.67 acres of the proposed Modified Project include portions of Planning Areas VI and XIII of the Approved Project (Figure 2.5 of the DSEIR). Planning Areas VI and XIII of the Approved Project were not surveyed in 2004 or 2007 as part of the 2008 EIR, but they were surveyed in 1979 in support of the 1979 EIR. The 1979 EIR for concluded all areas encompassing the proposed Modified Project site were negative for the presence of cultural resources, so impacts to cultural resources were not expected within the proposed Modified Project site.

Records searches conducted on August 8, 2016, and December 5, 2019, at the Eastern Information Center and intensive pedestrian surveys on August 16, 2016, and November 27, 2019, revealed evidence of four historic-period cultural resources on the proposed Modified Project site, including the off-site improvement areas: (1) The First San Diego Aqueduct (P-33-015734), constructed between 1947 and 1951, traverses the proposed Modified Project site in northeasterly to southwesterly direction, (2) a 1900s farmhouse complex (P-33-015900) once existed on the eastern portion of the Modified Project site, (3) the route of the San Jacinto Valley Railway (P-33-015743) from the 1880s traverses the northern boundary of the Modified Project site between Stetson Avenue and Corte de Mar on Warren Road, and (4) the Hemet Channel (LSA-HET1601-S-1) from the 1940s–1970s traverses the northern boundary of the Modified Project site parallel to the San Jacinto Valley Railway between Stetson Avenue and Corte de Mar on Warren Road (Appendix D of the DSEIR).

Based on the 2016 survey, the First San Diego Aqueduct is not visible within the proposed Modified Project site because it lies entirely subsurface. Therefore, construction and operation of the proposed Modified Project are not expected to affect the First San Diego Aqueduct, and impacts will not occur from development of the proposed Modified Project.

Ten eucalyptus trees in the eastern portion of the proposed Modified Project site are associated with the historic-period farmhouse complex (Site P-33-015900) which was present on the site between 1901 and 1979. The remnants of the 1900s farmhouse complex (P-33-015900) recorded in 2007 as part of the

2008 EIR (Aislin-Kay and Dice 2007, Dice 2007) were revisited during the 2016 survey for the proposed Modified Project (Appendix D of the DSEIR). In accordance with the conclusions reached for the Approved Project, the 2016 survey for the proposed Modified Project did not identify any historic-period features or artifacts in association with the farmhouse complex and concluded the nature and condition of the farmhouse complex are consistent with the 2007 description of this resource, which at that time recommended the resource ineligible for listing in the California Register and therefore not a historical resource as defined in *CEQA Guidelines* Section 15064.5.

The remnant landscaping [eucalyptus] trees will be removed during construction of the proposed Modified Project. Pursuant to *CEQA Guidelines* Section 15064.5(c)(4), a California Department of Parks and Recreation (Form 523L) has been completed for the historic-period farmhouse complex (P-33-015900) and submitted to the Eastern Information Center for repository (Appendix D of the DSEIR). However, the highly disturbed surface condition of the farmhouse complex locale does not preclude the presence of a potentially significant subsurface component of the resource pursuant to *CEQA Guidelines* Section 15064.5(a)(3). An isolated groundstone mano observed within the Approved Project during the 2004 survey. Although the observed groundstone mano is not a part of the proposed Modified Project site, it lies adjacent to the east, so potential exists that previously unrecorded subsurface archaeological resources may be encountered at other locations within the proposed Modified Project site.

The San Jacinto Valley Railway (P-33-015743) was active during the late 1880s, facilitating the transport of agricultural goods to markets in San Diego and Los Angeles. The route was later incorporated into the Atchison, Topeka, and Santa Fe Railroad, and eventually the Burlington Northern Santa Fe, which abandoned the line by the 1950s. The segment within the Modified Project area is in disrepair and lacks physical integrity that would contribute to the eligibility of the resource for listing in the California Register. Therefore, construction and operation of the proposed Modified Project are not expected to affect the San Jacinto Railway. Impacts will not occur from development of the proposed Modified Project on the San Jacinto Railway.

The Hemet Channel (LSA-HET1601-S-1) is a major storm drain channel for the City of Hemet, originally constructed in the early 1940s. The current configuration of the channel, however, was completed in the 1970s. The current channel is concrete-lined and partially covered by riprap. The Modified Project would include drainage connections to the Hemet Channel. However, the Modified Project drainage interconnections will not alter any of the character-defining features or materials of the channel. The function of the Hemet Channel as a water conveyance system will not be altered, and the alignment and location of the channel will remain unchanged. Therefore, construction and operation of the proposed Modified Project will not result in a significant impact to the Hemet Channel.

Development of both the Approved Project and the proposed Modified Project may unearth previously undetected historical or archaeological resources. The discovery on site of previously undetected historical or archaeological resources is a potentially significant impact for both the Approved Project. With implementation of **Mitigation Measures 3.5.10.1A through 3.5.10.1E**, impacts to historical or archaeological resources as defined in *CEQA Guidelines* Section 15064.5 would be reduced to less than significant levels for both the Approved Project and the proposed Modified Project. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to historical or archaeological resources as defined in *CEQA Guidelines* Section 15064.5 (DSEIR pgs. 3.5-9 through 3.5-11).

b. Destroy a Unique Paleontological Resource of Geologic Feature (Impact 3.5.7.2)

Potential Significant Impact: Whether the Modified Project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Findings: The Council finds impacts to paleontological resources would be reduced to less than significant levels for both the Approved Project and the proposed Modified Project with implementation of **Mitigation Measures 3.5.10.2A through 3.5.10.2D**. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to paleontological resources. The Certified EIR Mitigation Measures are replaced with **Mitigation Measures 3.5.10.2A through 3.5.10.2D**, which are designed specifically for the Modified Project site in accordance with current regulatory standards.

> **MM 3.5.10.2A** Prior to issuance of a grading permit, the applicant shall retain a qualified project paleontologist who shall prepare a Paleontological Resources Monitoring and Treatment Plan (PRMTP) to be implemented during ground-disturbing activity on the project site. The PRMTP shall include the provision of a trained paleontological monitor, monitoring methods and discovery protocol, and treatment and disposition of unanticipated paleontological resources, including proof of a written repository agreement between the landowner and a professional, fully accredited museum repository with permanent retrievable storage.
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> The qualified paleontologist shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the PRMTP and to consult with and instruct them with respect to its implementation. The PRMTP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit.
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> **MM 3.5.10.2B** Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified paleontological monitor shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all mass grading and trenching activities. Paleontological monitoring shall commence once rough grading or any other ground disturbing

activities reach five feet below grade based on coordination with the excavation contractor. If too few paleontological resources are encountered after approximately 50 percent of the remaining rough grading, the qualified project paleontologist shall have discretion to recommend to the City that paleontological resources monitoring get scaled back to a part time or spot-check basis in accordance with the PRMTP. The City, in consultation with the qualified paleontologist and applicant, shall determine the appropriate level of subsequent monitoring, during which time Mitigation Measures 3.5.10.2A, 3.5.10.2C, and 3.5.10.2D shall still apply. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project paleontologist/paleontological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.2C If paleontological resources are discovered during ground disturbing activities, the paleontological monitor shall recover them. In consultation with the qualified project paleontologist, the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant, it shall be quickly removed and the area cleared for the resumption of construction. In instances where recovery requires an extended salvage time, the paleontological monitor shall be allowed to temporarily direct, divert, or halt grading within 100 feet of the encounter to allow recovery of fossils or fossil-bearing sediments in a timely manner. If the specimen is determined to be significant (e.g., vertebrate fossil(s) or fossil-bearing sediments representing new or rare species, geologic (temporal) and/or geographic range extensions, age-diagnostic taxa, and/or more complete specimens than are now available for their respective taxa), the project paleontologist/paleontological monitor shall notify the applicant and the City of Hemet (City) immediately.

Recovered paleontological specimens, along with copies of pertinent field notes, photographs, and maps, shall be treated and disposed in accordance with the PRMTP, including preparation to a point of identification and permanent preservation, and washing of sediments to recover small invertebrates and vertebrates. The recovered fossils shall be diagnosed and curated into a professional, fully accredited museum repository with permanent retrievable storage.

A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project paleontologist/paleontological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.2D Prior to the issuance of a grading permit, the City of Hemet (City) shall verify that the following note is included on the project's Grading Plans:

"If any suspected paleontological resources are encountered during ground-disturbing activities and the paleontological monitor is not present, the construction supervisor is obligated to halt all ground disturbing work within 100 feet of the find and call the project paleontologist/ paleontological monitor to the site to assess the significance of the find."

Facts in Support of the Findings: Geologic mapping indicates the proposed Modified Project site contains Holocene (less than 11,700 years ago) surficial sediments, which consist of unconsolidated and undissected sand and gravel. These deposits formed as flooding streams carried sediment from higher elevations down to the valley floors. Eight exploratory borings excavated to a depth of between 15 and 50 feet below grade encountered artificial fills, topsoils, and young alluvial-valley Holocene deposits (Appendix E of the DSEIR). The artificial fill soils were encountered where construction work has been

performed on the site in the past associated with the nearby flood control channel, old Warren Road, and the storm water basin. Older Pleistocene sediment (2.6 million years ago to 11,700 years ago) was not encountered in any of the exploratory borings, but it underlies the young alluvial-valley deposits and may be encountered during rough grading of the proposed Modified Project.

The 2008 Certified EIR concluded fossiliferous sediments of the Pleistocene Epoch may underlie Holocene alluvial deposits in the region encompassing the proposed Modified Project site, and the likelihood of encountering paleontological resources increases as project-related excavations reach five feet or more below grade. Therefore, **Mitigation Measures CR-3a through CR-3c** were provided for the Approved Project to reduce impacts to paleontological resources to less than significant levels (see Section 3.5.10 of the DSEIR).

Although only 99.4 acres of the 245.07-acre proposed Modified Project overlap TTM 35394 (Planning Area X) of the Approved Project covered under the 2008 EIR, the remaining 145.67 acres of the proposed Modified Project include portions of Planning Areas VI and XIII of the Approved Project covered under the 1979 EIR. Both the proposed Modified Project and the Approved Project are underlain by the same Holocene and Pleistocene alluvial sediment formations. Therefore, the proposed Modified Project and the Approved Project share similar paleontological sensitivity.

Mitigation Measures 3.5.10.2A through 3.5.10.2D would reduce impacts to paleontological resources to less than significant levels for both the Approved Project and the proposed Modified Project. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to paleontological resources (DSEIR pgs. 3.5-11 and 3.5-12).

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c. Disturb Human Remains (Impact 3.5.7.3)

Potential Significant Impact: Whether the Modified Project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Findings: The Council finds impacts to the environment could be significant pursuant to *CEQA Guidelines* Section 15064.5(e) and California Health and Safety Code § 7050.5 if human remains are encountered during construction. In the event human remains are unearthed, Public Resources Code § 5097.98 must be implemented for all development projects. Accordingly, the proposed Modified Project shall implement **PPP 3.5-1** and **Mitigation Measure 3.5.10.1D** to ensure any human remains encountered during project construction or operation are handled and protected in accordance with State regulations (Refer to Section 3.5.6 and Section 3.5.10.1 of the DSEIR). **Mitigation Measures 3.5.10.1A, B, C, D, and E** shall apply with respect to the Soboba Tribe. With implementation of Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and **Mitigation Measures 3.5.10.1A, B, C, D, and E**, potential impacts related to the discovery of human remains would be less than significant. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to the disturbance of human remains, including those interred outside of formal cemeteries. The Certified EIR Mitigation Measures are replaced with **Mitigation Measures 3.5.10.1A through 3.5.10.1E**, which are designed specifically for the Modified Project site through consultation with the Soboba Band of Luiseño Indians (Soboba) pursuant to Assembly Bill 52 and Senate Bill 18:

> **MM 3.5.10.1A** Prior to issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that they have entered into a Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians (Soboba) to address treatment and disposition of archaeological/cultural resources and human remains associated with Soboba that may be uncovered or otherwise discovered during ground disturbing activities related to the project. Soboba Native American Monitor(s) shall be allowed to monitor ground disturbing activities and the TDA will establish provisions for tribal monitors. The Soboba Band shall receive a minimum of 30 days advance notice prior to the commencement of ground disturbing activities associated with the project. The Soboba tribal monitor shall be invited to attend pre-grading meetings with the City to inform the grading and excavation contractors of the Cultural Resources Management Plan (CRMP) and to provide best practice methods with respect to its implementation.
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> **MM 3.5.10.1B:** Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified registered professional archaeologist has been retained to perform archaeological monitoring and shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all surface level field work, mass grading, and trenching activities. The archaeological monitor shall prepare a Cultural Resources Management Plan (CRMP) in consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The CRMP shall include provisions for a trained archaeological monitor, monitoring methods and discovery protocol, the treatment of inadvertent archaeological resources

finds, Non-Disclosure of location(s) of archaeological materials. The qualified archaeologist shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the CRMP and to consult with and instruct them with respect to its implementation. The CRMP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit. The archaeological monitor shall be on site at all times during the initial phases of grubbing, rough grading, and other ground disturbing activities to inspect cuts for archaeological resources. If no archaeological resources are encountered after approximately fifty percent of rough grading, the qualified project archaeologist shall have discretion to recommend to the City that archaeological monitoring get scaled back to a part time or spot-check basis. Any recommendation to scale back archaeological monitoring must be in accordance with the methodology and protocols to be established in the CRMTP through consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The City, in consultation with the qualified archaeologist, applicant, and Soboba Band of Luiseño Indians (Soboba), shall determine the appropriate level of subsequent monitoring, during which time the stipulations of Mitigation Measures 3.5.10.1A, 3.5.10.1C, 3.5.10.1D, and 3.5.10.1E shall still apply. A final archaeological report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.1C: If cultural resources are discovered during ground disturbing activities, the archaeological monitor shall record them on California Department of Parks and Recreation Forms (DPR 523).

Recovered cultural resources, along with copies of pertinent field notes, and maps, shall be treated with appropriate dignity in accordance with the Treatment and Disposition Agreement (TDA) and Cultural Resources Management Plan (CRMP). The qualified archaeologist shall document any reburial of cultural resources on DPR 523 forms in accordance with the CRMP.

A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor and Soboba tribal monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.1D: Discovery of Human Remains: In accordance with Section 7050.5 of the California Health and Safety Code, if human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Hemet Planning Department immediately. The coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts, in consultation with the property owner and the lead agency.

MM 3.5.10.1E: Prior to the issuance of a grading permit, the City of Hemet shall verify that the following note is included on the project's Grading Plans:

"If any suspected cultural resources are encountered during ground-disturbing activities and the archaeological monitor is not present, the construction supervisor is obligated to halt all ground disturbing work within 50 feet of the find and call the project archaeologist/archaeological monitor to the site to assess the significance of the find."

Facts in Support of the Findings: The 1979 Certified EIR concluded all areas surveyed would not encounter human remains during ground-disturbing activities. Additionally, the "old cemetery" depicted at the southeast corner of Stetson Avenue and Cawston Avenue, approximately 1 mile to the east-northeast of the proposed Modified Project site, was not expected to be affected by implementation of the Approved Project. The portions of the proposed Modified Project site surveyed in 2004 and 2007 as part of the 2008 EIR were determined not to contain human remains.

The proposed Modified Project site was resurveyed in 2016 and in 2019 (Appendix D of the DSEIR). The 2016 and 2019 surveys, as well as the government-to-government consultations between the City and interested California Native American tribes, reveals no evidence to suggest the proposed Modified Project site has been utilized in the past for human burials. Although the "old cemetery" was not expected to be impacted by the Approved Project, and no evidence of human remains outside of a formal cemetery was identified by the cultural resources surveys for either the Approved Project or the proposed Modified Project, there is always a remote possibility that ground-disturbing activities could uncover unknown, buried human remains (outside a formal cemetery).

In the event human remains are unearthed, Public Resources Code § 5097.98 must be implemented for all development projects. With implementation of **PPP 3.5-1** (Health and Safety Code § 7050.5 and Public Resources Code § 5097.98) and **Mitigation Measures 3.5.10.1A, B, C, D, and E**, potential impacts related to the discovery of human remains would be less than significant. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to the disturbance of human remains, including those interred outside of formal cemeteries (DSEIR pg. 3.5-12),

d. Cumulative Cultural and Paleontological Resources (Impact 3.5.8)

Potential Significant Impact: Whether the Modified Project in connection with past, current, and probable future projects would make a significant contribution to cumulatively considerable cultural resources impacts.

Findings: Potential cumulative impacts of the proposed Modified Project related to cultural resources are discussed in detail in Section 3.5.8.1 of the DSEIR. The Modified Project would require measures to identify, record, and/or recover any historical, archaeological, and/or paleontological resources that may occur within the project limits. Although unlikely to occur, potential impacts associated with human remains would be reduced to a less than significant level through adherence to existing State law in accordance with **PPP 3.5-1** (Refer to Section 3.5.6 of the DSEIR) and **Mitigation Measures 3.5.10.1A, B, C, D, and E**, which replace the mitigation prescribed in the Certified EIR through consultation with the Soboba Band of Luiseño Indians (Soboba) pursuant to Assembly Bill 52 and Senate Bill 18. Based on the entire record before us, this Council finds that implementation of the recommended mitigation measures outlined in Section 3.5.10 of the DSIER would reduce potential cumulatively significant impacts to cultural resources to less than significant levels pursuant to *CEQA Guidelines* Section 15064.5(f).

> **MM 3.5.10.1A** Prior to issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that they have entered into a Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians (Soboba) to address treatment and disposition of archaeological/cultural resources and human remains associated with Soboba that may be uncovered or otherwise discovered during ground disturbing activities related to the project. Soboba Native American Monitor(s) shall be allowed to monitor ground disturbing activities and the TDA will establish provisions for tribal monitors. The Soboba Band shall receive a minimum of 30 days advance notice prior to the commencement of ground disturbing activities associated with the project. The Soboba tribal monitor shall be invited to attend pre-grading meetings with the City to inform the grading and excavation contractors of the Cultural Resources Management Plan (CRMP) and to provide best practice methods with respect to its implementation.
>
> **MM 3.5.10.1B:** Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified registered professional archaeologist has been retained to perform archaeological monitoring and shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all surface level field work, mass grading, and trenching activities. The archaeological monitor shall prepare a Cultural Resources Management Plan (CRMP) in consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The CRMP shall include provisions for a trained archaeological monitor, monitoring methods and discovery protocol, the treatment of inadvertent archaeological resources finds, Non-Disclosure of location(s) of archaeological materials. The qualified archaeologist shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the CRMP and to consult with and instruct them with respect to its implementation. The CRMP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit. The archaeological monitor shall be on site at all times during the initial phases of grubbing, rough grading, and other ground disturbing activities to inspect cuts for archaeological resources. If no archaeological resources are encountered after approximately fifty percent of rough grading, the qualified project archaeologist shall have discretion to recommend to the City that archaeological monitoring get scaled back to a part time or spot-check basis. Any recommendation to scale back archaeological monitoring must be in accordance with the methodology and protocols to be established in the CRMTP through consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The City, in consultation with the qualified archaeologist, applicant, and Soboba Band of Luiseño Indians (Soboba), shall determine the appropriate level of subsequent monitoring, during which time the stipulations of Mitigation Measures 3.5.10.1A, 3.5.10.1C, 3.5.10.1D, and 3.5.10.1E shall still apply. A final archaeological report shall be submitted to the

City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.1C: If cultural resources are discovered during ground disturbing activities, the archaeological monitor shall record them on California Department of Parks and Recreation Forms (DPR 523).

Recovered cultural resources, along with copies of pertinent field notes, and maps, shall be treated with appropriate dignity in accordance with the Treatment and Disposition Agreement (TDA) and Cultural Resources Management Plan (CRMP). The qualified archaeologist shall document any reburial of cultural resources on DPR 523 forms in accordance with the CRMP.

A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor and Soboba tribal monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.5.10.1D: Discovery of Human Remains: In accordance with Section 7050.5 of the California Health and Safety Code, if human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Hemet Planning Department immediately. The coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts, in consultation with the property owner and the lead agency.

MM 3.5.10.1E: Prior to the issuance of a grading permit, the City of Hemet shall verify that the following note is included on the project's Grading Plans:

"If any suspected cultural resources are encountered during ground-disturbing activities and the archaeological monitor is not present, the construction supervisor is obligated to halt all ground disturbing work within 50 feet of the find and call the project archaeologist/archaeological monitor to the site to assess the significance of the find."

Facts in Support of the Findings: The cumulative area for cultural resources is the City of Hemet. The 1979 Certified EIR concluded all areas encompassing the proposed Modified Project site surveyed for cultural resources were negative. However, implementation of the Approved Project would potentially impact the CA-RIV-1162 archaeological site located approximately 2 miles east of the proposed Modified Project site. The "old cemetery" depicted at the southeast corner of Stetson Avenue and Cawston

Avenue, approximately 1 mile to the east-northeast of the proposed Modified Project site, would not be impacted by the Approved Project. The 1979 EIR also concluded development of the Approved Project could encourage development of adjacent areas known to be sensitive for archaeological resources. Accordingly, mitigation measures were proposed to reduce potential impacts not only to the CA-RIV-1162 archaeological site but also to future development sites within the *Specific Land Use Plan, Southwest Area* to less than significant levels.

The 2008 EIR concluded implementation of **Mitigation Measures CR-2a, CR-2b, CR-3a, CR-3b, and CR-3c** would reduce impacts to cultural resources to less than significant levels (see Section 3.5.10); since there are no project-specific significant impacts, significant cumulative impacts to cultural resources would not occur.

As stated in Section 3.5.7 of the DSEIR, the surrounding region contains known historical, archaeological, and paleontological resources, so future development in this region may affect historical, archaeological, or paleontological resources potentially occurring beneath the project site. However, implementation of the proposed Modified Project would require measures to identify, record, and/or recover any historical, archaeological, and/or paleontological resources that may occur within the project limits. With implementation of the recommended mitigation measures outlined in Section 3.5.10 of the DSEIR, potential cumulatively significant impacts to cultural resources would be reduced to less than significant levels pursuant to *CEQA Guidelines* Section 15064.5(f). Additionally, all development projects in the surrounding region would be subject to project-specific mitigation and compliance with Health and Safety Code § 7050.5 and Public Resources Code § 5097.98 regarding human remains. With implementation of mitigation, significant cumulative impacts to cultural resources would be reduced to less than significant levels. As compared to the Approved Project, construction and operation of the proposed Modified Project would not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to cumulatively considerable impacts to cultural resources. No additional mitigation is required (DSEIR pgs. 3.5-12 and 3.5-13).

4. Geology and Soils

a. Seismic-Related Ground Failure (Impact 3.6.7.3)

Potential Significant Impact: Whether the Modified Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.

Findings: The Council finds implementation of **Mitigation Measure 3.6.10.1, PDF 3.6-1,** and **PPP 3.6-1, PPP 3.6-2** would reduce significant impacts pertaining to seismic-related ground failure to less than

significant levels**.** The **1979 EIR Mitigation Measure 1** and **2008 EIR Mitigation Measure GS-1a** would no longer be applicable to the Modified Project. The following mitigation is required to reduce impacts pertaining to seismic-related ground failure from the proposed Modified Project:

> **MM 3.6.10.1** Prior to the issuance of grading and building permits, the applicant shall provide to the City Engineering Division and City Building & Safety Department for review and approval detailed grading and construction plans that demonstrate the recommendations specified in project- and site-specific geotechnical investigation have been incorporated into the onsite earthworks and structures.
>
> The project applicant and all contractors shall follow the recommendations of the geotechnical investigation, which include but are not limited to 1) a geotechnical grading plan review by the project geotechnical engineer prior to construction of the proposed project, 2) preparation of the project site via removal of surface obstructions, vegetation, and debris, 3) removal of unsuitable fill materials previously utilized as backfill for prior onsite and off-site improvements, 4) over-excavation of surficial units, including artificial fill, colluvium, and topsoil to competent ground as evaluated by a qualified engineering geologist during grading to ensure all unsuitable fill is removed prior to replacing it with properly compacted fill, 5) maintenance of properly compacted fill to near optimum moisture content, 6) construction of stabilization fill keyways to ensure slope stability and prevention of landslides, 7) immediate landscaping, irrigation, and maintenance of engineered slopes, 8) acceptability of all removal bottoms reviewed by a qualified engineering geologist or geotechnical engineer and documented in the as-graded geotechnical report, 9) construction of post-tensioned slab-on-grade foundation or conventionally reinforced foundation designed to resist expansive soils and settlement, 10) maintaining appropriate drainage and infiltration throughout the project site in accordance with regulatory requirements and 11) review by the project geotechnical engineer of any updated rough or precise grading or conventional retaining wall or foundation plans to ensure implementation of the recommendations in the geotechnical investigation, and 12) geotechnical observation and/or testing at the following stages of construction:
>
> - During rough grading (removal/over-excavation bottoms, fill placement, etc.)
> - Geologic mapping of temporary backcuts;
> - During retaining wall backfill and compaction;
> - During utility trench backfill and compaction;
> - During precise grading;
> - After presoaking building pads and other concrete-flatwork subgrades, and prior to placement of aggregate base or concrete;
> - Preparation of pavement subgrade and placement of aggregate base;
> - After building and wall footing excavation and prior to placement of steel reinforcement and/or concrete; and,
> - When any unusual soil conditions are encountered during any construction operation.
>
> This measure shall be implemented to the satisfaction of the City Engineering Division and City Building & Safety Department.

Facts in Support of the Findings: The 1979 Certified EIR concluded there is a significant hazard to structures and people in the Southwest Area due to its proximity to the San Jacinto Fault Zone. The 2008 EIR concluded the potential for liquefaction-induced hazards is low due to an anticipated groundwater table approximately 300 feet in depth. Implementation of the recommendations in the site-specific

geotechnical investigation, as codified in 1979 EIR Mitigation Measure 1 and 2008 EIR Mitigation Measure GS-1a, would reduce impacts from seismic-related ground failure to less than significant levels.

The Modified Project site was evaluated for liquefaction potential as part of the geotechnical investigation. On-site exploratory borings, which reached 50 feet below grade, did not encounter groundwater. No standing or surface water was observed on the Modified Project site at the time of the field subsurface exploration. However, surface runoff from elevated portions of the site and adjacent properties should be anticipated. In addition, a saturated soils condition may be encountered along the western boundary due to potential groundwater seepage from the San Diego Aqueduct, and the Modified Project site contains thin deposits of relatively loose surficial soils overlying dense younger or older alluvium. Furthermore, a previous investigation conducted in 2003 encountered perched groundwater at 36 feet below grade in a single boring.

Although the potential for surface manifestations like bearing failures and sand boils is considered low, the Modified Project site is susceptible to differential settlement from liquefaction. This impact is potentially significant. **Mitigation Measure 3.6.10.1** is required to ensure the Modified Project would implement **PDF 3.6-1** so that grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation. Assuming that the loose, near surface soils (topsoil and young alluvium) would be removed and recompacted in accordance with the recommendations of Section 5.0 of the project-specific geotechnical investigation, a total dynamic settlement of 1-inch and differential settlement of 0.5 inch in 40 feet horizontal distance is anticipated, and the potential for liquefaction or dynamic settlement due to the design earthquake event to affect structures at the Modified Project would be low.

In addition to implementation of **Mitigation Measure 3.6.10.1**, the Project would be required to comply with 2019 Title 24 Standards of the CBC as specified in **PPP 3.6-1**, and prepare and submit detailed grading plans for each phase of development in conformance with applicable standards of the City, the CBC, and the project-specific geotechnical investigation as specified in **PPP 3.6-2** to further reduce the risk of seismic-related ground failure. Implementation of **Mitigation Measure 3.6.10.1** (**PDF 3.6-1**), **PPP 3.6-1**, and **PPP 3.6-2** would provide adequate protection for the proposed Modified Project to the extent required to reduce seismic risk to an “acceptable level.” The “acceptable level” of risk is defined by the California Code of Regulations as “that level that provides reasonable protection of the public safety, though it does not necessarily ensure continued structural integrity and functionality of the project” [Section 3721(a)]. Therefore, repair and remedial work of the proposed development may be required after a significant seismic event. When compared to the Approved Project, the proposed Modified Project would have a similar less than significant impact (DSEIR pgs. 3.6-8 to 3.6-9)

b. Geological Stability (Impact 3.6.7.6)

Potential Significant Impact: Whether the Modified Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

Findings: The Council finds implementation of **Mitigation Measure 3.6.10.1 (**see Impact 3.6.7.3 above)**, PDF 3.6-1,** and **PPP 3.6-1, PPP 3.6-2** would reduce significant impacts pertaining to geological stability to less than significant levels**.** The **1979 EIR Mitigation Measure 1** and **2008 EIR Mitigation Measure GS-1a** would no longer be applicable to the Modified Project.

Facts in Support of the Findings: The 2008 Certified EIR concluded there is a significant hazard to structures and people within the Approved Project area due to its proximity to the San Jacinto Fault Zone. The 2008 EIR concluded no soil or geologic conditions are identified on the Approved Project site that would preclude development of the property for residential uses. Implementation of the recommendations in the site-specific geotechnical investigation as codified in **1979 EIR Mitigation Measure 1** and **2008 EIR Mitigation Measure GS-1a**, and compliance with applicable State and local building and grading regulations as codified in **2008 EIR Mitigation Measure GS-1b**, would reduce impacts from unstable geologic conditions to less than significant levels.

The parent material of the soils on the Modified Project site is granitic alluvium deposited by the San Jacinto River and Bautista Creek emanating from the surrounding mountains to the south and southeast. Factors that contribute to slope failure include slope height and steepness, shear strength and orientation of weak layers in the underlying geologic units, and pore water pressures. The Modified Project site is not susceptible to landslides. There are no known landslides at the site, nor is the Modified Project site in the path of any known or potential landslides. The Modified Project site was evaluated for liquefaction potential as part of the geotechnical investigation. On-site exploratory borings, which reached 50 feet below grade, did not encounter groundwater. No standing or surface water was observed on the Modified Project site at the time of the field subsurface exploration. Due to the lack of shallow groundwater, the potential for lateral spreading due to an earthquake event to affect the site is considered very low or non-existent.

The project-specific geotechnical investigation indicated the potential for ground subsidence/fissuring due to groundwater withdrawal is low for the Modified Project site and surrounding region. Based on the composition of on-site soils, a surface subsidence value of 0.1 to 0.2 foot is applied to topographic elevations in alluvial areas subjected to agricultural disking. Accordingly, implementation of **PDF 3.6-1** would ensure loose surface soils would be overexcavated and recompacted, and grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation to minimize the risk of subsidence on the Modified Project occupants.

Surface runoff from elevated portions of the site and adjacent properties should be anticipated. In addition, a saturated soils condition may be encountered along the western boundary due to potential groundwater seepage from the San Diego Aqueduct, and the Modified Project site contains thin deposits of relatively loose surficial soils overlying dense younger or older alluvium. Furthermore, a previous investigation conducted in 2003 encountered perched groundwater at 36 feet below grade in a single boring. Although the potential for surface manifestations like bearing failures and sand boils is considered low, the Modified Project site is susceptible to differential settlement from liquefaction. This impact is potentially significant, and **Mitigation Measure 3.6.10.1** is required to ensure the project would implement **PDF 3.6-1** so that grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation. Laboratory testing indicated that the on-site soils are expected to possess a slight collapse potential (<2.5%). This is a potentially significant impact, and **Mitigation Measure 3.6.10.1** is required to ensure the project would implement **PDF 3.6-1** so that grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation.

In addition to implementation of **Mitigation Measure 3.6.10.1**, the project would be required to comply with 2019 Title 24 Standards of the CBC as specified in **PPP 3.6-1**, and prepare and submit detailed grading plans for each phase of development in conformance with applicable standards of the City, the CBC, and the project-specific geotechnical investigation as specified in **PPP 3.6-2** to further reduce the risk of unstable geologic units. With implementation of **PPP 3.6.-1** and **3.6-2**, **PDF 3.6-1**, and **Mitigation Measure 3.6.10.1**, the proposed Modified Project's geologic and soils impacts would be reduced to less than significant. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from unstable geologic units (DSEIR pgs.3.6-11 to 3.6-13).

c. Expansive Soils (Impact 3.6.7.7)

Potential Significant Impact: Whether the Modified Project would be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994 or most current edition), creating substantial risks to life or property.

Findings: The Council finds implementation of **Mitigation Measure 3.6.10.1 (**see Impact 3.6.7.3 above) and **PDF 3.6-1** would reduce significant impacts pertaining to geological stability to less than significant levels**.** The **1979 EIR Mitigation Measure 1**, **2008 EIR Mitigation Measure GS-1a** and **2008 EIR Mitigation Measure GS-1b** would no longer be applicable to the Modified Project.

Facts in Support of the Findings: The Certified EIR concluded the Approved Project site contains topsoil and artificial fill of which the upper 3 to 5 feet of alluvium would require complete removal and

recompaction within the limits of grading. With implementation of the recommendations in the site-specific geotechnical investigation, as codified in **1979 EIR Mitigation Measure 1** and **2008 EIR Mitigation Measure GS-1a**, and compliance with applicable state and local building and grading regulations, as codified in **Mitigation Measure GS-1b**, no soil or geologic conditions are identified on the Approved Project site that would preclude development of the property for residential uses, and impacts from expansive soils would be reduced to less than significant levels.

Limited laboratory testing indicated that soils encountered on the Modified Project site generally possess a very low expansion potential. However, localized deposits of low to medium expansive soils may be encountered during grading, particularly in the highly weathered older alluvium, if any. This impact is potentially significant, and **Mitigation Measure 3.6.10.1** is required to ensure the project would implement **PDF 3.6-1** so that grading and preparation of the Modified Project site shall occur in accordance with the recommendations of the project-specific geotechnical investigation. For example, additional testing must be performed during site grading to verify the on-site observations and limited laboratory data. **Mitigation Measure 3.6.10.1** requires a qualified geotechnical engineer monitors the grading activities to ensure loose surface soils are adequately overexcavated and recompacted to protect against potentially expansive soils. With implementation of **Mitigation Measure 3.6.10.1**, impacts from expansive soils would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project also prescribes mitigation and would have similar less than significant with mitigation impacts from expansive soils (DSEIR pgs. 3.6-13 to 3.6-14).

d. Cumulative Geologic and Soil Impacts (Impact 3.6.8)

Potential Significant Impact: Whether the Modified Project in connection with past, current, and probable future projects would make a significant contribution to cumulatively considerable geologic and soil impacts.

Findings: The Council finds implementation of **Mitigation Measure 3.6.10.1 (**see Impact 3.6.7.3 above), **PDF 3.6-1, PDF 3.6-2,** and **PPPs 3.6-1** through **3.6-4** would reduce significant impacts pertaining to geological stability to less than significant levels**.** The **1979 EIR Mitigation Measure 1**, **2008 EIR Mitigation Measure GS-1a, 2008 EIR Mitigation Measure GS-1b** and **2008 EIR Mitigation Measure GS-2a** would no longer be applicable to the Modified Project.

Facts in Support of the Findings: The Certified EIR concluded the Approved Project site does not contain significant geological constraints. The Approved Project's proximity to regional faults would render it subject to seismic ground shaking, for which **1979 EIR Mitigation Measure 1** and **2008 EIR Mitigation Measure GS-1a**, and compliance with applicable state and local building and grading regulations, as codified in **2008 EIR Mitigation Measures GS-1b** and **GS-2a**, respectively, would reduce impacts from

fault rupture and seismicity to less than significant levels. As long as proper design and engineering are implemented based on available seismic and other geotechnical data, the Approved Project would not result in a cumulatively considerable impact to or from geology and soils. Therefore, no mitigation is required relative to cumulative impacts.

The presence of regional faults and potential for seismic shaking create the potential for damage to structures or injury to persons during seismic events. However, City and State regulations provide guidelines for development in areas with geologic constraints and ensure that the design of buildings is in accordance with applicable CBC standards and other applicable standards, which reduces potential property damage and human safety risks to less than significant levels. Through design and construction of the Modified Project site in conformance with applicable State law and local regulations, as outlined in **Mitigation Measure 3.6.10.1** (**PDF 3.6-1**), **PDF 3.6-2**, and **PPPs 3.6-1** through **3.6-4**, anticipated development in the City and surrounding area in general would not have a cumulatively considerable impact on earth resources, soils conditions or constraints, nor would regional geotechnical constraints have a cumulatively considerable impact on the proposed Modified Project or cumulative projects. Because it is reasonable to conclude that all development within seismically active areas would be required to adhere to applicable State regulations, CBC standards, and the design and siting standards required by local agencies, cumulative geological impacts from the proposed Modified Project are considered less than significant with mitigation incorporated (DSEIR pgs. 3.6-14 to 3.6-15).

6. Hazards and Hazardous Materials

a. Significant Hazards Through Transport, Use, or Disposal of Hazardous Materials (Impact 3.7.7.1)

Potential Significant Impact: Whether the Modified Project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Findings: The Council finds implementation of **2008 Mitigation Measure HHM-1a (as modified), PPP 3.8-1** and **PPP 3.8-3** would reduce significant impacts pertaining hazards through transport, use, or disposal of hazardous materials to less than significant levels. Some of the 2008 EIR Mitigation Measures are still applicable to the Modified Project; however, minor modifications of such mitigation measures are needed to be applicable to the Modified Project. Deletions or deviations from the 2008 EIR mitigation measures are identified in ~~strikeout text~~, and underlined text is used to signify new additions.

> **2008 Mitigation Measure HHM-1a:** If during construction activities, ~~on TTMs 35392, 35393 and 35394~~ the Modified Project site any discolored soil, soils with an unusual odor, or undocumented subsurface structures are encountered during future development on the site, a qualified soil investigation professional shall investigate the soil, and if necessary procure samples for testing. Any contamination shall be properly remediated to residential standards in conjunction with an

oversight agency (either ~~Riverside County Fire Department~~ the Hemet Fire Department or the California Department of Toxic Substances Control). If abandoned septic tanks, pits, or leach lines are uncovered, the Riverside County Department of Public Health shall be contacted to coordinate the proper abandonment of these features.

Facts in Support of the Findings: The 1979 EIR did not address hazards and hazardous material impacts associated with the Approved Project. The 2008 EIR identified the need for management practices and permits necessary for handling hazardous waste materials during Approved Project construction activities. The long-term maintenance activities associated with residential land uses would not result in a substantial amount of hazardous waste. The 2008 EIR stated that the Approved Project only involves residential and open space uses and concluded these types of uses do not involve the transportation and use of hazardous materials.

Similar to the Approved Project, construction activities associated with the Modified Project would use hazardous and flammable substances, such as, diesel fuel and motor oil in the operation of heavy machinery for grading and building construction. These construction vehicles may need maintenance that could potentially result in a minor release of oil, diesel fuel, transmissions fluid, or other potentially hazardous materials. The Modified Project applicant would similarly be required to obtain an NPDES permit and would require adoption of a site-specific SWPPP that identifies the BMPs for handling of hazardous materials commonly used during construction activities. With adherence to the NPDES permit and applicable BMPs as described in **PPP 3.8-1** and **3.8-3**, potential impacts related to the handling and use of materials during construction of the Modified Project would be less than significant. A Phase I ESA was prepared for the Modified Project on November 4, 2016 (Appendix F1). The purpose of the Phase I ESA was to identify, to the extent feasible, the environmental conditions in connection with the property in regard to hazardous materials. Since the Modified Project site is located in an area that was historically used for agricultural uses, there is potential that on-site soil may be contaminated with agricultural chemicals such as pesticides, herbicides, and fertilizers. During Modified Project construction activities, the potential for release of such agricultural chemicals would be increased due to grading and soil relocation activities. Similar to the Approved Project, a slightly modified version of **Mitigation Measure HHM-1a** would be implemented by the Modified Project to reduce potential impacts to construction workers or nearby sensitive receptors due to the potential release of agricultural chemicals.

The Modified Project would include the development of residential uses and commercial uses; whereas, the Approved Project included the development of residential uses and open space areas. The long term maintenance activities associated with the upkeep of residential units include the use of fertilizers and landscape equipment (e.g., lawn mowers and edgers). However, these activities do not normally result in a substantial amount of hazardous materials. The commercial uses of the Modified Project may include the use and storage of hazardous materials; however, such materials would be typical of those uses in

commercial/retail buildings. As a condition of approval of the Modified Project, owners of businesses within the commercial use area of the site would be required to maintain (and keep within the businesses) a set of Material Safety Data Sheets that provides information on the type of hazardous materials stored and used in the buildings, and directions in the event an accidental release of such materials were to occur. Overall, similar to the Approved Project, the Modified Project would not result in the storage, transportation, generation or disposal of large quantities of hazardous substances. When compared to the Approved Project, impacts from the Modified Project associated with the routine transport, use, or disposal of hazardous materials would be the same (i.e., less than significant with mitigation) (DSEIR pgs.3.7-11 to 3.7-12).

b. Located within an Airport Land Use Plan (Impact 3.7.7.5)

Potential Significant Impact: Whether the Modified Project would be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public use airport, resulting in a safety hazard for people residing or working in the Modified Project area.

Findings: The Council finds implementation of **Mitigation Measure 3.7.10.1, Mitigation Measure 3.7.10.2, Mitigation Measure 3.7.10.3, Mitigation Measure 3.7.10.4, Mitigation Measure 3.7.10.5, Mitigation Measure 3.7.10.6, Mitigation Measure 3.11.10.6, 2008 EIR Mitigation Measure HHM-5g (as modified),** and **2008 EIR Mitigation Measure HHM-5i (as modified),** would reduce significant impacts pertaining to the Modified Project being located within an airport land use plan to less than significant levels. **2008 Mitigation Measure HHM-5a** through **HHM 5f** and **2008 Mitigation Measure HHM-5h** are no longer applicable to the Modified Project. The following mitigation is required to reduce impacts pertaining to seismic-related ground failure from the proposed Modified Project:

> **MM 3.7.10.1:** Prior to issuance of building permits, the Modified Project's Applicant shall provide evidence to the City of Hemet that the following measures are in place:
>
> - **Avigation Easement.** The Project Proponent shall grant to the County of Riverside an easement for free and unobstructed passage of all aircraft in the airspace over, through, across, and adjacent to the Project site. The easement shall be in a form substantially consistent with that provided in the Hemet-Ryan Airport Land Use Compatibility Plan and shall be approved by the City Attorney for the City of Hemet and the County Counsel for the County of Riverside and shall be duly recorded with the County Clerk to run with the title to all subdivided lots. This easement, in addition to providing certain rights to the airport to assure it continued operation, will also serve as notice to all prospective buyers of the location and potential impacts of the airport.
>
> - **Notice of Airport in Vicinity**. The Riverside County Airport Land Use Commission *Notice of Airport in Vicinity* (Appendix F3) shall be provided to all prospective purchasers of the proposed lots and tenants of the homes thereon, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final tract map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said

notice, the text of the notice shall be included on the Environmental Constraints Sheet (ECS) of the final tract map, if an ECS is otherwise required.

- **Seller Disclosure.** California Civil Code section 1102 "Disclosure Upon Transfer of Residential Real Estate" requires that a Real Estate Transfer Disclosure Statement (TDS) be completed by the Seller and acknowledged by the Buyer. The Project Proponent shall ensure that the TDS in Section 3: Easements and Section 11: Neighborhood Noise be completed to show the existence of the Avigation Easement and the presence of potentially significant noise impact from aircraft using Hemet-Ryan Airport.

- **Sales Material.** The Project Proponent shall ensure that all model homes, sales brochures, and other potential items include notice of the nearby location of the airport and the presence of potential noise and safety impacts.

MM 3.7.10.2: The Modified Project applicant, the City of Hemet, and owners of the Hemet-Ryan Airport shall coordinate with each other prior to issuance of building permits to discuss and potentially implement measures that will help reduce airport operations above the Modified Project site without compromising airport operations. Examples of measures that would reduce potential airport hazards to people residing and working on the Modified Project site include, but are not limited to, the following:

- **Extended Pattern and Raise Pattern altitude.** Many of the smaller aircraft using Runway (RW) 22 are able to turn soon after takeoff and fly the traffic pattern in locations very near the runway and at relatively low altitudes. (Less than 1,000 feet Above Ground Level [AGL]). By encouraging departing aircraft to maintain runway heading (straight out) until reaching the end of the runway or until reaching the end of airport property, they will achieve higher altitudes thus decreasing noise and potential safety hazards. Also, the pattern altitude is published at 1,000 feet AGL. Raising the published pattern altitude to 1,500 feet AGL will promote a similar effect.

- **Business Jet Noise Abatement Departure.** Business jets have the greatest potential to create noise disturbance to ground population. A noise abatement departure procedure must be developed to have departing business jets maintain runway heading until reaching a certain altitude, e.g. 2,500 feet AGL. This will place flight tracks further from the project area, thus reducing noise; and it will place aircraft at higher altitudes before them being turning maneuvers that stress the aircraft, and thus decrease potential safety impacts.

As the Hemet-Ryan Airport is privately owned and operated and not part of the Modified Project, the owners of the Hemet-Ryan Airport would not be mandated to implement such measures.

MM 3.7.10.3: Prior to issuance of grading permits, the Project Applicant shall provide evidence to the City that the following performance standards are applied to all ground-level or aboveground water detention basins or facilities, including water quality management basins detailed in Project Design Feature 3.8-2:

- Maximum 48-hour detention period after the design storm and remain totally dry between rainfall events.

- Vegetation around such facilities, such as red fescue (*Festuca rubra*), sedges (*Carex* sp.) and rushes (*Juncus* sp.), that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping.

- Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries.

- Landscaping in the detention basins, if not rip-rap, shall be in accordance with the guidance provided in Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure, and the *Airports Wildlife and Stormwater Management* brochure available at www.rcaluc.org and Appendix F2, which lists acceptable plants from Riverside County Landscape Guide, or other alternative landscaping as may be recommended by a wildlife hazard biologist (refer to Appendix F2).

- Slopes along portions of the basins designed to detain stormwater runoff shall be equal to or greater than 3:1.

The Final Water Quality Management Plan detailed in Plan, Policy, or Program 3.6-4 shall specify maintenance intervals for the water quality management basins to ensure the required 48-hour drawdown time following the design storm is maintained. In addition, the Project Applicant shall ensure that the Homeowner's Association (HOA) or similar entity prepare a Planting, Maintenance, and Management Plan for the water quality management basins prior to occupancy to eliminate seeding, shelter, and incompatible vegetation in accordance with the Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure and the *Airports Wildlife and Stormwater Management* brochure.

MM 3.7.10.4: Prior to issuance of building permits for any structure with a top point elevation exceeding 1,535 feet above mean sea level, the Project Applicant shall either provide evidence of the issuance of a Determination of No Hazard to Air Navigation from the Federal Aviation Administration Obstruction Evaluation Service (FAA OES) or shall demonstrate that evaluation by the FAA OES is not required due to distance from the runway exceeding 100 feet for every foot of elevation at top point of structure exceeding 1,499 feet above mean sea level.

MM 3.7.10.5: Prior to issuance of building permits, the Project Applicant shall provide evidence to the City that no buildings shall exceed a height of 40 feet above ground level and a maximum elevation at top point of 1,553 feet above mean sea level. The Maximum height and top point elevation shall not be amended without further review by the Riverside County Airport Land Use Commission and the Federal Aviation Administration, provided, however, that reduction in structure height or elevation shall not require further review.

Temporary construction equipment used during actual construction of the proposed structures shall not exceed 40 feet in height and maximum elevation of 1,553 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

MM 3.7.10.6: Within five days after construction of the proposed building evaluated pursuant to Federal Aviation Administration (FAA) Aeronautical Study No. 2019-AWP-10893-OE reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the Project Applicant or his/her designee and electronically filed with the FAA (go to https://oeaaa.faa.gov for instructions). This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure at the evaluated coordinate location. Although not required in accordance with FAA Aeronautical Study No. 2019-AWP-10893-OE, any marking and/or lighting installed voluntarily by the Project Applicant for aviation safety shall comply with *FAA Advisory Circular 70/7460-1 L Change 2* and shall be maintained in accordance therewith for the life of the Project.

MM 3.11.10.6: Prior to issuance of Occupancy Permits, the Project Applicant shall provide evidence to the City that the following noise attenuation features have been incorporated into the construction of the on-site residential structures:

- Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped, and shall have a minimum Sound Transmission Classification (STC) rating of 27. Although a minimum STC rating of 27 will satisfy the City of Hemet requirements, upgraded windows with STC ratings of 30 to 32 for all lots are recommended to further reduce the interior noise levels and to minimize the potential noise impacts associated with peak pass-by events.

- Doors: All exterior doors shall be well weather-stripped and have minimum STC ratings of 25. Well-sealed perimeter gaps around the doors are essential to achieve the optimal STC rating.

- Walls: At any penetrations of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal.

- Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or well-sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.

- Attic: Attic vents should be oriented away from Stetson Avenue and Warren Road. If such an orientation cannot be avoided, then an acoustical baffle shall be placed in the attic space behind the vents. Insulation with at least a rating of R-19 shall be used in the attic space.

- Ventilation: When any habitable room is in use, arrangements shall be such that circulated air is received when any exterior door(s) or window(s) are closed. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code.

Upon implementation of the noise attenuation features and prior to issuance of Occupancy Permits, the Project Applicant shall prepare an acoustical study to verify the interior noise levels from aircraft noise will comply with the countywide criterion of 45 dBA Community Noise Equivalent Level (CNEL) or such more restrictive criterion as the City of Hemet may choose to require. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

Some of the 2008 EIR Mitigation Measures are still applicable to the Modified Project; however, minor modifications of such mitigation measures are needed to be applicable to the Modified Project. Deletions or deviations from the 2008 EIR mitigation measures are identified in ~~strikeout~~ ~~text~~, and underlined text is used to signify new additions.

2008 Mitigation Measure HHM-5g: Any outdoor lighting installed on the Modified Project site shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing. All lighting plans ~~should~~ shall be reviewed and approved by the Hemet-Ryan airport manager and the Riverside County Airport Land Use Commission prior to Modified Project approval.

2008 Mitigation Measure HHM-5i: The following uses shall be prohibited from the Modified Project ~~project~~ site:

- Hazardous material facilities;
- Hazardous uses (e.g., aboveground storage tanks);
- Outdoor stadiums;
- Any use which would direct a steady or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or ~~a straight final approach~~ toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport, other than an FAA-approved navigational signal light or visual approach slope indicator;
- Any use which would cause sunlight to be reflected toward an aircraft engaged in initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport;
- Any use which would generate smoke or vapor or which could attract large concentrations of birds, or which may otherwise affect safe air navigation within the area; ~~and~~
- Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; and
- Children's schools, hospitals, skilled nursing and care facilities, highly noise-sensitive outdoor nonresidential uses, and hazards to flight, and, in the Zone C portion of the property, all of the above, plus libraries, daycare centers, theaters, meeting halls and other assembly facilities, and stadiums.

Facts in Support of the Findings: Section 3.7.7.5 of the DSEIR discusses potential impacts of the Modified Project being located within an airport land use plan. The 1979 EIR did not address airport hazards for the Approved Project. The 2008 EIR analyzed the Approved Project's consistency with the 1992 Hemet-Ryan ALUCP, current at the time the EIR was undertaken. Because the Hemet-Ryan ALUCP was based on outdated aircraft data, the 2008 EIR also analyzed the Approved Project's consistency with the California Airport Land Use Planning Handbook (2002). The 2008 EIR found mitigation measures were required, and discretionary review by the Riverside County Airport Land Use Commission was necessary. A portion of the Approved Project (TM 35394) was proposed within Airport Area II of the 1992 Hemet-Ryan ALUCP, which prescribes a minimum residential lot of 2.5 acres. However, development of TM 35394 under the Approved Project included residential lots of 5,000 and 6,000 square feet. Accordingly, the 2008 EIR found the Approved Project would result in a potentially significant impact associated with the 1992 Hemet-Ryan ALUCP and prescribed **Mitigation Measures HHM-5a** through **HHM-5i**. Even with implementation of **Mitigation Measures HHM-5a** through **HHM-5i**, the Approved Project would not be consistent with the 1992 Hemet Ryan ALUCP due to incompatible density allocation, and impacts were determined to be significant and unavoidable.

Similar to the Approved Project, the Modified Project is approximately 2,400 feet southeast of the Hemet-Ryan Airport. The existing primary runway (runway 5-23) is 4,315 feet long and the Airport Master Plan proposes a 500-foot eastward expansion of this runway in the future. The proposed runway 5-23 extension would increase the usable runway length to 4,815 feet only for takeoffs to the west. Hemet-Ryan Airport also has a secondary runway, runway 4-22, that has been used in the past by sailplane related launches and landings. Runway 4-22 is anticipated to be closed in the future per the Airport Master Plan. In 2010, there was an estimated 69,500 annual airport operations at Hemet-Ryan Airport, and the Master Plan anticipates an increase up to 87,150 annual airport operations by 2036. The aircraft mix using the Hemet-Ryan Airport would continue to consist of turbo-prop airplanes, helicopters, and piston-engine airplanes. Jet-propelled aircraft usage would continue to remain minimal at Hemet-Ryan Airport.

The Modified Project is located in Zones C (32.02 acres of the Modified Project site) and D (213.05 acres of the Modified Project site) of the Hemet-Ryan ALUCP. The Zones of the ALUCP were established in accordance with the California Airport Land Use Planning Handbook and are designated to guide development near the Hemet-Ryan ALUCP with airport hazards (i.e., airplane crashes) taken into consideration. Zone C, the Extended Approach/Departure Zone, consists of large areas east and west of the airport property where development intensity for nonresidential uses is limited to an allowable average of 100 persons per acre and not to exceed 300 persons per acre of any single acre. Residential densities in Zone C are permitted up to a maximum of 0.20 dwelling unit per acre, or 1 dwelling unit per 5 acres. Zone D (west of Cawston Avenue), the Primary Traffic Patterns and Runway Buffer Area Zone, allows for development intensities for nonresidential uses of 200 persons per acre not to exceed 800 persons per acre in any single acre. Notwithstanding the criteria set forth in Countywide Policies 3.13(a) and 3.1.3(b) and the Basic Compatibility Criteria matrix detailed in Table 2A of the Riverside County Airport Land Use Compatibility Plan, Volume 1 Policy Document, Zone D allows residential densities greater than or equal to 3.0 dwelling units per net acre and less than or equal to 1 dwelling unit per 2.5 acres, but prohibits new residential development at intermediate densities greater than 0.4 and less than 3.0 dwelling units per acre. The Modified Project would include the development of up to five residential units and a maximum of 100,000 square feet of commercial uses in Zone C (32.02 acres of the Modified Project site) of the Hemet-Ryan ALUCP. The proposed density of the residential units in Zone C would equate to 0.16 unit per acre, which is below the maximum development density of 0.20 unit per acre and is therefore within the density standards of the Hemet-Ryan ALUCP Zone C.

The Riverside County Airport Land Use Compatibility Plan, Volume 1 Policy Document recommends selection from three methods (parking ordinance, maximum occupancy per the California Building Code, or survey of similar uses) to calculate the maximum number of people per acre for the proposed commercial uses (Planning Area XIII) in Zone C. The proposed commercial uses are planned for

development on the Modified Project site is speculative. Additionally, the commercial use is defined as "Regional Commercial" under the proposed General Plan Amendment, whereby patrons would be drawn from a regional rather than a local market. Accordingly, calculation of maximum occupancy per the City's Off-Street Parking Ordinance for a shopping center (1 space for every 250 square feet of gross floor area) is used in this analysis because the Parking Ordinance method is most appropriate where the use is expected to be dependent upon access by vehicles. Pursuant to the City Parking Ordinance, the commercial use in Zone C is anticipated to require 400 parking spaces to accommodate employees and visitors to the site. Assuming that every parking spot were occupied with a vehicle containing four people, the maximum number of people anticipated within the 19.67-acre Planning Area XIII would be 1,600 or approximately 81 persons per acre, which is below the maximum densities/ intensities average of 100 people per acre as prescribed under the Land Use Compatibility Criteria of Hemet-Ryan ALUCP.

The Modified Project would include development of up to 581 residential units in Zone D of the Hemet-Ryan ALUCP. Policies 2.3(a) and (b) of the plan specify densities in Zone D (213.05 acres of the Modified Project site) shall be calculated on a "net" rather than "gross" basis, excluding open space required for environmental conservation purposes and separate lots used for common areas, public facilities, recreational areas, and drainage basins. For the Modified Project site, open space lots one acre or larger within Zone D account for 48.20 acres. Deletion of these areas alone results in a net 164.85 residential acres and a net residential density of 3.52 dwelling units per acre in Zone D, which is above the permitted minimum density of 3.0 units per acre. Therefore, the proposed residential development density would comply with the minimum density standards of Zone D as prescribed by the Hemet-Ryan ALUCP.

Pursuant to the District Regulations detailed in the Page Ranch Planned Community Development (PCD) Specific Plan (SP), the heights of the residential and commercial buildings within the Modified Project site would be in conformance with provisions of the Hemet Municipal Code, Section 90, Article XI and Article XXVI, respectively. Accordingly, residential and commercial structures would not exceed maximum structure heights of 35 feet, which is below the 70-foot threshold prescribed by the ALUCP for Zones C and D.

The elevation of Hemet-Ryan Airport's Runway 5-23 at its southwesterly terminus is 1,499 feet above mean sea level (amsl). At a distance of 2,400 feet from the runway to the commercial portion of the site, any structure with a top point elevation exceeding 1,523 feet amsl would require notice to, and review by, the FAA Obstruction Evaluation Service (OES). The commercial area (Planning Area XIII) has an existing ground elevation of 1,513 feet amsl. As a worst-case scenario for the purpose of the FAA OES, development of Planning Area XIII is assumed to reach up to 40 feet in height even though zoning code for the C-2 General Commercial Zone typically allows structures up to 35 feet in height. For structures up to 40 feet tall in Planning Area XIII, the maximum top point elevation would be 1,553 feet amsl, and FAA

OES review of Form 7460-1 is required. The Applicant submitted Form 7460-1 to the FAA OES for review and was assigned Aeronautical Study Number 2019-AWP-10893-OE. The FAA OES reviewed the application and issued a Determination of No Hazard to Air Navigation letter on October 28, 2019.

The highest pad elevation for the proposed residential structures is approximately 1,509 feet amsl, and residential structures would not exceed a height of 35 feet, for a maximum top point elevation of 1,544 feet amsl. Although the residential development elevation is lower than the elevation of the potential commercial uses and the residential area is at least 3,600 feet from Runway 5-23, the proposed maximum top point elevation of 1,544 feet amsl would exceed the critical top point elevation of 1,535 feet amsl for the residential uses. In lieu of submitting Form 7460-1 to the FAA OES for each home in the tract, Riverside County ALUC staff recommended the applicant prepare a table specifying the pad elevation, maximum potential top point elevation, and distance from the runway for each of the proposed lots as part of a single submittal of Form 7460-1 to the FAA OES for the entire residential portion (Planning Area X) of the Modified Project.

In order to promote safety related to airport operations near the Modified Project site, **Mitigation Measures 3.7.10.1** through **3.7.10.6**, and **Mitigation Measure 3.11.10.6** shall be implemented. **Mitigation Measure 3.7.10.1** would inform residents and business owners of potential safety hazards associated with residing or working on a site near an active airport. **Mitigation Measure 3.7.10.2** would require coordination between the City, Modified Project applicant, and the owner of the Hemet-Ryan Airport to consider potential measures to revise aircraft operations occurring near and over the proposed Modified Project site. **Mitigation Measure 3.7.10.3** is prescribed to reduce the potential for a Bird-Aircraft Strike Hazard (BASH) at the Hemet-Ryan Airport in accordance with Riverside County ALUC and FAA standards. **Mitigation Measures 3.7.10.4** through **3.7.10.6** require review of the Modified Project by the FAA as applicable to ensure structure heights do not result in hazards to air navigation. **Mitigation Measures 3.11.10.6** would ensure airport operations would not generate noise in excess of countywide criterion levels. Additionally, the Modified Project would implement **2008 Mitigation Measures HHM-5g (as modified)** and **HHM-5i (as modified)** from the Approved Project (with slight modifications from the original mitigation measures), as they continue to be applicable in reducing airport hazards to people residing and working on the Modified Project site.

As described above, the Modified Project would be developed consistent with Zone C and Zone D developmental requirements prescribed in the Hemet-Ryan ALUCP with implementation of **Mitigation Measures 3.7.10.1** through **3.7.10.6**, **Mitigation Measure 3.11.10.6**, and **2008 Mitigation Measures HHM-5g (as modified)**, and **2008 Mitigation Measures HHM-5i (as modified)**. Through condition to implement these measures, the Riverside County ALUC found City of Hemet Case Nos. GPA15-002 (General Plan Amendment), SPA 15-001 (Specific Plan Amendment) as it pertains to Planning Areas VI,

X, and XIII, and TTM36841 (Tentative Tract Map) consistent with the 2017 Hemet- Ryan ALUCP on February 13, 2020 under Case No. ZAP1061HR19 (Appendix F4). Modified Project impacts related to airport safety hazards for people residing or working the Project area would be less than significant. As compared to the Approved Project, impacts associated with potential hazards from airport operations would be reduced (i.e., significant and unavoidable under the Approved Project versus less than significant under the Modified Project) (DSEIR pgs. 3.7-13 to 3.7-18).

c. Cumulative Hazards and Hazardous Materials Impact (Impact 3.7.8)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project, in connection with past, current, and probably projects, has the potential to result in cumulative impacts pertaining to hazards and hazardous materials.

Findings: The Council finds implementation of **Mitigation Measures 3.7.10.1** through **3.7.10.6**, **Mitigation Measure 3.11.10.6**, **2008 Mitigation Measure HHM-5g (as modified), 2008 Mitigation Measure HHM-I** (as described above) would reduce cumulative impacts pertaining to hazards and hazardous materials to less than significant levels. The following mitigation measures from the 2008 EIR no longer apply to the Modified Project: **2008 Mitigation Measure HHM-5a, 2008 Mitigation Measure HHM-5b, 2008 Mitigation Measure HHM-5c, 2008 Mitigation Measure HHM-5d, 2008 Mitigation Measure HHM-5e, 2008 Mitigation Measure HHM-5f, 2008 Mitigation Measure HHM-5h,** and **2008 Mitigation Measure HHM-5j.**

Facts in Support of the Findings: The 2008 EIR concluded that the Approved Project would create a potential impact for hazards and hazardous waste in the region. The greatest cumulative impacts on hazards and hazardous waste would be the incremental increase in the use of hazardous materials, mainly from domestic sources (i.e. household cleaners, gardening chemicals, automotive fluids, etc.). Growth may also increase the amount of illegal dumping of these materials in the area, which is destructive to natural waterways. The residential development of sites within the safety zones of the Hemet/Ryan Airport would increase the number of people potentially at risks associated with airport use. The Certified EIR concluded the Approved Project is consisted with existing regulations and would not have a cumulatively considerable impact to hazards and hazardous waste pursuant to CEQA Guidelines 15064(h)(3) and 15130 (b)(I)(B).

Hazards and hazardous waste impacts at the project level are not considered cumulatively significant. Based on the safe use of common domestic source hazardous materials, policies established within the City of Hemet and the Airport Land Use Commission concerning land uses within the vicinity of the Hemet/Ryan Airport, and the evacuation rates for this area, the Modified Project (similar to the Approved Project) would not make a significant contribution to any cumulatively considerable impacts related to

hazards. The Modified Project would be consistent with development standards for Zones C and D as prescribed under the Hemet-Ryan ALUCP. These development standards have been created to promote safety and to ensure land use development is implemented consistently to reduce potential hazards near an active airport. Implementation of **Mitigation Measures 3.7.10.1** through **3.7.10.6**, **Mitigation Measure 3.11.10.6**, and **2008 Mitigation Measures HHM-5g (as modified)** and **HHM-5i (as modified)** would reduce safety hazard for people residing or working in the Modified Project area related to operational activities at Hemet-Ryan Airport. Related projects within the City of Hemet and unincorporated areas of Riverside County may result in similar impacts if locations of these projects were within restricted development areas of Hemet-Ryan Airport. However, each related project, similar to the Modified Project would be required to conduct project specific impact analysis to determine the potential of exposing people to safety hazards from nearby airports. The Modified Project would not combine with other projects to result in a cumulatively considerable impact related to safety hazards from nearby airports, as such analysis is considered on a project-by-project basis (DSEIR pg. 3.7-20).

7. Land Use and Planning

a. Conflict Habitat Conservation Plan or Natural Community Conservation Plans (Impact 3.9.7.3)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project has the potential to conflict with habitat conservation plans or natural community conservations plans

Findings: The Council finds the project site falls within the SKR fee area outlined in the Riverside County SKR HCP. In accordance with **Mitigation Measure 3.4.10.2**, the project applicant is required to 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. Additionally, with implementation of **Mitigation Measures 3.4.10.1 through 3.4.10.8,** the Modified Project will comply with the MSHCP, and impacts would be rendered less than significant. When compared to the Approved Project, the Modified Project would result in the same [less than significant with mitigation] impact from conflict with local policies or ordinances protecting biological resources. The Certified EIR Mitigation Measures are replaced with proposed **Mitigation Measures 3.4.10.1 through 3.4.10.8**, which are designed specifically for the Modified Project site in accordance with current regulatory standards:

> **MM 3.4.10.1:** Prior to issuance of grading permits, the project applicant shall pay Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation fees as established and implemented by the City of Hemet. Five categories of the fee are defined and include: Residential, density less than 8.0 dwelling units per acre; Residential, density between 8.1 and 14.0 dwelling units per acre; Residential, density greater than 14.1 dwelling units per acre; Commercial per acre; and Industrial per acre. This measure shall be

implemented at the rates in force at the time grading permits are issued to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.2: The Modified Project Site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR Habitat Conservation Plan (HCP). Prior to issuance of grading permits, the project applicant shall pay the applicable fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the County. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.3: A burrowing owl pre-construction survey shall be conducted not more than 30 days prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities.

If burrowing owls are detected on site during the 30-day pre-construction survey within the breeding season (February 1st to August 31st), then construction activities shall be limited to beyond 300 feet of the active burrows. If burrowing owls are detected on site during the 30-day pre-construction survey outside the breeding season (February 1 to August 31), then the buffer for construction activities shall be determined by a qualified biologist in consultation with the City. No construction activity shall be permitted within any burrowing owl construction buffer until a qualified biologist has confirmed that nesting efforts are complete or not initiated.

In addition to monitoring breeding activity, if construction is initiated during the breeding season or active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, California Department of Fish and Wildlife and United States Fish and Wildlife Service requirements for the relocation of individuals to Riverside Conservation Authority conserved lands located north of the Project Site within Proposed Noncontiguous Habitat Block 7. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.4: Mitigation for potential direct/indirect impacts to common and Riverside County Multiple Species Habitat Conservation Plan (MSHCP) covered sensitive bird and raptor species will require compliance with the federal Migratory Bird Treaty Act (MBTA). Construction outside the nesting season (between September 16 and January 31) does not require pre-construction nesting bird surveys. However, if construction is proposed within the nesting season (between February 1 and September 15), a qualified biologist must conduct a nesting bird survey(s) no more than 14 days prior to initiation of construction to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Modified Project site.

The survey(s) will focus on identifying any raptors and/or passerines (perching bird) 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 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 City of Hemet 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 City of Hemet 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. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.4.10.5: To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 1.52 acres of Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.2 riparian and riverine resources as follows in accordance with the MSHCP Determination of Biological Equivalent or Superior Preservation.

Off-Site Establishment/Reestablishment. The project shall purchase 0.03 acre of establishment/reestablishment credits from the Riverpark Mitigation Bank. This element of the mitigation proposal will mitigate permanent impacts to wetland and non-wetland waters of the U.S./State and isolated waters of the State at a 2:1 ratio for non-wetlands and 3:1 ratio for wetlands. This will also mitigate temporary impacts to non-wetland waters of the U.S./State and isolated non-wetland waters of the State. The entirety of United States Army Corps of Engineers (USACE) jurisdiction will be mitigated with this measure.

On-Site Rehabilitation, Enhancement, and Preservation. The project shall rehabilitate and enhance a minimum of 3.1 acres of on-site waters of the State, California Department of Fish and Wildlife (CDFW) jurisdiction, and Riparian/Riverine resources in the form of herbaceous wetland- and southern willow scrub-vegetated areas. The 3.1 acres will be contained within approximately 14.5 acres of on-site waters of the State, CDFW jurisdiction, and Riparian/Riverine resources that will be preserved. This element of the mitigation proposal will mitigate permanent and temporary impacts to CDFW jurisdiction and MSHCP Riparian/Riverine resources at a 3:1 ratio for wetland/riparian-vegetated streambed and 2:1 ratio for unvegetated streambed. This will also mitigate temporary impacts to isolated wetland waters of the State at a minimum 1:1 ratio.

On-Site Replacement and Enhancement of Beneficial Uses. Five of the 13 non-jurisdictional features were determined to support two beneficial uses: limited warm freshwater habitat (LWRM) and wild habitat (WILD). These features will be permanently impacted by the project. The project shall be designed to incorporate 19.2 acres of water quality features to compensate the loss of these two beneficial uses and provide additional uses of value (Ground Water Recharge [GWR], Warm Freshwater Habitat [WARM], Wetland Habitat [WET], and Water Quality Enhancement [WQE]) to the local area and watershed.

MM 3.4.10.6: Prior to issuance of a grading permit, the project applicant will obtain a Clean Water Act (CWA) Section 404 permit from the United States Army Corps of Engineers (USACE), 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW) and a Waste Discharge Requirement (WDR) permit issued by the Regional Water Quality Control Board (RWQCB) pursuant to the California Water Code Section 13260 (Porter-Cologne Act). Additionally, the project applicant shall provide to the City written correspondence from the United States Fish and Wildlife Service (USFWS) and CDFW confirming that the Determination of Biologically Equivalent or Superior Preservation (DBESP) has been approved.

Mitigation for permanent and/or temporary impacts shall be determined as specified in the DBESP through consultation with the CDFW, USFWS, and the Western Riverside County Regional Conservation Authority (RCA). Mitigation may include on-site and/or off-site replacement and/or restoration of similar habitat. Off-site mitigation may occur on land acquired for the purpose of in-perpetuity preservation or through the purchase of mitigation credits at an

agency-approved off-site mitigation bank. Mitigation shall be subject to pre-approval by USACE, USFWS, CDFW, and RWQCB. This measure shall be implemented to the satisfaction of the City Development Services Department, CDFW, USFWS, and the RCA.

MM 3.4.10.7: Prior to issuance of grading permits, the project applicant shall provide evidence to the City that the Modified Project shall comply with Urban/Wildlands Interface guidelines presented in Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.4 to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. Final project design shall be developed to ensure best management practices in accordance with the National Pollutant Discharge Elimination System (NPDES) permit are incorporated into the proposed Modified Project to address and minimize edge effects associated with the Urban/Wildlands Interface to Hemet Channel (PQP Conserved Land, Western Riverside County Multiple Species Habitat Conservation Plan Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Modified Project site (Salt Creek). This measure shall be implemented to the satisfaction of the City Development Services Department.

MM 3.4.10.8 Prior to issuance of any grading permit the Modified Project shall demonstrate compliance with the Multiple Species Habitat Conservation Plan (MSHCP) and its associated Implementing Agreement, via the completion of the Joint Project Review (JPR) process through the Western Riverside County Regional Conservation Authority (RCA), or via the provision of written correspondence from the RCA, United States Fish and Wildlife Service, and California Department of Fish and Wildlife stating that the Project is not subject to the JPR process.

Facts in Support of the Findings: The Certified EIR concluded the Approved Project is within the adopted MSHCP and designated Criteria Cells. With implementation of Mitigation Measure BR-5, which requires the Approved Project to demonstrate conformance with applicable provisions of MSHCP, the Approved Project would not conflict with any Habitat Conservation Plan.

The Modified Project site is located within the MSHCP San Jacinto Valley Area Plan, south of Proposed Noncontiguous Habitat Block 7 and Constrained Linkage B (Hemet Channel). A 62.75-acre portion of the Project Site is located within Criteria Cell 4007 and 20.23-acre portion is located within Criteria Cell 3892 (SU4 Hemet Vernal Pool Areas East). Accordingly, the Modified Project is required to be reviewed through the Habitat Acquisition and Negotiation Strategy (HANS) and the Regional Conservation Authority Joint Project Review (JPR) process as codified in **Mitigation Measure 3.4.10.8.**

No conservation within Criteria Cell 4007 is proposed or identified by the MSHCP criteria for the area located within the Modified Project site. Therefore, the project is consistent with conservation goals identified for Criteria Cell 4007 – SU4 Hemet Vernal Pool Areas East.

No conservation within Criteria Cell 3892 is proposed or identified by the MSHCP criteria for the area located within the Modified Project site. Significant vernal pool resources and sensitive plant species are located north and southwest of the Modified Project site within Salt Creek as well as along Warren Road near the Modified Project's road frontage within Criteria Cell 3892. No playa/vernal pool habitat is

identified in this off-site portion of the Modified Project. Therefore, the project is consistent with conservation goals identified for Criteria Cell 3892 – SU4 Hemet Vernal Pool Areas East.

The Modified Project site is within MSHCP narrow endemic plant, criteria area, and specific wildlife survey areas for 18 species, for which focused surveys were conducted as specified in Section 3.6.7.1 of the DSEIR. A single MSHCP sensitive plant species, smooth tarplant, was documented along the proposed off-site drainage channel improvement alignment between the Modified Project site and Simpson Road to the south. Pursuant to MSHCP Section 6.3.2, the limited distribution of this species documented within the off-site impact area is not expected to have long-term conservation value, and no additional mitigation obligations specific to this species is required.

Although burrowing owl were detected within and adjacent to the Modified Project site during initial MSHCP focused surveys conducted in 2005 and 2006 as part of the Approved Project, the results of those surveys did not meet the MSHCP requirements of three or more pairs for a site requiring on-site conservation. Incidental MSHCP covered species documented during the Modified Project habitat assessment and/or focused survey efforts include the *California Species of Special Concern* white-tailed kite, California horned lark, and San Diego black-tailed jackrabbit, as well as the non-listed loggerhead shrike, turkey vulture, and coyote. Impacts to common and MSHCP-covered species will be mitigated to a level of less than significant by implementing **Mitigation Measures 3.4.10.1, 3.4.10.3, and 3.4.10.4. Mitigation Measures 3.4.10.1** requires the project applicant to pay MSHCP Local Development Mitigation fees as determined by the City of Hemet in order to offset impacts from development of 221.68 acres of vegetation communities. **Mitigation Measures 3.4.10.3 and 3.4.10.4** require a 30-day pre-construction burrowing owl survey and 14-day pre-construction nesting bird survey, respectively, to ensure protection for MSHCP-covered species and compliance with the conservation goals as outlined in the MSHCP.

Pursuant to MSHCP Section 6.1.2, Volume I, impacts to Riparian/Riverine Section 6.1.2 regulated resource areas, including riparian habitat, sensitive natural communities, wetlands, and non-wetland waters will be mitigated to less than significant levels by implementing **Mitigation Measure 3.4.10.5,** which requires a DBESP to ensure replacement of any lost functions and values of habitat as it relates to MSHCP riparian, riverine, and covered species, as well as wetland and non-wetland waters of the U.S./State and isolated waters of the State. Finally, **Mitigation Measure 3.4.10.6** requires acquisition of a 1602 Streambed Alteration Agreement from CDFW, CWA Section 404 permit, and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260 (Porter-Cologne Act).

All Urban/Wildlands Interface guidelines presented in MSHCP Section 6.1.4 are intended to address indirect effects associated with locating commercial, mixed uses and residential developments in

proximity to an MSHCP Conservation Area. Project design and BMPs will be incorporated into the Modified Project in accordance with **Mitigation Measure 3.4.10.7** to minimize edge effects to the Hemet Channel (PQP Conserved Land, MSHCP Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the project site (Salt Creek) associated with the Urban/Wildlands interface.

The project site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR HCP. In accordance with **Mitigation Measure 3.4.10.2**, the project applicant is required to 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.

With implementation of **Mitigation Measures 3.4.10.1 through 3.4.10.8**, the Modified Project will comply with the MSHCP and impacts will be rendered less than significant. When compared to the Approved Project, the Modified Project would result in the same [less than significant with mitigation] impact from conflict with local policies or ordinances protecting biological resources (DSEIR pgs. 3.4-25 and 3.4-26).

8. Noise

a. Noise Levels in Excess of Standards (Impact 3.11.7.1)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project has the potential to generate noise levels in excess of standards.

Findings: The Council finds implementation of **PDF 3.11-1,** and **Mitigation Measures 3.11.10.1** through **3.11.10.**7 (as detailed below) would reduce noise levels generated by the Modified Project to below standards. The following mitigation measures from the 1979 and 2008 EIR no longer apply to the Modified Project: **1979 EIR Mitigation Measure 1** through **1979 EIR Mitigation Measure 7, 2008 Mitigation Measure MM NOI-1, 2008 Mitigation Measure MM NOI-41,** and **2008 Mitigation Measure MM NOI-4b.**

> **MM 3.11.10.1** Prior to approval of grading plans and/or issuance of building permits, construction plans shall include a note indicating that noise-generating Modified Project construction activities shall only occur between the permitted hours on Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m. with no activity allowed on Sundays. The Modified Project construction supervisor shall ensure compliance with the note, and the City shall conduct periodic inspection at its discretion. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.
>
> **MM 3.11.10.2** If receiver location R6 is an inhabited noise-sensitive residential home at the time of Modified Project construction, the installation of a temporary noise control barrier, as shown in Figure 3.11.1, at the Modified Project site boundaries when construction activities occur within

140 feet is required. The noise control barrier must present a solid face from top to bottom and be a minimum height of 6 feet.

- The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, *Noise Barrier Design Handbook*). The noise barrier may be constructed using an acoustical blanket (e.g., vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts.

- The noise barriers must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.

- The noise control barriers and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.

This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.3 During all Modified Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Modified Project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.4 During all Modified Project site construction, the construction contractor shall locate equipment staging in areas that will create the greatest distance (i.e., at the center) between construction-related noise sources and noise-sensitive receivers nearest the Modified Project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.5 The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m. with no activity allowed on Sundays). The Project Applicant shall prepare a haul route exhibit to design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.6 Prior to issuance of Occupancy Permits, the Project Applicant shall provide evidence to the City that the following noise attenuation features have been incorporated into the construction of the on-site residential structures:

- Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped, and shall have a minimum Sound Transmission Classification (STC) rating of 27. Although a minimum STC rating of 27 will satisfy the City of Hemet requirements, upgraded windows with STC ratings of 30 to 32 for all lots are recommended to further reduce the interior noise levels and to minimize the potential noise impacts associated with peak pass-by events.

- Doors: All exterior doors shall be well weather-stripped and have minimum STC ratings of 25. Well-sealed perimeter gaps around the doors are essential to achieve the optimal STC rating.

- Walls: At any penetrations of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal.

- Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or well-sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.

- Attic: Attic vents should be oriented away from Stetson Avenue and Warren Road. If such an orientation cannot be avoided, then an acoustical baffle shall be placed in the attic space behind the vents. Insulation with at least a rating of R-19 shall be used in the attic space.

- Ventilation: When any habitable room is in use, arrangements shall be such that circulated air is received when any exterior door(s) or window(s) are closed. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code. Upon implementation of the noise attenuation features and prior to issuance of Occupancy Permits, the Project Applicant shall prepare an acoustical study to verify the interior noise levels from aircraft noise will comply with the Countywide criterion of 45 dBA Community Noise Equivalent Level (CNEL) or such more restrictive criterion as the City of Hemet may choose to require.

This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

MM 3.11.10.7 Prior to the issuance of occupancy permits, the Project Applicant shall provide the City of Hemet a copy of a Railroad and Airport Proximity Disclosure that will be presented to prospective buyers of real estate within the Modified Project site. The Railroad and Airport Proximity Disclosure shall convey information to prospective buyers about railroad- and airport-associated annoyances or inconveniences such as noise and/or vibration.

The Airport Proximity Disclosure shall:

1. Contain the following language dictated by State law in conjunction with real estate transfer:

   "NOTICE OF RAILROAD AND AIRPORT IN VICINITY: This property is presently located in the vicinity of a railroad and airport, and within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to railroad and airport operations (for example: noise and/or vibration). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what railroad and airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you."

2. Include signs declaring the NOTICE OF RAILROAD AND AIRPORT IN VICINITY and a map of the Airport Influence Area to be prominently posted in the real estate sales office and/or other key locations at the project site.

This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

Facts in Support of the Findings: The Certified EIR concluded short-term impacts could result from construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities for the Approved Project. Long-term impacts could be generated from railroad, airport, and traffic noise. The 1979 EIR Mitigation Measure 1 requires compliance with the City's hours of construction specified in the Municipal Code to reduce impacts from construction noise to less than significant levels. Based on future noise contours, traffic related noise levels at several property boundaries along Stetson Avenue and New Stetson Avenue would exceed the City's 65 dBA CNEL standards, which creates a partially significant impact. However, with **2008 Mitigation Measure MM NOI-1**, construction of a permanent noise attenuation barrier would reduce operational impacts from noise to less than significant levels.

Construction Noise Discussion: Construction of the proposed Modified Project would generate short term, generally intermittent noise that would cease once each construction phase is completed. The highest construction noise levels would occur when construction activities occur at the edge of the Modified Project site and are expected to range between 48.5 and 76.5 dBA L_{max} at the sensitive receiver locations and represent worst-case construction noise levels, by stage, during both Phases 1 and 2. In accordance with **PPP 3.11-2**, construction would occur within specified daytime hours. However, the anticipated construction noise levels would exceed the City's General Plan Public Safety Element performance standard for non-transportation noise sources of 75 dBA Lmax during the daytime hours of 7:00 a.m. to 10:00 p.m. at sensitive noise receiver R6. This would be a significant impact, and **Mitigation Measures 3.11.10.1** through **3.11.10.5** are required to construct a temporary noise barrier at the construction boundaries near receiver location R6 and attenuate construction noise where Modified Project construction noise levels could potentially exceed the noise level thresholds. It should be noted that **Mitigation Measure 3.11.10.1** would be required only if sensitive noise receiver R6 is an occupied structure during construction. With implementation of **Mitigation Measures 3.11.10.1** through **3.11.10.5**, the proposed Modified Project would not exceed noise level standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Construction noise impacts from the Modified Project would be less than significant with implementation of mitigation. When compared to the Approved Project, the proposed Modified Project would have the same less than significant with mitigation impacts related to construction noise.

Operational Noise Discussion: Operation of the proposed Modified Project would generate permanent noise from on-site stationary equipment, as well as off-site and on-site mobile sources (i.e. vehicle travel). Stationary sources of noise anticipated for the Modified Project are roof-top air conditioning units, parking

lot vehicle movements, and drive-through speakerphones as a result of the proposed commercial uses in Planning Area XIII.

Reference measurements of stationary sources of noise from an air conditioning unit on the roof of a Santee Walmart, a parking lot at a Laguna Niguel Walmart, and from a drive-through speaker (including vehicle activity noise) at a Panera Bread restaurant in Brea were utilized for this analysis. When the reference noise levels are combined, Modified Project operational noise levels at the nearby sensitive receiver locations are shown to range from 9.8 to 34.8 dBA Leq and 25.2 to 47.1 dBA Lmax), which would not exceed the City's daytime 60 dBA Leq and 75 dBA Lmax, and nighttime 45 dBA Leq and 65 dBA Lmax exterior noise level standards. Therefore, operational noise from the Modified Project's stationary sources would be less than significant. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant impacts] related to operational noise.

Under Existing Baseline with Modified Project Phase 1 Traffic Conditions the proposed Modified Project is expected to generate an exterior noise level increase of up to 1.3 dBA CNEL, which is below the significance thresholds. Therefore, the Phase 1 Project-related off-site traffic noise level increases would be less than significant for Existing with Project Phase 1 conditions. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant impacts] related to Phase 1 off-site traffic noise. Under Existing Baseline with Modified Project Buildout Traffic Conditions the proposed Modified Project is expected to generate an exterior noise level increase of up to 3 dBA CNEL, which is below the significance thresholds. Therefore, the project buildout-related off-site traffic noise level increases would be less than significant for Existing with Project Buildout conditions. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant impacts] related to project buildout off-site traffic noise. Under Year 2024 with Modified Project Phase 1 Traffic Conditions, the proposed Modified Project is expected to generate an exterior noise level increase of up to 1.3 dBA CNEL, which is below the significance thresholds identified. Therefore, the Year 2024 Phase 1 Project-related off-site traffic noise level increases would be less than significant for year 2024 conditions. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant impacts] related to near-term Phase 1 off-site traffic noise. Under the Year 2026 with Modified Project Buildout Traffic Conditions, the proposed Modified Project is expected to generate an exterior noise level increase of up to 1.7 dBA CNEL, which is below the significance thresholds. Therefore, the Year 2026 Project Buildout-related off-site traffic noise level increases would be less than significant for year 2026 conditions. No mitigation is required. When compared to the Approved Project, the proposed Modified Project would have the same less than significant impacts related to near-term project buildout off-site traffic noise. Under the Year 2040 Horizon Year with Modified Project Buildout Traffic Conditions,

the proposed Modified Project is expected to generate an exterior noise level increase of up to 0.5 dBA CNEL, which is below the significance thresholds. Therefore, the Year 2040 Horizon Year Project Buildout-related off-site traffic noise level increases would be less than significant for year 2040 conditions. No mitigation is required. When compared to the Approved Project that required sound attenuate in the future year scenario, the proposed Modified Project would have reduced less than significant impacts related to long-term off-site traffic noise.

It is expected that the primary sources of traffic noise impacts to the Modified Project site would be traffic noise from Stetson Avenue, Warren Road, and Mustang Way. Additional potential on-site noise impacts are expected from the BNSF rail lines currently used for freight north of the Modified Project site. Additionally, an extension of the Metrolink 91 Line in the City of Perris is proposed to extend to the rail lines north of the Modified Project site. Meanwhile, noise from the Modified Project's internal streets is not expected to make a significant contribution to the noise environment due to the distance, topography, and low traffic volume/speed along the internal roadways. The future exterior noise levels in the outdoor living areas (backyards) of lots on the Modified Project site facing Stetson Avenue, Warren Road, and Mustang Way and indicates that these lots would experience unmitigated exterior noise levels ranging from 59.9 to 68.5 dBA CNEL. The future unmitigated exterior noise levels approaching 68.5 dBA CNEL would satisfy the City's 70 dBA CNEL exterior noise level standard for commercial uses. Additionally, the proposed Modified Project would incorporate a planned 6-foot-high noise barrier as specified in **PDF 3.11-1**, which would reduce future exterior noise levels to between 58.0 to 64.8 dBA CNEL in accordance with the City's 65 dBA CNEL exterior noise level standards for residential development. Therefore, no mitigation would be required.

The exterior noise levels at the first and second floor building façades of the residential homes on the Modified Project site adjacent to Stetson Avenue, Warren Road, and Mustang Way were analyzed. Based on the interior noise analysis, all lots adjacent to Stetson Avenue, Warren Road, and Mustang Way would require a windows closed condition and a means of mechanical ventilation (e.g., air conditioning). Future unmitigated noise levels would range from 58.4 to 64.4 dBA CNEL at the first-floor building façade, and from 59 to 67.9 dBA CNEL at the second-floor building façade. The analysis indicates that the City's 45 dBA CNEL interior noise level standards can be satisfied using standard first floor windows with a minimum STC rating of 27 in accordance with the State Noise Insulation Standard detailed in **PPP 3.11-1**. To ensure implementation of the State Noise Insulation Standard and to mitigate against potential noise impacts associated with peak pass-by events, for example, from freight trucks or railroad operations, **Mitigation Measure 3.11.10.6** is required. With implementation of **PDF 3.11-1** and **Mitigation Measure 3.11.10.6**, on-site traffic noise impacts to Modified Project commercial and residential uses would be reduced to less than significant levels.

The average daily railroad noise analysis indicates that no exterior rail noise mitigation is required to satisfy the City's 65 dBA CNEL residential use and 70 dBA CNEL commercial use exterior noise level standards. Additionally, the unmitigated 51.7 dBA CNEL railroad noise is not expected to exceed the City's 45 dBA CNEL residential use interior noise level based on standard construction materials identified by the EPA in the EPA's Protective Noise Levels. Furthermore, any planned extension of Metrolink rail service would require project-specific CEQA analysis and approval by the appropriate lead and responsible agencies. Although the average daily railroad noise activities are not expected to exceed the City's exterior and interior noise standards for residential and commercial uses, peak rail pass-by events may negatively affect the nearby residential homes. The City's General Plan EIR indicates that the noise sources associated with the BNSF rail line pass-by events include warning horns/wayside horns, at-grade crossing bells, and locomotive engine and rail car noise. Accordingly, occupancy disclosure notices shall be required for all future homeowners to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. The occupancy disclosures shall indicate there could be a clearly noticeable rail pass-by and aircraft flyover noise due to the location of the Modified Project site in relation to the BNSF/Metrolink extension rail lines and the Hemet-Ryan Airport, as specified in **Mitigation Measure 3.11.10.7**. With implementation of **PDF 3.11-1**, which requires the installation of 6- foot-high noise barriers, and **Mitigation Measures 3.11.10.6** and **3.11.10.7**, railroad noise impacts to on-site Modified Project commercial and residential uses would be reduced to less than significant levels.

With implementation of **Mitigation Measures 3.11.10.1** through **3.11.10.5**, construction of the proposed Modified Project would not exceed noise level standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Operational noise from Modified Project stationary sources would be less than significant, and no mitigation is required. Additionally, operational noise from Modified Project vehicle traffic would be less than significant to off-site sensitive noise receivers, and no mitigation is required. To ensure implementation of the State Noise Insulation Standard and mitigate against potential on-site noise impacts associated with peak pass-by events, for example, from freight trucks or railroad operations, **Mitigation Measure 3.11.10.6** is required. With implementation of **PDF 3.11-1** and **Mitigation Measure 3.11.10.6**, on-site traffic noise impacts to Modified Project commercial and residential uses would be reduced to less than significant levels. Finally, occupancy disclosure notices shall be required for all future homeowners in accordance with **Mitigation Measure 3.11.10.7** to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. With implementation of **PDF 3.11-1** and **Mitigation Measures 3.11.10.1** through **3.11.10.7**, noise levels from construction and operation of the proposed Modified Project would not exceed standards established in the local general plan or noise ordinance, or applicable standards of other agencies. When compared to the Approved Project, the proposed Modified Project

would have similar less than significant with mitigation impacts from construction and operational noise (DSEIR pgs.3.11-18 to 3.11-30).

b. Permanent Increase in Ambient Noise Levels (Impact 3.11.7.3)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project has the potential to permanently increase ambient noise levels.

Findings: The Council finds implementation of **PDF 3.11-1,** and **Mitigation Measures 3.11.10.6** and **3.11.10.7** (as detailed above) would reduce noise levels generated by the Modified Project to below standards. The following mitigation measures from the 1979 and 2008 EIR no longer apply to the Modified Project: **1979 EIR Mitigation Measure 1** through **1979 EIR Mitigation Measure 7, 2008 Mitigation Measure MM NOI-1, 2008 Mitigation Measure MM NOI-41,** and **2008 Mitigation Measure MM NOI-4b.**

Facts in Support of the Findings: The Certified EIR determined the Approved Project would occur within the 60 to 65 dBA CNEL contours of the Hemet-Ryan Airport, which is below the 65 dBA CNEL threshold of significance. Train operations in proximity to the Approved Project are so limited than a substantial permanent increase in ambient noise would not occur. The **1979 EIR Mitigation Measure 4** would require consideration of noise mitigation measures if train operations increase enough to create a significant adverse noise impact. The 1979 EIR determined traffic generated through implementation of the Approved Project would result in a significant increase in ambient noise due to the relatively undeveloped condition of the Southwest Area. The **1979 EIR Mitigation Measure 5** would require a detailed acoustical analysis for residential development located within the 60 dBA noise contour from highway noise sources. The **1979 EIR Mitigation Measure 6** would require highway noise mitigation measures such as acoustical site planning and/or the design of earthen berms or berm/wall combinations in order to reduce noise to acceptable levels (exterior- 55 dBA or less) for residential development within the Southwest Area. The **1979 EIR Mitigation Measure 7** would limit heavy truck traffic to the Warren Road and Stetson-Warren/Airport Road roadway segments. Nevertheless, the 1979 EIR determined traffic generated by the Approved Project would create a significant and unavoidable impact to ambient noise levels in the Southwest Area. The 2008 Draft EIR concluded the Approved Project would not contribute to a substantial increase in ambient noise based on the baseline conditions as of 2008, which included substantial buildout of the Southwest Area since the time of the 1979 EIR. In 2008, the majority of traffic noise increases would be less than the barely perceptible increase of 3 dBA. The maximum change in noise levels would occur along Poplar Street with a 4.6 dBA increase.

The Modified Project would not generate a daytime or nighttime operational noise level increase from stationary sources in excess of the criteria established at any of the nearby sensitive receiver locations.

The analysis in Section 3.11.7.1 of the DSEIR indicates that the additional roadway traffic anticipated from Phase 1 and from buildout (Phase 1 and Phase 2) of the proposed Modified Project would generate an increase of between 0.5 dBA CNEL and 3 dBA CNEL along the 37 study area roadway segments. This increase in ambient noise is too low to be substantially discernable to adjacent off-site land uses. Therefore, permanent increases in off-site ambient noise levels from Modified Project vehicle traffic sources would be less than significant. To ensure implementation of the State Noise Insulation Standard and mitigate against potential noise impacts associated with peak pass-by events, for example, from freight trucks or railroad operations, **PDF 3.11-1** and **Mitigation Measure 3.11.10.6** would reduce on-site traffic noise impacts to Modified Project commercial and residential uses to less than significant levels. Finally, occupancy disclosure notices as specified in **Mitigation Measure 3.11.10.7** shall be required for all future homeowners to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. With implementation of **PDF 3.11-1** and **Mitigation Measures 3.11.10.6** and **3.11.10.7**, railroad noise impacts to on-site Modified Project commercial and residential uses would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from permanent increases in ambient noise levels (DSEIR pgs. 3.11-31 to 3.11-37).

c. Temporary Increase in Ambient Noise Levels (Impact 3.11.7.4)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would generate a substantial temporary or periodic increase in ambient noise levels in the vicinity above levels existing without the Modified Project.

Findings: The Council finds implementation of **PDF 3.11-2,** and **Mitigation Measures 3.11.10.1** and **3.11.10.7** (as detailed above) would reduce noise temporary increases in ambient noise levels. The following mitigation measures from the 1979 and 2008 EIR no longer apply to the Modified Project: **1979 EIR Mitigation Measure 1** through **1979 EIR Mitigation Measure 7, 2008 Mitigation Measure MM NOI-1, 2008 Mitigation Measure MM NOI-41, 2008 Mitigation Measure MM NOI-4a** and **2008 Mitigation Measure MM NOI-4b.**

Facts in Support of the Findings: The Certified EIR determined there are several nearby sensitive residential land uses adjacent to the east of the Approved Project site. Additionally, if the project is built in phases, new residents could be exposed to construction noise levels while subsequent phases are being completed. The **1979 EIR Mitigation Measure 2** would place limits on off-site agricultural activities and require noise attenuation equipment on agricultural machinery. **2008 Mitigation Measures MM NOI-4a** and **MM NOI-4b** would require development of a construction mitigation plan and execution of construction activities within specified hours in accordance with the City Municipal Code to reduce

construction noise to the maximum extent feasible, which would render construction noise less than significant.

Construction of the proposed Modified Project would generate short-term, generally intermittent noise that would cease once each construction phase is completed. The highest construction noise levels would occur when construction activities occur at the edge of the Modified Project site and are expected to range between 48.5 and 76.5 dBA Lmax at the nearest sensitive receiver locations and represent worst-case construction noise levels, by stage, during both Phases 1 and 2. The Modified Project construction noise represents a short-term increase in ambient noise levels in the vicinity of the Modified Project site. Based on the five phases of Modified Project construction, construction activities are expected to create temporary and intermittent high-level noise at receivers surrounding the Modified Project site when certain activities occur near the property line, and mitigation is required. In accordance with **PPP 3.11-2**, construction would occur within specified daytime hours. **Mitigation Measures 3.11.10.1** through **3.11.10.5** would ensure a temporary noise barrier is erected at the construction boundaries near receiver location R6 and would attenuate construction noise where Modified Project construction noise levels could potentially exceed the City's 75 dBA L_{max} during the daytime hours of 7:00 a.m. to 10:00 p.m. performance standard for non-transportation noise sources. It should be noted that **Mitigation Measure 3.11.10.1** would be required only if sensitive noise receiver R6 is an occupied structure during construction.

The mitigated construction noise at the sensitive receiver locations indicates that temporary increases in ambient noise levels from Modified Project construction would be less than significant with implementation of **Mitigation Measures 3.11.10.1** through **3.11.10.5**. It should also be noted that the Modified Project has no jurisdiction over the nature and frequency of agricultural uses that may occur in the vicinity. Ambient noise levels for the nearby sensitive receiver locations incorporate the adjacent agricultural land uses in the noise measurements. Therefore, when compared to the Approved Project, for which mitigation was prescribed to attenuate construction noise as well as noise from adjacent agricultural uses, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from any temporary increases in ambient noise with implementation of **PPP 3.11-2** and **Mitigation Measures 3.11.10.1** through **3.11.10.5**.

Occupancy disclosure notices would be required for all future homeowners to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. The occupancy disclosures would indicate there could be a clearly noticeable rail pass-by and aircraft flyover noise due to the location of the Modified Project site in relation to the BNSF/Metrolink extension rail lines, and the Hemet-Ryan Airport, as specified in **Mitigation Measure 3.11.10.7**. With implementation of **PDF 3.11-1** and **Mitigation Measures 3.11.10.6** and **3.11.10.7**, railroad noise impacts

to onsite Modified Project commercial and residential uses would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from temporary increases in ambient noise levels (DSEIR pgs. 3.11-37 to 3.11-38).

d. Public Airport Noise Levels (Impact 3.11.7.5)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would be impacted by public airport noise levels.

Findings: The Council finds implementation of **PDF 3.11-1, Mitigation Measures 3.11.10.6** and **3.11.10.7** (as detailed above) would reduce impacts from public airport noise levels. The following mitigation measures from the 1979 and 2008 EIR no longer apply to the Modified Project: **1979 EIR Mitigation Measure 1** through **1979 EIR Mitigation Measure 7, 2008 Mitigation Measure MM NOI-1, 2008 Mitigation Measure MM NOI-41, 2008 Mitigation Measure MM NOI-4a** and **2008 Mitigation Measure MM NOI-4b.**

Facts in Support of the Findings: The Certified EIR determined the northwestern corner of TTM 35393 would fall within the 65- dBA and 60-dBA CNEL contours of the Hemet-Ryan Airport while the remainder of the Approved Project would not occur within the 65-dBA CNEL contours. The **1979 EIR Mitigation Measure 3** required disclosure to residents within the 55 Ldn contour that there would be potential for occasional firebombing aircraft related noise events. Since airport noise levels not expected to exceed 65 dBA CNEL within the Approved Project boundaries, impacts from airport noise would be less than significant.

The Modified Project site located approximately 0.5 mile southwest of the Hemet-Ryan Airport. The Modified Project site is located outside of the Hemet-Ryan Airport 60 dBA CNEL noise level contour boundary. According to Policy 4.1.4 of the Riverside County ALUCP new residential land uses outside the 60 dBA CNEL contour are normally acceptable. Additionally, Policy 4.1.6 of the Riverside County ALUCP identifies an interior noise level limit of 45 dBA CNEL with windows closed for residential homes affected by aircraft-related noise. Based on Policy 4.1.4 of the Riverside County ALUCP, the Project is considered normally acceptable, and slight interference with outdoor activities may occur, but conventional construction methods would eliminate most noise intrusions upon indoor activities.

Based on the EPA's Protective Noise Levels, standard construction materials (with a combination of walls, doors, and windows with a Sound Transmission Class [STC]-24 to STC- 28) would provide approximately 25 dBA in exterior-to-interior noise reduction with windows closed and 15 dBA with windows open. To ensure implementation of the State Noise Insulation Standard and mitigate against

potential noise impacts associated with peak pass by events, for example, from airport operations, **Mitigation Measure 3.11.10.6** is required. Additionally, occupancy disclosure notices would be required for all future homeowners to ensure that residents of the Modified Project site understand the potential for short-term noise events from rail pass-by and aircraft flyover noise. The occupancy disclosures would indicate there could be a clearly noticeable rail pass-by and aircraft flyover noise due to the location of the Modified Project site in relation to the BNSF/Metrolink extension rail lines and the Hemet-Ryan Airport, as specified in **Mitigation Measure 3.11.10.7**. With implementation of **PDF 3.11-1, Mitigation Measures 3.11.10.6** and **3.11.10.7**, airport noise impacts to on-site Modified Project commercial and residential uses would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have similar (i.e., less than significant with mitigation) impacts from airport noise levels (DSEIR pgs. 3.11-38 to 3.11-39).

9. Transportation

a. Increase in Vehicle Trips or Volume-to-Capacity on Roads, or Congestion at Intersections (Impact 3.15.7.2)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would increase in vehicle trips or volume-to-capacity on roads, or congestion at intersections.

Findings: The Council finds implementation of **Mitigation Measure MM 3.15.10.1, Mitigation Measure MM 3.15.10.2, 2008 Mitigation Measure T-2a (as modified), PPP 3.15-1** and **PPP 3.15-2** would reduce significant impacts pertaining to increases in vehicle trips or volume-to-capacity on roads, or congestion at intersections to less than significant levels. The new mitigations are as follow:

> **MM 3.15.10.1: Payment of Fair-Share Costs**. The project applicant shall be responsible for payment of the project's Fair-Share Contribution for study area intersection improvements as shown on "Table 1-3: Summary of Intersection Improvements" contained in *Rancho Diamante (TTM No. 36841) Traffic Impact Analysis*, City of Hemet, Urban Crossroads, April 2018.
>
> **MM 3.15.10.2: Warren Road/Esplanade Avenue (#22).** The following improvement is necessary to reduce the Modified Project's project specific impact to less than significant:
>
> - The installation of a traffic signal.
> - Construction of a northbound left-turn lane, southbound left-turn lane, eastbound left-turn lane, and westbound left-turn lane.

Some of the 2008 EIR Mitigation Measures are still applicable to the Modified Project; however, minor modifications of such mitigation measures are needed to be applicable to the Modified Project. Deletions or deviations from the 2008 EIR mitigation measures are identified in ~~strikeout text~~, and <u>underlined text</u> is used to signify new additions.

2008 EIR Mitigation Measure T-2a: The developer shall construct the following on-site roadway improvements ~~as described on Exhibit 10-C of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007~~, as determined by the City Public Works Department:

- Construct New Stetson Avenue at its ultimate half section width as an Urban Arterial ~~from New Warren Road to Old Warren Road~~ along the Modified Project frontage in conjunction with development.
- Construct ~~New~~ Warren Road at its ultimate ~~half section~~ width as a Major Roadway from New Stetson Avenue to ~~the southerly project boundary~~ Warren Road in conjunction with development.
- Construct Warren Road at its ultimate half section width as a Secondary Roadway from New Stetson Avenue to the southerly project boundary in conjunction with development.
- ~~Install a traffic signal at the intersection of Warren Road and New Stetson Avenue when warranted.~~
- ~~Install a traffic signal at the intersection of New Warren Road and New Stetson Avenue when warranted.~~
- ~~Install a traffic signal at the intersection of Warren Road and Mustang Way when warranted.~~
- ~~Left turns out of Driveway #1 on New Warren Road shall be prevented in the future when the through volumes on New Warren Road have increased to the point where the City deems the restriction necessary.~~
- ~~Left turns out of Driveway #2 on New Stetson Avenue shall be prevented in the future when the through volumes on New Stetson Avenue have increased to the point where the City deems the restriction necessary.~~
- ~~On-site signing and striping shall be implemented in conjunction with detailed construction plans for the project site.~~
- ~~Sight distance at the project entrance shall be reviewed with respect to Caltrans and City of Hemet sight distance standards at the time of preparation of final grading, landscaping, and street improvement plans. Provide stop sign controls at the project driveway that intersect with public roadways that do not meet traffic signal warrants.~~

The following 1979 EIR and 2008 EIR Mitigation Measures would no longer be applicable to the Modified Project: **1979 EIR Traffic Mitigation Measure 1, 1979 EIR Traffic Mitigation Measure 2, 1979 EIR Traffic Mitigation Measure 3, 1979 EIR Traffic Mitigation Measure 7, 2008 EIR Mitigation Measure T-1a, 2008 EIR Mitigation Measure T-3a, 2008 EIR Mitigation Measure T-4a, 2008 EIR Mitigation Measure T-4b,** and **2008 EIR Mitigation Measure T-4c.**

Facts in Support of the Findings: Under the Existing plus Project traffic conditions the following six intersections were determined to experience unacceptable levels of service (LOS) during one or more peak hours with the addition of Project traffic to existing traffic: Winchester Road (SR-79)/9th Street (#2); Winchester Road (SR-79)/Domenigoni Parkway (#4); Warren Road/Esplanade Avenue (#22); Warren Road/Devonshire Avenue (#24); Warren Road/Auto Boulevard (#26); and, Warren Road/Stetson Avenue (#28). Deficiencies at four of the study area intersections (#2, #4, #24, and #28) occur in the Existing without Project condition. The Modified Project's impacts to these intersections are considered to be cumulative in nature, and mitigation is required. The reduction in LOS at the Warren Road intersections at Esplanade Avenue (#22) and Auto Boulevard (#26) are caused by the Modified Project and are

considered to be significant impacts, and mitigation is required. **Mitigation Measure 3.15.10.2** provides mitigation for the Warren Road/Esplanade Avenue intersection (#22). Improvements to the Warren Road/Auto intersection (#26) are already planned, scheduled, and funded through the City's Capital Improvement Plan, and payment of the City DIF constitutes the Modified Project's mitigation. The Approved Project's traffic impacts are reduced to less than significant with mitigation. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] intersection LOS impacts in the Existing condition. Under Existing plus Project traffic conditions the following eight study area roadways segments are anticipated to experience unacceptable LOS: Warren Road, south of Esplanade Avenue (#8); Warren Road/north of Tres Cerritos Avenue (#9); Warren Road, Tres Cerritos Avenue to Devonshire Avenue (#10); Warren Road, Auto Boulevard to Whittier Avenue (#13); Warren Road, Whitter Avenue to Stetson Avenue (#14); Warren Road/Stetson Avenue to New Stetson Avenue (#15); Stetson Avenue, east of Warren Road (#25); and Stetson Avenue, west of New Stetson Av. (#26). A review of the detailed peak hour intersection analysis conducted previously reveals that the anticipated roadway segment deficiencies anticipated along Warren Road, Stetson Avenue, Simpson Road, and Domenigoni Parkway operate at acceptable LOS with recommended intersection improvements but without additional through lanes. For this reason, roadway segment widening has not been recommended for these deficient roadway segments. Roadway segment impacts are less than significant (i.e., no mitigation is required), while roadway intersection impacts are reduced to less than significant levels with implementation of **Mitigation Measure MM 3.15.10.2** and **2008 EIR Mitigation Measure T-2a (as modified)**. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] roadway LOS impacts in the Existing condition.

Under the Opening Year Cumulative (2026) plus Project conditions the following 16 study area intersections are anticipated to experience unacceptable LOS during one or more peak hours with the addition of Project traffic to existing traffic: Winchester Road (SR-79)/Florida Avenue (SR-74) (#1); Winchester Road (SR-79)/9th Street (#2); Winchester Road (SR-79)/Domenigoni Parkway (#4); Warren Road/Esplanade Avenue (#22); Warren Road/Devonshire Avenue (#24); Warren Road/Florida Avenue (#25); Warren Road/Auto Boulevard (#26); Warren Road/Whittier Avenue (#27); Warren Road/Stetson Avenue (#28); Warren Road/Mustang Way (#31); Warren Road/Simpson Road (#32); Warren Road/Domenigoni Parkway (#33); Myers Street/Florida Avenue (SR-74) (#34); Cawston Avenue/Florida Avenue (SR-74) (#38); Sanderson Avenue/Florida Avenue (SR-74) (#40); and Sanderson Avenue/Stetson Avenue (#41). Deficiencies at all but one of the study area intersections (#27) occur in the Opening Year Cumulative (2026) Without Project condition. However, the deficiency at the Warren Road/Whittier Avenue (#27) intersection is caused by the combination of cumulative traffic growth and the traffic additions from the Modified Project. The Modified Project's impacts to all of these intersections are therefore considered to be cumulative in nature. The Modified Project's mitigation would be in the form of

payment of applicable traffic impact fees as defined by **PPP 3.15-1** (City DIF), **PPP 3.15-2** (TUMF), and payment of fair-share costs for the additional improvement requirements not covered by City or TUMF fees. Payment of fair-share costs are required as part of **Mitigation Measure 3.15.10.1**. Additionally, roadway improvements as prescribed in **2008 EIR Mitigation Measure T-2a (as modified)** shall be implemented. The Modified Project's traffic impacts are reduced to less than significant with mitigation. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] intersection LOS impacts in the Opening Year Cumulative (2026) condition.

Under the Opening Year Cumulative (2026) plus Project conditions the 26 following study area roadway segments are anticipated to operate at unacceptable LOS: Winchester Road (SR-79), south of Florida Avenue (SR-74) (#1); Winchester Road (SR-79), north of 9th Street (#2); Warren Road, south of Esplanade Avenue (#8); Warren Road/north of Tres Cerritos Avenue (#9); Warren Road, Tres Cerritos Avenue to Devonshire Avenue (#10); Warren Road, Devonshire Avenue to Florida Avenue (SR-74) (#11); Warren Rd., Florida Avenue (SR-74) to Auto Bl. (#12); Warren Road, Auto Boulevard to Whittier Avenue (#13); Warren Road, Whitter Avenue to Stetson Avenue (#14); Warren Road/Stetson Avenue to New Stetson Avenue (#15); Warren Road, New Stetson Avenue to Street D (#16); Warren Road, Street D to Mustang Way (#17); Warren Road, south of Mustang Way (#18); Warren Road, Simpson Road to Domenigoni Parkway (#19); Florida Avenue (SR-74), Warren Road to Myers Street (#20); Florida Avenue (SR-74), Myers Street to Acacia Avenue (#21); Florida Avenue (SR-74), Acacia Avenue to Cawston Avenue (#22); Florida Avenue (SR-74), east of Cawston Avenue (#23); Florida Avenue (SR-74), west of Sanderson Avenue (#24); Stetson Avenue, east of Warren Road (#25); Stetson Avenue, west of New Stetson Avenue (#26); Simpson Road, east of Warrant Road (#45); Domenigoni Parkway, Winchester Road (SR-79) to Patterson Avenue (#46); Domenigoni Parkway, Patterson Avenue to SR-79 (#47); Domenigoni Parkway, east of SR-79 (#48); and Domenigoni Parkway, west of Warren Road (#49). A review of the detailed peak hour intersection analysis conducted previously reveals that the anticipated roadway segment deficiencies anticipated along all roadway segments operate at acceptable LOS with recommended intersection improvements. For this reason, roadway segment widening has not been recommended for the roadway segments. When compared to the Approved Project, the Modified Project would have reduced [less than significant] roadway LOS impacts in the Opening Year Cumulative (2026) condition.

Under the General Plan Buildout (2040) plus Project conditions the 21 following study area intersections are anticipated to operate at unacceptable LOS: Winchester Road (SR-79)/Florida Avenue (SR-74) (#1); Winchester Road (SR-79)/9th Street (#2); Winchester Road (SR-79)/Domenigoni Parkway (#4); Patterson Avenue/Domenigoni Parkway (#6); California Avenue/Stowe Road (#16); California Avenue/Simpson Road (#18); Warren Road/Esplanade Avenue (#22); Warren Road/Devonshire Avenue (#24); Warren Road/Florida Avenue (#25); Warren Road/Auto Boulevard (#26); Warren Road/Whittier Avenue (#27);

Warren Road/Stetson Avenue (#28); Warren Road/New Stetson Avenue (#29); Warren Road/Mustang Way (#31); Warren Road/Simpson Road (#32); Warren Road/Domenigoni Parkway (#33); Myers Street/Florida Avenue (SR-74) (#34); Cawston Avenue/Florida Avenue (SR-74) (#38); Cawston Avenue/Stetson Avenue (#39); Sanderson Avenue/Florida Avenue (SR-74) (#40); and Sanderson Avenue/Stetson Avenue (#41). Deficiencies at all of the study area intersections occur in the General Plan Buildout (2040) Without Project condition. The Modified Project's impacts to all of these intersections are therefore considered to be cumulative in nature. The Modified Project's mitigation would be in the form of payment of applicable traffic impact fees as required by **PPP 3.15-1** (City DIF, **PPP 3.15-2** (TUMF), and payment of fair-share costs for the additional improvement requirements not covered by City or TUMF fees. Payment of fair-share costs are required as part of **Mitigation Measure 3.15.10.1**. Additionally, roadway improvements as prescribed in **2008 EIR Mitigation Measure T-2a (as modified)** shall be implemented. The Modified Project's traffic impacts are reduced to less than significant with mitigation. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] intersection LOS impacts in the General Plan Buildout (2040) condition. Under the General Plan Buildout (2040) plus Project conditions the 43 following study area roadway segments are anticipated to operate at unacceptable LOS: Winchester Road (SR-79), south of Florida Avenue (SR-74) (#1); Winchester Road (SR-79), north of 9th Street (#2); Patterson Avenue, south of Grand Avenue (#3); California Avenue, Stowe Road to New Stetson Avenue (#4); California Avenue, New Stetson Avenue to Simpson Road (#5); Warren Road, south of Esplanade Avenue (#8); Warren Road/north of Tres Cerritos Avenue (#9); Warren Road, Tres Cerritos Avenue to Devonshire Avenue (#10); Warren Road, Devonshire Avenue to Florida Avenue (SR-74) (#11); Warren Road, Florida Avenue (SR-74) to Auto Boulevard (#12); Warren Road, Auto Boulevard to Whittier Avenue (#13); Warren Road, Whitter Avenue to Stetson Avenue (#14); Warren Road/Stetson Avenue to New Stetson Avenue (#15); Warren Road, New Stetson Avenue to Street D (#16); Warren Road, Street D to Mustang Way (#17); Warren Road, south of Mustang Way (#18); Warren Road, Simpson Road to Domenigoni Parkway (#19); Florida Avenue (SR-74), Warren Road to Myers Street (#20); Florida Avenue (SR-74), Myers Street to Acacia Avenue (#21); Florida Avenue (SR-74), Acacia Avenue to Cawston Avenue (#22); Florida Avenue (SR-74), east of Cawston Avenue (#23); Florida Avenue (SR-74), west of Sanderson Avenue (#24); Stetson Avenue, east of Warren Road (#25); Stetson Avenue, west of New Stetson Avenue (#26); Stetson Avenue, New Stetson Avenue to Cawston Avenue (#27); Stetson Avenue, east of Cawston Avenue (#28); Stetson Avenue, west of Sanderson Avenue (#29); Grand Avenue, Patterson Avenue to Calvert Avenue (#31); New Stetson Avenue, east of SR-79 (#33); New Stetson Avenue, California Avenue to Street C (#35); New Stetson – LOS F, Street C to Mustang Way (#36); New Stetson – LOS F, Mustang Way to Street D (#37); New Stetson Avenue, Street D to Warren Road (#38); New Stetson Avenue, Warren Road to Fisher Street (#39); New Stetson Avenue, Fisher Street to Stetson Avenue (#40); Simpson Road, east of Winchester Road (SR-79) (#41); Simpson Road, west of California Avenue (#42); Simpson Road, east

of California Avenue (#43); Simpson Road, west of Warren Road (#44); Simpson Road, east of Warren Road (#45); Domenigoni Parkway, Winchester Road (SR-79) to Patterson Avenue (#46); Domenigoni Parkway, Winchester Road (SR-79) to Patterson Avenue (#46); Domenigoni Parkway, Patterson Avenue to SR-79 (#47); and Domenigoni Parkway, east of SR-79 (#48). A review of the detailed peak hour intersection analysis conducted previously reveals that the anticipated roadway segment deficiencies anticipated along all roadway segments operate at acceptable LOS with recommended intersection improvements. For this reason, roadway segment widening has not been recommended for the roadway segments. When compared to the Approved Project, the Modified Project would have reduced [less than significant] roadway LOS impacts in the General Plan Buildout (2040) condition (DSEIR pgs. 3.15-10 to 3.15-34).

b. Exceed CMP Level of Service (Impact 3.15.7.3)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would exceed CMP LOS.

Findings: The Council finds implementation of **Mitigation Measure MM 3.15.10.1, Mitigation Measure MM 3.15.10.2,** and **2008 Mitigation Measure T-2a (as modified)** (as described above) would reduce significant impacts pertaining to exceeding CMP LOS to less than significant levels.

Facts in Support of the Findings: The 2008 EIR concluded the Approved Project would not conflict the Riverside County Congestion Management Program (CMP) based on the payment of required TUMF fees used to fund regional transportation improvements. The traffic analysis conducted for the Modified Project utilized the applicable minimum LOS standards for the jurisdiction in which the facility is located. These standards include LOS D for all intersections and roadways in the study area, with the exception of LOS C for roadways in the City. The Riverside County Congestion Management Program (CMP) LOS Standard is LOS E. All study area intersections and roadways are anticipated to operate at LOS D or better with the implementation of planned improvements and **Mitigation Measure MM 3.15.10.1, Mitigation Measure MM 3.15.10.2, 2008 Mitigation Measure T-2a (as modified)**. The Modified Project would meet the CMP LOS standard as well as the standards of the affected local jurisdictions. Impacts are considered to be less than significant with mitigation implemented. When compared to the Approved Project, the Modified Project would have the same [less than significant with mitigation] impacts associated with meeting the CMP LOS standard (DSEIR pg. 3.15-34).

c. Change in Air Traffic Patterns (Impact 3.15.7.4)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would exceed result in a change in air traffic patterns.

Findings: The Council finds implementation of **Mitigation Measure MM 3.7.10.1, Mitigation Measure MM 3.7.10.2, 2008 Mitigation Measure HHM-5g (as modified),** and **2008 Mitigation Measure HHM-5i (as modified)** would reduce significant impacts pertaining changes in air traffic patterns to less than significant levels.

Facts in Support of the Findings: The Modified Project site is approximately 1,250 feet southeast of the Hemet-Ryan Airport. Section II-6(b) of this Findings Report, provides a detailed analysis of the Modified Project's impacts associated with the Hemet-Ryan Airport. Implementation of **Mitigation Measure MM 3.7.10.1, Mitigation Measure MM 3.7.10.2, 2008 Mitigation Measure HHM-5g (as modified),** and **2008 Mitigation Measure HHM-5i (as modified)** would reduce significant impacts pertaining changes in air traffic patterns to less than significant levels (DSEIR pg. 3.14-34).

d. Conflict with Alternative Transportation Policies, Plans or Programs (Impact 3.15.7.7)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would conflict with alternative transportation policies, plans or programs.

Findings: The Council finds implementation of **1979 EIR [Air Quality] Mitigation Measure 3**, **1979 EIR Mitigation Measure 4**, **1979 [Traffic] EIR Mitigation Measure 4**, **1979 [Traffic] EIR Mitigation Measure 5, 1979 [Traffic] EIR Mitigation Measure 6, 1979 [Traffic] EIR Mitigation Measure 9 (as modified),** and, **2008 Mitigation Measure AQ-7 (as modified)** would reduce impacts to less than significant. The mitigation measures are as follows:

1979 EIR Air Quality Mitigation Measure 3: Provide for convenient bus stop locations.

1979 EIR Mitigation Measure 4: Promote ride-pooling (car-pools/van-pools) with regard to persons employed in any planned commercial and industrial activities. This would have the potential of reducing daily commuter traffic and onsite parking requirements.

1979 EIR Mitigation Measure 5: Demand-responsive (dial-a-ride) public transit should be encouraged. Where practical small vans or busses should be used. Provision of. a public transit system will reduce potential auto travel, and provide mobility to those residents who are either too young to drive, do not drive, no longer drive, or are not capable of bicycling.

1979 EIR Mitigation Measure 6: The feasibility of expanding the Riverside Transit Agency's transportation service in the Hemet area should be considered.

Some of the 1979 EIR Mitigation Measures and 2008 EIR Mitigation Measures are still applicable to the Modified Project; however, minor modifications of such mitigation measures are needed to be applicable to the Modified Project. Deletions or deviations from the 1979 EIR Mitigation Measures 2008 EIR Mitigation Measures are identified in ~~strikeout text~~, and <u>underlined text</u> is used to signify new additions

1979 EIR Mitigation Measure 9: Provide ~~separate~~ bicycle and pedestrian travelways ~~pathways~~ throughout the project as a means of promoting alternative forms of movement. ~~For safety, convenience an efficiency, these systems should be separated from the vehicular traffic system and from one-another.~~

2008 Mitigation Measure AQ-07: Prior to the issuance of a grading permit, the developer shall provide a plan to the City listing the measures that will be used to encourage employee carpooling using measures recommended by the Riverside County Transportation Commission Inland Empire Commuter Services. Workers shall be informed in writing of the measures available, and a letter will be placed on file at the City documenting the extent of carpooling anticipated. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

Facts in Support of the Findings: The Certified EIR prescribed (air quality) **1979 Mitigation Measure 3**, which includes provision for convenient bus stops in the project area and **1979 (traffic) Mitigation Measures 4** through **6** and **9** and **2008 EIR Mitigation Measure AQ-7**, which collectively are designed to reduce the use of automobiles for residents and employees through promotion of ride-pooling and public transit, expansion of RTA services and bicycle infrastructure, and development of a plan listing measures that would be used to encourage employee carpooling as recommended by the Riverside County Transportation Commission Inland Empire Commuter Services. Through implementation of these measures, the Certified EIR concluded the Approved Project would not conflict with policies, plans, or programs supporting alternative transportation.

In accordance with **1979 (air quality) Mitigation Measure 3**, the proposed Modified Project would include provisions for convenient bus stop locations. Several bus stops have already been developed within the Page Ranch PCD along Mustang Way by the RTA in support of Route 74 and Route 79 in accordance with **1979 (air quality) Mitigation Measure 3**. Therefore, it is expected the project proponent and RTA would continue to service these routes through further expansion of bus stations for the occupants of the proposed Modified Project in conjunction with the proposed extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of new Stetson Avenue. As a matter of regulatory policy, any new bus stops would be developed in accordance with Title III, Public Accommodations, of 28 Code of Federal Regulations Part 36, the Americans with Disabilities Act and applicable City standards that support and/or facilitate alternative modes of transportation.

The Modified Project includes 100,000 square feet of commercial development not included as part of the Approved Project. The surrounding area is residential in nature and lacks supporting retail/ commercial services. The Modified Project would promote the reduction in VMT by bringing the proposed commercial uses closer to both project and non-project residents resulting in shorter trip lengths, as detailed in **PDF 3.3-2**. As detailed in **PDF 3.3-1**, the Modified Project provides pedestrian connections to surrounding areas consistent with General Plan Policy OS- 7.2. Paseos are proposed along dispersed open space,

pedestrian pathways, and drainage conveyance facilities throughout the community. Additionally, a distinctive trail system is proposed, separate from drainage facilities, within Lots LL, MM, OO, V, W, and X of Tentative Tract Map 36841. The pedestrian access network internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site as indicated in **PDF 3.3-1**. Additionally, the proposed Modified Project would have access to a Class 2 (on road) bike lane on Warren Road. Through implementation of Certified EIR **1979 (air quality) Mitigation Measure 3**, **1979 (traffic) Mitigation Measures 4** through **6** and **9 (as modified)**, and **2008 Mitigation Measure AQ-7 (as modified)**, as well as **PDF 3.3-1** and **PDF 3.3-2**, the Modified Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise cause a decrease in the performance or safety of such facilities. When compared to the Approved Project, impacts of the Modified Project would be the same [less than significant with mitigation] (DSEIR pgs. 3.11-35 to 3.11-36).

e. Cumulative Transportation Impacts (Non-VMT Analysis) (Impact 3.15.7.7)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project in connection with past, current, and probable future projects, has the potential to result in cumulative transportation impacts (this does not include VMT analysis).

Findings: The Council finds implementation of **Mitigation Measures MM 3.15.10.1 and 3.15.10.2 and 2008 EIR Mitigation Measure T-2a (as modified)** would reduce cumulative transportation impacts [except for vehicle miles traveled (VMT)] to less than significant levels.

Facts in Support of the Findings: Cumulative traffic LOS impacts were assessed by analyzing potential Modified Project impacts in Existing, Opening Year Cumulative (2026), and General Plan Buildout (2040) conditions. The traffic study area was determined based on direction from City staff and a quantitative process whereby specific study intersections and roadway segments of collector or higher classification street were included where the Modified Project would add 50 or more peak hour trips.

Cumulative impacts associated with traffic volumes are determined based on the addition of traffic volumes from approved and pending cumulative projects in the area and projected traffic growth to existing traffic volumes. With the project-specific mitigation previously identified, project-related short term and long-term impacts to intersections would be reduced to less than significant levels for Existing with Project, Opening Year Cumulative (2016) With Project, and General Plan Buildout (2040) With Project conditions. Cumulative impacts related to local roadways and State highway facilities are less than significant with implementation of **Mitigation Measures MM 3.15.10.1** and **3.15.10.2** and **2008 EIR Mitigation Measure T-2a (as modified)**. Given the distance between the proposed project site and cumulative project sites, impacts associated with air traffic patterns, design hazards, emergency access,

or conflicts with adopted policies, plans, or programs supporting alternative transportation would not comingle and create impacts over and above those associated with the Modified Project. Cumulative impacts are considered less than significant with **Mitigation Measures MM 3.15.10.1** and **3.15.10.2** and **2008 EIR Mitigation Measure T-2a (as modified)**. When compared to the Approved Project, cumulative impacts of the Modified Project would be the same (less than significant with mitigation) (DSEIR pg. 3.11-36).

10. Utilities

a. Electricity, Natural Gas, Telephone, Water, or Wastewater Treatment Facilities (Impact 3.16.7.2)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would potentially impact electricity, natural gas, telephone, water, or wastewater treatment facilities.

Findings: The Council finds implementation of **2008 EIR Mitigation Measure MM U-2b (as modified), 2008 EIR Mitigation Measure MM U-2c (as modified), PPP 3.3-1**, and **PDF 3.16-1** would reduce significant impacts pertaining to electricity, natural gas, telephone, water or wastewater treatment facilities to less than significant levels. The above identified mitigation measures, PPPs and PDFs would replace the following 1979 EIR Mitigation Measures: **2008 EIR Mitigation Measure U-2a, 1979 EIR Mitigation Measure 1, 1979 EIR Mitigation Measure 2, 1979 EIR Mitigation Measure 3,** and **1979 EIR Mitigation Measure 4.** Some of the 2008 EIR Mitigation Measures are still applicable to the Modified Project; however, minor modifications of such mitigation measures are needed to be applicable to the Modified Project. Deletions or deviations from the 2008 EIR Mitigation Measures are identified in ~~strikeout text~~, and underlined text is used to signify new additions.

> **2008 EIR Mitigation Measure U-2b:** Prior to the issuance of building permits, development plans shall be provided to Eastern Municipal Water District ~~EMWD~~, Southern California Edison, the Southern California Gas Company, Verizon, Metropolitan Water District of Southern California, Riverside County Flood Control District, and other local utilities as they become available. Coordination with these utility providers is required in order to facilitate engineering, design and construction of improvements necessary to provide water, electrical, natural gas, flood control, and telephone service to the project site. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.
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> **2008 Mitigation Measure U-2c:** Prior to the issuance of building permits, the applicant shall comply with the guidelines provided by Southern California Gas and Edison, Metropolitan Water District of Southern California, and Riverside County Flood Control District. Compliance with such guidelines shall include coordination in regard to easement restrictions, construction guidelines, protection of pipeline, canal, and drainage channel easements, and potential amendments to right-of-way in the areas of any existing easements of these companies. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.

Facts in Support of the Findings: The 1979 Certified EIR concluded the Approved Project would be supplied with electricity by Southern California Edison Company (SCE) primarily through the consumption of low sulfur fuel oil. SCE was expected to be able to meet peak demand through 1977, after which electricity supply would be contingent upon SCE expanding its electrical generation capacity and transmission and distribution grids. **1979 EIR Mitigation Measure 1** was prescribed for the proponent of the Approved Project to consult with SCE for implementation of energy conservation measures to reduce demand for electricity. Implementation of the Approved Project would increase electricity demand and require expansion of infrastructure even with mitigation. The Approved Project would be supplied with natural gas by the Southern California Gas Company (SCG), which would require expansion of SCG's natural gas infrastructure in the project vicinity. **1979 EIR Mitigation Measure 2** was prescribed for the proponent reduce demand for natural gas. Implementation of the Approved Project would increase natural gas demand and require expansion of infrastructure even with mitigation. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the Southwest Area since the time of the 1979 Certified EIR, concluded the Approved Project would be sufficiently served by SCE and SCG through interconnection with existing main lines and installation of new service lines as long as coordination with the utility providers occurs. **2008 Draft EIR Mitigation Measures MM U-2b** and **MM U-2c** were prescribed to ensure development plans are provided to SCE and SCG in order to facilitate engineering, design, and construction of improvements necessary to provide electrical service to the Approved Project site. With implementation of **2008 Draft EIR Mitigation Measures MM U-2b** and **MM U-2c**, impacts from the increased demand for electricity and natural gas would be reduced to less than significant levels.

Water consumption for the Approved Project was estimated to be 210,962,508 gallons per month, and conversion of the Approved Project site from agricultural use to the Page Ranch PCD would not require appreciably more water than was being used for agriculture. Impacts from the demand for water would occur to water quality due to sewage generated by the Approved Project residents. **2008 Draft EIR Mitigation Measures MM U-2b** and **MM U-2c** were prescribed to ensure development plans are provided to EMWD in order to facilitate engineering, design, and construction of improvements necessary to provide water service to the Approved Project site. With implementation of **2008 EIR Mitigation Measures MM U-2b** and **MM U-2c**, impacts from the increased demand for water would be reduced to less than significant levels. The Approved Project would generate 2.8 million gallons per day (mgd) of sewage to be managed by the EMWD, which would require expansion of EMWD's wastewater infrastructure in the project vicinity. Implementation of the Approved Project would generate almost enough wastewater to exceed capacity of the existing sewage infrastructure even with mitigation. **2008 EIR Mitigation Measure MM U-2a** was prescribed to ensure compliance with all RWQCB wastewater treatment requirements. **2008 EIR Mitigation Measures MM U-2b** and **MM U-2c** were prescribed to

ensure development plans are provided to EMWD in order to facilitate engineering, design, and construction of improvements necessary to provide wastewater service to the Approved Project site. With implementation of **2008 EIR Mitigation Measures MM U-2a**, through **MM U-2c**, impacts from the increased demand for wastewater would be reduced to less than significant levels.

Telephone service was determined to be available to serve the Approved Project through extension of existing distribution lines. The Approved Project would not cause a significant impact on the plans of the telephone company for providing service to the area, provided that growth occur incrementally. **2008 EIR Mitigation Measures MM U-2b** and **MM U-2c** were prescribed to ensure development plans are provided to Verizon in order to facilitate engineering, design, and construction of improvements necessary to provide telephone service to the Approved Project site. With implementation of **2008 EIR Mitigation Measures MM U-2b** and **MM U-2c**, impacts from the increased demand for telephone service would be reduced to less than significant levels.

The proposed Modified Project's on-site electrical, natural gas, and telephone infrastructure would be constructed underground. Building design and construction would meet 2019 Title 24 Standards of the California Building Code, as specified in **PPP 3.3-1**. The Modified Project would design building shells and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2019 Title 24 Standards, which is anticipated to consume 30 percent less energy use due to lighting upgrades. To facilitate interconnection with future recycled water infrastructure, the Modified Project would construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site, as specified in **PDF 3.16-**1. Additionally, the Modified Project would incorporate a Water Conservation Strategy pursuant to City Emergency Order 2014-0718-01E and **PPP 3.3-2** to reduce water demand by at least 25 percent when compared to water demand without implementation of the Water Conservation Strategy. In order to interconnect the Modified Project site and maintain easements required for operations and maintenance of utility infrastructure, the proposed Modified Project would require coordination with SCE, SCG, EMWD, Verizon, Riverside County Flood Control District, and any other affected utility, including MWD, to determine appropriate avoidance, relocation, and/or undergrounding of affected utilities. This requirement is codified in **2008 Draft EIR Mitigation Measures MM U-2b (as modified)** and **MM U-2c (as modified)** and incorporated into the SEIR. All proposed utility infrastructure, both on-site and off-site, would be installed simultaneously with finish grading activities and required roadway frontage improvements for the Modified Project site. As a result, interconnection to the existing utilities surrounding the site would not result in substantial disturbance of native habitat or soils, or existing roadways or utilities. There would be no significant environmental effects specifically related to the installation of utility interconnections that are not encompassed within the Modified Project's

construction and operational footprint, and therefore already identified, disclosed, and subject to all applicable mitigation measures, PDFs, PPPs, as well as local, State, and federal regulations. Therefore, with implementation of **2008 EIR Mitigation Measures MM U-2b (as modified)** and **MM U-2c (as modified)**, significant environmental effects from the construction of new utilities and water or wastewater treatment facilities or expansion of existing facilities would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant with mitigation incorporated] impacts related to construction of new utilities and water or wastewater treatment facilities or expansion of existing facilities (DSEIR pgs. 3.16-12 to 3.16-14).

b. Storm Water Drainage Facilities (Impact 3.16.7.3)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would potentially impact storm water drainage facilities.

Findings: The Council finds implementation of **2008 EIR Mitigation Measure MM U-2b (as modified), 2008 EIR Mitigation Measure MM U-2c (as modified), PPP 3.8-3**, and **PDF 3.8-4** would reduce significant impacts pertaining to storm water drainage facilities to less than significant levels. Deletions or deviations from the 2008 EIR Mitigation Measures are identified in strikeout text, and underlined text is used to signify new additions.

> **2008 EIR Mitigation Measure U-2b:** Prior to the issuance of building permits, development plans shall be provided to Eastern Municipal Water District ~~EMWD~~, Southern California Edison, the Southern California Gas Company, Verizon, Metropolitan Water District of Southern California, Riverside County Flood Control District, and other local utilities as they become available. Coordination with these utility providers is required in order to facilitate engineering, design and construction of improvements necessary to provide water, electrical, natural gas, flood control, and telephone service to the project site. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.
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> **2008 Mitigation Measure U-2c:** Prior to the issuance of building permits, the applicant shall comply with the guidelines provided by Southern California Gas and Edison, Metropolitan Water District of Southern California, and Riverside County Flood Control District. Compliance with such guidelines shall include coordination in regard to easement restrictions, construction guidelines, protection of pipeline, canal, and drainage channel easements, and potential amendments to right-of-way in the areas of any existing easements of these companies. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.

Facts in Support of the Findings: The 1979 Certified EIR concluded the natural Salt Creek channel would be replaced with man-made flood control facilities, but that regional agricultural uses have already altered the natural channel and improvements to the feature would mitigate flood hazards. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the Southwest Area since the time of the 1979 Certified EIR, concluded the City's development review process and construction inspection program would assure that planned improvements to stormwater infrastructure

occur according to appropriate standards as a matter of regulatory policy. Impacts would be less than significant, and no mitigation was required.

The Modified Project site is currently undeveloped, and implementation of the proposed Modified Project would substantially increase impervious surfaces onsite. The increase in impervious surfaces would potentially increase the volume and velocity of storm water runoff and require improvements to the existing on-site earthen channel (east-west segment of Line 3B) along the southern portion of the Modified Project site as specified in **PDF 3.8-3**. Additionally, the proposed Modified Project would improve a portion of the Line 3B channel from the southwest corner of the Modified Project site to Simpson Road as specified in **PDF 3.8-4**. Finally, seven off-site drainage connections would be made to the Hemet Channel adjacent to the north of the Modified Project site. The proposed improvements to on-site and off-site drainage facilities would be adequately sized in accordance with the City's Master Flood Control and Drainage Plan and through coordination with the Riverside County Flood Control District. The proposed on-site and off-site drainage improvements are planned as part of the proposed Modified Project. Therefore, there would be no significant environmental effects specifically related to their construction and operation that are not encompassed within the project's construction and operational footprint, and therefore already identified, disclosed, and subject to all applicable mitigation measures, PDFs, PPPs, as well as local, State, and federal regulations. With implementation of **2008 EIR Mitigation Measures MM U-2b (as modified)** and **MM U-2c (as modified)**, which would ensure coordination with the Riverside County Flood Control District, significant environmental effects from the construction of new on-site and off-site drainage facilities or expansion of existing facilities would be reduced to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant with mitigation incorporated] impacts related to construction of new on-site and off-site drainage facilities or expansion of existing facilities (DSEIR pgs.3.16-14 to 3.16-15).

c. Water Supplies (Impact 3.16.7.4)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would potentially impact water supplies.

Findings: The Council finds implementation of **2008 EIR Mitigation Measure MM U-2b (as modified), 2008 EIR Mitigation Measure MM U-2c (as modified), PPP 3.3-2**, and **PDF 3.16-1** would reduce significant impacts pertaining to water supplies to less than significant levels. Deletions or deviations from the 2008 EIR Mitigation Measures are identified in strikeout text, and underlined text is used to signify new additions.

> **2008 EIR Mitigation Measure U-2b:** Prior to the issuance of building permits, development plans shall be provided to Eastern Municipal Water District ~~EMWD~~, Southern California Edison, the Southern California Gas Company, Verizon, Metropolitan Water District of Southern California,

Riverside County Flood Control District, and other local utilities as they become available. Coordination with these utility providers is required in order to facilitate engineering, design and construction of improvements necessary to provide water, electrical, natural gas, flood control, and telephone service to the project site. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.

2008 Mitigation Measure U-2c: Prior to the issuance of building permits, the applicant shall comply with the guidelines provided by Southern California Gas and Edison, Metropolitan Water District of Southern California, and Riverside County Flood Control District. Compliance with such guidelines shall include coordination in regard to easement restrictions, construction guidelines, protection of pipeline, canal, and drainage channel easements, and potential amendments to right-of-way in the areas of any existing easements of these companies. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.

Facts in Support of the Findings: No direct groundwater withdrawals would be required for the proposed Modified Project. According to the project-specific Water Supply Assessment (WSA), groundwater is not being proposed to serve the Modified Project, as EMWD considers current groundwater production to be utilized completely by existing customers. New developments, including the proposed Modified Project, would be supplied with additional imported water from one of the following sources: (1) treated imported water from MWD; (2) untreated imported water from MWD, which is subsequently treated by EMWD; or (3) untreated imported water treated by EMWD and recharged into the San Jacinto River Groundwater Basin for later withdrawal.

According to the project-specific Water Supply Assessment (WSA), the Modified Project would demand approximately 365 acre-feet (118.9 million gallons) of water per year. Based on information provided by EMWD and other member agencies, MWD concludes that it is able to meet projected demands for all member agencies through 2040, even during dry periods. Under extreme conditions, water supplies could be allocated using the MWD Water Supply Allocation Plan (WSAP) to preserve supplies in storage by requiring a reduction in demand by member agencies, including the EMWD, pursuant to SB 1168 and 1319, and AB 1739. The Modified Project would incorporate a Water Conservation Strategy pursuant to City Emergency Order 2014-0718-01E and **PPP 3.3-2** to reduce water demand by at least 25 percent when compared to water demand without implementation of the Water Conservation Strategy. Additionally, the Modified Project would construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site, as specified in **PDF 3.16-1**, to further reduce impacts from the Modified Project's demand on water supplies. Since the EMWD and MWD have the ability to meet all of their existing entitlements and projected supplemental demand through 2040, even under a repeat of historic multiple-year drought scenarios, the proposed Modified Project would have sufficient water supplies available to serve the Project. In the event that the lead agency determines adequate water supply exists for the proposed Modified Project, the project proponent is required to meet with EMWD Development Services Staff to establish development

design conditions. Accordingly, implementation of **2008 EIR Mitigation Measures MM U-2b (as modified)** and **MM U 2c (as modified)**, which would ensure coordination with the EMWD, would reduce significant environmental effects from the Modified Project's demand for water to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have the same (less than significant but with mitigation incorporated) impacts related to water supply and demand (DSEIR pgs. 3.16-15 to 3.16-16).

d. Wastewater Treatment Capacity (Impact 3.16.7.5)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would potentially impact wastewater treatment capacity.

Findings: The Council finds implementation of **2008 EIR Mitigation Measure MM U-2a (as modified), 2008 EIR Mitigation Measure MM U-2b (as modified), 2008 EIR Mitigation Measure MM U-2c (as modified), PPP 3.3-2**, and **PDF 3.16-1** would reduce significant impacts pertaining to wastewater treatment capacity to less than significant levels. Some of the 2008 EIR Mitigation Measures are still applicable to the Modified Project; however, minor modifications of such mitigation measures are needed to be applicable to the Modified Project. Deletions or deviations from the 2008 EIR Mitigation Measure is identified in ~~strikeout text~~, and underlined text is used to signify new additions.

> **2008 Mitigation Measure U-2a:** During construction and operation activities, the proposed Modified Project shall provide evidence to the City of Hemet that ~~The proposed project~~ it will comply with all RWQCB wastewater treatment requirements. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.
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> **2008 EIR Mitigation Measure U-2b:** Prior to the issuance of building permits, development plans shall be provided to Eastern Municipal Water District ~~EMWD~~, Southern California Edison, the Southern California Gas Company, Verizon, Metropolitan Water District of Southern California, Riverside County Flood Control District, and other local utilities as they become available. Coordination with these utility providers is required in order to facilitate engineering, design and construction of improvements necessary to provide water, electrical, natural gas, flood control, and telephone service to the project site. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.
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> **2008 Mitigation Measure U-2c:** Prior to the issuance of building permits, the applicant shall comply with the guidelines provided by Southern California Gas and Edison, Metropolitan Water District of Southern California, and Riverside County Flood Control District. Compliance with such guidelines shall include coordination in regard to easement restrictions, construction guidelines, protection of pipeline, canal, and drainage channel easements, and potential amendments to right-of-way in the areas of any existing easements of these companies. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.

Facts in Support of the Findings: The Approved Project would generate 2.8 million gallons per day (mgd) of sewage to be managed by the EMWD, which would require expansion of EMWD's wastewater infrastructure in the project vicinity. Even with **1979 EIR Mitigation Measure 3**, implementation of the

Approved Project would generate almost enough wastewater to exceed capacity of the existing sewage infrastructure. The 2008 Draft EIR, which analyzed conditions from a baseline comprising substantial buildout of the *Southwest Area* since the time of the 1979 Certified EIR, concluded the Approved Project would not exceed wastewater treatment requirements but that interconnection with existing main lines and installation of new service lines both on-site and off-site in the vicinity of the Approved Project site would be required. **2008 Draft EIR Mitigation Measure MM U- 2a** was prescribed to ensure compliance with all RWQCB wastewater treatment requirements. **2008 Draft EIR Mitigation Measures MM U-2b** and **MM U-2c** were prescribed to ensure development plans are provided to EMWD in order to facilitate engineering, design, and construction of improvements necessary to provide wastewater service to the Approved Project site. With implementation of **2008 Draft EIR Mitigation Measures MM U-2a**, through **MM U-2c**, impacts from the increased demand for wastewater would be reduced to less than significant levels.

Currently, SJVRWRF treats approximately 7.0 mgd of wastewater and maintains approximately 7.0 mgd of surplus capacity. EMWD's actual 2015 per capita gross water use is 129 gallons per day, and average daily per capita water demand for commercial uses is 17.6 gallons per day. The City's average population per household is 2.79 persons. With 586 propose dwelling units the proposed Modified Project is expected to generate an additional 1,635 residents in the City. The proposed Modified Project would generate between 373 and 407 new employees for Planning Area XIII. As a worst case scenario, even if the new employees (up to 407 new employees) were added to the anticipated residential population increase (1,635 new residents), totaling 2,042 persons, and 100 percent of actual per capita water use (129 gallons per day) were dedicated to wastewater, the proposed Modified Project would generate approximately 263,418 gallons of wastewater per day. Since the SJVRWRF treats approximately 7.0 mgd of wastewater and maintains approximately 7.0 mgd of surplus capacity, the proposed Modified Project would not exceed the capacity of the SJVRWRF to serve the project's projected demand in addition to the provider's existing commitments. The expanded SJVRWRF also allows EMWD to transform wastewater into tertiary-level recycled water that is pumped through a separate distribution system and delivered to the region for non-potable reuse. The EMWD maintains a 24-inch tertiary force recycled water pipeline along California Avenue approximately 1,200 feet west of the Modified Project site. The Modified Project would construct on-site recycled water pipeline infrastructure and be equipped to interconnect to future EMWD recycled water facilities from their 24-inch tertiary force recycled water pipeline, as specified in **PDF 3.16-1**, to further reduce impacts from the Modified Project's demand on wastewater treatment supplies. In the event that the lead agency determines adequate wastewater supply exists for the proposed Modified Project, the project proponent is required to meet with EMWD Development Services Staff to establish development design conditions. Accordingly, implementation of **2008 EIR Mitigation Measure MM U- 2a (as modified)** would ensure compliance with all RWQCB wastewater treatment

requirements, and implementation of **2008 EIR Mitigation Measures MM U-2b (as modified)** and **MM U-2c (as modified)** would ensure coordination with the EMWD in order to reduce environmental effects from the Modified Project's demand for wastewater to less than significant levels. When compared to the Approved Project, the proposed Modified Project would have the same [less than significant but with mitigation incorporated] impacts related to wastewater treatment capacity (DSEIR pgs.3.16-16 to 3.16-17).

e. Cumulative Impacts to Utility Services and Systems (Impact 3.16.8)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project in connection with past, current, and probable future projects, has the potential to result in cumulative impacts to utility services and systems.

Findings: The Council finds implementation of **2008 EIR Mitigation Measure MM U-2a (as modified), 2008 EIR Mitigation Measure MM U-2b (as modified), 2008 EIR Mitigation Measure MM U-2c (as modified), PPP 3.3-2**, and **PDF 3.16-1** would reduce cumulative transportation impacts (except for VMT) to less than significant levels.

Facts in Support of the Findings: As is the case for the Approved Project, construction and operation of the Modified Project would require expansion of utility infrastructure in order to serve the Modified Project site. All proposed utility infrastructure, both on-site and off-site, would be installed simultaneously with finish grading activities and required roadway frontage improvements for the Modified Project site. As a result, interconnection to the existing utilities surrounding the site would not result in substantial disturbance of native habitat or soils, or existing roadways or utilities. There would be no significant environmental effects specifically related to the installation of utility interconnections that are not encompassed within the project's construction and operational footprint, and therefore already identified, disclosed, and subject to all applicable mitigation measures, PDFs, PPPs, as well as local, State, and federal regulations. Through California Public Utilities Commission oversight, utility providers constantly monitor capacity to ensure that adequate utility services continue to be provided as individual development projects are proposed. Therefore, coordination with affected utility providers, as specified in **2008 EIR Mitigation Measures MM U-2a (as modified)** through **MM U-2c (as modified)**, would reduce Modified Project-level impacts related to the provision of utilities to less than significant levels and therefore would preclude the Modified Project's incremental demand for utilities to become cumulatively considerable. Furthermore, the proposed Modified Project would not depend on local groundwater and therefore would not contribute cumulatively to its depletion. MWD concludes that it is able to meet projected water demands for all member agencies through 2040, even during dry periods. Under extreme conditions, water supplies could be allocated using the MWD WSAP to preserve supplies in storage by requiring a reduction in demand by member agencies, including the EMWD, thus reducing impacts from

cumulative demand on water supplies to less than significant levels. Accordingly, the proposed Modified Project, in conjunction with past, present, and reasonably foreseeable projects, would not make a significant contribution to cumulatively adverse effects to utility infrastructure (DSEIR pgs.3.16-19 to 3.16-20).

11. Greenhouse Gas Emissions

a. Consistency with an Applicable Plan, Policy, or Regulation to reduce GHG Emissions (Impact 3.17.7.1)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project would potentially not be consistent with an applicable plan, policy, or regulation to reduce GHG emissions.

Findings: The Council finds implementation of **Mitigation Measure 3.3.10.1**, **PDF 3.3.1** through **3.3-3**, **PPPs 3.3-1** through **PPP 3.3-3** and **PPP 3.3-7** would reduce significant impacts pertaining consistency with an applicable plan, policy, or regulation to reduce GHG emissions to less than significant levels. The **2008 EIR Mitigation Measure CC-1** is replaced with **PPP 3.3-1, 3.3-2** and **3.3-3** to reflect the updates in regulations and policies associated with the 2019 provisions of Title 24 and is no longer applicable to the Modified Project. The **2008 EIR Mitigation Measure CC-2** is replaced with **PDF 3.3-1** through **PDF 3.3-3**, which incorporate land use planning principals to reduce VMT and associated GHG emissions, as well as **Mitigation Measure 3.15.10.1**. The **2008 EIR Mitigation Measure CC-3** is replaced by **PPP 3.3-3** of the proposed Modified Project, which requires at least 50 percent diversion of solid waste as a matter of regulatory policy. The **2008 EIR Mitigation Measure CC-4** is replaced by **PPPs 3.3-1** through **3.3-3** and **PDFs 3.3-1** through **3.3-3**.

Facts in Support of the Findings: At the time when 2008 EIR was being prepared, there were no applicable guidelines for preparing CEQA assessments for Climate Change. In the absence of published CEQA thresholds, the 2008 analysis consisted of a CEQA-level discussion that included threshold of significance and determining the potential impact of the Project's greenhouse gases to conflict with the intent of AB 32. The 2008 analysis takes into consideration the GHG reduction targets proposed through Executive Order S-3-05 and AB 32 to reduce the State's GHG emissions to 1990 levels by 2020. To assess compliance with California strategies to reduce GHG emissions, two main documents were used: the 2006 Climate Action Team Report (2006 CAT Report) and CARBs early action measures for AB 32. Pursuant to Executive Order S-3-05, the CAT Team prepared strategies for reducing greenhouse gases. Also, pursuant to AB 32, CARB was in the process of finalizing the GHG reduction strategies and had published a list of early GHG reduction measures that were anticipated to reduce 2020 target emissions by 25 percent. The climate change analysis presented in 2008 EIR contains a full assessment of project consistency with the 2006 CAT Report strategies. The project was consistent with the applicable

strategies except for the "Smart Land Use" strategy, as the project was not considered a "Smart Land Use." For CARB's early GHG reduction measures, the 2008 EIR stated that since many measures had not yet been considered by CARB, only a few measures would be applicable to the project. Furthermore, if the Approved Project is rendered consistent with the strategies, then it would be consistent with the State's strategies to reduce climate change ahead of schedule. CARB's Cool Communities Program had cooling needs. The Approved Project was considered consistent with this strategy through implementation **2008 EIR Mitigation Measures CC-1** through **CC-4**.

The City of Hemet Climate Action Plan (CAP) uses the Western Regional Council of Governments (WRCOG) subregion emissions reduction target of 15 percent below 2010 by 2020. If a project meets the emissions reduction target of 15 percent below 2010 emissions levels by 2020 it would have a less than significant impacts related to greenhouse gas emissions and global climate change. The proposed Modified Project's emissions for the baseline year 2010, would be 19,215.39 metric tons of carbon dioxide equivalent (MTCO2e) per year. After incorporating mitigation, the Modified Project's 2020 emissions would be 16,026.65 MTCO2e per year. This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2. Accordingly, impacts of the proposed Modified Project related to interference with the State's GHG emissions reduction goals outlined in AB 32 or conflict with an applicable plan, policy, or regulation (i.e., the City's CAP) adopted for the purpose of reducing GHG emissions would be less than significant with **Mitigation Measure 3.3.10.1, PDF 3.3.1** through **3.3-3**, **PPPs 3.3-1** through **PPP 3.3-3** and **PPP 3.3-7** incorporated (DSEIR pgs. 3.17-14 to 3.17-19).

b. Impacts of Climate Change (Impact 3.17.7.2)

Potential Significant Impact: Whether the Modified Project would be affected by impacts of climate change.

Findings: The Council finds implementation of **Mitigation Measure 3.3.10.1** would reduce significant impacts of climate change to less than significant levels. The **2008 EIR Mitigation Measure CC-1** would be replaced and no longer applicable to the Modified Project.

Facts in Support of the Findings: The 2008 EIR assessed the risks of climate change to the Approved Project based on the risks identified in AB 32 and the California Climate Change Center report that assesses the risks of climate change to California and concluded impacts of Climate Change to the Approved Project would be less than significant with implementation of **2008 EIR Mitigation Measure CC-1**.

The proposed Modified Project's emissions for the baseline year 2010 would be 19,215.39 $MTCO_{2e}$ per year. After incorporating PPPs, PDFs, and **Mitigation Measure 3.3.10.1**, the Modified Project's 2020 emissions would be 16,026.65 $MTCO_{2e}$ per year. This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP, meets the threshold specified in SCAQMD GHG Tier 2, and therefore does not exacerbate a GHG related environmental hazard or condition that already exists. Accordingly, impacts of Climate Change resulting in significant impacts to the proposed Modified Project are not applicable when compared to the Approved Project, and no mitigation is required (DSEIR pg. 3.17-19).

c. Cumulative Contribution of Project GHG Emissions to Climate Change (Impact 3.17.7.3)

Potential Significant Impact: Whether the Modified Project would generate a cumulative contribution of GHG emissions to climate change.

Findings: The Council finds implementation of **Mitigation Measure 3.3.10.1** would reduce significant cumulative contribution of GHG emissions to climate change to less than significant levels. The **2008 EIR Mitigation Measure CC-1** would be replaced and no longer applicable to the Modified Project.

Facts in Support of the Findings: Due to the substantially smaller off-site disturbance area of the Modified Project compared to the Approved Project, amortized construction emissions associated with off-site improvements would not result in a substantive change in the total GHG emissions identified in Table 3.17.C of the DSEIR. Furthermore, GHG emissions from operation of the Modified Project's off-site components are not expected because the nature of the off-site components is primarily flood control, water conveyance, and road improvements that are not in and of themselves expected to generate additional unanticipated vehicle trips because they are consistent with or less than the geometrics assumed in the City of Hemet and County of Riverside General Plan Circulation Elements.

The City has adopted a CAP that qualifies as a plan for the reduction of greenhouse gas emissions pursuant to the CEQA Guidelines. The Modified Project is consistent with the City's CAP. The proposed Modified Project's emissions for the baseline year 2010 would be 19,215.39 $MTCO_{2e}$ per year. After incorporating PPPs, PDFs, and **Mitigation Measure 3.3.10.1**, the Modified Project's 2020 emissions would be 16,026.65 $MTCO_{2e}$ per year. This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2. Pursuant to Section 15183.5(b) of the CEQA Guidelines, incorporation of PPPs, PDFs, and **Mitigation Measure 3.3.10.1** would ensure the proposed Modified Project's incremental contribution to a cumulative GHG effect is not cumulatively considerable. When compared to the Approved Project, for which a significance determination regarding cumulative GHG effects was not

made, the proposed Modified Project is determined to have less than significant impacts with mitigation incorporated (DSEIR pgs. 3.17-19-3.17-22).

d. Cumulative GHG Emissions Impacts (Impact 3.17.8)

Potential Significant Impact: The DSEIR evaluated and concluded that the Modified Project in connection with past, current, and probable future projects, has the potential to result in cumulative impacts to associated with the generation of GHG emissions.

Findings: The Council finds implementation of **Mitigation Measure 3.3.10.1**, **PDF 3.3.1** through **3.3-3**, **PPPs 3.3-1** through **PPP 3.3-3** and **PPP 3.3-7** would reduce significant impacts pertaining to cumulative contribution of GHG emissions to less than significant levels.

Facts in Support of the Findings: The City has adopted a CAP to ensure that projects within the City would comply with all necessary policies to achieve a 15 percent reduction in GHG emissions by 2020 compared to a business as usual scenario. The proposed Modified Project's emissions for the baseline year 2010 would be 19,215.39 $MTCO_{2e}$ per year. After incorporating PPPs, PDFs, and **Mitigation Measure 3.3.10.1**, the Modified Project's 2020 emissions would be 16,026.65 $MTCO_{2e}$ per year. This yields a reduction of approximately 16.59 percent from baseline levels, which is consistent with the goals of the City's CAP and meets the threshold specified in SCAQMD GHG Tier 2. Additional cumulative development projects also would be subject to consistency analysis with the City's CAP as well as state and sub-regional policies that restrict GHG emissions. As these buildings, roads, or other cumulative developments are updated or replaced over time, they would be subject to the then existing requirements for GHG emissions reductions, including those set forth to ensure compliance with AB 32, SB 32, Executive Orders S-3-05 and B-30-15, as well as then-existing technologies employed to achieve deep reductions in GHG emissions. Incorporation of **PPPs 3.3-1** through **PPP 3.3-3** and **PPP 3.37-7**, **PDFs 3.3.1** through **3.3.3**, and **Mitigation Measure 3.3.10.1** would ensure the proposed Modified Project complies with the City's CAP to reduce its incremental contribution to a cumulative GHG effect to less than significant with mitigation incorporated. When compared to the Approved Project, for which a significance determination regarding cumulative GHG effects was not made, the proposed Modified Project is determined to have less than significant impacts with mitigation incorporated (DSEIR pgs. 3.17-22 to 3.17-23).

C. ENVIRONMENTAL IMPACTS THAT REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION

The Hemet City Council finds the project would result in significant and unavoidable impacts in the following impact categories after implementation of all feasible mitigation measures: agricultural

resources, air quality, and transportation. In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Hemet cannot approve the Modified Project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations has been prepared.

1. Agricultural Resources

a. Conversion of Farmland to Non-Agricultural Use (Impact 3.2.7.1)

Significant Unavoidable Impact: The DSEIR evaluated and concluded that the project would 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 uses.

Findings: The Council finds that no PPPs, PDFs or mitigation measures are feasible to reduce impacts pertaining to conversion of farmland to non-agricultural use. As such, impacts would be significant and unavoidable as there are no known measures that could reduce this impact to a level of less than significant.

Facts in Support of the Findings: The 1979 EIR concluded that over 2,643 acres of agricultural and open space land, including portions of land identified as agricultural preserves and Prime Farmland would be converted to urbanized uses. The 2008 EIR included evaluation of Planning Areas XIII, XII, XI, and former Planning Area X totaling 213.8 acres designated by the Farmland Mapping and Monitoring Program (FMMP) as Farmland of Local Importance. Using the LESA Model, the EIR concluded the Approved Project would have a significant impact on agricultural resources through the conversion of 213.8 acres of Farmland of Local Importance to non-agricultural use. Furthermore, no feasible mitigation is available to reduce this impact since the Approved Project site had already been rezoned for residential uses under the 1979 EIR, so impacts were determined to remain significant and unavoidable.

Approximately 99.4 acres of the 245.07-acre proposed Modified Project overlap TTM 35394 (Planning Area X) of the Approved Project, and the remaining 145.67 acres of the proposed Modified Project entail portions of Planning Areas VI and XIII of the Approved Project. Both the Approved Project and proposed Modified Project are located on land designated Farmland of Local Importance, and portions of the Modified Project's off-site improvements are proposed on Farmland of Statewide Importance, Unique

Farmland, and Farmland of Local Importance. Therefore, implementation of the Modified Project would convert farmland to non-agricultural use and impacts would be significant and unavoidable. When compared to the Approved Project, impacts associated with conversion of farmland to non-agricultural use would be the same (i.e., significant and unavoidable) (DSEIR pgs. 3.2-4 and 3.2-5).

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b. Cumulative Agricultural Resources (Impact 3.2.8)

Significant Unavoidable Impact: The DSEIR evaluated and concluded that the Modified Project would generate cumulatively considerable impacts to agricultural resources.

Findings: The Council finds that impacts to agricultural resources from the conversion of farmland to non-agricultural use would be significant and unavoidable, and no feasible mitigation is available since the Page Ranch PCD SP is already approved for non-agricultural uses. This finding also applies to the Modified Project, as it is encompassed within the Page Ranch PCD SP and will convert farmland to non-agricultural uses.

Facts in Support of the Findings: The cumulative study area for agricultural resources is the current agricultural uses within the City limits and sphere of influence (City planning area). The City General Plan adopted Policies OS-3.1, OS-3.2, OS-3.3, and OS-3.4 designed to conserve agricultural lands within the City's planning area by supporting the use of conservation easements to protect agricultural uses and by creating agricultural buffer zones between various land uses. According to the FMMP, the City's planning area includes approximately 2,750 acres of Prime Farmland, 468 acres of Farmland of Statewide Importance, and 1,561 acres of Unique Farmland (total of 4,779 acres). The General Plan designates approximately 2,614 acres of farmland for agriculture or open space within the planning area, with the balance of farmland designated for urban uses, including implementation of the approved Page Ranch PCD SP. Even with City-adopted Policies, implementation of the General Plan would result in the loss of approximately 2,165 acres of farmland in the City planning area due to urban development, and impacts would be significant and unavoidable with no feasible mitigation available to reduce this impact to a less than significant level.

The 1979 Certified EIR concluded approximately 1,863 acres of prime agricultural land would be lost. Since implementation of the Modified Project would convert farmland to non-agricultural use, and project-specific impacts to agricultural resources would be the same as those identified for the Approved Project (i.e., significant and unavoidable), the Modified Project would incrementally decrease the availability of soils that have value for agricultural production. Therefore, in combination with other projects in the City's planning area, the Modified Project would result in a cumulatively considerable impact to agricultural resources, and cumulative impacts would be the same as those identified for the Approved Project (i.e., significant and unavoidable) (DSEIR pgs. 3.2-6 and 3.2-7).

2. Air Quality

a. Conflict with or Obstruct Applicable AQMP (Impact 3.3.7.1)

Significant Unavoidable Impact: The DSEIR evaluated and concluded that the Modified Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: The Council finds that even with implementation of **PPP 3.3-1, PPP 3.3-2, PPP 3.3-4, PPP 3.3-6, PPP 3.3-8, PDF 3.3-1, PDFs 3.3-2** and **3.3-3, Mitigation Measure 3.3.10.1, 1979 EIR Mitigation Measure 3, 2008 EIR Mitigation Measure AQ-01 (as modified), 2008 EIR Mitigation Measure AQ-05 (as modified), 2008 EIR Mitigation Measure AQ-06 (as modified), 2008 EIR Mitigation Measure AQ-07 (as modified), 2008 EIR Mitigation Measure AQ-08 (as modified), 2008 EIR Mitigation Measure AQ-09 (as modified),** and **2008 EIR Mitigation Measure AQ-10 (as modified)** impacts pertaining to conflicts with or obstruction with the applicable Air Quality Management Plan (AQMP) would not be reduced. As such, impacts would be significant and unavoidable as the identified mitigation measures would not reduce this impact to a level of less than significant. The mitigation measures applicable to this impact are identified below:

> **MM 3.3.10.1:** Prior to issuance of any grading permit, the applicant shall submit evidence to the City that all diesel-powered construction equipment greater than 150 horsepower shall be compliant with the United States Environmental Protection Agency and California Air Resources Board Tier 3 emissions standards. Only Tier 3 diesel-powered construction equipment greater than 150 horsepower shall be utilized throughout the construction of Phase 1 and Phase 2 of the Modified Project. Additionally, the applicant shall provide evidence to the City at least once every two weeks that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and subject to review by the City and the SCAQMD. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.
>
> **1979 EIR Mitigation Measure 3:** Provide for convenient bus stop locations.

Some of the 2008 EIR Mitigation Measures are still applicable to the Modified Project; however, minor modifications of such mitigation measures are needed to be applicable to the Modified Project. Deletions or deviations from the 2008 EIR Mitigation Measures are identified in ~~strikeout text~~, and <u>underlined text</u> is used to signify new additions.

> **2008 Mitigation Measure AQ-01:** Prior to construction of the Project, the Project proponent shall provide a Fugitive Dust Control Plan that will describe the application of standard best management practices to control dust during construction. Best management practices (BMPs) shall include application of water on disturbed soils a minimum of ~~two~~ <u>three</u> times per day except on days when a rain event occurs, then exposed surfaces would be watered as necessary to meet the intent of Rule 403, covering haul vehicles, replanting disturbed areas as soon as

practical, restricting vehicle speeds on unpaved roads to 15 mph, suspending grading activities when the wind exceeds 25 mph, and other measures, as deemed appropriate to the site, to control fugitive dust. The Fugitive Dust Control Plan shall be submitted to the City and SCAQMD prior to construction.

2008 Mitigation Measure AQ-05: Prior to construction of the project, the developer shall provide a traffic control plan to the City that will describe in detail safe detours around the project construction site and provide temporary traffic control (e.g., flag person) during construction-related truck hauling activities. The traffic control plan is primarily intended as a safety measure but also can minimize traffic congestion and delays that increase idling and acceleration emissions. The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart J, Developing and Implementing Traffic Management Plans for Work Zones. This measure shall be implemented to the satisfaction of the City of Hemet Planning and Public Works Departments.

2008 Mitigation Measure AQ-06: Prior to issuance of building permits, t~~T~~he developer shall provide evidence to the City that ~~require~~ painting ~~to~~ will be applied using either high-volume low-pressure (HVLP) spray equipment capable of achieving 65 percent transfer efficiency or by hand application. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

2008 Mitigation Measure AQ-07: Prior to the issuance of a grading permit, the developer shall provide a plan to the City listing the measures that will be used to encourage employee carpooling using measures recommended by the Riverside County Transportation Commission Inland Empire Commuter Services. Workers shall be informed in writing of the measures available, and a letter will be placed on file at the City documenting the extent of carpooling anticipated. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.

2008 Mitigation Measure AQ-08: Prior to issuance of grading and building permits, the developer shall provide evidence to the City that o~~O~~n-site electrical hookups shall be provided for electric construction tools including saws, drills and compressors, to minimize the need for diesel powered electric generators. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

2008 Mitigation Measure AQ-09: During construction, bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

2008 Mitigation Measure AQ-10: During all construction activities, construction contractors shall sweep on-site and off-site streets if silt is carried to adjacent public thoroughfares, to reduce the amount of particulate matter on public streets. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.

Facts in Support of the Findings: The current AQMP applicable to the proposed Modified Project is the Final 2016 AQMP adopted by the South Coast Air Quality Management District (SCAQMD) Governing Board on March 10, 2017. The Basin is currently a federal and State nonattainment area for PM_{10}, $PM_{2.5}$,

and O_3.The City's General Plan is consistent with the SCAG Regional Comprehensive Plan Guidelines and the SCAQMD AQMP. The Modified Project would amend the General Plan Land Use Designation for 19.67 acres from Low Density Residential to Regional Commercial. Additionally, the Modified Project would amend the adopted Page Ranch PCD SP to reduce residential density resulting in a corresponding reduction in the dwelling unit count from 744 to 586 units and change the land use designation from Low Density Residential to General Commercial. The land use changes associated with the proposed Modified Project are not specifically included in the City's land use projections incorporated in the AQMP. Pursuant to the methodology provided in Chapter 12 of the 1993 SCAQMD CEQA Air Quality Handbook, consistency for project development proposals that differ from the land use designation assumed within the SCAQMD's 2016 AQMP is affirmed when a project: (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation; and (2) is consistent with the growth assumptions in the AQMP. Consistency review is presented below:

Consistency Criterion No. 1. The Modified Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

> ***Construction Impacts.*** The violations that Consistency Criterion No. 1 refers to are the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). CAAQS and NAAQS violations that would occur if LSTs or regional significance thresholds were exceeded. As evaluated as part of the project analysis (presented below), the project's localized and regional construction emissions with implementation of PPPs, PDFs, and mitigation would not exceed applicable LSTs and regional thresholds, respectively. Thus, construction of the proposed Modified Project would occur in accordance with the AQMP.
>
> ***Operational Impacts.*** The proposed Modified Project's operational emissions would not exceed applicable LSTs due to the lack of significant stationary emissions. However, the Modified Project would exceed the applicable SCAQMD regional thresholds for operational activity for NOx. Therefore, operation of the Modified Project is not consistent with the first criterion in the same manner as the Approved Project.

Consistency Criterion No. 2. The proposed Modified Project would not exceed the land use assumptions in the AQMP. The 2016 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Development consistent with the growth projections in City's General Plan is considered to be consistent with the AQMP.

> ***Construction Impacts.*** Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and

maximum area of disturbance. Irrespective of the site's land use designation, development of the site to its maximum surface area potential would likely occur, with disturbance of the entire site occurring during construction activities.

The Modified Project would incorporate several compliance measures and regulatory requirements that would reduce impacts to air quality. As detailed in **PPP 3.3-1** and **PPP 3.3-2**, building design and construction shall meet 2019 Title 24 Standards in accordance with General Plan Policy OS-7.9. As detailed in **PPP 3.3-4**, BACMs would be incorporated during project construction to reduce fugitive dust in accordance with General Plan Policy OS-7.11. Adoption of the **2008 EIR Mitigation Measures AQ-01 (as modified)**, **AQ-09 (as modified)**, and **AQ-10 (as modified)** would further ensure reduction of fugitive dust in accordance with SCAQMD requirements. Finally, **PPP 3.3-6** would ensure the project incorporates low-VOC architectural coatings and **PPP 3.3-8** would limit VOCs in asphalt applications in accordance with General Plan Policy OS-7.12. Adoption of the **2008 EIR Mitigation Measure AQ-06** would further ensure reduction of VOCs in accordance with SCAQMD requirements. Through implementation of applicable PPPs and mitigation measures, construction of the proposed Modified Project would occur in accordance with goals and policies of the City General Plan for the reduction in criteria pollutant emissions and therefore would not conflict with the AQMP.

Operational Impacts. The Approved Project (and therefore the AQMP) anticipates a gross density of 3.9 dwelling units per acre throughout the Page Ranch PCD SP and the development of 744 dwelling units on 237.4 acres (3.13 dwelling units per acre). The proposed Modified Project would reduce the total number of dwelling units from 744 to 586 on 225.4 acres, which equals 2.6 dwelling units per acre and the limits previously considered in the AQMP. Although the proposed development of 100,000 square feet of commercial development on 19.67 was not specifically considered in the AQMP, the proposed Modified Project site and surrounding area is residential in nature and lacks supporting retail/commercial services. The proposed Modified Project also provides a framework of district regulations and development standards to promote a reduction in VMT and associated vehicular air pollution emissions (**PDF 3.3-1** through **PDF 3.3-3**), as well as a reduction in energy and water demand and waste generation and associated stationary source emissions (**PPP 3.3-1, PPP 3.3-2**, and **PPP 3.3-3**). Adoption of the **1979 EIR Mitigation Measure 3** and **2008 EIR Mitigation Measure AQ-07 (as modified)** would further ensure execution of **PDFs 3.3-2** and **3.3-3** to reduce vehicle trips and associated air pollution emissions.

As detailed in **PDF 3.3-1**, the Modified Project provides pedestrian connections to surrounding areas consistent with General Plan Policy OS-7.2. The pedestrian access network internally links

all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site. As detailed in **PDFs 3.3-2** and **3.3-3**, the Modified Project includes varied residential, park, commercial, and open space land uses with supporting amenities within one-quarter mile of each other to reduce the need for residents of the community to travel farther distances to obtain retails goods such as groceries, which would contribute to a reduction of automobile use for project and local residents and employees consistent with General Plan Policies OS-7.1 and OS-7.5. Adoption of the **1979 EIR Mitigation Measure 3** and **2008 EIR Mitigation Measure AQ-07 (as modified)** would further ensure reduction of automobile use and associated air pollution emissions. Implementation of **PPP 3.3-1** though **PPP 3.3-3** would ensure the Modified Project is constructed to the latest California Building Code requirements in accordance with Title 24, incorporates water conservation strategies, and diverts at least 50 percent of solid waste from landfills consistent with General Plan Policies OS-7.8 and OS-7.9 to reduce air pollution emissions.

The Modified Project's proposed 100,000 square feet of commercial development on 19.67 acres would contribute to criteria air pollutant emissions not previously envisioned in the AQMP. However, the proposed Modified Project site and surrounding area is residential in nature and lacks supporting retail/commercial services. The proposed commercial land use would generally addresses key issues and implements policies of the AQMP that reduce VMT and associated air pollution emissions. This includes developing commercial uses in proximity to residential uses and facilitating alternative modes of transportation between such uses. Therefore, operation of the proposed Modified Project would not conflict with the land use assumptions of the City General Plan or the AQMP.

The Modified Project's proposed land use designations for the subject site do not increase the development intensities as reflected in the General Plan and Page Ranch PCD SP. The Modified Project would result in operational emissions of NO_x in excess of SCAQMD regional thresholds in the same manner as the Approved Project. Mitigation is prescribed to reduce emissions of criteria pollutants to the extent feasible, but NO_x emissions would still occur at levels above SCAQMD thresholds after mitigation in the same manner as the Approved Project. No additional mitigation is feasible to reduce this significant impact and the related exceedances of NOx emissions. Therefore, the Modified Project has a significant and unavoidable impact related to AQMP Consistency Criterion No. 1 even with implementation of the PPPs and PDFs and all feasible mitigation. Although the Approved Project was found to be consistent with the AQMP, that consistency determination conflicts with the fact that Approved Project's operational NO_x emissions exceeded regional thresholds (DSEIR pgs. 3.3-14 to 3.3-17).

b. Violate an Air Quality Standard or Contribute to an Existing or Projected Violation (Impact 3.3.7.2)

Significant Unavoidable Impact: The DSEIR evaluated and concluded that the Modified Project would violate an air quality standard or contribute to an existing air quality violation.

Findings: The Council finds that even with implementation of **PDFs 3.3-2** and **3.3-3, 1979 EIR Mitigation Measure 3,** and **2008 EIR Mitigation Measure AQ-07 (as modified),** the Modified Project would still violate an air quality standard or contribute to an existing or projected violation pertaining to NO_x emissions during the Modified Project operation.

Facts in Support of the Findings: The 1979 Certified EIR concluded the Approved Project would incrementally affect air quality during construction and prescribed **1979 EIR Mitigation Measure 1** to ensure proper wetting of the project site during grading to reduce fugitive dust emissions. The **1979 EIR Mitigation Measure 2** was prescribed requiring review of the Approved Project for consistency with the 1979 AQMP if the AQMP was adopted prior to project approval. The **1979 EIR Mitigation Measure 3** was prescribed requiring the Approved Project install bus stops in proximity to the site to reduce air quality impacts during operation of the project. The 2008 EIR concluded construction of the Approved Project would exceed the SCAQMD regional construction emission thresholds for VOC, NO_x, PM_{10}, and $PM_{2.5}$. Additionally, operation of the Approved Project would generate emissions in excess of SCAQMD's regional operation emission thresholds for VOC, NO_x, and CO, but CO concentrations would not exceed State or national 1-hour or 8-hour ambient air standards. Because the Approved Project would exceed the SCAQMD regional thresholds of NOx, VOC, PM_{10}, and $PM_{2.5}$ during construction and NO_x, VOC, and CO during operation, the 2008 EIR prescribed **2008 EIR Mitigation Measures AQ-1** through **AQ-11** to reduce construction emissions to below LST. However, emissions of VOC, NO_x, and CO would continue to exceed the SCAQMD's regional emission thresholds during construction and VOC and NOx during operations. Therefore impacts to air quality from construction and operation of the Approved Project were determined to be significant and unavoidable. The 2008 Certified EIR concluded development of the Approved Project would exceed the SCAQMD regional thresholds of NO_x, VOC, PM_{10}, and $PM_{2.5}$ during construction and NO_x, VOC, and CO during operation.

The Modified Project is estimated to generate a net total of 5,598 trips per day on a typical weekday. Project buildout (Phase 1 and Phase 2) is estimated to generate a net total of 8,211 trips per day. These project daily trips were entered in the CalEEMod model to calculate mobile source emissions. Stationary sources include architectural coatings, consumer products, hearth, and landscaping. Energy sources include natural gas consumption for heating and cooking. The Modified Project, during operation in summer and winter months, is estimated to generate NO_x emissions that exceed the SCAQMD regional thresholds on a daily basis. Adoption of the **1979 EIR Mitigation Measure 3** and **2008 EIR Mitigation**

Measure AQ-07 (as modified) would further ensure execution of **PDFs 3.3-2** and **3.3-3** to reduce vehicle trips and associated vehicular air pollutant emissions. However, NO_x emissions would still occur at levels above SCAQMD thresholds after implementation of mitigation. No additional mitigation is feasible to further reduce NOx emissions. Therefore, Modified Project operational NOx emissions are considered significant and unavoidable. The proposed Modified Project would result in a less severe but still significant and unavoidable impacts to regional air quality during project operations (DSEIR pgs. 3.3-17 to 3.3-21).

c. Cumulatively Considerable Net Increase in Criteria Pollutants (Impact 3.3.7.3)

Significant Unavoidable Impact: The DSEIR evaluated and concluded that the Modified Project would create a cumulatively considerable net increase in criteria pollutants.

Findings: The Council finds that even with implementation of **PDFs 3.3-2** and **3.3-3, 1979 EIR Mitigation Measure 3,** and **2008 EIR Mitigation Measure AQ-07 (as modified),** impacts the Modified Project would still cumulatively contribute to NO_x emissions during Modified Project operation.

Facts in Support of the Findings: Modified Project operational emissions would exceed the SCAQMD regional thresholds of significance for NO_x. No feasible mitigation measures or project design features beyond those already identified exist that would reduce NO_x emissions to levels that are less-than-significant. Project operational NO_x emissions, therefore, are considered significant and unavoidable in the same manner as the Approved Project. NO_x impacts at the Project level are considered cumulatively significant because NO_x emissions are O_3 precursors and would therefore contribute considerably to existing O_3 non-attainment conditions within the Basin. This is a cumulatively significant impact persisting over the life of the Modified Project. O_3 concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant.

Although project-level NO_x emissions would contribute to existing O_3 non-attainment conditions within the Basin, O_3 is a highly reactive and unstable gas that is formed when VOCs and NO_x, both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight, which cannot be anticipated beyond a measure of a few weeks. The proposed Modified Project would generate up to 108.15 pounds of NO_x per day with implementation of mitigation, PPPs, and PDFs. When considering a potential for overlap of Phase 1 operation and Phase 2 construction, the proposed Modified Project would generate up to 199.94 pounds of NO_x per day with implementation of mitigation, PPPs, and PDFs. The proposed Modified Project's daily NO_x emissions output would be between 1.6 percent and 3 percent of the regional NO_x emissions disclosed in SCAQMD's 2011 health impact analysis of a large

regional project. Therefore, the proposed Modified Project is considered a relatively small project with emissions not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level, "in part because ozone formation is not linearly related to emissions." Individual health effects from exposure to NO_x emission generated by the proposed Modified Project would be small and therefore speculative. Adoption of the **1979 EIR Mitigation Measure 3** and **2008 EIR Mitigation Measure AQ-07 (as modified)** would further ensure execution of **PDFs 3.3-2** and **3.3-3** to reduce vehicle trips and corresponding air pollutant emissions. However, NO_x emissions would still occur at levels above SCAQMD thresholds after mitigation and implementation of mitigation, PDFs, and PPPs. No additional mitigation is feasible to further reduce the Modified Project's cumulatively considerable emission of NO_x to levels that are less- than-significant. Therefore, the proposed Modified Project would result in less severe but still significant and unavoidable, cumulative impacts to regional air quality from emissions of NO_x during operation when compared to those of the Approved Project (DSEIR pgs. 3.3-21 to 3.3-24).

d. Cumulative Air Quality Impacts (Impact 3.3.8)

Significant Unavoidable Impact: The DSEIR evaluated and concluded that the Modified Project would generate a cumulatively considerable increase in air quality emissions.

Findings: The Council finds that even with implementation of **PDFs 3.3-2** and **3.3-3, 1979 EIR Mitigation Measure 3,** and **2008 EIR Mitigation Measure AQ-07 (as modified),** Modified Project would still cumulatively contribute to air quality emissions exceeding threshold limits during Modified Project operation.

Facts in Support of the Findings: The cumulative study area for air quality is the Basin. Modified Project operational emissions would exceed the SCAQMD regional thresholds of significance for NO_x. Adoption of the **1979 EIR Mitigation Measure 3** and **2008 EIR Mitigation Measure AQ-07 (as modified)** would further ensure execution of **PDFs 3.3-2** and **3.3-3** to reduce vehicle trips and corresponding emissions of NO_x to the extent feasible. However, the majority of NO_x emissions are derived from vehicle usage, and the Modified Project does not have regulatory authority to control tailpipe emissions. No additional feasible mitigation or project design features beyond those already identified exist that would reduce NO_x emissions to levels that are less-than-significant. Modified Project operational NO_x emissions, therefore, are considered significant and unavoidable. However, the Modified Project vicinity comprises primarily residential uses and lacks supporting retail/commercial services. The commercial land use proposed as part of the Modified Project generally addresses several key issues and implements policies of the AQMP that reduce VMT and associated air pollution emissions. NO_x impacts at the project level are considered cumulatively significant because NO_x emissions are O_3 precursors and would therefore contribute considerably to existing O_3 non-attainment conditions within the Basin. This is a cumulatively significant impact persisting over the life of the Modified Project. The Approved Project was found not to

have a cumulatively considerable impact to air quality. The proposed Modified Project would have a significant and unavoidable cumulative impact to regional air quality from emissions of NO_x during operation even with implementation of mitigation, PPPs, and PDFs. This is a new impact in comparison to the Approved Project (DSEIR pgs. 3.3-27 to 3.3-28).

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3. Transportation

a. Vehicle Miles Traveled (Impact 3.15.7.1)

Significant Unavoidable Impact: The DSEIR evaluated and concluded that the residential portion of the Modified Project would fail to reduce vehicle miles traveled (VMT) by at least 15 percent below City-wide average VMT per capita.

Findings: The Council finds that even with implementation of **PDF 3.3-1, PDF 3.3-2, PDF 3.3-3, 1979 EIR [Air Quality] Mitigation Measure 3, 2008 EIR Mitigation Measure AQ-07 (as modified)**, and **1979 EIR [Traffic] Mitigation Measure 10,** VMT generated by the Modified Project would not be reduced to below threshold standards; impacts would be significant and unavoidable. The **1979 EIR [Traffic] Mitigation Measure 10** is as follows:

> **1979 [Traffic] Mitigation Measure 10:** Establish land use patterns, intensities and relationships which would reduce vehicle trip making characteristics and promote the use of alternative modes of travel such as bicycles, walking and transit. For example, increased residential densities adjacent to the planned commercial activities and open spaces designed with integral bike paths and pedestrian ways.

Facts in Support of the Findings: The Certified EIR in 1979 concluded the Approved Project would generate approximately 745,000 daily VMT. However, the context and methodology under which this figure was calculated, such as trip distribution assumptions pertaining to various land uses (e.g., residential, commercial centers, the Seven Hills Golf Course, the Hemet-Ryan Airport, and any future industrial development), are vastly different from the existing baseline condition and RivTam modeling framework. Furthermore, the City had not established VMT-specific thresholds at the time of certification of the 1979 EIR. Therefore, a meaningful comparison of VMT between the Approved Project and proposed Modified Project is impractical.

Commercial (retail). The Modified Project's commercial/retail component is expected to generate a daily VMT of 23,300. The daily total VMT for the WRCOG region without the Modified Project's commercial/retail component is approximately 38,274,048. The daily total VMT for WRCOG region with the Modified Project's commercial/retail component is approximately 38,266,797. Therefore, the Modified Project's commercial/retail component is anticipated to result in a net reduction of 7,251 VMT within the WRCOG region compared to without-Project conditions.

Residential. The City's baseline average VMT per capita is 25.4. The WRCOG and the California Office of Planning and Research Technical Advisory significance threshold recommendation is 15 percent below City-wide average VMT per capita. Therefore, Modified Project-generated Home-Based VMT per capita in excess of 21.59 would be a significant impact requiring mitigation. The Modified Project Home-Based

VMT per capita is projected to be 30.64, which is higher than the City's 25.4 baseline average Home-Based VMT per capita and also higher than the 21.59 Home-Based VMT per capita threshold. Impacts would be significant, and mitigation is required.

Fifty (50) transportation demand management (TDM) strategies prepared for WRCOG have been evaluated for reducing VMT impacts determined to be potentially significant. Of those, 41 are applicable at the building and site level, 7 of which may be effective at the Modified Project level, and only 3 of which are determined to provide for potentially meaningful reduction in VMT as follows:

- *Measure 1: Increase Diversity of Land Uses.* Having different types of land uses near one another can decrease VMT since trips between land use types are shorter and may be accommodated by non-auto modes of transport. For example, when residential areas are in the same neighborhood as retail and office buildings, a resident does not need to travel outside of the neighborhood to meet his/her trip needs.

In order for the above measure to apply, at least three of the following would be located on or off-site within one-quarter mile of the Project: Residential Development, Retail Development, Park, Open Space, or Office. In accordance with **PDF 3.3-2** and **PDF 3.3-3**, the Modified Project includes residential, regional retail, and park space within one-quarter mile of each other with supporting amenities, which would tend to decrease the propensity for vehicle travel for local residents.

- *Measure 2: Provide Pedestrian Network Improvements.* Providing a pedestrian access network to link areas of the Project site encourages people to walk instead of drive. This mode shift results in people driving less and thus a reduction in VMT.

In accordance with **PDF 3.3-1**, pedestrian connections shall be provided to surrounding areas consistent with the City's General Plan. Providing a pedestrian access network to link areas of the Modified Project site encourages people to walk instead of drive. The Modified Project would provide a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Modified Project site. Additionally, the Modified Project would minimize barriers to pedestrian access and interconnectivity.

- *Measure 3: Provide Traffic Calming Measures.* Providing traffic calming measures encourages people to walk or bike instead of using a vehicle. This mode shift would result in a decrease in VMT. Traffic calming features may include: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others.

Roadway engineering improvements in the form of realignment of the curves on Warren Road south of the railroad tracks/realigned Stetson Avenue are included as part of the Modified Project. These frontage improvements would ensure the design speed of the roadway meets the acceptable engineering standard. Construction of the intersection of Warren Road with "future" realigned Stetson Avenue would include enhanced pedestrian facilities such as marked crosswalks, count-down signal timers, and traffic signals. Additionally, adding an extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of Stetson Avenue would further enhance pedestrian and bicycle facilities by improving marked crosswalks and count-down signal timers at the existing Mustang Way/Warren road intersection and expanding the City's network of bicycle lanes.

Roadway improvements would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control, site access requirements and internal circulation. As part of the City's standard plan check process, the final design of all roadways, intersections, and circulation within and adjacent to the Modified Project site would be reviewed by and subject to approval by City staff prior to issuance (as relevant) of any grading, construction, or occupancy permit. The review and approval by City staff sufficiently ensures the proposed Modified Project would incorporate the necessary design features to ensure safe travel to, from, and within the project site not only via motor vehicle, but also by pedestrians and cyclists.

According to WRCOG, a 15 percent reduction in VMT is the maximum potential reduction when combining multiple reduction strategies for a suburban center, which typically involves a cluster of multiuse development within dispersed, low-density, automobile dependent land use patterns (a suburb) and serves the population of the suburb with office, retail and housing which is denser than the surrounding suburb. The land use context of the Modified Project is characteristically suburban, which acts to reduce the range of feasible TDM measures and moderates their potential effectiveness. For suburban place types, characterized by dispersed, low-density, single-use, automobile dependent land use patterns usually outside of the central city, a more feasible maximum VMT reduction potential is 10 percent and requires a project to contain a diverse land use mix, workforce housing, and project specific transit. WRCOG further states, "…the maximum percent reductions were not based on data or research comparing the actual performance of VMT reduction strategies in these place types. Instead, the percentages were derived from a limited comparison of aggregate citywide VMT performance for Sebastopol, San Rafael, and San Mateo where VMT performance ranged from 0 to 17 percent below the statewide VMT/capita average based on data collected prior to 2002. Little evidence exists about the long-term performance of similar TDM strategies in different land use contexts. As such, VMT reductions from TDM strategies cannot be guaranteed in most cases." Under a best-case scenario, if the proposed Modified Project achieved the maximum 10 percent VMT reduction through implementation of **PDF 3.3-1** through **3.3-3** and the proposed transportation infrastructure improvements described above, the Modified

Project's reduced Home-Based VMT per capita would be approximately 27.58, which would still exceed the City-wide average of 25.4 Home- Based VMT per capita for Hemet.

1979 EIR [Air Quality] Mitigation Measure 3 requires provision of convenient bus stop locations, and several bus stops have been developed within the Page Ranch PCD along Mustang Way by the RTA in support of Route 74 and Route 79 in accordance with **1979 EIR [Air Quality] Mitigation Measure 3**. Therefore, it is expected the project proponent and RTA would continue to service these routes through further expansion of bus stations for the occupants of the proposed Modified Project in conjunction with the proposed extension of Mustang Way from Warren Road westward and northward through the proposed Modified Project site to the future realignment of new Stetson Avenue. Additionally, **1979 EIR [Air Quality] Mitigation Measure 3** facilitates execution of **PDF 3.3-2** to reduce the use of automobiles for residents and employees. **1979 EIR [Traffic] Mitigation Measure 10** promotes a variety of land uses in proximity to each other to reduce dependency on automobiles and promote alternative modes of transportation. Additionally, **2008 EIR Mitigation Measure AQ-07 (as modified)** requires the project proponent to develop a plan to encourage and facilitate carpooling, which further facilitates execution of **PDF 3.3-2** to reduce the use of automobiles for residents and employees. However, because implementation of TDM strategies cannot guarantee VMT reductions, and the Modified Project's reduced Home-Based VMT per capita would still exceed the City-wide average Home-Based VMT per capita for Hemet even if TDM strategies for the Modified Project would achieve the maximum 10 percent VMT reduction potential, Modified Project impacts from residential VMT would be significant and unavoidable. No additional mitigation is feasible to reduce the impact further (DSEIR pgs. 3.5-7 to 3.5-10).

b. Cumulative Transportation Impacts (VMT Impacts) (Impact 3.15.8)

Significant Unavoidable Impact: The DSEIR evaluated and concluded that the Modified Project would generate cumulatively considerable impacts to transportation from VMT.

Findings: The Council finds that implementation of TDM strategies cannot guarantee VMT reductions, and the Modified Project's reduced Home-Based VMT per capita would still exceed the City-wide average Home-Based VMT per capita for Hemet even if TDM strategies for the Modified Project would achieve the maximum 10 percent VMT reduction potential. Therefore, Modified Project impacts from residential VMT would be cumulatively considerable. No additional mitigation is feasible to reduce the impact further.

Facts in Support of the Findings: The Modified Project proposes a mix of commercial retail and residential uses. Based on the RivTAM model, the Modified Project's retail component is expected to result in a net reduction of 7,251 VMT within the WRCOG region compared to without-Project conditions. The proposed retail component is expected to reduce VMT not only for residents of the Modified Project, but also for residents in the surrounding area, including those that would result from future projects in the

vicinity. Therefore, the proposed retail component of the Modified Project would not result in a cumulatively considerable impact. However, under a best-case scenario maximum 10 percent VMT reduction through implementation of **PDF 3.3-1 through 3.3-3** and the proposed transportation infrastructure improvements, the residential component of the proposed Modified Project would generate 27.58 Home-Based VMT per capita, which would still exceed the City-wide average of 25.4 Home-Based VMT per capita for Hemet.

As summarized in *WRCOG Senate Bill 743 Implementation Pathway Document Package,* "…VMT thresholds based on an efficiency form of the metric such as VMT per capita, can address project and cumulative impacts in a similar manner that some air districts do for criteria pollutants and greenhouse gas emissions."[7] In this respect, significant and unavoidable VMT impacts at the Project level would also be considered cumulatively significant (DSEIR pgs. 3.15-36 and 3.15-37).

D. ALTERNATIVES

Alternatives were discussed in the 1979 EIR for the Specific Land Use Plan, Southwest Area and the 2008 EIR of the Approved Project. Chapter 3.0 of the DSEIR has analyzed and concluded that no new alternatives have been identified that would substantially or further reduce environmental impacts of the Modified Project as proposed.

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The 2008 EIR concluded the project population increase would increase the overall estimated buildout population of the Page Ranch Community Plan primarily due to changing the Planning Area XII for TTM 35392 from Industrial to Residential and increasing the density in Planning Area VI for TTM 35394 from 2.5 du/ac to 5.0 du/ac. The overall population increase in the Specific Plan is 438 persons, which is an 8.1 percent increase. The Approved Project would contribute toward the City's housing needs, consistent with the City's General Plan Housing Element. It would also allow for more compatible land uses adjacent to existing land uses. The housing is consistent with current and anticipated needs based on population projections.

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[7] *WRCOG SB 743 Implementation Pathway Document Package.* Page 67. Fehr & Peers. March 2019.

The proposed Modified Project would not induce unplanned population growth. The number of proposed dwelling units is decreasing from 740 units as approved under the 2008 EIR to 586 units, which would not result in substantially more population growth than that which was anticipated under the Approved Project. When compared to the Approved Project, impacts associated with induced population growth would be the same (i.e., less than significant), and no mitigation is required (DSEIR pgs.3.12-4 and 3.12-5).

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126(c) of the CEQA Guidelines mandates that the EIR must address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented. An impact would fall into this category if it resulted in any of the following:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Determining whether the proposed Modified Project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. The Modified Project would result in the use of nonrenewable resources and energy sources, including fossil fuels during construction activities. Fossil fuels would be used to power equipment, as well as delivery and construction employee vehicles. Use of these energy sources would be considered a permanent commitment of resources. Operation of the Modified Project would have a long-term permanent commitment of nonrenewable energy sources such as electricity, natural gas, and fossil fuels (employee and resident vehicular trips). PPPs, PDFs, and mitigation are provided to reduce energy consumption under the discussion on greenhouse gas emissions. Ongoing advancements in energy efficiency to construction equipment, building design, and motor vehicles would reduce the demand of energy resources, for example through increased use of electric, hybrid, and increasingly fuel-efficient vehicles, as well as continued refinement of Title 24 of the California Code of Regulations (e.g., implementation of increase insulation and cool roofs to reduce the use of air conditioning, water efficient fixtures, roof-top photovoltaic infrastructure, and heating and air conditioning within buildings by individual sectors that can be controlled locally). Accordingly, the proposed Modified Project's energy consumption during construction and operation is expected to be less when compared to

the Approved Project. Therefore, this would not be considered a significant irreversible environmental effect (DSEIR pg. 4-2 and 4-3).

DRAFT

V. STATEMENT OF OVERRIDING CONSIDERATIONS

The Hemet City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Modified Project as addressed in the EIR, specifically:

1. Agricultural Resources Impact – Conversion of Farmland to Non-Agricultural Use;
2. Agricultural Resources Impact – Cumulative Agricultural Resources Impact;
3. Air Quality Impact - Conflict with or Obstruct Applicable AQMP;
4. Air Quality Impact - Violate an Air Quality Standard or Contribute to an Existing or Projected Violation (Long-Term Project Operational Emissions);
5. Air Quality Impact - Cumulatively Considerable Net Increase in Criteria Pollutants (Cumulative Operational Emissions);
6. Air Quality Impact – Cumulative Air Quality Impacts;
7. Transportation Impact – Vehicle Miles Traveled (Project level); and
8. Transportation Impact – Cumulative Transportation Impact (Vehicle Miles Traveled).

The Hemet City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the Modified Project against any significant and unavoidable environmental impacts in determining whether to approve the Project. If the benefits of the Modified Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Modified Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section IV(C) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Modified Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose

restrictions on the Modified Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Modified Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the project objectives and/or specific economic, social, or other benefits that this City Council finds outweigh any environmental benefits of the alternatives, or the other alternatives do not substantively reduce the severity of unavoidable and significant impacts.

The City Council hereby declares that having reduced the adverse significant environmental effects of the Modified Project to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Modified Project, and having weighed the benefits of the Modified Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic, and environmental benefits of the Modified Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Modified Project contributes to the State-mandated Regional Housing Needs Assessment through the proposed development of 586 housing units;
- The Modified Project provides development that improves and maximizes economic viability within the City by the orderly transition of vacant land into a productive mixed use;
- The Modified Project creates additional employment-generating opportunities for the City of Hemet and surrounding communities through the proposed development of 100,000 square feet of commercial uses;
- The Modified Project would contribute to buildout of the Page Ranch Planned Community Development originally approved in 1979 and incrementally developed commensurate with market demand;
- The Modified Project provides adequate infrastructure and public amenities, including fair share contributions to fund upgrading and widening streets, intersections, and transit facilities, as well as signal upgrades and utility improvements;
- The Modified Project will provide development consistent with Hemet-Ryan ALUCP and municipal standards, codes, and policies;

- The Modified Project will improve the safety of aircraft activity at the Hemet-Ryan Airport by improving and maintaining an existing, unmaintained drainage channel and a detention basin originally constructed as part of the Tracts 31807 and 31808 located on the east side of Warren Road to collect runoff from the site and adjacent properties such that birds posing a potential hazard to flight would be deterred from occupying the site; and

- The Modified Project provides water quality treatment control BMPs through construction of 11 infiltration basins and 2 bioretention basins with design capture volumes sufficient to retain storm water runoff for infiltration and/or treatment prior to conveyance off site in accordance with NPDES Regulations and a "high" pollutant removal efficiency equal to or greater than eighty percent.

The City Council hereby declares that the foregoing benefits provided to the public through the approval and implementation of the Modified Project outweigh the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Modified Project benefits separately and individually outweighs all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "If economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable."

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the project outweighs the identified significant adverse environmental impacts of the project that cannot be mitigated. The City Council finds that each of the project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

Facts in Support of the Findings (Overriding Considerations). The Rancho Diamante Phase II Specific Plan Amendment Project has the following overriding considerations:

Compliance with State Housing Element law. The Modified Project would contribute toward the City's housing needs, consistent with the City's General Plan Housing Element and RHNA, pursuant to State

Housing Element law (Section 65580) of the California Government Code through the development of 586 housing units.

Economic Viability. The proposed Modified Project site is currently vacant and underutilized. The proposed project would develop 586 single-family residential units and 100,000 square feet of commercial uses on 245.07 acres. In addition to property tax revenue, the proposed Modified Project would generate previously-unrealized sales taxes, personal property taxes, utility taxes, fuel taxes, telecommunications taxes, and personal and corporate income taxes.

Employment Generation. The proposed Modified Project would introduce 100,000 square feet of commercial uses in proximity to existing and proposed residential uses, thus facilitating employment opportunities in the City while potentially reducing vehicle miles traveled to employment centers.

Consistency with City Goals and Buildout of the Page Ranch Planned Community PCD 79-93 SP. The proposed Modified Project would reduce the quantity of residences within the Page Ranch Planned Community PCD 79-93 SP from 744 as approved (Approved Project) to 586 dwelling units, add 100,000 square feet of Regional Commercial space, and construct 64.89 acres of public/private parks and open space (Proposed Modified Project. The proposed Modified Project site and surrounding area are residential in nature and lack supporting retail/commercial services. The proposed Regional Commercial land use would generally address key issues and implements policies of the City General Plan and SCAG's 2016 RTP/SCS that reduce VMT and associated air pollution emissions (refer to Appendix I3 and Section 3.15.7 of the DSEIR). This includes developing commercial uses in proximity to residential uses and facilitating alternative modes of transportation between such uses. Varied residential, park, commercial, and open space land uses with pedestrian connections to supporting amenities within one-quarter mile of each other would contribute to a reduction of automobile use for local residents consistent with General Plan Policies OS-7.1, OS-7.2, and OS-7.5. The City's Development Review process will assure the proposed development is consistent with applicable goals and policies of the City's General Plan, zoning, and Municipal Code upon approval of the development applications.

Transportation and Infrastructure Improvements. The DSEIR indicated that the Modified Project would generate 23,300 daily VMT from the 100,000 square feet of proposed commercial uses and result in a net reduction of 7,251 VMT within the WRCOG region by constructing commercial uses in proximity to existing and proposed residential uses. The Modified Project Home-Based VMT per capita is projected to be 30.64 through development of 586 residential units.

The project would pay fair share costs, City DIF, and County TUMF fees for road improvements, including roadway segments and intersections. DIFs will be paid to the City of Hemet and other agencies in the following categories:

* Hemet Unified School District school impact fees
* Arterial Streets
* Traffic Signals
* Fire Facilities
* Police Facilities
* City Hall
* Maintenance Equipment
* Transportation Uniform Mitigation Fee (TUMF-separate from DIF) (see below)
* Riverside County Area Drainage Fee
* Fair Share for DIF and TUMF improvements per project traffic study

The project will be subject to various PPPs to assure adequate, safe, and convenient pedestrian access compliant with ADA regulations to local transit routes. Project design through various PDFs will ensure the project site facilitates adequate vehicle turning radii, ingress/egress routes, and parking for trucks and passenger vehicles. Provisions will be made also for transit service through coordination with the RTA during preparation of the Final Map for TTM 36841 and future development plans for the proposed commercial center in Planning Area XIII.

Traffic calming measures will be incorporated into the Modified Project site design through the City development review process. Additionally, the Modified Project will make a variety of mitigative improvements (e.g., utilities, streets, freeway ramps) both onsite and in the surrounding area. Roadway segment and intersection improvements are detailed in Section 3.15.10 of the DSEIR. The Modified Project also includes 6.2 acres of off-site improvements including construction of utilities in abutting rights-of-way, drainage conveyance features, and construction of the west half of Warren Road in the northeast part of the Modified Project including the intersection with “future” realigned Stetson Avenue and an interim transition back to the existing Warren Road alignment (Figure 2.4 of the DSEIR).

Water Quality Improvements. The Modified Project will incorporate a site-specific storm drain system to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm biological resources or ecosystem processes. This will be accomplished by constructing 11 infiltration basins (Best Management Practices (BMPs) 1 through 11) throughout the Modified Project site and 2 bioretention basins (BMPs 12 and 13) near the northeast corner of the site. All thirteen BMPs will be designed and constructed with design capture volumes (DCV) sufficient to retain storm water runoff for infiltration and/or treatment prior to conveyance off site into the

Hemet Channel and Salt Creek in accordance with the Final Water Quality Management Plan (WQMP) (refer to **PPP 3.6-4**). The bioretention basins will provide water quality treatment during percolation with a pollutant removal efficiency rating of at least 80 percent. In order to mitigate impacts from birds potentially being attracted to the infiltration and bioretention basins and interfering with nearby operations of the Hemet-Ryan Airport, additional performance standards are prescribed to the basins above and beyond regulatory policy as detailed in **Mitigation Measure 3.7.10.3** in Section 3.7 of the DSEIR. The Final Water Quality Management Plan detailed in **PPP 3.6-4** shall specify maintenance intervals for the water quality management basins to ensure the required 48-hour drawdown time following the design storm is maintained. In addition, the Project Applicant shall ensure that the Homeowner's Association (HOA) or similar entity prepare a Planting, Maintenance, and Management Plan for the water quality management basins prior to occupancy to eliminate seeding, shelter, and incompatible vegetation in accordance with the Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure and the *Airports Wildlife and Stormwater Management* brochure.

Off-site drainage improvements include seven connections to the existing Hemet Channel north of the site and improvements to the existing drainage channel from the existing drainage basin in the southwest corner of the project site extending southerly to Simpson Road. From Simpson Road, the channel would continue to convey runoff south toward Salt Creek without further modifications.

VI. CERTIFICATION OF THE FINAL ENVIRONEMNTAL IMPACT REPORT

The Hemet City Council finds that it has reviewed and considered the FSEIR in evaluating the project, that the FSEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FSEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DSEIR that would require recirculation. All of the information added to the FSEIR merely clarifies, amplifies, or makes insignificant modifications to an already adequate DSEIR pursuant to CEQA Guidelines Section 15088.5(b).

A. FINDINGS

1. CEQA Compliance

As the decision-making body for the Modified Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Modified Project as well as complete and accurate reporting of

the unavoidable impacts and benefits of the project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations

The Modified Project will have significant adverse impacts even following adoption of all feasible mitigation measures, which are required by the City Council. The following significant environmental impacts have been identified in the FSEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section IV(C) of these Findings:

- *Agricultural Resources Impacts (Conversion of Farmland to Non-Agricultural Use)* due to the infeasibility of mitigation for the conversion of farmland of statewide importance and local importance to non-agricultural use land already approved for residential use.

- *Agricultural Resources Impacts (Cumulative Agricultural Resources)* due to the incremental decrease in the availability of soils that have value for agricultural production, the Modified Project, in combination with other projects in the City's planning area, would result in a cumulatively considerable impact to agricultural resources.

- *Air Quality Impacts (Conflict with or Obstruct Applicable AQMP)* as a result of proposed uses generating operational air pollutants that exceed SCAQMD daily thresholds.

- *Air Quality Impacts (Violate an Air Quality Standard or Contribute to an Existing or Projected Violation)* due to the scale and scope of the proposed Modified Project, the Project would exceed SCAQMD daily thresholds for NOx, and available mitigation would not reduce impacts to less than significant levels.

- *Air Quality Impacts (Cumulatively Considerable Net Increase in Criteria Pollutants)* due to the scale and scope of the proposed Modified Project, the Project would exceed daily SCAQMD thresholds for NOx during long-term operation, and available mitigation would not reduce impacts to less than significant levels.

- *Air Quality Impacts (Cumulative Air Quality Impacts)* NOx impacts at the Project level are considered cumulatively significant because NOx emissions are ozone (O_3) precursors and would therefore contribute considerably to existing O_3 non-attainment conditions within the Basin. This

is a cumulatively significant impact persisting over the life of the Modified Project, and available mitigation would not reduce impacts to less than significant levels.

- *Transportation Impacts (Project-Level Vehicle Miles Traveled)* Implementation of TDM strategies cannot guarantee VMT reductions, and the Modified Project's reduced Home-Based VMT per capita would still exceed the City-wide average Home-Based VMT per capita for Hemet even if TDM strategies for the Modified Project would achieve the maximum 10 percent VMT reduction potential.

- *Transportation Impacts (Cumulative Impacts from Vehicle Miles Traveled)* Significant and unavoidable VMT impacts at the Project level would also be considered cumulatively significant. Because implementation of TDM strategies cannot guarantee VMT reductions, and the Modified Project's reduced Home-Based VMT per capita would still exceed the City-wide average Home-Based VMT per capita for Hemet even if TDM strategies for the Modified Project would achieve the maximum 10 percent VMT reduction potential, Modified Project impacts from residential VMT would be cumulatively considerable.

The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the Modified Project have been identified in the EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section IV(C) above.

b. Other reasonable alternatives to the Modified Project that could feasibly achieve the basic objectives of the project have been considered and rejected in favor of the Modified Project.

c. Environmental, economic, social, and other considerations and benefits derived from development of the Modified Project override and make infeasible any alternatives to the Project or further mitigation measures beyond those incorporated into the Project.

VII. ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Modified Project, the Mitigation Monitoring and Reporting Program (MMRP) set forth in Section 4.0 of the FSEIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

VIII. CUSTODIAN OF RECORD

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at 445 E Florida Avenue, Hemet, CA. The custodian for these records is HP Kang, Community Development Director. This information is provided in compliance with Public Resources Code Section 21081.6.

IX: NOTICE OF DETERMINATION

A Notice of Determination shall be filed with the County of Riverside and the State Clearinghouse within 5 (five) working days of final Project approval.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2021.

_____

Karlee Meyer

Mayor, City of Hemet

ATTEST:

_____

Clay James, City Clerk

DRAFT

APPROVED AS TO FORM:

_____

City Attorney

DRAFT

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for use in implementing mitigation for the:

Rancho Diamante Phase II Specific Plan Amendment

The MMRP has been prepared for the project by the City of Hemet in compliance with State law and the Subsequent Environmental Impact Report (SEIR) (State Clearinghouse No. 2016081013). The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Res. Code § 21081.6). The law states that the MMRP shall be designed to ensure compliance during project implementation.

The MMRP contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This MMRP includes mitigation identified in the Draft SEIR and Final SIER for the proposed Modified Project, as well as mitigation prescribed in the 1979 EIR[1] and 2008 SEIR[2] (Certified EIR) for the Approved Project that has been determined applicable to the proposed Modified Project. Deletions or deviations from the original [1979 and/or 2008] mitigation measures are identified in ~~strikeout~~ text, underlined text is used to signify additions to the original [1979 and/or 2008] mitigation measures, and double-underlined text is used to signify changes in mitigation measures from the Draft SEIR to the Final SEIR for the proposed Modified Project.

4.2 MITIGATION MONITORING AND RESPONSIBILITIES

As the Lead Agency, the City of Hemet is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Modified Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If, during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

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1 Final Environmental Impact Report. *Specific Land Use Plan, Southwest Area*. City of Hemet, Riverside County, California. April 1979.

2 Draft Environmental Impact Report. *Rancho Diamante Phase II, Hemet, Riverside County, California*. SCH #2007091039. City of Hemet. May 2008.

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MITIGATION MONITORING AND REPORTING PLAN CHECKLIST

Project File Name: Rancho Diamante Phase II Specific Plan Amendment
Applicant: Strata Equity Group, Inc.
Prepared by: City of Hemet
Date: November 2020

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
3.1 AESTHETICS						
The SEIR did not identify significant impacts related to land use or planning; therefore, no Mitigation Measures are required.						
3.2 AGRICULTURAL RESOURCES						
There are no feasible Mitigation Measures that reduce impacts related to Agricultural Resources to less than significant levels.						
3.3 AIR QUALITY						
MM 3.3.10.1: Prior to issuance of any grading permit, the applicant shall submit evidence to the City that all diesel-powered construction equipment greater than 150 horsepower shall be compliant with the United States Environmental Protection Agency and California Air Resources Board Tier 3 emissions standards. Only Tier 3 diesel-powered construction equipment greater than 150 horsepower shall be utilized throughout the construction of Phase 1 and Phase 2 of the Modified Project. Additionally, the applicant shall provide evidence to the City at least once every two weeks that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. Equipment maintenance records and equipment design specification data sheets shall be kept on site during construction and subject to review by the City and the SCAQMD. This measure shall be implemented to the satisfaction	City Planning Department	Once prior to issuance of the first grading permit for each phase and every two weeks during grading	Prior to issuance of grading permits	Review of equipment maintenance records and equipment design specification data sheets		Withhold grading permit(s)

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of the City of Hemet Planning Department.						
1979 EIR Air Quality Mitigation Measure 3: Provide for convenient bus stop locations.	City Planning Department	Once prior to issuance of the first occupancy permit for each phase	Prior to issuance of the first occupancy permit for each phase	Submittal of evidence Riverside Transit Agency bus stops serve the Modified Project site		Withhold occupancy permit(s)
2008 Mitigation Measure AQ-01: Prior to construction of the Project, the Project proponent shall provide a Fugitive Dust Control Plan that will describe the application of standard best management practices to control dust during construction. Best management practices (BMPs) shall include application of water on disturbed soils a minimum of ~~two~~ three times per day except on days when a rain event occurs, then exposed surfaces would be watered as necessary to meet the intent of Rule 403, covering haul vehicles, replanting disturbed areas as soon as practical, restricting vehicle speeds on unpaved roads to 15 mph, suspending grading activities when the wind exceeds 25 mph, and other measures, as deemed appropriate to the site, to control fugitive dust. The Fugitive Dust Control Plan shall be submitted to the City and SCAQMD prior to construction.	City Planning Department	Once prior to issuance of the first grading permit for each phase	Prior to issuance of grading permits	Submittal of Fugitive Dust Control Plan to City and SCAQMD		Withhold grading permit(s)
2008 Mitigation Measure AQ-05: Prior to construction of the project, the developer shall provide a traffic control plan to the City that will describe in detail safe detours around the project construction site and provide temporary	City Planning and Public Works Departments	Once prior to issuance of the first grading permit for each phase	Prior to issuance of grading permits	Submittal of traffic control plan to City		Withhold grading permit(s)

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traffic control (e.g., flag person) during construction-related truck hauling activities. The traffic control plan is primarily intended as a safety measure but also can minimize traffic congestion and delays that increase idling and acceleration emissions. The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart J, Developing and Implementing Traffic Management Plans for Work Zones. This measure shall be implemented to the satisfaction of the City of Hemet Planning and Public Works Departments.						
2008 Mitigation Measure AQ-06: Prior to issuance of building permits, t~~T~~he developer shall provide evidence to the City that ~~require~~ painting ~~to~~ will be applied using either high-volume low-pressure (HVLP) spray equipment capable of achieving 65 percent transfer efficiency or by hand application. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.	City Planning Department	Once prior to issuance of building permits for each phase	Prior to issuance of building permits	Submittal of evidence to the City construction plans include the requirement		Withhold building permit(s)
2008 Mitigation Measure AQ-07: Prior to the issuance of a grading permit, the developer shall provide a plan to the City listing the measures that will be used to encourage employee carpooling using measures recommended by the Riverside County Transportation	City Planning Department	Once prior to issuance of grading permits for each phase	Prior to issuance of grading permits	Submittal of letter to the City documenting carpooling measures and extent of carpooling		Withhold grading permit(s)

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Commission Inland Empire Commuter Services. Workers shall be informed in writing of the measures available, and a letter will be placed on file at the City documenting the extent of carpooling anticipated. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.				anticipated		
2008 Mitigation Measure AQ-08: Prior to issuance of grading and building permits, the developer shall provide evidence to the City that o~~O~~n-site electrical hookups shall be provided for electric construction tools including saws, drills and compressors, to minimize the need for diesel powered electric generators. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.	City Planning Department	Once prior to issuance of grading permits for each phase	Prior to issuance of grading permits	Submittal of evidence to the City construction plans include the requirement		Withhold grading permit(s)
2008 Mitigation Measure AQ-09: During construction, bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.	City Planning Department	Every two weeks during construction	Every two weeks during construction	Submittal of evidence to the City construction plans include the requirement		Stop work order
2008 Mitigation Measure AQ-10: During all construction activities, construction contractors shall sweep on-site and off-site streets if silt is carried to	City Planning Department	Daily during construction	Daily during construction	Submittal of evidence to the City construction		Stop work order

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adjacent public thoroughfares, to reduce the amount of particulate matter on public streets. This requirement shall be included in the construction plans of all phases of development and shall be implemented to the satisfaction of the City of Hemet Planning Department.				plans include the requirement		
3.4 BIOLOGICAL RESOURCES						
MM 3.4.10.1: Prior to issuance of grading permits, the project applicant shall pay Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation fees as established and implemented by the City of Hemet. Five categories of the fee are defined and include: Residential, density less than 8.0 dwelling units per acre; Residential, density between 8.1 and 14.0 dwelling units per acre; Residential, density greater than 14.1 dwelling units per acre; Commercial per acre; and Industrial per acre. This measure shall be implemented at the rates in force at the time grading permits are issued to the satisfaction of the City of Hemet Planning Department.	City Planning Department	Once	Prior to the issuance of grading permits	Approval of mitigation categories and amount of payment as established by the MSHCP. Submittal of evidence MSHCP fees have been paid		Withhold grading permit(s)
MM 3.4.10.2: The Modified Project Site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR Habitat Conservation Plan (HCP). Prior to issuance of grading permits, the project applicant shall pay the applicable fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the County. This measure shall be	City Planning Department	Once	Prior to the issuance of grading permits	Approval of mitigation categories and amount of payment as established by the SKR HCP. Submittal of evidence SKR HCP fees have		Withhold grading permit(s)

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implemented to the satisfaction of the City of Hemet Planning Department.				been paid		
MM 3.4.10.3: A burrowing owl pre-construction survey shall be conducted not more than 30 days prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities. If burrowing owls are detected on site during the 30-day pre-construction survey within the breeding season (February 1st to August 31st), then construction activities shall be limited to beyond 300 feet of the active burrows. If burrowing owls are detected on site during the 30-day pre-construction survey outside the breeding season (February 1 to August 31), then the buffer for construction activities shall be determined by a qualified biologist in consultation with the City. No construction activity shall be permitted within any burrowing owl construction buffer until a qualified biologist has confirmed that nesting efforts are complete or not initiated. In addition to monitoring breeding activity, if construction is initiated during the breeding season or active relocation	City Planning Department and Project Biologist	Within 30 days prior to the first ground disturbance of each phase	Prior to the first ground disturbance of each phase	Submittal of evidence to the City appropriate buffers are established and burrowing owl mitigation plan is prepared via on-site inspection and written report by Project Biologist		Withhold grading permit(s)

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is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, California Department of Fish and Wildlife and United States Fish and Wildlife Service requirements for the relocation of individuals to Riverside Conservation Authority conserved lands located north of the Project Site within Proposed Noncontiguous Habitat Block 7. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.						
MM 3.4.10.4: Mitigation for potential direct/indirect impacts to common and Riverside County Multiple Species Habitat Conservation Plan (MSHCP) covered sensitive bird and raptor species will require compliance with the federal Migratory Bird Treaty Act (MBTA). Construction outside the nesting season (between September 16 and January 31) does not require pre-construction nesting bird surveys. However, if construction is proposed within the nesting season (between February 1 and September 15), a qualified biologist must conduct a nesting bird survey(s) no more than 14 days prior to initiation of construction to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Modified Project site. The survey(s) will focus on identifying any raptors and/or passerines (perching bird) nests that could be directly or indirectly affected by construction activities. If active nests are	City Planning Department and Project Biologist	Within 14 days prior to the first ground disturbance of each phase and during construction as applicable	Prior to the first ground disturbance of each phase and during construction as applicable	On-site Inspection and written report by Project Biologist		Withhold Grading Permit(s) and/or stop work order

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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 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 City of Hemet 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 City of Hemet 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. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.						
MM 3.4.10.5: To meet the criteria of a biologically equivalent or superior	City Planning Department	Once	Prior to the issuance of	Approval of mitigation		Withhold grading permit(s)

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alternative, the applicant shall offset impacts to 1.52 acres of Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.2 riparian and riverine resources as follows in accordance with the MSHCP Determination of Biological Equivalent or Superior Preservation. **Off-Site Establishment/Reestablishment.** The project shall purchase 0.03 acre of establishment/reestablishment credits from the Riverpark Mitigation Bank. This element of the mitigation proposal will mitigate permanent impacts to wetland and non-wetland waters of the U.S./State and isolated waters of the State at a 2:1 ratio for non-wetlands and 3:1 ratio for wetlands. This will also mitigate temporary impacts to non-wetland waters of the U.S./State and isolated non-wetland waters of the State. The entirety of United States Army Corps of Engineers (USACE) jurisdiction will be mitigated with this measure. **On-Site Rehabilitation, Enhancement, and Preservation.** The project shall rehabilitate and enhance a minimum of 3.1 acres of on-site waters of the State, California Department of Fish and Wildlife (CDFW) jurisdiction, and Riparian/Riverine resources in the form of herbaceous wetland- and southern willow scrub-vegetated areas. The 3.1 acres will be contained within approximately 14.5 acres of on-site waters of the State, CDFW jurisdiction, and Riparian/Riverine resources that will			grading permits	categories and amount of payment to the Riverpark Mitigation Bank as established by the MSHCP. Submittal of evidence in grading plans 3.1 acres of herbaceous wetland- and southern willow scrub-vegetated areas will be preserved, and 19.2 acres of water quality features will be installed to compensate the loss of beneficial uses and to provide additional uses of value.		

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be preserved. This element of the mitigation proposal will mitigate permanent and temporary impacts to CDFW jurisdiction and MSHCP Riparian/Riverine resources at a 3:1 ratio for wetland/riparian-vegetated streambed and 2:1 ratio for unvegetated streambed. This will also mitigate temporary impacts to isolated wetland waters of the State at a minimum 1:1 ratio. **On-Site Replacement and Enhancement of Beneficial Uses.** Five of the 13 non-jurisdictional features were determined to support two beneficial uses: limited warm freshwater habitat (LWRM) and wild habitat (WILD). These features will be permanently impacted by the project. The project shall be designed to incorporate 19.2 acres of water quality features to compensate the loss of these two beneficial uses and provide additional uses of value (Ground Water Recharge [GWR], Warm Freshwater Habitat [WARM], Wetland Habitat [WET], and Water Quality Enhancement [WQE]) to the local area and watershed.						
MM 3.4.10.6: Prior to issuance of a grading permit, the project applicant will obtain a Clean Water Act (CWA) Section 404 permit from the United States Army Corps of Engineers (USACE), 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW) and a Waste Discharge Requirement (WDR) permit issued by the Regional Water Quality Control	City Development Services Department	Once	Prior to the issuance of grading permits	Applicant shall submit the approved regulatory agency permits to the City		Withhold grading permit(s)

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Board (RWQCB) pursuant to the California Water Code Section 13260 (Porter-Cologne Act). Additionally, the project applicant shall provide to the City written correspondence from the United States Fish and Wildlife Service (USFWS) and CDFW confirming that the Determination of Biologically Equivalent or Superior Preservation (DBESP) has been approved. Mitigation for permanent and/or temporary impacts shall be determined as specified in the ~~Determination of Biologically Equivalent or Superior Preservation (~~DBESP~~)~~ through consultation with the ~~applicable regulatory agencies~~ CDFW, USFWS, and the Western Riverside County Regional Conservation Authority (RCA). Mitigation may include on-site and/or off-site replacement and/or restoration of ~~USACE/RWQCB jurisdictional waters of the U.S./waters of the State, and/or CDFW jurisdictional streambed and associated riparian~~ similar habitat. Off-site mitigation may occur on land acquired for the purpose of in-perpetuity preservation or through the purchase of mitigation credits at an agency-approved off-site mitigation bank. Mitigation shall be subject to pre-approval by USACE, USFWS, CDFW, and RWQCB. This measure shall be implemented to the satisfaction of the City Development Services Department, CDFW, USFWS, and the RCA.						
MM 3.4.10.7: Prior to issuance of grading permits, the project applicant	City Development	Once for each phase of	Prior to the issuance of	Submittal of evidence the		Withhold grading permit(s)

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shall provide evidence to the City that the Modified Project shall comply with Urban/Wildlands Interface guidelines presented in Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.4 to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. Final project design shall be developed to ensure best management practices in accordance with the National Pollutant Discharge Elimination System (NPDES) permit are incorporated into the proposed Modified Project to address and minimize edge effects associated with the Urban/Wildlands Interface to Hemet Channel (PQP Conserved Land, Western Riverside County Multiple Species Habitat Conservation Plan Constrained Linkage B) including the reestablishment and conveyance of seasonal clean water flows southwest of the Modified Project site (Salt Creek). This measure shall be implemented to the satisfaction of the City Development Services Department.	Services Department	development	grading permits for each phase of development	features, facilities, and BMPs identified in the Storm Water Pollution Prevention Plan and Water Quality Management Plan are incorporated into each phase		
MM 3.4.10.8: Prior to issuance of any grading permit the Modified Project shall demonstrate compliance with the Multiple Species Habitat Conservation Plan (MSHCP) and its associated Implementing Agreement, via the completion of the Joint Project Review (JPR) process through the Western Riverside County Regional Conservation Authority (RCA) or via the provision of	City Development Services Department	Once for each phase of development	Prior to the issuance of grading permits for each phase of development	Submittal of evidence of completion of the Joint Project Review (JPR) process or written correspondence that the Project is not subject to		Withhold grading permit(s)

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written correspondence from the RCA, United States Fish and Wildlife Service, and California Department of Fish and Wildlife stating that the Project is not subject to the JPR process.				the JPR process.		
3.5 CULTURAL RESOURCES						
MM 3.5.10.1A: Prior to issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that they have entered into a Treatment and Disposition Agreement (TDA) with the Soboba Band of Luiseño Indians (Soboba) to address treatment and disposition of archaeological/cultural resources and human remains associated with Soboba that may be uncovered or otherwise discovered during ground disturbing activities related to the project. Soboba Native American Monitor(s) shall be allowed to monitor ground disturbing activities and ~~T~~the TDA ~~may~~ will establish provisions for tribal monitors. The Soboba Band shall receive a minimum of 30 days advance notice prior to the commencement of ground disturbing activities associated with the project. The Soboba tribal monitor shall be invited to attend pre-grading meetings with the City to inform the grading and excavation contractors of the Cultural Resources Management Plan (CRMP) and to provide best practice methods with respect to its implementation. ~~In conjunction with the TDA, the City shall retain a qualified project archaeologist who shall prepare a Cultural Resources Monitoring and Treatment Plan~~	City Planning Department	Once	Prior to issuance of any grading permit	Review of Treatment and Disposition Agreement and Cultural Resources Monitoring and Treatment Plan		Withhold Grading Permit(s)

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~~(CRMTP) in consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The CRMTP shall include provisions for a trained archaeological monitor, monitoring methods and discovery protocol, participation by Soboba Native American Monitor(s), the treatment and Disposition (including possible significance testing) of inadvertent cultural resources finds, coordination with the County Coroner's Office, and Non-Disclosure of location(s) of archaeological materials and human remains. The qualified archaeologist and, if desired, Soboba shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the CRMTP and to consult with and instruct them with respect to its implementation. The CRMTP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit.~~						
MM 3.5.10.1B: Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified registered professional archaeologist has been retained to perform archaeological monitoring and ~~appropriate Soboba Native American Monitor(s)~~ shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all surface level field work, mass grading, and trenching activities. The archaeological monitor shall prepare a	City Planning Department and Project Archaeologist	Daily during the first 50 percent of rough grading; then discretionary per the Project Archaeologist in consultation with the City, Applicant, and Soboba	Prior to issuance of any grading permit and during ground disturbing activities	Review of construction contract documentation, Cultural Resources Monitoring and Treatment Plan, and final ~~monitoring~~ archaeological compliance report		Withhold grading permit(s) and/or stop work order

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Cultural Resources Management Plan (CRMP) in consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The CRMP shall include provisions for a trained archaeological monitor, monitoring methods and discovery protocol, the treatment of inadvertent archaeological resources finds, Non-Disclosure of location(s) of archaeological materials. The qualified archaeologist shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the CRMP and to consult with and instruct them with respect to its implementation. The CRMP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit. The archaeological monitor shall be on site at all times during the initial phases of grubbing, rough grading, and other ground-disturbing activities to inspect cuts for ~~cultural~~ archaeological resources. If no ~~cultural~~ archaeological resources are encountered after approximately fifty percent of rough grading, the qualified project archaeologist shall have discretion to recommend to the City that ~~cultural~~ archaeological ~~resources~~ monitoring get scaled back to a part time or spot-check basis. Any recommendation to scale back archaeological monitoring must be in accordance with the methodology and protocols to be established in ~~in accordance with~~ the CRMTP through						

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consultation with Soboba and in consideration of Soboba's recommendations regarding Cultural Items (Artifacts). The City, in consultation with the qualified archaeologist, applicant, and Soboba Band of Luiseño Indians (Soboba), shall determine the appropriate level of subsequent monitoring, during which time the stipulations of Mitigation Measures 3.5.10.1A, 3.5.10.1C, ~~and~~ 3.5.10.1D, and 3.5.10.1E shall still apply. A final archaeological ~~monitoring~~ report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project archaeologist/archaeological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.						
MM 3.5.10.1C: If cultural resources are discovered during ground disturbing activities, the archaeological monitor shall record them on California Department of Parks and Recreation Forms (DPR 523). ~~If any cultural resources are in danger of loss and/or destruction, the archaeological monitor shall recover them. In instances where recovery requires an extended salvage time, the archaeological monitor shall be allowed to temporarily direct, divert, or halt grading within 50 feet of the encounter to allow recovery of resource remains in a timely manner. All cultural resources encountered shall be~~	City Planning Department and Project Archaeologist	Daily during the first 50 percent of rough grading; then discretionary per the Project Archaeologist in consultation with the City, Applicant, and Soboba	During ground disturbing activities	~~Evidence to the City appropriate buffers are established as necessary;~~ Evidence to the City of submittal of California Department of Parks and Recreation Forms to the Eastern Information Center;		Stop work order

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~~evaluated for significance pursuant to CEQA *Guidelines* Section 15064.5(a)(c) and managed accordingly. Should the qualified archaeologist determine through consultation with the Soboba Band of Luiseño Indians (Soboba) that the discovery is a resource pursuant to Section 15064.5, avoidance or other mitigation will be required pursuant to and consistent with *CEQA Guidelines* Sections 15064.5 and 15126.4(b) and Public Resources Code Section 21083.2.~~ Recovered cultural resources, along with copies of pertinent field notes, ~~photographs,~~ and maps, shall be treated ~~and disposed~~ with appropriate dignity in accordance with the Treatment and Disposition Agreement (TDA) and Cultural Resources Management ~~onitoring and Treatment~~ Plan (CRM~~T~~P). ~~If agreement as to the treatment and disposition of cultural resources is not reached between the applicant, landowner, Lead Agency, and Soboba, the landowner or his authorized representative shall rebury the cultural resources with appropriate dignity on the property in a location not subject to further subsurface disturbance.~~ The qualified archaeologist shall document any reburial of cultural resources on DPR 523 forms in accordance with the CRM~~T~~P. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact				and Review of Treatment and Disposition Agreement, Cultural Resources Management ~~onitoring and Treatment~~ Plan, construction contract documentation, and final monitoring compliance report		

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information of the qualified project archaeologist/archaeological monitor and Soboba tribal monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.						
MM 3.5.10.1D: Discovery of Human Remains: In accordance with Section 7050.5 of the California Health and Safety Code, if human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Hemet Planning Department immediately. The coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete	City Planning Department, Project Archaeologist, and Soboba	During all ground disturbing activities	During ground disturbing activities	Evidence to City that the appropriate buffers are established; and The Riverside County Coroner and the City of Hemet Planning Department are notified; and the Coroner contacts the Native American Heritage Commission (NAHC); and the NAHC contacts the Most Likely Descendent (MLD);		Stop work order

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his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts, in consultation with the property owner and the lead agency.				and the MLD consults with the property owner and lead agency.		
MM 3.5.10.1ED Prior to the issuance of a grading permit, the City of Hemet shall verify that the following note is included on the project's Grading Plans: "If any suspected cultural resources are encountered during ground-disturbing activities and the archaeological monitor is not present, the construction supervisor is obligated to halt all ground disturbing work within 50 feet of the find and call the project archaeologist/archaeological monitor to the site to assess the significance of the find."	City Planning Department	Once	Prior to issuance of any grading permit	Review of grading plans		Withhold grading permit(s)
MM 3.5.10.2A: Prior to issuance of a grading permit, the applicant shall retain a qualified project paleontologist who shall prepare a Paleontological Resources Monitoring and Treatment Plan (PRMTP) to be implemented during ground-disturbing activity on the project site. The PRMTP shall include the provision of a trained paleontological monitor, monitoring methods and discovery protocol, and treatment and disposition of unanticipated	City Planning Department	Once	Prior to issuance of any grading permit	Review of the Paleontological Resources Monitoring and Treatment Plan and attendance at pre-grading meetings		Withhold Grading Permit(s)

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paleontological resources, including proof of a written repository agreement between the landowner and a professional, fully accredited museum repository with permanent retrievable storage. The qualified paleontologist shall attend pre-grading meetings with the City to inform the grading and excavation contractors of the PRMTP and to consult with and instruct them with respect to its implementation. The PRMTP shall be submitted to the City of Hemet Planning Department for review and approval prior to its implementation and prior to issuance of a grading permit.						
MM 3.5.10.2B: Prior to the issuance of a grading permit, the applicant shall provide evidence to the City of Hemet (City) that a qualified paleontological monitor shall be allowed to monitor and shall receive a minimum of 30 days advance notice of all mass grading and trenching activities. Paleontological monitoring shall commence once rough grading or any other ground disturbing activities reach five feet below grade based on coordination with the excavation contractor. If too few paleontological resources are encountered after approximately 50 percent of the remaining rough grading, the qualified project paleontologist shall have discretion to recommend to the City that paleontological resources monitoring get scaled back to a part time or spot-check basis in accordance with the PRMTP. The City, in consultation	City Planning Department and Project Paleontologist	Daily after excavation reaches 5 feet below surface for up to 50 percent of the remaining rough grading; then discretionary per the Project Paleontologist in consultation with the City and Applicant	Prior to issuance of any grading permit and during ground disturbing activities	Review of construction contract documentation and final monitoring compliance report		Withhold grading permit(s) and/or stop work order

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
with the qualified paleontologist and applicant, shall determine the appropriate level of subsequent monitoring, during which time Mitigation Measures 3.5.10.2A, 3.5.10.2C, and 3.5.10.2D shall still apply. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project paleontologist/paleontological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.						
MM 3.5.10.2C: If paleontological resources are discovered during ground disturbing activities, the paleontological monitor shall recover them. In consultation with the qualified project paleontologist, the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant, it shall be quickly removed and the area cleared for the resumption of construction. In instances where recovery requires an extended salvage time, the paleontological monitor shall be allowed to temporarily direct, divert, or halt grading within 100 feet of the encounter to allow recovery of fossils or fossil-bearing sediments in a timely manner. If the specimen is determined to be significant (e.g., vertebrate fossil(s) or fossil-bearing sediments representing new or rare species, geologic (temporal) and/or geographic range extensions,	City Planning Department and Project Paleontologist	Daily after excavation reaches 5 feet below surface for up to 50 percent of the remaining rough grading; then discretionary per the Project Paleontologist in consultation with the City and Applicant	During ground disturbing activities	Evidence to the City appropriate buffers are established as necessary and Review of Paleontological Resources Monitoring and Treatment Plan, construction contract documentation, and final monitoring compliance report		Stop work order

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
age-diagnostic taxa, and/or more complete specimens than are now available for their respective taxa), the project paleontologist/paleontological monitor shall notify the applicant and the City of Hemet (City) immediately. Recovered paleontological specimens, along with copies of pertinent field notes, photographs, and maps, shall be treated and disposed in accordance with the PRMTP, including preparation to a point of identification and permanent preservation, and washing of sediments to recover small invertebrates and vertebrates. The recovered fossils shall be diagnosed and curated into a professional, fully accredited museum repository with permanent retrievable storage. A final monitoring report shall be submitted to the City within 30 days of the end of monitoring activities. This mitigation measure, including the contact information of the qualified project paleontologist/paleontological monitor, shall be incorporated in all construction contract documentation and be implemented to the satisfaction of the City of Hemet Planning Department.						
MM 3.5.10.2D Prior to the issuance of a grading permit, the City of Hemet shall verify that the following note is included on the project's Grading Plans: "If any suspected paleontological resources are encountered during ground-disturbing activities and the paleontological monitor is not present,	City Planning Department	Once	Prior to issuance of any grading permit	Review of grading plans		Withhold grading permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the construction supervisor is obligated to halt all ground disturbing work within 100 feet of the find and call the project paleontologist/paleontological monitor to the site to assess the significance of the find."						
3.6 GEOLOGY AND SOILS						
MM 3.6.10.1: Prior to the issuance of grading and building permits, the applicant shall provide to the City Engineering Division and City Building & Safety Department for review and approval detailed grading and construction plans that demonstrate the recommendations specified in project- and site-specific geotechnical investigation have been incorporated into the on-site earthworks and structures. The project applicant and all contractors shall follow the recommendations of the geotechnical investigation, which include but are not limited to 1) a geotechnical grading plan review by the project geotechnical engineer prior to construction of the proposed project, 2) preparation of the project site via removal of surface obstructions, vegetation, and debris, 3) removal of unsuitable fill materials previously utilized as backfill for prior on-site and off-site improvements, 4) overexcavation of surficial units, including artificial fill, colluvium, and topsoil to competent ground as evaluated by a qualified engineering geologist during grading to ensure all unsuitable fill is removed prior to replacing it with properly compacted	City Engineering Division and City Building and Safety Division.	Once	Prior to Issuance of Grading and Building Plans Permits	Review of Grading and Building Plans		Withhold Grading and Building Permits

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
fill, 5) maintenance of properly compacted fill to near optimum moisture content, 6) construction of stabilization fill keyways to ensure slope stability and prevention of landslides, 7) immediate landscaping, irrigation, and maintenance of engineered slopes, 8) acceptability of all removal bottoms reviewed by a qualified engineering geologist or geotechnical engineer and documented in the as-graded geotechnical report, 9) construction of post-tensioned slab-on-grade foundation or conventionally reinforced foundation designed to resist expansive soils and settlement, 10) maintaining appropriate drainage and infiltration throughout the project site in accordance with regulatory requirements and 11) review by the project geotechnical engineer of any updated rough or precise grading or conventional retaining wall or foundation plans to ensure implementation of the recommendations in the geotechnical investigation, and 12) geotechnical observation and/or testing at the following stages of construction: • During rough grading (removal/over-excavation bottoms, fill placement, etc.); • Geologic mapping of temporary backcuts; • During retaining wall backfill and compaction; • During utility trench backfill and compaction;						

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• During precise grading; • After presoaking building pads and other concrete-flatwork subgrades, and prior to placement of aggregate base or concrete; • Preparation of pavement subgrade and placement of aggregate base; • After building and wall footing excavation and prior to placement of steel reinforcement and/or concrete; and • When any unusual soil conditions are encountered during any construction operation. This measure shall be implemented to the satisfaction of the City Engineering Division and City Building & Safety Department.						
3.7 HAZARDS AND HAZARDOUS MATERIALS						
MM 3.7.10.1: Prior to issuance of building permits, the Modified Project's Applicant shall provide evidence to the City of Hemet that the following measures are in place: • **Avigation Easement.** The Project Proponent shall grant to the County of Riverside an easement for free and unobstructed passage of all aircraft in the airspace over, through, across, and adjacent to the Project site. The easement shall be in a form substantially consistent with that provided in the Hemet-Ryan Airport Land Use Compatibility Plan and	City Planning Department and City Attorney	Once	Prior to issuance of building permits	City review of avigation easement; Real Estate Transfer Disclosure Statement; deed notice and/or Environmental Constraints Sheet of the final tract map; and model homes, sales brochures, and other potential		Withhold building permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
shall be approved by the City Attorney for the City of Hemet and the County Counsel for the County of Riverside and shall be duly recorded with the County Clerk to run with the title to all subdivided lots. This easement, in addition to providing certain rights to the airport to assure it continued operation, will also serve as notice to all prospective buyers of the location and potential impacts of the airport. • **Notice of Airport in Vicinity**. The Riverside County Airport Land Use Commission *Notice of Airport in Vicinity* (Appendix F3) shall be provided to all prospective purchasers of the proposed lots and tenants of the homes thereon, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final tract map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraints Sheet (ECS) of the final tract map, if an ECS is otherwise required. • **Seller Disclosure.** California Civil Code section 1102 "Disclosure Upon Transfer of Residential Real Estate" requires that a Real Estate Transfer Disclosure Statement (TDS) be completed by the Seller and acknowledged by the Buyer. The Project Proponent shall ensure that				items.		

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the TDS in Section 3: Easements and Section 11: Neighborhood Noise be completed to show the existence of the Avigation Easement and the presence of potentially significant noise impact from aircraft using Hemet-Ryan Airport. • **Sales Material.** The Project Proponent shall ensure that all model homes, sales brochures, and other potential items include notice of the nearby location of the airport and the presence of potential noise and safety impacts.						
MM 3.7.10.2: The Modified Project applicant, the City of Hemet, and owners of the Hemet-Ryan Airport shall coordinate with each other prior to issuance of building permits to discuss and potentially implement measures that will help reduce airport operations above the Modified Project site without compromising airport operations. Examples of measures that would reduce potential airport hazards to people residing and working on the Modified Project site include, but are not limited to, the following: • **Extended Pattern and Raise Pattern altitude.** Many of the smaller aircraft using Runway (RW) 22 are able to turn soon after takeoff and fly the traffic pattern in locations very near the runway and at relatively low altitudes. (Less than 1,000 feet Above Ground Level [AGL]). By encouraging departing	City Planning Department	Once	Prior to issuance of building permits	City coordinate with the applicant and owners of the Hemet-Ryan Airport		Withhold building permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
aircraft to maintain runway heading (straight out) until reaching the end of the runway or until reaching the end of airport property, they will achieve higher altitudes thus decreasing noise and potential safety hazards. Also, the pattern altitude is published at 1,000 feet AGL. Raising the published pattern altitude to 1,500 feet AGL will promote a similar effect. • **Business Jet Noise Abatement Departure.** Business jets have the greatest potential to create noise disturbance to ground population. A noise abatement departure procedure must be developed to have departing business jets maintain runway heading until reaching a certain altitude, e.g. 2,500 feet AGL. This will place flight tracks further from the project area, thus reducing noise; and it will place aircraft at higher altitudes before them being turning maneuvers that stress the aircraft, and thus decrease potential safety impacts. As the Hemet-Ryan Airport is privately owned and operated and not part of the Modified Project, the owners of the Hemet-Ryan Airport would not be mandated to implement such measures.						
MM 3.7.10.3: Prior to issuance of grading permits, the Project Applicant shall provide evidence to the City that the following performance standards are applied to all ground-level or	City Engineer and City Planning Department	Once	Prior to the issuance of grading permits	Submittal of a final Water Quality Management Plan and		Withhold grading permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
aboveground water detention basins or facilities, including water quality management basins detailed in Project Design Feature 3.8-2: • Maximum 48-hour detention period after the design storm and remain totally dry between rainfall events. • Vegetation around such facilities, such as red fescue (*Festuca rubra*), sedges (*Carex* sp.) and rushes (*Juncus* sp.), that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. • Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries. • Landscaping in the detention basins, if not rip-rap, shall be in accordance with the guidance provided in Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure, and the *Airports Wildlife and Stormwater Management* brochure available at www.rcaluc.org and Appendix F2, which lists acceptable plants from Riverside County Landscape Guide, or other alternative landscaping as may be recommended by a wildlife hazard biologist (refer to Appendix F2). • Slopes along portions of the basins designed to detain stormwater runoff				Planting, Maintenance, and Management Plan for review and approval		

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
shall be equal to or greater than 3:1. The Final Water Quality Management Plan detailed in Plan, Policy, or Program 3.6-4 shall specify maintenance intervals for the water quality management basins to ensure the required 48-hour drawdown time following the design storm is maintained. In addition, the Project Applicant shall ensure that the Homeowner's Association (HOA) or similar entity prepare a Planting, Maintenance, and Management Plan for the water quality management basins prior to occupancy to eliminate seeding, shelter, and incompatible vegetation in accordance with the Riverside County Airport Land Use Commission's *Landscaping Near Airports* brochure and the *Airports Wildlife and Stormwater Management* brochure.						
MM 3.7.10.4: Prior to issuance of building permits for any structure with a top point elevation exceeding 1,535 feet above mean sea level, the Project Applicant shall either provide evidence of the issuance of a Determination of No Hazard to Air Navigation from the Federal Aviation Administration Obstruction Evaluation Service (FAA OES) or shall demonstrate that evaluation by the FAA OES is not required due to distance from the runway exceeding 100 feet for every foot of elevation at top point of structure exceeding 1,499 feet above mean sea level.	City Planning Department and City Building and Safety Division	Once for each phase	Prior to issuance of building permits for each phase	Review of Determination of No Hazard to Air Navigation from the Federal Aviation Administration Obstruction Evaluation Service		Withhold building permit(s)
MM 3.7.10.5: Prior to issuance of building permits, the Project Applicant	City Planning Department	Once for each phase	Prior to issuance of	Review of construction		Withhold building permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
shall provide evidence to the City that no buildings shall exceed a height of 40 feet above ground level and a maximum elevation at top point of 1,553 feet above mean sea level. The Maximum height and top point elevation shall not be amended without further review by the Riverside County Airport Land Use Commission and the Federal Aviation Administration, provided, however, that reduction in structure height or elevation shall not require further review. Temporary construction equipment used during actual construction of the proposed structures shall not exceed 40 feet in height and maximum elevation of 1,553 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.	and City Building and Safety Division		building permits for each phase	and building plans to ensure height restriction is incorporated into building design; and Evidence of notification to and approval from Federal Aviation Administration through the Form 7460-1 process for temporary construction equipment		
MM 3.7.10.6: Within five days after construction of the proposed building evaluated pursuant to Federal Aviation Administration (FAA) Aeronautical Study No. 2019-AWP-10893-OE reaches its greatest height (refer to Appendix F5), FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the Project Applicant or his/her designee and electronically filed with the FAA (go to https://oeaaa.faa.gov for instructions). This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure at the evaluated coordinate location. Although not required in accordance with FAA	City Planning Department and City Building and Safety Division	Once	Within five days of construction of building evaluated pursuant to Federal Aviation Administration Aeronautical Study No. 2019-AWP-10893-OE reaches its greatest height	Evidence to City that Notice of Actual Construction or Alteration submitted to Federal Aviation Administration and compliance with *FAA Advisory Circular 70/7460-1 L Change 2* if applicable		Withhold occupancy permit

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Aeronautical Study No. 2019-AWP-10893-OE, any marking and/or lighting installed voluntarily by the Project Applicant for aviation safety shall comply with *FAA Advisory Circular 70/7460-1 L Change 2* and shall be maintained in accordance therewith for the life of the Project.						
MM 3.11.10.6: Prior to issuance of Occupancy Permits, the Project Applicant shall provide evidence to the City that the following noise attenuation features have been incorporated into the construction of the on-site residential structures: • Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped, and shall have a minimum Sound Transmission Classification (STC) rating of 27. Although a minimum STC rating of 27 will satisfy the City of Hemet requirements, upgraded windows with STC ratings of 30 to 32 for all lots are recommended to further reduce the interior noise levels and to minimize the potential noise impacts associated with peak pass-by events. • Doors: All exterior doors shall be well weather-stripped and have minimum STC ratings of 25. Well-sealed perimeter gaps around the doors are essential to achieve the optimal STC rating. • Walls: At any penetrations of exterior walls by pipes, ducts, or conduits,	City Planning Department and City Building and Safety Division	Once for review of construction plans and once for review of acoustical study	Prior to issuance of occupancy permits for the residential phase(s)	City review of construction plans and acoustical study		Withhold occupancy permits

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal. • Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or well sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space. • Attic: Attic vents should be oriented away from Stetson Avenue and Warren Road. If such an orientation cannot be avoided, then an acoustical baffle shall be placed in the attic space behind the vents. Insulation with at least a rating of R-19 shall be used in the attic space. • Ventilation: When any habitable room is in use, arrangements shall be such that circulated air is received when any exterior door(s) or window(s) are closed. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code. Upon implementation of the noise attenuation features and prior to issuance of Occupancy Permits, the						

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
Project Applicant shall prepare an acoustical study to verify the interior noise levels from aircraft noise will comply with the countywide criterion of 45 dBA Community Noise Equivalent Level (CNEL) or such more restrictive criterion as the City of Hemet may choose to require. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.						
2008 Mitigation Measure HHM-1a: If during construction activities, ~~on TTMs 35392, 35393 and 35394~~ the Modified Project site any discolored soil, soils with an unusual odor, or undocumented subsurface structures are encountered during future development on the site, a qualified soil investigation professional shall investigate the soil, and if necessary procure samples for testing. Any contamination shall be properly remediated to residential standards in conjunction with an oversight agency (either ~~Riverside County Fire Department~~ the Hemet Fire Department or the California Department of Toxic Substances Control). If abandoned septic tanks, pits, or leach lines are uncovered, the Riverside County Department of Public Health shall be contacted to coordinate the proper abandonment of these features.	City Planning Department	Once	During construction	On-site inspection		Withhold building permit(s)
2008 Mitigation Measure HHM-5g: Any outdoor lighting installed on the Modified Project site shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward	City Planning Department, Hemet-Ryan Airport Manager, and Riverside	Once	Prior to issuance of building permit(s)	Review of lighting plans		Withhold building permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
facing. All lighting plans ~~should~~ shall be reviewed and approved by the Hemet-Ryan airport manager and the Riverside County Airport Land Use Commission prior to Modified Project approval.	County Airport Land Use Commission					
2008 Mitigation Measure HHM-5i: The following uses shall be prohibited from the Modified Project ~~project~~ site: • Hazardous material facilities; • Hazardous uses (e.g., aboveground storage tanks); • Outdoor stadiums; • Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or ~~a straight final approach~~ toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport, other than an FAA-approved navigational signal light or visual approach slope indicator; • Any use which would cause sunlight to be reflected toward an aircraft engaged in initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at the Hemet-Ryan Airport; • Any use which would generate smoke or vapor or which could attract large concentrations of birds, or which may otherwise affect safe	City Planning Department	Once	Prior to issuance of building permit(s)	Review of construction pans and on-site inspection		Withhold building permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
air navigation within the area; ~~and~~ • Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; and • Children's schools, hospitals, skilled nursing and care facilities, highly noise-sensitive outdoor nonresidential uses, and hazards to flight, and, in the Zone C portion of the property, all of the above, plus libraries, daycare centers, theaters, meeting halls and other assembly facilities, and stadiums.						
3.8 HYDROLOGY AND WATER QUALITY						
Impacts related to hydrology and water quality will remain less than significant with implementation of project design features and compliance with existing regulatory policies; therefore, there are no Mitigation Measures related to hydrology and water quality.						
3.9 LAND USE AND PLANNING						
The SEIR did not identify significant impacts related to land use or planning; therefore, no Mitigation Measures are required.						
3.10 MINERAL RESOURCES						
The SEIR did not identify significant impacts related to mineral resources; therefore, no Mitigation Measures are required.						
3.11 NOISE AND VIBRATION						
MM 3.11.10.1: Prior to approval of grading plans and/or issuance of building permits, construction plans shall include a note indicating that noise-generating Modified Project construction activities shall only occur between the permitted hours on Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m. with no	City Planning Department	Prior to approval of grading plans and/or issuance of building permits	Periodically as deemed appropriate	Site visit to confirm activities occur within stated hours		Stop work order

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
activity allowed on Sundays. The Modified Project construction supervisor shall ensure compliance with the note, and the City shall conduct periodic inspection at its discretion. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.						
MM 3.11.10.2: If receiver location R6 is an inhabited noise-sensitive residential home at the time of Modified Project construction, the installation of a temporary noise control barrier, as shown in Figure 3.11.1, at the Modified Project site boundaries when construction activities occur within 140 feet is required. The noise control barrier must present a solid face from top to bottom and be a minimum height of 6 feet. • The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, *Noise Barrier Design Handbook*). The noise barrier may be constructed using an acoustical blanket (e.g., vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts. • The noise barriers must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.	City Planning Department	Prior to the start of construction	Prior to the start of construction	Site visit to verify the required wall is in place prior to the start of construction operations		Stop work order

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
• The noise control barriers and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.						
MM 3.11.10.3: During all Modified Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Modified Project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.	City Planning Department	Once	Prior to the issuance of grading permits for each phase	Submittal of evidence the construction plans include the required measures		Withhold grading permits
MM 3.11.10.4: During all Modified Project site construction, the construction contractor shall locate equipment staging in areas that will create the greatest distance (i.e., at the center) between construction-related noise sources and noise-sensitive receivers nearest the Modified Project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.	City Planning Department	Once	Prior to the issuance of grading permits for each phase	Submittal of evidence the construction plans include the required measures		Withhold grading permits
MM 3.11.10.5: The construction contractor shall limit haul truck deliveries to the same hours specified for	City Planning Department	Prior to approval of grading plans and/or issuance	Periodically as deemed appropriate	Site visit to confirm activities occur		Stop work order

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
construction equipment (Monday through Friday between 6:00 a.m. to 6:00 p.m. from June 1 through September 30, and 7:00 a.m. to 6:00 p.m. from October 1 through May 31; Saturday activity is limited to between 7:00 a.m. to 6:00 p.m. with no activity allowed on Sundays). The Project Applicant shall prepare a haul route exhibit to design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.		of building permits		within stated hours and review of haul route exhibit		
MM 3.11.10.6: Prior to issuance of Occupancy Permits, the Project Applicant shall provide evidence to the City that the following noise attenuation features have been incorporated into the construction of the on-site residential structures: • Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped, and shall have a minimum Sound Transmission Classification (STC) rating of 27. Although a minimum STC rating of 27 will satisfy the City of Hemet requirements, upgraded windows with STC ratings of 30 to 32 for all lots are recommended to further reduce the interior noise levels and to minimize the potential noise impacts associated with peak pass-by events. • Doors: All exterior doors shall be well	City Planning Department and City Building and Safety Division	Once for review of construction plans and once for review of acoustical study	Prior to issuance of occupancy permits for the residential phase(s)	City review of construction plans and acoustical study		Withhold occupancy permits

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
weather-stripped and have minimum STC ratings of 25. Well-sealed perimeter gaps around the doors are essential to achieve the optimal STC rating. • Walls: At any penetrations of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar to form an airtight seal. • Roof: Roof sheathing of wood construction shall be per manufacturer's specification or caulked plywood of at least one-half inch thick. Ceilings shall be per manufacturer's specification or well sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space. • Attic: Attic vents should be oriented away from Stetson Avenue and Warren Road. If such an orientation cannot be avoided, then an acoustical baffle shall be placed in the attic space behind the vents. Insulation with at least a rating of R-19 shall be used in the attic space. • Ventilation: When any habitable room is in use, arrangements shall be such that circulated air is received when any exterior door(s) or window(s) are closed. A forced air circulation system (e.g. air conditioning) or active ventilation						

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code. Upon implementation of the noise attenuation features and prior to issuance of Occupancy Permits, the Project Applicant shall prepare an acoustical study to verify the interior noise levels from aircraft noise will comply with the countywide criterion of 45 dBA Community Noise Equivalent Level (CNEL) or such more restrictive criterion as the City of Hemet may choose to require. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.						
MM 3.11.10.7: Prior to the issuance of occupancy permits, the Project Applicant shall provide the City of Hemet a copy of a *Railroad and Airport Proximity Disclosure* that will be presented to prospective buyers of real estate within the Modified Project site. The *Railroad and Airport Proximity Disclosure* shall convey information to prospective buyers about railroad- and airport-associated annoyances or inconveniences such as noise and/or vibration. The *Airport Proximity Disclosure* shall: 1. Contain the following language dictated by State law in conjunction with real estate transfer: *"NOTICE OF RAILROAD AND AIRPORT IN VICINITY: This property is presently located in the*	City Planning Department	Once	Prior to issuance of occupancy permits	Submittal of *Railroad and Airport Proximity Disclosure* to City		Withhold occupancy permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
vicinity of a railroad and airport, and within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to railroad and airport operations (for example: noise and/or vibration). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what railroad and airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you." 2. Include signs declaring the *NOTICE OF RAILROAD AND AIRPORT IN VICINITY* and a map of the Airport Influence Area to be prominently posted in the real estate sales office and/or other key locations at the project site. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.						
3.12 POPULATION AND HOUSING						
The SEIR did not identify significant impacts related to population and housing; therefore, no Mitigation Measures are required.						
3.13 PUBLIC SERVICES						
The SEIR did not identify significant impacts related to public services; therefore, no Mitigation Measures are required.						
3.14 RECREATION						
The SEIR did not identify significant impacts related to recreation; therefore, no Mitigation Measures are required.						
3.15 TRAFFIC AND CIRCULATION						
MM 3.15.10.1: Payment of Fair-Share Costs. The project applicant shall be	Community Development	Once	Prior to the issuance of	Submittal of evidence		Withhold grading permit

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
responsible for payment of the project's Fair-Share Contribution for study area intersection improvements as shown on "Table 1-3: Summary of Intersection Improvements" contained in *Rancho Diamante (TTM No. 36841) Traffic Impact Analysis*, City of Hemet, Urban Crossroads, April 2018.	Director or designee		the grading permits for the first phase of development	required Fair-Share fees for the stated improvements have been fully paid		
MM 3.15.10.2: Warren Road/Esplanade Avenue (#22). The following improvement is necessary to reduce the Modified Project's project specific impact to less than significant: • The installation of a traffic signal. • Construction of a northbound left-turn lane, southbound left-turn lane, eastbound left-turn lane, and westbound left-turn lane.	City Engineer or designee	Once	Prior to issuance of the first occupancy permit	Installation of the identified improvement per the design approved by the City Engineer		Withhold occupancy permit
1979 EIR Air Quality Mitigation Measure 3: Provide for convenient bus stop locations.	City Planning Department	Once prior to issuance of the first occupancy permit for each phase	Prior to issuance of the first occupancy permit for each phase	Submittal of evidence Riverside Transit Agency bus stops serve the Modified Project site		Withhold occupancy permit(s)
1979 EIR Traffic Mitigation Measure 4: Promote ride-pooling (car-pools/van-pools) with regard to persons employed in any planned commercial and industrial activities. This would have the potential of reducing daily commuter traffic and onsite parking requirements.	City Planning Department	Once prior to issuance of the first occupancy permit for the commercial phase	Prior to issuance of the first occupancy permit for the commercial phase	Submittal of evidence to City ride-pooling promotional materials are provided to businesses		Withhold occupancy permit
1979 EIR Traffic Mitigation Measure 5: Demand-responsive (dial-a-ride) public transit should be encouraged. Where practical small vans or busses should be	City Planning Department	Once prior to issuance of the first occupancy permit for each	Prior to issuance of the first occupancy	Submittal of evidence to City public transit promotional		Withhold occupancy permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
used. Provision of a public transit system will reduce potential auto travel, and provide mobility to those residents who are either too young to drive, do not drive, no longer drive, or are not capable of bicycling.		phase	permit for each phase	materials are provided to project occupants		
1979 EIR Traffic Mitigation Measure 6: The feasibility of expanding the Riverside Transit Agency's transportation service in the Hemet area should be considered.	City Planning Department	Once	Prior to issuance of the first occupancy permit	Submittal of evidence to City of coordination between the Applicant and Riverside Transit Agency		Withhold occupancy permit
1979 EIR Traffic Mitigation Measure 9: Provide ~~separate~~ bicycle and pedestrian travelways ~~pathways~~ throughout the project as a means of promoting alternative forms of movement. ~~For safety, convenience and efficiency, these systems should be separated from the vehicular traffic system and from one-another~~.	City Planning Department	Once prior to issuance of the first occupancy permit for each phase	Prior to issuance of the first occupancy permit for each phase	Installation of the identified improvement per the design approved by the City Engineer		Withhold occupancy permit(s)
1979 EIR Traffic Mitigation Measure 10: Establish land use patterns, intensities and relationships which would reduce vehicle trip making characteristics and promote the use of alternative modes of travel such as bicycles, walking and transit. For example, increased residential densities adjacent to the planned commercial activities and open spaces designed with integral bike paths and pedestrian ways.	City Planning Department	Once	Prior to the issuance of the grading permits for the first phase of development	Submittal of evidence residential uses are proposed next to commercial uses		Withhold grading permit
2008 Mitigation Measure AQ-07: Prior to the issuance of a grading permit, the developer shall provide a plan to the City listing the measures that will be used to	City Planning Department	Once prior to issuance of grading permits for each phase	Prior to issuance of grading permits	Submittal of letter to the City documenting carpooling		Withhold grading permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
encourage employee carpooling using measures recommended by the Riverside County Transportation Commission Inland Empire Commuter Services. Workers shall be informed in writing of the measures available, and a letter will be placed on file at the City documenting the extent of carpooling anticipated. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.				measures and extent of carpooling anticipated		
2008 Mitigation Measure T-2a: The developer shall construct the following on-site roadway improvements ~~as described on Exhibit 10-C of the Rancho Diamante Phase II Traffic Impact Analysis dated May 8, 2007~~, as determined by the City Public Works Department: • Construct New Stetson Avenue at its ultimate half section width as an Urban Arterial ~~from New Warren Road to Old Warren Road~~ along the Modified Project frontage in conjunction with development. • Construct ~~New~~ Warren Road at its ultimate ~~half section~~ width as a Major Roadway from New Stetson Avenue to ~~the southerly project boundary~~ Warren Road in conjunction with development. • Construct Warren Road at its ultimate half section width as a Secondary Roadway from New Stetson Avenue to the southerly project boundary in conjunction with	City Engineer or designee	Once	Prior to issuance of the first occupancy permit	Installation of the identified improvement per the design approved by the City Engineer		Withhold occupancy permit

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
development. • ~~Install a traffic signal at the intersection of Warren Road and New Stetson Avenue when warranted.~~ • ~~Install a traffic signal at the intersection of New Warren Road and New Stetson Avenue when warranted.~~ • ~~Install a traffic signal at the intersection of Warren Road and Mustang Way when warranted.~~ • ~~Left turns out of Driveway #1 on New Warren Road shall be prevented in the future when the through volumes on New Warren Road have increased to the point where the City deems the restriction necessary.~~ • ~~Left turns out of Driveway #2 on New Stetson Avenue shall be prevented in the future when the through volumes on New Stetson Avenue have increased to the point where the City deems the restriction necessary.~~ • ~~On-site signing and striping shall be implemented in conjunction with detailed construction plans for the project site.~~ • ~~Sight distance at the project entrance shall be reviewed with respect to Caltrans and City of Hemet sight distance standards at the time of preparation of final~~						

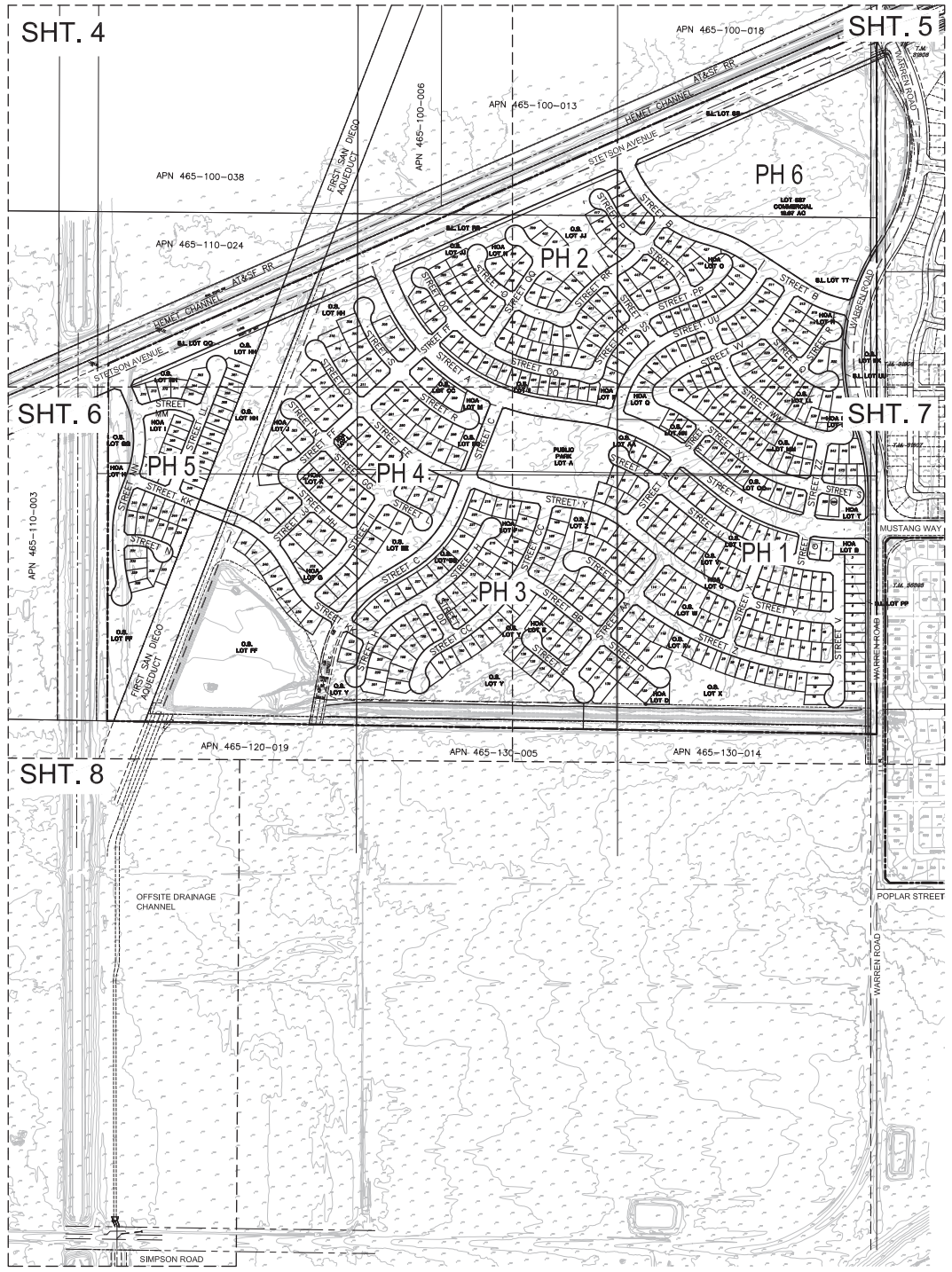
Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
~~grading, landscaping, and street improvement plans.~~ • ~~Provide stop sign controls at the project driveway that intersect with public roadways that do not meet traffic signal warrants.~~						
3.16 UTILITIES						
2008 Mitigation Measure U-2a: During construction and operation activities, the proposed Modified Project shall provide evidence to the City of Hemet that ~~The proposed project~~ it will comply with all RWQCB wastewater treatment requirements. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.	City Planning and Public Works Departments	Once during construction and once during operation	Once during construction and once during operation	On-site Inspection		Stop work order and/or notice of violation
2008 Mitigation Measure U-2b: Prior to the issuance of building permits, development plans shall be provided to Eastern Municipal Water District ~~EMWD~~, Southern California Edison, the Southern California Gas Company, Verizon, Metropolitan Water District of Southern California, Riverside County Flood Control District, and other local utilities as they become available. Coordination with these utility providers is required in order to facilitate engineering, design and construction of improvements necessary to provide water, electrical, natural gas, flood control, and telephone service to the project site. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.	City Planning and Public Works Departments	Prior to issuance of building permits for each phase	Prior to issuance of building permits for each phase	Evidence to the City development plans are submitted to specified utility companies		Withhold building permit(s)

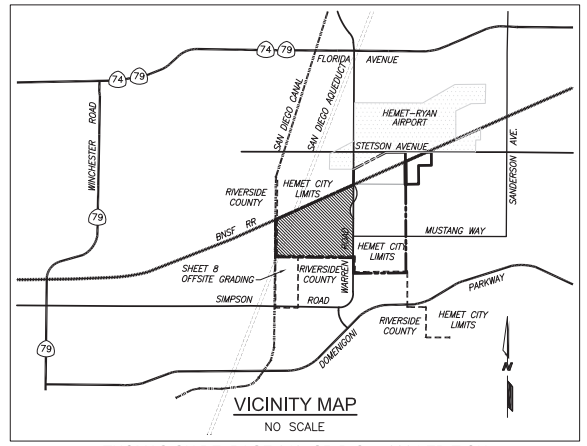
Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
2008 Mitigation Measure U-2c: Prior to the issuance of building permits, the applicant shall comply with the guidelines provided by Southern California Gas and Edison, Metropolitan Water District of Southern California, and Riverside County Flood Control District. Compliance with such guidelines shall include coordination in regard to easement restrictions, construction guidelines, protection of pipeline, canal, and drainage channel easements, and potential amendments to right-of-way in the areas of any existing easements of these companies. This measure shall be incorporated to the satisfaction of the City of Hemet Planning and Public Works Departments.	City Planning and Public Works Departments	Prior to issuance of building permits for each phase	Prior to issuance of building permits for each phase	Evidence to the City the Applicant incorporates applicable conditions prescribed by utility companies		Withhold building permit(s)
3.17 GREENHOUSE GAS EMISSIONS						
MM 3.3.10.1: Prior to issuance of any grading permit, the applicant shall submit evidence to the City that all diesel-powered construction equipment greater than 150 horsepower shall be compliant with the United States Environmental Protection Agency and California Air Resources Board Tier 3 emissions standards. Only Tier 3 diesel-powered construction equipment greater than 150 horsepower shall be utilized throughout the construction of Phase 1 and Phase 2 of the Modified Project. Additionally, the applicant shall provide evidence to the City at least once every two weeks that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. Equipment maintenance records and	City Planning Department	Once prior to issuance of the first grading permit for each phase and every two weeks during grading	Prior to issuance of grading permits	Review of equipment maintenance records and equipment design specification data sheets		Withhold grading permit(s)

Mitigation Measure No./Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non-Compliance
equipment design specification data sheets shall be kept on site during construction and subject to review by the City and the SCAQMD. This measure shall be implemented to the satisfaction of the City of Hemet Planning Department.						

CITY OF HEMET
TENTATIVE TRACT MAP No. 36841

PORTIONS OF THE EAST HALF OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA





THOMAS GUIDE: PAGE 840, GRID C-5, 2004 EDITION

OWNER / APPLICANT:

RANCHO DIAMANTE INVESTMENT, LLC
550 LAGUNA DRIVE, SUITE B
CARLSBAD, CA 92008
(760) 460-0444

ENGINEER / REPRESENTATIVE:

PANGAEA LAND CONSULTANTS, INC.
2834 LA MIRADA DRIVE, SUITE H
VISTA, CA 92081
(760) 726-4232

CONTIGUOUS OWNERSHIP:

THE OWNERS REPRESENT THIS TO BE A PORTION OF THEIR CONTIGUOUS OWNERSHIP UNLESS OTHERWISE NOTED.

LEGAL DESCRIPTION:

PORTIONS OF THE EAST HALF OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PHASING:

THE SUBDIVIDER MAY FILE MULTIPLE FINAL MAPS IN ANY SEQUENCE ON THIS TENTATIVE SUBDIVISION MAP IN ACCORDANCE WITH THE SUBDIVISION MAP ACT.

SCHOOL DISTRICTS:

HEMET UNIFIED SCHOOL DISTRICT

UTILITIES:

CABLE T.V.: FRONTIER COMMUNICATIONS (951) 465-7828
ELECTRIC: SOUTHERN CALIFORNIA EDISON COMPANY (951) 928-8251
GAS: SOUTHERN CALIFORNIA GAS COMPANY (951) 928-2808
SEWER: EASTERN MUNICIPAL WATER DISTRICT (951) 928-3777
WATER: EASTERN MUNICIPAL WATER DISTRICT (951) 928-3777
TELEPHONE: VERIZON CALIFORNIA (951) 929-9491

GENERAL NOTES:

1. ASSESSORS PARCEL NOS.: 465-100-016, 465-100-022, 465-110-020, 465-110-021, 465-110-022, 465-110-023, 465-110-027
2. CURRENT ZONING: PCD 79-93 (PAGE RANCH PLANNED DEVELOPMENT)
3. PROPOSED ZONING: PCD 79-93 (PAGE RANCH PLANNED DEVELOPMENT); R-5
4. SURROUNDING ZONING:
   NORTH - M2 AND A2
   SOUTH - SP
   WEST - OS
   EAST - R1, R17, AND R5
5. ACREAGE BEING DIVIDED: 245.07 ACRES GROSS, 225.58 ACRES NET
6. NUMBER OF LOTS - TR. 36841= 634
   TOTAL NUMBER OF RESIDENTIAL LOTS = 586
   TOTAL NUMBER OF PUBLIC PARK LOTS = 1
   TOTAL NUMBER OF COMMERCIAL LOTS = 1
   TOTAL NUMBER OF HOA PARK LOTS = 19
   TOTAL NUMBER OF OPEN SPACE LOTS = 21
   TOTAL NUMBER OF STREET LANDSCAPE = 6
7. MINIMUM LOT SIZE: TR. 36841 - 5,000 S.F.
8. GROSS DENSITY = 586 D.U./245.07 AC. = 2.39 D.U./AC.
9. ADJACENT GENERAL PLAN LAND USE: LDR 2.1-5, MIXED USE, & INDUSTRIAL
10. EXISTING GENERAL PLAN: LOW DENSITY RESIDENTIAL
11. PROPOSED GENERAL PLAN: LOW MEDIUM DENSITY RESIDENTIAL AND COMMERCIAL
12. PUBLIC STREET IMPROVEMENTS: PER CITY OF HEMET STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
13. NO SUBSURFACE SEPTIC DISPOSAL PROPOSED.
14. ALL STREETS TO BE PUBLIC STREETS.
15. GRADING OCCURRING OUTSIDE THE SUBDIVISION BOUNDARY MAY REQUIRE PERMISSION LETTERS OR EASEMENTS FROM THE UNDERLYING PROPERTY OWNER PRIOR TO THAT GRADING.
16. NUISANCE DRAIN LAYOUT IS PRELIMINARY. NUISANCE DRAINS ARE 18"ø UNLESS OTHERWISE NOTED.

PRELIMINARY EARTHWORK QUANTITIES:

CUT.....419,000 CY
FILL.....398,700 CY
ALLUVIAL.....605,000 CY
12% ALLUVIAL SHRINKAGE..... 72,600 CY
IMPORT..... 52,300 CY
NOTE QUANTITIES BASED ON SITE LOWERED 0.5' BELOW ELEVATION SHOWN

EASEMENT NOTES:

(18) *AN EASEMENT FOR EITHER OR BOTH POLE LINES, CONDUITS, OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES, RECORDED AUGUST 4, 1934 AS BOOK 186 PAGE 44 OF DEEDS. IN FAVOR OF: PAUL E. WALKER AND HELEN H. WALKER*

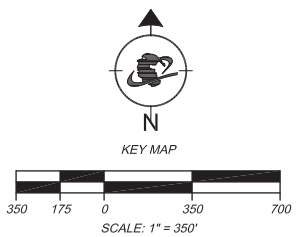
(21) *AN EASEMENT FOR EITHER OR BOTH POLE LINES, CONDUITS, OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES, RECORDED OCTOBER 11, 1963 AS INSTRUMENT 107707 OF OFFICIAL RECORDS. IN FAVOR OF: CALIFORNIA ELECTRIC POWER COMPANY*

(22) *AN EASEMENT FOR EITHER OR BOTH POLE LINES, CONDUITS OR UNDERGROUND FACILITIES AND INCIDENTAL PURPOSES, RECORDED JUNE 25, 1969 AS INSTRUMENT NO. 63844 OF OFFICIAL RECORDS. IN FAVOR OF: SOUTHERN CALIFORNIA EDISON COMPANY*

(27) *AN EASEMENT FOR PIPELINES AND INCIDENTAL PURPOSES, RECRODED APRIL 15, 1992 AS INSTRUMENT NO. 134563 OF OFFICIAL RECORDS. IN FAVOR OF: EASTERN MUNICIPAL WATER DISTRICT*

(28) *AN EASEMENT FOR PIPELINES AND INCIDENTAL PURPOSES, RECORDED APRIL 15, 1992 AS INSTRUMENT NO. 134564 OF OFFICIAL RECORDS. IN FAVOR OF: EASTERN MUNICIPAL WATER DISTRICT*

(29) *AN EASEMENT FOR PIPELINES AND INCIDENTALS, RECORDED APRIL 17, 1992 AS INSTRUMENT NO. 137029 OF OFFICIAL RECORDS. IN FAVOR OF: EASTERN MUNICIPAL WATER DISTRICT*



LEGEND OF ABBREVIATIONS AND SYMBOLS

1400	=	EXIST. CONTOUR	277	= LOT NUMBER
1400	=	PROP. CONTOUR	41.5	= PAD ELEVATION
	=	TRACT BOUNDARY	200'	= LOT LINE DIMENSION
	=	PROPERTY LINE	R=450'	= STREET RADIUS
2%	=	STREET GRADE	78	= STREET ELEVATION
	=	CENTERLINE	67.64 CL. INT	= CENTERLINE INTERSECTION
S	=	SEWER	69 PIVC	= POINT OF VERTICAL INTERSECTION
SD	=	STORM DRAIN		
W	=	WATER LINE	F.S.	= FINISHED SURFACE ELEVATION
	=	NUISANCE DRAIN	GB	= GRADE BREAK
12" W	=	EXISTING WATER	H.P.	= HIGH POINT
	=	EXISTING OVERHEAD ELECTRIC LINE	L.P.	= LOW POINT

Underground Service Alert
DIGALERT
Call: TOLL FREE 1-800 227-2600
TWO WORKING DAYS BEFORE YOU DIG

DATE	BY	REVISIONS	APPR.	DATE
	ENGINEER		COUNTY	

REGISTERED PROFESSIONAL ENGINEER
RICHARD C. BRASHER
No. 43819
Exp. 6/30/21
CIVIL
STATE OF CALIFORNIA

PANGAEA LAND CONSULTANTS, INC.
PANGAEA LAND CONSULTANTS, INC.
2834 LA MIRADA DRIVE, SUITE H
T: 760-726-4232
F: 760-727-1405

RICHARD C. BRASHER RCE 43819 EXP. 6-30-21 DATE

CITY OF HEMET

APPROVED_____ 20__

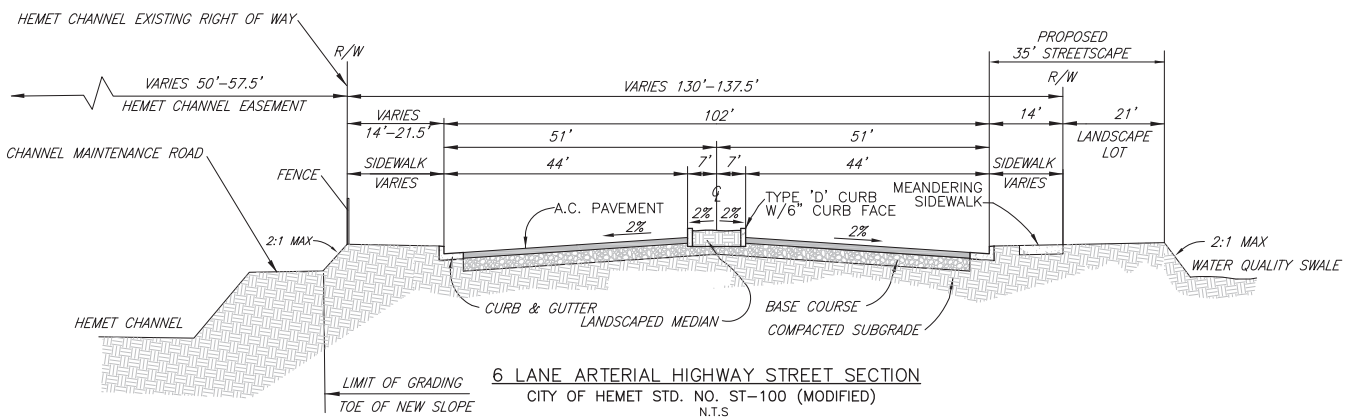
BY:_____

IN THE CITY OF HEMET
RANCHO DIAMANTE
TENTATIVE TRACT MAP No. 36841
TITLE SHEET, KEY MAP AND NOTES

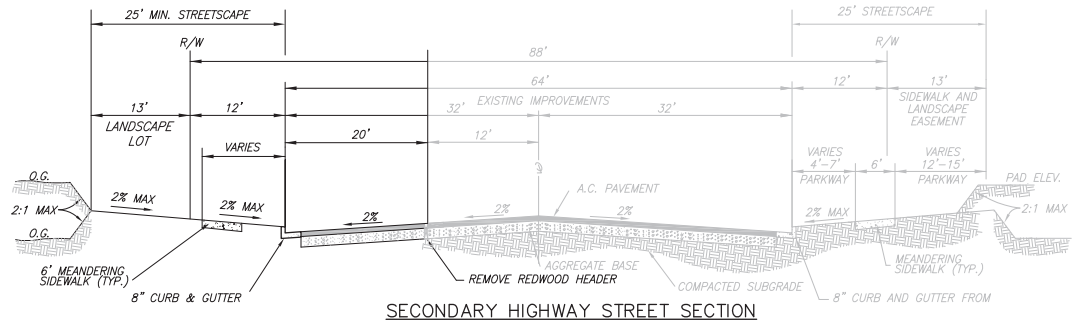
SHEET NO. 1 OF 8 SHTS.

FOR: HRD INVESTMENTS, LLC | W.O. | FILE NO.

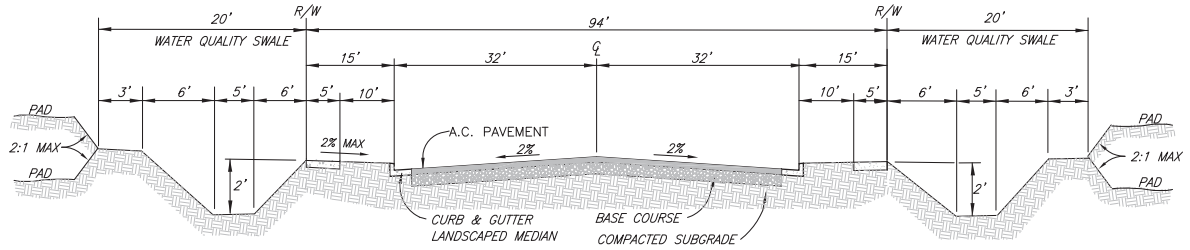
ENGINEER'S NAME: PANGAEA LAND CONSULTANTS, INC. PHONE (760) 726-4232



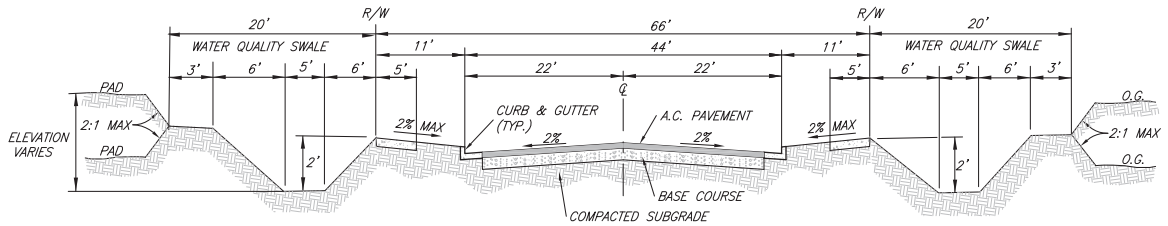
6 LANE ARTERIAL HIGHWAY STREET SECTION
CITY OF HEMET STD. NO. ST-100 (MODIFIED)
N.T.S
STETSON AVENUE



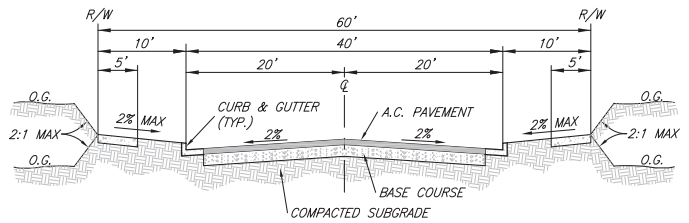
SECONDARY HIGHWAY STREET SECTION
CITY OF HEMET STD. NO. ST-102 (MODIFIED)
N.T.S
WARREN ROAD (WIDENING-SECTION IMPROVEMENTS)



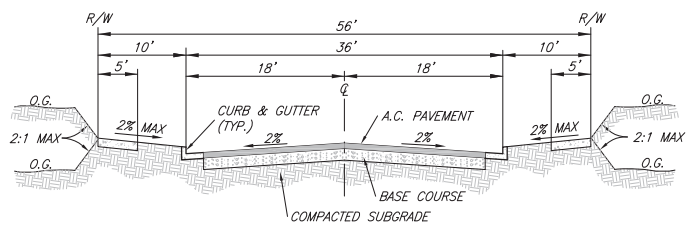
TYPICAL SECTION ENTRY
N.T.S
MUSTANG WAY - STREETS "A"



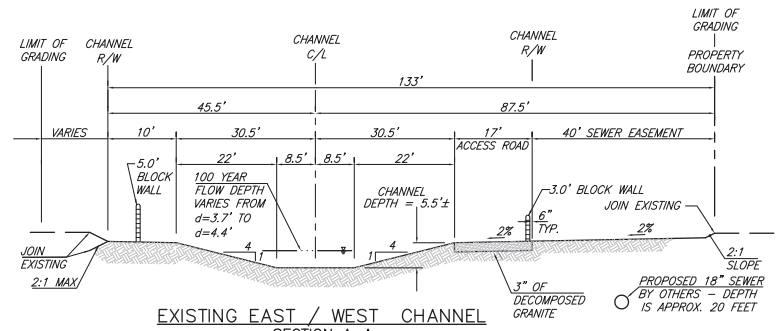
LOCAL STREET SECTION
CITY OF HEMET STD. NO. ST-103
N.T.S
STREET 'C'



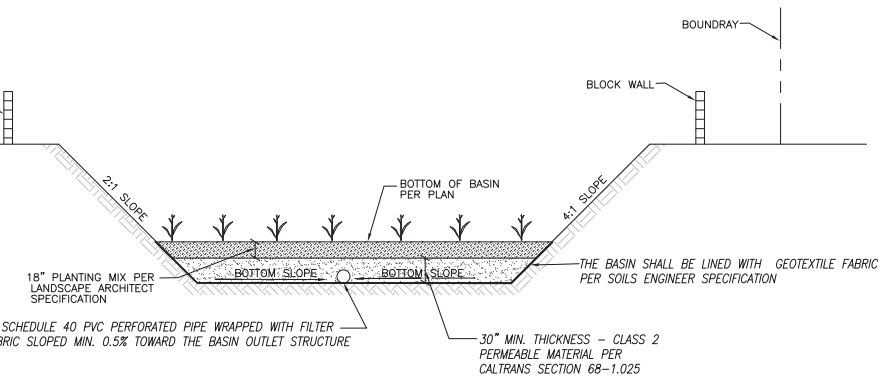
GENERAL LOCAL STREET SECTION
CITY OF HEMET STD. NO. ST-104
N.T.S
STREETS 'T' THROUGH 'ZZ'



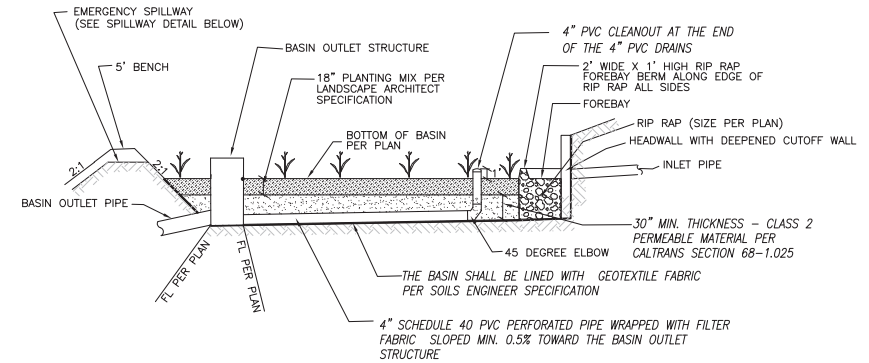
RESTRICTED LOCAL STREET SECTION
CITY OF HEMET STD. NO. ST-106
N.T.S
CUL-DE-SAC STREETS 'D' THROUGH 'S'



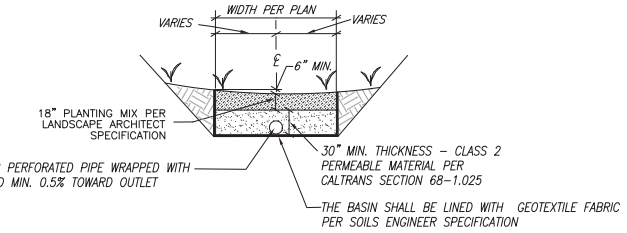
EXISTING EAST / WEST CHANNEL
SECTION A-A
N.T.S



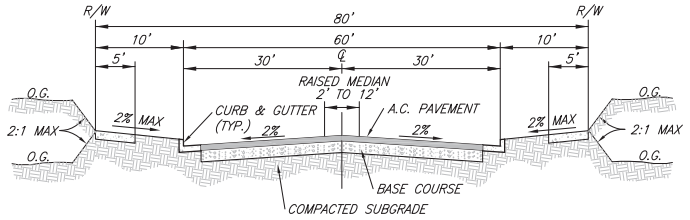
BIO-RETENTION BASIN SECTION A-A
NOT TO SCALE



BIO-RETENTION BASIN SECTION B-B
NOT TO SCALE



BIO-SWALE/BASIN
NOT TO SCALE



RESTRICTED LOCAL STREET SECTION
CITY OF HEMET STD. NO. ST-104 (MODIFIED)
N.T.S
STREET B

Underground Service Alert
DIGALERT
Call: TOLL FREE 1-800 227-2600
TWO WORKING DAYS BEFORE YOU DIG

DATE	BY	REVISIONS	APPR.	DATE
ENGINEER			COUNTY	

REGISTERED PROFESSIONAL ENGINEER
RICHARD C. BRASHER
No. 43819
Exp. 6/30/21
CIVIL
STATE OF CALIFORNIA

PANGAEA LAND CONSULTANTS, INC
PANGAEA LAND CONSULTANTS, INC.
2834 LA MIRADA DRIVE, SUITE H
T: 760-726-4232
F: 760-727-1405

RICHARD C. BRASHER RCE 43819 EXP. 6-30-21 DATE

CITY OF HEMET

APPROVED _____ 20____

BY: _____

IN THE CITY OF HEMET

RANCHO DIAMANTE
TENTATIVE TRACT MAP No. 36841

TYPICAL SECTIONS AND WATER QUALITY DETAILS

SHEET NO. 2 OF 8 SHTS.

HRD INVESTMENTS, LLC FOR: | W.O. | FILE NO.

ENGINEER'S NAME: PANGAEA LAND CONSULTANTS, INC. PHONE (760) 726-4232

LOT TABULATION																							
LOT NUMBER	GROSS LOT AC.	NET PAD AC.	LOT NUMBER	GROSS LOT AC.	NET PAD AC.	LOT NUMBER	GROSS LOT AC.	NET PAD AC.	LOT NUMBER	GROSS LOT AC.	NET PAD AC.	LOT NUMBER	GROSS LOT AC.	NET PAD AC.	LOT NUMBER	GROSS LOT AC.	NET PAD AC.	LOT NUMBER	GROSS LOT AC.	NET PAD AC.	LOT NUMBER	GROSS LOT AC.	NET PAD AC.
1	6.303	6.672	83	6.283	6.046	165	7.567	7.280	247	9.145	8.970	321	7.931	7.411	393	5.718	5.582	465	5.345	5.172	537	5.535	5.320
2	6.288	6.076	84	6.107	5.896	166	8.518	8.212	248	8.076	7.607	322	7.752	7.264	394	5.528	7.086	466	6.563	6.390	538	5.535	5.327
3	6.388	5.187	85	6.000	5.802	167	7.073	6.668	249	8.264	7.944	323	8.324	7.613	395	6.139	5.880	467	8.349	7.890	539	5.557	5.350
4	5.350	5.187	86	6.000	5.802	168	6.397	6.201	250	8.632	8.216	324	7.613	7.135	396	6.462	5.100	468	5.983	5.801	540	5.557	5.344
5	5.350	5.188	87	6.603	5.984	169	6.976	6.753	251	10.990	10.703	325	8.300	8.146	397	6.909	6.595	469	5.983	5.796	541	7.669	6.503
6	5.350	5.188	88	6.968	5.264	170	6.001	5.828	252	9.620	9.376	326	9.350	9.147	398	7.563	7.394	470	5.983	5.811	542	5.305	5.167
7	5.350	5.188	89	6.360	6.176	171	6.390	6.015	253	7.443	6.818	327	9.477	9.343	399	6.436	6.194	471	5.983	5.818	543	6.148	5.715
8	5.350	5.188	90	6.052	5.805	172	6.900	6.224	254	7.140	6.930	328	5.490	5.316	400	6.559	6.373	472	5.525	4.849	544	5.644	5.298
9	5.350	5.188	91	6.830	5.586	173	6.896	6.358	255	7.485	7.274	329	6.209	6.011	401	6.754	6.640	473	5.675	5.037	545	6.168	5.974
10	6.350	5.187	92	6.767	6.500	174	6.330	6.132	256	7.481	7.329	330	6.168	5.999	402	9.688	9.571	474	6.381	5.994	546	5.490	5.318
11	5.350	5.188	93	6.407	6.626	175	6.281	6.084	257	7.313	7.138	331	7.327	6.482	403	8.658	8.529	475	6.584	6.167	547	5.436	5.268
12	5.350	5.188	94	6.887	5.708	176	6.281	6.083	258	7.100	6.923	332	8.887	8.133	404	8.788	8.566	476	6.478	6.105	548	5.035	4.890
13	5.350	5.187	95	6.000	5.802	177	6.281	6.088	259	7.255	7.115	333	8.006	6.732	405	6.162	6.131	477	5.818	5.388	549	5.000	4.855
14	5.350	5.188	96	6.000	5.802	178	6.281	6.087	260	7.700	7.336	334	7.200	5.846	406	5.477	5.301	478	5.063	4.917	550	5.000	4.855
15	5.350	5.188	97	6.105	5.904	179	6.281	6.095	261	7.269	7.060	335	5.333	5.079	407	8.547	8.139	479	5.030	4.846	551	5.334	5.184
16	5.350	5.188	98	6.246	5.996	180	6.308	6.108	262	7.265	7.056	336	5.294	5.038	408	5.264	5.032	480	5.083	4.926	552	5.711	5.557
17	5.371	5.210	99	6.247	6.010	181	6.028	5.898	263	7.267	7.057	337	5.757	5.517	409	5.264	5.007	481	5.000	4.837	553	6.224	5.871
18	5.279	5.186	100	6.227	6.036	182	6.795	6.606	264	7.165	6.967	338	5.967	5.724	410	5.264	5.009	482	5.000	4.838	554	5.346	4.796
19	5.754	5.616	101	6.227	6.025	183	7.280	7.280	265	7.279	6.813	339	7.006	6.324	411	5.264	5.112	483	5.270	5.120	555	5.000	4.838
20	7.742	7.339	102	6.097	5.885	184	6.328	6.104	266	6.682	6.480	340	6.911	6.479	412	6.379	5.945	484	5.300	5.135	556	5.142	4.957
21	5.144	5.054	103	6.000	5.802	185	6.292	6.093	267	7.249	6.835	341	6.046	5.723	413	6.257	5.639	485	5.300	5.138	557	5.368	5.195
22	5.144	5.022	104	6.000	5.802	186	6.289	5.998	268	7.665	7.135	342	5.787	5.461	414	5.768	5.591	486	5.300	5.125	558	7.063	6.293
23	5.144	5.004	105	6.888	6.311	187	6.285	6.061	269	7.532	6.668	343	5.785	5.370	415	5.768	5.591	487	5.300	5.139	559	6.827	6.537
24	5.144	5.002	106	7.294	6.513	188	6.281	6.072	270	7.912	7.542	344	5.258	5.080	416	5.520	5.381	488	5.300	5.150	560	6.104	5.950
25	5.144	4.981	107	6.570	5.959	189	6.277	6.077	271	7.354	7.162	345	6.308	5.302	417	5.036	4.839	489	5.300	5.150	561	5.398	5.244
26	5.144	4.987	108	6.570	6.199	190	6.273	6.071	272	7.412	6.579	346	5.733	5.322	418	5.302	4.827	490	5.300	5.150	562	5.000	4.838
27	5.144	4.989	109	6.385	5.837	191	6.268	6.052	273	7.478	6.676	347	5.172	5.010	419	6.256	4.858	491	5.300	5.141	563	5.000	4.837
28	5.144	4.986	110	6.505	6.222	192	6.263	6.039	274	8.045	7.196	348	5.887	5.481	420	6.314	5.908	492	5.300	5.137	564	5.000	4.838
29	5.086	4.940	111	6.189	6.003	193	6.258	6.055	275	7.004	6.323	349	6.213	5.681	421	7.297	6.856	493	5.908	5.422	565	5.000	4.837
30	5.144	4.987	112	6.204	5.744	194	6.146	5.829	276	7.206	6.840	350	5.980	5.630	422	5.601	5.020	494	5.779	5.253	566	5.000	4.838
31	5.144	4.987	113	6.508	6.006	195	6.226	5.882	277	7.302	6.772	351	5.750	5.444	423	5.526	5.063	495	5.245	5.043	567	5.394	5.212
32	5.144	4.987	114	6.401	5.827	196	6.773	6.278	278	7.266	6.855	352	5.750	5.414	424	5.545	5.348	496	5.218	5.048	568	5.846	5.647
33	5.158	4.978	115	8.931	6.530	197	7.514	6.878	279	7.484	7.285	353	5.750	5.294	425	5.578	7.140	497	7.476	6.810	569	5.283	5.106
34	5.158	4.978	116	6.701	6.438	198	9.226	8.642	280	7.727	7.495	354	5.750	5.360	426	6.210	5.367	498	5.962	5.383	570	5.939	5.729
35	5.650	5.219	117	7.649	7.246	199	8.205	7.945	281	7.895	7.686	355	5.750	5.364	427	9.652	8.563	499	6.500	5.826	571	5.364	5.059
36	5.650	5.127	118	7.242	6.750	200	7.194	6.977	282	7.909	7.337	356	5.702	5.394	428	7.251	6.956	500	6.612	5.889	572	6.243	5.762
37	5.517	5.323	119	8.835	8.472	201	7.572	7.461	283	7.853	7.263	357	5.750	5.334	429	6.990	6.004	501	6.674	6.014	573	6.313	6.119
38	5.517	5.323	120	6.903	6.253	202	6.533	6.481	284	7.292	7.089	358	5.750	5.344	430	7.701	6.914	502	5.988	5.467	574	5.982	5.829
39	5.517	5.204	121	6.455	6.252	203	7.901	7.673	285	7.216	7.005	359	5.750	5.474	431	6.729	6.411	503	5.691	5.241	575	5.388	4.955
40	5.517	5.149	122	6.300	6.100	204	8.061	7.813	286	8.596	8.324	360	5.750	5.544	432	6.576	6.212	504	5.932	5.276	576	5.000	4.838
41	5.517	5.169	123	6.713	6.293	205	8.313	8.092	287	7.730	7.211	361	5.754	5.594	433	6.422	6.056	505	6.973	6.029	577	5.000	4.838
42	5.516	5.234	124	6.363	5.879	206	7.703	7.513	288	8.223	7.622	362	6.315	6.193	434	6.257	6.117	506	6.471	6.014	578	5.000	4.838
43	5.516	5.202	125	6.000	5.805	207	6.231	6.079	289	8.224	7.563	363	6.630	6.448	435	6.085	5.719	507	7.704	7.241	579	5.176	5.018
44	5.721	5.219	126	6.000	5.805	208	6.973	6.069	290	8.643	7.986	364	5.100	4.967	436	5.190	4.875	508	7.579	7.118	580	5.249	5.085
45	5.787	5.307	127	6.000	5.805	209	6.801	6.069	291	7.736	7.315	365	5.893	5.513	437	5.183	4.860	509	6.469	6.073	581	5.347	5.167
46	5.830	5.657	128	6.000	5.802	210	6.649	6.450	292	7.971	7.329	366	5.775	5.603	438	5.101	4.778	510	5.787	5.441	582	5.468	5.297
47	5.830	5.657	129	6.041	5.838	211	6.648	6.454	293	7.905	7.473	367	5.250	5.100	439	5.526	5.175	511	5.916	5.294	583	5.668	5.508
48	5.830	5.657	130	9.102	8.697	212	6.645	6.463	294	7.832	7.601	368	5.250	5.094	440	6.006	5.296	512	5.720	5.266	584	7.515	7.004
49	5.830	5.657	131	7.357	5.966	213	6.641	6.439	295	7.825	7.617	369	5.250	5.094	441	5.984	5.385	513	5.500	5.363	585	6.797	6.261
50	5.830	5.657	132	6.518	5.971	214	6.535	6.421	296	7.813	7.587	370	5.250	5.094	442	6.532	6.350	514	5.396	5.275	586	5.820	5.653
51	5.830	5.657	133	6.000	5.802	215	6.555	6.293	297	7.795	7.557	371	7.112	6.819	443	8.231	7.625	515	6.480	5.777	TOTAL:	86.56 AC	83.14 AC
52	5.680	5.242	134	6.000	5.802	216	6.577	6.288	298	7.773	7.515	372	6.469	6.781	444	6.577	7.492	516	8.422	6.803	NET PAD IS 96.1% OF GROSS LOT AREA		
53	5.680	5.574	135	6.000	5.802	217	6.561	6.285	299	9.591	9.167	373	5.595	5.428	445	6.883	6.609	517	6.402	6.066			
54	5.169	5.013	136	6.000	5.802	218	6.496	6.187	300	8.341	8.051	374	6.473	5.937	446	5.734	5.251	518	6.531	6.317			
55	5.169	5.013	137	6.580	6.445	219	6.000	6.000	301	8.105	7.813	375	6.127	5.739	447	7.058	6.543	519	8.937	8.504			
56	5.169	5.005	138	6.352	5.952	220	6.987	6.722	302	7.662	6.928	376	5.500	5.351	448	6.543	5.605	520	9.285	6.530			
57	5.189	5.005	139	6.000	5.720	221	6.595	6.324	303	7.747	7.278	377	5.500	5.352	449	7.065	6.267	521	9.603	8.833			
58	5.082	4.803	140	6.387	5.857	222	6.677	6.452	304	8.505	8.174	378	6.250	5.928	450	5.977	5.660	522	10.723	8.164			
59	5.702	5.280	141	6.388	5.897	223	6.677	6.443	305	8.248	7.958	379	5.021	4.865	451	5.780	5.477	523	5.777	5.649			
60	5.825	5.619	142	6.000	5.797	224	6.677	6.450	306	7.473	7.221	380	5.000	4.825	452	5.431	5.169	524	6.061	5.886			
61	5.825	5.643	143	6.000	5.791	225	6.569	6.325	307	7.742	7.532	381	5.383	5.181	453	7.467	7.119	525	6.099	5.932			
62	5.825	5.637	144	6.000	5.787	226	6.569	6.336	308	7.907	7.681	382	5.371	5.165	454	6.400	5.987	526	6.226	6.063			
63	5.831	4.957	145	6.010	5.815	227	6.271	6.100	309	7.907	7.676	383	5.371	5.162	455	6.066	5.712	527	5.743	5.581			
64	5.831	4.622	146	6.400	6.203	228	6.099	5.947	310	7.821	7.472	384	5.371	5.160	456	6.128	5.869	528	5.895	5.733			
65	5.791	5.273	147	6.000	5.803	229	6.100	5.948	311	8.261	7.846	385	5.371	5.549	457	6.355	6.098	529	6.249	6.070			
66	5.435	5.224	148	6.000	5.810	230	6.833	6.535	312	8.078	7.775	386	6.005	5.949	458	6.284	6.033	530	6.440	6.182			
67	5.162	5.007	149	6.000	5.807	231	6.676	6.518	313	8.072	7.767	387	7.336	6.917	459	6.263	6.479	531	5.739	5.512			
68	5.125	4.972	150	6.367	6.064	232	7.483	6.937	314	8.042	7.740	388	6.021	5.853	460	6.005	5.422	532	6.883	6.620			
69	5.143	4.984	151	7.168	6.813	233	7.483	6.961	315	8.012	7.824	389	5.748	5.587	461	5.741	5.536	533	6.500	6.259			
70	5.143	4.994	152	6.720	6.519	234	6.731	5.580	316	9.067	8.685	390	5.598	5.435	462	5.741	5.540	534	6.768	6.519			
71	5.143	4.990	153	6.720	6.516	235	8.113	7.864	317	7.086	6.854	391	5.431	5.276	463	5.741	5.552	535	5.222	5.059			
72	5.630	5.162	154	7.964	7.511	236	8.153	7.893	318	7.876	7.657	392	5.149	4.980	464	5.761	5.574	536	5.065	4.905			
73	5.743	5.340	155	6.844	6.672	237	8.158	7.881	319	7.296	6.794												
74	5.205	5.050	156	6.831	6.538	238	7.458	7.215	320	7.786	7.186												
75	5.223	5.069	157	6.850	6.656	239	7.350	7.210															
76	5.337	5.144	158	6.005	5.805	240	8.351	8.017															
77	5.235	5.063	159	6.000	5.802	241	8.499	8.332															
78	5.235	5.071	160	6.387	6.059	242	8.499	8.149															
79	5.235	5.054	161	6.518	5.988	243	8.819	8.217															
80	5.235	5.053	162	6.120	5.919	244	8.426	8.235															
81	6.303	5.725	163	6.120	5.914	245	9.149	8.477															
82	6.283	6.079	164	6.556	6.329	246	9.684	9.157															

COMMERCIAL LOT		
LOT NUMBER	GROSS LOT AC.	NET PAD AC.
587	19.67	16.40

SINGLE FAMILY
SINGLE FAMILY: 586 LOTS
TOTAL LOT AREA: 86.56 AC.
TOTAL PAD AREA: 83.14 AC.
AVERAGE LOT AREA: 6,434 S.F.
AVERAGE PAD AREA: 6,180 S.F.

TOTAL SINGLE FAMILY 86.56 AC

COMMERCIAL LOT: 19.67 AC

PUBLIC PARK "A" AREA: 5.62 AC

HOA PARKS
HOA PARK "B" AREA: 00.35 AC
HOA PARK "C" AREA: 00.06 AC
HOA PARK "D" AREA: 00.19 AC
HOA PARK "E" AREA: 00.16 AC
HOA PARK "F" AREA: 00.21 AC
HOA PARK "G" AREA: 00.10 AC
HOA PARK "H" AREA: 00.70 AC
HOA PARK "I" AREA: 00.67 AC
HOA PARK "J" AREA: 00.31 AC
HOA PARK "K" AREA: 00.08 AC
HOA PARK "L" AREA: 00.11 AC
HOA PARK "M" AREA: 00.28 AC
HOA PARK "N" AREA: 00.20 AC
HOA PARK "O" AREA: 00.03 AC
HOA PARK "P" AREA: 00.28 AC
HOA PARK "Q" AREA: 00.59 AC
HOA PARK "R" AREA: 00.17 AC
HOA PARK "S" AREA: 00.22 AC
HOA PARK "T" AREA: 00.41 AC
HOA PARK "U" AREA: 00.06 AC
HOA PARK "V" AREA: 00.13 AC

TOTAL HOA PARKS = 5.31 AC

OPEN SPACE
O.S. LOT "U" AREA: 00.36 AC
O.S. LOT "V" AREA: 00.31 AC
O.S. LOT "W" AREA: 00.42 AC
O.S. LOT "X" AREA: 07.62 AC
O.S. LOT "Y" AREA: 08.22 AC
O.S. LOT "Z" AREA: 00.71 AC
O.S. LOT "AA" AREA: 00.08 AC
O.S. LOT "BB" AREA: 00.43 AC
O.S. LOT "CC" AREA: 00.11 AC
O.S. LOT "DD" AREA: 00.26 AC
O.S. LOT "EE" AREA: 01.62 AC
O.S. LOT "FF" AREA: 19.03 AC
O.S. LOT "GG" AREA: 00.97 AC
O.S. LOT "HH" AREA: 8.51 AC
O.S. LOT "II" AREA: 00.35 AC
O.S. LOT "JJ" AREA: 03.20 AC
O.S. LOT "KK" AREA: 00.66 AC
O.S. LOT "LL" AREA: 00.29 AC
O.S. LOT "MM" AREA: 00.30 AC
O.S. LOT "NN" AREA: 00.06 AC
O.S. LOT "OO" AREA: 00.45 AC

TOTAL OPEN SPACE = 54.15 AC

STREET LANDSCAPE LOT
S.L. LOT "PP" AREA: 00.29 AC
S.L. LOT "QQ" AREA: 00.65 AC
S.L. LOT "RR" AREA: 00.60 AC
S.L. LOT "SS" AREA: 00.64 AC
S.L. LOT "TT" AREA: 00.09 AC
S.L. LOT "UU" AREA: 00.31 AC

TOTAL LANDSCAPE = 2.58 AC

PUBLIC STREETS

PUBLIC STREETS = 71.37 AC

SUMMARY	
SINGLE FAMILY	86.56 AC
COMMERCIAL	19.67 AC
PUBLIC PARK	5.62 AC
HOA PARKS	5.12 AC
OPEN SPACE	54.15 AC
STREET LANDSCAPE	2.58 AC
PUBLIC STREETS	71.37 AC
TOTAL	245.07 AC

Underground Service Alert
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227-2600
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REVISIONS	ENGINEER BY	ENGINEER DATE

COUNTY APPR.	COUNTY DATE

PANGAEA
LAND CONSULTANTS, INC.
2834 LA MIRADA DRIVE, SUITE H
VISTA, CA 92081
T: 760-726-4232
F: 760-727-1405

RICHARD C. BRASHER RCE 43819 EXP. 6-30-21 DATE

REGISTERED PROFESSIONAL ENGINEER
RICHARD C. BRASHER
No. 43819
Exp. 6/30/21
STATE OF CALIFORNIA
CIVIL

CITY OF HEMET

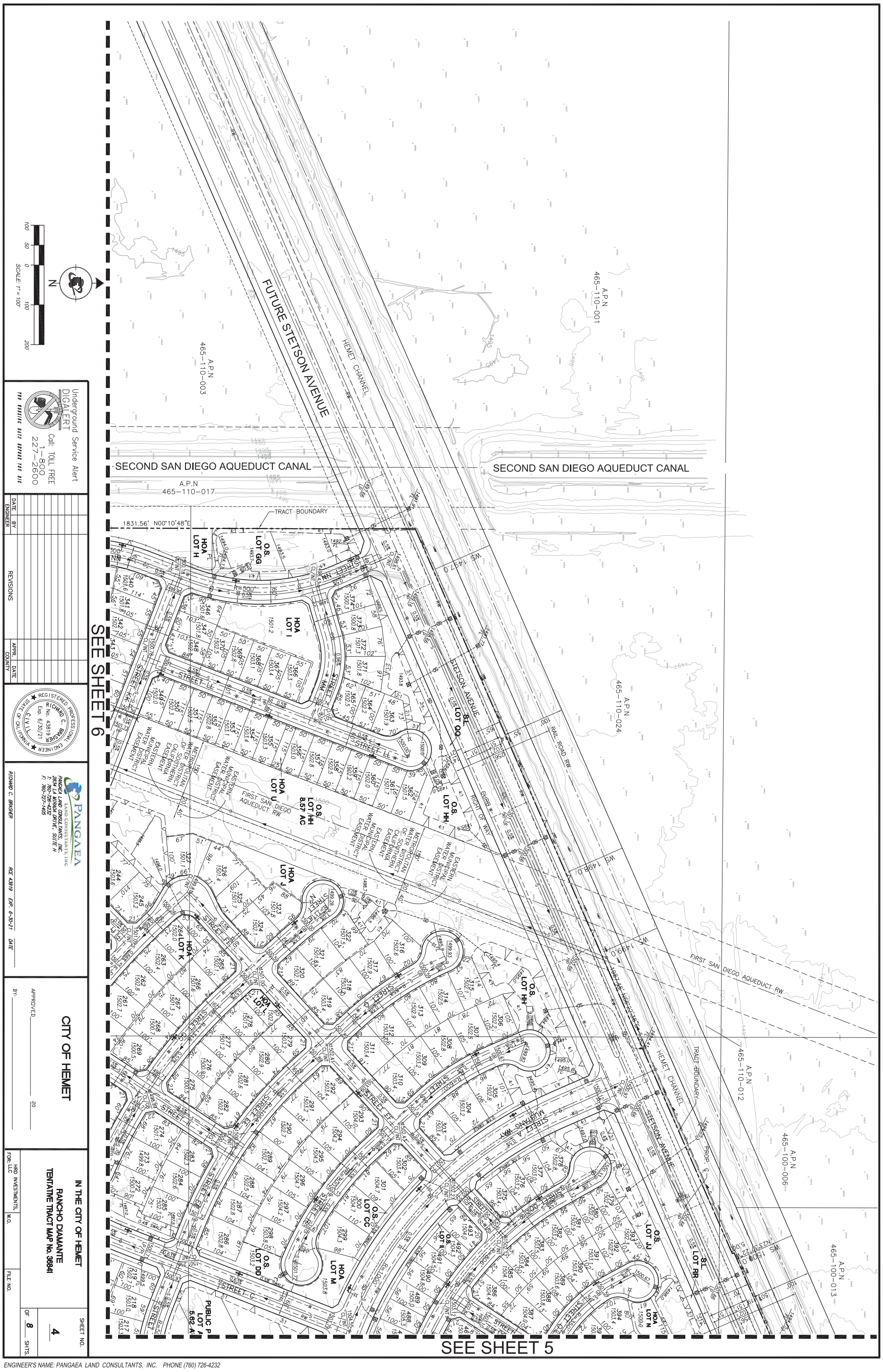
APPROVED _____ 20

BY: _____

IN THE CITY OF HEMET
RANCHO DIAMANTE
TENTATIVE TRACT MAP No. 36841
LOT AREA TABULATION

SHEET NO. 3 OF 8 SHTS.

FOR: HRD INVESTMENTS, LLC | W.O. | FILE NO.



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DATE	BY	REVISIONS	APPR.	DATE
ENGINEER			COUNTY	

REGISTERED PROFESSIONAL ENGINEER
RICHARD C. BRASHER
No. 43819
Exp. 6/30/21
STATE OF CALIFORNIA

PANGAEA
LAND CONSULTANTS, INC.
PANGAEA LAND CONSULTANTS, INC.
2834 LA MIRADA DRIVE, SUITE H
T: 760-726-4232
F: 760-727-1405

RICHARD C. BRASHER RCE 43819 EXP. 6-30-21 DATE

CITY OF HEMET

APPROVED _____ 20 _____

BY: _____

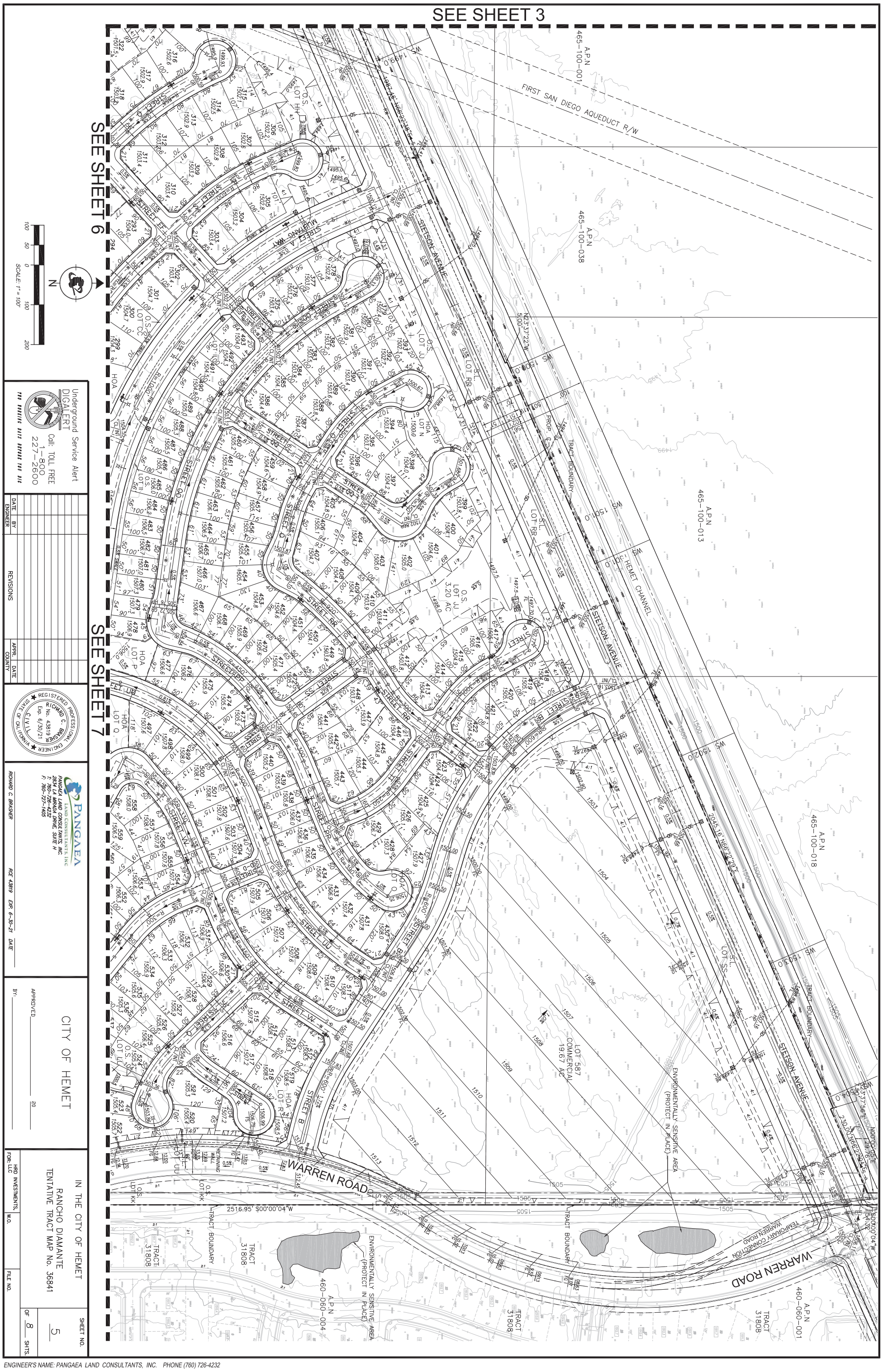
IN THE CITY OF HEMET
RANCHO DIAMANTE
TENTATIVE TRACT MAP No. 36841

FOR: HRD INVESTMENTS, LLC | W.O. | FILE NO.

SHEET NO. 4 OF 8 SHTS.

ENGINEER'S NAME: PANGAEA LAND CONSULTANTS, INC. PHONE (760) 726-4232

P:\Active Projects\Rancho Diamante TM 35394 Expansion TM 2014-114\Drawing\TM\TM35394-5.dwg Oct 11, 2019 - 1:38pm



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DATE	BY	REVISIONS	APPR.	DATE
ENGINEER			COUNTY	

REGISTERED PROFESSIONAL ENGINEER
RICHARD C. BRASHER
No. 43819
Exp. 6/30/21
CIVIL
STATE OF CALIFORNIA

PANGAEA
LAND CONSULTANTS, INC.
PANGAEA LAND CONSULTANTS, INC.
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F: 760-727-1405

RICHARD C. BRASHER RCE 43819 EXP. 6-30-21
ENGINEER'S NAME: PANGAEA LAND CONSULTANTS, INC. PHONE (760) 726-4232

APPROVED _____ 20
BY: _____

CITY OF HEMET

IN THE CITY OF HEMET
RANCHO DIAMANTE
TENTATIVE TRACT MAP No. 36841

FOR: HRD INVESTMENTS, LLC
W.O.
FILE NO.
SHEET NO. 5
OF 8 SHTS.

SEE SHEET 4

SEE SHEET 7

SEE SHEET 8

A.P.N 465-110-001

A.P.N 465-110-003

A.P.N 465-120-001

A.P.N 465-120-019

A.P.N 465-120-004

A.P.N 465-130-005

FUTURE STETSON AVENUE

HEMET CHANNEL

TRACT BOUNDARY

SECOND SAN DIEGO AQUEDUCT CANAL

FIRST SAN DIEGO AQUEDUCT R/W

EASTERN MUNICIPAL WATER DISTRICT EASEMENT

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA EASEMENT

HOA LOT H

HOA LOT I

HOA LOT J

HOA LOT K

HOA LOT L

HOA LOT M

HOA LOT Q

HOA LOT U

HOA LOT V

HOA LOT F

O.S. LOT GG

O.S. LOT HH 8.57 AC

O.S. LOT CC

O.S. LOT DD

O.S. LOT EE 1.62 AC

O.S. LOT BB

O.S. LOT FF 19.03 AC

O.S. LOT Y 8.35 AC

PUBLIC PARK LOT A 5.62 AC

END OF PROPOSED IMPROVEMENTS

GRADED IMPROVEMENTS PER THIS TRACT

FUTURE ROAD DEDICATED BY OTHERS

5' BLOCK WALL

1494.0 TOP BERM

1495.0 TOP BERM

3' BLOCK WALL

3942.42' N89°00'47"W

N00°10'48"E 1831.56'

Underground Service Alert DIGALERT Call: TOLL FREE 1-800 227-2600 TWO WORKING DAYS BEFORE YOU DIG

SCALE: 1" = 100'

DATE	BY	REVISIONS	APPR.	DATE
ENGINEER			COUNTY	

REGISTERED PROFESSIONAL ENGINEER RICHARD C. BRASHER No. 43819 Exp. 6/30/21 CIVIL STATE OF CALIFORNIA

PANGAEA LAND CONSULTANTS, INC.

PANGAEA LAND CONSULTANTS, INC.
2834 LA MIRADA DRIVE, SUITE H
T: 760-726-4232
F: 760-727-1405

RICHARD C. BRASHER RCE 43819 EXP. 6-30-21 DATE

CITY OF HEMET

APPROVED _____ 20 _____

BY: _____

IN THE CITY OF HEMET

RANCHO DIAMANTE
TENTATIVE TRACT MAP No. 36841

SHEET NO. 6 OF 8 SHTS.

HRD INVESTMENTS, LLC FOR:

W.O.

FILE NO.

P:\Active Projects\Rancho Diamante TM 36384 Expansion TM 2014-114\Drawing\TM\36384-6.dwg Nov 15, 2019 - 11:49am

ENGINEER'S NAME: PANGAEA LAND CONSULTANTS, INC. PHONE (760) 726-4232

P:\Active Projects\Rancho Diamante TM 35394 Expansion TM 2014-114\Drawing\TM\TM35394-7.dwg Nov 15, 2019 - 11:52am

SEE SHEET 6



Underground Service Alert
DIGALERT
Call: TOLL FREE
1-800
227-2600

DATE	BY	REVISIONS	APPR.	DATE
ENGINEER			COUNTY	

REGISTERED PROFESSIONAL ENGINEER
RICHARD C. BRASHER
No. 43819
Exp. 6/30/21
CIVIL
STATE OF CALIFORNIA

PANGAEA
LAND CONSULTANTS, INC.
PANGAEA LAND CONSULTANTS, INC.
2834 LA MIRADA DRIVE, SUITE H
T: 760-728-4232
F: 760-727-1405

RICHARD C. BRASHER RCE 43819 EXP. 6-30-21 DATE

CITY OF HEMET

APPROVED _____ 20

BY: _____

IN THE CITY OF HEMET
RANCHO DIAMANTE
TENTATIVE TRACT MAP No. 36841

SHEET NO. 7 OF 8 SHTS.

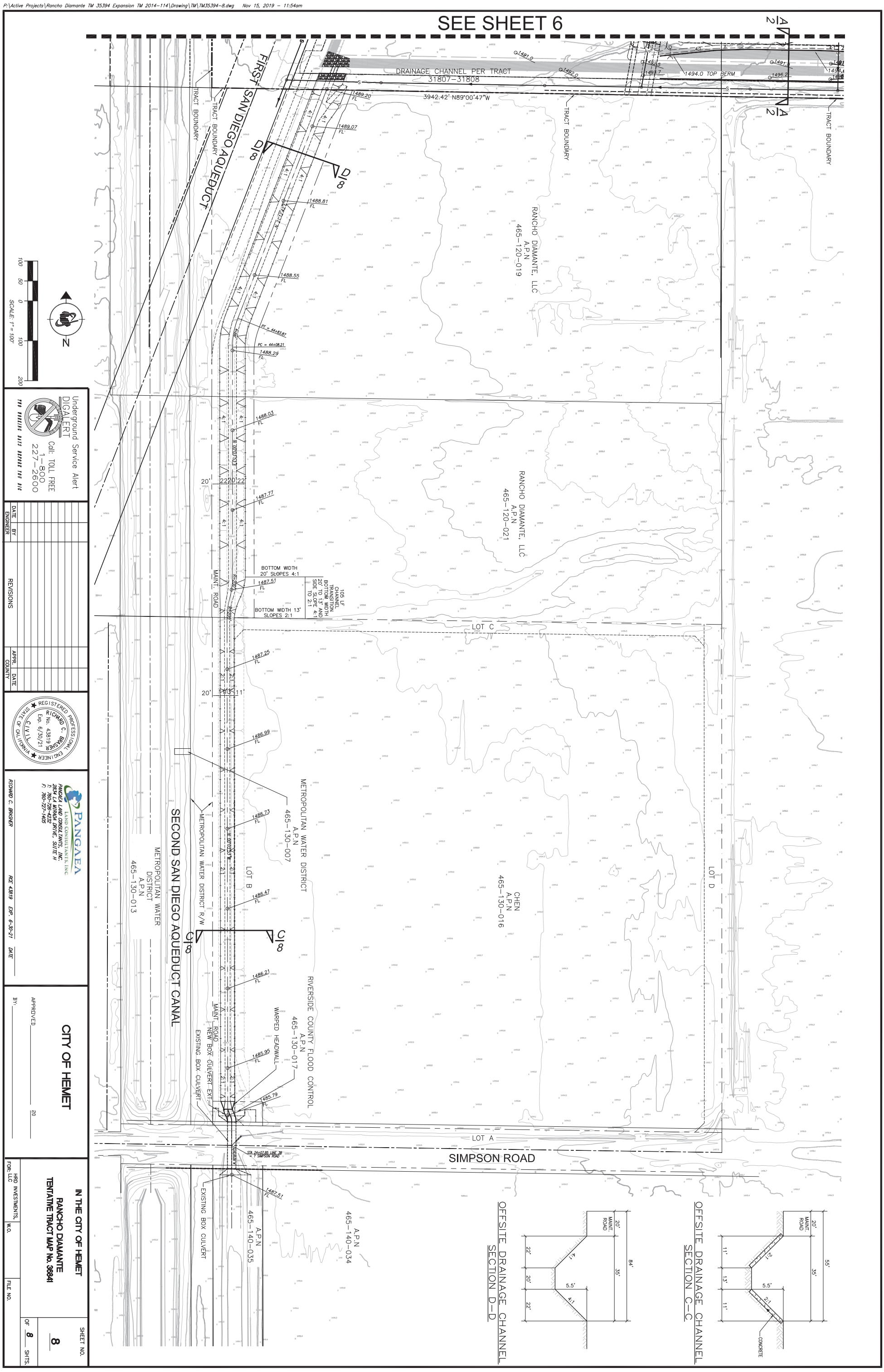
HRD INVESTMENTS, LLC
FOR:

W.O.

FILE NO.

ENGINEER'S NAME: PANGAEA LAND CONSULTANTS, INC. PHONE (760) 726-4232

P:\Active Projects\Rancho Diamante TM 35394 Expansion TM 2014-114\Drawing\TM\TM35394-8.dwg Nov 15, 2019 - 11:54am



Underground Service Alert
DIGALERT
Call: TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG

DATE	BY	ENGINEER

REVISIONS

APPR.	DATE

COUNTY

REGISTERED PROFESSIONAL ENGINEER
RICHARD C. BRASHER
No. 43819
Exp. 6/30/21
CIVIL
STATE OF CALIFORNIA

PANGAEA
LAND CONSULTANTS, INC.
PANGAEA LAND CONSULTANTS, INC.
2934 LA MIRADA DRIVE, SUITE H
T: 760-728-4232
F: 760-727-1405

RICHARD C. BRASHER RCE 43819 EXP. 6-30-21 DATE

CITY OF HEMET

APPROVED _____ 20

BY: _____

IN THE CITY OF HEMET
RANCHO DIAMANTE
TENTATIVE TRACT MAP No. 36841

HRD INVESTMENTS, LLC FOR

W.O.

FILE NO.

SHEET NO. 8

OF 8 SHTS.

ENGINEER'S NAME: PANGAEA LAND CONSULTANTS, INC. PHONE (760) 726-4232

City of Hemet
City Council Meeting
STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Administration
Submitted by: Christopher Lopez, City Manager
Ericka Murphy, Executive Analyst;

☐ **Receive and File** ☐ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

Highlight Reel of Recent Accomplishments in Hemet

RECOMMENDED ACTION:

No action requested.

BACKGROUND:

This recurring agenda item is meant to inform the Council and community on various accomplishments Hemet staff have made.

DISCUSSION:

In an attempt to highlight the City team's milestones and accomplishments, staff developed a one minute highlight reel that we'd like to share periodically at Council Meetings. The video to be presented includes highlights of the City's progression toward vaccinating first responders and other new developments.

Staff is hopeful that these periodic videos will encourage both the Hemet team and community to continue the hard work.

FISCAL IMPACT:

There is no fiscal impact.

REVIEWED BY LEGAL:

☒ Staff report ☐ Resolution
☐ Ordinance ☐ Agreement

City of Hemet
City Council Meeting
STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: City Council
Submitted by: Christopher Lopez, City Manager
Daryl Betancur, Interim City Clerk;

☒ **Receive and File** ☐ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

Approval of Minutes of the Closed Session and Regular City Council Meeting of December 8, 2020.

RECOMMENDED ACTION:

Approval of Minutes of the Regular City Council Meeting of December 8, 2020

BACKGROUND:

Minutes preliminarily prepared by former City Clerk James.

FISCAL IMPACT:

There is no fiscal impact associated with the approval of these minutes

REVIEWED BY LEGAL:

☒ Staff report ☐ Resolution
☐ Ordinance ☐ Agreement

ATTACHMENT(S):

CC- Regular Mtg_ Minutes_12-08-20

MINUTES
City Council Meeting

City of Hemet
City Council Chamber
Teleconference Number: (888) 585-9008, when prompted dial: 768-176-038
Tuesday, December 8, 2020

REGULAR MEETING - 7:00 P.M.

1. CALL TO ORDER

The City Council of the City of Hemet met this date in a Regular Session at 7:02 p.m. in the City Council Chamber, 450 E. Latham Avenue, Hemet, California with Mayor Brown presiding.

2. ROLL CALL

City Clerk James provided the Roll Call as follows:

Present:	Mayor Brown, Mayor Pro Tem Krupa, Council Members Perciful and Meyer
Absent:	None
Staff Present:	City Manager Lopez City Attorney Vail City Clerk James

3. INVOCATION – INTERFAITH COUNCIL

Invocation was given by Rhonda Trevston with the Interfaith Council.

4. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Brown.

5. CERTIFICATION OF ELECTION

5.A. Resolution No. 2020-097 Reciting the Fact of the Consolidated General Election Held on November 3, 2020, Declaring the Result Thereof and Such other Matters as Are Provided by Law

City Clerk James presented the staff report.

Motion by Mayor Pro Tem Krupa, second by Mayor Brown, to adopt Resolution No. 2020-097 Reciting the Fact of the Consolidated General Election Held on November 3, 2020, Declaring the Result Thereof and Such Other Matters as Are Provided by Law Passed 4/0.

AYES: Council Members Meyer, Perciful, Mayor Pro Tem Krupa, and Mayor Brown
NOES: None

6. OATH OF OFFICE

6.A. City Clerk James administered the Oath of Office to the following newly elected officers:

- District 1 City Council Member: Karlee Meyer
- District 3 City Council Member Elect: Malcolm B. Lilienthal, Jr.
- District 4 City Council Member Elect: Joe Males
- City Treasurer Elect: Gladys W. Savage

City Clerk James administered the Oath of Office to Council Members-Elect: Karlee Meyer, Malcolm Lilienthal, Joe Males, and City Treasurer-Elect Gladys Savage.

7. PRESENTATIONS

7.A. Presentation to outgoing Mayor Brown by Mayor Pro Tem Krupa

Mayor Pro Tem Krupa presented a token of appreciation to Mayor Brown for his service.

7.B. Presentation to Outgoing Council Members:

- City Council Member Michael Perciful
- City Treasurer Judith Oltman

The City Council presented tokens of appreciation to outgoing elected officials: Michael Perciful who served as Council Member in District 3 and Judith Oltman who served as City Treasurer.

BRIEF RECESS

The City Council recessed at 7:26 p.m. during which time newly elected Council Members took their seats at the dais. Mayor Brown reconvened the meeting at 7:30 p.m. with all Council Members present.

8. CITY COUNCIL REORGANIZATION

8.A. City Council Reorganization – Nominations for the Office of Mayor and Mayor Pro Tem to Serve until December 14, 2021

City Clerk James presented the staff report and called for nominations for the Office of Mayor and Mayor Pro Tem.

Motion by Council Member Males, second by Mayor Brown, to select Council Member Meyer as Mayor to serve until December 14, 2021. Passed 5/0.

AYES: Council Members Brown, Lilienthal, Males, Mayor Pro Tem Krupa and Mayor Meyer
NOES: None

Mayor Meyer called for nominations for Mayor Pro Tem, and nominated Joe Males for Mayor Pro Tem, to serve in this capacity until December 14, 2021, second by Council Member Brown. Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer
NOES: None

RECESS FOR CLOSED SESSION

The Council recessed the Regular Meeting to go into Closed Session at 7:32 p.m. There were no public comments for closed session items.

CLOSED SESSION – 7:00 P.M. OR AS SOON THEREAFTER

9. CALL TO ORDER

The City Council of the City of Hemet met this date in a Closed Session at 7:32 p.m. in the City Council Chamber, 450 E. Latham Avenue, Hemet, California with Mayor Meyer presiding.

10. ROLL CALL

Present: Mayor Meyer
Mayor Pro Tem Males
Council Members: Brown, Krupa, and Lilienthal

Staff Present:

City Manager: Lopez
Assistant City Attorney: Vega
City Clerk: James

11. PUBLIC COMMENT PERIOD - RULES OF DECORUM, RESOLUTION NO. 4545

At this time, members of the public may only comment on an item appearing on the agenda. Please adhere to the following when addressing the Council:
Comments will be limited to 2 minutes or less.
Comments should be directed to the Council as a whole and not directed to individual Council Members.
Please follow the adopted rules of decorum: Resolution No. 4545.

Mayor Meyer asked for Public Comments. There were no public comments.

The City Council recessed to Closed Session at 7:36 p.m.

12. DISCUSSION ITEMS

12.A. CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6
Agency Designated Representative: Christopher Lopez, City Manager
Employee Organization: HMMA, SEIU, and Confidential

12.B. THREAT TO PUBLIC SERVICES OR FACILITIES

Pursuant to Government Code section 54957 Consultation with Cyber Security personnel

13. ADJOURNMENT OF CLOSED SESSION

The City Council reconvened from Closed Session at 9:09 p.m.

RECONVENE REGULAR CITY COUNCIL MEETING

Mayor Meyer reconvened the Regular City Council Meeting at 9:12 p.m.

14. CITY ATTORNEY CLOSED SESSION REPORT

14.A. City Attorney's Report regarding Closed Session

Assistant City Attorney stated that there were no reportable actions from the Closed Session.

15. COMMUNICATIONS FROM THE PUBLIC

- Anyone who wishes to speak during public comment or on a particular item will be required to fill out a speaker slip and turn it in to the City Clerk. Each request will cover one speaker.
- There is a 2-minute-per-person time limit for all comments.
- Written comments on any item may also be submitted to the City Clerk to be included in the meeting record; however, they will not be read aloud.
- All who wish to speak, including Council members and staff, need to be recognized by the Mayor before speaking.
- Members of the public shall comply with the adopted Rules of Decorum, Resolution No. 4545. A copy of which can be requested through the City Clerk's Office.
- Please turn off or mute your cell phone while the meeting is in session

15.A. Public Comment for Items Listed on the Agenda: Consent and Discussion Items

Mayor Meyer asked for Public Comments. The following residents offered public comments:
In-person: Dennis Fletcher
Electronic Comment: Sue Savage

15.B. Public Comment for Items Not Listed on the Agenda, but within Jurisdictional Matter

Mayor Meyer asked for Public Comments. The following residents offered public comments:
In-person: Brett Long, Leonora Ashworth, Donald Kay, Sal Gonzalez, and Eloy Alvarez
Electronic Comment: Patricia Ann Gregory

16. PUBLIC HEARING

16.B. An Ordinance Amending Section 90-45.3 of the Hemet Municipal Code to Clarify the Approval Authority for Administrative Adjustment Applications and Section 90-895(d) to Establish Parameters, Procedures and Findings for the Granting of Exceptions to Maximum Height and Floor Area Ratio Standards for Hotel, Medical Facility, and Unique Projects Located in the Commercial Zones Based on the

Findings Outlined Therein - Zoning Ordinance Amendment (ZOA) No. 20-002 (Height and FAR Exceptions in the Commercial Zones)

City Manager Lopez and Community Development Director Kang provided the staff report.

Mayor Meyer opened the public hearing at 9:41 p.m. Hearing no comments, Mayor Meyer closed the public hearing at 9:42 p.m.

Motion by Council Member Brown, second by Council Member Krupa, to introduce, read by title only, and waive further reading of an Ordinance Amending Section 90-45.3 of the Hemet Municipal Code to Clarify the Approval Authority for Administrative Adjustment Applications and Section 90-895(d) to Establish Parameters, Procedures and Findings for the Granting of Exceptions to Maximum Height and Floor Area Ratio Standards for Hotel, Medical Facility, and Unique Projects Located in the Commercial Zones Based on the Findings Outlined Therein. Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer

NOES: None

16.A. Resolution No. 2020-099 Approving General Plan Amendment 20-001 Amending Table 2.1 (Land Use Density and Intensity) of Chapter 2 (Land Use Element) of the Hemet General Plan to Increase the Maximum Floor Area Ratio for Certain Allowable Uses in the Community Commercial Land Use Designation From 0.4 to 1.0 Subject to the Processing of an Administrative Adjustment Or Conditional Use Permit with Supplemental Findings Pursuant to Section 90-895(D)(3) of the Hemet Municipal Code, and Finding the Project Exempt Pursuant to Section 15061(B)(3) of the CEQA Guidelines

Community Development Director Kang presented the staff report.

Mayor Meyer opened the public hearing at 9:54 p.m. Hearing no comments, Mayor Meyer closed the public hearing at 9:55 p.m.

Motion by Council Member Krupa, second by Council Member Lilienthal, to adopt resolution No. 2020-099 Approving General Plan Amendment 20-001 Amending Table 2.1 (Land Use Density and Intensity) of Chapter 2 (Land Use Element) of the Hemet General Plan to Increase the Maximum Floor Area Ratio for Certain Allowable Uses in the Community Commercial Land Use Designation From 0.4 to 1.0 Subject to the Processing of an Administrative Adjustment Or Conditional Use Permit with Supplemental Findings Pursuant to

Section 90-895(D)(3) of the Hemet Municipal Code, and Finding the Project Exempt Pursuant to Section 15061(B)(3) of the CEQA Guidelines Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer
NOES: None

Motion by Council Member Brown, second by Council Member Krupa, to continue the meeting past 10:00 p.m. Passed 5/0.

AYES: Council Member Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer
NOES: None

16.C. Appeal (APL 20-002) of Conditional Use Permit (CUP) 19-004 and Site Development Review (SDR) 19-009 for S2A Modular Factory Project

Community Development Director Kang provided the staff report.

Mayor Meyer opened the public hearing at 10:02 p.m. Hearing no comments, Mayor Meyer closed the public hearing at 10:02 p.m.

Motion by Council Member Krupa, second by Mayor Pro Tem Males, to direct staff to continue the item to a future re-noticed hearing. Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer
NOES: None

17. RECEIVE AND FILE

17.A. Investment Portfolio as of October 2020

17.B. Warrant Registers Dated November 5, 2020 in the Amount of $1,384,598.32 and November 19, 2020 in the Amount of $1,084,063.74 and Payroll Periods of October 19, 2020 to November 1, 2020 in the Amount of $635,124.93 and November 2, 2020 to November 15, 2020 in the amount of $648,928.43

Motion by Mayor Pro Tem Males, second by Council Member Brown, to receive and file items 17.A and 17.B. Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer
NOES: None

18. CONSENT CALENDAR

All Consent Calendar items will be acted upon by a single action of the City Council unless otherwise requested by an individual Council Member for separate consideration.

18.A. Approval of the Minutes for the November 10, 2020 Closed Session and Regular City Council Meeting

18.C. Resolution No. 2020-101 Amending the FY2019/2020 Annual Budget in the Amount of $687,944.74 and Transferring Overtime Costs Previously Charged to Measure U Back to the General Fund

City Manager Lopez indicated that staff is requesting that Item 18B, be pulled for a separate discussion and presentation, and that item 18F be pulled from the agenda.

Motion by Council Member Brown, second by Mayor Pro Tem Males, to approve items 18.A and 18.C. Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males and Mayor Meyer
NOES: None

ITEMS PULLED FROM CONSENT

18.B. Resolution No. 2020-100 Authorizing Centrica Business Solutions Services, Inc. to Perform an Investment Grade Audit (IGA) of All City Buildings and Facilities and to Prepare a Report for Review and Approval by the City Council at No Cost

Interim Public Works Director Merrill, Josh Steeber and Brett Watson with Centrica Business Solutions presented the staff report.

Motion by Council Member Krupa, second by Council Member Brown, to adopt Resolution No. 2020-100 Authorizing Centrica Business Solutions Services, Inc. to Perform an Investment Grade Audit (IGA) of All City Buildings and Facilities and to Prepare a

Report for Review and Approval by the City Council at No Cost. Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer

NOES: None

18.D. Resolution SA-2020-001 of the Successor Agency to the Former Hemet Redevelopment Agency approving the Recognized Obligation Payment Schedule for July 1, 2021 through June 30, 2022 and approving the Administrative Budget for July 1, 2021 through June 30, 2022.

18.E. Resolution SA-2020-002 of the Successor Agency to the Former Redevelopment Agency Approving an Agreement for Consulting Services Between the Successor Agency to the Former Hemet Redevelopment Agency and RSG, Inc. for Fiscal Year 2021-2022

Finance Director Rocha provided the staff report.

Motion by Council Member Krupa, second by Council Member Brown, to approve item 18.D and 18.E per staff recommendation. Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer

NOES: None

18.F. A Resolution Approving the Agreement with Novacoast, Inc. and Check Point Software Technologies, Ltd. for the City of Hemet Replacement Firewall System Project in an amount not-to-exceed $941,000 plus tax, and Authorizing the City Manager to Execute the Agreement and all Other Documents in Support of the Agreement, subject to minor changes that do not impact costs to the City and are approved by the City Manager and City Attorney.

This item was pulled from the agenda.

18.G. Declare City Vehicles, Electronic Waste, Equipment and Miscellaneous Scrap as Surplus

City Manager Lopez, Finance Director Rocha, and Procurement Administrator Robinson provided the staff report.

Motion by Mayor Meyer, second by Council Member Lilienthal, to declare electronic waste, equipment and miscellaneous scrap, and City vehicles defined as 'Burn Damage', 'Blown Engine,' 'CNG Tank Expired,' and 'Crashed.' Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer

NOES: None

19. DISCUSSION - ACTION ITEMS

19.A. Resolution No. 2020-102 Declaring a Limitation for Campaign Contribution Limits for Candidates for City of Hemet Elected Officials

Assistant City Attorney Vega provided the staff report.

Motion by Council Member Brown, second by Council Member Krupa,
to adopt Resolution No. 2020-102 Declaring a Limitation for Campaign Contribution Limits for Candidates for City of Hemet Elected Officials. Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer

NOES: None

19.B. Introduce an Ordinance Repealing Residential Rental Registration and Crime-Free Rental Housing Ordinance and Chronic Nuisance Abatement Ordinance.

Assistant City Attorney Vega provided the staff report.

Motion by Council Member Brown, second by Council Member Krupa, Introduce, read by title, and waiver further reading of Ordinance Repealing Residential Rental Registration and Crime-Free Rental Housing Ordinance and Chronic Nuisance Abatement Ordinance Passed 5/0/1/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer

NOES: None

19.C. Review Proposed Banking RFP and Establish an Evaluation Committee for Proposals Received

Motion by Council Member Krupa, second by Council Member Brown, to discuss the proposed Banking RFP for citywide banking services and establish a committee to evaluate proposals received. Passed 5/0.

AYES: Council Members Brown, Krupa, Lilienthal, Mayor Pro Tem Males, and Mayor Meyer
NOES: None

19.D. Novel Coronavirus (COVID-19) Emergency Declaration Update

There was no formal action taken.

20. ITEMS PULLED FROM CONSENT

21. CITY COUNCIL AND STAFF REPORTS

Mayor Meyer asked for Council Comments. Council Members Brown, Krupa, Mayor Pro Tem Males, and Mayor Meyer provided reports.

COUNCIL MEMBER BROWN

1. Hemet San Jacinto Watermaster Board – Alternate
2. Infrastructure Commission
3. League of California Cities – Transportation, Communications & Public Works Policy Committee
4. Riverside County Habitat Conservation Agency
5. Riverside County Transportation Commission – Alternate
6. Western Riverside Council of Governments – Alternate (WRCOG)
7. Western Community Energy Board

COUNCIL MEMBER KRUPA

1. Hemet Public Library Board of Trustees
2. Hemet San Jacinto Watermaster Board
3. Investment Oversight Committee
4. League of California Cities – Executive Committee, Environmental Quality
5. Ramona Bowl Board
6. Riverside County Airport Land Use Commission
7. Riverside County Transportation Commission (RCTC)
8. Riverside County Waste Management Task Force
9. Riverside Transit Agency (RTA)

10. Southern California Association of Governments (SCAG) - Transportation

COUNCIL MEMBER LILIENTHAL

COUNCIL MEMBER MALES

COUNCIL MEMBER MEYER

1. Community Action Commission of Riverside County
2. Community Outreach Committee
3. Investment Oversight Committee
4. Riverside County Habitat Conservation Agency (RCHCA) - Alternate

AD-HOC COMMITTEE REPORTS

1. Florida Avenue (SR 74) Ad-Hoc Committee (Krupa/Wright Jan. 8, 2019)
2. Council Protocols Ad-Hoc Committee (Brown/Krupa Feb. 25, 2020)

CITY MANAGER LOPEZ

City Manager Lopez did not have a report.

22. FUTURE AGENDA ITEMS

If Members of Council have items for consideration at a future City Council meeting, please state the agenda item to provide direction to the City Manager.

Mayor Meyer asked Council if there were any requests for Future Agenda Items; no changes were made.

1. Housing Investment Opportunities/Vacant City Owned Infill Property
2. Broadcasting of City Council Meetings
3. Vagrancy and Pan Handling Laws
4. Investment Portfolio Audit
5. Council Protocols
6. Special Events Funding Policy
7. Street Vendor Permit Regulations and Enforcement
8. Animal Control Regulations for Businesses
9. Solar Feasibility
10. Fire Foundation SAVE Program
11. CalEPA Letter to Cease Vapor Intrusion
12. Consider Local Banking Options

23. ADJOURNMENT

There being no further business, Mayor Meyer adjourned the meeting at 11:31 p.m. The next Regular City Council Meeting will be at 7:00 p.m. on January 12, 2021.

APPROVAL: ATTEST:

_____ _____

Karlee Meyer, Mayor Clay James, City Clerk

City of Hemet
City Council Meeting
STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: City Council
Submitted by: Christopher Lopez, City Manager
Daryl Betancur, Interim City Clerk;

☒ **Receive and File** ☐ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

Approval of the Closed Session and Regular City Council Meeting Minutes of February 9, 2021.

RECOMMENDED ACTION:

Approval of Minutes of the Closed Session and Regular City Council Meeting Minutes of February 9, 2021.

FISCAL IMPACT:

There is no fiscal impact associated with the approval of these minutes.

REVIEWED BY LEGAL:

☒ Staff report ☐ Resolution
☐ Ordinance ☐ Agreement

ATTACHMENT(S):

CC_Regular Mtg_ Minutes_02-09-21

MINUTES
City Council Meeting

City of Hemet
City Council Chamber
Teleconference Number: (888) 585-9008, when prompted dial: 768-176-038
Tuesday, February 9, 2021

CLOSED SESSION – 6:00 P.M.

The City Council of the City of Hemet met this date in a Closed Session at 6:00 p.m. in the City Council Chamber, 450 E. Latham Avenue, Hemet, California with Mayor Meyer presiding.

1. CALL TO ORDER

The City Council of the City of Hemet met this date in a Closed Session at 6:00 p.m. in the City Council Chamber, 450 E. Latham Avenue, Hemet, California with Mayor Meyer presiding.

2. ROLL CALL

Interim City Clerk Betancur provided the Roll Call as follows:

Present:	Mayor Meyer
	Mayor Pro Tem Males
	Council Members Brown, Krupa, and Lilienthal

Staff Present:

City Manager:	Lopez
Interim City Attorney:	Graham
Interim City Clerk:	Betancur

3. PUBLIC COMMENT PERIOD - RULES OF DECORUM, RESOLUTION NO. 4545

At this time, members of the public may only comment on an item appearing on the agenda. Please adhere to the following when addressing the Council:
Comments will be limited to 3 minutes or less.
Comments should be directed to the Council as a whole and not directed to individual Council Members.
Please follow the adopted rules of decorum: Resolution No. 4545.

Mayor Meyer asked for Public Comments. There were no public comments.

Council recessed into Closed Session at 6:05 p.m. Mayor Pro Tem Males recused from discussion on item 4B.

4. DISCUSSION ITEMS

4.A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant Exposure
Pursuant to Paragraph 2 of Subdivision 3 of Government Code Section 54956.9
Number of Cases: (1)

4.B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Paragraph (1) of Subdivision (d) of Section 54956.9
Name of Case: *Kenneth J. Graff v. Joe S. Males, Riverside County Superior Court*
Case No. CVSW2001683

4.C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of Litigation Pursuant to Paragraph (4) of subdivision (d) of Section 54956.9
Number of Potential Cases: (1)

4.D. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency Designated Representative: Christopher Lopez, City Manager
Employee Organizations: HMMA, SEIU and Confidential

5. ADJOURNMENT OF CLOSED SESSION

Council reconvened from Closed Session at 6:57 p.m.

REGULAR MEETING - 7:00 P.M.

6. CALL TO ORDER

The City Council of the City of Hemet met this 9th day of February, 2021 in a Regular Session at 7:05 p.m. in the City Council Chamber, 450 E. Latham Avenue, Hemet, California with Mayor Meyer presiding.

7. ROLL CALL

Interim City Clerk Betancur provided the Roll Call as follows:

Present: Council Member Brown
Council Member Krupa
Council Member Lilienthal
Mayor Pro Tem Males

	Mayor Meyer
Absent:	None
Staff Present:	City Manager Lopez Interim City Attorney Graham Interim City Clerk Betancur

8. INVOCATION

Invocation was offered by Bill Heller with the Interfaith Council and Pastor Martin Hernandez from Faith World Harvest church.

9. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Lilienthal.

10. CITY ATTORNEY CLOSED SESSION REPORT

10.A. City Attorney's Report regarding Closed Session

City Attorney Graham stated that there were no reportable actions on items 4A, 4B, and 4D. However, the Council on a vote of 5-0 moved to initiate litigation on Item 4C. Mayor Pro Tem Males recused from participating in discussion of item 4B.

11. COMMUNICATIONS FROM THE PUBLIC

Welcome to a meeting of the Mayor and City Council of the City of Hemet

- Anyone who wishes to speak during public comment or on a particular item will be required to fill out a speaker slip and turn it in to the City Clerk. Each request will cover one speaker.
- There is a 3-minute-per-person time limit for all comments.
- Written comments on any item may also be submitted to the City Clerk to be included in the meeting record; however, they will not be read aloud.
- All who wish to speak, including Council members and staff, need to be recognized by the Mayor before speaking.
- Members of the public shall comply with the adopted Rules of Decorum, Resolution No. 4545. A copy of which can be requested through the City Clerk's Office.
- Please turn off or mute your cell phone while the meeting is in session

Mayor Meyer asked for Public Comments. Mariann Derouin addressed the Council with an update on street cleaning activities.

11.A. Public Comment for Items Listed on the Agenda: Consent and Discussion Items

11.B. Public Comment for Items Not Listed on the Agenda, but within Jurisdictional Matter

12. PUBLIC HEARING

12.A. Public Hearing to Consider the FY 2020-2021 Capital Improvement Projects (CIP)

Staff recommended that the public hearing be continued to February 23.

13. PRESENTATIONS

13.A. Proclaiming the Month of February as Black History Month

Proclamation was accepted by Deni Antoinette Mazingo, Dennis Fletcher, and Trish Mares with the Human Rights Commission.

13.B. Special Recognition by Mayor Meyer and Members of the City Council.

The City Council recognized Council Member Lilienthal as the first African American Council Member in the history of the City of Hemet.

14. RECEIVE AND FILE

14.A. Warrant Registers Dated January 14, 2021 in the Amount of $535,311.68 and January 28, 2021 in the Amount of $638,806.38 and The Payroll Periods of December 28, 2020 to January 10, 2021 in the Amount of $798,009.31, January 11, 2021 to January 24, 2021 in the Amount of $635,047.14, and January 11, 2021 to January 24, 2021 in the Amount of $2,725.17

Moved to approve item as presented.

Motion by Council Member Krupa, second by Council Member Lilienthal to receive and file. Passed 5/0.

AYES: Council Member Brown, Council Member Krupa, Council Member Lilienthal, Mayor Pro Tem Males, and Mayor Meyer

NOES: None

14.B. Approval of Minutes of the Closed Session and Regular City Council Meetings of January 26, 2021

Minutes approved subject to amendments.

Motion by Council Member Krupa, second by Council Member Brown, to approve the Minutes of the Closed Session and Regular City Council Meetings of January 26, 2021 Passed 5/0.

AYES: Council Member Brown, Council Member Krupa, Council Member Lilienthal, Mayor Pro Tem Males, and Mayor Meyer

NOES: None

15. TREASURER'S REPORT

15.A. Monthly Report #2

Sue Savage, City Treasurer presented the Treasurer's report.

Motion by Council Member Lilienthal, second by Council Member Brown to receive and file report. Passed 5/0.

AYES: Council Member Brown, Council Member Krupa, Council Member Lilienthal, Mayor Pro Tem Males, and Mayor Meyer
NOES: None

16. CONSENT CALENDAR

All Consent Calendar items will be acted upon by a single action of the City Council unless otherwise requested by an individual Council Member for separate consideration.

16.A. An Ordinance of the City Council of the City of Hemet, California, Renumbering Certain Ordinances of the Hemet Municipal Code (*Second Reading & Adoption*)

16.B. A Resolution Accepting the FY20/21 State COPS Supplemental Law Enforcement Services Account (SLESA) Allocation

Motion by Council Member Brown, second by Council Member Krupa to approve the Consent Calendar as presented. Passed 5/0.

AYES: Council Member Brown, Council Member Krupa, Council Member Lilienthal, Mayor Pro Tem Males, and Mayor Meyer
NOES: None

17. DISCUSSION - ACTION ITEMS

17.A. Novel Coronavirus (COVID-19) Emergency Declaration Update

City Manager Chris Lopez presented the report.

17.B. A Presentation of the Fiscal Year 2020-2021 Draft Capital Improvement Program for the City of Hemet

Steve Loriso, City Engineer presented the CIP report and answered Council's questions. Direction was provided to staff.

18. CITY COUNCIL AND STAFF REPORTS

Mayor Meyer asked for Council Comments. Council Member Brown, Council Member Krupa, Council Member Lilienthal, Mayor Pro Tem Males and Mayor Meyer provided reports/updates.

By unanimous consent, Mayor Pro Tem Males replaced Council Member Brown on the Skate Park Committee.

COUNCIL MEMBER BROWN

1. Infrastructure Commission - Main Rep
2. Council Protocols Ad-Hoc - Alternate
3. CDBG-CV Ad-Hoc – Alternate
4. Banking RFP Ad-Hoc - Alternate
5. League of California Cities
6. Riverside Transportation Commission - Alternate
7. Western Riverside County Conservation Authority - Alternate
8. Hemet San Jacinto Water Master Board * - Alternate
9. Western Communities Energy Board of Directors * - Main Rep
10. Western Riverside Council of Governments * - Main Rep
11. CAJPIA Board - Main Rep

COUNCIL MEMBER KRUPA

1. Hemet Housing Authority - Main Rep
2. Investment Oversight Committee - Main Rep
3. Hemet Public Library Board of Trustees - Main Rep
4. Council Protocols Ad-Hoc Committee - Main Rep
5. CDBG- CV-Ad-Hoc Committee - Main Rep
6. Banking RFP Ad-Hoc Committee - Main Rep
7. Riverside County Airport Land Use Commission * - Main Rep
8. League of California Cities
9. Riverside County Transportation Commission * - Man Rep
10. Riverside Transit Agency - Main Rep
11. Ramona Bowl Board of Directors - Main Rep
12. Hemet San Jacinto Water Master Board * - Main Rep
13. Western Riverside County Conservation Authority – Main Rep

COUNCIL MEMBER LILIENTHAL

1. Hemet Housing Authority - Alternate
2. Community Outreach Committee - Main Rep
3. Banking RFP Ad-Hoc Committee - Alternate
4. Skate Park Committee - Main Rep
5. Vision and Mission Statement Ad-Hoc Committee - Main Rep
6. League of California Cities
7. Riverside Transit Agency * Alternate
8. Western Riverside Council of Governments * Alternate

MAYOR PRO TEM MALES

1. Skate Park Committee – Alternate

2. Community Outreach Committee - Main Rep
3. Planning Commission - Main Rep
4. Community Action Commission of Riverside County - Main Rep
5. League of California Cities
6. Ramona Bowl Board of Directors - Alternate
7. Western Communities Energy Board of Directors * - Alternate

MAYOR MEYER

1. Investment Oversight Committee - Alternate
2. Vision and Mission Statement Ad-Hoc Committee - Alternate
3. League of California Cities
4. CAJPIA Board - Alternate

AD-HOC COMMITTEE REPORTS

1. Council Protocols Ad-Hoc Committee (Brown/Krupa Feb. 25, 2020)
2. CDBG-CV Ad-Hoc Committee (Krupa/Brown Sep. 22, 2020)
3. CDBG-Application Selection and Funding Recommendations Committee Ad-Hoc (Lilienthal/Males Jan 12, 2021)

CITY MANAGER LOPEZ

There was no report.

19. FUTURE AGENDA ITEMS

If Members of Council have items for consideration at a future City Council meeting, please state the agenda item to provide direction to the City Manager.

Mayor Meyer asked Council if there were any requests for Future Agenda Items. With the Council's consent, the City Attorney function future item was thereby removed from the list.

1. Broadcasting of City Council Meetings
2. Vagrancy and Pan Handling Laws
3. Investment Portfolio Audit
4. Council Protocols
5. Street Vendor Permit Regulations and Enforcement
6. Animal Control Regulations for Businesses
7. Solar Feasibility
8. Consider Local Banking Options
9. Review of Resolution No. 4703
10. Review of Penalties for Fireworks, Sec 46-104 of the Hemet Municipal Code
11. Legal Review of Hemet Youth Baseball
12. Code Enforcement Efficiency Plan

20. ADJOURNMENT

Mayor Meyer recessed the meeting back to Closed Session at 8:26 p.m. The City Council reconvened to open session at 8:57 p.m. City Attorney Graham stated that there were no further reportable actions.

There being no further business, Mayor Meyer adjourned the meeting at 8:58 p.m. The next Regular City Council Meeting will be at 7:00 p.m. on February 23, 2021.

APPROVAL: ATTEST:

_____ _____

Karlee Meyer, Mayor

Daryl A. Betancur, MMC
Interim City Clerk

City of Hemet
City Council Meeting

STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: City Treasurer
Submitted by: Sue Savage, City Treasurer;

☒ **Receive and File** ☐ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

Treasurer's Monthly Report #3

RECOMMENDED ACTION:

Receive Discuss File

BACKGROUND:

Hemet's City Treasurer continues to work hard to earn interest on taxpayer money in a zero interest rate economy. Interest earnings in January alone were $117,005.11

DISCUSSION:

as needed

PREVIOUS COUNCIL ACTION:

Receive and File

FISCAL IMPACT:

none

ATTACHMENT(S):

Treasurer Report #3

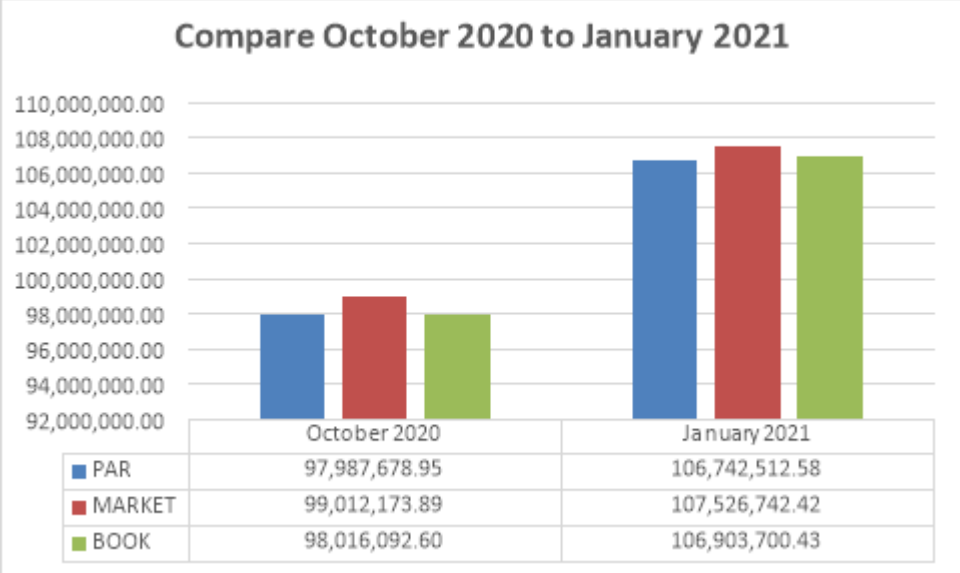
Good evening my fellow elected officials. I look forward to discussing my third Treasurer Report with you. Tonight's "Keeping Hemet STRONG" discussion is on behalf of and for the benefit of Hemet taxpayers. Could you speak into your microphone with questions or comments so the taxpayers can hear your every word.

Tonight, we will

1. examine the numbers to see if we meet the lawful requirement of the ability to pay the Finance's projected $50 million dollars of expenses over the next six months.
2. discuss benchmarking the Portfolio which I learned in Treasurer school last month.

First, let us review the three ways of valuing the Taxpayer's Portfolio.
Par is what The Portfolio is worth when it matures.
Market is what The Portfolio is worth if we sold it today.
Book is what we paid for it.

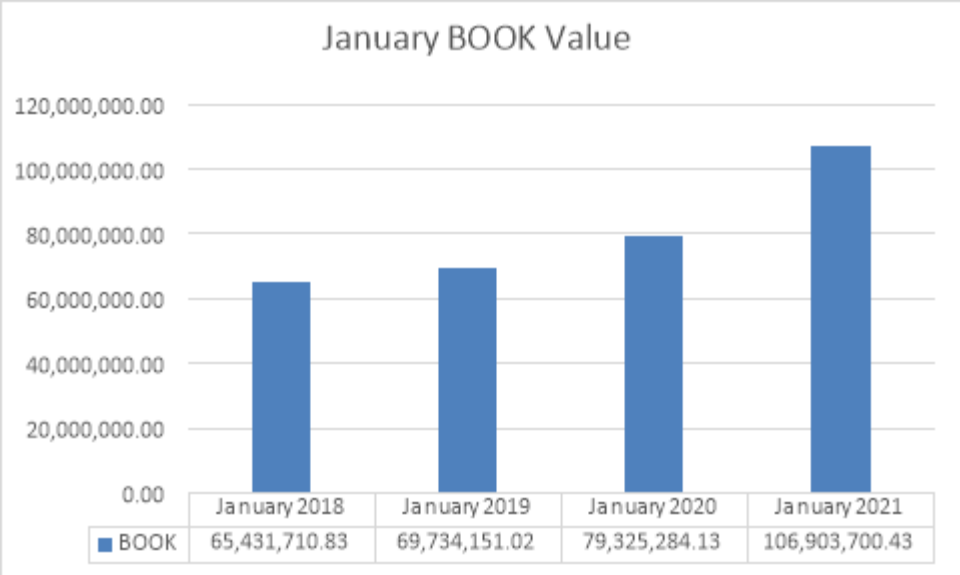
Let us compare October 2020 numbers to January 2021 numbers.



The first thing we see is Hemet has a lot more money since October.

Hemet is up about 9 million dollars since October 31st, 2020. Another way of saying this is Hemet is up $9 million dollars in the last three months, or up 3 million dollars every month.

Let us compare book values from January 2018, 2019, 2020 and 2021 to see if this is unusual.



The data shows Hemet is up $41,500,000 in four years. Hemet has money. The idea Hemet is going bankrupt is completely wrong. These numbers prove it.

Hemet has money. Both City Council and the City Manager worked hard to get us in this beautiful deep in the black position. You were smart enough to get us here. We are confident you are smart enough to keep us here. We commend each of you and all of you.

At the last meeting we showed October 2020 market value being higher than par value by more than 1 million dollars? Well, the difference between market and par value is now only $784,000. The difference has dropped $240,000 since October 2020. Here is why.

Date	**Name** **Market Value**	**%** **PAID Yearly**	**Activity**
11/02/20	Los Angeles CA Municipal Bond 521,164.80	3.15% $ 13,624.00	Matured
11/16/20	Ally Bank CD 247,599.35	2.00% $ 4,940.00	Matured
12/04/20	Kern Schools Federal Credit Union 269,061.22	2.10% $ 5,250.00	Called

12/07/20	Wells Fargo Note 1,004,040.00	2.55% $ 25,500.00	Matured
12/14/20	Visa Inc Note 1,002,200.00	2.20% $ 22,000.00	Matured
12/09/20	Sallie Mae CD 247,983.78	2.20% $ 5,434.00	Matured
12/29/20	Bar Harbor Bank CD 250,275.80	2.20% $ 5,478.00	Matured
12/30/20	Federal Home Loan Agency 1,003,270.00	2.00% $ 20,000.00	Called
TOTALS:	**$ 4,545,594.95**	**$ 102,226.00**	

Our interest earnings stop when an investment is sold, matures, or is called away. This means we no longer earn interest until we reinvest. In two months, these 8 investments with a market value of four and a half million dollars were called or matured. The investments had been earning over $102,000 in interest each year.

Question: What happened to the 4 ½ million dollars? And what interest is now being earned in this zero-interest rate environment? Answer: The 4 ½ million is invested in LAIF earning less than ½ a percent interest. This means we are now earning $20,818 a year in LAIF when we were earning $102,226 before. Yes, we just reduced our interest income by $81,407 during the Nov and Dec timeframe. Still, it is worthwhile to note, under this Treasurer, January's interest earned was $117,005.11.

It is important to understand the City Treasurer works hard to enhance the economic status of the City by investing every idle dollar even if it only earns us ½ a percent. The Fed will raise interest rates from zero after the pandemic. The City Treasurer works hard at preparing the portfolio to take advantage of those changes in interest rates.

This completes our review. Does anyone have comments or questions?

We will now discuss how the California Law would benchmark our portfolio. California has three benchmarks: safety, liquidity and yield. The first benchmark is SAFETY..

Benchmark

Safety: The law requires the governing body to keep taxpayer dollars safe.

City Council has the power to tax and create policy. Because of this power, there is an obligation to keep taxpayer money safe. City Council cannot delegate its liability for taxpayer dollars. City Council can delegate its authority to manage taxpayer dollars. City Councils mostly delegate their authority to manage taxpayer dollars to City Treasurers in an ordinance.

What is the benchmark for how safe taxpayer dollars are? California Law requires a rating category of A or better on investments. S&P and Moody's determine the ratings. Our portfolio is rated every month by our Investment Bank.

Hemet's own Investment Policy requires "investments be the safest types of securities or minimum credit quality rating as listed in Section 10." However, there is no Section 10 in Hemet's Investment Policy. Hemet's Investment Policy should be reviewed.

Are we keeping our taxpayer dollars safe under California Law? Does Hemet meet the Safety benchmark? Let us look at our January Portfolio. How does Hemet's ratings, highlighted in grey, comply with California law?

Hemet's Investment Portfolio January 1 - 31, 2021

Municipal Bonds	**7.70 % of Portfolio**	**Allowed 30%**	
Par		**Market**	**Book**
600,000	**HARPER CREEK COMMUNITY SCHOOL DISTRICT** MATURITY DATE: **05/01/2021** MOODY'S Aa1	603,618.00	605,970.00

	RATE: 2.743%		
740,000	**PORT OF MORROW OR** MATURITY DATE: **09/01/2021** MOODY'S Aa2 RATE: 2.737%	750,848.40	749,664.40
1,000,000	**SACRAMENTO COUNTY SANITATION DISTRICTS** FINANCING AUTHORITY MATURITY DATE: **12/01/2021** MOODY'S Aa2 S&P AA RATE: 2.810%	1,019,740.00	1,022,240.00
990,000	**INDIANA BOND BANK** MATURITY DATE: 01/15/2022 S&P AA+ RATE: 2.710% PAID: 13,414.50	1,009,354.50	1,002,087.90
1,260,000	**CERRITOS COMMUNITY COLLEGE DISTRICT** MATURITY DATE: 08/01/2022 MOODY'S Aa2 S&P AA RATE: 2.971%	1,309,266.00	1,273,003.20
1,000,000	**NEW YORK CITY TRANSITIONAL FINANCE** AUTHORITY FUTURE TAX SECURED REVENUE MATURITY DATE: 08/01/2022 MOODY'S Aa1 S&P AAA RATE: 2.840%	1,038,520.00	1,017,820.00
495,000	**CITY OF RIO RANCHO NM** MATURITY DATE: 06/01/2024 MOODY'S A1 S&P AA- RATE: 3.200%	522,729.90	498,583.80
1,145,000	**CITY OF ASHLAND OR** MATURITY DATE: 08/01/2024 S&P AA RATE: 2.800%	1,169,915.20	1,132,393.55
1,000,000	**MARYLAND COMMUNITY DEVELOPMENT**	1,060,740.00	1,019,370.00

	ADMINISTRATIO MATURITY DATE: 09/01/2026 MOODY'S Aa1 RATE: 2.863%			
Medium Term Notes		**5.86 % of Portfolio**		**Allowed 15%**
Par			**Market**	**Book**
750,000	**TOYOTA MOTOR CREDIT CORP** MATURITY DATE: 01/11/2023 MOODY'S A1 S&P A+ RATE: 2.700% PAID: 10,125.00		784,350.00	749,625.00
1,000,000	**AMAZON.COM INC** MATURITY DATE: 02/22/2023 MOODY'S A2 S&P AA- RATE: 2.400%		1,041,410.00	998,140.00
1,000,000	**APPLE INC** MATURITY DATE: 05/03/2023 MOODY'S Aa1 S&P AA+ RATE: 2.400%		1,047,330.00	990,600.00
1,000,000	**MICROSOFT CORP** MATURITY DATE: 08/08/2023 MOODY'S Aaa S&P AAA RATE: 2.000%		1,040,170.00	970,750.00
1,000,000	**JPMORGAN CHASE & CO** MATURITY DATE: 02/01/2024 MOODY'S A2 S&P A- RATE: 3.875%		1,098,900.00	1,034,730.00
505,000	**WALT DISNEY CO/THE** MATURITY DATE: 08/30/2024 MOODY'S A2		525,563.60	501,970.00

	S&P BBB+ RATE: 1.750%		
1,000,000	**CATERPILLAR FINANCIAL SERVICES CORP** MATURITY DATE: 11/13/2025 MOODY'S A3 S&P A January Purchase RATE: 0.800%	1,001,650.00	1,004,240.00

Government Agencies	**.94 % of Portfolio**	**Allowed 100%**

Par		**Market**	**Book**
1,000,000	**FEDERAL HOME LOAN MORTGAGE CORP** MATURITY DATE: 09/30/2025 MOODY'S Aaa RATE: 0.550%	995,980.00	1,000,000.00

Examining each Hemet investment shows we meet the Safety Benchmark except for the Disney Note. Disney was just downgraded to BBB+ by S&P. Moody's "A2" rating allows us to continue to meet the overall guideline. We will watch Disney. It is appropriate for City Council to be involved with any decision regarding the Disney note. Note: January's 2021 Caterpillar Note purchase with a coupon paying almost twice that of LAIF.

Negotiable Certificates of Deposit: FDIC insures deposits up to $250,000 in accredited banks. Hemet has 27 negotiable Certificates of Deposit in accredited banks. Each of the deposits is less than $250,000 ensuring interest earned is also insured.

This concludes the California Lawful "Safety" Benchmark. Does anyone have comments or questions?

The next benchmark under California Law is LIQUIDITY. Liquidity determines if we have enough money to pay the next six months of projected expenses.

Benchmark

Liquidity: is an investment turned into cash without penalty.

California code requires the governing body to have enough money to pay the bills. California Code requires a statement on every Treasurer's report declaring enough money is in the bank to cover the next six months of projected expense.

The projected expense number is not intended as a measurement of whether we meet, exceed or fall short of it. It is simply a measurement of what cash we need as required by California law. We receive income during these six months which may completely cover the projected expenses.

Hemet has two "cash equivalents". First, is the cash in both Citibank and Bank of New York Mellon Banks. Second, is our LAIF investment which allows us to deposit and withdraw cash without penalty.

Comparing these two pieces of information determines if we meet California's Liquidity Benchmark.

One: Finance provided Feb-Jul projected expenses as $50 million dollars ($ 50,000,000).
Two: Readily available cash is LAIF ($ 63 million) plus Checking ($ 21 million)
Totaling $84 million dollars ($ 84,000,000).

LAIF	**59.14% of Portfolio**			**Maximum:**	**$75,000,000**
	LOCAL AGENCY INVESTMENT FUND				
	RATE: 0.44%				
		PAID			
62,182,956.36	**General Fund**	:	81,740.82	62,182,956.36	62,182,956.36
988,459.35	**The LaSalle LIBRARY Endowment**			988,459.35	988,459.35
		PAID			
		:	1,299.35		
	TOTALS 63,171,415.71				

Cash in Banks	20.10 % of Portfolio		Maximum: unlimited	
94,318.16	**BANK OF NEW YORK MELLON**		94,318.16	94,318.16
	RATE: 0.001%	PAID : 11.35		
18,310,436.32	**CITIBANK MM**		18,310,436.32	18,310,436.32
	RATE: 0.01%	PAID : 115.63		
3,070,342.39	**CITIBANK MM3**		3,070,342.39	3,070,342.39
	RATE: 0.01%	PAID : 21.84		
	TOTALS 21,475,096.87			

We see Hemet's 84 million dollars in liquidity easily covers Finance's $50 million dollar next six month expense projection.

Overall: Hemet exceeds the California "Liquidity" Benchmark.

This concludes California Law's Liquidity Benchmark. Does anyone have comments or questions?

The third and final California law benchmark is YIELD. This is where the Treasurer works the hardest.

Benchmark

YIELD: The money Hemet earns.

California code requires the governing body to keep money safe, have enough money to pay the bills and lastly to provide yield.

California Code states: “The investment portfolio shall be designed to attain a market-average rate of return throughout budgetary and economic cycles”. What does this mean?

Examples of Budgetary Cycles are when City Council is funding a project and needs cash. Cash does not provide yield so the portfolio will have little interest income or yield during project requirements.

Examples of Economic Cycles is the current zero interest rate environment. The Yield Benchmark is zero due to the current economic cycle. Zero is an easy benchmark for Hemet’s Treasurer to meet.

What is Hemet’s Yield? Are we doing better than the zero yield of Fed Policy?

Investment group (% of portfolio)		Percent Yield
Government Bonds	**9%**	**2.66**
Notes – Medium Term	**7%**	**2.48**
Negotiable CDs	**8%**	**2.21**
Federal Home Loan Bank Coupons	**1%**	**.55**
LAIF	**60%**	**.44**
Checking Accts	**15%**	**.10**

The great news: 24% of Hemet’s portfolio is earning better than two percent.
The obvious news: 75% of Hemet Taxpayer dollars is earning less than ½ percent.

The Fed’s zero interest rate policy is having a negative effect on our ability to earn interest. The Treasurer is working hard to get the 75% of our portfolio earning less than ½ percent interest like checking accounts and LAIF into something paying higher interest rates. The Fed announced it will be keeping interest rates at zero through 2023, so I will have to work hard for some time.

Overall: Hemet exceeds the State of California “Yield” Benchmark during this Zero Interest Rate economic cycle

This concludes California Law’s Yield Benchmark. Does anyone have comments or questions?

In summary, under California Law, Hemet meets the Safety requirement with a “watch” on Disney and exceeds both the Liquidity and the Yield requirements.

This is Hemet’s January 2021 Portfolio. Note Total January Interest Paid of $117,005.11 at the bottom of the report is considerably higher than Zero due to the hard work of Hemet’s Treasurer. Note the Library Endowment has a place of honor in the portfolio. As elected officials, we thank our Hemet citizens for remembering and giving endowments to our city.

Hemet's Investment Portfolio January 1 - 31, 2021

Municipal Bonds	**7.70 % of Portfolio**	**Allowed 30%**

Par		Market	Book
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1,000,000	**MARYLAND COMMUNITY DEVELOPMENT** ADMINISTRATION	1,060,740.00	1,019,370.00

	MATURITY DATE: 09/01/2026 MOODY'S Aa1 RATE: 2.863%			
Medium Term Notes		**5.86 % of Portfolio**	**Allowed 15%**	
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505,000	**WALT DISNEY CO/THE** MATURITY DATE: 08/30/2024 MOODY'S A2 S&P BBB+ RATE: 1.750%		525,563.60	501,970.00
1,000,000	**CATERPILLAR FINANCIAL SERVICES CORP** MATURITY DATE: 11/13/2025 MOODY'S A3 S&P A RATE: 0.800%	January Purchase	1,001,650.00	1,004,240.00
Government Agencies		**.94 % of Portfolio**	**Allowed 100%**	

Par		Market	Book
1,000,000	**FEDERAL HOME LOAN MORTGAGE CORP** MATURITY DATE: 09/30/2025 MOODY'S Aaa RATE: 0.550%	995,980.00	1,000,000.00

Negotiable CDs FDIC insured 6.26% of Portfolio Allowed 100%

Par		Market	Book
248,000	**CITIBANK NATL ASSN SIOUX FA 12APR21** MATURITY DATE: **04/12/2021** RATE: 2.750%	249,316.68	248,000.00
249,000	**ENERBANK USA SALT LAKE CITY 30APR21** MATURITY DATE: **04/30/2021** RATE: 2.700%	250,591.97	249,000.00
247,000	**FIRST BK HIGHLAND PK ILL 15NOV22** MATURITY DATE: 11/15/2022 RATE: 2.250%	256,099.16	247,000.00
247,000	**EVANSVILLE TEACHERS FCU IND 25JAN22** MATURITY DATE: 01/25/2022 RATE: 3.000% PAID: 629.34	253,749.40	247,000.00
249,000	**MEDALLION BK SALT LAKE CITY 26JAN22** MATURITY DATE: 01/26/2022 RATE: 2.40% PAID: 507.55	254,322.79	249,000.00
249,000	**KEESLER FED CR UN BILOXI MS 31JAN22** MATURITY DATE: 01/31/2022 RATE: 3.050%	255,966.52	249,000.00
247,000	**CARO FED CR UN 28MAR22** MATURITY DATE: 03/28/2022 RATE: 2.800%	254,233.77	247,000.00
246,000	**CROSS RIV BK TEANECK N J 18APR22** MATURITY DATE: 04/18/2022 RATE: 2.500%	252,684.55	246,000.00
249,000	**NORTHERN BK TR WOBURN MASS 18APR22** MATURITY DATE: 04/18/2022 RATE: 1.250%	251,937.30	249,000.00
246,000	**TIAA FSB JACKSONVILLE FLA 07JUN22**	253,504.76	246,000.00

	MATURITY DATE: 06/07/2022		
	RATE: 2.500%		
249,000	**BUCKEYE CMNTY BK LORAIN OHI 26SEP22**	252,173.55	249,000.00
	MATURITY DATE: 09/26/2022		
	RATE: 1.000% PAID: 211.48		
249,000	**COMENITY CAP BK SALT LAKE C 24OCT22**	258,043.79	249,000.00
	MATURITY DATE: 10/24/2022		
	RATE: 2.300% PAID: 486.40		
247,000	**BARCLAYS B 25OCT22**	255,980.49	247,000.00
	MATURITY DATE: 10/25/2022		
	RATE: 2.300%		
247,000	**ALLIANCE CR UN FENTON MO 27OCT22**	255,791.16	247,000.00
	MATURITY DATE: 10/27/2022		
	RATE: 2.250%		
249,000	**MOUNTAIN AMER FED CR UN WES 30NOV22**	259,175.36	249,000.00
	MATURITY DATE: 11/30/2022		
	RATE: 2.400% PAID: 507.55		
249,000	**INDUSTRIAL + COML BK CHINA 22DEC22**	259,937.63	249,000.00
	MATURITY DATE: 12/22/2022		
	RATE: 2.500% PAID: 528.70		
247,000	**MORGAN STANLEY BK N A SALT 11JAN23**	258,938.68	247,000.00
	MATURITY DATE: 01/11/2023		
	RATE: 2.650% PAID: 3,299.65		
247,000	**JEFFERSON FINL FCU METAIRIE 19OCT23**	268,126.64	247,000.00
	MATURITY DATE: 10/19/2023		
	RATE: 3.350%		
249,000	**BANK NEW ENG SALEM N H 20NOV23**	262,471.78	249,000.00
	MATURITY DATE: 11/20/2023		
	RATE: 2.150% PAID: 454.68		
247,000	**BANK HAPOALIM B M NEW YORK 06MAR24**	268,477.03	247,000.00
	MATURITY DATE: 03/06/2024		
	RATE: 3.050%		
240,000	**MORGAN STANLEY PRIVATE BK N 18APR24**	259,229.63	240,000.00
	MATURITY DATE: 04/18/2024		
	RATE: 2.750%		
249,000	**BANKCHAMPAIGN NATL ASSN ILL 20MAY24**	254,042.05	249,000.00
	MATURITY DATE: 05/20/2024		

	RATE: 0.900%	PAID: 190.33		
249,000	**WASHINGTON FED BK N A SEATT 23AUG24**		264,450.66	249,000.00
	MATURITY DATE: 08/23/2024			
	RATE: 2.050%	PAID: 433.53		
245,000	**STATE BK INDIA NEW YORK N Y 22JAN25**		260,923.17	245,000.00
	MATURITY DATE: 01/22/2025			
	RATE: 2.000%	PAID: 2,470.14		
247,000	**LIVE OAK BKG CO WILMINGTON 14FEB25**		261,695.99	247,000.00
	MATURITY DATE: 02/14/2025			
	RATE: 1.850%	PAID: 388.09		
249,000	**MERRICK BK SOUTH JORDAN UTA 29MAY25**		252,941.85	249,000.00
	MATURITY DATE: 05/29/2025			
	RATE: 0.800%	PAID: 169.18		
250,000	**BMW BK NORTH AMER SALT LAKE 25SEP25**		250,337.88	250,000.00
	MATURITY DATE: 09/25/2025			
	RATE: 0.500%			
LAIF	**59.14% of Portfolio**		**Maximum: $75,000,000**	
	LOCAL AGENCY INVESTMENT FUND			
	RATE: 0.44%			
62,182,956.36	**General Fund**	PAID: 81,740.82	62,182,956.36	62,182,956.36
988,459.35	**The LaSalle LIBRARY Endowment**		988,459.35	988,459.35
		PAID: 1,299.35		
	TOTALS 63,171,415.71			
Cash in Banks	**20.10 % of Portfolio**		**Maximum: unlimited**	
94,318.16	**BANK OF NEW YORK MELLON**		94,318.16	94,318.16
	RATE: 0.001%	PAID: 11.35		
18,310,436.32	**CITIBANK MM**		18,310,436.32	18,310,436.32
	RATE: 0.01%	PAID: 115.63		
3,070,342.39	**CITIBANK MM3**		3,070,342.39	3,070,342.39
	RATE: 0.01%	PAID: 21.84		
	TOTALS 21,475,096.87			

Portfolio Totals

PAR	January Interest	MARKET	BOOK
106,817,512.58	117,005.11	107,601,742.42	106,903,700.43

Do you think of the Portfolio Format? Is it easy and quick to understand? Is there anything else you would like to see in the report?

This has been a beneficial discussion between Hemet's elected officials.

As Hemet's elected Treasurer, I recommend my fellow elected officials receive this report on behalf of, and for the benefit of, Hemet taxpayers and file this report with the city clerk.

Thank you.

City of Hemet
City Council Meeting

STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Fire Department
Submitted by: Christopher Lopez, City Manager
Robert Gomez;

☐ **Receive and File** ☒ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

Resolution Authorizing the City Manager as a Signatory to Maintain the Fiscal Year 2019/20 Homeland Security Grant Program

RECOMMENDED ACTION:

That the City Council approve a Resolution authorizing the City Manager as a signatory to maintain the Fiscal Year 2019/20 Homeland Security Grant Program.

BACKGROUND:

Each year the Hemet City Council must approve the Governor's California Office of Emergency Services (CAL-OES) Resolution authorizing the appropriate staff to sign for Homeland Security Grants. This resolution allows necessary action by authorized signatories to administer the Sub-Grant SHSP FY-19 funds.

City staff must have this resolution on file in order to receive the allotted grant funds. This year, the Fire Department was allocated funds for a CERT trailer; the attached resolution is California State formatted and is a requirement for the proper administration of the grant.

DISCUSSION:

Per the Office of Emergency Services Fiscal Year 2019 State Homeland Security Grant Program, all applicants are required to submit a resolution with their Homeland Security Grant Program documentation. The State requires that these resolutions be passed annually with designated signatories.

The City of Hemet was allocated $12,000 through Homeland Security Grant (HSG) funds for FY2019/20. The attached resolution authorizes City Manager or his designee to approve and maintain expenditures through the Fire Department's budget. This will allow the City Manager to to apply for, obtain, modify, request reimbursement, and amend and close out documents for the State of California and Department of Homeland Security grant funds for fiscal year 2019/20.

With the awarded funds, the Department expects to purchase a new Community Emergency Response Team (CERT) trailer, which costs approximately $12,000. The purchase will be made in the current fiscal budget year, and costs will be reimbursed by FEMA/Homeland Security.

The City of Hemet currently does not have a CERT Trailer; the acquisition would greatly enhance the capability of the City's five volunteer CERT Teams in having a mobile and centralized cache of tools to operate when called upon. The trailer will be used to house rescue tools, first aid kits, blankets, water, cleaning supplies, plastic bags, tarps, chairs, tables, and other equipment needed to administer the City's CERT program.

CERT Teams provide an invaluable service to community. They are made up of volunteers and assigned to teams that correspond with the City's five fire station districts. Each district has an assigned captain and a line of succession, all who report directly to the City's Emergency Services Coordinator. In the event of a major incident in the City of Hemet, first responders would be immediately overwhelmed and CERT Teams would play a vital role in the City's emergency response until additional first responders arrive. CERT members have basic training in firefighting, first aid, and light trenching and shoring. CERT does not replace first responders, but they provide a temporary measure for immediate needs.

Many CERT volunteers are former first responders, who regularly attend training and whose top priority is safety. A CERT team's role is not limited to the involvement of disasters and large scale emergencies but community service events such as air shows, parades, and other staged events.

With the Council's approval, the City Manager will accept and administer the 2019/20 HSG funds in support of the City's CERT team.

PREVIOUS COUNCIL ACTION:

Resolution 4867 was approved by the City Council on June 11, 2019, giving staff signing authority to accept funds allocated by Homeland Security.

FISCAL IMPACT:

There is no fiscal impact.

REVIEWED BY LEGAL:

☒ Staff report ☒ Resolution
☐ Ordinance ☐ Agreement

ATTACHMENT(S):

Resolution_Feb_2021

CITY OF HEMET
Hemet, California
RESOLUTION NO. 2021-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, APPROVING AN APPLICATION AND DESIGNATING AUTHORIZED AGENTS UNDER THE FY19 HOMELAND SECURITY GRANT PROGRAM ADMINISTERED BY THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY.

Be it resolved and ordered by the City Council of the City of Hemet, State of California, in Regular Session on February 23, 2021, that the City Manager, Christopher Lopez, is hereby designated as an Authorized Official and is authorized as an individual, to execute or to designate an executor for and on behalf of the City of Hemet, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining and maintaining federal financial assistance provided by the Federal Department of homeland Security and sub-granted through the California Emergency Management Agency.

PASSED, APPROVED AND ADOPTED this 9th day of February 2021.

_____
Karlee Meyer, Mayor

ATTEST:

_____
Daryl Betancur, Interim City Clerk

State of California)
County of Riverside)
City of Hemet)

I, Daryl Betancur, Interim City Clerk of the City of Hemet, do hereby certify that the foregoing resolution was adopted by the Hemet City Council on the 9th day of February 2021, and was passed by the following vote:

AYES: Council Members:
NOES: Council Member:
ABSTAIN: Council Member:
ABSENT: Council Member:

_____
Daryl Betancur, Interim City Clerk

City of Hemet
City Council Meeting
STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Finance
Submitted by: Christopher Lopez, City Manager
Lorena Rocha, Finance Director, Veronica Allen, Management Analyst;

☐ **Receive and File** ☒ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

Consideration of Allocations for 2021-2022 Program Year Community Development Block Grant Entitlement and Previously Unexpended Funding

RECOMMENDED ACTION:

It is respectfully recommended that the City Council accept and approve the City Council Ad Hoc Committee's recommended allocations of $922,109 in 2021-2022 Community Development Block Grant (CDBG) funding and previously unexpended funding of $196,044

BACKGROUND:

The City of Hemet is an entitlement city of the Community Development Block Grant (CDBG) program and as such, receives annual grants on a formula basis from the U.S. Department of Housing and Urban Development (HUD). The purpose of CDBG is to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services, with maximum feasible priority given to activities which benefit low and moderate income persons. The City is responsible for developing its own programs and funding priorities within CDBG and HUD requirements, as well as monitoring sub-recipients of the funds awarded under this grant.

During this year's annual CDBG funding process the City received a total of 20 applications requesting over two million dollars in grant funds, by the November 9, 2020 due date. These applications were reviewed to ensure HUD's established criteria were met. On January 12, 2021, the City Council reactivated the Ad Hoc City Council Committee (Ad Hoc) comprised of Mayor Pro-Tem Joe Males and Council Member Malcolm Lilienthal to review the eligible applications and provide funding recommendations for full council consideration. The Ad Hoc Committee members and staff reviewed the applications on January 26-27, 2021 and finalized the funding recommendations on February 9, 2021.

The Annual Action Plan is a short range (one year) planning document used to address the City's annual needs, goals and objectives by allocating funds to eligible activities. CDBG allocation funding for the 2021-2022 Program Year will be incorporated into the Annual Action Plan (AAP) draft. The

AAP draft will be available for 30 days for public review and comment prior to a Public Hearing of the City Council, tentatively scheduled for May 11, 2021, before final approval and submission to HUD. The final AAP must be submitted to HUD no later than May 14, 2021.

DISCUSSION:

In their recommendation, the Ad Hoc Committee continues to advance the City's Five-Year Consolidated Plan (2020-2025) goals by allocating CDBG funding toward activities that improve the quality of life, enhance neighborhood stabilization and provide the basis for economic growth in the City of Hemet. The funding recommendations presented in Attachment 1, are a result of these discussions and the City of Hemet's 2021-2022 Program Year CDBG Allocation of approximately $922,109 and previously unexpended funding of $196,044. If the HUD funding is increased the increase will go towards City projects with an even percentage allocation to projects that are not fully funded. If the HUD funding is decreased, the decrease will be reduced from the public services projects on an even percentage allocation.

FISCAL IMPACT:

No General Fund Impact. Approval of the recommendation of the Ad Hoc Committee will advance the potential receipt of CDBG funds to benefit the City of Hemet and the community.

REVIEWED BY LEGAL:

☒ Staff report ☐ Resolution
☐ Ordinance ☐ Agreement

ATTACHMENT(S):

2-23-21 staff report attachment 1

Attachment 1
CDBG 2021/22 Funding Allocation
Ad-Hoc Committee Recommendation

Agency/Department	Activity	Activity Type	Amount Recommended	Amount Requested
City of Hemet - Administrative Services	Senior or Disabled Home Repair Program	Housing/Public Facilities	**150,000.00**	250,000.00
City of Hemet - Code Enforcement Division	Code Enforcement	Housing/Public Facilities	**175,000.00**	230,000.00
City of Hemet - Planning Division	Rental Property Rehabilitation Program	Housing/Public Facilities	**200,000.00**	200,000.00
City of Hemet - Engineering	21/22 Accessible Sidewalk and ADA Ramps	Housing/Public Facilities	**271,087.94**	352,636.00
City of Hemet - Library	Security Services	Housing/Public Facilities	-	29,000.00
		Total City of Hemet	**$ 796,087.94**	**$ 1,061,636.00**
Care-A-Van Transit	Care-A-Van Transit	Public Services	**13,316.00**	25,000.00
Center Against Sexual Assault (C.A.S.A.)	Sexual Assault Response Team for Hemet	Public Services	**9,500.00**	13,530.00
Community Pantry	Senior Citizen Emergency Assistance	Public Services	**9,500.00**	18,000.00
Exceed	Art in the Park	Public Services	**18,000.00**	67,000.00
Fair Housing Council of Riverside County Inc.	Comprehensive Fair Housing Program	Administration	**39,750.00**	39,750.00
Family Service Association	Senior Nutrition Program	Public Services	**8,000.00**	15,000.00
My City Youth	Community Food Program - Food Boxes	Public Services	**35,000.00**	105,623.00
My City Youth	Family Resource Center - Architectural Design and Engineering	Housing/Public Facilities	-	30,000.00
Valley Restart Shelter	Emergency Shelter and Outreach/Navigation Program	Public Services	**35,000.00**	70,255.00
Valley Wide Recreation and Park District	Youth Scholarships	Public Services	-	10,000.00
Valley Wide Recreation and Park District	Bill Gray Park Accessibility Project	Housing/Public Facilities	-	70,000.00
Valley Wide Recreation and Park District	Jerry Searl Sports Park Community Accessibility Project	Housing/Public Facilities	-	150,000.00
Valley Wide Recreation and Park District	Diamond Valley Lake Accessibility Project	Housing/Public Facilities	-	175,000.00
Voices for Children	Court Appointed Special Advocate	Public Services	**10,000.00**	10,000.00
		Total Community Agencies	**$ 178,066.00**	**$ 799,158.00**
City of Hemet	CDBG Administration	Administration	**144,000.00**	144,000.00
		Total Administration	**$ 144,000.00**	**$ 144,000.00**
		Total Funding	**$ 1,118,153.94**	**$ 2,004,794.00**

Notes:

1. Total Funding of $1,118,153.94 ($922,109 + $196,044.94) is based on the following:
   - $922,109 20/21 Published Formula Grant Allocations / Program Income
   - $2,344.98 15/16 Unexpended Allocation
   - $13,099.99 17/18 Unexpended Allocation
   - $180,599.97 18/19 Unexpended Allocation

2. HUD caps funding by activity type - Administration 20%, Housing/Public Facilities 65%, Public Services 15%.

City of Hemet
City Council Meeting

STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Public Safety
Submitted by: Christopher Lopez, City Manager
Eddie Pust, Police Chief;

☐ **Receive and File** ☒ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

A Resolution Accepting the FY19-20 State COPS Supplemental Law Enforcement Services Account (SLESA) Allocation

RECOMMENDED ACTION:

Adopt a Resolution Accepting the FY19-20 State COPS Supplemental Law Enforcement Services Account (SLESA) Allocation and Authorizing the Finance Department to Increase the Operating Budget to Allocate and Appropriate the funds in the amount of $201,311.92.

BACKGROUND:

The State Controller is required by law to allocate funds to each County that has established an Enhancing Law Enforcement Service Activities Subaccount (ELEAS) in accordance with the proportionate share of the State's total population in each city and unincorporated area.

Each jurisdiction with the County of Riverside receives a minimum of $100,000 as required by the State. The remaining amount received is based on the jurisdiction's population. Hemet Police Department received $8,333.33 for each of the first eleven months of the fiscal year and the projected payment for the twelfth month was $36,781.37. The actual twelfth month payment was $53,448.03. Additionally, a COPS Growth allocation in the amount of $72,863.92 was received bringing the final FY19-20 amount to $201,311.92

The Supplemental Law Enforcement Services Account (SLESA) provides funding to support frontline law enforcement services. This is also known as the Citizen's Option for Public Safety (COPS) allocation.

ANALYSIS:

The FY19-20 SLESA allocation will be used to pay for part of the Axon Camera/TASER Services Five Year Agreement.

PREVIOUS COUNCIL ACTION:

On January 12, 2021, the Hemet City Council approved the purchase of the Axon Body Worn Camera/TASER Five Year Agreement. The funds to be used are the FY19-20 State COPS allocation and Measure U Fund Balance.

FISCAL IMPACT:

No impact to the General Fund. There is no match required for this allocation.

ATTACHMENT(S):

Resolution FY19-20 SLESA
Form11_ELEAS_FY20
FY20_COPS_JJCPA Attachment

CITY OF HEMET
Hemet, California
RESOLUTION NO. 2021-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ACCEPTING THE FY19-20 STATE SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT (SLESA) ALLOCATION IN THE AMOUNT OF $201,311.92, AND AUTHORIZING THE FINANCE DEPARTMENT TO ESTABLISH AN EXPENDITURE ACCOUNT AND INCREASE THE BUDGET IN THE AMOUNT OF $201,311.92.

WHEREAS, the Supplemental Law Enforcement Services Account (SLESA) provides funding to support front line law enforcement services.

WHEREAS, the Hemet Police Department recommends using the allocation for the purchase of the Axon Body Worn Cameras/TASER agreement (as approved by City Council on January 12, 2021).

WHEREAS, the City Council has determined that it is necessary for the efficient management and operation of the Police Department that the allocation funds be appropriated to the Police Department budget.

NOW, THEREFORE, the City Council of the City of Hemet does hereby find and resolve:

1. That the City of Hemet accepts the FY19-20 SLESA allocation in the amount of $201,311.92.

2. That the Finance Department increase the operating budget to allocate and appropriate the allocation funds and an expenditure account be established.

PASSED, APPROVED AND ADOPTED this 23th day of February 2021.

_____
Karlee Meyer, Mayor

ATTEST:

_____
Daryl Betancur, Interim City Clerk

State of California)
County of Riverside)
City of Hemet)

I, Daryl Betancur, Interim City Clerk of the City of Hemet, do hereby certify that the foregoing resolution was adopted by the Hemet City Council on the _____ day of _____, 2021, and was passed by the following vote:

AYES:	Council Members:
NOES:	Council Member:
ABSTAIN:	Council Member:
ABSENT:	Council Member:

_____
Daryl Betancur, Interim City Clerk

EXHIBIT A
Attachments

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

ITEM: 2.7
(ID # 11104)
MEETING DATE:
Tuesday, November 5, 2019

FROM : AUDITOR CONTROLLER:

SUBJECT: AUDITOR-CONTROLLER: Fiscal Year 19/20 Allocation of Enhancing Law Enforcement Activities Subaccount (ELEAS) for Citizen's Option for Public Safety (COPS) Program and Juvenile Justice Crime Prevention Act (JJCPA), Districts All. [$12,393,809 - State Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:
1. Receive and file the attached FY 19/20 report on the distribution of the annual Enhancing Law Enforcement Activities Subaccount (ELEAS) for Citizen's Option for Public Safety (COPS) Program and Juvenile Justice Crime Prevention Act (JJCPA) from September 1, 2019 through August 31, 2020. (Attachment A).

ACTION:Consent

Elaina Bentley, Assistant District Attorney 10/22/2019

Ronald L Miller, Interim Chief Probation Officer 10/23/2019

MINUTES OF THE BOARD OF SUPERVISORS

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	$ 8,994,719	$ 3,399,090	$ 12,393,809	$
NET COUNTY COST	$	$	$	$
SOURCE OF FUNDS: State Funds 100%			**Budget Adjustment:** No	
			For Fiscal Year: 19/20 & 20/21	

C.E.O. RECOMMENDATION: APPROVE

BACKGROUND:

Summary

Pursuant to current law, the State Controller is required to allocate funds to each County that established an Enhancing Law Enforcement Service Activities Subaccount (ELEAS) in accordance with the proportionate share of the State's total population that resides in the cities within the County and the unincorporated area of the County.

Government Code 30061 requires the County Auditor-Controller to allocate the moneys in the County's ELEAS within 30 days of the deposit of those moneys into the fund.

Fiscal Year 19/20 Allocation ELEAS for COPS and JJCPA allocation is $12,393,809 and will be received in monthly installment payments. The data on Attachment A represents the distribution for the COPS Program and the JJCPA. The Cities share of the total ELEAS allocation is $3,902,722 and the County's share is $8,491,087. The County's share will be distributed as follows: $1,945,761 to the COPS Program and $6,545,326 to JJCPA.

Impact on Residents and Businesses

Fiscal Year 19/20 ELEAS allocation is used to fund jail operations, criminal prosecution, front-line law enforcement, and a comprehensive multi-agency juvenile justice program.

SUPPLEMENTAL:

Additional Fiscal Information

Fiscal Year 19/20 ELEAS payments are received from the State between the months of September 2019 and August 2020, therefore payments to the Cities and the County will be allocated between FY20 and FY21. During FY20 total estimated amount to be allocated is $8,994,719 and $3,399,090 in FY21.

ATTACHMENT A. Allocation of Enhancing Law Enforcement Activities Subaccount (ELEAS)

Stephanie Perry, Principal Management Analyst 10/28/2019

County of Riverside
Allocation of Enhancing Law Enforcement Activities Subaccount (ELEAS)
for Citizen's Option for Public Safety (COPS) Program and Juvenile Justice Crime Prevention Act (JJCPA)
Fiscal Year 2019-2020
ATTACHMENT A

ESTIMATED AMOUNTS TO BE RECEIVED PER DEPARTMENT OF FINANCE LETTER:

COPS

Cities and County for front-line law enforcement	4,500,145.00
County Sheriff for county jail construction & operation	674,169.00
County District Attorney for criminal prosecution	674,169.00
Total COPS	**5,848,483.00**

JJCPA

County Probation for Juvenile Justice Plan	**6,545,326.00**
TOTAL ELEAS ALLOCATION	**12,393,809.00**

COPS:

Jurisdiction	Population 01/01/2019	% Based on Population	$100K Minimum Required by State	Total Projected Allocations by State (1)	Projected Monthly Payments to Cities and County for Months 1-11th per State Allocation	Total Projected Allocation for Months 1-11th for Cities and County per State Allocation	Projected Payment to Cities and County for Month 12th per State Allocation	Grand Total Allocation
Banning	31,044	1.27%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Beaumont	48,401	1.98%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Blythe	19,428	0.80%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Calimesa	9,159	0.38%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Canyon Lake	11,285	0.46%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Cathedral City	54,907	2.25%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Coachella	46,351	1.90%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Corona	168,101	6.89%	100,000.00	254,764.00	8,333.33	91,666.63	163,097.37	254,764.00
Desert Hot Springs	29,251	1.20%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Eastvale	66,078	2.71%	100,000.00	100,143.00	8,333.33	91,666.63	8,476.37	100,143.00
Hemet	84,754	3.47%	100,000.00	128,448.00	8,333.33	91,666.63	36,781.37	128,448.00
Indian Wells	5,445	0.22%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Indio	89,406	3.66%	100,000.00	135,498.00	8,333.33	91,666.63	43,831.37	135,498.00
Jurupa Valley	106,318	4.36%	100,000.00	161,129.00	8,333.33	91,666.63	69,462.37	161,129.00
La Quinta	62,949	2.58%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Lake Elsinore	42,098	1.73%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Menifee	93,452	3.83%	100,000.00	141,630.00	8,333.33	91,666.63	49,963.37	141,630.00
Moreno Valley	208,297	8.54%	100,000.00	315,681.00	8,333.33	91,666.63	224,014.37	315,681.00
Murrieta	118,125	4.84%	100,000.00	179,022.00	8,333.33	91,666.63	87,355.37	179,022.00
Norco	26,386	1.08%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Palm Desert	53,625	2.20%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Palm Springs	48,733	2.00%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Perris	76,971	3.15%	100,000.00	116,652.00	8,333.33	91,666.63	24,985.37	116,652.00
Rancho Mirage	18,489	0.76%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Riverside	328,101	13.45%	100,000.00	497,248.00	8,333.33	91,666.63	405,581.37	497,248.00
San Jacinto	48,878	2.00%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
Temecula	113,826	4.66%	100,000.00	172,507.00	8,333.33	91,666.63	80,840.37	172,507.00
Wildomar	36,066	1.48%	100,000.00	100,000.00	8,333.33	91,666.63	8,333.37	100,000.00
County Sheriff Patrol - Unincorporated	394,200	16.15%	100,000.00	597,423.00	8,333.33	91,666.63	505,756.37	597,423.00
Total Front-Line Law Enforcement to Cities & Unincorporated	**2,440,124**	**100.00%**		**4,500,145.00**	**241,666.57**	**2,658,332.27**	**1,841,812.73**	**4,500,145.00**
County Sheriff for county jail const & cops				674,169.00	56,180.75	617,988.25	56,180.75	674,169.00
County DA for criminal prosecution				674,169.00	56,180.75	617,988.25	56,180.75	674,169.00
			Total COPS	**5,848,483.00**	**354,028.07**	**3,894,308.77**	**1,954,174.23**	**5,848,483.00**
JJCPA:								
County Probation for Juvenile Justice Plan			**Total JJCPA**	**6,545,326.00**	**545,443.83**	**5,999,882.13**	**545,443.87**	**6,545,326.00**
			TOTAL ELEAS ALLOCATION	**12,393,809.00**	**899,471.90**	**9,894,190.90**	**2,499,618.10**	**12,393,809.00**

(1) Overall calculation of all counties are based on the government code and county percentage is based on population. Allocations for FY 19/20 are based on State's fiscal year starting in September and ending in August.

FORM 11

CURRENT FY TOTAL COST FOR FY 2019-2020 (September -June)		**NEXT FY TOTAL COST FOR FY 2019-2020 (July -August)**	
COPS	3,540,280.70	COPS	2,308,202.30
JJCPA	5,454,438.30	JJCPA	1,090,887.70
CURRENT FY TOTAL COST	**8,994,719.00**	**NEXT FY TOTAL COST**	**3,399,090.00**
		TOTAL COST	**12,393,809.00**

City of Hemet
City Council Meeting
STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Community Development
Submitted by: Christopher Lopez, City Manager
H. P. Kang, Community Development Director;

☐ **Receive and File** ☒ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

Adopt Resolution for Credit Agreement for Don McCoy on Development Impact Fees (DIF) and Transportation Uniform Management Fee (TUMF) for Storm Drain Installation at the Hemet Auto Mall Specific Plan and submit the TUMF Credit Agreement to Western Riverside Council of Governments (WRCOG).

RECOMMENDED ACTION:

It is respectfully recommended that the City Council:

1. Adopt the Credit Agreements for Don McCoy on Development Impact Fees (DIF) and Transportation Uniform Management Fee (TUMF) for Storm Drain Installation at the Hemet Auto Mall Specific Plan.
2. Authorize the Finance Department to record a supplemental appropriation in the Sewer and Storm Drain Fund in the amount of $100,511.59.
3. Authorize the City Manager to utilize the Sewer and Storm Drain Fund as the source for Development Impact Fee (DIF) credit.
4. Authorize the City Manager to submit the Transportation Uniform Management Fee (TUMF) Credit Agreement to Western Riverside Council of Governments (WRCOG).

BACKGROUND:

At a work study on November 12, 2019, the City Council was presented a discussion regarding a Credit Agreement with the developer of Chrysler Dodge Jeep Ram Dealership. At the work study, the Council directed staff to draft a Credit Agreement for approval at a future City Council meeting.

The existing dealership in the Hemet Auto Plaza has completed a new facility in the Auto Mall at the southeast corner of Warren Road and Auto Blvd, approved pursuant to Site Development Review 17-005. They have relocated from an existing parcel at the southeast corner of Florida Avenue and Warren Road onto a parcel at the southeast corner of Auto Blvd and Warren Road, which was created pursuant to Parcel Map 37098. That Parcel Map subdivided a portion of the Auto Mall into 4 parcels. In conjunction with the development of the dealership, Warren Road improvements were completed from Auto Boulevard to near the south boundary of the Auto Mall at Whittier Avenue. A 30-inch storm drain was also installed along Warren Road from Auto Mall Boulevard to Auto Mall

Drive where it connected to an existing 54-inch storm drain. Improvements also include an additional 25-foot landscaped strip along Warren Road adjacent to the dealership.

The property owner of the four parcels and the Chrysler Dealership requested assistance from the City due to the high cost of the improvements and the fees associated with the development. The relocation of the Chrysler Dealership allows about a fifty percent expansion of the dealership with a consequent increase in sales tax and employees. The Chrysler Dealership was already one of the major sales tax generators in the City.

DISCUSSION:

Warren Road is a Transportation Uniform Management Fee (TUMF) facility. Therefore, staff facilitated a meeting with Western Riverside Council of Governments (WRCOG) regarding potential credits or reimbursements for some of the improvements there. WRCOG indicated that TUMF credit is available. Staff prepared a draft agreement between the property owner and the City for the available TUMF credits.

The 30-inch storm drain that was installed in Warren Road is not a Master Plan facility, and was not included in the projects that comprise the City's Development Impact Fee program; therefore, it is not eligible for credits against the Storm Drain Development Impact Fee program. However, the 30-inch storm drain was required to alleviate a sump condition along Warren Road. In the approved street plans a low spot, or sump, was created at Auto Boulevard along Warren Road. The 30-inch storm drain would alleviate a problem along Warren Road where standing water would accumulate. Staff is recommending a credit to the property owner and developer for the costs of the storm drain since this was required to alleviate a problem along a major City roadway. The cost of the storm drain was approximately $120,000.

The Chrysler Dealership completed their improvements and obtained a Certificate of Occupancy with the understanding a Credit Agreement is under works. The Development Impact Fees (DIF) were calculated in 2019 as a total approximately $336,400, which includes approximately $204,800 in TUMF fees and $32,000 in Multiple Species Habitat Conservation Plan (MSHCP) fees. The balance of the fees, or approximately $100,000 are City Development Impact Fees. The attached agreement would provide a credit for the Storm Drain fees and Development Impact Fees (DIF) under the Credit Agreement.

FISCAL IMPACT:

Since the storm drain is not a Master Plan facility nor included in the Development Impact Fee (DIF) Program, any credit would have to come from the Sewer and Storm Drain Fund allocated to the Capital Improvement Programs funds.

ATTACHMENT(S):

CC Reso Credit Agreement DIF and TUMF 022321
Hemet Credit Agreement (auto mall)
WRCOG Model Improvement and Credit Agreement Developers - Hemet auto mall 022321
Approved Street Imp & Storm Drain Plans

CITY OF HEMET
Hemet, California

RESOLUTION NO. 21-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ADOPTING A RESOLUTION FOR CREDIT AGREEMENT FOR HEMET AUTO MALL, LLC, REGARDING DEVELOPMENT IMPACT FEES (DIF) AND TRANSPORTATION UNIFORM MANAGEMENT FEE (TUMF) FOR STORM DRAIN INSTALLATION AT THE HEMET AUTO MALL SPECIFIC PLAN AND SUBMIT THE TUMF CREDIT AGREEMENT TO WRCOG.

WHEREAS, application for Hemet Auto Mall, LLC., is proposing to enter into a Credit Agreement for Development Impact Fees (DIF) and Transportation Uniform Management Fee (TUMF) for the construction of the storm drain installation at the Hemet Auto mall Specific Plan; and

WHEREAS, on November 12, 2019, the City Council was presented in a work study setting on the discussion of Credit Agreement with the developer of Chrysler Dodge Jeep Ram Dealership. At the work study, the council directed staff to draft a Credit Agreement for approval at a future City Council meeting; and

WHEREAS, in conjunction with the development of the dealership, Warren Road improvements were completed from Auto Boulevard to near the south boundary of the Auto Mall at Whittier Avenue; and

WHEREAS, a 30-inch storm drain was also installed along Warren Road from Auto Mall Boulevard to Auto Mall Drive where it connected to an existing 54-inch storm drain; and

WHEREAS, Staff facilitated a meeting with WRCOG regarding potential credits or reimbursements for some of the improvements on Warren Road since the Warren Road is a TUMF Facility. WRCOG indicated that TUMF credits is available; and

WHEREAS, the DIF fees were calculated in 2019 as a total approximately $336,400, which includes approximately $204,800 in TUMF fees and $32,000 in MSHCP fees; and

WHEREAS, the Hemet City Council discussed the item at the February 23, 2021 City Council meeting; and

NOW, THEREFORE, the City Council of the City of Hemet does hereby resolve, determine, find and order as follows:

SECTION 1. Authorize the City Manager to execute the Credit Agreement for Hemet Auto Mall, LLC on Development Impact Fees (DIF) and Transportation Uniform Management Fee (TUMF) for Storm Drain Installation.

SECTION 2. Authorize the Finance Department to record a supplemental appropriation in the Sewer and Storm Drain Fund in the amount of $100,511.59.

SECTION 3. Authorize the City Manager to utilize the Sewer and Storm Drain Fund as the source for Development Impact Fee (DIF) credit.

SECTION 4. Authorize the City Manager to submit the Transportation Uniform Management Fee (TUMF) Credit Agreement to Western Riverside Council of Governments (WRCOG).

PASSED, APPROVED AND ADOPTED this 23rd day of February, 2021.

_____
_____
_____
Karlee Meyer, Mayor

ATTEST: APPROVED AS TO FORM:

_____
_____
Daryl Betancur, Interim City Clerk Steven Graham, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Daryl Betancur, Interim City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at the regular meeting of the City Council on the ____ day of _____, 2021 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Daryl Betancur, Interim City Clerk

DEVELOPMENT IMPACT FEE CREDIT AGREEMENT FOR FACILITY CONSTRUCTION

By and Between

City of Hemet
a California municipal corporation

and

Hemet Auto Mall, LLC

_____, 2021

Riverside County, California

DEVELOPMENT IMPACT FEE CREDIT AGREEMENT FOR FACILITY CONSTRUCTION BY AND BETWEEN THE CITY OF HEMET AND HEMET AUTO MALL, LLC

This DEVELOPMENT IMPACT FEE CREDIT AGREEMENT ("Fee Credit Agreement"), entered into this _____ day of _____, 2021, between the CITY OF HEMET, a California municipal corporation, hereinafter referred to as the "City," and HEMET AUTO MALL, LLC, hereinafter referred to as the "Developer."

RECITALS

A. Developer is the developer of property located within the City, which property has received development approvals from the City, including the Site Development Review 17-005 (the "Development Review"). A legal description of the property is attached as Exhibit A (the "Property").

B. As a condition of the development approvals for the Property, including the Development Review approvals, the Developer is required to construct, within the public right-of-way adjacent to the Property (the "Right-of-Way"), those certain public improvements including a 30-inch storm strain along Warren Road to Auto Mall Boulevard (hereinafter referred to as the "Improvements"). The estimated costs for the design and construction of the Improvements is ONE HUNDRED TWENTY THOUSAND DOLLARS ($120,000).

C. The Hemet Municipal Code requires certain development impact fees ("DIF Fees") to be paid as a condition to the issuance of certain entitlements within the City. The City Council is authorized to execute agreements on behalf of the City with applicants in order to provide a credit to the applicant against certain DIF Fees in exchange for the applicant's construction and dedication of public improvements, upon reasonable terms and conditions.

D. Developer has assumed all rights, responsibilities and obligations, including the design and construction of the Improvements above and such improvements are included in the City's Development

Impact Fee (DIF) Program as a project, or a portion of a project and eligible for credit against DIF Fees.

E. City and Developer have agreed that the costs to design and construct the Improvements shall be eligible for DIF Credit.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, and the mutual promises contained herein, it is agreed as follows:

1. Definitions. For purposes of this Agreement, the terms below shall be defined as follows:

"Acceptable Title" means title to land or an interest therein required for the construction, operation and maintenance of an Improvement, in form acceptable to the City Manager, free and clear of all liens, taxes, assessments, leases, easements and encumbrances, whether or not recorded, but subject to any exceptions determined by the City Manager as not materially interfering with the actual or intended use of the land or interest therein required for the operation of an Improvement. Notwithstanding the foregoing, an irrevocable offer of dedication may constitute "Acceptable Title."

"Acceptance Date" means the earlier of (i) date the City Manager or his/her designee takes final action, in writing, to accept dedication or transfer of an Improvement or (ii) the date determined pursuant to Section 3 below.

"Bid Documents" means all designs, bid documents, construction plans and specifications, system layout drawings and other construction documents and permits approved by the City relating to an Improvement.

"Certificate of DIF Credit" means a City certificate for the issuance of DIF Credit to Developer in the form attached hereto as Exhibit B.

"City DIF Program and Policies" or "DIF Program" means any provision in the Hemet Municipal

Code, as it may be amended from time to time and as DIF Fees and the capital improvement projects and public infrastructure identified therein may be revised by resolution.

"City Manager" means the City Manager of the City or his or her designee.

"City Engineer" means the City's City Engineer or his or her designee.

"Completed", "Complete" and "Completion" with respect to an Improvement mean that such Improvement has been completed in accordance with its Bid Documents, including any final "punch list" items, as approved in writing by the City Engineer, which approval shall not be unreasonably withheld, and that such Improvement is Usable. Notwithstanding the foregoing, if an Improvement which Developer is obligated to construct pursuant to the applicable conditions of approval for a portion of the Property is only a portion of a larger work of improvement, then a determination of "Completed" or "Completion" with respect to that Improvement shall be made only as to that Improvement and not with respect to the larger work of improvement of which it is a portion.

"Credit Request" means a document, substantially in the form of Exhibit C, to be used by Developer in requesting DIF Credits with respect to one or more Improvements.

"Days" shall mean business days unless otherwise stated.

"Developer Contract" means a contract between the Developer and a qualified contractor awarded to the qualified contractor for the construction of the Improvements at the direction of Developer.

"DIF" or "DIF Fees" means the development impact fees imposed within the City of Hemet pursuant to the Hemet Municipal Code and any subsequent City ordinances and resolutions lawfully adopted by the City Council to update or modify such development impact fees.

"DIF Credit" means credits earned against the payment of DIF pursuant to this Agreement.

"DIF Obligation" means the amount of Developer's total obligation for Development Impact Fees for the Property. Developer's DIF Obligation shall be as provided in Exhibit D.

"Effective Date" means the date set forth in the first paragraph of this Agreement.

"Eligible Cost" means the substantiated cost of an Improvement to be used in calculating DIF Credit amounts, which costs may include: (i) the costs for the construction (including, but not limited to, costs of grading) of such Improvement, (ii) costs directly related to the construction and/or acquisition of the Improvement, such as costs of payment, performance and/or maintenance bonds, the professional costs of material testing, and insurance costs (including costs of any title insurance required); (iii) the cost of acquiring any real property or interest therein in order to construct or operate the Improvement, (iv) the costs incurred in preparing Bid Documents and the related costs of geotechnical and environmental evaluations of the Improvement, (v) the fees paid to the City and any other governmental agencies for, and all other costs incurred in connection with obtaining permits, licenses or other governmental approvals for such Improvement, (vi) costs of construction and project management, administration and supervision (but only up to five percent (5%) of the costs described in clause (i) above) incurred for the construction of such Improvement, (vii) professional costs associated with such Improvement, such as design, engineering, accounting, inspection, construction staking, and similar professional services including legal services related to the review of construction contracts. The maximum amount of Eligible Costs described in clauses (iv) through (vii) shall be limited to a total of fifteen percent (15%) of the costs described in clause (i).

"Improvement" or "Improvements" means the public improvements required to support the development of the Property as described above in Recital B to the extent required by the applicable conditions of approval.

"Development Review" has the meaning set forth in Recital A above.

"Program Cost" or "DIF Program Cost" means the estimated cost of an Improvement identified the City as it may be modified, supplemented or superseded from time to time. The Program Cost to be applied shall be the Program Cost in effect at the time the DIF Credit Request is submitted to the City.

"Usable" shall mean that, with respect to any particular Improvement, the Improvement is actually usable for its intended purposes. Notwithstanding the foregoing, if an Improvement which Developer is obligated to construct is only a portion of a larger work of improvement, then a determination by the City Engineer of whether that Improvement is "Usable" shall be made only with respect to that Improvement and not with respect to the larger work of improvement of which it is a portion.

2. Construction and Funding of Improvements by Developer.

(a) Construction of Improvements by Developer. Developer shall commence each Improvements in accordance with the terms of the conditions of approval, Development Review, including any extension thereof. In the event of any conflict between these documents, the soonest date of commencement shall apply. Upon commencement of the Improvement(s), Developer shall proceed expeditiously with the construction of the Improvement(s) under the terms herein.

(b) For the purposes of this Agreement, commencement of the Improvements shall mean when Developer receives the first permit from City for any grading of the Property.

(c) City and Developer agree that Developer shall award, or cause to be awarded, all contracts for the construction and Completion of the Improvements as necessary to assure the timely and satisfactory completion of such Improvements. The Developer shall perform all of its obligations hereunder and shall conduct all operations with respect to the

construction of the Improvements in a good, workmanlike and commercially reasonable manner, with the standard of diligence and care normally employed by duly qualified persons utilizing commercially reasonable efforts in the performance of comparable work and in accordance with generally accepted practices appropriate to the activities undertaken.

(d) The Developer shall not be relieved of its obligation to construct the Improvements and shall cause title to the Improvements to be conveyed to the City even if the DIF Credit Amount is less than the actual cost of the Improvements.

(e) If Developer is unable or unwilling to proceed with, and Complete, the construction of the Improvement(s) for any reason, and subject to the provisions in Section 16 below, Developer shall be considered to be in default of this Agreement; provided, however, if Developer is unable to commence the construction due to the inability to obtain from all owners of the affected property the necessary rights to construct, install, and thereafter maintain, repair and replace the Improvements, Developer shall not be deemed to be in default and may instead elect to terminate this Agreement by providing City with written notice of such termination, whereupon neither party will have any further obligations under this Agreement.

3. Inspection and Acceptance of Completed Improvement by City. City shall make or shall cause to be made periodic site inspections of Developer's construction work. The Acceptance Date for each Improvement constructed by Developer shall be no later than twenty (20) Days following the last to occur of the following requirements:

(a) the City Engineer's determination the Improvement is Complete;

(b) the City Engineer's determination that Acceptable Title with respect to the Improvement is available for acceptance;

(c) Developer's provision of one (1) set of "as-built" or record drawings or plans for the

Improvement, certified and reflecting the condition of the Improvement as constructed; and

(d) Developer's provision of such evidence or proof as the City Manager shall require that all persons, firms and corporations supplying work, labor, materials, supplies and equipment to the construction of the Improvement have been paid and that no claims or liens have been recorded by or on behalf of any such person, firm or corporation. Alternatively, rather than await the expiration of the time for the recording of claims of liens, Developer may elect to provide a title insurance policy or other security acceptable to the City Manager guaranteeing that no such claims of liens will be recorded or become a lien upon any of the real property required for the Improvement.

4. Conveyance of Acceptable Title to City. Acceptable Title to all property on, in or over which the Improvement is located, shall, prior to and as a condition precedent to the City's acceptance of any Improvement, either (i) be conveyed to City by way of dedication of such property or by a separate recorded instrument, to permit the City to properly own, operate and maintain such Improvement or (ii) acknowledged as already held by the City in the case of property owned by the City in fee or for which the City already holds an easement covering the Improvement. Developer shall assist the City in obtaining such documents as are required to obtain Acceptable Title. Completion of the transfer of Acceptable Title shall be evidenced by recordation of the acceptance thereof by the City Engineer.

5. Maintenance and Warranties to be provided to City. Developer shall maintain the Improvement in good and safe condition until the Acceptance Date of the Improvement. Prior to the Acceptance Date, Developer shall, at its sole cost and expense, be responsible for performing any required maintenance on the Improvement. On or before the Acceptance Date of the Improvement, Developer shall assign to the City all of Developer's rights in any warranties, guarantees, maintenance obligations or provide other evidence of contingent obligations of third persons with respect to such Improvement. For purposes of the foregoing, City acknowledges that this

requirement may be satisfied by Developer by causing City to be named as an additional beneficiary in such warranties or guarantees. All warranties, guarantees or other evidences of contingent obligations of third persons with respect to the Improvement shall be delivered to the City Engineer, in writing, as part of the transfer of title.

(a) After the Acceptance Date, City shall be solely responsible for maintenance of the Improvement.

(b) With respect to the Improvement, Developer shall warrant that the Improvement is free from defects in materials and construction defects (and shall correct or cause to be corrected any such defects at Developer's expense) for a period of one year from the Acceptance Date thereof (the "Warranty Period") and Developer shall provide a bond or other security reasonably acceptable in form and substance to the City for such period and such purpose to insure that such defects that appear within said period will be repaired, replaced or corrected by Developer, at its own cost and expense, to the reasonable satisfaction of the City Manager. For the purposes of the foregoing, compliance with the terms and conditions of any Encroachment Permit issued by the City of Hemet shall constitute security reasonably acceptable to the City for any Improvement constructed within the right-of-way. During the Warranty Period, Developer shall continue to repair, replace or correct any such defects within thirty (30) Days after written notice thereof by the City Engineer to Developer, and shall complete such repairs, replacement or correction as soon as practicable.

(c) In the event that Developer does not repair, replace or correct defects after such written notice, in addition to the provisions of Section 16 below, City may repair, replace or correct the defects in the Improvement and charge the Developer for the cost of such repair, replacement or correction plus City staff time and overhead; provided, however, City shall mitigate its costs through enforcement of any warranty or guaranty which names City as a beneficiary to the extent that such warranty or guaranty is applicable to the repair, replacement or correction.

6. Issuance of DIF Credit to Developer. Developer shall receive DIF Credits based upon the verified Eligible Costs of the Improvement (or accepted portion of the Improvement).

7. Limitations on the Issuance of DIF Credit to Developer upon Completion of an Improvement. The amount of DIF Credit to be issued by City shall be limited to the amount of the DIF Program Costs for the Improvement or segment cost for the percentage of the Program Costs proportional to the segment of improvement constructed or accepted. The DIF Program Costs identified in the City's DIF Program shall be subject to change, from time to time, as part of the continuing update of the City's DIF Program. The DIF Program Costs for the Improvement (or accepted portion of the Improvement) shall be those in effect at the time the DIF Credit Request is submitted to the City.

8. Issuance of a DIF Credit Certificate. When an Improvement is Complete, Developer shall submit a DIF Credit Request to City with all supporting documentation evidencing the total actual Eligible Costs of the Improvement at the time of submittal. The City Manager shall determine the completeness of the DIF Credit Request and notify Developer of whether the DIF Credit Request is considered complete or if additional information is needed from Developer. Once the DIF Credit Request is considered complete, the City Manager shall use his or her best efforts to determine the total actual Eligible Costs of the Improvements and provide Developer with a Certificate of DIF Credit within twenty (20) Days following receipt of the completed DIF Credit Request.

9. DIF Program Modifications. The estimated cost in the City's DIF Program for DIF Improvements (or defined portions of DIF Improvements) and Developer's total DIF Obligation amount may be modified from time to time based on modifications to the City's DIF Program.

10. Non-assignment of DIF Credits. Developer shall have no right to sell, transfer or assign DIF Credits provided for herein.

11. Reserved.

12. Reserved.

13. Additional Documents/Actions. The City Manager is authorized to approve and execute any documents and to take any actions necessary to effectuate the purposes of this Agreement.

14. Integration. This Agreement reflects the complete understanding of the parties with respect to the subject matter hereof.

15. Prevailing Wages. Developer is aware of the requirements of California Labor Code Section 1720, et seq. (as amended by Stats 2001 ch. 938 § 2 (S.B. 975)), through 1770, et seq., as well as California Code of Regulations, Title 8, Section 1600, et seq. and Labor Code Sections 1810, 1811, 1813, 1814; (collectively, the "Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. The Bid Documents and each Developer's Contractshall require all contractors for the construction of Improvements to register with the Department of Industrial Relations and to pay and report prevailing wages in accordance with the applicable provisions of the Labor Code. Developer shall obtain from the City and make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the services available to interested parties upon request, and shall post copies at the Developer's principal place of business and at the project site. Developer shall defend, indemnify and hold the City, itsofficials, officers, employees, agents, contractors, attorneys and volunteers free and harmless from any fine, penalty claim or liability of any kind arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

16. Default and Force Majeure.

(a) Default. Failure or delay by Developer or City to perform any of its obligations under this Agreement constitutes a default by such party under this Agreement. The party alleged to be in default shall have thirty (30) Days after the date of the written notice by the other party to commence to cure such default. The party alleged to be in default shall diligently pursue such

cure to completion within a reasonable timeframe as established in the written notice provided by the party asserting the default. If the party alleged to be in default has not cured its default within the cure period set forth therein, the defaulting party shall be deemed in breach. Any failure or delay in giving such notice or in asserting any rights and remedies as to any default shall not constitute a waiver of any default, nor shall it change the time of default, nor shall it deprive the party not in defaultof its rights to institute and maintain any actions or proceeding which it may deem necessary to protect, assert or enforce any of its rights or remedies. If any default by Developer is not cured within the time period provided by the City, City shall be entitled to terminate this Agreement in its entirety and thereafter, the City shall be under no obligation to perform any of City's obligations hereunder, including, but not limited to, the issuance of DIF Credits that Developer may claim.

(b) Force Majeure. Notwithstanding the provisions contained in the foregoing paragraph, performance by either party hereunder shall not be deemed to be in default where delay or defaults are due to war, insurrection, strikes, lock-outs, riots, floods, earthquakes, fires, casualties, acts of God, acts of the public enemy, epidemics and pandemics, quarantine restrictions, freight embargoes, lack of transportation, governmental restrictions or priority, litigation brought by a third party, unusually severe weather, reasonably unforeseeable property conditions (that is, property conditions which were unknown and either hidden, concealed, or latent physical conditions encountered that differ materially from the reasonably anticipated conditions), acts of the other party, acts or failure to actof the other party or any other public or governmental agency or entity, or any causes beyond the control or without the fault of the party claiming an extension of time to perform (a “Force Majeure Event”). An extension of time for any such cause (an "Excusable Delay") shall be for the time period of the delay and shall commence to run from the time of the commencement of the cause, if notice by the party claiming such extension is sent to the other party within thirty (30) days of knowledge of the commencement of the cause, or from the date of the notice if provided after such thirty-day period. Notwithstanding the foregoing, none of the foregoing events shall constitute an Excusable Delay unless and

until the party claiming such delay and interference delivers to the other party written notice describing the event, its cause, when and how such party obtained knowledge, the date the event commenced, and the estimated delay resulting therefrom. Any party claiming an Excusable Delay shall make a good faith effort to deliver such written notice within thirty (30) Days after it obtains actual knowledge of the event or, in the case of the COVID-19 pandemic, then within thirty (30) days after a change in circumstances in connection with the COVID-19 pandemic begins interfering with the party's ability to perform its obligations under this Agreement. Times of performance under this Agreement may also be extended in writing by City and Developer; provided, however, in the case of delays arising as a result of the COVID-19 pandemic, City agrees to grant Developer an extension for the duration of the delay upon Developer's request for such extension, which request shall include the specific cause of the delay and the estimated time of delay resulting therefrom. The Parties hereto expressly acknowledge and agree that changes in either general economic conditions or changes in the economic assumptions of any of them (unless such conditions were caused by a Force Majeure Event) that may have provided a basis for entering into this Agreement and that occur at any time after the execution of this Agreementare not Force Majeure Events and do not provide any Party with grounds for asserting the existence of a delay in the performance of any covenant or undertaking that may arise under this Agreement. Each Party expressly assumes the risk that changes in general economic conditions or changes in such economic assumptions relating to the terms and covenants of this Agreement could impose an inconvenience or hardship on the continued performance of such Party under this Agreement, but that such inconvenience or hardship is not a force majeure event and does not excuse the performance by such Party of its obligations under this Agreement. Without limiting the nature of the foregoing, the parties agree that the inability of Developer to obtain a satisfactory commitment from a construction lender for the improvement of the Property or to satisfy any other condition of this Agreement relating to the development of the Property shall not be deemed to be a force majeure event or otherwise provide grounds for the

assertion of the existence of a delay under this Section 16.

17. Licenses and Permits. The Developer shall secure (or shall cause to be secured) any and all permits that may be required by the City or any other governmental agency for the construction of the Improvements. The Developer shall be responsible for paying all applicable fees and charges to the City or other governmental agency to obtain any land use entitlements and permits that are necessary to construct the Improvements, although a portion of such costs may be recoverable as DIF credits.

18. Indemnification. The Developer shall protect, indemnify, defend and hold the City, and its respective officials, officers, employees, agents, contractors, attorneys and volunteers, and each of them, harmless from and against any and all claims, losses, expenses, suits, actions, fines, penalties decrees, judgments, awards, attorney's fees (to Counsel chosen by City and reasonably approved by Developer), expert and court costs (collectively "Damages")that the City, or its respective officers, officials, employees, agents, contractors and volunteers or any combination thereof, may suffer or that may be sought against or recovered or obtained from the City, or its respective officers, officials employees, agents, contractors, attorneys or volunteers or any combination thereof, as a result of or by reason of or arising out of or in consequence of (a) the acquisition, construction, or installation of the Improvements; (b) the untruth or inaccuracy of any representation or warranty made by the Developer in this Agreement or in any certifications delivered by the Developer hereunder; or (c) any act or omission of the Developer or any of its subcontractors, or their respective officers, employees, agents, or contractors in connection with the Improvements. If the Developer fails to do so, the City shall have the right, but not the obligation, to defend the same and charge all of the direct, indirect and incidental costs of such defense, including anyreasonable attorney fees expert or court costs, to and recover the same from the Developer. Notwithstanding the foregoing, neither the City nor its respective officers, officials employees, agents, contractors, attorneys or volunteers shall be indemnified, defended or held harmless against such Damages to the

extent that such Damages have been caused by their sole active negligence or sole willful misconduct. The parties acknowledge and agree that the Developer shall be released from the indemnity, defense and hold harmless obligationsset forth herein upon the acceptance of the Completed Improvements by the City and completion of the Warranty Period for such Improvements.

19. Developer as a Private Developer. In performing under this Agreement, it is mutually understood that the Developer is acting as a private developer, and not as an agent of the City or as a joint venturer with City. The City shall have no responsibility for payment to any contractor, subcontractor or supplier of the Developer. Accordingly, this Agreement does not constitute a debt or liability of the City. The City shall not be obligated to advance any of its own funds or any other costs incurred in connection with the Project. No member, official, employee, agent, contractor, attorney or volunteer of the City shall be personally liable to the Developer, or any successor in interest, in the event of any default or breach by the City or for any amount that may become due to the Developer or its successors, or on any obligations under the terms of this Agreement.

20. Other Obligations. Nothing contained herein shall be construed as affecting the Developer's respective duty to perform its respective obligations under other agreements, land use regulations or subdivision requirements applicable to the development of the Property, which obligations are and shall remain independent of the Developer's rights and obligations, and the City's rights and obligations, under this Agreement; provided, however, that the Developer shall use its reasonable and diligent efforts to perform each and every covenant to be performed by it under any lien or encumbrance, instrument, declaration, covenant, condition, restriction, license, order, or other agreement, the nonperformance of which could reasonably be expected to materially and adversely affect the design, acquisition, construction and installation of the Improvements. This Agreement is not, and shall not be construed as, a statutory development agreement as authorized by Government Code sections 65864 et seq., and this Agreement shall not be interpreted as limiting the authority of the City to adopt and amend regulations

concerning permitted uses of property, the density or intensity of use, the maximum height and size of proposed buildings, provisions for the reservation or dedication of land or the payment of impact fees for public purposes.

21. Binding on Successors and Assigns. Except as set forth in Section 10 or Section 25 hereof, neither this Agreement nor the duties and obligations of the Developer hereunder may be assigned to any person or legal entity other than an affiliate of the Developer without the prior written consent of the City, which consent shall not be unreasonably withheld or delayed. Neither this Agreement nor the duties and obligations of the City hereunder may be assigned to any person or legal entity, without the written consent of the Developer, which consent shall not be unreasonably withheld or delayed. The agreements and covenants included herein shall be binding on and inure to the benefit of any partners, permitted and accepted assigns, and successors-in-interest of the parties hereto.

22. Amendments. This Agreement can only be amended by an instrument in writing executed and delivered by the City and the Developer.

23. Waivers. No waiver of, or consent with respect to, any provision of this Agreement by a party hereto shall in any event be effective unless the same shall be in writing and signed by such party, and then such waiver or consent shall be effective only in the specific instance and for the specific purpose for which it was given.

24. No Third Party Beneficiaries. No person or entity, other than the City,shall be deemed to be a third party beneficiary hereof, and nothing in this Agreement (either express or implied) is intended to confer upon any person or entity, other than the City and the Developer (and their respective successors and assigns), any rights, remedies, obligations or liabilities under or by reason of this Agreement.

25. Mortgagee Protection. The parties hereto agree that this Agreement shall not prevent or limit Developer, at Developer’s sole discretion, from encumbering the Property or any portion thereof or any

improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. Developer shall have the right to encumber and assign its rights and interests hereunder to the lenders providing such financing as security for such financing without the consent of the City and without complying with Section 10 hereof. City acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with Developer and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. City will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. A mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage or deed of trust on the Property made in good faith and for value, unless otherwise required by law.

(b) The mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which mortgagee has submitted a request in writing to the City in the manner specified herein for giving notices, shall be entitled to receive written notification from City of any default by Developer in the performance of Developer's obligations under this Agreement.

(c) If City timely receives a request from a mortgagee requesting a copy of any notice of default given to Developer under the terms of this Agreement, City shall provide a copy of that notice to the mortgagee within ten (10) Days following the sending of the notice of default to Developer. The mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any mortgagee who comes into possession of the Property, or any part thereof, pursuant

to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no mortgagee shall have an obligation or duty under this Agreement to perform any of Developer's obligations or other affirmative covenants of Developer hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by Developer is a condition precedent to the performance of a covenant by City, the performance thereof shall continue to be a condition precedent to City's performance hereunder, and further provided that any sale, transfer or assignment by any mortgagee in possession shall be subject to the provisions of Section 10 of this Agreement.

26. Notices. Any written notice, statement, demand, consent approval, authorization, offer, designation, request or other communication to be given hereunder shall be given to the party entitled thereto at its address set forth below, or at such other address as such party may provide to the other party in writing from time to time, namely:

Developer:
HEMET AUTO MALL, LLC
8975 Lawrence Welk Drive #414
Escondido, CA 92026

City:
CITY OF HEMET
445 E Florida Avenue
Hemet, CA 92543

Each such notice, statement, demand, consent, approval, authorization, offer, designation, request or other communication hereunder shall be deemed delivered to the party to whom it is addressed (a) if personally served or delivered, upon delivery; (b) if given by electronic communication, whether by telex, or telecopy, upon the sender's receipt of an appropriate answerback or other written acknowledgment; (c) if given by registered or certified mail, return receipt requested, deposited with the United States mail postage prepaid, then upon the date evidenced by the

return receipt; or (d) if given by overnight courier, with courier charges prepaid, then upon delivery as evidenced by electronic delivery data.

27. Jurisdiction and Venue. City and the Developer (a) agree that any suit, action or other legal proceeding arising out of or relating to this Agreement shall be brought in state or local court in the County of Riverside or in the Courts of the United States of America in the district in which the City is located, (b) each consents to the jurisdiction of each such court in any suit, action or proceeding, and (c) each waives any objection that it may have to the venue or any suit, action or proceeding in any of such courts and any claim that any such suit, action or proceeding has been brought in an inconvenient forum. Each of the City and the Developer agrees that a final and non-appealable judgment in any such action or proceeding shall be conclusive and may be enforced in other jurisdictions by suit on the judgment or in any other manner provided by law.

28. Attorneys' Fees. If any action is instituted to interpret or enforce any of the provisions of this Agreement, the prevailing party in such action shall be entitled to recover from the other party thereto reasonable attorney's fees and costs of such suit (including both prejudgment and post judgment fees and costs) as determined by the court as part of the judgment.

29. Governing Law. This Agreement and any dispute arising hereunder shall be governed by and interpreted in accordance with the laws of the State of California.

30. Usage of Words. As used herein, the singular of any word includes the plural, and terms in the masculine gender shall include the feminine and the non-gender specific.

31. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original.

32. Severability. If any section, sentence, clause or phrase of this Agreement or the application

thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Agreement that can be given effect without the invalid provision of application, and to this end the provisions of this Agreement are severable. The City Council hereby declares that they would have adopted this Agreement and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

33. Incorporation by Reference. The Exhibits attached hereto and the Recitals of this Agreement are hereby incorporated by reference as though fully set forth herein:

[*Signatures On Next Page*]

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

"CITY"

CITY OF HEMET, a California municipal corporation

Dated: _____ By: _____
Chris Lopez, City Manager

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM:
COLE HUBER, LLP
By: _____
City Attorney

“DEVELOPER”
HEMET AUTO MALL, LLC

Dated: _____ By:

__
_____
_____
_____
_____

Name: _____

_____

Its: _____

Exhibit A

Legal Description of Property

Exhibit B

FORM OF CERTIFICATE OF REGIONAL OR LOCAL ADJACENT DIF CREDIT

Pursuant to Section 6 of the Development Impact Fee Credit Agreement for Facility Construction by and between the City of Hemet and Hemet Auto Mall, LLC dated _____, 20__, the terms and definitions of which are hereby incorporated herein by this reference and hereinafter called the "Fee Credit Agreement" , the City of Hemet hereby certifies that Developer is entitled to the following amount and nature of DIF Credits:

Amount of Credit: $_____
Infrastructure Category of DIF:
_____

By: [Form Do Not Sign]
Chris Lopez, City Manager

Dated:_____

Exhibit C

FORM OF DIF CREDIT REQUEST

DIF Project Name & Number:

The undersigned (the "Developer"), hereby requests DIF Credits in the DIF categories and amounts specified in Attachment 1 hereto, attached and incorporated. In connection with this Credit Request, the undersigned hereby represents and warrants to the City as follows:

1. He (she) is a duly authorized officer or representative of the Developer, qualified to execute this Credit Request on behalf of the Developer and is knowledgeable as to the matters set forth herein.

2. All costs of the Improvements for which credit is requested hereby are Eligible Costs (as defined in the Fee Credit Agreement) and have not been inflated in any respect. The Eligible Costs for which credit is requested have not been the subject of any prior credit request submitted to the City.

3. Supporting documentation (such as the applicable Developer Contract, third party invoices, lien releases and cancelled checks or other evidence of payment) is attached with respect to each cost for which credit is requested.

4. The Improvement for which credit is requested was constructed in accordance with the requirements of the Fee Credit Agreement.

5. Please issue a Certificate of DIF Credit to the Developer in the amount requested.

I declare under penalty of perjury that the above representations and warranties are true and connect.

DEVELOPER:	CITY:
Hemet Auto Mall, LLC	Credit Request Approved
By: _____	By: [Form Do Not Sign]_____
Authorized Representative of Developer	Chris Lopez, City Manager
Date: _____	Date: _____

ATTACHMENT 1 to **Form of DIF Credit Request**

SUMMARY OF IMPROVEMENTS AND REQUESTED DIF CREDITS

Improvement	Eligible Costs/Contract Amount	DIF Credit Requested

[List here all Improvements for which credit is requested, and attach support documentation]

Exhibit D

Developer's DIF Obligation

For Use Between Public Agency and
Developer
"Master Agreement"

**IMPROVEMENT AND CREDIT / REIMBURSEMENT AGREEMENT
TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM**

This IMPROVEMENT AND CREDIT AGREEMENT ("Agreement") is entered into this 23rd day of February, 2021, (the "Effective Date") by and between the City of Hemet, a California municipal corporation ("AGENCY"), and Hemet Auto Mall, LLC a California limited liability company, with its principal place of business at 8975 Lawrence Welk Drive #414, Escondido, California, 92026 ("Developer"). AGENCY and Developer are sometimes hereinafter referred to individually as "Party" and collectively as "Parties".

RECITALS

WHEREAS, Developer owns 4.35 acres of real property located within the City of Hemet, California, which is more specifically described in the legal description set forth in Exhibit "A", attached hereto and incorporated herein by this reference ("Property");

WHEREAS, Developer has requested from AGENCY certain entitlements and/or permits for the construction of improvements on the Property, which are more particularly described as Site Development Review 17-005 ("Project");

WHEREAS, the AGENCY is a member agency of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency comprised of the County of Riverside and 18 cities located in Western Riverside County. WRCOG is the administrator for the Transportation Uniform Mitigation Fee ("TUMF") Program;

WHEREAS, as part of the TUMF Program, the AGENCY has adopted "Transportation Uniform Mitigation Fee Nexus Study: 2016 Update" ("2016 Nexus Study")

WHEREAS, as a condition to AGENCY's approval of the Project, AGENCY has required Developer to construct certain street and transportation system improvement(s) of regional importance ("TUMF Improvements");

WHEREAS, pursuant to the TUMF Program, the

AGENCY requires Developer to pay the TUMF which covers the Developer's fair share of the costs to deliver those TUMF Improvements that help mitigate the Project's traffic impacts and burdens on the Regional System of Highways and Arterials (also known as the "TUMF Network"), generated by the Project and that are necessary to protect the safety, health and welfare of persons that travel to and from the Project using the TUMF Network;

WHEREAS, the TUMF Improvements have been designated as having Regional or Zonal Significance as further described in the 2016 Nexus Study and the 5 year Transportation Improvement Program as may be amended;

WHEREAS, AGENCY and Developer now desire to enter into this Agreement for the following purposes: (1) to provide for the timely delivery of the TUMF Improvements, (2) to ensure that delivery of the TUMF Improvements is undertaken as if the TUMF Improvements were constructed under the direction and authority of the AGENCY, (3) to provide a means by which the Developer's costs for project delivery of the TUMF Improvements and related right-of-ways is offset against Developer's obligation to pay the applicable TUMF for the Project in accordance with the TUMF Administrative Plan adopted by WRCOG, and (4) to provide a means, subject to the separate approval of WRCOG, for Developer to be reimbursed to the extent the actual and authorized costs for the delivery of the TUMF Improvements exceeds Developer's TUMF obligation.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and AGENCY hereby agree as follows:

TERMS

1.0 Incorporation of Recitals. The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 Construction of TUMF Improvements. Developer shall construct or have constructed at its own cost, expense, and liability certain street and transportation system improvements generally described as widening of Warren Road from Auto Boulevard to Whittier Avenue in the City of Hemet, and as shown more specifically on the plans, profiles, and specifications which have been or will be prepared by or on behalf of Developer and approved by AGENCY, and which are incorporated herein by this

reference ("TUMF Improvements"). Construction of the TUMF Improvements shall include any transitions and/or other incidental work deemed necessary for drainage or public safety. Developer shall be responsible for the replacement, relocation, or removal of any component of any existing public or private improvement in conflict with the construction or installation of the TUMF Improvements. Such replacement, relocation, or removal shall be performed to the complete satisfaction of AGENCY and the owner of such improvement. Developer further promises and agrees to provide all equipment, tools, materials, labor, tests, design work, and engineering services necessary to fully and adequately complete the TUMF Improvements.

2.1 Pre-approval of Plans and Specifications. Developer is prohibited from commencing work on any portion of the TUMF Improvements until all plans and specifications for the TUMF Improvements have been submitted to and approved by AGENCY. Approval by AGENCY shall not relieve Developer from ensuring that all TUMF Improvements conform with all other requirements and standards set forth in this Agreement.

2.2 Permits and Notices. Prior to commencing any work, Developer shall, at its sole cost, expense, and liability, obtain all necessary permits and licenses and give all necessary and incidental notices required for the lawful construction of the TUMF Improvements and performance of Developer's obligations under this Agreement. Developer shall conduct the work in full compliance with the regulations, rules, and other requirements contained in any permit or license issued to Developer.

2.3 Public Works Requirements. In order to insure that the TUMF Improvements will be constructed as if they had been constructed under the direction and supervision, or under the authority of, AGENCY, Developer shall comply with all of the following requirements with respect to the construction of the TUMF Improvements:

(a) Developer shall obtain bids for the construction of the TUMF Improvements, in conformance with the standard procedures and requirements of AGENCY _ with respect to its public works projects, or in a manner which is approved by the Public Works Department.

(b) The contract or contracts for the construction of the TUMF Improvements shall be awarded to the responsible bidder(s) submitting the lowest responsive bid(s) for the construction of the TUMF Improvements.

(c) Developer shall require, and the specifications and bid and contract documents shall require, all such contractors to pay prevailing wages (in accordance with Articles 1 and 2 of Chapter 1, Part 7, Division 2 of the Labor Code) and to otherwise comply with applicable provisions of the Labor Code, the Government Code and the Public Contract Code relating to public works projects of cities/counties and as required by the procedures and standards of AGENCY with respect to the construction of its public works projects or as otherwise directed by the Public Works Department.

(d) All such contractors shall be required to provide proof of insurance coverage throughout the term of the construction of the TUMF Improvements which they will construct in conformance with AGENCY's standard procedures and requirements.

(e) Developer and all such contractors shall comply with such other requirements relating to the construction of the TUMF Improvements which AGENCY may impose by written notification delivered to Developer and each such contractor at any time, either prior to the receipt of bids by Developer for the construction of the TUMF Improvements, or, to the extent required as a result of changes in applicable laws, during the progress of construction thereof.

Developer shall provide proof to AGENCY, at such intervals and in such form as AGENCY may require that the foregoing requirements have been satisfied as to the TUMF Improvements.

2.4 Quality of Work; Compliance With Laws and Codes. The construction plans and specifications for the TUMF Improvements shall be prepared in accordance with all applicable federal, state and local laws, ordinances, regulations, codes, standards, and other requirements. The TUMF Improvements shall be completed in accordance with all approved maps, plans, specifications, standard drawings, and special amendments thereto on file with AGENCY, as well as all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements applicable at the time work is actually commenced.

2.5 Standard of Performance. Developer and its contractors, if any, shall perform all work required, constructing the TUMF Improvements in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Developer represents and maintains that it or its

contractors shall be skilled in the professional calling necessary to perform the work. Developer warrants that all of its employees and contractors shall have sufficient skill and experience to perform the work assigned to them, and that they shall have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the work, and that such licenses, permits, qualifications and approvals shall be maintained throughout the term of this Agreement.

2.6 Alterations to TUMF Improvements. All work shall be done and the TUMF Improvements completed as shown on approved plans and specifications, and any subsequent alterations thereto. If during the course of construction and installation it is determined that the public interest requires alterations in the TUMF Improvements, Developer shall undertake such design and construction changes as may be reasonably required by AGENCY. Any and all alterations in the plans and specifications and the TUMF Improvements to be completed may be accomplished without first giving prior notice thereof to Developer's surety for this Agreement.

3.0 Maintenance of TUMF Improvements. AGENCY shall not be responsible or liable for the maintenance or care of the TUMF Improvements until AGENCY approves and accepts them. AGENCY shall exercise no control over the TUMF Improvements until accepted. Any use by any person of the TUMF Improvements, or any portion thereof, shall be at the sole and exclusive risk of Developer at all times prior to AGENCY's acceptance of the TUMF Improvements. Developer shall maintain all of the TUMF Improvements in a state of good repair until they are completed by Developer and approved and accepted by AGENCY, and until the security for the performance of this Agreement is released. It shall be Developer's responsibility to initiate all maintenance work, but if it shall fail to do so, it shall promptly perform such maintenance work when notified to do so by AGENCY. If Developer fails to properly prosecute its maintenance obligation under this section, AGENCY may do all work necessary for such maintenance and the cost thereof shall be the responsibility of Developer and its surety under this Agreement. AGENCY shall not be responsible or liable for any damages or injury of any nature in any way related to or caused by the TUMF Improvements or their condition prior to acceptance.

4.0 Fees and Charges. Developer shall, at its sole cost, expense, and liability, pay all fees, charges, and taxes arising out of the construction of the TUMF Improvements, including, but not limited to, all plan check, design review, engineering, inspection,

sewer treatment connection fees, and other service or impact fees established by AGENCY.

5.0 AGENCY Inspection of TUMF Improvements. Developer shall, at its sole cost, expense, and liability, and at all times during construction of the TUMF Improvements, maintain reasonable and safe facilities and provide safe access for inspection by AGENCY of the TUMF Improvements and areas where construction of the TUMF Improvements is occurring or will occur.

6.0 Liens. Upon the expiration of the time for the recording of claims of liens as prescribed by Sections 8412 and 8414 of the Civil Code with respect to the TUMF Improvements, Developer shall provide to AGENCY such evidence or proof as AGENCY shall require that all persons, firms and corporations supplying work, labor, materials, supplies and equipment to the construction of the TUMF Improvements, have been paid, and that no claims of liens have been recorded by or on behalf of any such person, firm or corporation. Rather than await the expiration of the said time for the recording of claims of liens, Developer may elect to provide to AGENCY a title insurance policy or other security acceptable to AGENCY guaranteeing that no such claims of liens will be recorded or become a lien upon any of the Property.

7.0 Acceptance of TUMF Improvements; As-Built or Record Drawings. If the TUMF Improvements are properly completed by Developer and approved by AGENCY, and if they comply with all applicable federal, state and local laws, ordinances, regulations, codes, standards, and other requirements, AGENCY shall be authorized to accept the TUMF Improvements. AGENCY may, in its sole and absolute discretion, accept fully completed portions of the TUMF Improvements prior to such time as all of the TUMF Improvements are complete, which shall not release or modify Developer's obligation to complete the remainder of the TUMF Improvements. Upon the total or partial acceptance of the TUMF Improvements by AGENCY, Developer shall file with the Recorder's Office of the County of Riverside a notice of completion for the accepted TUMF Improvements in accordance with California Civil Code sections 8182, 8184, 9204, and 9208 ("Notice of Completion"), at which time the accepted TUMF Improvements shall become the sole and exclusive property of AGENCY without any payment therefore. Notwithstanding the foregoing, AGENCY may not accept any TUMF Improvements unless and until Developer provides one (1) set of "as-built" or record drawings or plans to the AGENCY for all such TUMF Improvements. The drawings shall be certified and shall reflect

the condition of the TUMF Improvements as constructed, with all changes incorporated therein.

8.0 Warranty and Guarantee. Developer hereby warrants and guarantees all the TUMF Improvements against any defective work or labor done, or defective materials furnished in the performance of this Agreement, including the maintenance of the TUMF Improvements, for a period of one (1) year following completion of the work and acceptance by AGENCY ("Warranty"). During the Warranty, Developer shall repair, replace, or reconstruct any defective or otherwise unsatisfactory portion of the TUMF Improvements, in accordance with the current ordinances, resolutions, regulations, codes, standards, or other requirements of AGENCY, and to the approval of AGENCY. All repairs, replacements, or reconstruction during the Warranty shall be at the sole cost, expense, and liability of Developer and its surety. As to any TUMF Improvements which have been repaired, replaced, or reconstructed during the Warranty, Developer and its surety hereby agree to extend the Warranty for an additional one (1) year period following AGENCY's acceptance of the repaired, replaced, or reconstructed TUMF Improvements. Nothing herein shall relieve Developer from any other liability it may have under federal, state, or local law to repair, replace, or reconstruct any TUMF Improvement following expiration of the Warranty or any extension thereof. Developer's warranty obligation under this section shall survive the expiration or termination of this Agreement.

9.0 Administrative Costs. If Developer fails to construct and install all or any part of the TUMF Improvements, or if Developer fails to comply with any other obligation contained herein, Developer and its surety shall be jointly and severally liable to AGENCY for all administrative expenses, fees, and costs, including reasonable attorney's fees and costs, incurred in obtaining compliance with this Agreement or in processing any legal action or for any other remedies permitted by law.

10.0 Default; Notice; Remedies.

10.1 Notice. If Developer neglects, refuses, or fails to fulfill or timely complete any obligation, term, or condition of this Agreement, or if AGENCY determines there is a violation of any federal, state, or local law, ordinance, regulation, code, standard, or other requirement, AGENCY may at any time thereafter declare Developer to be in default or violation of this Agreement and make written demand upon Developer or its surety, or both, to immediately remedy the default or violation ("Notice").

Developer shall substantially commence the work required to remedy the default or violation within five (5) days of the Notice. If the default or violation constitutes an immediate threat to the public health, safety, or welfare, AGENCY may provide the Notice verbally, and Developer shall substantially commence the required work within twenty-four (24) hours thereof. Immediately upon AGENCY's issuance of the Notice, Developer and its surety shall be liable to AGENCY for all costs of construction and installation of the TUMF Improvements and all other administrative costs or expenses as provided for in this Section 10.0 of this Agreement.

10.2 Failure to Remedy; AGENCY Action. If the work required to remedy the noticed default or violation is not diligently prosecuted to a completion acceptable to AGENCY within the time frame contained in the Notice, AGENCY may complete all remaining work, arrange for the completion of all remaining work, and/or conduct such remedial activity as in its sole and absolute discretion it believes is required to remedy the default or violation. All such work or remedial activity shall be at the sole and absolute cost, expense, and liability of Developer and its surety, without the necessity of giving any further notice to Developer or surety. AGENCY's right to take such actions shall in no way be limited by the fact that Developer or its surety may have constructed any of the TUMF Improvements at the time of AGENCY's demand for performance. In the event AGENCY elects to complete or arrange for completion of the remaining work and the TUMF Improvements, AGENCY may require all work by Developer or its surety to cease in order to allow adequate coordination by AGENCY.

10.3 Other Remedies. No action by AGENCY pursuant to this Section 10.0 et seq. of this Agreement shall prohibit AGENCY from exercising any other right or pursuing any other legal or equitable remedy available under this Agreement or any federal, state, or local law. AGENCY may exercise its rights and remedies independently or cumulatively, and AGENCY may pursue inconsistent remedies. AGENCY may institute an action for damages, injunctive relief, or specific performance.

11.0 Security; Surety Bonds. Prior to the commencement of any work on the TUMF Improvements, Developer or its contractor shall provide AGENCY with surety bonds in the amounts and under the terms set forth below ("Security"). The amount of the Security shall be based on the estimated actual costs to construct the TUMF Improvements, as determined by AGENCY after Developer has awarded a contract for construction of the TUMF Improvements to the lowest responsive and responsible bidder in

accordance with this Agreement ("Estimated Costs"). If AGENCY determines, in its sole and absolute discretion, that the Estimated Costs have changed, Developer or its contractor shall adjust the Security in the amount requested by AGENCY. Developer's compliance with this Section 11.0 et seq. of this Agreement shall in no way limit or modify Developer's indemnification obligation provided in Section 12.0 of this Agreement.

11.1 Performance Bond. To guarantee the faithful performance of the TUMF Improvements and all the provisions of this Agreement, to protect AGENCY if Developer is in default as set forth in Section 10.0 et seq. of this Agreement, and to secure the one-year guarantee and warranty of the TUMF Improvements, Developer or its contractor shall provide AGENCY a faithful performance bond in an amount which sum shall be not less than one hundred percent (100%) of the Estimated Costs. The AGENCY may, in its sole and absolute discretion, partially release a portion or portions of the security provided under this section as the TUMF Improvements are accepted by AGENCY, provided that Developer is not in default on any provision of this Agreement and the total remaining security is not less than zero (0%) of the Estimated Costs. All security provided under this section shall be released at the end of the Warranty period, or any extension thereof as provided in Section 11.0 of this Agreement, provided that Developer is not in default on any provision of this Agreement.

11.2 Labor & Material Bond. To secure payment to the contractors, subcontractors, laborers, materialmen, and other persons furnishing labor, materials, or equipment for performance of the TUMF Improvements and this Agreement, Developer or its contractor shall provide AGENCY a labor and materials bond in an amount which sum shall not be less than one hundred percent (100%) of the Estimated Costs. The security provided under this section may be released by written authorization of AGENCY after six (6) months from the date AGENCY accepts the TUMF Improvements. The amount of such security shall be reduced by the total of all stop notice or mechanic's lien claims of which AGENCY is aware, plus an amount equal to twenty percent (20%) of such claims for reimbursement of AGENCY's anticipated administrative and legal expenses arising out of such claims.

11.3 Additional Requirements. The surety for any surety bonds provided as Security shall have a current A.M. Best rating of at least "A" and FSC-VIII, shall be licensed to do business in California, and shall be satisfactory to AGENCY. As part of the obligation secured by the Security and in addition to the

face amount of the Security, Developer, its contractor or the surety shall secure the costs and reasonable expenses and fees, including reasonable attorney's fees and costs, incurred by AGENCY in enforcing the obligations of this Agreement. Developer, its contractor and the surety shall stipulate and agree that no change, extension of time, alteration, or addition to the terms of this Agreement, the TUMF Improvements, or the plans and specifications for the TUMF Improvements shall in any way affect its obligation on the Security.

11.4 Evidence and Incorporation of Security. Evidence of the Security shall be provided on the forms set forth in Exhibit "B", unless other forms are deemed acceptable by the AGENCY, and when such forms are completed to the satisfaction of AGENCY, the forms and evidence of the Security shall be attached hereto as Exhibit "B" and incorporated herein by this reference.

12.0 Indemnification. Developer shall defend, indemnify, and hold harmless AGENCY, the Western Riverside Council of Governments (WRCOG), their elected officials, board members, employees, and agents from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of Developer, its employees, contractors, or agents in connection with the performance of this Agreement, or arising out of or in any way related to or caused by the TUMF Improvements or their condition prior to AGENCY's approval and acceptance of the TUMF Improvements ("Claims"). This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys fees, and related costs or expenses, and the reimbursement of AGENCY, WRCOG, their elected officials, board members, employees, and/or agents for all legal expenses and costs incurred by each of them. This indemnification excludes only such portion of any Claim which is caused solely and exclusively by the negligence or willful misconduct of AGENCY as determined by a court or administrative body of competent jurisdiction. Developer's obligation to indemnify shall survive the expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by AGENCY, WRCOG, their elected officials, board members, employees, or agents.

13.0 Insurance.

13.1 Types; Amounts. Developer shall procure and maintain, and shall require its contractors to procure and maintain, during performance of this Agreement, insurance of the types and in the amounts described below ("Required Insurance"). If any of the Required Insurance contains a general aggregate limit, such insurance shall apply separately to this Agreement or be no less than two times the specified occurrence limit.

13.1.1 General Liability. Occurrence form general liability insurance at least as broad as Insurance Services Office Form CG 00 01, or equivalent form, with an occurrence limit of Two Million Dollars ($2,000,000) and aggregate limit of Four Million Dollars ($4,000,000) for bodily injury, personal injury, and property damage.

13.1.2 Business Automobile Liability. Business automobile liability insurance at least as broad as Insurance Services Office Form CA 00 01 (coverage symbol 1 – any auto), or equivalent form, with a combined single limit of not less than One Million Dollars ($1,000,000) per occurrence. Such insurance shall include coverage for the ownership, operation, maintenance, use, loading, or unloading of any auto owned, leased, hired, or borrowed by the insured or for which the insured is responsible.

13.1.3 Workers' Compensation. Workers' compensation insurance with limits as required by the Labor Code of the State of California and employers' liability insurance with limits of not less than One Million Dollars ($1,000,000) per occurrence, at all times during which insured retains employees.

13.1.4 Professional Liability. For any consultant or other professional who will engineer or design the TUMF Improvements, liability insurance for errors and omissions with limits not less than Two Million Dollars ($2,000,000) per occurrence, shall be procured and maintained for a period of five (5) years following completion of the TUMF Improvements. Such insurance shall be endorsed to include contractual liability.

13.2 Deductibles. Any deductibles or self-insured retentions must be declared to and approved by AGENCY. At the option of AGENCY, either: (a) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects AGENCY, its elected officials, officers, employees, agents, and volunteers; or (b) Developer and its contractors shall provide a financial guarantee satisfactory to AGENCY guaranteeing payment of losses and related investigation costs, claims, and administrative and defense expenses.

13.3 Additional Insured; Separation of Insureds. The Required Insurance, except for the professional liability and workers' compensation insurance, shall name AGENCY, WRCOG, their elected officials, board members, officers, employees, and agents as additional insureds with respect to work performed by or on behalf of Developer or its contractors, including any materials, parts, or equipment furnished in connection therewith. For Required Insurance provided by Developer's contractors, WRCOG shall be added as an additional insured using ISO CG 2038 or an exact equivalent. The Required Insurance shall contain standard separation of insureds provisions, and shall contain no special limitations on the scope of its protection to AGENCY, WRCOG, their elected officials, board members, officers, employees, or agents.

13.4 Primary Insurance; Waiver of Subrogation. The Required Insurance, except for the professional liability and workers' compensation insurance shall be primary with respect to any insurance or self-insurance programs covering AGENCY, WRCOG, their elected officials, board members, officers, employees, or agents. The Required Insurance, except for the professional liability insurance, shall provide that the insurance company waives all right of recovery by way of subrogation against AGENCY and WRCOG in connection with any damage or harm covered by such policy.

13.5 Certificates; Verification. Developer and its contractors shall furnish AGENCY with original certificates of insurance and endorsements effecting coverage for the Required Insurance. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by AGENCY before work pursuant to this Agreement can begin. AGENCY reserves the right to require complete, certified copies of all required insurance policies, at any time.

13.6 Term; Cancellation Notice. Developer and its contractors shall maintain the Required Insurance for the term of this Agreement and shall replace any certificate, policy, or endorsement which will expire prior to that date. All policies shall be endorsed to provide that the Required Insurance shall not be suspended, voided, reduced, canceled, or allowed to expire except on thirty (30) days' prior written notice to AGENCY. If such notice of cancellation endorsements are unavailable, Developer shall provide such thirty (30) days' written notice of cancellation.

13.7 Insurer Rating. Unless approved in writing by AGENCY, all Required Insurance shall be placed with insurers licensed to do business in the State of California and with a current A.M. Best rating of at least "A" and FSC-VIII.

14.0 TUMF Credit.

14.1 Developer's TUMF Obligation. Developer hereby agrees and accepts that as of the date of this Agreement, the amount Developer is obligated to pay to AGENCY _ pursuant to Ordinance No. 03-013 as part of the TUMF Program is TWO HUNDRED FOUR THOUSAND SEVEN HUNDRED TWENTY DOLLARS ($204,720.00) ("TUMF Obligation"). This TUMF Obligation shall be initially determined under the TUMF fee schedule in effect for the AGENCY at the time the Developer submits a building permit application for the TUMF Improvement. Notwithstanding, this TUMF Obligation does not have to be paid until the Certificate of Occupancy is obtained.

14.2 Fee Adjustments. Notwithstanding the foregoing, Developer agrees that this Agreement shall not estop AGENCY from adjusting the TUMF in accordance with the provisions of Ordinance No. 03-013.

14.3 Credit Offset Against TUMF Obligation. Pursuant to Ordinance No. 03-013 and in consideration for Developer's obligation under this Agreement for the delivery of TUMF Improvements, credit shall be applied by AGENCY to offset the TUMF Obligation ("Credit") subject to adjustment and reconciliation under Section 14.5 of this agreement. Developer hereby agrees that the amount of the Credit shall be applied after Developer has initiated the process of project delivery of TUMF Improvements to the lowest responsible bidder in accordance with this Agreement. Developer further agrees that the dollar amount of the Credit shall be equal to the lesser of: (A) the bid amount set forth in the contract awarded to the lowest responsible bidder, or (B) the unit cost assumptions for the TUMF Improvement in effect at the time of the contract award, as such assumptions are identified and determined in the most recent TUMF Nexus Study and the TUMF Administrative Plan adopted by WRCOG ("Unit Cost Assumptions").

The bid amount and the Unit Cost Assumptions shall hereafter be collectively referred to as "Estimated Credit". At no time will the Credit exceed the Developer's TUMF Obligation. If the dollar amount of the Estimated Credit exceeds the dollar amount of the TUMF Obligation, Developer will be deemed to

have completely satisfied its TUMF Obligation for the Project and may apply for a reimbursement agreement, to the extent applicable, as provided in Section 14.6 of this Agreement. If the dollar amount of the Estimated Credit is less than the dollar amount of the TUMF Obligation, the Developer agrees the Credit shall be applied to offset the TUMF Obligation as follows:

(i) For residential units in the Project, the Credit shall be applied to all residential units to offset and/or satisfy the TUMF Obligation. The residential units for which the TUMF Obligation has been offset and/or satisfied by use of the Credit, and the amount of offset applicable to each unit, shall be identified in the notice provided to the Developer by AGENCY pursuant to this section.

(ii) For commercial and industrial structures in the Project, the Credit shall be applied to all commercial and industrial development to offset and/or satisfy the TUMF Obligation. The commercial or industrial structure(s) for which the TUMF Obligation has been offset and/or satisfied by use of the Credit, and the amount of offset applicable to such structure(s), shall be identified in the notice provided to the Developer by AGENCY pursuant to this section.

AGENCY shall provide Developer written notice of the determinations that AGENCY makes pursuant to this section, including how the Credit is applied to offset the TUMF Obligation as described above.

14.4 Verified Cost of the TUMF Improvements. Upon recordation of the Notice of Completion for the TUMF Improvements and acceptance of the TUMF Improvements by AGENCY, Developer shall submit to the AGENCY Public Works Director the information set forth in the attached Exhibit "C". The AGENCY Public Works Director, or his or her designee, shall use the information provided by Developer to calculate the total actual costs incurred by Developer in delivering the TUMF Improvements covered under this Agreement ("Verified Costs"). The AGENCY Public Works Director will use his or her best efforts to determine the amount of the Verified Costs and provide Developer written notice thereof within thirty (30) calendar days of receipt of all the required information from Developer.

14.5 Reconciliation; Final Credit Offset Against TUMF Obligation. The Developer is aware of and accepts the fact that Credits are speculative and conceptual in nature. The actual amount of Credit that shall be applied by AGENCY to offset the

TUMF Obligation shall be equal to the lesser of: (A) the Verified Costs or (B) Unit Cost Assumptions for the TUMF Improvements as determined in accordance with Section 14.3 of this Agreement ("Actual Credit"). No Actual Credit will be awarded until the Verified Costs are determined through the reconciliation process. Please be advised that while a Developer may use an engineer's estimates in order to estimate Credits for project planning purposes, the Actual Credit awarded will only be determined by the reconciliation process.

(a) TUMF Balance. If the dollar amount of the Actual Credit is less than the dollar amount of the TUMF Obligation, the AGENCY Public Works Director shall provide written notice to Developer of the amount of the difference owed ("TUMF Balance") and Developer shall pay the TUMF Balance in accordance with City of Hemet Ordinance No. 03-013 to fully satisfy the TUMF Obligation (see Exhibit "F" - Example "A").

(b) TUMF Reimbursement. If the dollar amount of the Actual Credit exceeds the TUMF Obligation, Developer will be deemed to have fully satisfied the TUMF Obligation for the Project and may apply for a reimbursement agreement, to the extent applicable, as provided in Section 14.6 of this Agreement. AGENCY shall provide Developer written notice of the determinations that AGENCY makes pursuant to this section (see Exhibit "F" - Example "B").

(c) TUMF Overpayment. If the dollar amount of the Actual Credit exceeds the Estimated Credit, but is less than the TUMF Obligation, but the Actual Credit plus additional monies collected by AGENCY from Developer for the TUMF Obligation exceed the TUMF Obligation ("TUMF Overpayment"), Developer will be deemed to have fully satisfied the TUMF Obligation for the Project and may be entitled to a refund. The AGENCY's Public Works Director shall provide written notice to WRCOG and the Developer of the amount of the TUMF Overpayment and AGENCY shall direct WRCOG to refund the Developer in accordance with City of Hemet Ordinance No. 03-013 (see Exhibit "F" - Example C).

14.6 Reimbursement Agreement. If authorized under either Section 14.3 or Section 14.5 Developer may apply to AGENCY and WRCOG for a reimbursement agreement for the amount by which the Actual Credit exceeds the TUMF Obligation, as determined pursuant to Section 14.3 of this Agreement, Ordinance No. 03-013, and the TUMF Administrative Plan

adopted by WRCOG ("Reimbursement Agreement"). If AGENCY and WRCOG agree to a Reimbursement Agreement with Developer, the Reimbursement Agreement shall be executed on the form set forth in Exhibit "D," and shall contain the terms and conditions set forth therein. The Parties agree that the Reimbursement Agreement shall be subject to all terms and conditions of this Agreement, and that upon execution, an executed copy of the Reimbursement Agreement shall be attached hereto and shall be incorporated herein as a material part of this Agreement as though fully set forth herein.

15.0 Miscellaneous.

15.1 Assignment. Developer may, as set forth herein, assign all or a portion of its rights pursuant to this Agreement to a purchaser of a portion or portions of the Property ("Assignment"). Developer and such purchaser and assignee ("Assignee") shall provide to AGENCY such reasonable proof as it may require that Assignee is the purchaser of such portions of the Property. Any assignment pursuant to this Section shall not be effective unless and until Developer and Assignee have executed an assignment agreement with AGENCY in a form reasonably acceptable to AGENCY, whereby Developer and Assignee agree, except as may be otherwise specifically provided therein, to the following: (1) that Assignee shall receive all or a portion of Developer's rights pursuant to this Agreement, including such credit as is determined to be applicable to the portion of the Property purchased by Assignee pursuant to Section 14.0 et seq. of this Agreement, and (2) that Assignee shall be bound by all applicable provisions of this Agreement.

15.2 Relationship Between the Parties. The Parties hereby mutually agree that this Agreement shall not operate to create the relationship of partnership, joint venture, or agency between or among AGENCY. WRCOG and Developer. Developer's contractors are exclusively and solely under the control and dominion of Developer. Nothing herein shall be deemed to make Developer or its contractors an agent or contractor of AGENCY. This Agreement shall be interpreted and administered in a manner consistent with the TUMF Administrative Plan in effect at the time this Agreement is executed.

15.3 Warranty as to Property Ownership; Authority to Enter Agreement. Developer hereby warrants that it owns fee title to the Property and that it has the legal capacity to enter into this Agreement. Each Party warrants that the individuals who have

signed this Agreement have the legal power, right, and authority make this Agreement and bind each respective Party.

15.4 Prohibited Interests. Developer warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for Developer, to solicit or secure this Agreement. Developer also warrants that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for Developer, any fee, commission, percentage, brokerage fee, gift, or other consideration contingent upon the making of this Agreement. For breach of this warranty, AGENCY shall have the right to rescind this Agreement without liability.

15.5 Notices. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other addresses as the Parties may designate by written notice:

To AGENCY: City of Hemet
445 E. Florida Ave.
Hemet, CA 92543
Fax No. (951) 765-2359

To Developer: _Hemet Auto Mall, LLC_____
Attn: _Don McCoy_____
8975-414 Lawrence Welk Dr
_Escondido, CA 92026_____
Fax No. (714) 319-4448_____

Depending upon the method of transmittal, notice shall be deemed received as follows: by facsimile, as of the date and time sent; by messenger, as of the date delivered; and by U.S. Mail first class postage prepaid, as of 72 hours after deposit in the U.S. Mail.

15.6 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.

15.7 Construction; References; Captions. It being agreed the Parties or their agents have participated in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days, or period for performance shall be deemed calendar days and not work days. All references to Developer include all personnel,

employees, agents, and contractors of Developer, except as otherwise specified in this Agreement. All references to AGENCY include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

15.8 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

15.9 Termination. This Agreement shall terminate 10 years after the Effective Date, unless extended in writing by the Parties. In addition, this Agreement shall terminate 5 years after the Effective Date in the event that the TUMF Improvements as specified in the Credit Agreement is not commenced within 5 years of the Effective Date.

15.9.1 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual right by custom, estoppel, or otherwise.

15.9.2 Binding Effect. Each and all of the covenants and conditions shall be binding on and shall inure to the benefit of the Parties, and their successors, heirs, personal representatives, or assigns. This section shall not be construed as an authorization for any Party to assign any right or obligation.

15.9.3 No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

15.9.4 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

15.9.5 Consent to Jurisdiction and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any legal action or proceeding brought to interpret or enforce this Agreement, or which in any way arises out of the Parties' activities undertaken pursuant to this Agreement, shall be filed and prosecuted in the appropriate California State Court in the County of Riverside, California. Each

Party waives the benefit of any provision of state or federal law providing for a change of venue to any other court or jurisdiction including, without limitation, a change of venue based on the fact that a governmental entity is a party to the action or proceeding, or that a federal right or question is involved or alleged to be involved in the action or proceeding. Without limiting the generality of the foregoing waiver, Developer expressly waives any right to have venue transferred pursuant to California Code of Civil Procedure Section 394.

15.9.6 Time is of the Essence. Time is of the essence in this Agreement, and the Parties agree to execute all documents and proceed with due diligence to complete all covenants and conditions.

15.9.7 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original and which collectively shall constitute one instrument.

15.9.8 Entire Agreement. This Agreement contains the entire agreement between AGENCY and Developer and supersedes any prior oral or written statements or agreements between AGENCY and Developer.

[SIGNATURES OF PARTIES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

DEVELOPER:
[**Don McCoy**]

By: _____

Its: _____

ATTEST:

By: _____
Its: _____

By: _____ By: _____
Its: _____ Its: _____

By: _____ By: _____
Its: _____ Its: _____

City of Hemet:

ATTEST:

By: _____
Its: _____

For Use Between Public Agency and
Developer
"Master Agreement"

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

PARCEL MAP 3708-1

For Use Between Public Agency and
Developer
"Master Agreement"

EXHIBIT "B"

FORMS FOR SECURITY

[ATTACHED BEHIND THIS PAGE]

NOT APPLICABLE

BOND NO. _____
INITIAL PREMIUM: _____
SUBJECT TO RENEWAL

PERFORMANCE BOND

WHEREAS, the [INSERT "City" OR "County"] of _____ ("AGENCY") has executed an agreement with _____ (hereinafter "Developer"), requiring Developer to perform certain work consisting of but not limited to, furnishing all labor, materials, tools, equipment, services, and incidentals for the construction of street and transportation system improvements (hereinafter the "Work");

WHEREAS, the Work to be performed by Developer is more particularly set forth in that certain TUMF Improvement and Credit/Reimbursement Agreement dated _____, (hereinafter the "Agreement"); and

WHEREAS, the Agreement is hereby referred to and incorporated herein by this reference; and

WHEREAS, Developer or its contractor is required by the Agreement to provide a good and sufficient bond for performance of the Agreement, and to guarantee and warranty the Work constructed thereunder.

NOW, THEREFORE, we the undersigned, _____, as Principal and _____, a corporation organized and existing under the laws of the State of _____ and duly authorized to transact business under the laws of the State of California, as Surety, are held and firmly bound unto the AGENCY in the sum of _____ ($_____), said sum being not less than one hundred percent (100%) of the total cost of the Work as set forth in the Agreement, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such, that if Developer and its contractors, or their heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants,

conditions, agreements, guarantees, and warranties in the Agreement and any alteration thereof made as therein provided, to be kept and performed at the time and in the manner therein specified and in all respects according to their intent and meaning, and to indemnify and save harmless AGENCY, its officers, employees, and agents, as stipulated in the Agreement, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by AGENCY in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or additions to the terms of the said Agreement or to the Work to be performed thereunder or the specification accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the Work.

IN WITNESS WHEREOF, we have hereto set our hands and seals this ____ day on _____, 20__.

_____

_____

Principal

By:

_____

_____

_____

President

_____

_____

Surety

By:

_____

_____

_____

Attorney-in-
Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE §1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____, before me, _____
Date Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscri acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and tha instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

I certify under PENALTY OF PERJURY under t foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent document.

Description of Attached Document
Title of Type of Document:_____ Docume
Number of Pages: _____
Signer(s) Other Than Named Above:_____

Capacity(ies) Claimed by Signer(s)

Signer's Name:_____
_____
☐ Corporate Officer – Title(s):_____
☐ Partner - ☐ Limited☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐Other:_____
Signer is Representing: _____
_____

Signer's Name:_____
_____
☐ Corporate Officer – Title(s):_____
☐ Partner - ☐ Limited☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐Other:_____
Signer is Representing: _____
_____

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the _____ Secretary of the corporation named as principal in the attached bond, that _____ who signed the said bond on behalf of the principal was then _____ of said corporation; that I know his signature, and his signature thereto is genuine; and that said bond was duly signed, sealed and attested for and in behalf of said corporation by authority of its governing Board.

(Corporate Seal)

_____

_____

Signature

_____

Date

NOTE: A copy of the power of attorney to local representatives of the bonding company may be attached hereto.

BOND NO. _____
INITIAL PREMIUM: _____
SUBJECT TO RENEWAL

LABOR & MATERIAL BOND

WHEREAS, the [INSERT "City" OR "County"] of _____ ("AGENCY") has executed an agreement with _____ (hereinafter "Developer"), requiring Developer to perform certain work consisting of but not limited to, furnishing all labor, materials, tools, equipment, services, and incidentals for the construction of street and transportation system improvements (hereinafter "Work");

WHEREAS, the Work to be performed by Developer is more particularly set forth in that certain Improvement and Credit / Reimbursement Agreement dated _____, (hereinafter the "Agreement"); and

WHEREAS, Developer or its contractor is required to furnish a bond in connection with the Agreement providing that if Developer or any of his or its contractors shall fail to pay for any materials, provisions, or other supplies, or terms used in, upon, for or about the performance of the Work contracted to be done, or for any work or labor done thereon of any kind, or for amounts due under the provisions of 3248 of the California Civil Code, with respect to such work or labor, that the Surety on this bond will pay the same together with a reasonable attorney's fee in case suit is brought on the bond.

NOW, THEREFORE, we the undersigned, _____, as Principal and _____, a corporation organized and existing under the laws of the State of _____ and duly authorized to transact business under the laws of the State of California, as Surety, are held and firmly bound unto the AGENCY and to any and all material men, persons, companies or corporations furnishing materials, provisions, and other supplies used in, upon, for or about the performance of the said Work, and all persons, companies or corporations renting or hiring teams, or implements or machinery, for or contributing to said Work to be done, and all persons performing work or labor upon the same and all persons supplying both work and materials as aforesaid, the sum of _____

_____ ($_____), said sum being not less than 100% of the total amount payable by Developer under the terms of the Agreement, for which payment well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that if Developer or its contractors, or their heirs, executors, administrators, successors, or assigns, shall fail to pay for any materials, provisions, or other supplies or machinery used in, upon, for or about the performance of the Work contracted to be done, or for work or labor thereon of any kind, or fail to pay any of the persons named in California Civil Code Section 9100, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the contractor and his subcontractors pursuant to Section 13020 of the Unemployment Insurance Code with respect to such work and labor, and all other applicable laws of the State of California and rules and regulations of its agencies, then said Surety will pay the same in or to an amount not exceeding the sum specified herein.

In case legal action is required to enforce the provisions of this bond, the prevailing party shall be entitled to recover reasonable attorneys' fees in addition to court costs, necessary disbursements and other consequential damages. In addition to the provisions hereinabove, it is agreed that this bond will inure to the benefit of any and all persons, companies and corporations entitled to make claims under Sections 8024, 8400, 8402, 8404, 8430, 9100 of the California Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

The said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or additions to the terms of the Agreement or to the Work to be performed thereunder or the specification accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the Work.

IN WITNESS WHEREOF, we have hereto set our hands and seals this ____ day on _____, 20__.

_____

_____

Principal

By:

_____
_____
_____
President

_____
_____
Surety

By:

_____
_____
_____
Attorney-in-
Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE §1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____, before me, _____
Date Here Insert Name and Title of the Officer

personally appeared _____
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscri acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and tha instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

I certify under PENALTY OF PERJURY under t foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent document.

Description of Attached Document
Title of Type of Document:_____ Docume
Number of Pages: _____
Signer(s) Other Than Named Above:_____

Capacity(ies) Claimed by Signer(s)

Signer's Name:_____
_____
☐ Corporate Officer – Title(s):_____
☐ Partner - ☐ Limited☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐Other:_____
Signer is Representing: _____
_____

Signer's Name:_____
_____
☐ Corporate Officer – Title(s):_____
☐ Partner - ☐ Limited☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐Other:_____
Signer is Representing: _____
_____

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the _____ Secretary of the corporation named as principal in the attached bond, that _____ who signed the said bond on behalf of the principal was then _____ of said corporation; that I know his signature, and his signature thereto is genuine; and that said bond was duly signed, sealed and attested for and in behalf of said corporation by authority of its governing Board.

(Corporate Seal)

_____

___

Signature

_____

___

Date

NOTE: A copy of the power of attorney to local representatives of the bonding company may be attached hereto.

For Use Between Public Agency and
Developer
"Master Agreement"

EXHIBIT "C"

DOCUMENTATION TO BE PROVIDED TO AGENCY BY DEVELOPER FOR DETERMINATION OF CONSTRUCTION COSTS

To assist AGENCY in determining the Construction Costs for a completed TUMF Improvement, Developer shall provide the following documents to AGENCY:

1. Plans, specifications and Developer's civil engineer's cost estimate;

2. List of bidders from whom bids were requested;

3. Construction schedules and progress reports;

4. Contracts, insurance certificates and change orders with each contractor or vendor;

5. Invoices received from all vendors;

6. Canceled checks for payments made to contractors and vendors (copy both front and back of canceled checks);

7. Spreadsheet showing total costs incurred in and related to the construction of each TUMF Improvement and the check number for each item of cost and invoice;

8. Final lien releases from each contractor and vendor; and

9. Such further documentation as may be reasonably required by AGENCY to evidence the completion of construction and the payment of each item of cost and invoice.

For Use Between Public Agency and Developer
"Master Agreement"

EXHIBIT "D"

REIMBURSEMENT AGREEMENT
TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

THIS REIMBURSEMENT AGREEMENT ("Agreement") is entered into this ___ day of _____, 20___, by and between the [INSERT "City" OR "County"] of _____, [**INSERT "a California municipal corporation" FOR CITY OR "a subdivision of the State of California" FOR COUNTY**] ("AGENCY"), and _____, a California [**INSERT TYPE OF ENTITY - corporation, partnership, sole proprietorship or other legal entity**], with its principal place of business at [**ENTER ADDRESS**] ("Developer"). AGENCY and Developer are sometimes hereinafter referred to individually as "Party" and collectively as "Parties".

RECITALS

WHEREAS, AGENCY and Developer are parties to an agreement dated _____, 20___, entitled "Improvement and Credit Agreement - Transportation Uniform Mitigation Fee Program" (hereinafter "Credit Agreement");

WHEREAS, Sections 14.1 through 14.3 of the Credit Agreement provide that Developer is obligated to pay AGENCY the TUMF Obligation, as defined therein, but shall receive credit to offset the TUMF Obligation if Developer constructs and AGENCY accepts the TUMF Improvements in accordance with the Credit Agreement;

WHEREAS, Section 14.5 of the Credit Agreement provides that if the dollar amount of the credit to which Developer is entitled under the Credit Agreement exceeds the dollar amount of the TUMF Obligation, Developer may apply to AGENCY and WRCOG for a reimbursement agreement for the amount by which the credit exceeds the TUMF Obligation;

WHEREAS, Section 14.5 additionally provides that a reimbursement agreement executed pursuant to the Credit Agreement (i) shall be executed on the form attached to the Credit Agreement, (ii) shall contain the terms and conditions set forth therein, (iii) shall be subject to all terms and conditions of the

Credit Agreement, and (iv) shall be attached upon execution to the Credit Agreement and incorporated therein as a material part of the Credit Agreement as though fully set forth therein; and

WHEREAS, AGENCY and WRCOG have consented to execute a reimbursement agreement with Developer pursuant to the Credit Agreement, (insert appropriate reference for city or county), and the TUMF Administrative Plan adopted by WRCOG.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, the Parties hereby agree as follows:

TERMS

1.0 Incorporation of Recitals. The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 Effectiveness. This Agreement shall not be effective unless and until the Credit Agreement is effective and in full force in accordance with its terms.

3.0 Definitions. Terms not otherwise expressly defined in this Agreement, shall have the meaning and intent set forth in the Credit Agreement.

4.0 Amount of Reimbursement. Subject to the terms, conditions, and limitations set forth in this Agreement, the Parties hereby agree that Developer is entitled to receive the dollar amount by which the Actual Credit exceeds the dollar amount of the TUMF Obligation as determined pursuant to the Credit Agreement, (insert appropriate reference for city or county), and the TUMF Administrative Plan adopted by WRCOG ("Reimbursement").The Reimbursement shall be subject to verification by WRCOG. AGENCY and Developer shall provide any and all documentation reasonably necessary for WRCOG to verify the amount of the Reimbursement. The Reimbursement shall be in an amount not exceeding [INSERT DOLLAR AMOUNT] ("Reimbursement Amount"). AGENCY shall be responsible for obtaining the Reimbursement Amount from WRCOG and transmitting the Reimbursement Amount to the Developer. In no event shall the dollar amount of the Reimbursement exceed the difference between the dollar amount of all credit applied to offset the TUMF Obligation pursuant to

Section 14.3, 14.4, and 14.5 of the Credit Agreement, and one hundred (100%) of the approved unit awarded, as such assumptions are identified and determined in the Nexus Study and the TUMF Administrative Plan adopted by WRCOG.

5.0 Payment of Reimbursement; Funding Contingency. The payment of the Reimbursement Amount shall be subject to the following conditions:

5.1 Developer shall have no right to receive payment of the Reimbursement unless and until (i) the TUMF Improvements are completed and accepted by AGENCY in accordance with the Credit Agreement, (ii) the TUMF Improvements are scheduled for funding pursuant to the five-year Transportation Improvement Program adopted annually by WRCOG, (iii) WRCOG has funds available and appropriated for payment of the Reimbursement amount.

5.2 Developer shall not be entitled to any interest or other cost adjustment for any delay between the time when the dollar amount of the Reimbursement is determined and the time when payment of the Reimbursement is made to Developer by WRCOG through AGENCY.

6.0 Affirmation of Credit Agreement. AGENCY and Developer represent and warrant to each other that there have been no written or oral modifications or amendments of the Credit Agreement, except by this Agreement. AGENCY and Developer ratify and reaffirm each and every one of their respective rights and obligations arising under the Credit Agreement. AGENCY and Developer represent and warrant that the Credit Agreement is currently an effective, valid, and binding obligation.

7.0 Incorporation Into Credit Agreement. Upon execution of this Agreement, an executed original of this Agreement shall be attached as Exhibit "D" to the Credit Agreement and shall be incorporated therein as a material part of the Credit Agreement as though fully set forth therein.

8.0 Terms of Credit Agreement Controlling. Each Party hereby affirms that all provisions of the Credit Agreement are in full force and effect and shall govern the actions of the Parties under this Agreement as though fully set forth herein and made specifically applicable hereto, including without limitation, the following sections of the Credit Agreement: Sections 10.0 through 10.3, Section 12.0, Sections 13.0 through 13.7, Sections 14.0 through 14.6, and Sections 15.0 through 15.17.

[SIGNATURES OF PARTIES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

_____
_____
("Developer")

By: _____

Its:_____

ATTEST:

By: _____

Its: _____

[INSERT "City" OR "County") of
_____

By: _____

Its:_____

ATTEST:

By: _____

Its: _____

For Use Between Public Agency and
Developer
"Master Agreement"

EXHIBIT "E"

TUMF CREDIT / REIMBURSEMENT ELIGIBILITY PROCESS

1. Prior to the construction of any TUMF Improvement, Developer shall follow the steps listed below:

   (a) Prepare a separate bid package for the TUMF Improvements.

   (b) The plans, cost estimate, specifications and contract document shall require all contractors to pay prevailing wages and to comply with applicable provisions of the Labor Code, Government Code, and Public Contract Code relating to Public Works Projects.

   (c) Bids shall be obtained and processed in accordance with the formal public works bidding requirements of the AGENCY.

   (d) The contract(s) for the construction of TUMF Improvements shall be awarded to the lowest responsible bidder(s) for the construction of such facilities in accordance with the AGENCY's requirements and guidelines.

   (e) Contractor(s) shall be required to provide proof of insurance coverage throughout the duration of the construction.

2. Prior to the determination and application of any Credit pursuant to a TUMF Improvement and Credit Agreement executed between AGENCY and Developer ("Agreement"), Developer shall provide the AGENCY and WRCOG with the following:

   (a) Copies of all information listed under Item 1 above.

   (b) Surety Bond, Letter of Credit, or other form of security permitted under the Agreement and acceptable to the AGENCY and WRCOG, guaranteeing the construction of all applicable TUMF Improvements.

3. Prior to the AGENCY's acceptance of any completed TUMF Improvement, and in order to initiate the construction cost verification process, the Developer shall comply with the requirements as set forth in Sections 7, 14.2 and 14.3 of the Agreement, and the following conditions shall also be satisfied:

(a) Developer shall have completed the construction of all TUMF Improvements in accordance with the approved Plans and Specifications.

(b) Developer shall have satisfied the AGENCY's inspection punch list.

(c) After final inspection and approval of the completed TUMF Improvements, the AGENCY shall have provided the Developer a final inspection release letter.

(d) AGENCY shall have filed a Notice of Completion with respect to the TUMF Improvements pursuant to Section 3093 of the Civil Code with the County Recorder's Office, and provided a copy of filed Notice of Completion to WRCOG.

(e) Developer shall have provided AGENCY a copy of the As-Built plans for the TUMF Improvements.

(f) Developer shall have provided AGENCY copies of all permits or agreements that may have been required by various resource/regulatory agencies for construction, operation and maintenance of any TUMF Improvements.

(g) Developer shall have submitted a documentation package to the AGENCY to determine the final cost of the TUMF Improvements, which shall include at a minimum, the following documents related to the TUMF Improvements:

(i) Plans, specifications, and Developer's Civil Engineer's cost estimates; or Engineer's Report showing the cost estimates.

(ii) Contracts/agreements, insurance certificates and change orders with each vendor or contractor.

(iii) Invoices from all vendors and service providers.

(iv) Copies of cancelled checks, front and back, for payments made to contractors, vendors and service providers.

(v) Final lien releases from each contractor and vendor (unconditional waiver and release).

(vi) Certified contract workers payroll for AGENCY verification of compliance with prevailing wages.

(vii) A total cost summary, in spreadsheet format (MS Excel is preferred) and on disk, showing a breakdown of the total costs incurred. The summary should include for each item claimed the check number, cost, invoice numbers, and name of payee. See attached sample for details. [ATTACH SAMPLE, IF APPLICABLE; OTHERWISE DELETE REFERENCE TO ATTACHED SAMPLE

City of Hemet
PARCEL MAP 37098-1
STREET IMPROVEMENT PLANS

GENERAL NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE SPECIFICATIONS FOR THE IMPROVEMENTS OF DEVELOPMENTS WITHIN THE CITY OF HEMET IN ACCORDANCE WITH CITY OF HEMET ORDINANCES.
2. PRIOR TO CONSTRUCTION, THE DEVELOPER SHALL SECURE ALL PERMITS REQUIRED BY THE CITY OF HEMET.
3. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO NOTIFY THE PUBLIC WORKS DEPARTMENT 72 HOURS IN ADVANCE, PRIOR TO THE CONCEALING OF EACH PHASE OF WORK SO THAT THE CONSTRUCTION INSPECTOR CAN INSPECT THE WORK BEING DONE. PHONE: (951) 765-3860
4. CURBS, GUTTERS, SIDEWALKS AND STREET SIGNS SHALL BE INSTALLED AS PER CITY OF HEMET STANDARDS, EXCEPT AS NOTED.
5. ANY RELOCATION OF EXISTING FACILITIES SHALL BE THE RESPONSIBILITY AND AT THE EXPENSE OF THE UTILITY COMPANY.
6. SEWER PIPE MAY BE EITHER VITRIFIED CLAY OR POLYVINYL CHLORIDE AND MUST MEET SPECIFICATIONS FOR SANITARY SEWERS ON FILE IN THE CITY OF HEMET OFFICES.
7. SEWER LATERALS SHALL BE CARRIED TO PROPERTY LINES PER STD. NO. S-600, LOCATIONS SHALL BE MARKED ON THE CURB AS DIRECTED BY THE CITY OF HEMET.
8. SEWER INSTALLATION AND CONSTRUCTION SHALL COMPLY WITH REQUIREMENTS OF STANDARDS OR SPECIFICATIONS FOR SANITARY SEWERS FILED IN THE CITY OFFICES, CITY OF HEMET. SEWER MAINS SHALL BE LOCATED 5' NORTH OR EAST OF CENTERLINE OR AS SHOWN ON PLANS.
9. ALL SEWER LINE CONSTRUCTION SHALL BE INSPECTED AFTER INSTALLATION WITH A MOBILE TELEVISION INSPECTION UNIT AT THE DEVELOPER'S EXPENSE. VIDEO LOGS SHALL BE VHS FORMAT SUBMITTED TO THE PUBLIC WORKS DEPARTMENT FOR REVIEW PRIOR TO APPROVAL OF THE SEWER FACILITIES.
10. MANHOLES SHALL BE STANDARD 48" I.D. ECCENTRIC PRECAST CONCRETE MANHOLES AS PER STANDARD NO. S-601.
11. THE TOP FIVE FEET OF ALL TRENCH BACKFILL AND ALL BEDDING SHALL BE COMPACTED TO 90 PERCENT MINIMUM RELATIVE COMPACTION EXCEPT THAT THE TOP 12 INCHES OF SUBGRADE MATERIAL SHALL BE COMPACTED TO 95 PERCENT MINIMUM RELATIVE COMPACTION. BACKFILL BELOW FIVE FEET SHALL BE COMPACTED TO 85 PERCENT MINIMUM RELATIVE COMPACTION. IN NO EVENT SHALL THE BACKFILL MATERIAL BE COMPACTED TO A DENSITY OF LESS THAN THAT OF THE UNDISTURBED SOIL SURROUNDING THE TRENCH.
12. STREET LIGHTS ARE A CITY REQUIREMENT AND SHALL BE INSTALLED AS PER AGREEMENT BETWEEN SOUTHERN CALIFORNIA EDISON COMPANY, CITY OF HEMET, AND THE DEVELOPER.
13. THERE SHALL BE A MINIMUM OF 2.5' OF FULL FACE CURB BETWEEN THE PROLONGATION OF ANY PROPERTY LINE AND THE BEGINNING OF ANY DRIVEWAY APPROACH. THERE SHALL BE A MINIMUM OF 5.0' OF FULL FACE CURB BETWEEN THE BEGINNING OF ANY DRIVEWAY APPROACH AND THE BEGINNING OR END OF THE CURB RETURN.
14. DRIVEWAYS ARE TO BE CONSTRUCTED TO EACH LOT PER CITY STANDARDS NO. C-208, C-209, C-210 AND 210A. EXACT LOCATION AND WIDTHS OF DRIVEWAYS SHALL BE PROVIDED BY THE CITY. SIDEWALK AREA INCLUDES DRIVEWAY APPROACHES.
15. ALL POSTS FOR STREET NAME SIGNS AND TRAFFIC CONTROL SIGNS SHALL BE INSTALLED PRIOR TO THE INSTALLATION OF CONCRETE SIDEWALK. EXACT LOCATIONS FOR SIGN POSTS SHALL BE DESIGNATED BY THE DEPARTMENT OF PUBLIC WORKS.
16. ALL PERMITS ARE TO BE ISSUED BY THE CITY OF HEMET PRIOR TO THE PRECONSTRUCTION CONFERENCE BETWEEN THE DEVELOPER AND REPRESENTATIVES OF THE DEPARTMENT OF PUBLIC WORKS.
17. THE FINAL PAVING COURSE FOR ROAD MIX AND A.C. SURFACE STREETS SHALL BE ONE TENTH OF A FOOT (.10') IN THICKNESS AND A MINIMUM OF EIGHT FEET (8') IN WIDTH OR AS WIDE AS NECESSARY TO COVER ALL BREAK-OUTS AND OVERLAP EXISTING PAVEMENT TWO FEET (2') ON EITHER SIDE OF TRENCH, WHICHEVER IS THE GREATER. THIS REQUIREMENT ALSO APPLIES TO PAVING TIE-INS TO NEW CURB AND GUTTER FROM AN EXISTING STREET. (IN SOME INSTANCES, IT WILL BE NECESSARY TO OVERLAY A MINIMUM OF ONE-HALF THE STREET TO OBTAIN THE PROPER TIE-IN TO NEW CURB AND GUTTER. THE AMOUNT OF SUCH OVERLAY SHALL BE DETERMINED IN THE FIELD BY THE PUBLIC WORKS INSPECTOR. THE FINAL PAVING COURSE SHALL BE LAID WITH A SELF-PROPELLED MECHANICAL SPREADING AND FINISHING MACHINE EQUIPPED WITH TAMPER BARS AND AUTOMATIC SCREED (BARBER GREEN OR APPROVED EQUAL).
18. ALL STREET AND PARKING LOT SUBGRADE MATERIAL AND A.B. MATERIAL SHALL BE COMPACTED TO 95% DENSITY FOR THE TOP 12". BASE 'R' VALUES SHALL BE OBTAINED PRIOR TO THE PLACEMENT OF ANY AGGREGATE BASE MATERIAL.
19. PROVIDE RAMPS FOR THE HANDICAPPED AT ALL SIDEWALK INTERSECTIONS AS SHOWN ON PLANS.
20. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO TEMPORARILY PATCH ALL UTILITY TRENCHES WITHIN EXISTING PAVED STREETS. THE TEMPORARY PATCH SHALL BE REMOVED AND REPLACED WITH A PERMANENT PATCH AT TIME OF A.C. SURFACING.
21. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO NOTIFY THE PROJECT ENGINEER AFTER THE BASE COURSE FOR THE STREETS HAS BEEN PLACED AND BEFORE THE PAVING HAS BEEN INSTALLED SO THAT THE ENGINEER MAY INSTALL THE STREET CENTERLINE MONUMENTS.
22. THE DEVELOPER WILL HOLD HARMLESS, INDEMNIFY AND DEFEND THE CITY OF HEMET, THE OWNER, THE ARCHITECT, THE ENGINEER AND HIS CONSULTANTS, AND EACH OF THEIR OFFICERS AND EMPLOYEES AND AGENTS, FROM ANY AND ALL LIABILITY CLAIMS, LOSSES OR DAMAGE ARISING OR ALLEGED TO ARISE FROM THE PERFORMANCE OF WORK DESCRIBED HEREIN, BUT NOT INCLUDING THE SOLE NEGLIGENCE OF THE CITY OF HEMET, THE OWNER, THE ARCHITECT, THE ENGINEER AND HIS CONSULTANTS, AND EACH OF THEIR OFFICERS AND EMPLOYEES AND AGENTS.
23. A 72-HOUR NOTICE IS REQUIRED PRIOR TO PUBLIC WORKS INSPECTIONS. CALL INSPECTION REQUEST LINE (951) 765-3860.
24. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO PROTECT FROM DAMAGE ANY UTILITY OR OTHER APPURTENANCE THAT IS TO REMAIN IN PLACE, BE INSTALLED, RELOCATED OR OTHERWISE REARRANGED.

GENERAL NOTES CONT.

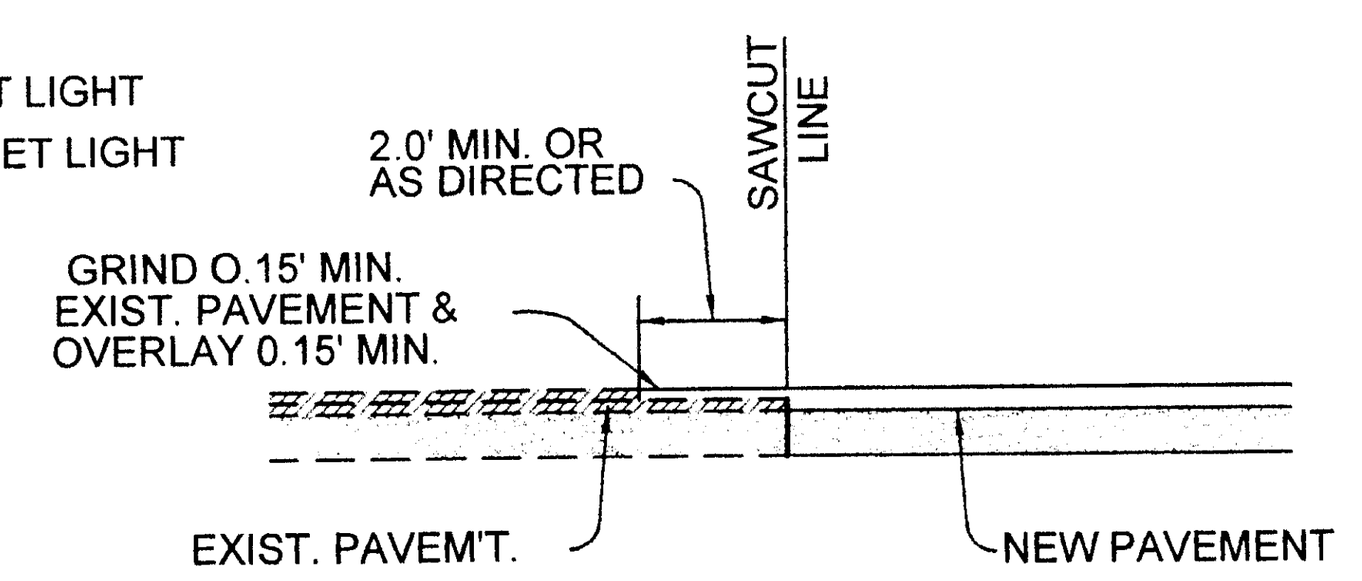
25. ASPHALT CONCRETE PAVING SHALL COMPLY WITH SECTION 203-1 OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, CURRENT EDITION.
26. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA 811, 48 HOURS PRIOR TO ANY EXCAVATION.
27. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS, DIMENSIONS, ANGLES, AREAS, HEIGHTS, ELEVATIONS AND RADII ON THE PLANS. EXISTING CONDITIONS, WHICH ARE CONTRARY TO THOSE SHOWN ON PLANS, SHALL BE VERIFIED WITH THE CITY ENGINEER BEFORE PROCEEDING WITH WORK.
28. ALL WORK SHALL CONFORM TO THE PLANS AND SPECIFICATIONS IN ALL RESPECTS AND SHALL BE SUBJECT TO APPROVAL OF THE CITY ENGINEER.
29. BY ACCEPTING THIS CONTRACT, CONTRACTOR HEREBY RELEASES AND AGREES TO INDEMNIFY, DEFEND, HOLD HARMLESS THE CITY, AND CITY ENGINEER, AGENTS, EMPLOYEES, CONSULTANTS AND REPRESENTATIVES FOR ALL DAMAGE TO PERSONS OR PROPERTY OR WRONGFUL DEATH REGARDLESS OF WHETHER OR NOT SUCH CLAIM, DAMAGE, LOSS OR EXPENSE IS CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE, ACTIVE OR PASSIVE, OF CITY, ENGINEERS, THEIR PARENT AND SUBSIDIARY COMPANIES, AS WELL AS THEIR AGENTS AND EMPLOYEES.
30. THE CONTRACTOR SHALL NOTIFY THE CITY INSPECTOR 72 HOURS BEFORE COMMENCING WORK OR BEFORE CONSTRUCTION STAKES ARE SET.
31. ALL AVAILABLE RECORDS OF THE CITY AND UTILITIY COMPANIES INVOLVED HAVE BEEN INVESTIGATED AND ALL KNOWN SUBSTRUCTURES ARE SHOWN HEREON. THE CONTRACTOR SHALL EXERCISE EXTREME CARE DURING EXCAVATION AND DURING THE COURSE OF THE PROJECT TO PREVENT DAMAGE TO EXISTING UNDERGROUND AND ABOVE GROUND UTILITIES AND IMPROVEMENTS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL SUBSTRUCTURES WHETHER SHOWN ON THE PLANS OR NOT, AND PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR THE TOTAL EXPENSE OF REPAIR OR REPLACEMENT OF SAID SUBSTRUCTURE BY THIS OPERATION IN CONNECTION WITH THE PROSECUTION OF THIS WORK.
32. ALL CONFLICTING IMPROVEMENTS, UTILITIES AND MATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED FROM THE PROJECT LIMITS BY THE CONTRACTOR AT NO COST TO THE CITY, UNLESS OTHERWISE NOTED ON THE PLANS OR IN THE SPECIFICATIONS.
33. THE CONTRATOR SHALL PROTECT ALL EXISTING CITY TRAFFIC AND STREET NAME SIGNS AND SHALL REPLACE ANY DAMAGED SIGN AT NO COST TO THE CITY.
34. ALL SEWER, WATER AND UTILITY TRENCH AND REPAVING SHALL BE PER CITY OF HEMET STANDARD ST-110, ST-110A AND ST-110B.
35. ALL BASE SHALL BE CLASS 2 CRUSHED AGGREGATE BASE ONLY. NO RECLAIMED OR MISCELLANEOUS MATERIAL ALLOWED.
36. ALL SEWER AND STORM DRAIN LINE CONSTURCTION SHALL BE INSPECTED AFTER THE INSTALLATION WITH A MOBILE TELEVISION INSPECTION UNIT AT THE DEVELOPER'S EXPENSE. VIDEO LOGS SHALL BE VHS/DVD FORMAT SUBMITTED TO THE PUBLIC WORKS DEPT. FOR REVIEW PRIOR TO THE APPROVAL OF THE FACILITIES.

NOTE TO CONTRACTOR

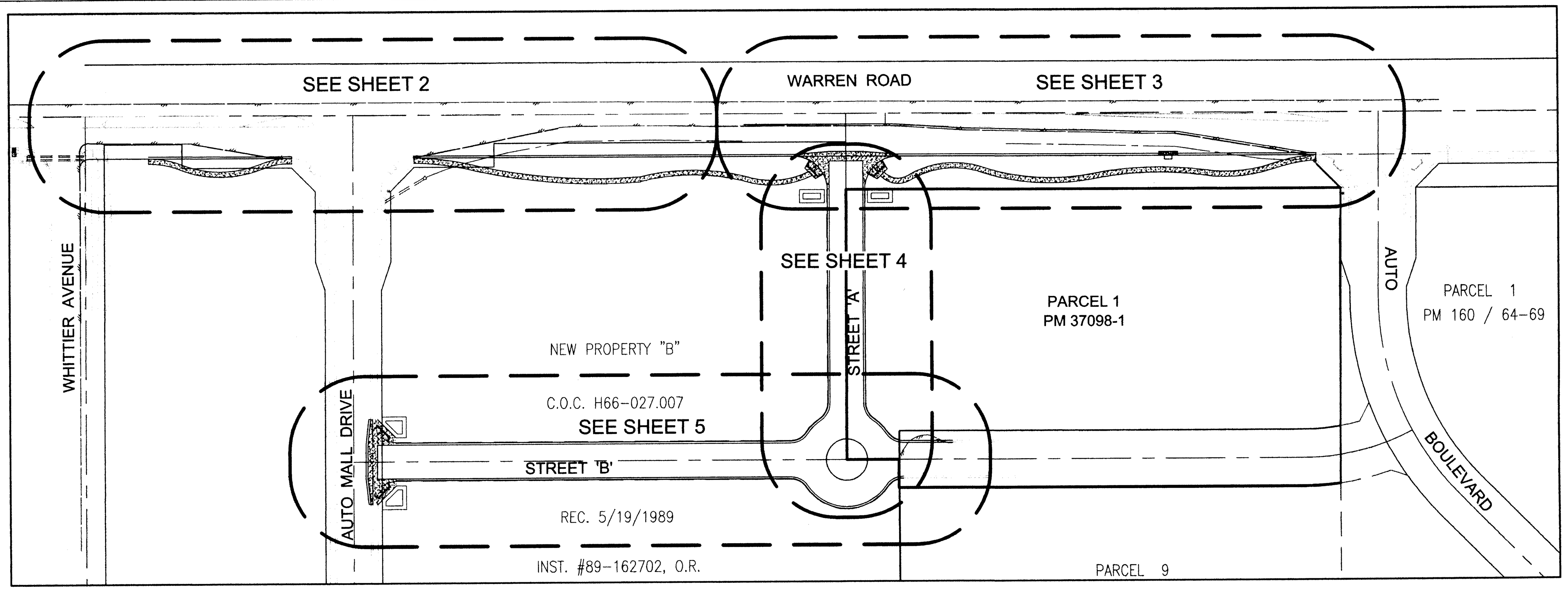
1. THE EXISTENCE OF UNDERGROUND UTILITIES ON THIS SITE IS UNKNOWN. CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (USA) AND USE CAUTION DURING THE DEMOLITION AND GRADING PHASE OF THE PROJECT. CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR DAMAGE TO EXISTING UTILITIES REQUIRED TO SERVE ADJACENT PROPERTIES.
2. QUANTITIES SHOWN HEREON ARE FOR PERMIT PURPOSES ONLY. IT SAHLL BE THE CONTRACTORS SOLE RESPONSIBILITY TO GENERATE HIS OR HER OWN QUANTITIES FOR BID AND/OR CONSTRUCTION.

LEGEND

Symbol	Description
(cross-hatch)	REMOVE EXISTING AC PAVING
(blank box)	NEW AC PAVING
(diagonal hatch)	GRIND AND OVERLAY EXISTING PAVEMENT
(stipple)	CONCRETE SURFACE
TP	TOP OF PAVEMENT ELEVATION
FL	FLOWLINE ELEVATION
TC	TOP OF CURB ELEVATION
( )	EXISITNG ELEVATION
CB	CATCH BASIN
—SD—	STORM DRAIN
—S—	SEWER LINE
	EXISTING STREET LIGHT
☼—○	PROPOSED STREET LIGHT



PAVEMENT JOIN DETAIL
NTS

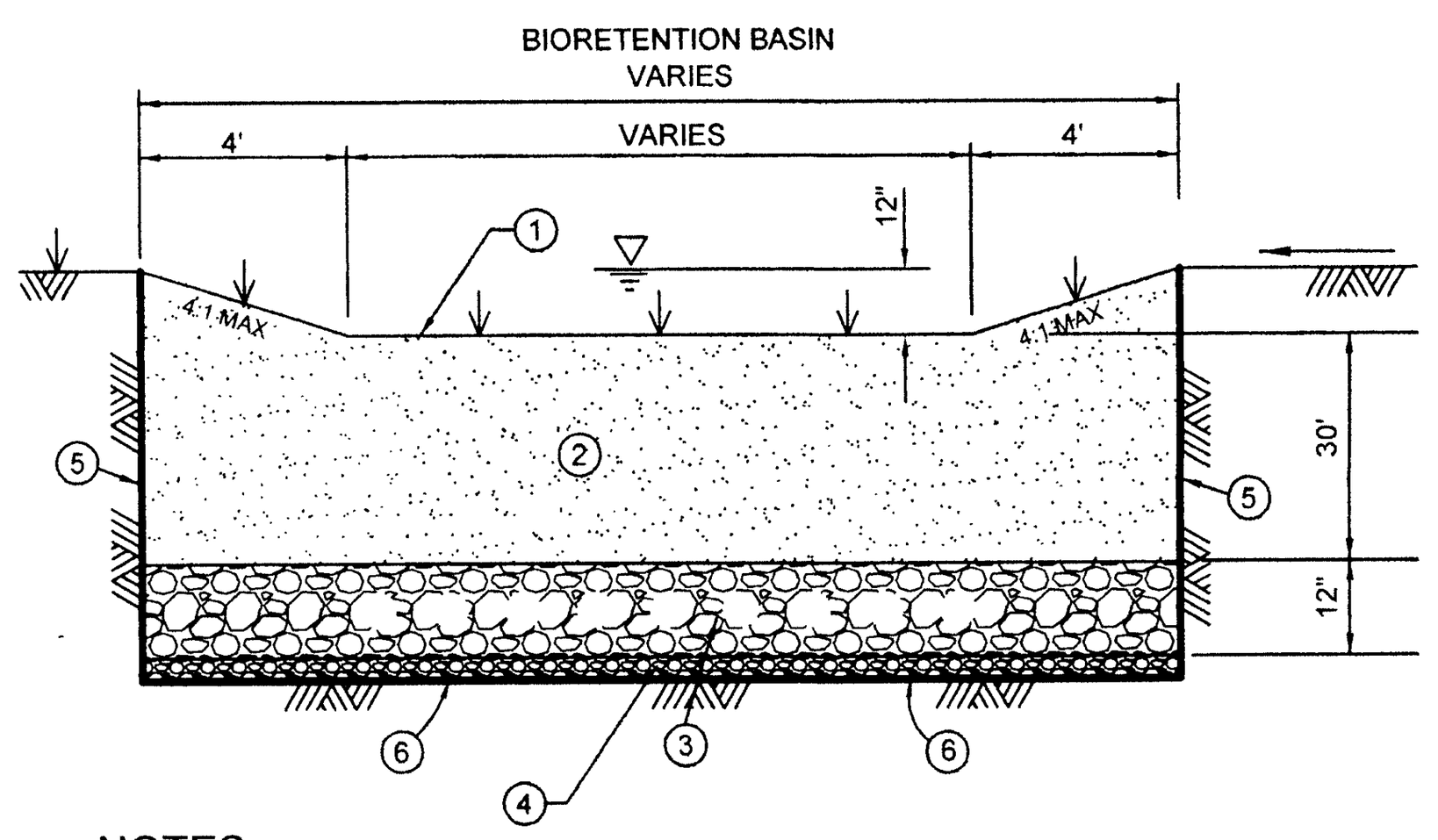


INDEX MAP
1" = 100'

NORTH

Ⓝ CONSTRUCTION NOTES/QUANITY ESTIMATES

1. INSTALL 0.45' AC PAVEMENT, OVER 0.80' AGG BASE CLASS II, WITH 12" IMPORTED SUBGRADE (25,789 S.F.). SECTION TO BE VERIFIED BY GEOTECHNICAL ENGINEER AFTER GRADING.
2. INSTALL 0.25' AC PAVEMENT, OVER 0.50' AGG BASE CLASS II (33,826 S.F.). SECTION TO BE VERIFIED BY GEOTECHNICAL ENGINEER AFTER GRADING.
3. SAWCUT MIN. 2' INTO EXISTING AC PAVEMENT. GRIND & OVERLAY JOIN PER PAVEMENT JOIN DETAIL, SHEET 1. .... 1,413 L.F.
4. GRIND AND OVERLAY EXISTING AC PAVEMENT (MIN. 0.15') AND MATCH EXISTING PAVEMENT PER JOIN DETAIL, SHEET 1. .... 9,672 S.F.
5. ASPHALT EMULSION (FOG SEAL). .... 69,287 S.F.
6. RE-GRADE EXISTING DRAINAGE CHANNEL TO ACCOMMODATE STREET IMPROVEMENTS. .... L.S.
7. RELOCATE EXISTING STOP SIGN. .... 1 EA.
8. INSTALL 30" DIA. RCP 1500D STORM DRAIN. .... 844 L.F.
9. INSTALL 18" DIA. CMP DRAIN PIPE AND JOIN TO EXISTING 18" CMP WITH "HUGGER BAND" PER FACTORY SPECS. .... 59 L.F.
10. REMOVE EXISTING METAL SIGN POSTS. .... 1 EA.
11. REMOVE EXISTING AC BERM. .... 510 L.F.
12. REMOVE EXISTING TRAFFIC DELINEATOR. .... 5 EA.
13. INSTALL 5' MEANDERING CONCRETE SIDEWALK PER C.O.H. STD. No. C-215. .... 5,255 S.F.
14. INSTALL 18" CMP 45° BEND. .... 4 EA.
15. INSTALL 8" AC DIKE PER RIV. CO. STD. No. 212. .... 79 L.F.
16. CONSTRUCT TYPE "B", 8" CONCRETE CURB & GUTTER PER C.O.H. STD. No. C-201. .... 1,001 L.F.
17. CONSTRUCT CATCH BASIN PER C.O.H. STD. No. D-300 AND LOCAL DEPRESSION PER C.O.H. STD. No. D-304, CASE 'C'. .... 1 EA.
18. CONSTRUCT ACCESS RAMP PER C.O.H. STD. No. C-216. .... 4 EA.
19. CONSTRUCT CONCRETE CROSS GUTTER AND SPANDREL PER C.O.H. STD. Nos. C-212 AND C-213. .... 2,200 S.F.
20. CF TRANSITION, 6" TO 8" CF. .... 110 L.F.
21. EXISTING BLOCK WALL TO REMAIN.
22. REMOVE EXISTING 24" CMP CULVERT. .... 49 L.F.
23. INSTALL 24" DIA. HDPE STORM DRAIN AT EXISTING OPENING AT REAR OF EXISTING CATCH BASIN. GROUT EXISTING OPENING TO ACCOMMODATE NEW SD PIPE. .... 1 EA.
24. CONSTRUCT TYPE "A", 6" CONCRETE CURB & GUTTER PER C.O.H. STD. No. C-200. .... 1,684 L.F.
25. CONSTRUCT TYPE "D", 6" CONCRETE CURB PER C.O.H. STD. No. C-203 .... 138 L.F.
26. REMOVE EXISTING AC PAVEMENT. .... 4,020 S.F.
27. REMOVE PORTION OF EXISTING 6' HIGH BLOCK WALL TO ACCOMMODATE PROPOSED STREET IMPROVEMENTS. .... 60 L.F.
28. SAW CUT AND REMOVE EXISTING 6" CONCRETE CURB & GUTTER. .... 90 L.F.
29. INSTALL "STOP" SIGN PER C.O.H. STD. Nos. G-810A & G-810C. .... 2 EA.
30. INSTALL STREET NAME SIGN PER C.O.H. STD. Nos. G-810 & G-810C. .... 3 EA.
31. PAINT 12" WHITE STOP BAR & LEGEND PER C.O.H. STD. No. G-810B. .... 2 EA.
32. INSTALL STREET LIGHT PER C.O.H. STD. Nos. G-805, G-808 & G-808A. .... 5 EA.
33. REMOVE EXISTING STRIPING. .... 572 L.F.
34. REPLACE STRIPING IN KIND AFTER OVERLAY OPERATION. .... LS.
35. PAINT DOUBLE YELLOW STRIPE PER CAL TRANS DETAIL 21. .... 584 L.F.
36. PAINT WHITE LANE STRIPE PER CAL TRANS DETAIL 11. .... 1,536 L.F.
37. PAINT RIGHT EDGE LINE PER CALTRANS DETAIL 27B. .... 849 L.F.
38. INSTALL 18" CMP FLARED END SECTION. .... 2 EA.
39. REMOVE EXISTING CONCRETE SIDEWALK. .... 90 L.F.
40. CONSTRUCT STORM DRAIN MANHOLE PER C.O.H. STD. No. D-303. .... 2 EA.
41. EXISTING FIRE HYDRANT TO BE RELOCATED PER SEWER & WATER PLANS. .... 1 EA.
42. CONSTRUCT JUNCTION STRUCTURE NO. 2 PER RCFC & WCD STD JS227 .... 1 EA.
VALUES: A= 51°12'15", B= 30", C= 5.50', D= 54", E=3.85',F= 2.19', G= 1.88', ELEV R= 1,497.28, ELEV S= 1497.27



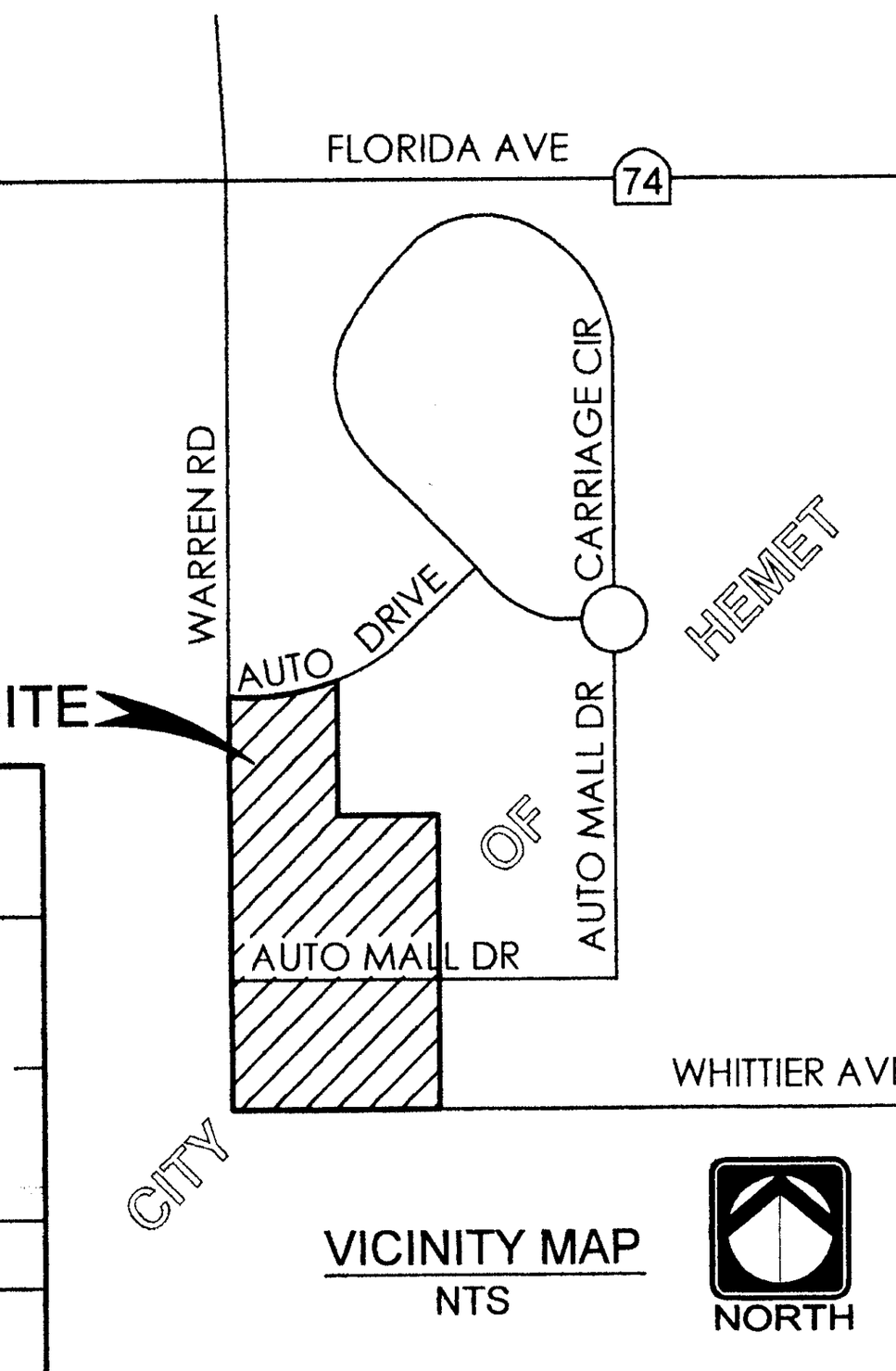
NOTES
1. VEGITATIVE COVER-SPECIFICATION PER BIORETENTION FACT SHEET-WQMP.
2. ENGINEERED SOIL MEDIA-SPECIFICATION BELOW.
3. 12" GRAVEL LAYER-SPECIFICATION PER BIORETENTION FACT SHEET-WQMP.
4. 3" THICK PEA GRAVEL, CHOKER COURSE.
5. ROOT BARRIER PANELS FROM SURFACE TO BASE OF ROCK PER NDS RP SERIES OR EQUAL.
6. FILTER FABRIC, MIRAFI 500X OR EQUAL.

BIORETENTION BASIN SECTION
N.T.S

ENGINEERED SOIL MEDIA REQUIREMENTS
THE ENGINEERED SOIL MEDIA SHALL BE COMPRISED OF 85 PERCENT MINERAL COMPONENT AND 15 PERCENT ORGANIC COMPONENT, BY VOLUME, DRUM MIXED PRIOR TO PLACEMENT. THE MINERAL COMPONENT SHALL BE A CLASS 'A' SANDY LOAM TOPSOIL THAT MEETS THE RANGE SPECIFIED IN THE TABLE BELOW. THE ORGANIC COMPONENT SHALL BE NITROGEN STABILIZED COMPOST, SUCH THAT NITROGEN DOES NOT LEACH FROM THE MEDIA.

MINERAL COMPONENT RANGE REQUIRMENTS

PERCENT RANGE	COMPONENT
70-80	SAND
15-20	SILT
5-10	CLAY



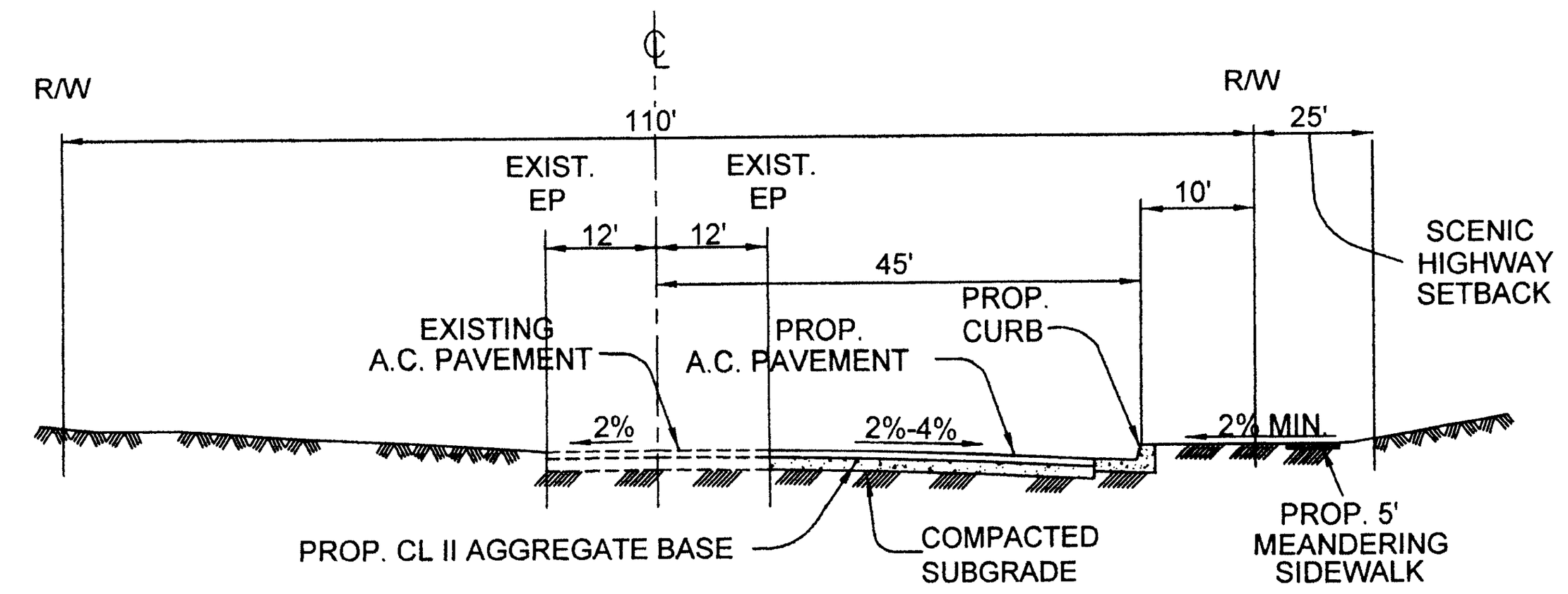
VICINITY MAP
NTS

NORTH

EARTHWORK QUANTITIES

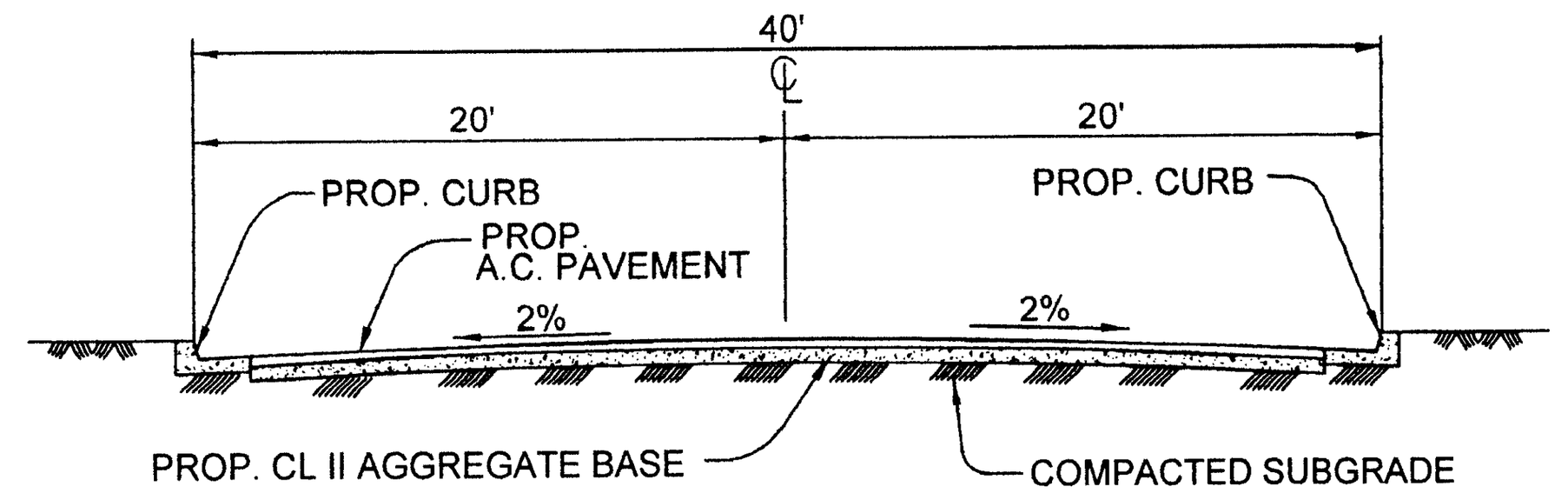
RAW CUT ———— 754 CY
RAW FILL ———— 824 CY

GRADING QUANTITIES FOR STREETS 'A' & 'B' ARE INCLUDED IN THE ROUGH GRADING PLAN FOR THE PROJECT.



TYPICAL STREET SECTION
WARREN ROAD

STA 10+00 TO STA 23+06.99
NOT TO SCALE
T.I. = 9.0
R-VALUE = 40
0.45' AC OVER 0.80' CL II AGG. BASE
W / 12" IMPORTED SUBGRADE
(SEE SECTIONS PER STATION, SHEET 6)



TYPICAL STREET SECTION
ON-SITE PRIVATE STREETS 'A' & 'B'

NOT TO SCALE
T.I. = 5.5
R-VALUE = 40
0.25' AC OVER 0.50' CL II AGG. BASE

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS MAP IS THE CENTER LINE OF FLORIDA AVENUE TAKEN AS NORTH 89°44'00" WEST PER PM 160/64-69, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

BENCHMARK:
RIVERSIDE COUNTY BENCHMARK H-1-10
AT THE NW CORNER OF STETSON AVENUE AND SANDERSON AVENUE, AN ALUMINUM DISK SET FLUSH IN CONC. SIDEWALK
ELEV.=1527.06 (NAVD 88)

INDEX OF SHEETS:

SHEET No.(s)	DESCRIPTION
1	TITLE SHEET
2	PLAN & PROFILE WARREN ROAD 10+03.61 TO 17+00.00
3	PLAN & PROFILE WARREN ROAD 17+00.00 TO 23+06.99
4	PLAN & PROFILE STREET 'A' (PRIVATE)
5	PLAN & PROFILE STREET 'B' (PRIVATE)
6	STREET SECTIONS
7	SIGNING AND STRIPING PLAN

REVIEWED BY: JOHN M. BRUDIN
DATE: 6/7/17

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REVISIONS:				
NO:	DATE:	BY:		APPROVED:

DESIGNED BY: | DRAWN BY: | CHECKED BY:

REGISTERED PROFESSIONAL ENGINEER BLAINE A. WOMER No. 46354 CIVIL STATE OF CALIFORNIA

BLAINE A. WOMER CIVIL ENGINEERING
• PLANNING • SURVEYING • CIVIL ENGINEERING • PUBLIC WORKS
Hemet, CA. 92544, 41555 E Florida Ave., Suite G, Phone (951)658-1727 Fax (951)658-9347
Park City, UT 84098, 5133 Cove Canyon Dr, #302, Phone/Fax (435)615-1489
W.D.

PREPARED UNDER THE SUPERVISION OF:
DATE: 5/25/17
SCALE: 1" = 100'
BENCHMARK: SEE ABOVE RIGHT
DATE: JUNE, 2016

APPROVED BY:
NINO ABAD, CITY OF HEMET
ACTING CITY ENGINEER
DATE: 6/15/17

City of Hemet
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
510 E. Florida Ave.
HEMET, CA 92543
(951) 765-2360

City of Hemet
PARCEL MAP No. 37098-1
STREET IMROVEMENT PLANS
TITLE SHEET
EA 1609-005
W.O. | F.N.

1
OF 7 SHEETS
FILE NO.

N:\PublicWorks\4100\COH_STDS\REVISIONS 2009\MISC-G\G-807 Title Sheet.dwg

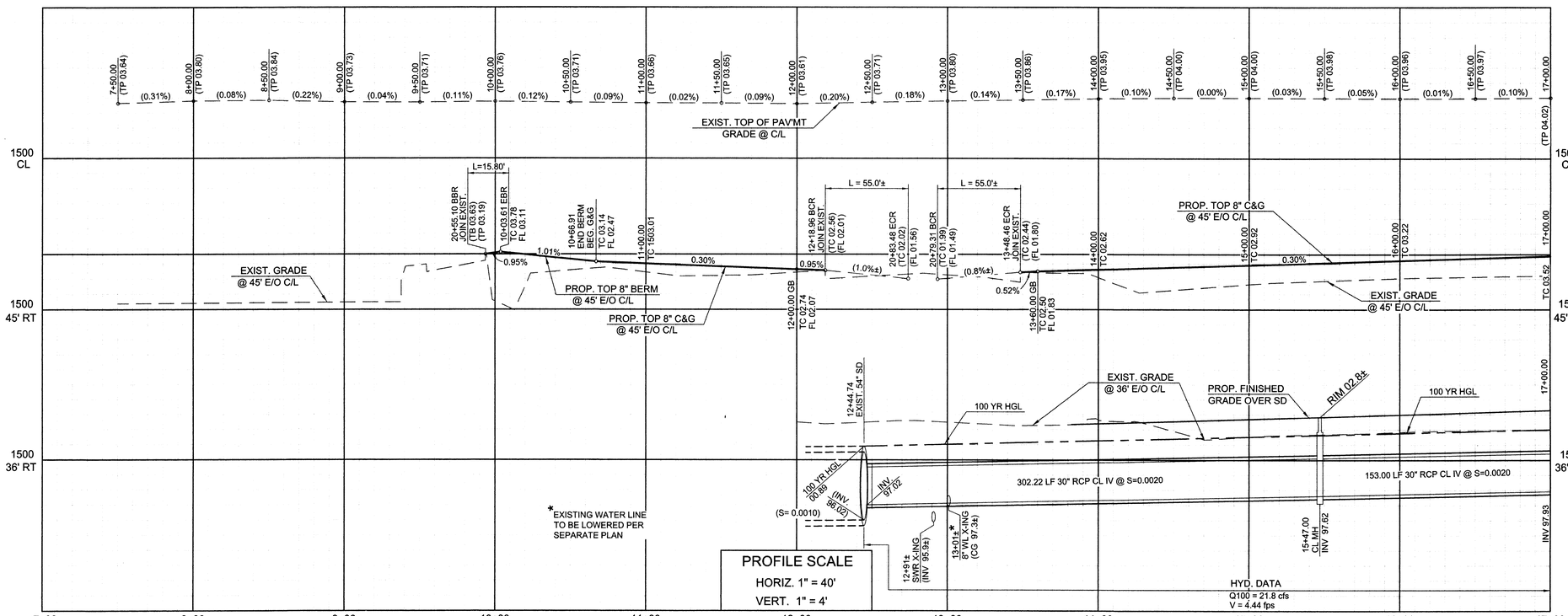
NORTH

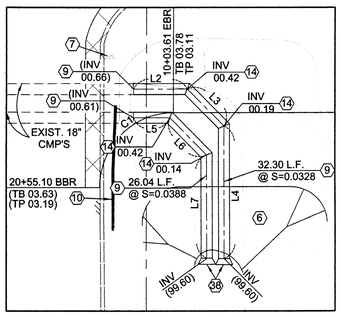
0 40 80 120

1" = 40'

CONSTRUCTION NOTES

1. INSTALL 0.45' AC PAVEMENT, OVER 0.80' AGG BASE CLASS II, WITH 12" IMPORTED SUBGRADE. SECTION TO BE VERIFIED BY GEOTECHNICAL ENGINEER AFTER GRADING.
3. SAWCUT MIN. 2' INTO EXISTING AC PAVEMENT. GRIND & OVERLAY JOIN PER PAVEMENT JOIN DETAIL, SHEET 1.
4. GRIND AND OVERLAY EXISTING AC PAVEMENT (MIN. 0.15') AND MATCH EXISTING PAVEMENT PER JOIN DETAIL, SHEET 1.
5. ASPHALT EMULSION (FOG SEAL).
6. RE-GRADE EXISTING DRAINAGE CHANNEL TO ACCOMMODATE STREET IMPROVEMENTS.
7. RELOCATE EXISTING STOP SIGN.
8. INSTALL 30" DIA. 1500 D RCP STORM DRAIN.
9. INSTALL 18" DIA. CMP DRAIN PIPE AND JOIN TO EXISTING 18" CMP WITH "HUGGER BAND" PER FACTORY SPECS.
10. REMOVE EXISTING METAL SIGN POSTS.
11. REMOVE EXISTING AC BERM.
12. REMOVE EXISTING TRAFFIC DELINEATOR.
13. INSTALL 5' MEANDERING CONCRETE SIDEWALK PER C.O.H. STD. No. C-215.
14. INSTALL 18" CMP 45° BEND.
15. INSTALL 8" AC DIKE PER RIV. CO. STD. No. 212.
16. CONSTRUCT TYPE "B", 8" CONCRETE CURB & GUTTER PER C.O.H. STD. No. C-201.
21. EXISTING BLOCK WALL TO REMAIN.
22. REMOVE EXISTING 24" CMP CULVERT.
23. NOT USED.
26. REMOVE EXISTING AC PAVEMENT.
32. INSTALL STREET LIGHT PER C.O.H. STD. Nos. G-805, G-808 & G-808A.
38. INSTALL 18" CMP FLARED END SECTION.
40. CONSTRUCT STORM DRAIN MANHOLE PER C.O.H. STD. No. D-303.
42. CONSTRUCT JUNCTION STRUCTURE No. 2 PER RCFC&WCD STD. JS 227. VALUES: A = 51°12'15"; B = 30"; C = 5.50'; D = 54"; E = 3.85'; F = 2.19'; G = 1.88'; ELEV. R = 1497.28; ELEV. S = 1497.27



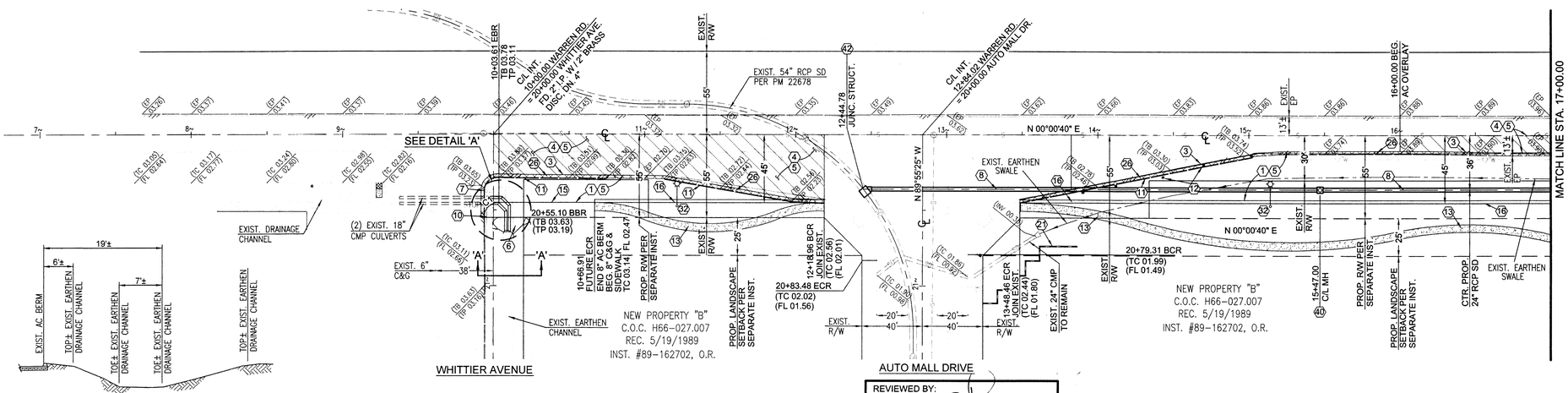


DETAIL 'A'
(NTS)

NORTH

LINE DATA		
LINE	BEARING	DISTANCE
L1	N 32°54'17" W	48.69'
L2	N 00°02'06" W	7.28'
L3	N 45°01'39" E	7.06'
L4	N 89°58'21" W	17.96'
L5	N 00°01'39" E	4.93'
L6	N 45°01'39" E	7.07'
L7	N 89°58'21" W	14.04'

CURVE DATA				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
C1	10.00'	15.80'	90°32'55"	10.10'



SECTION 'A' - 'A'
EXISTING EARTHEN DRAINAGE CHANNEL SECTION
1" = 10'

REVIEWED BY:
JOHN M. BRUDIN
DATE 6/7/17

EA 1609 - 005

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NO:	DATE:	BY:	APPROVED:

DESIGNED BY: | DRAWN BY: | CHECKED BY:

REGISTERED PROFESSIONAL ENGINEER BLAINE A. WOMER No. 46354 CIVIL STATE OF CALIFORNIA

BAW BLAINE A. WOMER CIVIL ENGINEERING
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Park City, UT 84098, 5133 Cove Canyon Dr, #302, Phone/Fax (435)615-1489

W.D.

PREPARED UNDER THE SUPERVISION OF:
DATE: 5/2017

SCALE: 1" = 40'
BENCHMARK: SEE SHEET 1
DATE: JUNE, 2016

APPROVED BY:
NINO ABAD, CITY OF HEMET
ACTING CITY ENGINEER
DATE: 6/7/17

City of Hemet
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
510 E. Florida Ave.
HEMET, CA 92543
(951) 765-2360

City of Hemet
PARCEL MAP No. 37098-1
STREET IMROVEMENT PLANS
WARREN ROAD
STA. 10+00.00 TO STA. 17+00.00

W.O. | F.N.

2 OF 7 SHEETS
FILE NO.

M:\Public\Revit\x100\CIVIL_SITE\REVISIONS 2009\MISC-CIVIL-807 Title Sheet.dwg

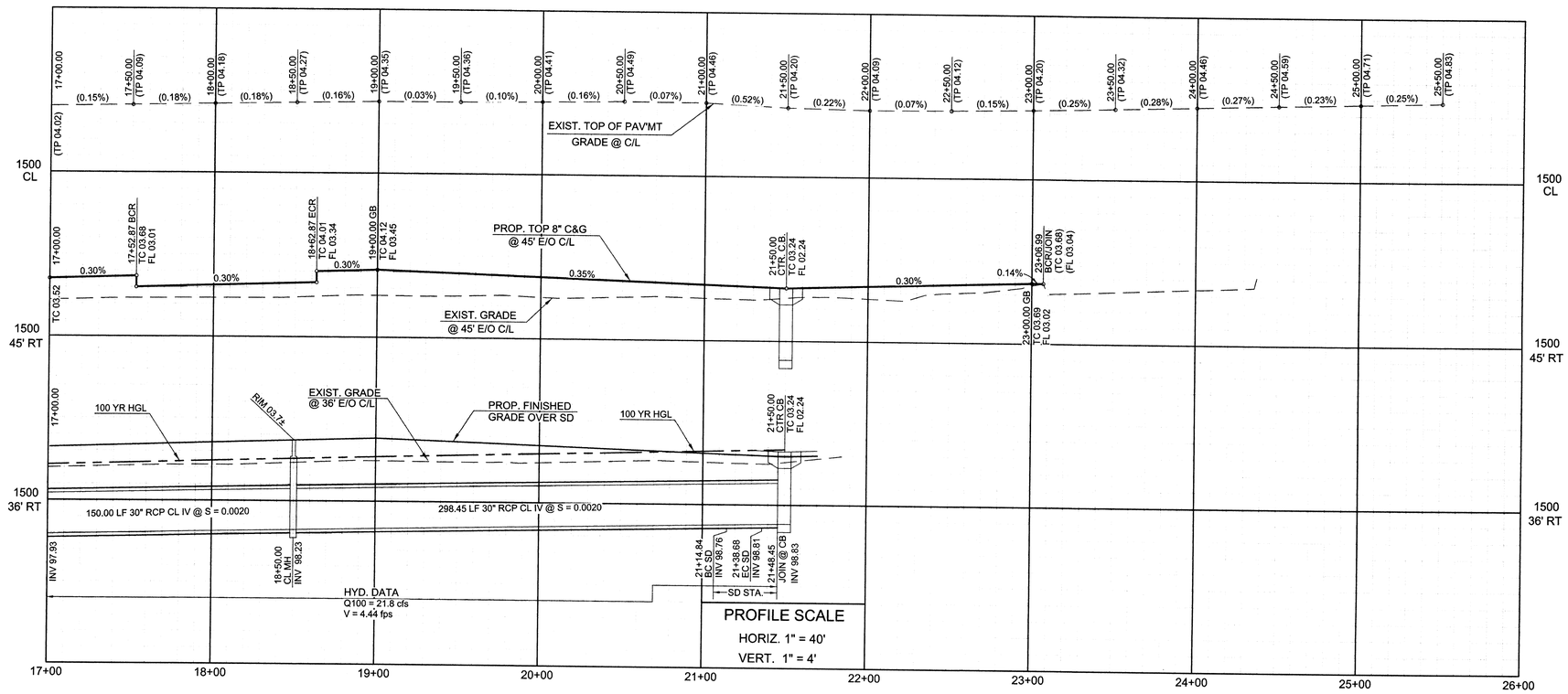
NORTH

0 40 80 120

1" = 40'

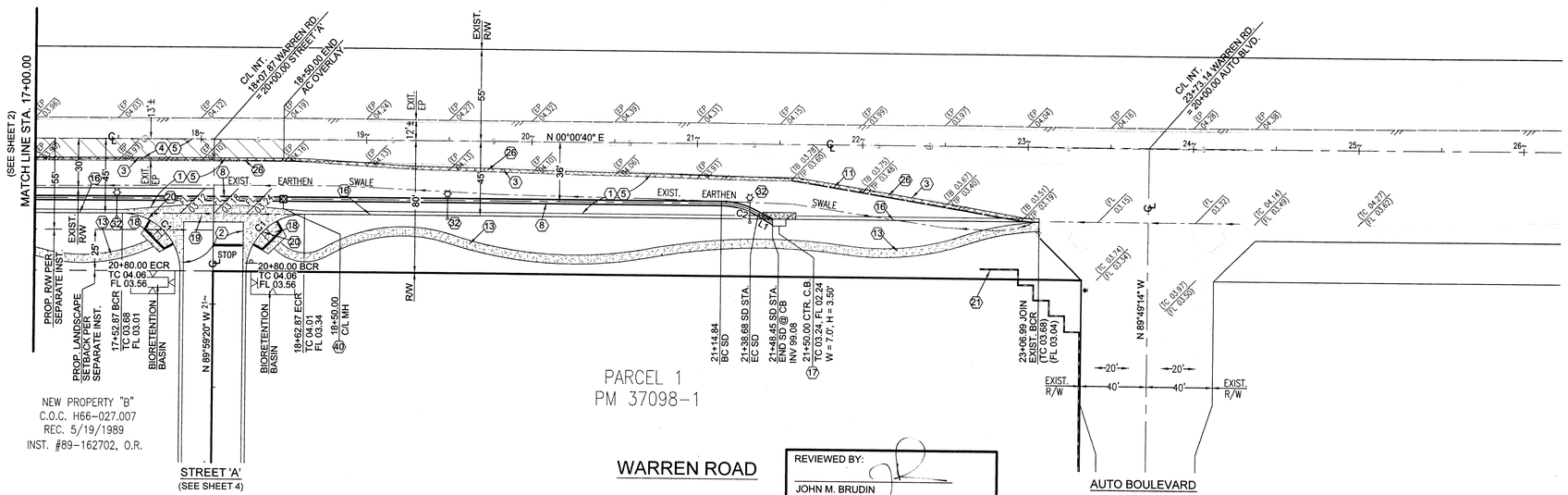
CONSTRUCTION NOTES

1. INSTALL 0.45' AC PAVEMENT, OVER 0.80' AGG BASE CLASS II, WITH 12" IMPORTED SUBGRADE. SECTION TO BE VERIFIED BY GEOTECHNICAL ENGINEER AFTER GRADING.
2. INSTALL 0.25' AC PAVEMENT, OVER 0.50' AGG BASE CLASS II, SECTION TO BE VERIFIED BY GEOTECHNICAL ENGINEER AFTER GRADING.
3. SAWCUT MIN. 2' INTO EXISTING AC PAVEMENT. GRIND & OVERLAY JOIN PER PAVEMENT JOIN DETAIL, SHEET 1.
4. GRIND AND OVERLAY EXISTING AC PAVEMENT (MIN. 0.15') AND MATCH EXISTING PAVEMENT PER JOIN DETAIL, SHEET 1.
5. ASPHALT EMULSION (FOG SEAL).
8. INSTALL 30" DIA. 1500 D RCP STORM DRAIN.
11. REMOVE EXISTING AC BERM.
13. INSTALL 5' MEANDERING CONCRETE SIDEWALK PER C.O.H. STD. No. C-215.
16. CONSTRUCT TYPE "B", 8" CONCRETE CURB & GUTTER PER C.O.H. STD. No. C-201.
17. CONSTRUCT CATCH BASIN PER C.O.H. STD. No. D-300 AND LOCAL DEPRESSION PER C.O.H. STD. No. D-304, CASE 'C'.
18. CONSTRUCT ACCESS RAMP PER C.O.H. STD. No. C-216.
19. CONSTRUCT CONCRETE CROSS GUTTER AND SPANDREL PER C.O.H. STD. Nos. C-212 AND C-213.
20. CF TRANSITION, 6" TO 8" CF.
21. EXISTING BLOCK WALL TO REMAIN.
26. REMOVE EXISTING AC PAVEMENT.
32. INSTALL STREET LIGHT PER C.O.H. STD. Nos. G-805, G-808 & G-808A.
40. CONSTRUCT STORM DRAIN MANHOLE PER C.O.H. STD. No. D-303.



LINE DATA		
LINE	BEARING	DISTANCE
L1	N 30°21'32" E	9.77'

CURVE DATA				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
C1	35.00'	54.98'	90°00'00"	35.00'
CS	45.00'	23.84'	30°20'52"	12.20'



WARREN ROAD

REVIEWED BY: JOHN M. BRUDIN DATE 6/7/17

EA 1609 - 005

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REVISIONS:

NO:	DATE:	BY:		APPROVED:

DESIGNED BY: | DRAWN BY: | CHECKED BY:

REGISTERED PROFESSIONAL ENGINEER BLAINE A. WOMER No. 46354 CIVIL STATE OF CALIFORNIA

BLAINE A. WOMER CIVIL ENGINEERING
•PLANNING •SURVEYING •CIVIL ENGINEERING •PUBLIC WORKS
Hemet, CA. 92544, 41555 E Florida Ave. Suite G. Phone (951)658-1727 Fax (951)658-9347
Park City, UT 84098, 3133 Cove Canyon Dr. #302, Phone/Fax (435)615-1488
W.D.

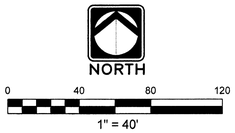
PREPARED UNDER THE SUPERVISION OF: DATE: 5/25/17
SCALE: 1" = 40'
DATE: JUNE, 2016
BENCHMARK: SEE SHEET 1

APPROVED BY: NINO ABAD, CITY OF HEMET ACTING CITY ENGINEER DATE: 6/15/17

City of Hemet
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
510 E. Florida Ave.
HEMET, CA 92543
(951) 765-2360

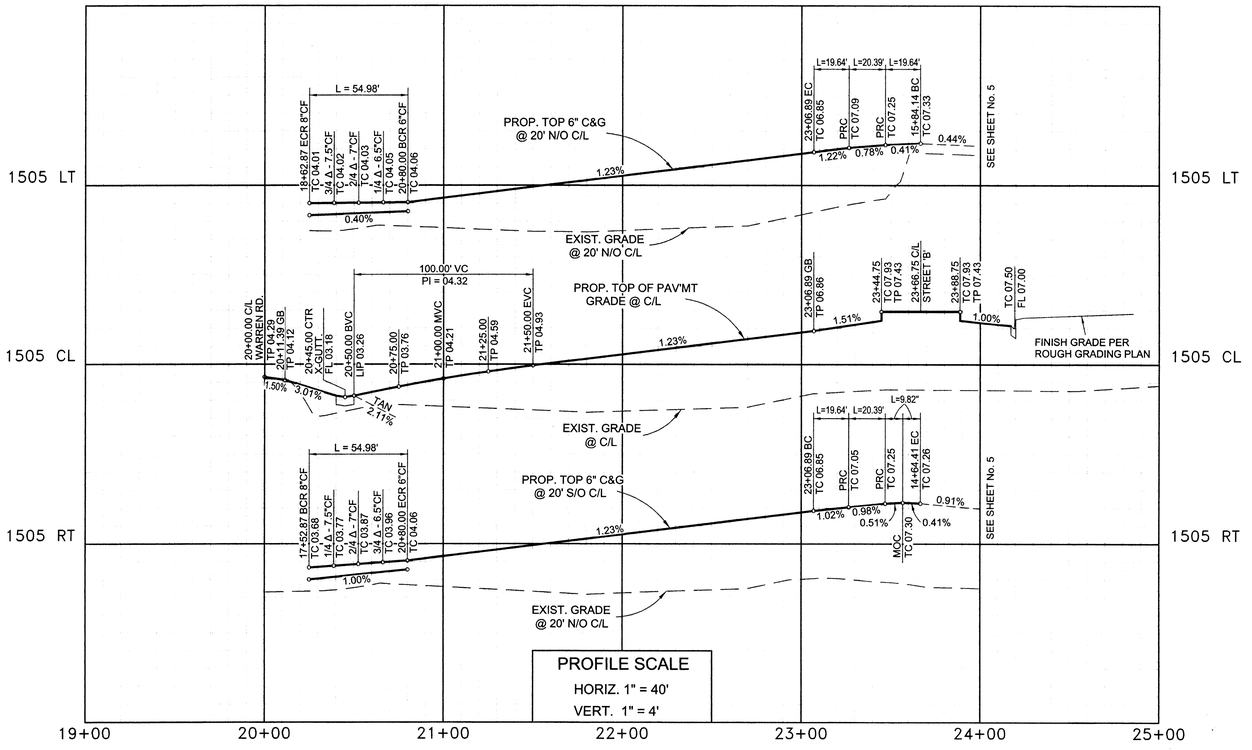
City of Hemet
PARCEL MAP No. 37098-1
STREET IMROVEMENT PLANS
WARREN ROAD
STA. 17+00.00 TO STA. 23+06.99
W.O. | F.N.

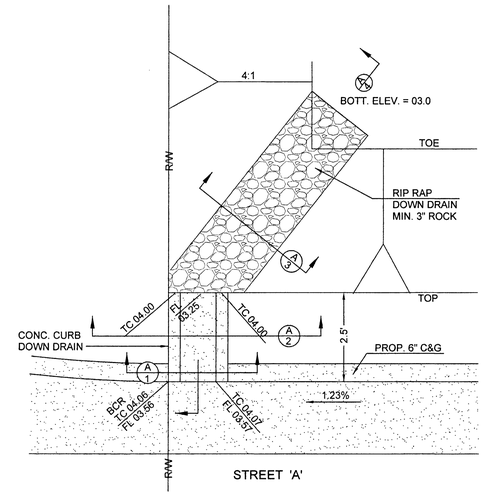
3 OF 7 SHEETS
FILE NO.



CONSTRUCTION NOTES

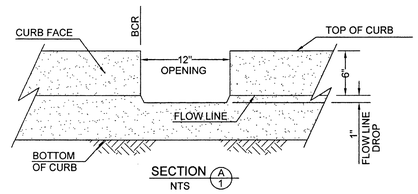
2. INSTALL 0.25' AC PAVEMENT, OVER 0.50' AGG BASE CLASS II, SECTION TO BE VERIFIED BY GEOTECHNICAL ENGINEER AFTER GRADING.
5. ASPHALT EMULSION (FOG SEAL).
18. CONSTRUCT ACCESS RAMP PER C.O.H. STD. No. C-216.
19. CONSTRUCT CONCRETE CROSS GUTTER AND SPANDREL PER C.O.H. STD. Nos. C-212 AND C-213.
20. CF TRANSITION, 6" TO 8" CF.
24. CONSTRUCT TYPE "A", 6" CONCRETE CURB & GUTTER PER C.O.H. STD. No. C-200.
25. CONSTRUCT TYPE "D", 6" CONCRETE CURB PER C.O.H. STD. No. C-203.
29. INSTALL "STOP" SIGN PER C.O.H. STD. Nos. G-810A & G-810C.
30. INSTALL STREET NAME SIGN PER C.O.H. STD. Nos. G-810 & G-810C.
31. PAINT 12" WHITE STOP BAR & LEGEND PER C.O.H. STD. No. G-810B.



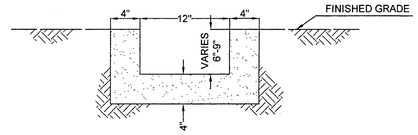


DETAIL (A/1) 1" = 2'

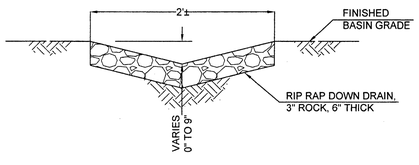
NOTE: DETAIL IS TYPICAL BOTH SIDES OF THE STREET.



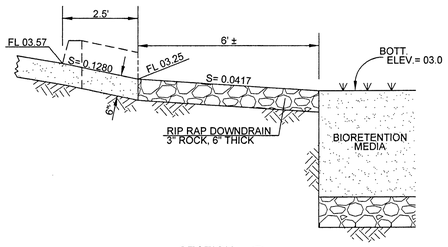
SECTION (A/1) NTS



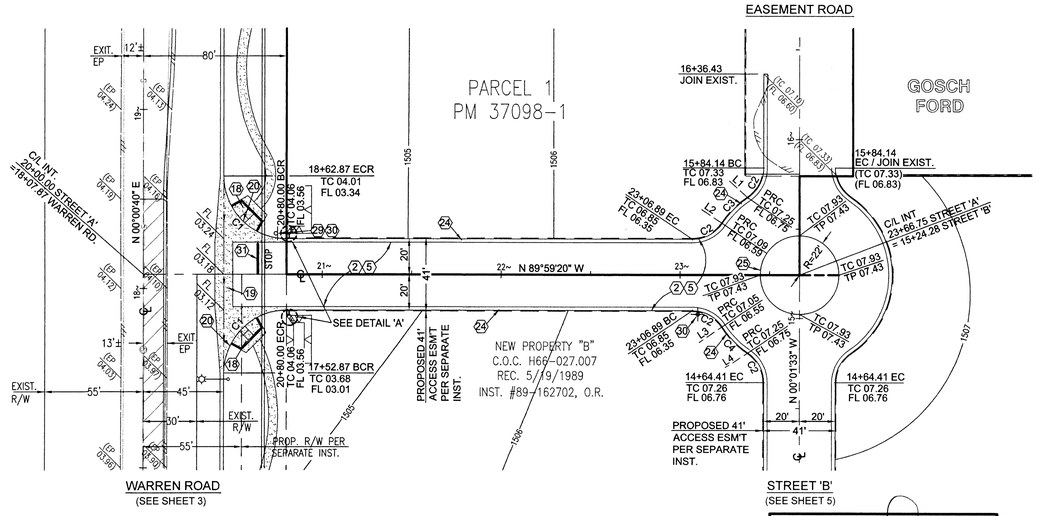
SECTION (A/2) NTS



SECTION (A/3) NTS



SECTION (A/4) NTS



STREET 'A'
(PRIVATE STREET)

RADIAL LINE DATA		
LINE	BEARING	DISTANCE
L1	N 33°46'30" W	20.00'
L2	N 56°14'23" W	20.00'
L3	N 56°15'44" E	20.00'
L4	N 33°43'23" E	20.00'

CURVE DATA				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
C1	35.00'	54.98'	90°00'00"	35.00'
C2	20.00'	19.64'	56°15'04"	10.69'
C3	52.00'	20.39'	22°27'54"	10.33'
C4	52.00'	20.46'	22°32'21"	10.36'

REVIEWED BY:
JOHN M. BRUDIN
DATE 6/7/17

Underground Service Alert
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NO:	DATE:	BY:		APPROVED:

DESIGNED BY: | DRAWN BY: | CHECKED BY:

REGISTERED PROFESSIONAL ENGINEER BLAINE A. WOMER No. 46354 CIVIL STATE OF CALIFORNIA

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Park City, UT 84098, 6733 Cove Canyon Dr, #303, Phone/Fax (435)615-1466
W.D.

PREPARED UNDER THE SUPERVISION OF:
DATE: 5/5/17
SCALE: 1" = 40'
DATE: JUNE, 2016
BENCHMARK: SEE SHEET 1

APPROVED BY:
NINO ABAD, CITY OF HEMET
ACTING CITY ENGINEER
DATE: 6/15/17

City of Hemet
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
510 E. Florida Ave.
HEMET, CA 92543
(951) 765-2360

City of Hemet
PARCEL MAP No. 37098-1
STREET IMROVEMENT PLANS
STREET 'A' (PRIVATE)
EA 1609-005
W.O. | F.N.

4
OF 7 SHEETS
FILE NO.

N:\Public\Works\1609\Civil_2D\SHEETS\VERSIONS 2009\MISC~0\S~807 Title Sheet.dwg

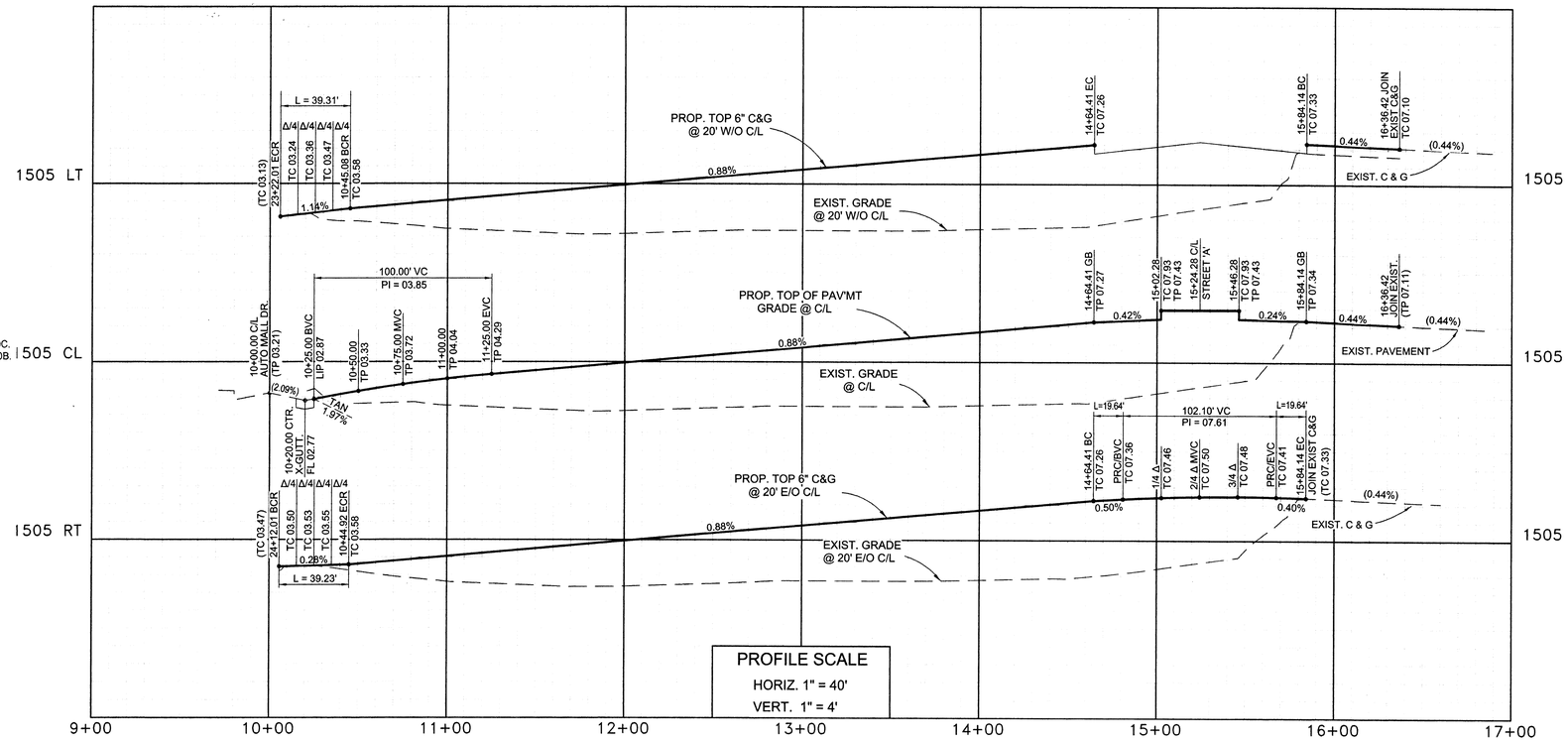
NORTH

0 40 80 120

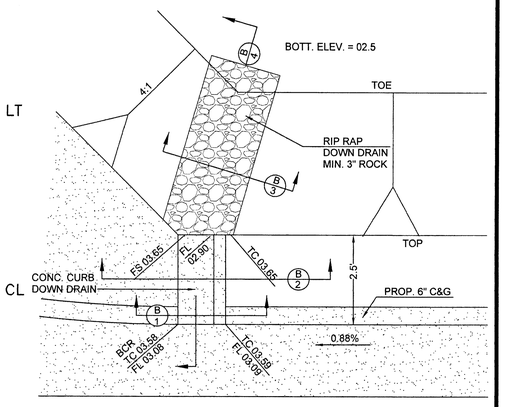
1" = 40'

CONSTRUCTION NOTES

2. INSTALL 0.25' AC PAVEMENT, OVER 0.50' AGG BASE CLASS II, SECTION TO BE VERIFIED BY GEOTECHNICAL ENGINEER AFTER GRADING.
3. SAWCUT MIN. 2' INTO EXISTING AC PAVEMENT. GRIND & OVERLAY. JOIN PER PAVEMENT JOIN DETAIL, SHEET 1.
5. ASPHALT EMULSION (FOG SEAL).
18. CONSTRUCT ACCESS RAMP PER C.O.H. STD. No. C-216.
19. CONSTRUCT CONCRETE CROSS GUTTER AND SPANDREL PER C.O.H. STD. Nos. C-212 AND C-213.
24. CONSTRUCT TYPE "A", 6" CONCRETE CURB & GUTTER PER C.O.H. STD. No. C-200.
25. CONSTRUCT TYPE "D", 6" CONCRETE CURB PER C.O.H. STD. No. C-203.
26. REMOVE EXISTING AC PAVEMENT.
27. REMOVE PORTION OF EXISTING 6' HIGH BLOCK WALL TO ACCOMMODATE PROPOSED STREET IMPROVEMENTS.
28. SAW CUT AND REMOVE EXISTING 6" CONCRETE CURB & GUTTER.
29. INSTALL "STOP" SIGN PER C.O.H. STD. Nos. G-810A & G-810C.
30. INSTALL STREET NAME SIGN PER C.O.H. STD. Nos. G-810 & G-810C.
31. PAINT 12" WHITE STOP BAR & LEGEND PER C.O.H. STD. No. G-810B.
39. REMOVE EXISTING CONCRETE SIDEWALK.
41. EXISTING FIRE HYDRANT TO BE RELOCATED PER SEWER & WATER PLANS.



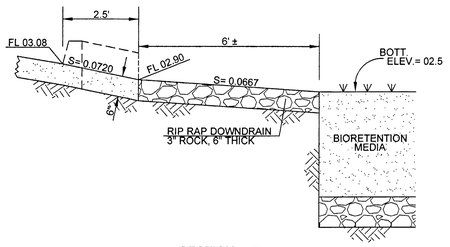
PROFILE SCALE
HORIZ. 1" = 40'
VERT. 1" = 4'



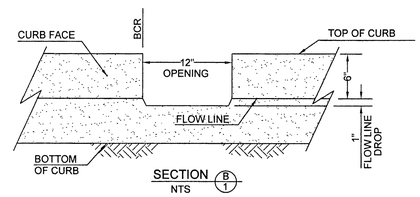
STREET 'B'

DETAIL (B/-)
1" = 2'

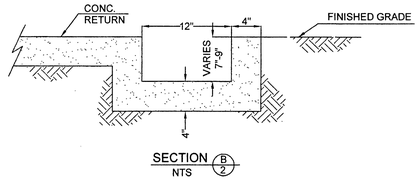
NOTE: DETAIL IS TYPICAL BOTH SIDES OF THE STREET.



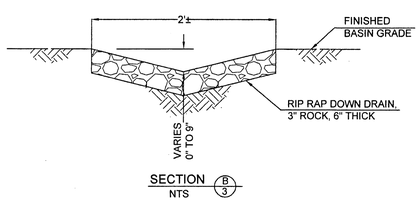
SECTION (B/4) NTS



SECTION (B/1) NTS



SECTION (B/2) NTS



SECTION (B/3) NTS

RADIAL LINE DATA		
LINE	BEARING	DISTANCE
L1	N 33°46'30" W	20.00'
L2	N 56°14'23" W	20.00'
L3	N 56°15'44" E	20.00'
L4	N 33°43'23" E	20.00'

CURVE DATA				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
C1	25.00'	39.31'	90°06'09"	25.04'
C2	20.00'	19.64'	56°15'04"	10.69'
C3	52.00'	20.39'	22°27'54"	10.33'
C4	52.00'	20.46'	22°32'21"	10.36'
C5	52.00'	102.10'	112°30'07"	77.83'
C6	25.00'	39.23'	89°53'51"	24.96'

REVIEWED BY:
JOHN M. BRUDIN
DATE 6/7/17

Underground Service Alert
Call: TOLL FREE
811
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS:

NO:	DATE:	BY:		APPROVED:

DESIGNED BY: | DRAWN BY: | CHECKED BY:

REGISTERED PROFESSIONAL ENGINEER BLAINE A. WOMER No. 46354 CIVIL STATE OF CALIFORNIA

BLAINE A. WOMER CIVIL ENGINEERING
•PLANNING •SURVEYING •CIVIL ENGINEERING •PUBLIC WORKS
Hemet, CA. 92544, 41555 E Florida Ave., Suite G, Phone (951)650-1727 Fax (951)650-9347
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RINO ABAD, CITY OF HEMET ACTING CITY ENGINEER
DATE: 6/15/17

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W.O. | F.N.

5
OF 7 SHEETS
FILE NO.

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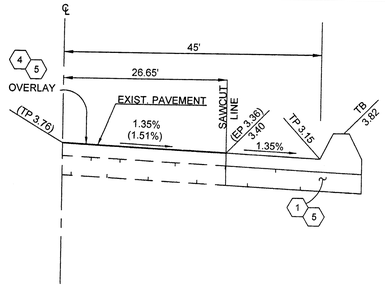

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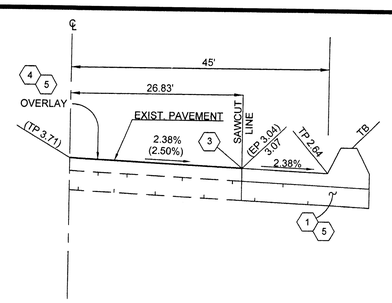

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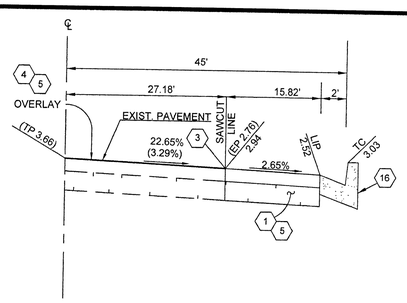

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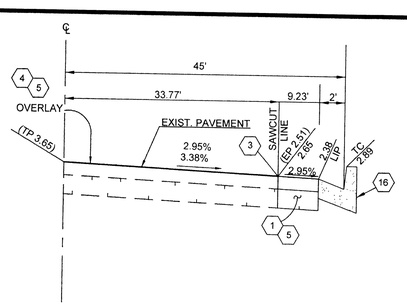

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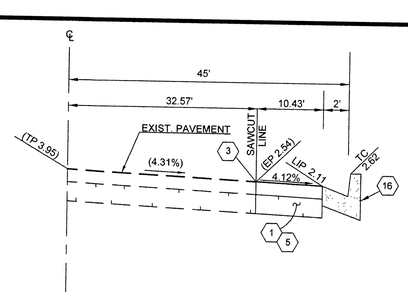

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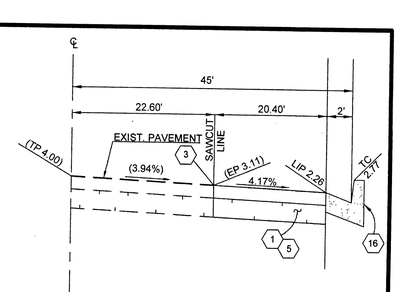

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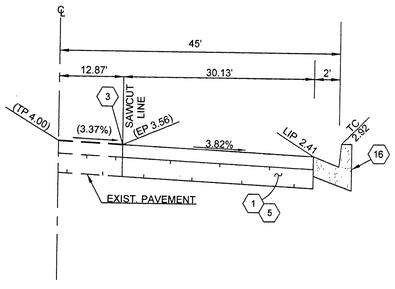

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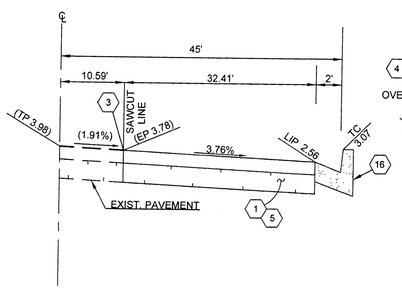

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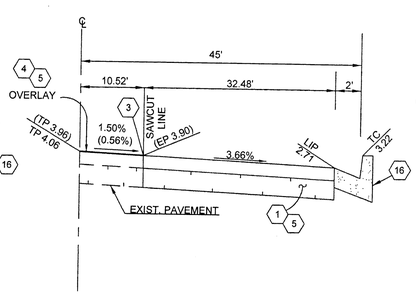

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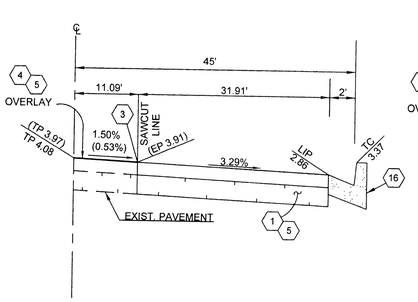

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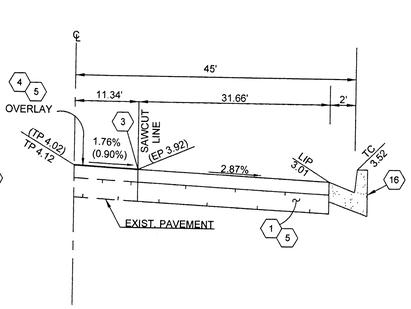

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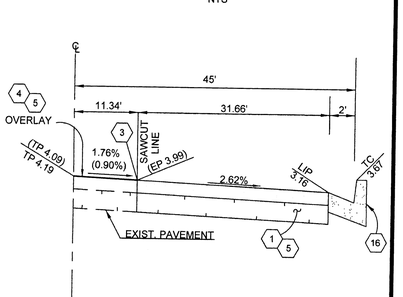

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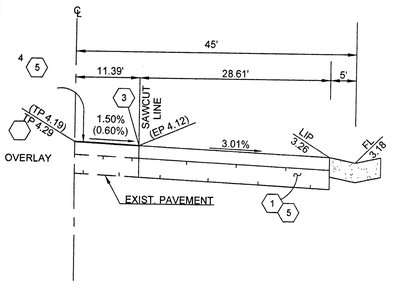

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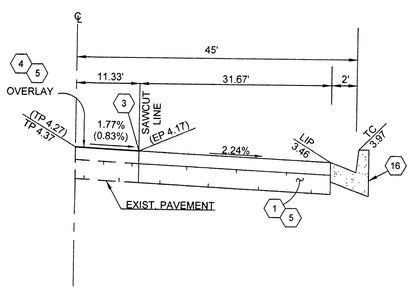

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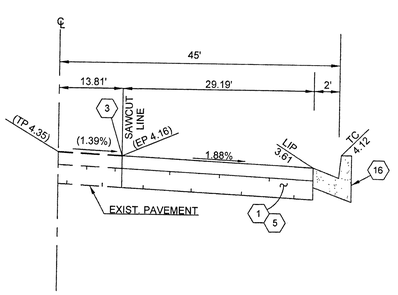

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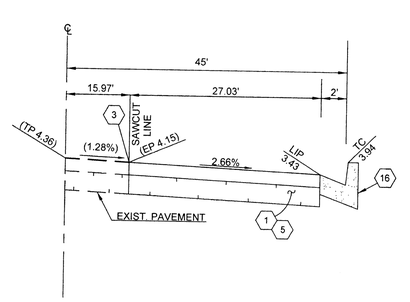

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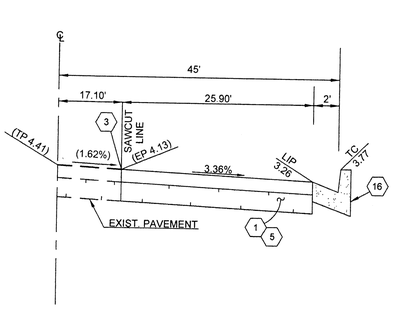

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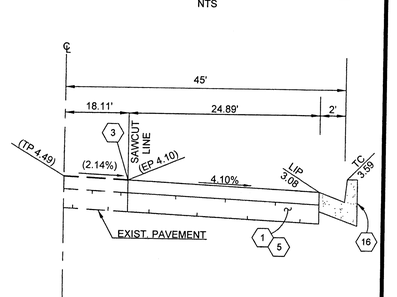

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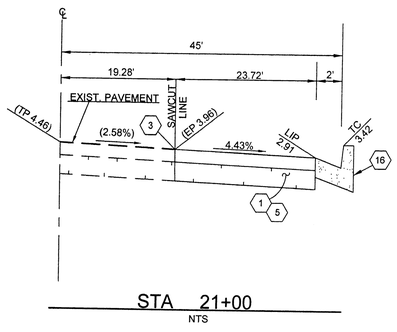

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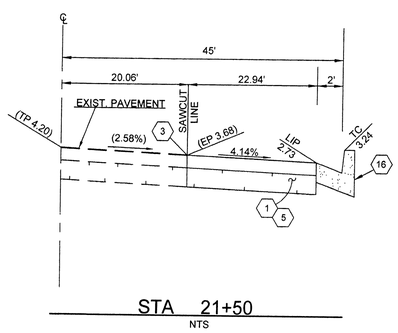

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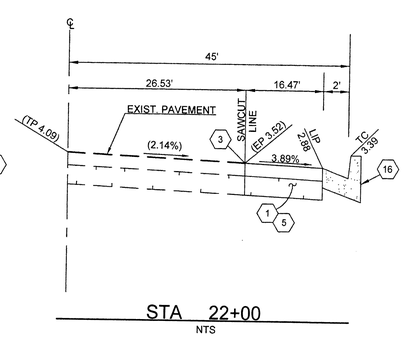

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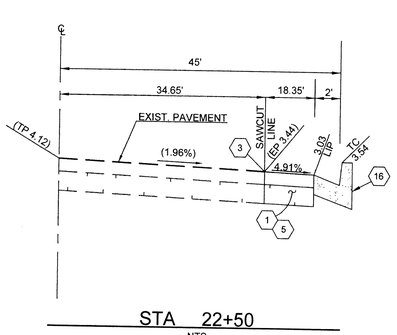

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NTS

No. CONSTRUCTION NOTES

1. INSTALL 0.45' AC PAVEMENT, OVER 0.80' AGG BASE CLASS II, WITH 12" IMPORTED SUBGRADE (25,789 S.F.). SECTION TO BE VERIFIED BY GEOTECHNICAL ENGINEER AFTER GRADING.
3. SAWCUT MIN. 2' INTO EXISTING AC PAVEMENT. GRIND & OVERLAY JOIN PER PAVEMENT JOIN DETAIL, SHEET 1.
4. GRIND AND OVERLAY EXISTING AC PAVEMENT (MIN. 0.15') AND MATCH EXISTING PAVEMENT PER JOIN DETAIL, SHEET 1.
5. ASPHALT EMULSION (FOG SEAL).
16. CONSTRUCT TYPE "B", 8" CONCRETE CURB & GUTTER PER C.O.H. STD. No. C-201.

REVIEWED BY:
JOHN M. BRUDIN
DATE 6/7/17

Underground Service Alert
Call: TOLL FREE
811
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS:

NO:	DATE:	BY:	APPROVED:

DESIGNED BY: | DRAWN BY: | CHECKED BY:

REGISTERED PROFESSIONAL ENGINEER BLAINE A. WOMER No. 46354 CIVIL STATE OF CALIFORNIA

BLAINE A. WOMER CIVIL ENGINEERING
•PLANNING •SURVEYING •CIVIL ENGINEERING •PUBLIC WORKS
Hemet, CA. 92544, 41555 E Florida Ave., Suite G. Phone (951)658-1777 Fax (951)658-9347
Park City, UT 84098, 5133 Core Canyon Dr. #302, Phone/Fax (435)615-1489
W.D.

PREPARED UNDER THE SUPERVISION OF:
DATE: 6/7/17

SCALE: N/A
BENCHMARK: SEE SHEET 1
DATE: JUNE, 2016

APPROVED BY:
NINO ARDOS, CITY OF HEMET
ACTING CITY ENGINEER
DATE: 6/15/17

City of Hemet
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
510 E. Florida Ave.
HEMET, CA 92543
(951) 765-2360

City of Hemet
PARCEL MAP No. 37098-1
STREET IMROVEMENT PLANS
WARREN ROAD
STREET SECTIONS
EA 1609-005
W.O. | F.N.

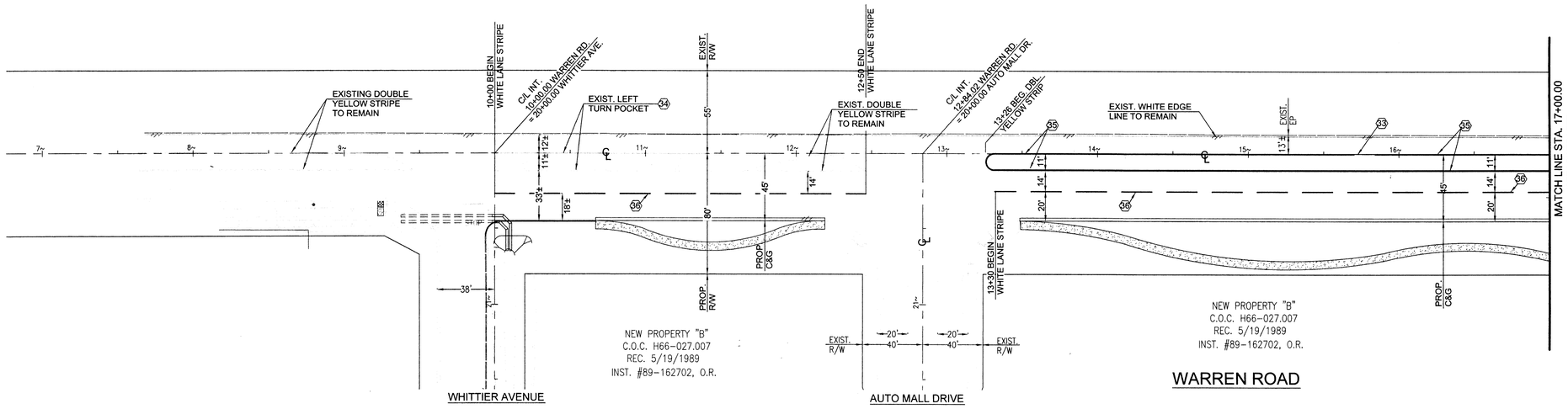
6
OF 7 SHEETS
FILE NO.

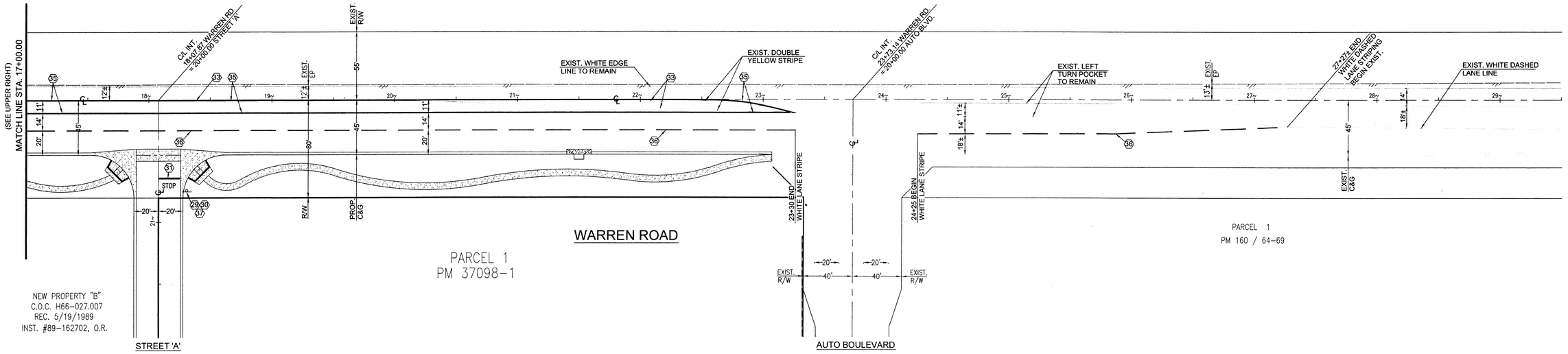
N:\Public\Work\41609\CIVIL_STDS\REVISIONS\ 2009\MISC-CVL-807 Title Sheet.dwg

NORTH

0 40 80 120

1" = 40'





CONSTRUCTION NOTES

29. INSTALL "STOP" SIGN PER C.O.H. STD. Nos. G-810A & G-810C.
30. INSTALL STREET NAME SIGN PER C.O.H. STD. Nos. G-810 & G-810C.
31. PAINT 12" WHITE STOP BAR & LEGEND PER C.O.H. STD. No. G-810B.
33. REMOVE EXISTING STRIPING.
34. REPLACE STRIPING IN KIND AFTER OVERLAY OPERATION.
35. PAINT DOUBLE YELLOW STRIPE PER CAL TRANS DETAIL 21.
36. PAINT WHITE LANE STRIPE PER CAL TRANS DETAIL 11.
37. INSTALL RIGHT TURN ONLY SIGN PER CALTRANS MUTCD MANUAL R3-5R.

REVIEWED BY: JOHN M. BRUDIN — DATE 6/1/17

Underground Service Alert — Call: TOLL FREE 811 — TWO WORKING DAYS BEFORE YOU DIG

REVISIONS:

NO:	DATE:	BY:	APPROVED:

DESIGNED BY: | DRAWN BY: | CHECKED BY:

REGISTERED PROFESSIONAL ENGINEER — BLAINE A. WOMER — No. 46354 — CIVIL — STATE OF CALIFORNIA

BLAINE A. WOMER CIVIL ENGINEERING — •PLANNING •SURVEYING •CIVIL ENGINEERING •PUBLIC WORKS

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APPROVED BY: NILO ADAO, CITY OF HEMET ACTING CITY ENGINEER — DATE: 6/15/17

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HEMET, CA 92543
(951) 765-2360

City of Hemet
PARCEL MAP No. 37098-1
SIGNING & STRIPING PLAN
WARREN ROAD

W.O. | F.N.

7 OF 7 SHEETS

FILE NO.

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City of Hemet
City Council Meeting

STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Police Department
Submitted by: Christopher Lopez, City Manager
Eddie Pust, Police Chief;

☐ **Receive and File** ☒ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

A Resolution to enter into an agreement with Riverside County Public Safety Enterprise Communication System to provide primary public safety radio communication services for the Hemet Police Department and an agreement to provide emergency radio communication services to the Hemet Fire Department, and authorizing the City Manager to execute these agreements and purchase orders in support of the agreements.

RECOMMENDED ACTION:

It is respectfully recommended that the City Council adopt a Resolution to enter into an agreement with Riverside County Public Safety Enterprise Communication System to provide primary public safety radio communication services for the Hemet Police Department and an agreement to provide emergency radio communication services to the Hemet Fire Department, and authorizing the City Manager to execute these agreements and purchase orders in support of the agreements.

BACKGROUND:

The Hemet Police and Fire Departments have deployed an independent radio system for decades. Our current land mobile radio (LMR) system covers most of the Hemet/San Jacinto Valley through Very High Frequency (VHF) transmissions. The system is currently maintained by City of Hemet Information Technology personnel with assistance from the Hemet Police Department Support Services Manager. This radio system has not been under a warranty or covered by a professional maintenance agreement for many years. As a result of aging equipment, outdated hardware and software, and the lack of an ongoing preventative maintenance program, the City of Hemet's public safety radio system has begun to experience frequent failures.

One of these failures occurred in late 2018 through the beginning of 2019. Based on this failure, the City of Hemet took immediate action to stabilize the current system. This provided time for a system assessment to evaluate City needs for a replacement system. To conduct this assessment, the City hired Pegasus Telecommunication Consulting Group (PTCG). After evaluating the current public safety radio systems and determining the future needs of the City, PTCG recommended that the City replace its current microwave radio system and LMR system. Furthermore, PTCG recommended dividing this project into two separate phases: the first being a replacement of the microwave radio

infrastructure, and the second being the replacement of the existing LMR system. City Council approved the replacement of the microwave system on April 14, 2020.

After a vendor was selected and a contract awarded for the replacement of the microwave radio system, PTCG moved to the second phase of this project. PTCG was asked to determine whether it was best for the City of Hemet to build a new independent radio system or subscribe to the Public Safety Enterprise Communication System which is owned and operated by Riverside County. On June 23, 2020 PTCG submitted their final report titled "*City of Hemet Police Communication System Review and Recommendations – Subscribe to PSEC vs City Owned Radio System.*" In their report, PTCG details the efforts they took to review the options available to the City of Hemet as they relate to Public Safety Radio Communications.

ANALYSIS:

The study conducted by Pegasus Telecommunication Consulting Group examined the radio coverage offered by PSEC compared to an independent system, system reliability and maintenance, time to implement, and a comparative cost analysis. This review lead PTCG to recommend that the City of Hemet move their public safety radio communication to PSEC.

Radio coverage of a new independent radio system would mimic the coverage that the Hemet Police and Fire Departments enjoy today with the current system. This system would cover a majority of the Hemet/San Jacinto Valley with very few "dead spots." PSEC offers comparable coverage of the Hemet/San Jacinto Valley with their current infrastructure. In addition to covering this area, PSEC would offer our police and fire units reliable radio coverage anywhere in Riverside County. This additional coverage is key to interoperability between County agencies to coordinate responses to major incidents.

The County of Riverside is responsible for maintaining the PSEC system; they offer 24/7 on-call support and have at least one engineer that is monitoring the system at all times. A City owned and operated system would need similar monitoring and maintenance, requiring technical ability that the City would need to add as it currently does not exist. After building an independent system, it would be necessary for the City to contract with a vendor to monitor, maintain, and repair any issues with the radio system. As a result, designing and implementing a City owned radio system would be a time consuming process. Radio frequencies are heavily regulated and can be difficult to acquire. The current frequencies used by the City are inadequate to support existing operations. Based on the current VHF frequency availability, it may be difficult or impossible to obtain additional capacity. If additional VHF frequencies are located, frequency coordination could take up to one year.

In reviewing all of the opportunities, staff believes that the City would be better off switching to a different frequency spectrum, however this would still require frequency coordination. PSEC has the capacity to add both the Hemet Police and Fire Department immediately. PSEC has already conducted all coordination activities that would be required to add both City of Hemet agencies. With no frequency coordination work needed, the Hemet Police and Fire Departments could go live on the PSEC system as early as July 1, 2021.

PSEC offers agencies the ability to join their communication system on a subscription basis. The cost of this upgrade is estimated to be $819,378. Beyond the capital improvements in the public safety communication center, the City of Hemet would be responsible for a per radio monthly subscription fee of $167.42 for Police Department radios and $29.87 for Fire Department radios. The fully burdened annual cost to the City of Hemet for PSEC subscription fees are estimated to be

$350,000 for the Police Department and $23,298.60 for the Fire Department. Although the City of Hemet did not seek bids to build an independent radio system, PTCG estimated that one-time costs associated with building a system suitable for the needs of the City of Hemet would cost approximately $3,420,000.

DISCUSSION:

Approval of this item will allow for reliable public safety communications for the Hemet Police and Fire Department. Moving to PSEC not only brings stability, it offers redundancy, up-to-date technology, and the ability to communicate with every other public safety agency in Riverside County. Furthermore, moving to PSEC will bring the Hemet Police Department into compliance with a recent DOJ mandate that all law enforcement agencies in California ensure that all protected communications over public safety radio systems be encrypted (DOJ Information Bulletin 20-09-CJIS).

The Hemet Police Department will move all radio communications to the PSEC system but retain the ability to fall back to the existing VHF system in the event that PSEC communications are disrupted. The Hemet Fire Department will continue to utilize the current VHF system. They will move their primary communications to what is now known as “Police Main." By switching their communication over to the VHF frequency currently used by the police department, they will gain access to an additional City of Hemet repeater site. This will produce better radio coverage for Fire Department. They will use the current “Fire Main” as a repeated tactical frequency. This increases their capacity for radio communications. Hemet Fire will also gain access to PSEC as an emergency user. Should Hemet Fire frequencies become inoperable or a need arises for directly communicate with police personnel, they will have the ability to seamlessly transition to PSEC to continue operations.

FISCAL IMPACT:

The Hemet Police Department has been in constant communications with Riverside County regarding their Public Safety Enterprise Communication system. During these communications the County recognized the capital improvement costs that are associated with transitioning to PSEC. Due to these costs, the PSEC board petitioned the County Boards of Supervisors to offer an “Onboarding Incentive” to help offset other costs. This incentive offers a five-year plan, beginning in fiscal year 20/21 and ending in fiscal year 24/25, where the full subscription price of PSEC is introduced 25% at a time. If approved, the City of Hemet would go live on the PSEC system during fiscal year 21/22. As such, the City of Hemet would only be responsible for 25% of the fully burdened subscription fee of $167.42 per radio per month, which equals $41.86 per radio / per month. The Hemet Police department estimates that a subscription fee would be required for 190 radios. At $41.86 per radio / per month for fiscal year 21/22, it is estimated that PSEC subscription fees would total $94,440.80.

Hemet Fire Department radios would be billed at a much lower “Emergency Radio” rate of $29.87 per radio/per month. The Hemet Fire Department estimates they have 65 radio that would be subscribing to PSEC during fiscal year 21/22. The Emergency Rate is not eligible for the incentive offered by the County Board of Supervisors, therefor Hemet Fire Department subscription fees are estimated to be $23,298.60 per year.

In addition to the subscription fees, the City of Hemet would be charged $14,957.49 for initial program set up for the Police Department while the Fire Department will be charged $8,822.45. This includes costs associated with County transition support, radio programing and project management fees.

Funding:

110-3100-2713 (Initial Set Up Costs Police)	$14,957.49
110-3240-5400 (Initial Set Up Costs Fire)	$8,822.45
FY 21/22 Measure U (Subscription fees)	$117,739.40

The subscription fees for PSEC would not be paid until fiscal year 21/22. As such both the Hemet Police and Fire Department will include appropriate funding in a line item of the fiscal year 21/22 budget for their respective agencies.

ALTERNATIVE(S):

The Council has two alternatives to this project.

1. The Council can reject the PSEC option and direct staff to move forward with an independent radio system.
2. The Council can choose to do nothing and continue operations on our current radio system. This would result in further costs related to maintenance and repairs, encryption upgrades to meet DOJ requirements, and additional public safety radio down time.

REVIEWED BY LEGAL:

☒ Staff report ☒ Resolution
☐ Ordinance ☒ Agreement

ATTACHMENT(S):

City of Hemet Full Time Use Agreement_with Incentive_PSEC (1)
HEMET PD RADIO SYS. Assess, Report 062320
PSEC Use Agreement_City of Hemet Fire Dept_Emergency User
Resolution - PSEC

PSEC Use Agreement for

Full Time Use with

City of Hemet Police Department

PSEC USE AGREEMENT

This Use Agreement ("Agreement") is made and entered into this 1st day of February 2021 by and between the County of Riverside, a political subdivision of the State of California ("COUNTY"), and the City of Hemet Police Department ("AGENCY"), collectively "the Parties."

RECITALS

WHEREAS, COUNTY operates, manages and maintains the Public Safety Enterprise Communication System ("PSEC System") and all infrastructure equipment utilized to support "subscribers" on the PSEC System; Maintenance of subscriber equipment i.e. consoles, handheld radios, mobiles radios, are not part of the subscriber monthly rate. If Agency chooses to utilize PSEC for maintenance, AGENCY will be required to enter into a separate agreement.

WHEREAS, AGENCY desires to use the PSEC System, in compliance with the terms of this Agreement and without ever hindering the functionality or operation of the PSEC System;

WHEREAS, COUNTY is willing to grant AGENCY a limited license to access and use the PSEC System.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COUNTY and AGENCY agree as follows:

I. Use Granted

Subject to and conditioned on AGENCY's payment of the fees and compliance and performance in accordance with the terms and conditions of this Agreement, COUNTY grants to AGENCY and AGENCY hereby accepts a limited, nonexclusive, nontransferable, and non-assignable license (mobile or portable radios or dispatch console) to access and use, solely during the terms, as defined in Exhibit C which is attached and incorporated herein, the PSEC System, at COUNTY's sole and exclusive discretion. Subject to the COUNTY's approval, AGENCY may choose to add additional subscribers to the system. Additional subscribers may impact the system's capacity thereby requiring the system to be expanded. Any system expansion costs incurred to support the additional subscribers will be billed to the AGENCY.

The County of Riverside Board of Supervisors (the "Board") retains ultimate legal and financial authority over the PSEC System; however, the Board, through the PSEC Charter, has delegated administrative, operational and financial control to the PSEC Steering Committee. The PSEC Steering Committee provides governance and financial accountability. AGENCY agrees and acknowledges that AGENCY shall always be in compliance with the terms of this Agreement and never hinder the functionality or operation of the PSEC System. Users of the PSEC system will abide by the direction/guidance provided by the PSEC Steering Committee.

Supervision over the provision of COUNTY services, the standards of performance and other matters incident to the performance of such services, shall remain with the COUNTY at all times. The full PSEC Governance Charter is available upon request.

II. Period of Performance

The initial term of this Agreement shall commence on February 1, 2021 and expire on June 30, 2025 (the "Initial Term"), unless earlier terminated. Absent a written notice of termination pursuant to section IV below, this Agreement shall automatically renew in five (5) year increments (each a "Renewal Term"), subject to approval by the COUNTY's Board of Supervisors. The rates payable by AGENCY during a Renewal Term is defined in Section III of this Agreement.

III. Payment

PSEC System rates are reviewed and approved annually by the Board, with changes taking effect automatically on July 1 of each year. On July 1 of every year, the rates for PSEC System use and maintenance under this Agreement will automatically adjust based upon these new rates, in accordance with Riverside County PSEC Rate Guide, which is attached as Exhibit A of this Agreement and incorporated herein by this reference. Specific to the Communication device rate (per user rate), the Board of Supervisors (ITEM # 3.29, ID 12322) on May 19th, 2020 approved an incentive program for net new users joining the PSEC system. This incentive program provides tiered percent discounts that are applied to the Board approved Communication device rate for the given year. AGENCY will pay the tiered percent/rate indicated in the year they sign and commit to the new Service Agreement. For example, if AGENCY enters into the agreement with PSEC during FY22/23 (County fiscal year begins on July 1st of the current year and ends on June 30th of the following year) they start paying at 50% of the Board Approved Rate). AGENCY will pay the listed tiered percent/rate for each subsequent year of the contract until the program expires in fiscal year 24/25 wherein the AGENCY will pay the full Board Approved rate for that year and all future years. The Onboarding Incentive table details the tiered percent available for each of the next 5 fiscal years.

Onboarding Incentive

Fiscal year	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25
Monthly Onboarding Percentage of the Board Approved Communication Device Rate Payable by AGENCY	0%	25%	50%	75%	100%

COUNTY shall invoice AGENCY each month for AGENCY's use of the PSEC System. Payment shall be due on the first day of each calendar month during the term of this Agreement. In the event AGENCY fails to make its monthly payment within thirty (30) days after the due date, a non-refundable late fee of three hundred dollars ($300.00) shall apply.

IV. Termination

Termination by COUNTY: COUNTY may terminate this Agreement without cause upon 90 days written notice served upon AGENCY stating the extent and effective date of termination. Further, COUNTY shall have the right to immediately terminate this Agreement if AGENCY: files for voluntary or involuntary bankruptcy for the adjudication of Agency as a debtor; makes a general assignment, or AGENCY's interest hereunder is assigned involuntarily or by operation of law, for the benefit of creditors; fails to comply with the terms of this Agreement; or fails to comply with applicable law. AGENCY shall have thirty (30) days to cure any default, to the satisfaction of COUNTY, AGENCY's breach or default under this Agreement after written notice from the COUNTY.

Termination by AGENCY: This Agreement may be terminated by AGENCY without cause, provided that AGENCY has given at least ninety (90) days' prior written notice. Upon expiration or termination of this Agreement, all rights, licenses, consents and authorizations granted by COUNTY to AGENCY shall immediately terminate, and COUNTY may disable all access to the PSEC System.

V. Restrictions

The Use granted herein is for AGENCY, and AGENCY only. AGENCY shall not permit any other individual or entity to, access or use the license except as expressly permitted in this Agreement. Specifically, AGENCY shall not:

A. Enter into a separate agreement that provides any third-party access to the PSEC Radio System;

B. Rent, lease, lend, sell, sublicense, assign, distribute, publish, transfer, or make available in any manner or form any part of this license, or access to and/or use of the PSEC System;

C. Access or use the PSEC System in any manner, or for any purpose that infringes, misappropriates or otherwise violates any intellectual property right or other right of any third party (including by any unauthorized access to, misappropriation, use, alteration, destruction or disclosure of any information obtained through the PSEC System), or that violates any applicable law;

D. Bypass any security device or protection used to access the PSEC System, or access the PSEC System through any means other than by valid access credentials;

E. Damage, destroy, disrupt, disable, impair, interfere with or otherwise impede or harm in any manner the PSEC System, including but not limited to, interference with the COUNTY's access to or use of the PSEC System;

F. Otherwise access or use the Services beyond the scope of the authorization granted under Section I of this Agreement.

VI. Indemnification

AGENCY shall indemnify and hold harmless the County of Riverside, its Agencies, Districts, Special Districts and Departments, their respective directors, officers, Board of Supervisors, elected and appointed officials, employees, agents and representatives (individually and collectively hereinafter referred to as Indemnitees) from any liability, action, claim or damage whatsoever, based or asserted upon any access and/or use of the PSEC System by AGENCY, its officers, employees, subcontractors, agents or representatives arising out of or in any way relating to this Agreement, including but not limited to property damage, bodily injury, or death or any other element of any kind or nature. AGENCY shall defend the Indemnitees at its sole expense including all costs and fees (including, but not limited, to attorney fees, cost of investigation, defense and settlements or awards) in any claim or action based upon such acts, omissions or services. With respect to any action or claim subject to indemnification herein by AGENCY, AGENCY shall, at its sole cost, have the right to use counsel of its own choice and shall have the right to adjust, settle, or compromise any such action or claim without the prior consent of the County of Riverside; provided, however, that any such adjustment, settlement or compromise in no manner whatsoever limits or circumscribes AGENCY's indemnification to Indemnitees as set forth herein

VII. Coverage Performance

The PSEC system provides extensive and robust coverage across Riverside County. However due to the nature of radio systems (i.e. variation in geography, location in relation to PSEC radio sites, time dependent obstructions, radio performance and many other factors) coverage cannot be guaranteed for every location within the County. Coverage performance also cannot be guaranteed within buildings. AGENCY will perform radio tests of the system to verify their coverage needs will be met prior to onboarding onto the system. By onboarding onto the PSEC system, AGENCY chooses to accept the PSEC Radio System coverage as-is. If coverage expansion is requested by the AGENCY, any associated costs will be at the AGENCY's expense.

VIII. Miscellaneous

A. Nothing in this Agreement shall be construed to create a partnership, joint venture or agency relationship between the parties.

B. County's Representative: COUNTY appoints its Chief Information Officer and the PSEC Steering Committee Chairman, as its authorized representatives to administer this Agreement.

C. Notices: Notices required or given by either party shall be to the following:

COUNTY:	**AGENCY**
County of Riverside, PSEC	City of Hemet Police Department
Delano Anderson, ITM	Glen Brock, Captain
7195 Alessandro Blvd., Suite A	450 E. Latham Avenue
Riverside, CA 92506	Hemet, CA 92543
DAnderson@rivco.org	gbrock@cityofhemet.org
(951) 955-0570	(951) 765-2500

D. AGENCY shall not delegate or assign any interest in this Agreement, whether by operation of law or otherwise, without the prior written consent of COUNTY. Any attempt to delegate or assign any interest herein shall be deemed void and of no force or effect.

E. Any waiver by COUNTY of any breach of any one or more of the terms of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or of any other term of this Agreement. Failure on the part of COUNTY to require exact, full, and

complete compliance with any terms of this Agreement shall not be construed as in any manner changing the terms or preventing COUNTY from enforcement of the terms of this Agreement.

F. AGENCY shall comply with all applicable Federal, State and local laws and regulations. AGENCY will comply with all applicable COUNTY policies and procedures. In the event there is a conflict between the various laws or regulations that may apply, the AGENCY shall comply with the more restrictive law or regulation.

G. This Agreement shall be governed by the laws of the State of California. Any legal action related to the performance or interpretation of this Agreement shall be filed only in the Superior Court of the State of California located in Riverside, California, and the parties waive any provision of law providing for a change of venue to another location. In the event any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

H. This Agreement, including any attachments or exhibits, constitutes the entire Agreement of the parties with respect to its subject matter and supersedes all prior and contemporaneous representations, proposals, discussions and communications, whether oral or in writing. This Agreement may be changed or modified only by a written amendment signed by authorized representatives of both parties.

IX. Maintenance

I. County will maintain all PSEC infrastructure. Maintenance of any additional equipment including but not limited to AGENCY's consoles and subscriber equipment will be covered in Exhibit B Support and Maintenance.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Agreement.

COUNTY:
COUNTY OF RIVERSIDE

By:_____
Name: Dave Rogers
Title: Assistant County Executive Officer/CIO

Dated:_____

By:_____
Name: Chet Ashbaugh
Title: PSEC Chairman

Dated:_____

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

By:_____
Deputy County Counsel

Dated:_____

AGENCY:
CITY OF HEMET POLICE DEPARTMENT

By:_____
Name:
Title:

Date:_____

EXHIBIT A

INITIAL SET UP COSTS AND PSEC BOARD APPROVED RATES

Initial mandatory setup services are billed at the approved time and material rates in accordance with the Riverside County PSEC Rate Guide below.

- Engraving radio ID and asset information onto radio to facilitate tracking and prevent ID duplication within the PSEC radio provisioning system.
- Installation, programming, and testing of radio, console or consolette will be billed at *Radio Technician Expert Time* rate, as applicable.
- Codeplug creation, activating radio, console or consolette for use on the System, and activating encryption is billed at *Radio Technician* and/or *Radio Engineering Expert Time* rate.

Any future radio additions (i.e. adding additional radios) will also be billed at *Radio Technician and/or Radio Engineer Expert Time*.

Costs shown below are an estimation of actual costs to be incurred. Services will be billed at actual time spent to complete each service.

PSEC Radio System Cost Estimate: City of Hemet Police Department					
			City of Hemet Police Department Subscriber User Count:		175
Function and Activities	**Rate Description**	**Rate**	**Estimated Labor Time**	**Qty**	**Total**
Engineering Fleet Map Development	Engineering Expert Time	$112.46	2 Hours	2	$224.92
Provisioning Manager/KMF/UNS Time for putting units into ALL Systems	Engineering Expert Time	$112.46	15 mins per radio	48	$5,341.85
Provisioning Manager Licensing Fee per User	License Fee	$14.00	N/A	185	$2,590.00
Project Management for Console Installation	Engineering Expert Time	$112.46	20 hours	20	$0.00
Radio Technician Console ELT File Creation	Technician Expert Time	$68.43	10 hours	10	$0.00
Radio Technician Codeplug ELT File Creation	Technician Expert Time	$68.43	40 hours	40	$2,737.20
Dispatch Installation and Cutover Support	Engineering Expert Time	$112.46	20 hours	20	$2,249.20
Administrative Cost	Use Agreement	n/a	n/a	n/a	$500.00
				Total One-Time Cost	**$13,643.17**
				10% contingency	**$1,314.32**
				Total One-Time Cost with Contingency	**$14,957.49**

The published rate guide reflects a cost of $167.42 for each voice radio user (listed as communication device) for Fiscal year 20/21.

SERVICE DESCRIPTION	DEFINITION	FY 20/21 RATE	UNIT
Data			
Modem - HPD	HPD: High Performance Data Radio	$150.87	Per Modem per Month
Subscriber			
Device - Emergency radio	Monthly charges for emergency radio use	$29.87	Per Device per Month
Device - Holiday radio	Monthly charges for holiday rate radio use	$32.96	Per Device per Month
Device - Communication device	Monthly charges for the based consolette, consoles, mobile and portable radio unit	$167.42	Per Device per Month
Vehicle			
Vehicle Repairs	Material and Shipping	Actual Cost (Shipping & Materials)	
Technician			
Technician Expert Time (during business hours)	Hourly shop and field radio, infrastructure, and microwave repair rate	$68.43	Per Hour
Technician Expert Time (after business hours)	After hours (overtime) shop and field radio, infrastructure, and microwave repair rate	$71.46	Per Hour
Microwave and Site			
Rack	Set rate for monthly full rack mount charge	$523.56	Per Month
Half Rack	Set rate for monthly half rack mount charge	$261.78	Per Month
Floor Space	Set rate for monthly square footage charge excluding rack space	$523.56	Per Month
Antenna Mounted Lower	Set rate for monthly LMR antenna lower	$300.00	Position of the antenna per month
Antenna Mounted Middle	Set rate for monthly LMR antenna middle	$600.00	Position of the antenna per month
Antenna Mounted Top	Set rate for monthly LMR antenna top	$900.00	Position of the antenna per month
Mile-T1	Monthly charge per T1 circuit mile	$13.74	Per mile per month
Mile-Analog	Monthly charge per analog circuit mile for microwave transmission	$0.89	Per mile per month
Application Fee	Application fee for FCC licensing or for permits	Actual Cost	Per application
Technology Engineering			
Engineering Expert Time	Hourly rate to design, implement and/or maintain radio communication networks and infrastructure of Countywide Communication facilities	$112.46	Per Hour
Engineering Expert Time - Overtime	Weekend or after-hours rate to design, implement and/or maintain radio communication networks and infrastructure of Countywide Communication facilities	$118.05	Per Hour

EXHIBIT B

SUPPORT AND MAINTENANCE

1. COUNTY maintenance and support of AGENCY's fleet of subscriber equipment will include the services listed below as part of the monthly subscriber rate paid to the COUNTY. AGENCY is responsible for scheduling all maintenance and for transporting radios to PSEC facility

   Radios/Consoles

   - Firmware/Software upgrades mandated by PSEC
   - County initiated codeplug updates*

   Any radio or console repairs not covered by a separate subscriber (consoles/radios) maintenance agreement with PSEC, will be billed at the Board Approved Rate. If parts are needed as part of the repair, all parts will be billable.

   Any AGENCY driven changes, including console configuration files (ELT)/codeplug modifications, will be billed on a time & material basis per board approved rates. Items not listed as covered under this Agreement will be subject to additional cost one a time and material basis per Board approved rates.

2. Any changes to ELT/code plugs shall be reviewed by COUNTY to ensure no adverse impact on the overall system.

3. AGENCY and COUNTY will coordinate all firmware and software upgrades of subscribers (portable, mobile or consoles) prior to AGENCY action. AGENCY is responsible for ensuring that all console and subscriber equipment firmware and software version remains compatible with the current and future PSEC system release versions. Any upgrades and/or replacement of console or subscriber equipment to maintain combability with the PSEC system is the sole responsibility of the AGENCY.

4. Encryption key may be changed by COUNTY when required.
5. If radio is lost or stolen, and agency chooses to deactivate the radio, contact can be made 24x7 to PSEC's on-call technicians. On-call contact information is distributed to all PSEC customers on a weekly basis.

6. The COUNTY utilizes over-the-air tools to evaluate whether radios operating on the system are doing so within their factory rated specifications. Subscribers that operate outside of the factory specification

tolerance can cause interference and degrade audio quality performance on the radio system. The COUNTY will notify the AGENCY of radios that are performing outside of their factory rated specifications and the AGENCY will be required to have radio serviced with their service provider prior to impacting the system or system users. If a subscriber piece of equipment is determined to be detrimental to the system or other PSEC user(s) the equipment will be removed and or deactivated from the system.

7. AGENCY must maintain an updated record of subscriber/Console firmware and software changes.

8. PSEC Facility Maintenance Operations

   Subscriber repair covered under a separate agreement will be may be provided during normal business hours at one of the three PSEC radio shops. Drop off service for portable and mobile radios is available during normal business hours on appointment basis only. Radio shop contact information is listed below.

   - **7195 Alessandro Blvd., Riverside, CA 92506**
     - (951) 955-3644
   - **82695 Dr. Carreon Blvd., Indio, CA 92201**
     - (760) 863-8999
   - **249 N. Spring Street, Blythe, CA 92225**
     - (760) 921-5087 or (760) 921-5079

   Normal business hours are: Mon - Thurs 7:00 a.m. to 4:30 p.m. and Friday 7:00 a.m. to 3:30 p.m. excluding holidays. PSEC does have 24x7 maintenance technicians available for emergency repairs. Contact can be made to PSEC's on-call technicians. On-call contact information is distributed to all PSEC customers on a weekly basis.

9. COUNTY does not keep cache spares. AGENCY should have spares in the event equipment cannot be repaired in shop and may need to be shipped back and/or there is a prolonged waiting period for factory repair.

10. ADDITIONAL EQUIPMENT PURCHASES AND FEES

    Additional equipment purchases are considered any equipment purchases/orders/added after the signing of the Agreement.

Additional equipment purchases, the initial mandatory setup fee and future AGENCY requested changes (i.e. ELT/code Plug changes driven by the Agency) are not included in the monthly subscriber rate and will be invoiced separately.

All radios purchased will require an Advanced System Key (ASK) feature. This includes Motorola, Harris, EF Johnson and any others.

- All radios purchased to operate on PSEC System must have hardware system key enabled and COUNTY will be the keeper of that key.
- All radio types and/or manufacturers must be pre-approved to come on the PSEC System by COUNTY prior to purchase.

11. APPROVED EQUIPMENT as of July 1st, 2020

The following equipment has been approved by COUNTY for use on the PSEC Radio System:

- Motorola MCC7500
- Motorola APX Consolette
- Motorola APX Series 4000 Portables
- Motorola APX Series 6000 Mobiles and Portables
- Motorola APX Series 7000 Mobiles and Portables
- Motorola APX Series 8000 Portables and Mobiles
- Harris XL-200 (Firmware Version R06E06)
- Harris Unity (Firmware version-XGPRO6K07 _XG100P) (No Failsoft operation)
- Kenwood VP 6430
- Kenwood VP5430
- Kenwood NX5400
- Kenwood VP 900

All equipment to be used on the PSEC System MUST be pre-approved by COUNTY prior to operation on the System.

Although the COUNTY has evaluated the provided list of approved subscribers for System compatibility, the COUNTY is not responsible for any issues encountered by AGENCY with these subscribers that are deemed to be a manufacturer issue.

It is the responsibility of the AGENCY to test manufacturer subscribers, not included on the approved list, and obtain assurance from the manufacturer that their subscribers can operate on the PSEC Radio System per the AGENCY's and COUNTY's requirements. AGENCY may request the COUNTY to test other manufacturer's equipment to be used on the PSEC Radio System, depending on the level of testing required these services may be billed at the Board approved rates.

12. CALL OUTS

- COUNTY shall provide 24-hour service support for COUNTY maintained and operated infrastructure related issues and equipment.
- AGENCY owned infrastructure issues and equipment are the responsibility of the AGENCY. After-hours call out radio repair service that is not covered by a separate agreement for single subscriber issues must be deemed an emergency and will be billed at the board approved rate
- If AGENCY has a need for after-hours radio repair service, that service will be billed at a time and material rate in accordance within EXHIBIT A "INITIAL SET UP COSTS AND PSEC BOARD APPROVED RATES".

13. SPECIAL PROVISIONS

- If AGENCY wants to program their own radios, they must sign the Advanced System Key (ASK) agreement.
- AGENCY does not have the authority to program radio subscriber equipment for other agencies, including Federal agencies, without previous authorization from PSEC.
- This Agreement only authorizes devices that are APCO P25 Phase II TDMA (time division multiple access) compliant. FDMA (frequency division multiple access) radios are not authorized on the PSEC Radio System.

EXHIBIT C

STATEMENT OF WORK

This Statement of Work between the AGENCY and COUNTY describes the duties of each of the parties.

The AGENCY is requesting to join the PSEC Radio System as a full-time user with a total of 175 AGENCY owned subscribers.

The AGENCY's area of operation will be covered by the Southwest Simulcast cells. The coverage provided by the PSEC Radio System is "as is". This agreement does not provide any coverage guarantees. It is the responsibility of the AGENCY to test their area of operation and determine if it meets their needs prior to joining the PSEC Radio System.

COUNTY will develop the fleet map, review vendor created codeplug, and activate the ID's on the network for AGENCY. These costs are listed in the Cost Estimate Table in EXHIBIT A. "INITIAL SET UP COSTS AND PSEC BOARD APPROVED RATES" of this Agreement.

Talkgroups

AGENCY will follow the COUNTY'S naming convention for talkgroup development. COUNTY will work in conjunction with AGENCY to develop the talkgroup structure for the AGENCY. COUNTY and AGENCY will jointly design and develop radio personalities for use on the PSEC system.

AGENCY represents by entering into this Agreement, that all their equipment conforms to the specifications of the PSEC System and AGENCY will abide by all programming guidelines set forth in this Agreement. All subscriber equipment on the PSEC System must support system key technology that will allow only authorized persons to program subscriber radios on the system.

County Responsibilities:

- COUNTY will hold the license for all master system key technologies and will provide child keys to AGENCY for radio programming.
- All subscribers (mobile, portable, and consolette) Logical Identification Numbers (LID) are defined and issued by the COUNTY. LID numbers are the intellectual property of the COUNTY and must be surrendered at termination of this agreement.
- COUNTY will engrave all portables and mobiles with PSEC Trunked radio unit IDs.

Agency Responsibilities:

- AGENCY agrees that all their equipment conforms to the specifications of the PSEC system and will abide by all programming guidelines set forth.

- All subscriber equipment on the PSEC System must support Advanced System Key technology that will allow only authorized persons to program subscriber radios on the system.

- AGENCY is solely responsible for procuring all equipment and services related to implementing their dispatch centers.

Pegasus Telecommunications Consulting Group
(A Division of Comsite Pacific, Inc.)
P.O. Box 1608, Santa Maria, CA 93456-1608
562-370-7744
EIN #95-3815999
http://www.pegasustelecom.net

June 23, 2020

To: Captain Glen Brock
Hemet Police Department
450 E. Latham Avenue
Hemet, CA 92543

Cc: Dale Digiambattista
Support Services Manager

Re: Hemet Police Department Radio Communications System Project
P.O. # 2020-000457

Pegasus Telecommunications Consulting Group (PTCG) is pleased to offer this comprehensive City of Hemet Police radio system assessment and recommendations study. This report is the culmination of months of work, collecting input from the Police Department relative to their present radio system condition and their operational requirements for a replacement system that will afford high-reliability radio communications, flexibility, longevity, and good value. Applying information solicited from Hemet Police command staff, we believe we have met these goals.

Please feel free to contact me if you have questions or comments.

Thank you for this opportunity to serve the City of Hemet.

Ray Grimes
Owner/Principal Consultant

Pegasus Telecommunications Consulting Group

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June 23, 2020

City of Hemet Police Communications System

Review and Recommendations – Subscribe to PSEC vs City Owned Radio System

Pegasus Telecommunications Consulting Group (PTCG) has been engaged by the City of Hemet to assist in determining the relative benefits and costs associated with either constructing a new radio system for the primary use of the police department, or subscribing to the Riverside County Public Safety Enterprise Communications (PSEC) countywide trunked radio system. Critically important aspects of either choice is that the chosen solution provides dependable mobile radio coverage and handheld portable radio outdoors and indoors coverage within the City, with a high level of system redundancy, infrastructure reliability, and hardening in response to heightened terrorism activities and natural and environmental hazards such as earthquakes, tornadoes, and fires. The threshold for achieving each of these operational considerations must also be weighed against cost and the availability of resources – personnel – to monitor and maintain the system.

For this report, we will first review the operational considerations for each decision individually, discussing advantages and disadvantages of the respective solution. We will examine factors that may affect the expected time to implement each solution, and the relative costs.

1. Operational Considerations –
    a. Radio spectrum availability and interoperability
    b. Radio coverage (coverage area and building penetration), signal reliability, and communications redundancy
    c. System management
    d. System reliability and maintenance
    e. Subscriber equipment, i.e. mobile and portable radios
        i. As purchased and equipped, all subscriber equipment should be capable of using P25, standards compliant encryption

2. Factors that may affect time to implement
    a. Frequency and site availability
    b. Procurement Processes
    c. Infrastructure upgrades (PSAP, remote sites, towers)
3. Budgetary, anticipated costs
    a. Initial or one-time costs
    b. Projection of recurring costs for at least 5 years after initial acceptance

Reasonable assumptions or extrapolations regarding intended system design, implementation process and timeline procurement process, were made to arrive at an understandable comparison of the two choices. To the maximum extent possible we avoided the inclusion of technical jargon which we believe would have led to much more involved discussions and probable confusion. Particular benefits or risks associated with either decision are identified to the maximum extent possible, however they may not be fully quantifiable within the available information or scope of this engagement.

The City has made some preliminary decisions regarding type and configuration of their prospective new police radio system. To the extent possible, we have used the information provided by the City to prepare this analysis. The PSEC system is mature but is in a continuous mode of evaluation and upgrade to meet the collective requirements of the subscribing agencies. System or user features, functionality, and costs will undoubtedly evolve as the system users identify new requirements.

CITY OF HEMENT POLICE SYSTEM (City Owned and Maintained)

Existing System

The Police department currently operates with approximately 74 sworn and 8 community service officers. It is authorized for 81 sworn personnel and 12 community service officers. Supporting this primary operation are approximately 88 mobile units and 90 portable units.

There are approximately 12 low-tier portable radios held in reserve by Hemet PD and used by volunteers. A discussion of the disposition of these units, and how these volunteer operations will be integrated into future police operations is subject to many factors that Hemet must consider. The relative cost impact on either system decision should be negligible so it will not be discussed or considered in this report.

The City of Hemet currently operates its VHF system with installations at five (5) sites.

1. Sites are connected to the dispatch center via a city owned microwave system that is in the process of being replaced and upgraded.
2. Each site has three (3) VHF repeaters, one each to support police, fire, and public works, with the exception of the Hemet PD site which hosts a voted receiver
    a. One hub site is owned by the City of Hemet (located at Hemet PD).
        i. It is supported by its own generator however at this time we do not have sufficient information to comment on its ability to support any new equipment at that site.
        ii. A tower engineering report is not available to determine possible costs associated with any new hardware installations.
        iii. Facility interior space and utilities to support this upgrade are being assessed by the City.
    b. One site (Park Hill), a city-owned water tank farm has been determined by the City to be unusable due to physical status of the site facility and antenna structure.
        i. Due to physical status and overlapping coverage from other sites, this site is not included in evaluation for use in the new radio system. No new equipment can or will be added.
    c. One high site (Simpson Park) is located southeast of the city on city owned land.
        i. This site requires tower improvements to accommodate equipment, to assure an unobstructed microwave path, and structural resiliency
        ii. This site has a large generator which should be sufficient to operate the new police radio installation.
        iii. The city owns a secure shelter on this property.
    d. One high site (Platte Ridge) is in operation at a west-end commercial radio facility.
        i. Standby power onsite but not supporting Hemet equipment.
        ii. Tower space is sufficient but limited.
        iii. A question remains open regarding battery backup for Hemet equipment located at this site.
    e. One remote high site (North Mountain) is on USFS land north of the city. Site facility space is managed by Riverside County and additional space is available for a fee.
        i. A question remains open regarding sufficient battery backup for Hemet equipment located at this site.
        ii. Tower space and shelter space is sufficient and secure.

3. Dispatch will consist of 6 console positions and a logging recorder located at headquarters
    a. Existing dispatch console equipment is beyond the manufacturer's stated end-of-life and needs to be replaced immediately.
    b. Logging Recorder – approximately 5 years old, analog only and not capable of capturing metadata such as text-911 or GPS
4. Subscriber equipment and Interoperability
    a. All primary personnel, that are sworn and community service officers currently use multi-band Harris radio equipment that is capable of both analog and P25 digital operation, including PSEC trunking.
    b. This equipment will continue operating on the City's VHF radio channels for interoperability with fire and public works. In addition, they will be programmed to operate on either the PSEC system, or a new City owned system.

New Police Radio System

The existing VHF radio system will remain in place for use by the fire and public works departments. The City has indicated that a decision has already been made that if implemented, the police department will move to new 700MHz channels and the fire department will acquire the one VHF channel on which police currently operate.

There is no final decision regarding whether the City would expect to configure the new police system as a "conventional" repeater system or would pursue trying to deploy a trunked system. In either event to achieve the coverage reliability required for effective police operations, the system will need to be engineered for simulcast operations with voting receivers.

Any radio system design is predicated first on the availability of radio frequencies, or channels. We have been advised that the City may have access to two (2) 700MHz channels. We find no information that indicates these channels are currently licensed to the City so this would be the first critical milestone that must be addressed before any system design or realistic budget can be established for the project.

The process for identifying frequencies and getting them coordinated and licensed can be expected to take a year or more. In addition, due to the heavy radio congestion throughout southern California, the licensing coordinators may place restrictions on the location of repeaters and permitted power levels which could seriously affect the design and cost of any new system.

For purposes of this report, we will assume that two channels can be secured for the new system. This can be justified based on the number of mobile and portable units in operation and is consistent with similar sized systems. Additionally, we will assume that these two channels are deployed as "conventional repeater" channels, not in a trunked configuration to minimize costs and deployment time. Though trunking the channels would provide somewhat more flexibility for operational communications, it still would not allow for more than two simultaneous conversations so there is effectively little benefit when weighed against cost.

Coverage

Coverage, that is the balance between the area that is served by the system and the reliability and redundancy of the system, as it relates to coverage is a function of the location of repeaters, i.e. what site(s) are employed, and their power levels.

The only coverage maps made available to us for this report that directly reflect probable radio coverage for a City owned system was prepared by Motorola as part of a proposal for a VHF system enhancement. These maps depict what is known as "street level coverage for portable units" at 95% reliability. The City has operational experience regarding known coverage from these sites that it considers adequate.

Though the desire is to procure and deploy a 700MHz system which may have significantly different coverage characteristics from those of the VHF system, due to the number of unknown parameters needed for accurate modeling, prediction models were not constructed for this report. Detailed coverage prediction models, particularly related to appropriate in-building system performance, will have to be prepared and evaluated prior to issuing an RFP for a new system.

The four candidate sites identified for this system include one high site owned by the City, one site managed by the County of Riverside, one high site that is operated by a commercial radio site operator, and one site located at Police Headquarters. In all, there is some level of overlapping coverage afforded by all of these sites so that in the event of one of the repeaters, microwave connection, or tower failure, the other two sites can be expected to provide, though less than perfect, reasonable radio coverage in the immediate Hemet area. One key item to recognize is that the site located at Police headquarters affords a high degree of access in the event maintenance is needed, and because of its location, provides a high degree of reliable communications for units operating around the core of the city.

RIVERSIDE COUNTY PUBLIC SAFETY ENTERPRISE COMMUNICATIONS (PSEC)

PSEC is a countywide, trunked, 700MHz system owned and operated by Riverside County. The County 'Costs' to operate and upgrade the system are shared by all of the user departments on the system and apportioned as user fees based on the number of subscriber units on the system. Costs for operation, maintenance, and necessary system upgrades are forecast on an annual basis and user fees are calculated accordingly.

Circling back to the City's desire for at least two channels (in trunking they are called "talkgroups" because of the nature of the technology), PSEC has indicated that this is probably appropriate for a department the size of Hemet PD, though they are open to any discussions that would indicate a need for more. PSEC has also indicated that they are examining the ability to support at least some level of GPS location services on the network.

The PSEC system currently supports approximately 6800 subscriber units and is expected to grow to approximately 11,000 by 2025 as new agencies such as Beaumont PD, and members of ERICA (Eastern Riverside County Interoperable Communications Authority) are considering the value of the shared PSEC system. We would expect that per unit subscriber costs will be reduced as these new users are brought onboard, and that the system features, such as GPS location support, will grow. Though we have little reason to doubt PSEC's anticipated growth and the attendant cost reductions, for the cost analysis contained in this report we held subscription fees constant at the current rate.

The County supports this system directly with a full-time staff of engineers and technicians. At least one engineer and two technicians are on-call at all times to respond to any alarms or failures in the PSEC system. The County staff is backed up by service agreements with Motorola to support the radio system, and additional contracts for maintenance and repair of the microwave system, backup generators, battery plants, and tower services.

COVERAGE AND CAPACITY

The PSEC system provides coverage in and around the Hemet area via at least three simulcast zones that provide overlapping coverage in and around the City of Hemet. This provides a very high level of redundancy for users in the Hemet area since the failure of any one voice channel, or in most cases any one site, would be expected to have only minor impact on Hemet's ability to communicate within the city and over a reasonably extended service area outside city limits.

The coverage design criteria for the PSEC system called for 95% communications reliability for "portables on the street" in lightly populated areas throughout the county. Reliability for in-building coverage in small-to-medium buildings such as residential or light office structures located in more densely populated cities including Hemet was also specified at 95%. The City of Hemet currently has portable units programmed to operate on the PSEC system and will be working with PSEC on coverage verification. Should these coverage tests identify previously unknown issues or problem locations, there are a variety of ways for them to be addressed ranging from installation of bi-directional amplifiers (BDAs) to changing antenna patterns or adding site(s) to the PSEC system. Any of these solutions would be subject to further discussion.

Since this is a shared system, it is important that PSEC manages not just the coverage and system reliability, but also the system capacity and utilization for the benefit of all of the subscribing departments. Users want to be assured that the system is not so busy that their messages cannot get through, and that the system is not overbuilt to the point that it is too expensive to operate. There are many factors that affect system capacity with Grade of Service (GOS) which is one of the items contained in most Utilization Reports being the most recognized measure.

In utilization reports provided by PSEC for the last year, we recognized that there were four months where during the busiest hour of those each of those months, the number of system-busies was beyond PSEC's expected 2% grade-of-service which means that the goal of making sure that users do not experience greater than a 3-second wait when trying to communicate was missed in those instances. PSEC indicates that these instances were related to brush fire surge responses. PSEC is addressing this by adding voice channels (capacity) at the affected sites. These upgrades are expected to be complete by this September.

Coverage maps and system utilization reports for the portions of the system that serve the Hemet area were provided by PSEC and are included as an Appendix of this report.

COST COMPARISON

The following table provides a ten-year cost of operation comparison of a Hemet owned-and-operated system versus subscribing to the PSEC system. A few key points regarding this cost analysis:

1. The analysis is based on broad, budgetary factors and should be used only for comparative analysis. It is not intended to create any definitive budget.
2. Values included in this table are not based on specific proposals or detailed pricing and are therefore presented only for comparison purposes.
3. For simplicity, items that are common to both choices were not priced into this model. For example, since portable and mobile radios would be of similar cost and on the same replacement cycle irrespective of the overall system are therefore not included in this comparison.

Ten-Year Radio System Cost of Operations Comparison - City of Hemet

	One-time costs	Recurring/ Unit	Qty	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Comparative Total Cost
City Owned														
Radio System, 2 channel, 3 site, simulcast. Includes new dispatch consoles (6 positions) and logging recorder and Maintenance. Does not include installation, microwave or land lines.	$ 1,800,000	$ 125,000	1	$ -	$ 125,000	$ 127,500	$ 130,050	$ 132,651	$ 135,304	$ 138,010	$ 140,770	$ 143,586	$ 146,457	
Estimated site upgrades, i.e. tower engineering reports, generator and UPS upgrades, etc.	$ 100,000													
Recurring Site Rental Fees. New equipment only. Assumes initial 5 year contract is flat.		$ 850	2	$ 1,700	$ 1,700	$ 1,700	$ 1,700	$ 1,734	$ 1,769	$ 1,804	$ 1,840	$ 1,877	$ 1,914	
Frequency Coordination and FCC	$ 20,000													
RFP Preparation and System Installation	$ 1,500,000													
Accrual for 10 year fixed end system refresh					$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	
One-Time Total	**$ 3,420,000**	**Recurring Annual**		**$ 1,700**	**$ 306,700**	**$ 309,200**	**$ 311,750**	**$ 314,385**	**$ 317,073**	**$ 319,814**	**$ 322,610**	**$ 325,463**	**$ 328,372**	**$ 5,300,622**
PSEC		**Migration Incentive (% adjust)**		0%	25%	50%	75%	100%	100%	100%	100%	100%	100%	
Dispatch Consoles (6 position), Backup Control Stations & Logging Recorder. Recurring PSEC participation feels.	$ 500,000	$177	6	$0	$3,186	$6,372	$9,558	$12,744	$12,744	$12,744	$12,744	$12,744	$12,744	
Console & Logging Recorder Maintenance		$23,000	1	$0	$23,000	$23,460	$23,929	$24,408	$24,896	$25,394	$25,902	$26,420	$26,948	
Backup Data Circuit (Hemet to PSEC Core)	$ 2,000	$18,000	1	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	
Contract Award and Installation	$ 190,000													
Portable Radios (Subscriber Fees Only)		$177	90	$0	$47,790	$95,580	$143,370	$191,160	$191,160	$191,160	$191,160	$191,160	$191,160	
Mobile Radios (Subscriber Fees Only)		$177	88	$0	$46,728	$93,456	$140,184	$186,912	$186,912	$186,912	$186,912	$186,912	$186,912	
Control Stations (Subscriber Fees Only)		$177	6	$0	$3,186	$6,372	$9,558	$12,744	$12,744	$12,744	$12,744	$12,744	$12,744	
Accrual for 10 year fixed end system refresh (dispatch console and recorder)					$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	
One-Time Total	**$ 692,000**	**Recurring Annua**		**$ 18,000**	**$ 191,890**	**$ 293,240**	**$ 394,599**	**$ 495,968**	**$ 496,456**	**$ 496,954**	**$ 497,462**	**$ 497,980**	**$ 498,508**	**$ 2,387,107**

SUMMARY

When given the choice of a city owned versus subscription system, weighing the benefits and tradeoffs are often difficult. In this case the choice of which system affords the greatest benefits in terms of cost, reliability, and allocation of resources for maintainability is rather straightforward.

Comparing radio coverage and system reliability and maintainability indicates that the PSEC system has advantages over a city owned system. Depending upon how the City views its requirements these may or may not be significant issues and for the most part they can be reasonably addressed through policies and procedures.

The significant decision points have to do with time to implement either solution and the ten-year cost of operation for the respective choice. Time to implement is important because Hemet's existing system, with only one channel available for the police, does not adequately serve the department operationally and does not provide the level of redundancy or security appropriate for police operations thus elevating the need for a rapid implementation of the selected solution. Finally, the City will want to weigh costs of either decision. We prepared a ten-year comparative cost analysis because often the cost of an owned system can be justified by a lower cost of maintenance over time.

It's also important to recognize that for either the city owned radio system upgrade or PSEC solutions, the dispatch center electronics must be replaced and upgraded, as this aging equipment is unsupported for repairs and operational features upgrades. The dispatch center upgrade assessment and RFP will be addressed separately.

Radio Coverage

A City owned system with one of its sites located at police headquarters may have a slight advantage over the PSEC system for in-building coverage and signal reliability in the core of the city, recognizing that the other three city designated sites do not provide any significant coverage advantage over the PSEC system. This is very much offset by the overall PSEC system configuration which has more sites serving Hemet and its surrounding areas.

The PSEC system offers countywide coverage that will not, and effectively cannot be matched by a city owned system. By participating in the PSEC system, the City of Hemet can maintain direct communication with its units across the entire County. In addition, Hemet PD will enjoy a very-high level of interoperability with County and other participating agencies on the PSEC system.

System Reliability and Maintainability

The anticipated configuration for a City owned system includes three remote transmitter sites with two repeaters at each site, all connected via a city owned microwave system, and supported with backup battery and/or generator power. This configuration would afford a reasonable level of redundancy and reliability. Minimal city staff directly responsible for the system means that the city will primarily depend on service agreements with third parties over whom the city will have little immediate control with respect to their availability or performance.

The PSEC system is managed and monitored continuously by teams of dedicated radio and microwave engineers employed by PSEC. At least one PSEC engineer and two technicians are on-call 24x7 and are responsible for monitoring and/or responding to any service affecting PSEC system failure. This direct PSEC staff is further supported through service agreements and contracts with that address the radio network and console hardware, microwave, and power plants, i.e. generators and backup batteries.

Time to implement

Implementation of the PSEC subscription solution is much simpler and can be reliably deployed far more quickly than procurement of a City owned system.

Implementation of a City owned system must start with identification and coordination of radio channels (frequencies). This is a required first step because the coordination and licensing process may set certain limits on power output and locations allowed for available radio channels. This can dramatically affect the system design and cost of the radio network. Ongoing experience shows that this is typically a six-month to one-year process. Preparation of an RFP cannot effectively start until this is near its endpoint. Then the RFP, installation, and acceptance process can be expected to take another year. Overall, this means that in a best-case scenario, the police department should expect that they would not be able to operate on a new City owned system for two years.

Subscription to and operation on the PSEC system can be effected much more rapidly. Subscriber equipment, i.e. police portable and mobile radios, are capable of being reprogramed to operate on the PSEC system. This can be organized and completed in a matter of days, or at most weeks. The longer lead-time item needed for full and complete operation on the PSEC system requires the replacement of the dispatch consoles at police headquarters. Until that is completed, field units would be able to communicate with each other, but Dispatch would not be able to reach them or record the conversations so we would not necessarily recommend this mode of operation.

The PSEC system is relatively closed in that all parts are supplied by Motorola. This is both good and bad with respect to console procurement. On the one hand the City has little flexibility in selecting a console vendor, negotiating price, and identifying features or capabilities that they may want. On the other side it means that the City would have equipment that is common throughout the system. PSEC engineers and technicians are familiar with the equipment and if Hemet were to experience a problem the service methods and capabilities of the service technicians are well understood.

Comparative Cost Analysis

It is important to re-emphasize that the cost analysis prepared for this report should not be considered a definitive system or decision budget. Values were assembled from a variety of sources including a prior system proposal prepared by Motorola for the City of Hemet, information provided by PSEC, and recent pricing for similar products and systems provided by other vendors. It is meant to provide a meaningful comparison of the costs directly attributable to either decision. The City should expect that there may be significant variation from these estimates depending on a variety of decisions that will undoubtedly affect any final system configuration.

As can be seen from the table, the one-time costs for the City owned system are expected to be nearly five times greater than the fixed equipment necessary to participate in the PSEC system. This initial cost directly drives the cost of maintenance and the set-aside that should be budgeted for future replacement of the system.

Some may argue that a ten-year cycle is too short for this type of equipment. It is true that some parts of this system may have a life expectancy greater than ten years. It is also true that some components will be obsolete or failing in less than ten years, so the overall average life expectance of the system is reasonable. It should also be pointed out that we included a very small escalation factor for maintenance agreements but calculated the replacement accrual as a flat-line cost. We believe that this is an optimistic view of the future costs of a city owned and operated system.

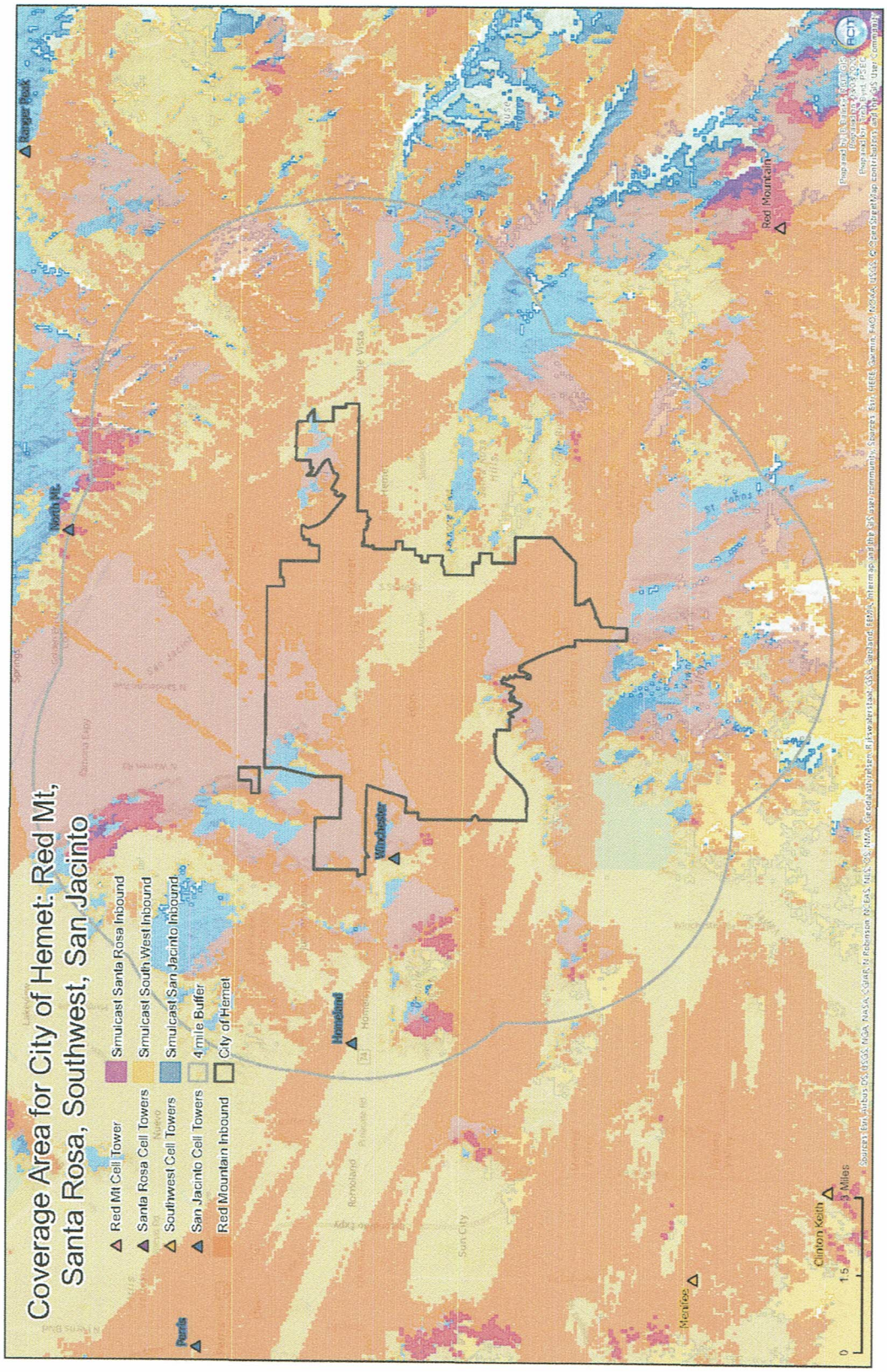
We did not assign any city labor costs to either maintaining a city owned system, or to coordinating with PSEC for a subscriber system. It is assumed that whether a City owned system, or should the City subscribe to PSEC, there will be an ongoing requirement for dedicated City personnel to support the monitoring and management of the system.

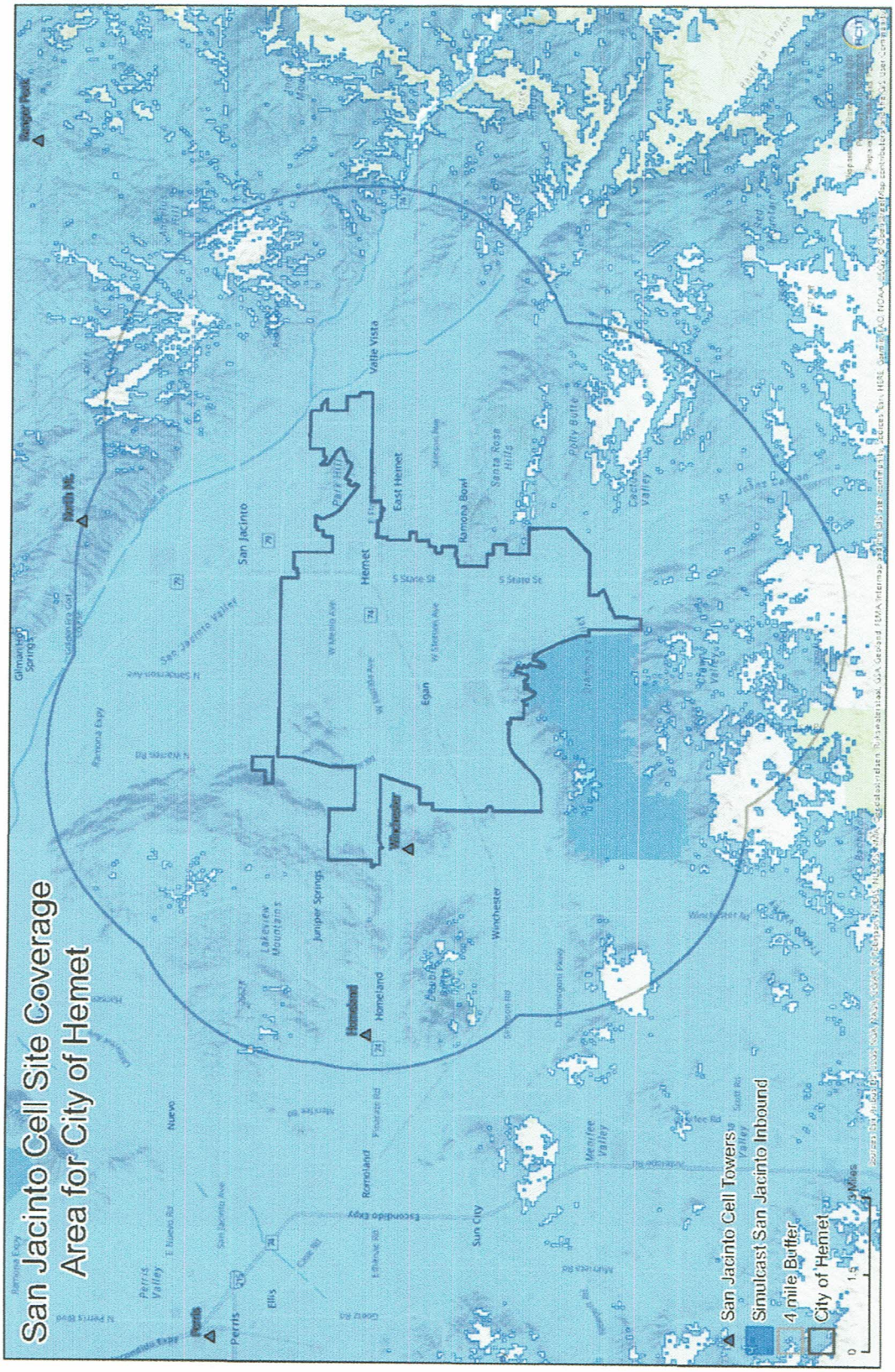
Recommendation

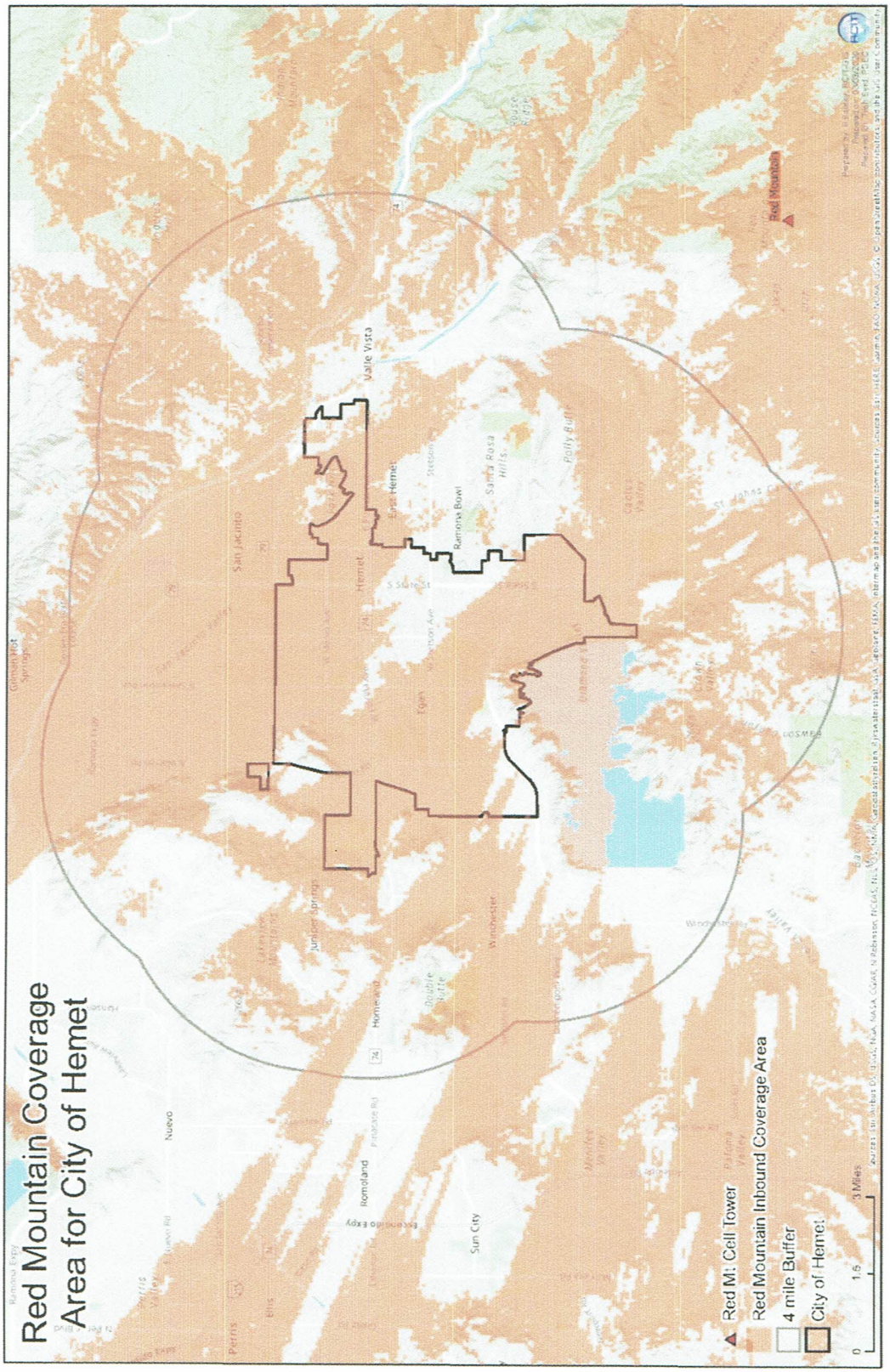
Realizing the immediate requirements of the City to replace much of the current system, the timing that is required to implement a City owned system, and the multi-year financial benefit to joining PSEC, we believe that it is in the City's best interest to participate in the PSEC system. Even this choice will take several months to implement since contracting for new dispatch equipment and establishing a hot-cutover plan is the key prerequisite to migrating Hemet PD to the PSEC system.

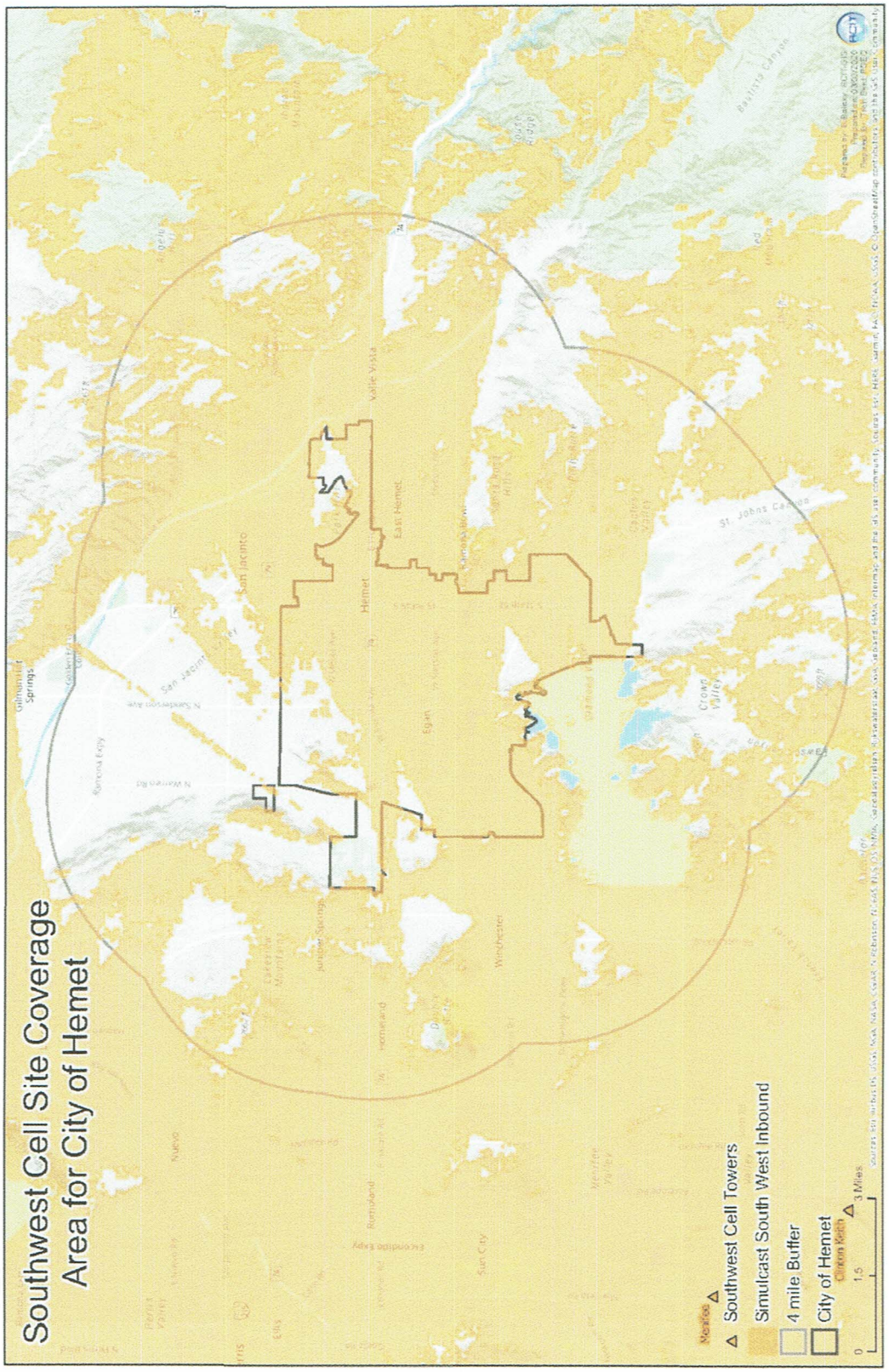
APPENDIX

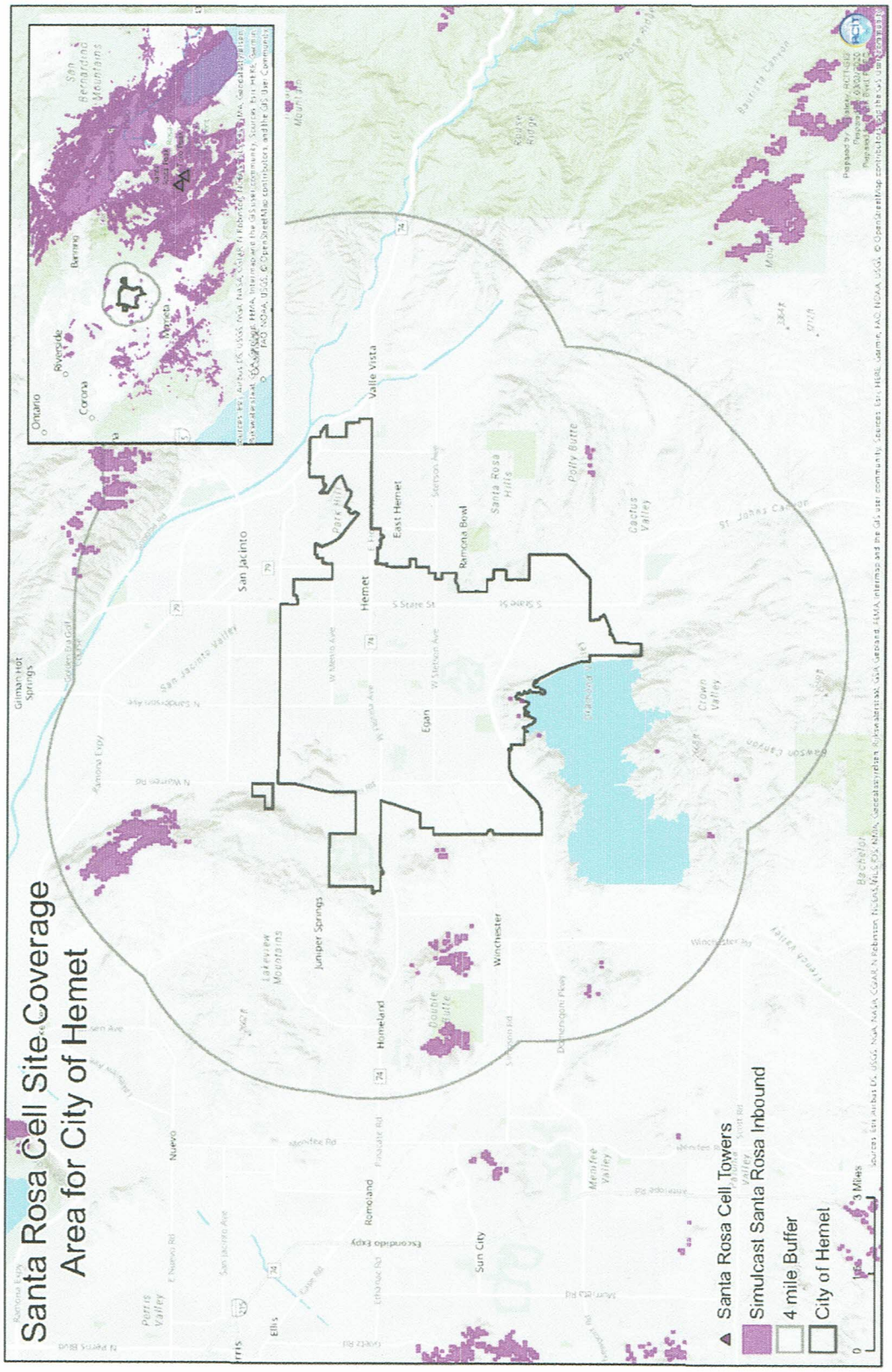
PSEC Coverage maps and System Utilization Data


Coverage Area for City of Hemet: Red Mt, Santa Rosa, Southwest, San Jacinto
Red Mt Cell Tower
Santa Rosa Cell Towers
Southwest Cell Towers
San Jacinto Cell Towers
Red Mountain Inbound
Smulcast Santa Rosa Inbound
Smulcast South West Inbound
Smulcast San Jacinto Inbound
4 mile Buffer
City of Hemet
Ranger Peak
North Mt.
Homeland
Winchester
Romoland
Sun City
Menifee
Clinton Keith
Red Mountain
0
1.5
3 Miles


San Jacinto Cell Site Coverage
Area for City of Hemet
San Jacinto Cell Towers
Simulcast San Jacinto Inbound
4 mile Buffer
City of Hemet
Hemet
San Jacinto
Homeland
Winchester
Perris
Nuevo
Romoland
Sun City
Menifee Valley
Valle Vista
East Hemet
Ramona Bowl
Santa Rosa Hills
Polly Butte
Cactus Valley
Juniper Springs
Lakeview Mountains
Egan
Ellis
Perris Valley
Gilman Hot Springs
Ranger Peak
North Mt.
San Jacinto Valley
Ramona Expy
Escondido Expy
S State St
W Stetson Ave
Winchester Rd
Sanderson Ave
Menifee Rd
Sycamore Canyon
Miles


Red Mountain Coverage
Area for City of Hemet
Red Mt Cell Tower
Red Mountain Inbound Coverage Area
4 mile Buffer
City of Hemet
0
1.5
3 Miles
Red Mountain
Valle Vista
Hemet
San Jacinto
Ramona Bowl
Santa Rosa Hills
Polly Butte
Juniper Springs
Winchester
Homeland
Nuevo
Romoland
Sun City
Perris
Ellis


Southwest Cell Site Coverage
Area for City of Hemet
Southwest Cell Towers
Simulcast South West Inbound
4 mile Buffer
City of Hemet
0
1.5
3 Miles


Santa Rosa Cell Site Coverage
Area for City of Hemet
Santa Rosa Cell Towers
Simulcast Santa Rosa Inbound
4 mile Buffer
City of Hemet
Hemet
San Jacinto
Valle Vista
East Hemet
Ramona Bowl
Egan
Juniper Springs
Winchester
Homeland
Romoland
Sun City
Nuevo
Ellis
Gilman Hot Springs
Santa Rosa Hills
Polly Butte
Cactus Valley
Crown Valley
Lakeview Mountains
Double Butte
Menifee Valley
Perris Valley
Ontario
Riverside
Corona
Barrington
San Bernardino Mountains
Mapleta
Rouse Ridge
Bachelor
Rawson Canyon
St. Johns Canyon
Park Hill
Escondido Expy
Ramona Expy
Sterson Ave
S State St
W Stetson Ave
Winchester Rd
Domenigoni Pkwy
Ethanac Rd
Menifee Rd
Pinacate Rd
Sanderson Ave
N Warren Rd
Ramona Expy
Gilman Hot Springs
Ellis
Nuevo
Perris Valley
Sun City
Menifee Valley
Crown Valley
Cactus Valley
Santa Rosa Hills
Rouse Ridge
Bachelor
Rawson Canyon
St. Johns Canyon
Bautista Canyon
Mountain
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community
0
1
3 Miles

Site Utilization - GoS (Auto Busy Hour) SAN JACINTO OCT 2018 to NOV 2019

System	RFSS	Site
ALL	ALL	ALL

Start Date: 10/01/2018 12:00 AM
End Date: 11/01/2018 12:00 AM

Target GoS: 2%
Passive Airtime: Included
cptbl Busy Wait: 3 Seconds

Site Alias	Busy Hour	Call Requests	Requested Time (Secs)	Resource Busies	Resource Busy Time (Secs)	Resource Busy Avg (Secs)	Unacceptable Busies	Unacceptable Busy Time (Secs)	Voice Channels	Offered Load (Er.)	Actual GoS
JAN	01/23/2019 10:00 AM	917	13,666.8	0	1.0	0.3	0	0.0	5	3.80	0.0000%
FEB	02/19/2019 03:00 PM	1,035	16,171.1	0	5.1	0.5	0	0.0	5	4.49	0.0000%
MAR	03/07/2019 03:00 PM	1,012	14,638.8	0	13.5	0.6	1	0.0	5	4.07	0.0988%
APR	04/23/2019 12:00 PM	936	14,322.7	0	7.8	1.3	1	0.0	5	3.98	0.1068%
MAY	05/29/2019 12:00 PM	1,121	14,917.8	3	16.6	1.0	1	3.5	5	4.14	0.0892%
JUNE	06/05/2019 09:00 AM	1,117	16,822.3	3	22.6	1.1	1	13.3	5	4.67	0.0895%
JULY	07/11/2019 10:00 AM	957	14,953.6	7	71.3	1.0	7	32.3	5	4.15	0.7315%
AUG	08/15/2019 09:00 AM	962	15,238.6	2	40.0	0.6	2	8.4	5	4.23	0.2079%
SEP	09/24/2019 01:00 PM	1,201	17,356.7	2	118.4	1.0	7	40.9	5	4.82	0.5828%
OCT	10/10/2019 02:00 PM	957	16,025.8	3	81.4	1.1	7	0.0	5	4.45	0.7315%
NOV	11/06/2019 11:00 AM	1,118	16,916.8	13	6.2	0.5	0	0.0	5	4.70	0.0000%
DEC		-	-	0	0.0	0.0	0	0.0	0	0.00	0.0000%
		14,230	**214,208**	**35**	**400**	**11.4**	**28**	**102**	**70**		
Mt. David (SJ)	10/24/2018 10:00 AM	1,032	14,562.3	0	4.4	0.4	0	0.0	5	4.05	#REF!

Site Utilization - GoS (Auto Busy Hour) SOUTHWEST OCT 2018 to NOV 2019

System	RFSS	Site
ALL	ALL	ALL

Target GoS: 2%
Start Date: 10/01/2018 12:00 AM
Passive Airtime: Included
End Date: 11/01/2018 12:00 AM
Acptbl Busy Wait: 3 Seconds

Site Alias	Busy Hour	Call Requests	Requested Time (Secs)	Resource Busies	Resource Busy Time (Secs)	Resource Busy Avg (Secs)	Unacceptable Busies	Unacceptable Busy Time (Secs)	Voice Channels	Offered Load (Er.)	Site Utilization	Actual GoS	Statistical GoS
OCT	10/23/2018 11:00 AM	909	14,580.7	0	2.0	0.4	0	0.0	5	4.05	81.00%	0.0000%	48.0267%
NOV	11/07/2018 02:00 PM	761	11,987.7	0	0.5	0.5	0	0.0	5	3.33	66.60%	0.0000%	23.6938%
DEC	12/12/2018 07:00 PM	954	14,579.1	1	4.1	0.8	0	0.0	5	4.05	81.00%	0.0000%	47.5866%
JAN	01/17/2019 02:00 PM	877	14,007.0	0	0.4	0.4	0	0.0	5	3.89	77.82%	0.0000%	41.6349%
FEB	02/15/2019 10:00 AM	967	15,266.0	0	1.1	0.6	0	0.0	5	4.24	84.81%	0.0000%	56.3113%
MAR	03/20/2019 01:00 PM	918	13,334.3	0	2.4	0.5	0	0.0	5	3.70	74.08%	0.0000%	34.1026%
APR	04/11/2019 12:00 PM	1,023	14,117.7	2	7.3	0.7	0	0.0	5	3.92	78.43%	0.0000%	41.4709%
MAY	05/29/2019 12:00 PM	1,052	14,657.8	0	4.2	0.4	0	0.0	5	4.07	81.43%	0.0000%	47.6596%
JUNE	06/05/2019 02:00 PM	1,003	15,720.3	1	24.2	1.2	1	14.7	5	4.37	87.34%	0.0997%	62.3625%
JULY	07/11/2019 10:00 AM	884	13,814.3	2	1.0	0.5	0	0.0	5	3.84	76.75%	0.0000%	39.4451%
AUG	08/21/2019 09:00 AM	1,039	13,765.9	1	5.2	0.7	0	0.0	5	3.82	76.48%	0.0000%	37.4065%
SEP	09/11/2019 01:00 PM	996	14,815.6	1	6.2	0.6	0	0.0	5	4.12	82.31%	0.0000%	50.1530%
OCT	10/10/2019 02:00 PM	797	13,898.3	0	21.1	1.6	0	16.5	5	3.86	77.21%	0.0000%	41.2345%
NOV	11/06/2019 10:00 AM	853	14,579.6	2	0.5	0.3	0	0.0	5	4.05	81.00%	0.0000%	48.5418%
DEC		-	-	0	0.0	0.0	0	0.0	0	0.00	0.00%	0.0000%	0.0000%
		13,033	199,124	10	80	8.0	1	31	70				

Site Utilization - GoS (Auto Busy Hour) RED OCT 2018 to NOV 2019

System	RFSS	Site
ALL	ALL	ALL

Start Date: 10/01/2018 12:00 AM
End Date: 11/01/2018 12:00 AM

Target GoS: 2%
Passive Airtime: Included
Acptbl Busy Wait: 3 Seconds

MONTH	Busy Hour	Call Requests	Requested Time (Secs)	Resource Busies	Resource Busy Time (Secs)	Resource Busy Avg (Secs)	Unacceptable Busies	Unacceptable Busy Time (Secs)	Voice Channels	Offered Load (Er.)	Site Utilization	Actual GoS	Statistical GoS
OCT	10/30/2018 10:00 AM	126	2,089.0	0	0.0	0.0	0	0.0	2	0.58	29.01%	0.0000%	10.0934%
NOV	11/27/2018 02:00 PM	174	2,352.0	1	5.0	5.0	1	5.0	2	0.65	32.67%	0.5747%	11.9310%
DEC	12/12/2018 07:00 PM	164	3,147.2	0	0.0	0.0	0	0.0	2	0.87	43.71%	0.0000%	22.2993%
JAN	01/12/2019 07:00 PM	176	2,753.1	0	0.0	0.0	0	0.0	2	0.76	38.24%	0.0000%	16.6916%
FEB	02/19/2019 04:00 PM	175	3,123.6	0	0.0	0.0	0	0.0	2	0.87	43.38%	0.0000%	21.7032%
MAR	03/18/2019 09:00 PM	135	2,046.8	0	0.0	0.0	0	0.0	2	0.57	28.43%	0.0000%	9.4809%
APR	04/03/2019 03:00 PM	165	2,456.5	0	0.0	0.0	0	0.0	2	0.68	34.12%	0.0000%	13.3107%
MAY	05/29/2019 01:00 PM	494	3,989.0	12	6.0	0.5	0	0.0	2	1.11	55.40%	0.0000%	28.3608%
JUNE	06/05/2019 04:00 PM	245	5,018.1	5	5.1	1.0	1	3.3	2	1.39	69.70%	0.4082%	52.3864%
JULY	07/25/2019 09:00 AM	248	3,982.8	2	3.0	1.5	0	0.0	2	1.11	55.32%	0.0000%	33.3444%
AUG	08/10/2019 12:00 PM	185	2,909.3	0	0.0	0.0	0	0.0	2	0.81	40.41%	0.0000%	18.5271%
SEP	09/27/2019 08:00 PM	189	4,281.1	0	0.0	0.0	0	0.0	2	1.19	59.46%	0.0000%	39.8279%
OCT	10/09/2019 09:00 AM	199	3,302.4	1	0.4	0.4	0	0.0	2	0.92	45.87%	0.0000%	23.7174%
NOV	11/06/2019 11:00 AM	229	4,736.6	4	2.2	0.6	0	0.0	2	1.32	65.79%	0.0000%	47.2767%
DEC	-	-	-	0	0.0	0.0	0	0.0	0	0.00	0.00%	0.0000%	0.0000%
		2,704	44,188	25	22	0.9	2	8	28				

PSEC Use Agreement for
Emergency use with
City of Hemet Fire Department

PSEC USE AGREEMENT

This Use Agreement ("Agreement") is made and entered into this 1st day of February 2021 by and between the County of Riverside, a political subdivision of the State of California ("COUNTY"), and the City of Hemet Fire Department ("AGENCY"), collectively "the Parties."

RECITALS

WHEREAS, COUNTY operates, manages and maintains the Public Safety Enterprise Communication System ("PSEC System") and all infrastructure equipment utilized to support "subscribers" on the PSEC System; Maintenance of subscriber equipment i.e. consoles, handheld radios, mobiles radios, are not part of the subscriber monthly rate. If Agency chooses to utilize PSEC for maintenance, AGENCY will be required to enter into a separate agreement.

WHEREAS, AGENCY desires to use the PSEC System, in compliance with the terms of this Agreement and without ever hindering the functionality or operation of the PSEC System;

WHEREAS, COUNTY is willing to grant AGENCY a limited license to access and use the PSEC System.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COUNTY and AGENCY agree as follows:

I. Use Granted

Subject to and conditioned on AGENCY's payment of the fees and compliance and performance in accordance with the terms and conditions of this Agreement, COUNTY grants to AGENCY and AGENCY hereby accepts a limited, nonexclusive, nontransferable, and non-assignable license (mobile or portable radios or dispatch console) to access and use, solely during the terms, as defined in Exhibit C which is attached and incorporated herein, the PSEC System, at COUNTY's sole and exclusive discretion. Subject to the COUNTY's approval, AGENCY may choose to add additional subscribers to the system. Additional subscribers may impact the system's capacity thereby requiring the system to be expanded. Any system expansion costs incurred to support the additional subscribers will be billed to the AGENCY.

The County of Riverside Board of Supervisors (the "Board") retains ultimate legal and financial authority over the PSEC System; however, the Board, through the PSEC Charter, has delegated administrative, operational and financial control to the PSEC Steering Committee. The PSEC Steering Committee provides governance and financial accountability. AGENCY agrees and acknowledges that AGENCY shall always be in compliance with the terms of this Agreement and never hinder the functionality or operation of the PSEC System. Users of the PSEC system will abide by the direction/guidance provided by the PSEC Steering Committee. Supervision over the provision of COUNTY services, the standards of performance and other matters incident

to the performance of such services, shall remain with the COUNTY at all times. The full PSEC Governance Charter is available upon request.

II. Period of Performance

The initial term of this Agreement shall commence on February 1, 2021 and expire on June 30, 2025 (the "Initial Term"), unless earlier terminated. Absent a written notice of termination pursuant to section IV below, this Agreement shall automatically renew in five (5) year increments (each a "Renewal Term"), subject to approval by the COUNTY's Board of Supervisors. The rates payable by AGENCY during a Renewal Term is defined in Section III of this Agreement.

III. Payment

PSEC System rates are reviewed and approved annually by the Board, with changes taking effect automatically on July 1 of each year. On July 1 of every year, the rates for PSEC System use and maintenance under this Agreement will automatically adjust based upon these new rates, in accordance with Riverside County PSEC Rate Guide, which is attached as Exhibit A and incorporated herein by this reference.

COUNTY shall invoice AGENCY each month for AGENCY's use of the PSEC System. Payment shall be due on the first day of each calendar month during the term of this Agreement. In the event AGENCY fails to make its monthly payment within thirty (30) days after the due date, a non-refundable late fee of three hundred dollars ($300.00) shall apply.

IV. Termination

Termination by COUNTY: COUNTY may terminate this Agreement without cause upon 90 days written notice served upon AGENCY stating the extent and effective date of termination. Further, COUNTY shall have the right to immediately terminate this Agreement if AGENCY: files for voluntary or involuntary bankruptcy for the adjudication of Agency as a debtor; makes a general assignment, or AGENCY's interest hereunder is assigned involuntarily or by operation of law, for the benefit of creditors; fails to comply with the terms of this Agreement; or fails to comply with applicable law. AGENCY shall have thirty (30) days to cure any default, to the satisfaction of COUNTY, AGENCY's breach or default under this Agreement after written notice from the COUNTY.

Termination by AGENCY: This Agreement may be terminated by AGENCY without cause, provided that AGENCY has given at least ninety (90) days' prior written notice. Upon expiration or termination of this Agreement, all rights, licenses, consents and authorizations granted by COUNTY to AGENCY shall immediately terminate, and COUNTY may disable all access to the PSEC System.

V. Restrictions

The Use granted herein is for AGENCY, and AGENCY only. AGENCY shall not permit any other individual or entity to, access or use the license except as expressly permitted in this Agreement. Specifically, AGENCY shall not:

A. Enter into a separate agreement that provides any third-party access to the PSEC Radio System;

B. Rent, lease, lend, sell, sublicense, assign, distribute, publish, transfer, or make available in any manner or form any part of this license, or access to and/or use of the PSEC System;

C. Access or use the PSEC System in any manner, or for any purpose that infringes, misappropriates or otherwise violates any intellectual property right or other right of any third party (including by any unauthorized access to, misappropriation, use, alteration, destruction or disclosure of any information obtained through the PSEC System), or that violates any applicable law;

D. Bypass any security device or protection used to access the PSEC System, or access the PSEC System through any means other than by valid access credentials;

E. Damage, destroy, disrupt, disable, impair, interfere with or otherwise impede or harm in any manner the PSEC System, including but not limited to, interference with the COUNTY's access to or use of the PSEC System;

F. Otherwise access or use the Services beyond the scope of the authorization granted under Section I of this Agreement.

VI. Indemnification

AGENCY shall indemnify and hold harmless the County of Riverside, its Agencies, Districts, Special Districts and Departments, their respective directors, officers, Board of Supervisors, elected and appointed officials, employees, agents and representatives (individually and collectively hereinafter referred to as Indemnitees) from any liability, action, claim or damage whatsoever, based or asserted upon any access and/or use of the PSEC System by AGENCY, its officers, employees, subcontractors, agents or representatives arising out of or in any way relating to this Agreement, including but not limited to property damage, bodily injury, or death or any other element of any kind or nature. AGENCY shall defend the Indemnitees at its sole expense including all costs and fees (including, but not limited, to attorney fees, cost of investigation, defense and settlements or awards) in any claim or action based upon such acts, omissions or services. With respect to any action or claim subject to indemnification herein by AGENCY, AGENCY shall, at its sole cost, have the right to use counsel of its own choice and shall have the right to adjust, settle, or compromise any such action or claim without the prior consent of the County of Riverside; provided, however, that any such adjustment, settlement or compromise in no manner whatsoever limits or circumscribes AGENCY's indemnification to Indemnitees as set forth herein

VII. Coverage Performance

The PSEC system provides extensive and robust coverage across Riverside County. However due to the nature of radio systems (i.e. variation in geography, location in relation to PSEC radio sites, time dependent obstructions, radio performance and many other factors) coverage cannot be guaranteed for every location within the County. Coverage performance also cannot be guaranteed within buildings. AGENCY will perform radio tests of the system to verify their coverage needs will be met prior to onboarding onto the system. By onboarding onto the PSEC system, AGENCY chooses to accept the PSEC Radio System coverage as-is. If coverage expansion is requested by the AGENCY, any associated costs will be at the AGENCY's expense.

VIII. Miscellaneous

A. Nothing in this Agreement shall be construed to create a partnership, joint venture or agency relationship between the parties.

B. County's Representative: COUNTY appoints its Chief Information Officer and the PSEC Steering Committee Chairman, as its authorized representatives to administer this Agreement.

C. Notices: Notices required or given by either party shall be to the following:

COUNTY:	**AGENCY**
County of Riverside, PSEC Delano Anderson, ITM 7195 Alessandro Blvd., Suite A Riverside, CA 92506 DAnderson@rivco.org (951) 955-0570	Greg Lloyd, Battalion Chief 510 E. Florida Avenue Hemet, CA 92543 glloyd@cityofhemet.org (951) 692-5502

D. AGENCY shall not delegate or assign any interest in this Agreement, whether by operation of law or otherwise, without the prior written consent of COUNTY. Any attempt to delegate or assign any interest herein shall be deemed void and of no force or effect.

E. Any waiver by COUNTY of any breach of any one or more of the terms of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or of any other term of this Agreement. Failure on the part of COUNTY to require exact, full, and complete compliance with any terms of this Agreement shall not be construed as in any manner changing the terms or preventing COUNTY from enforcement of the terms of this Agreement.

F. AGENCY shall comply with all applicable Federal, State and local laws and regulations. AGENCY will comply with all applicable COUNTY policies and procedures. In the event there is a conflict between the various laws or regulations that may apply, the AGENCY shall comply with the more restrictive law or regulation.

G. This Agreement shall be governed by the laws of the State of California. Any legal action related to the performance or interpretation of this Agreement shall be filed only in the Superior Court of the State of California located in Riverside, California, and the parties waive any provision of law providing for a change of venue to another location. In the event any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

H. This Agreement, including any attachments or exhibits, constitutes the entire Agreement of the parties with respect to its subject matter and supersedes all prior and contemporaneous representations, proposals, discussions and communications, whether oral or in writing. This Agreement may be changed or modified only by a written amendment signed by authorized representatives of both parties. ACV

IX. Maintenance

I. County will maintain all PSEC infrastructure. Maintenance of any additional equipment including but not limited to AGENCY's consoles and subscriber equipment will be covered in Exhibit B Support and Maintenance.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Agreement.

COUNTY:
COUNTY OF RIVERSIDE

By:_____
Name: Dave Rogers
Title: Assistant County Executive Officer/CIO

Dated:_____

By:_____
Name: Chet Ashbaugh
Title: PSEC Chairman

Dated:_____

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

By: _____
Lisa Sanchez
Deputy County Counsel

Dated:_____

AGENCY:
CITY OF HEMER FIRE DEPARTMEMT

By:_____
Name:
Title:

Date:_____

EXHIBIT A

INITIAL SET UP COSTS AND PSEC BOARD APPROVED RATES

Initial mandatory setup services are billed at the approved time and material rates in accordance with the Riverside County PSEC Rate Guide below.

- Engraving radio ID and asset information onto radio to facilitate tracking and prevent ID duplication within the PSEC radio provisioning system.
- Installation, programming, and testing of radio, console or consolette will be billed at *Radio Technician Expert Time* rate, as applicable.
- Codeplug creation, activating radio, console or consolette for use on the System, and activating encryption is billed at *Radio Technician* and/or *Radio Engineering Expert Time* rate.

Any future radio additions (i.e. adding additional radios) will also be billed at *Radio Technician and/or Radio Engineer Expert Time*.

Costs shown below are an estimation of actual costs to be incurred. Services will be billed at actual time spent to complete each service.

PSEC Radio SystemCost Estimate: City of Hemet Fire Department					
				City of Hemet Subscriber User Count:	65
				City of Hemet Console User Count:	0
Function and Activities	**Rate Description**	**Rate**	**Estimated Labor Time**	**Qty**	**Total**
Engineering Fleetmap Development	Engineering Expert Time	$112.46	2 Hours	2	$224.92
Provisioning Manager/KMF/UNS Time for putting units into ALL Systems	Engineering Expert Time	$112.46	15 mins per radio	16	$1,827.48
Provisioning Manager Licensing Fee per User	License Fee	$14.00	N/A	65	$910.00
Radio Technician Codeplug creation	Technician Expert Time	$68.43	Not to exceed 40 hours	40	$2,737.20
Radio Technician Programming	Technician Expert Time	$68.43	Not to exceed 30 hours	30	$2,052.90
Administrative Cost	Use Ageement	n/a	N/A	n/a	$500.00
				Contingency 10%	$569.96
				Total One-Time Cost	**$8,252.50**
				Total One-Time Cost with Contingency	**$8,822.45**

The published rate guide reflects a cost of $29.87 for each emergency radio user (listed as communication device) for Fiscal year 20/21.

SERVICE DESCRIPTION	DEFINITION	FY 20/21 RATE	UNIT
Data			
Modem - HPD	HPD: High Performance Data Radio	$150.87	Per Modem per Month
Subscriber			
Device - Emergency radio	Monthly charges for emergency radio use	$29.87	Per Device per Month
Device - Holiday radio	Monthly charges for holiday rate radio use	$32.96	Per Device per Month
Device - Communication device	Monthly charges for the based consolette, consoles, mobile and portable radio unit	$167.42	Per Device per Month
Vehicle			
Vehicle Repairs	Material and Shipping	Actual Cost (Shipping & Materials)	
Technician			
Technician Expert Time (during business hours)	Hourly shop and field radio, infrastructure, and microwave repair rate	$68.43	Per Hour
Technician Expert Time (after business hours)	After hours (overtime) shop and field radio, infrastructure, and microwave repair rate	$71.46	Per Hour
Microwave and Site			
Rack	Set rate for monthly full rack mount charge	$523.56	Per Month
Half Rack	Set rate for monthly half rack mount charge	$261.78	Per Month
Floor Space	Set rate for monthly square footage charge excluding rack space	$523.56	Per Month
Antenna Mounted Lower	Set rate for monthly LMR antenna lower	$300.00	Position of the antenna per month
Antenna Mounted Middle	Set rate for monthly LMR antenna middle	$600.00	Position of the antenna per month
Antenna Mounted Top	Set rate for monthly LMR antenna top	$900.00	Position of the antenna per month
Mile-T1	Monthly charge per T1 circuit mile	$13.74	Per mile per month
Mile-Analog	Monthly charge per analog circuit mile for microwave transmission	$0.89	Per mile per month
Application Fee	Application fee for FCC licensing or for permits	Actual Cost	Per application
Technology Engineering			
Engineering Expert Time	Hourly rate to design, implement and/or maintain radio communication networks and infrastructure of Countywide Communication facilities	$112.46	Per Hour
Engineering Expert Time - Overtime	Weekend or after-hours rate to design, implement and/or maintain radio communication networks and infrastructure of Countywide Communication facilities	$118.05	Per Hour

EXHIBIT B

SUPPORT AND MAINTENANCE

1. COUNTY maintenance and support of AGENCY's fleet of subscriber equipment will include the services listed below as part of the monthly subscriber rate paid to the COUNTY. AGENCY is responsible for scheduling all maintenance and for transporting radios to PSEC facility

   Radios/Consoles

   - Firmware/Software upgrades mandated by PSEC
   - County initiated codeplug updates*

   Any radio or console repairs not covered by a separate subscriber (consoles/radios) maintenance agreement with PSEC, will be billed at the Board Approved Rate. If parts are needed as part of the repair, all parts will be billable.

   Any AGENCY driven changes, including console configuration files (ELT)/codeplug modifications, will be billed on a time & material basis per board approved rates. Items not listed as covered under this Agreement will be subject to additional cost one a time and material basis per Board approved rates.

2. Any changes to ELT/code plugs shall be reviewed by COUNTY to ensure no adverse impact on the overall system.

3. AGENCY and COUNTY will coordinate all firmware and software upgrades of subscribers (portable, mobile or consoles) prior to AGENCY action. AGENCY is responsible for ensuring that all console and subscriber equipment firmware and software version remains compatible with the current and future PSEC system release versions. Any upgrades and/or replacement of console or subscriber equipment to maintain combability with the PSEC system is the sole responsibility of the AGENCY.

4. Encryption key may be changed by COUNTY when required.

5. If radio is lost or stolen, and agency chooses to deactivate the radio, contact can be made 24x7 to PSEC's on-call technicians. On-call contact information is distributed to all PSEC customers on a weekly basis.

6. The COUNTY utilizes over-the-air tools to evaluate whether radios operating on the system are doing so within their factory rated specifications. Subscribers that operate outside of the factory specification

tolerance can cause interference and degrade audio quality performance on the radio system. The COUNTY will notify the AGENCY of radios that are performing outside of their factory rated specifications and the AGENCY will be required to have radio serviced with their service provider prior to impacting the system or system users. If a subscriber piece of equipment is determined to be detrimental to the system or other PSEC user(s) the equipment will be removed and or deactivated from the system.

7. AGENCY must maintain an updated record of subscriber/Console firmware and software changes.

8. PSEC Facility Maintenance Operations

   Subscriber repair covered under a separate agreement will be may be provided during normal business hours at one of the three PSEC radio shops. Drop off service for portable and mobile radios is available during normal business hours on appointment basis only. Radio shop contact information is listed below.

   - **7195 Alessandro Blvd., Riverside, CA 92506**
     - ☎ (951) 955-3644
   - **82695 Dr. Carreon Blvd., Indio, CA 92201**
     - ☎ (760) 863-8999
   - **249 N. Spring Street, Blythe, CA 92225**
     - ☎ (760) 921-5087 or (760) 921-5079

   Normal business hours are: Mon - Thurs 7:00 a.m. to 4:30 p.m. and Friday 7:00 a.m. to 3:30 p.m. excluding holidays. PSEC does have 24x7 maintenance technicians available for emergency repairs. Contact can be made to PSEC's on-call technicians. On-call contact information is distributed to all PSEC customers on a weekly basis.

9. COUNTY does not keep cache spares. AGENCY should have spares in the event equipment cannot be repaired in shop and may need to be shipped back and/or there is a prolonged waiting period for factory repair.

10. ADDITIONAL EQUIPMENT PURCHASES AND FEES

    Additional equipment purchases are considered any equipment purchases/orders/added after the signing of the Agreement.

Additional equipment purchases, the initial mandatory setup fee and future AGENCY requested changes (i.e. ELT/code Plug changes driven by the Agency) are not included in the monthly subscriber rate and will be invoiced separately.

All radios purchased will require an Advanced System Key (ASK) feature. This includes Motorola, Harris, EF Johnson and any others.

- All radios purchased to operate on PSEC System must have hardware system key enabled and COUNTY will be the keeper of that key.
- All radio types and/or manufacturers must be pre-approved to come on the PSEC System by COUNTY prior to purchase.

11. APPROVED EQUIPMENT as of January 1, 2021:

The following equipment has been approved by COUNTY for use on the PSEC Radio System:

- Motorola MCC7500
- Motorola APX Consolette
- Motorola APX Series 4000 Portables
- Motorola APX Series 6000 Mobiles and Portables
- Motorola APX Series 7000 Mobiles and Portables
- Motorola APX Series 8000 Portables and Mobiles
- Harris XL-200 (Firmware Version R06E06)
- Harris Unity (Firmware version-XGPRO6K07 _XG100P) (No Failsoft operation)
- Kenwood VP 6430
- Kenwood VP5430
- Kenwood NX5400
- Kenwood VP 900

All equipment to be used on the PSEC System MUST be pre-approved by COUNTY prior to operation on the System.

Although the COUNTY has evaluated the provided list of approved subscribers for System compatibility, the COUNTY is not responsible for any issues encountered by AGENCY with these subscribers that are deemed to be a manufacturer issue.

It is the responsibility of the AGENCY to test manufacturer subscribers, not included on the approved list, and obtain assurance from the manufacturer that their subscribers can operate on the PSEC Radio System per the AGENCY's and COUNTY's requirements. AGENCY may request the COUNTY to test other manufacturer's equipment to be used on the PSEC Radio System, depending on the level of testing required these services may be billed at the Board approved rates.

12. CALL OUTS

- COUNTY shall provide 24-hour service support for COUNTY maintained and operated infrastructure related issues and equipment.
- AGENCY owned infrastructure issues and equipment are the responsibility of the AGENCY. After-hours call out radio repair service that is not covered by a separate agreement for single subscriber issues must be deemed an emergency and will be billed at the board approved rate
- If AGENCY has a need for after-hours radio repair service, that service will be billed at a time and material rate in accordance within EXHIBIT A "INITIAL SET UP COSTS AND PSEC BOARD APPROVED RATES".

13. SPECIAL PROVISIONS

- If AGENCY wants to program their own radios, they must sign the Advanced System Key (ASK) agreement.
- AGENCY does not have the authority to program radio subscriber equipment for other agencies, including Federal agencies, without previous authorization from PSEC.
- This Agreement only authorizes devices that are APCO P25 Phase II TDMA (time division multiple access) compliant. FDMA (frequency division multiple access) radios are not authorized on the PSEC Radio System.

EXHIBIT C

STATEMENT OF WORK

This Statement of Work between the AGENCY and COUNTY describes the duties of each of the parties.

The AGENCY is requesting to join the PSEC Radio System as an emergency user only with a total of 65 AGENCY owned subscribers. As an emergency user, AGENCY shall not use the system for day to day operations. AGENCY shall only use the PSEC system for Emergency Communications. PSEC will periodically assess the AGENCY's use of the system. Should PSEC, in its sole discretion, determine that the AGENCY has used the PSEC system for non-Emergency Communications, the AGENCY will be subject to the full-time user rate of the given fiscal year.

The AGENCY's area of operation will be covered by the San Jacinto Simulcast cells. The coverage provided by the PSEC Radio System is "as is". This agreement does not provide any coverage guarantees. It is the responsibility of the AGENCY to test their area of operation and determine if it meets their needs prior to joining the PSEC Radio System.

COUNTY will develop the fleet map, review vendor created codeplug, and activate the ID's on the network for AGENCY. These costs are listed in the Cost Estimate Table in EXHIBIT A. "INITIAL SET UP COSTS AND PSEC BOARD APPROVED RATES" of this Agreement.

Talkgroups

AGENCY will follow the COUNTY'S naming convention for talkgroup development. COUNTY will work in conjunction with AGENCY to develop the talkgroup structure for the AGENCY. COUNTY and AGENCY will jointly design and develop radio personalities for use on the PSEC system.

AGENCY represents by entering into this Agreement, that all their equipment conforms to the specifications of the PSEC System and AGENCY will abide by all programming guidelines set forth in this Agreement. All subscriber equipment on the PSEC System must support system key technology that will allow only authorized persons to program subscriber radios on the system.

County Responsibilities:

- COUNTY will hold the license for all master system key technologies and will provide child keys to AGENCY for radio programming.

- All subscribers (mobile, portable, and consolette) Logical Identification Numbers (LID) are defined and issued by the COUNTY. LID numbers are the intellectual property of the COUNTY and must be surrendered at termination of this agreement.
- COUNTY will engrave all portables and mobiles with PSEC Trunked radio unit IDs.

Agency Responsibilities:

- AGENCY agrees that all their equipment conforms to the specifications of the PSEC system and will abide by all programming guidelines set forth.

- All subscriber equipment on the PSEC System must support Advanced System Key technology that will allow only authorized persons to program subscriber radios on the system.

- AGENCY is solely responsible for procuring all equipment and services related to implementing their dispatch centers.

CITY OF HEMET
Hemet, California
RESOLUTION NO. 2021-XXX

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH RIVERSIDE COUNTY PUBLIC SAFETY ENTERPRISE COMMUNICATION SYSTEM TO PROVIDE PRIMARY PUBLIC SAFETY RADIO COMMUNICATION SERVICES FOR THE HEMET POLICE DEPARTMENT AND AN AGREEMENT TO PROVIDE EMERGENCY RADIO COMMUNICATION SERVICES TO THE HEMET FIRE DEPARTMENT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THESE AGREEMENTS AND PURCHASE ORDERS IN SUPPORT OF THE AGREEMENTS.

WHEREAS, the City of Hemet has maintained a public safety radio system for many decades.

WHEREAS, the current public radio system is end of life and experiencing multiple system failures resulting in radio down time for public safety departments.

WHEREAS, a fully functional radio system is essential to delivering public safety services to the residents of the City of Hemet.

WHEREAS, the City of Hemet Police and Fire Departments assessed radio system options and found that the Riverside County Public Enterprise Communication System (PSEC) offered the best option to replace the current radio system.

WHEREAS, the County of Riverside offers Police and Fire agencies to access the PSEC network on a subscription basis with a per radio monthly rate.

WHEREAS, the County of Riverside has extended the City of Hemet a 5-year incentive rate to join at an increasing rate of 25% per year with FY 20/21 representing 0% cost, FY 21/22 being 25% of fully burdened cost, FY 22/23

being 50%, FY 23/24 at 75% and FY 24/25 being 100% of the fully burdened rate at the time for the Hemet Police Department.

WHEREAS, PSEC technicians and engineers will be required to assist the City of Hemet in transitioning to PSEC at a cost of $14,957.49 for the Police Department and $8,822.45.

NOW, THERFORE, THE CITY COUNCIL OF THE CITY OF HEMET DOES HEREBY FIND AND RESOLVE: that the City Council approve the award of contracts to the County of Riverside Public Safety Enterprise Communication System in an amount not to exceed $14,957.49 for services to facilitate system transition for police and $8,822.45 for fire and a monthly per radio subscription fee not to exceed $167.42 for police and $29.87 for fire and authorize the City Manager to execute these Agreements and purchase orders in support of the Agreements.

PASSED, APPROVED AND ADOPTED this ___ day of _____ 2021.

_____
Karlee Meyer, Mayor

ATTEST:

_____
Daryl Betancur, City Clerk

State of California)
County of Riverside)
City of Hemet)

I, Daryl Betancur, City Clerk of the City of Hemet, do hereby certify that the foregoing resolution was adopted by the Hemet City Council on the ___ day of _____, 2021, and was passed by the following vote:

AYES: Council Members:
NOES: Council Member:
ABSTAIN: Council Member:
ABSENT: Council Member:

_____
Daryl Betancur, City Clerk

EXHIBIT A

City of Hemet
City Council Meeting

STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Police Department
Submitted by: Christopher Lopez, City Manager
Eddie Pust, Police Chief;

☐ **Receive and File** ☒ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

A Resolution Awarding a Contract to Purchase 6 Motorola MCC7500e Dispatch Consoles, Supporting Equipment, and Warranty to Motorola Solutions in an Amount not to Exceed $1,351,096.80 and Authorizing the City Manager to Execute the Agreement and Purchase Orders in Support of the Agreement

RECOMMENDED ACTION:

It is respectfully recommended that the City Council adopt a Resolution awarding a contract to purchase 6 Motorola MCC7500e dispatch consoles and supporting equipment to Motorola Solutions in an amount not to exceed $1,351,096.80 and authorizing the City Manager to execute the agreement and purchase orders in support of the agreement.

BACKGROUND:

The Hemet Police and Fire Department have deployed an independent radio system for decades. Our current land mobile radio (LMR) system covers most of the Hemet/San Jacinto Valley through Very High Frequency (VHF) transmissions. The system is currently maintained by City of Hemet Information Technology personnel with assistance from the Hemet Police Department Support Services Manager. This radio system has not been under a warranty or covered by a professional maintenance agreement for many years. As a result of aging equipment, outdated hardware and software, and the lack of an ongoing preventative maintenance program, the City of Hemet's public safety radio system has begun to experience frequent failures.

The City of Hemet contracted with Pegasus Telecommunication Consulting Group (PTCG) to provide an assessment of our current radio system and to offer a recommendation on how the City should move forward to provide stability to the public safety radio system. After completing their review, PTCG made two recommendations. The first was that the City replace the public safety microwave radio system and the second was that the City move their public safety radio communications to Riverside County's Public Safety Enterprise Communication (PSEC) system.

City Council approved the first phase of PTCG's recommendation by authorizing the replacement of the City of Hemet Public Safety microwave radio system on April 14th, 2020. This work is currently

underway and scheduled to be completed by the end April 2021. To accomplish the second phase of the radio upgrade project and move public safety radio communications to the PSEC system, it is necessary for the City of Hemet to replace the outdated radio consoles currently used in the communication center. PSEC is a closed radio system that makes specific requirements of the end users to include the type of radio equipment that is allowed to access the system. Replacing our outdated radio console equipment with Motorola MCC 7500 series consoles will not only allow the City of Hemet to migrate public safety radio communications onto PSEC, it will provide a stable communication platform to deliver other public safety services over the existing VHF radio system.

This is the only option that allows the City to leverage the county wide radio infrastructure of the PSEC system. It also provides an independent redundancy by incorporating VHF capabilities to avoid dangerous system failures in the future. The system is designed in a way that provides options to the City for expansion and modification should PSEC not remain the best communication solution in the future.

The upgrade of the radio consoles in the public safety communication center is the final portion of the larger radio upgrade and will complete the project. The entire project is represented by the following table:

Radio System Replacement Project Item	Status	Council Approval/Discussion Date	Budget
PSEC Agreement	Pending Approval	02/23/2021	$23,779.94 Setup $117,739.40 1st Year
Radio Console	Pending Approval	02/23/2021	$1,351,096.80
Microwave System Replacement	Approved Under Construction	04/14/2020	$682,767.16

If the radio console upgrades and PSEC migration is approved, the expenditures will be in line with initial estimates of $2,000,000 to replace the current public safety radio system.

ANALYSIS:

The Riverside County PSEC system was built by Motorola Solutions. In order to maintain consistency throughout the PSEC system, users are required to install Motorola MCC 7500 series consoles in their communication centers because the equipment is tested by PSEC to ensure it is compatible with all other PSEC components. The standardization of equipment allows for familiarity amongst the PSEC technicians and engineers. This is important to help resolve any issues as both the service provider and the end user will all have similar experience and capabilities making potential issues easier to identify and resolve.

The MCC 7500 consoles will replace the Moducom system currently used by the City of Hemet to manage public safety radio communications. The Moducom system has been used by the City of Hemet for nearly 20 years. In 2018, Moducom closed its operations which we based in West Hollywood, California and has since re-opened in Michigan under new ownership. Although the new Moducom will again offer 911 communication services, replacement parts for older versions of the Moducom systems are extremely difficult to source and technicians knowledgeable in the maintenance and repair of the system are hard to locate.

Motorola MCC 7500 series consoles not only provide the only authorized method to access the PSEC system, they will also integrate our current VHF radio system. The Hemet Police and Fire Department will not only continue to access their VHF radio system through these consoles, the upgraded technology offered by the new consoles bring additional capability to increase effective and efficient use of the radio system. These additional capabilities include several safety features not offered by the Moducom system and include the ability to name radios so dispatchers can quickly identify the user, the ability to designate a radio to have emergency priority when transmitting, paging / alerting radios, and the grouping of radios.

These consoles come with the ability to monitor system health through mobile portals. This feature will help City staff and Motorola technicians identify potential issues from anywhere with an internet connection. Having this ability will ensure any problems are resolved quickly. The new consoles will be covered under Motorola Solutions Advanced Plus Services Warranty. This includes on-site replacement parts, access to 24/7 technical support, and field support if required.

DISCUSSION:

The public safety communication radio management system is beyond its end of life and in need of replacement. The Motorola Solution MCC 7500 series consoles will provide the City of Hemet Public Safety Communication Center everything they need to continue operation for years to come. Not only does our aging Moducom system need to be replaced due to reliability, it is not PSEC compliant. Should Council approve an agreement with PSEC, the MCC 7500 series consoles are the only radio consoles permitted to integrate with that communication system.

Pegasus Telecommunication Consultant Group has been instrumental in designing the scope of work for this project, they have worked with Motorola engineers to reduce costs and ensure this project will meet our needs. They have reviewed the Motorola Solutions proposal and approve.

FISCAL IMPACT:

The total cost of upgrading the City of Hemet Public Safety Communication Center to Motorola Solution MCC 7500 series consoles is $819,378.00. Pricing for an optional 10-year warrant was also included in the proposal. The cost for the warranty, which includes the annual software upgrade agreement, is $449,781.00. The warranty brings the total 10 year cost of this project to $1,269,159. The Hemet Police and Fire Departments allocated funds for this project in their FY 19/20 budgets. This funding was carried over into the FY 20/21 budgets for both departments.

All equipment and services included in this proposal will be purchased under LA County contract Number MA-IS-1740313-1. This is a competitively bid contract for radio communication equipment.

Equipment and Project Management:	$819,378.00
10-year Warranty:	$449,781.00
10% Contingency:	$81,937.80
Total:	**$1,351,096.80**

Funding:

110-3101-5400	$819,401.00
110-3201-5400	$241,000.00
Measure U Fund Balance	$290,695.80

ALTERNATIVE(S):

The Council can choose not to approve this project. This will leave the City of Hemet public safety departments on the existing Moducom system. The result would be an inability to transition to PSEC coupled with ongoing costs associated with maintenance and repair and could jeopardize the City's emergency response.

REVIEWED BY LEGAL:

☒ Staff report ☒ Resolution
☐ Ordinance ☒ Agreement

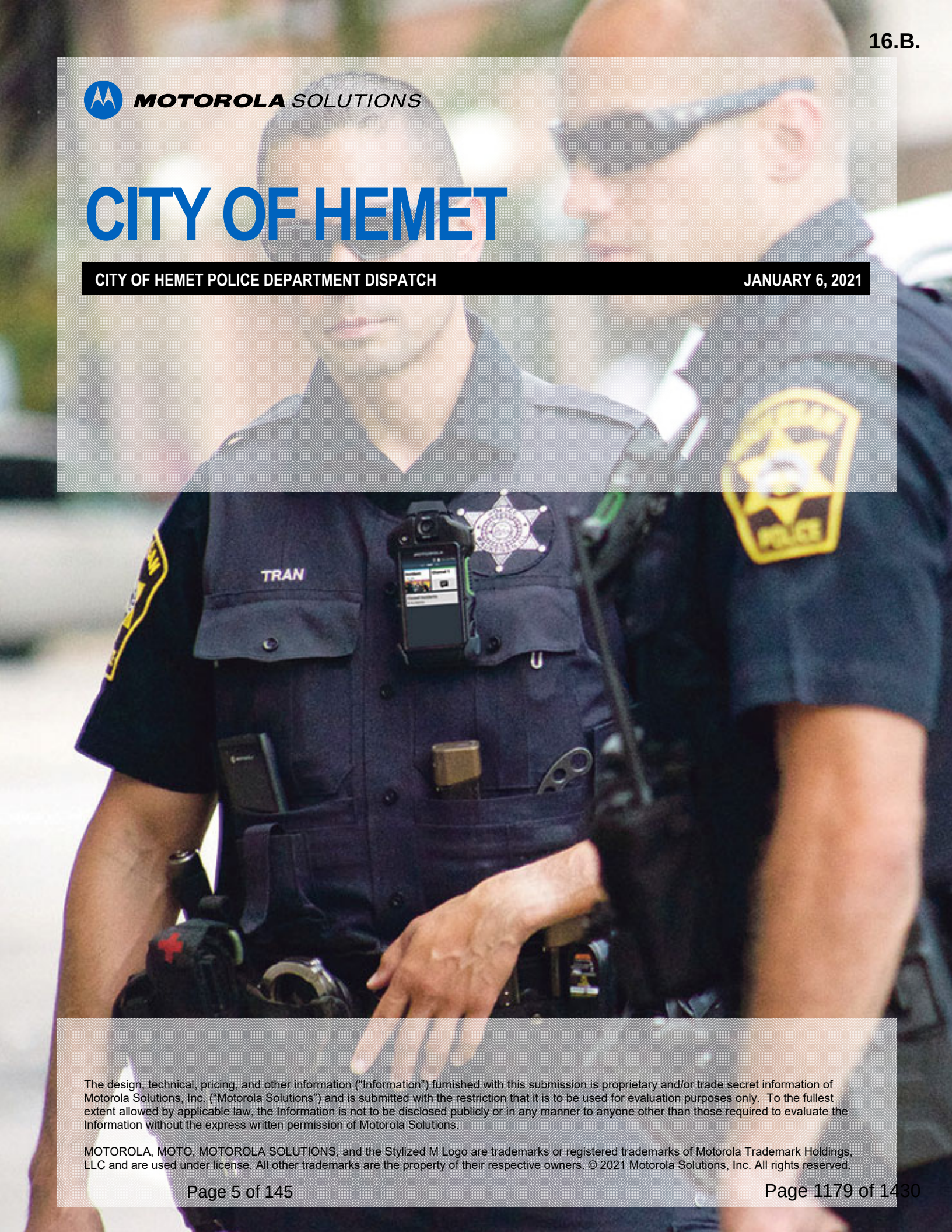
ATTACHMENT(S):

1-6-21 Hemet_PD_Dispatch_Proposal_1_6_2021 (3)
City of Hemet Full Time Use Agreement_with Incentive_PSEC (1)
HEMET PD RADIO SYS. Assess, Report 062320
PSEC - Hemet MCC7500 Position Letter 8-5-2020
Los Angeles County Contract MA-IS-1740313_Executed 2017-2020 (5) (2) (1) (2) (2) (2) (2)
Resolution - Consoles

MOTOROLA SOLUTIONS

CITY OF HEMET

CITY OF HEMET POLICE DEPARTMENT DISPATCH **JANUARY 6, 2021**



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Motorola Solutions, Inc.
1303 E. Algonquin Rd.
Schaumburg, IL 60196
USA

Tel. + 1 847 576 5000
Fax + 1 847 538 6020

January 6, 2021

Dale Digiambattista
Support Services Manager
Hemet Police Department
450 E. Latham Ave.
Hemet, CA 92543

Subject: City of Hemet Police Department Dispatch

Dear Mr. Digiambattista,

Motorola Solutions, Inc. ("Motorola Solutions") is pleased to have the opportunity to provide City of Hemet with quality communications equipment and services. The Motorola Solutions project team has taken great care to propose a solution that will meet your needs and provide unsurpassed value.

To best meet the functional and operational specifications of this solicitation, our solution includes a combination of hardware, software, and services. Specifically, this solution is for six MCC7500E dispatch positions and provides:

- Six (6) MCC7500E consoles
- Three (3) Enhanced Conventional Channel Gateways (ECCGWs)
- One (1) Conventional Site Controller
- CTI Voter display and control
- One (1) Console Alias Manager (CAM)
- AUX I/Os
- Three (3) Consolettes and Antenna Systems
- *Optional* MPLS Routers

This proposal consists of this cover letter and the Communications System and Services Agreement ("CSSA"), together with its Exhibits, or a negotiated version thereof. Pricing is as set forth in the existing County of Los Angeles Contract MA-IS-1740313. This proposal shall remain valid for a period of 60 days from the date of this cover letter. The City of Hemet may accept the proposal by delivering to Motorola the CSSA signed by Dale Digiambattista. Alternatively, Motorola Solutions would be pleased to address any concerns Customer may have regarding the proposal. Any questions can be directed to your Motorola Account Executive, Joshua Asbill, our Senior Account Manager, at (951) 285-7996.

We thank you for the opportunity to furnish City of Hemet with "best in class" solutions and we hope to strengthen our relationship by implementing this project. Our goal is to provide you with the best products and services available in the communications industry.

Sincerely,

Jerry Burch
Area Sales Manager

MOTOROLA SOLUTIONS, INC.

SECTION 1

SYSTEM DESCRIPTION

1.1 SYSTEM OVERVIEW

Motorola Solutions is pleased to provide the City of Hemet with a proposal for a MCC7500E dispatch console system to replace their existing consoles. The new MCC7500E dispatch console sub-system will connect to the existing County of Riverside ASTRO 25 system.

More specifically, this project will add six MCC7500E, network equipment, three Enhanced Conventional Channel Gateways (ECCGW), Conventional Site Controller (CSC), Console Alias Manager (CAM), SDM3000, Voter Display and Control, three consolettes and spares. In addition, Motorola has included two MPLS routers as an option. A high level block diagram of the equipment in the main offer is shown in Figure 1-1.

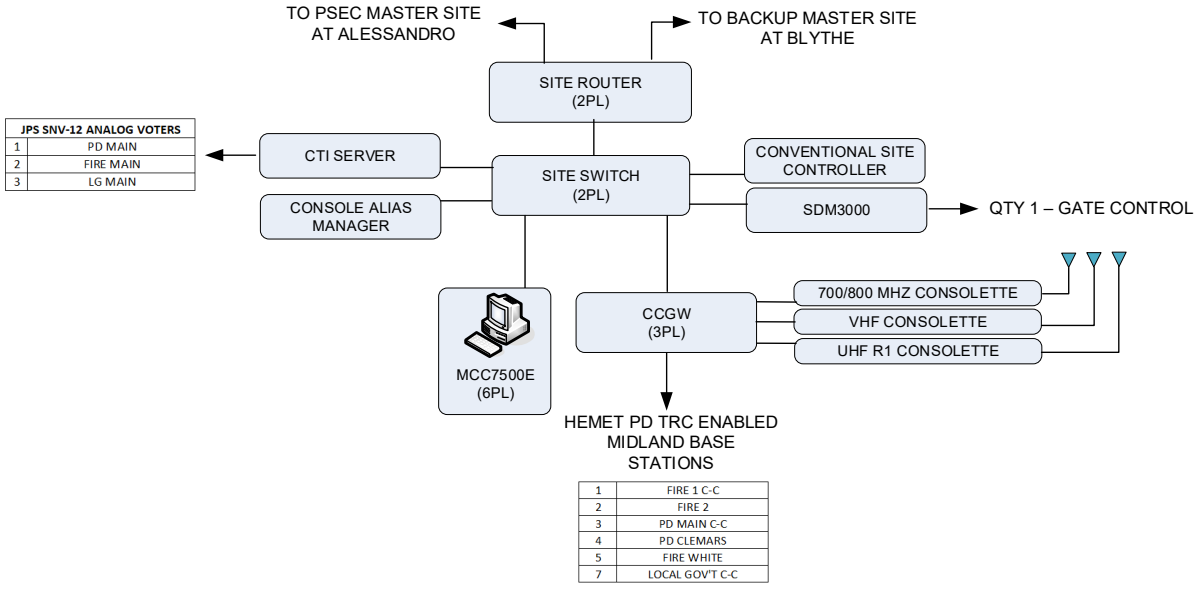

Figure 1-1: Hemet PD Dispatch High Level Block Diagram

The Midland base station resources shown in Table 1 will be interfaced to the ECCGW. City of Hemet is responsible to enable the Midland base stations for standard tone remote control (TRC) for PTT operation. The resources provided by the City of Hemet are conventional and not encrypted.

1	FIRE 1 C-C
2	FIRE 2
3	PD MAIN C-C
4	PD CLEMARS
5	FIRE WHITE
7	LOCAL GOV'T C-C

Table 1: Midland Base Station Resources

Motorola has included three consolettes and antenna/antenna subsystems to replace the existing five Kenwood radios. City of Hemet will maintain the VHF low band (LLAW) resource on the existing Kenwood radio. City of Hemet will be responsible to make sure the existing VHF low band Kenwood radio is TRC enabled in order to interface to the ECCGW. The three consolettes will interface to the ECCGW. The resources and frequency included per consolette are shown in Table 2.

700/800 MHZ CONSOLETTE	
1	ITACID
2	ICALL
VHF (136-174 MHZ) CONSOLETTE	
1	RSO VFH/SJ
2	HFD MAIN
UHF R1 (380-470 MHZ) CONSOLETTE	
1	UTAC 41D

Table 2: Consolette Resources

The JPS voters will interface to the console through a Monitor and Control Network (MCN) server. Please see section 1.6 Voter display for detailed information on the configuration. The JPS voters' channels that will interface to the system are as follows in Table 3.

JPS SNV-12 ANALOG VOTERS	
1	PD MAIN
2	FIRE MAIN
3	LG MAIN

Table 3: JPS SNV-12 Analog Voter Channels

The City of Hemet is responsible for providing Ethernet site links from the Hemet Police Department Dispatch site to the County of Riverside primary master site located at Alessandro and redundant master site located at Blythe.

1.2 DISPATCH CONSOLE CONFIGURATION FOR CITY OF HEMET PD

The proposed City of Hemet console system will interface seamlessly with County of Riverside ASTRO® 25 system.



Figure 1-2: MCC 7500E Dispatch Position provides a small form factor, familiar GUI, and advanced features.

Table 1: Dispatch Locations

Number of Operator Positions	Location Name
6	Hemet Police Department

1.3 EMBRACING INTEROPERABILITY AND INTEGRATION

Motorola Solutions is an active participant in establishing P25 standards for interoperability. The proposed console is a key component for the interoperability of the ASTRO 25 system. When a situation requires coordination between multiple agencies, the proposed dispatcher can patch together Mutual Aid radios and required subscribers on the ASTRO 25 system (see the figure titled "Mutual Aid Components").

Incident conversations are seamless from the moment of the patch initiation and can be recorded like any talkgroup conversation within the Land Mobile Radio (LMR) network. The dispatcher can also take part in and monitor conversations for the duration of the incident, as necessary.

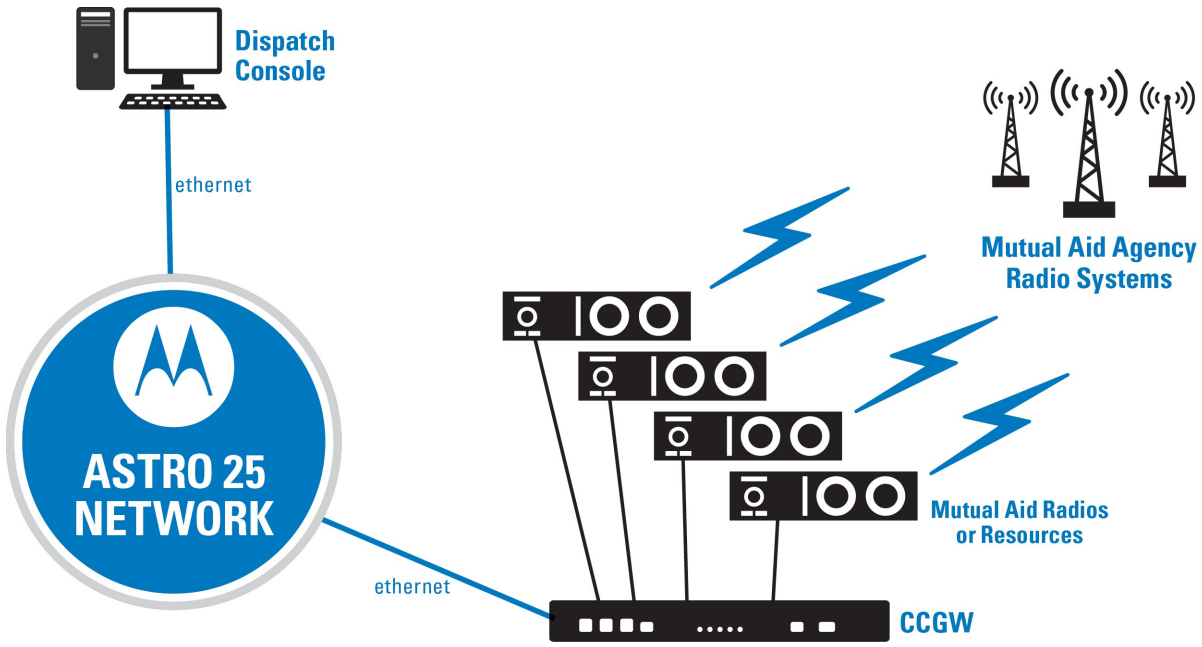

Figure 1-3: Mutual Aid Components - Mutual Aid agency radio systems connect to the ASTRO 25 network through a CCGW.

1.3.1 Connection to ASTRO 25 System

The flexibility of the ASTRO 25 system architecture allows the connection of the proposed console to be suited specifically to the City of Hemet needs.

Dual Site Link

The proposed console site for the City of Hemet is remote from the primary master site and redundant master site and features redundant site links to provide path diversity. The console site has two logical connections to the primary master site at Alessandro and redundant master site at Blythe with each connection using a different core router.

Each console site gateway provides an interface that handles the following IP traffic between the proposed console center and the ASTRO 25 core site:

- Network management traffic.
- Call control and audio traffic for all the calls being handled by the dispatch positions.
- Aux I/O traffic for the Aux I/Os being handled by the dispatch positions.

The site gateways fragment large IP packets according to industry standards, prioritize packets, and convert Ethernet data to the desired transport medium.

LAN Switches

The site LAN switches provide LAN interfaces for console site equipment and a LAN port for the link to the core site. Through the switch, service technicians can access the system's configuration manager and service the equipment.

1.3.2 Conventional Base Station Interfaces

The proposed consoles access and control the City of Hemet analog conventional base stations through the use of Enhanced Conventional Channel Gateways (ECCGW). The console processes audio received from the station and controls various features on the stations, such as frequency selection, private line selection, and repeater on/off. Motorola has included three ECCGWs in the proposal.

1.4 MAKING CONSOLES EASY TO OPERATE

Motorola Solutions designs its proposed console to provide mission-critical audio between the dispatcher and users in the field. It is optimized for real-time audio, prioritizing emergency calls over other traffic, and minimizing voice queuing. Using robust error mitigation to maintain call quality even when the system is heavily loaded, the proposed console reduces communication errors that may force dispatchers or radio users to repeat their transmissions.

1.4.1 Customizable Dispatch Interface

The proposed console provides dispatchers with a graphical user interface (GUI) that can be customized by agency or by individual users to optimize user efficiency. Based on dispatcher preference, the proposed GUI can be customized to show details of trunked and conventional RF channels on a per-channel basis.

Busy dispatchers can respond to a missed call by simply clicking on an entry in the Activity Log. The number of calls and call information displayed in the Activity Log is customizable to suit the needs of the user. The status of Auxiliary I/Os can be easily interpreted from the GUI with the use of familiar graphical icons, such as a door shown open or closed. The Aux I/Os are included in this proposal.

1.4.2 Standard Radio Transmission and Reception

A typical proposed dispatch position has a headset and two speakers. One speaker is for selected audio and the second speaker is for all remaining unselected audio. Additional speakers can be added to a console allowing dispatchers to configure a specific speaker for a set of designated audio sources. This simplifies multitasking between multiple audio sources and allows flexibility in the way the audio is presented to the dispatcher. Three desktop speakers are included per operator position.

Receiving Calls from the Field and Other Dispatchers

The proposed console provides dispatchers with greater flexibility for how to hear calls from field radio users and other dispatchers. Each dispatcher can define his or her own audio reception profile by selecting a single audio source, whether conventional or talkgroup, to be heard on a selected speaker or headset (Single Select). The dispatcher can also define groups of radio resources that can all be heard on a selected speaker or headset (Multi-Select).

Initiating Calls to the Field and Other Dispatchers

The dispatcher has several different ways of initiating a call. In most circumstances, a General Transmit is appropriate. With the General Transmit, the dispatcher selects a

resource on the console and activates the transmission through a footswitch, headset transmit button, or a microphone transmit button. If the dispatcher needs to quickly transmit on a resource that is not selected, the dispatcher uses the Instant Transmit function.

An Instant Transmit safety switch prevents accidental activation of functions that may cause negative consequences. The safety switch can be used with Aux I/Os and preprogrammed pages, as well as Instant Transmit switches.

Audio Communication to the Field and Other Dispatchers

The dispatcher can transmit audio in different ways. They can make calls to all users listening to a specific conventional radio resource or a specific trunking talkgroup. When multiple resources are required, the dispatcher can select additional talkgroups and/or conventional channels, as needed using the Multi-Select feature.

The proposed console also enables dispatchers to make private calls to individual field radio users or dispatchers. Once a private call is established, it can be patched in with another resource at the dispatcher's discretion.

Controlling Console Audio

The proposed console offers dispatchers several different ways of controlling or muting the audio on their consoles, such as the following:

- Audio volume can be changed for any specific resource.
- All non-selected resources on the console can be muted for 30 seconds (All Mute) or unmuted, if already muted.
- A dispatcher can transmit on a resource while receiving audio from the same resource or other resources.
- A dispatch position can be configured to automatically mute the other dispatch audio on a shared resource to prevent acoustic feedback when a co-located dispatch position transmits.
- RF Cross Mute automatically mutes the receive audio from a specified channel when the dispatcher transmits on another specified channel to prevent acoustic feedback.

Controlling Network Audio

Dispatchers can control audio on the ASTRO 25 network. The dispatcher can enable or disable radio users to compartmentalize traffic, reduce interruptions, and maintain communications between dispatch and the field. When this function is enabled or disabled, all dispatch consoles with this resource assigned are updated with the current status of the feature. This feature can be controlled from any dispatch position.

1.4.3 Emergency Radio Transmission and Reception

As part of a mission-critical communications network, the proposed dispatch console facilitates immediate prioritization and resolution of emergency communications between City of Hemet dispatch and first responders in the field. This enables dispatchers and first responders to focus on their mission and not their equipment, especially during critical situations.

Receiving an Emergency Call

When a user in the field or another dispatcher initiates an emergency call, the console emits both visual and audible indications (Emergency Alarm). The audible indication alerts the dispatcher that an emergency is underway; the visual indication directs the dispatcher's attention to the specific resource making the emergency call. The dispatcher can immediately reserve a voice channel for the duration of the emergency.

Responding to an Emergency Call

A dispatcher can bypass the standard console interface to auto-open a quick list, which contains specific controls for recognizing an emergency call, initiating an emergency call, and ending an emergency call (Auto-Open of Quick List). The dispatcher can then recognize the emergency call, which ends the audible emergency indication and notifies all dispatchers that the emergency is being addressed (Emergency Recognize).

The audible emergency indication may also be muted by a dispatcher without recognizing the emergency alarm (Mute Tones at a Single Op). This can be used in a situation where one agency is monitoring a channel that belongs to another agency. That channel can be configured to not generate audible and/or visual emergency indications.

Ending an Emergency Call

When an emergency is over, the dispatcher can end the Emergency Alarm. The visual indication on the dispatch position GUI is removed, and the console informs the other dispatch positions that the emergency is over (Emergency End/ Knockdown). The emergency mode remains active on the initiating radio unit until it is ended (reset) by the radio user.

1.4.4 Radio Patch Control

The dispatcher can patch communication between trunked and/or conventional radios that are normally unable to communicate with each other due to different features, programming, or even different frequency bands. A patch group is a group of linked resources that can both receive messages from a console and transmit to all other members of the patch group.

Setting up a Standard Patch

Patches are supported between trunked resources and/or conventional resources. After the patch is created, the dispatch position transmits all audio on one resource to all other resources in the patch group. In a patch between trunked resources, patched radio users with displays see the ID or alias of the other patched radio(s), as opposed to that of the console. This minimizes confusion and the need for the dispatcher to intervene in the call. Patches are automatically reestablished, if interrupted, so the dispatcher can concentrate on continuing operations.

Predefined Patches

Patches can be predefined and automatically reinitiated each time a dispatch position computer is restarted (Patch Auto-Start).

1.4.5 Call Management and Control

The dispatcher can use the following functionality to manage and control audio for different types of calls between the dispatch position and radio users or other dispatchers.

Automatic Prioritization of Calls

Calls on the dispatch position are prioritized through a transmission hierarchy. Calls from primary supervisors take priority over those from secondary supervisors, which in turn take priority over non-supervisors. Instant Transmit or All-Points Bulletin (APB) transmissions, regardless of whether they are from a supervisor, take priority over general or patch transmissions.

Multiple dispatchers can be designated as primary supervisors on the same system, which is useful when multiple agencies share one system. With the Network Manager Client installed, supervisors can disable and enable dispatch console functionality as needed.

Manual Prioritization of Calls

System Access Priority Select allows a dispatcher to prioritize trunked resources on the system as either normal or tactical. A dispatcher can change the priority of a trunked resource to tactical to give the resource a better chance of gaining communication access on a busy system. Only emergency calls have a higher priority than tactical.

When the System Access Priority Select status of a resource is changed, it is updated at all dispatch consoles in the systems that are monitoring that trunked resource.

Using the Multi-Select Feature

The Multi-Select feature allows a dispatch position to define groups of selected radio resources. When a Multi- Select group is opened, all of the resources in the group are simultaneously selected. Resources can be added or removed from a Multi-Select group while the group is open. The dispatcher can transmit on several resources simultaneously or can listen to multiple resources simultaneously in their headset or select speakers.

Standard Call Indications

The dispatch position indicates the availability of any given resource, regardless of whether the resource is involved in a transmission. An inbound call indication provides the dispatcher with a visual cue of audio activity on a radio resource and allows a dispatcher to see at a glance what the status of a resource is at any moment.

Call Alerting

A dispatcher can use Call Alert to page an unattended radio or dispatch position through a series of beeps and an indication of the sender’s ID. When available, the radio user or dispatcher sees the unit ID of the calling dispatch console or radio ID and is able to return the call.

Additionally, a Call Alert can trigger an activity. For instance, a Call Alert may cause a vehicle’s horn to sound and its lights to flash. The dispatcher can even send a Call Alert to a user who is involved in voice and data communications over the network.

1.4.6 Long-Term Logging Port

The long-term logging port allows an external logging recorder to be connected to a dispatch console. Long-term audio recording is used to record a portion of the inbound and outbound audio present on a specific dispatch position. These recordings are typically archived for long-term storage, and provide a historical record of the radio communications made at a given dispatch position.

The long-term logging port can be configured to log any combination of these audio sources, such as:

- Audio received from a currently selected radio.
- Microphone audio being transmitted by this dispatcher to the currently selected or unselected radio resources.
- Any tones generated by the dispatch position that appear in its speakers (trunking tones, emergency tones, etc.) or tones generated by an external paging encoder.

This output may be used with an instant recall recorder as well as a long-term logging recorder.

Note: No logging recorder has been included in the main offer of this proposal. City of Hemet is responsible for providing a logging recorder to log the trunked and analog resources.

1.5 DISPATCH CONSOLE SOLUTION COMPONENTS

The proposed components are connected together and to the rest of the ASTRO 25 system on an IP network through console site routers and switches. The console functions as an integrated component of the total radio system and fully participates in system-level features, such as end-to-end encryption and Agency Partitioning.

The console connects directly to the radio system's IP transport network without gateways or interface boxes. Audio processing, encryption, and switching intelligence for dispatch are performed within each software- based dispatch position without additional centralized electronics.

Since the network is IP-based, the system interfaces and components can be distributed physically throughout the network. Some of the available console components are identified below.

1.5.1 MCC 7500E Console Operator Position

The dispatch position supports commercially available accessories, including a USB microphone, USB headset, and USB footswitch, as shown in the figure titled "MCC 7500E Dispatch Position." The following list describes the components included in the proposed configuration.

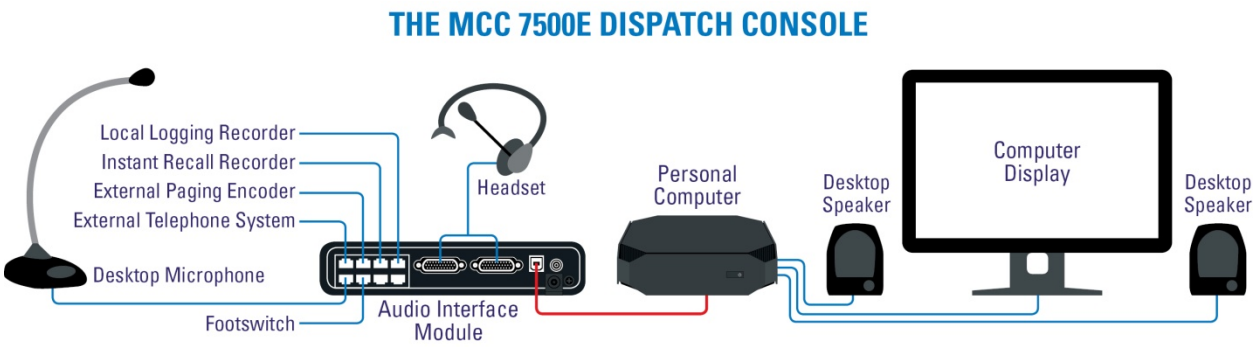

Figure 1-4: MCC 7500E Dispatch Position supports multiple accessories.

Audio Interface Module (AIM)

The USB Audio Interface Module (AIM) acts as an interface between analog devices and the dispatch position and as a general purpose input/output module. The USB AIM supports audio routing between the dispatcher and Motorola Solutions standard peripherals. The USB AIM connects to the MCC 7500E dispatch position with a USB cable.

Personal Computer (PC)

The personal computer included with the dispatch position is Windows-based and certified by Motorola Solutions.

Computer Display

The dispatch position will use a 22 inch Computer Display with TouchScreen.

Enhanced Integrated Instant Recall Recorder (IRR)

The Enhanced IRR is seamlessly integrated with the dispatch position's software, allowing audio and call data from any radio or telephony resource to be recorded and easily played back. Call data includes PTT IDs, name of resource, start time and date, and stop time and date. Two analog inputs are available for use with recording audio from external devices.

Desktop Speakers

Three audio speakers have been included with each dispatch position and can be configured to transmit audio from a specific talkgroup or set of talkgroups. Each speaker is a self-contained unit, with individual volume controls, and can be placed on a desktop or mounted on a rack or computer display.

Headset Jack

The dispatch position supports up to two headset jacks, both push-to-talk (PTT) and non-PTT-enabled, for simultaneous use by the dispatcher and a supervisor. The headset jack contains two volume controls for the separate adjustment of received radio and telephone audio. Two headset jacks are included per dispatch position.

Headset

The proposed headset consists of two elements. The headset base includes an audio amplifier, a Push-to-Talk switch, and a long cord that connects to the dispatch position. The headset top consists of the earpiece and microphone as well as a short cable that connects to the headset base.

Footswitch

Each dispatch position includes a dual pedal footswitch that controls general transmit and monitor functions.

Telephone Headset Interface Port

The telephone/headset port provides a connection for an external telephone to the dispatch position. This allows the operator to use a single headset to communicate on both the radio system and a telephone system.

Redundant Ethernet Connection

The redundant Ethernet connections increase MCC 7500E console availability by protecting against the loss of multiple dispatch positions. In the event of a LAN switch failure, the system will automatically detect and switchover with no manual intervention required. Dispatching operations will not be interrupted.

1.5.2 Conventional Channel Gateway Equipment

Enhanced Conventional Channel Gateways (Enhanced CCGWs) are used to interface analog and ASTRO 25 conventional channels to the ASTRO 25 radio system infrastructure. Enhanced CCGWs provide 4-wire analog interfaces for analog channels and V.24 and IP digital interfaces for ASTRO 25 conventional channels. The platform that is hosting an enhanced CCGW may be solely dedicated to that task. Motorola Solutions has included three ECCGWs in this project. If the analog channel connected on the CCCGW is shared with another system, additional equipment will be needed. No audio bridges are included in this proposal.

The enhanced CCGW is available for interfacing to conventional channels. The enhanced CCGW can support combinations of analog, MDC 1200, ACIM Link, digital and mixed mode channels simultaneously. Low density and high density versions of the enhanced CCGW are available.

- The low density version contains four analog ports and four V.24 ports plus an Ethernet port. Up to eight conventional channels can be connected to the analog and V.24 ports. The eight channels can be mixtures of analog, MDC 1200, ACIM Link, digital or mixed mode. In addition to the eight channels connected to ports, up to 16 IP based channels can be supported. This brings the total number of channels supported on the low density version to 24.
- The high density version contains eight analog ports and eight V.24 ports plus an Ethernet port. Up to 16 conventional channels can be connected to the analog and V.24 ports. The 16 channels can be mixtures of analog, MDC 1200, ACIM Link, digital or mixed mode. In addition to the 16 channels connected to ports, up to 16 IP based channels can be supported. This brings the total number of channels supported on the high density version to 32.

Analog Configuration

The enhanced CCGW provides two sets of ports that are used with analog channels. One set (called the Analog Ports) contains the analog inputs and outputs for the channels along with a COR/Coded/Clear input and a PTT Relay output. The other set (called the Supplemental I/O Ports) contain analog logging recorder outputs and various inputs that can be used with the analog channel.

Each analog port contains the following inputs and outputs:

- **2-Wire Input/Output** – When the channel is configured for 2-wire operation, this input/output is used to send console transmit audio to the channel and to accept radio audio from the channel
- **4-Wire Input** – When the channel is configured for 4-wire operation, this input is used to accept radio audio from the channel.
- **COR or CIU Coded/Clear Input** – If the channel is configured for clear (non-secure) operation with COR (Carrier Operated Relay), then this input is used to accept the COR output from the channel. When used as a COR input, the input uses contact closure detection.
- **PTT Relay Output** – The PTT relay output provides a relay contact closure capable of supporting up to 1 Amp at 24 volts DC.
- **VOX and COR Operation** – A clear (non-secure) analog port must be configured to support either VOX or COR operation. The CCGW will not pass audio to the dispatch consoles or logging recorders unless there is an active VOX or COR condition.
- **LOBL (Line Operated Busy Light) Detectors** – The LOBL detector on the 2 or 4 wire inputs can be used to detect when a parallel non-MCC 7500 dispatch console is transmitting on the channel via tone remote control.
- **AGC, DLM and Fixed Gain Operation** – When configured for AGC operation, the gain of the audio input is constantly adjusted to provide a constant output level to the dispatch consoles and logging recorders. When configured for DLM operation, the gain of the audio input is constantly adjusted to provide a constant output level to the dispatch consoles and logging recorders. When configured for fixed gain operation, the gain of the audio input is fixed and does not change.

The enhanced CCGW provides four (low density version CCGW) or eight (high density version CCGW) ports containing supplemental I/Os which can be used to provide additional functionality on analog channels:

- **High Speed Mute Input** – When the mute input is active, all audio at the configured audio input(s) will be muted.
- **Analog Logging Output** – The analog logging output provides 600 Ohm balanced analog audio consisting of the summed transmit and received audio from the channel connected to the paired analog port.
- **Coded/Clear Call Input** – The coded/clear call input provides certain legacy analog secure conventional channels a means of informing the MCC 7500 dispatch consoles about the mode (coded or clear) of a call.

V.24 Configuration

The enhanced CCGW provides four (low density version) or eight (high density version) V.24 ports to which ASTRO 25 conventional channels may be connected. The V.24 ports on the CCGW are connected to the V.24 ports on the base station or comparator. The V.24 ports are also used for the ACIM link connections to consolettes.

Mixed Mode Configuration

Both the low density and high density versions of the enhanced CCGW support mixed mode channels. These channels are shared between digital radio users and analog radio users. When a digital call is generated either by the MCC 7500 console or a radio user, the V.24 port provides the digital voice path to and from the radio system. Mixed mode operation does not use an IP link for digital audio routing. For analog radio calls, the 2 or 4 wire ports

provide the analog voice path, while the V.24 ports will provide control and signaling information for the channel.

IP Conventional Gateway

Both the low density and high density enhanced CCGWs can support up to 16 G-Series-based ASTRO 25 conventional channels via the radio system's IP network. The IP interface uses the same Ethernet cable that the enhanced CCGW uses for everything else. The 16 IP-connected channels are in addition to any analog or V.24 channels that may also be connected to the enhanced CCGW.

1.5.3 Conventional Site Controllers

The conventional site controller allows dispatch console users to continue to access and control local conventional channels if connectivity to the radio system's controller is lost. This mode of operation is often called "fallback operation" or "site conventional operation".

Only one conventional site controller is required per console site or conventional subsystem. This single conventional site controller is capable of supporting the full set of dispatch consoles, archiving interface servers and CCGWs that can be placed in a console site or conventional subsystem.

1.5.4 SDM 3000 - Auxiliary Inputs/Outputs

The proposed console supports Global Auxiliary Inputs/Outputs (Aux I/Os) for remote status indications or remote control through dispatch positions. Global Aux I/Os are typically implemented by hardware that is independent of the dispatch positions in a system and may be accessible to multiple dispatch positions. Aux I/O Servers provide the Aux I/O feature for the consoles. One SDM3000 is included for one gate control.

1.5.5 MKM 7000 Console Alias Manager (CAM)

The MKM 7000 Console Alias Manager (CAM) manages the radio unit ID aliases displayed on dispatch positions. It enables agencies that share a radio system to change aliases displayed on their dispatch positions and logging recorders without affecting the aliases displayed at the other agencies on the system.

A typical console uses many types of aliases to provide meaningful, descriptive names instead of numeric ID numbers for different resources on the console, such as:

- Trunking talkgroups and conventional channels
- Aux I/Os
- Secure keys used for voice encryption
- Frequencies on multi-frequency conventional channels
- Private Line (PL) codes on conventional channels
- Predefined pages
- Radio unit IDs (also called radio PTT IDs)

The CAM supports aliases for radio unit IDs on ASTRO 25 trunking systems, ASTRO 25 conventional systems, MDC 1200 conventional systems, and Advanced SECURENET conventional systems.

The CAM server hosts the database containing the alias information that is used by the dispatch positions. Dispatch positions that are configured to do so access this database to get the alias information they use to display on their GUIs. The information in the database can be managed via manual editing in a CAM client, via the CAM server API or via importing/exporting CSV (comma separated value) files.

The CAM does not support aliases for systems connected through an ISSI link or non-Motorola Solutions consoles connected through a CSSI link.

1.6 VOTER DISPLAY

Motorola has partnered with CTI products to provide voter display and control for City of Hemet. Motorola has included an MCN server, voter display and control for three existing JPS-SNV12 comparator equipment on six new MCC7500E dispatch consoles. The channels to be interfaced to the MCC7500E are shown in Table 4.

JPS SNV-12 ANALOG VOTERS	
1	PD MAIN
2	FIRE MAIN
3	LG MAIN

Table 4: JPS SNV-12 Analog Channels

A high level diagram is shown below.

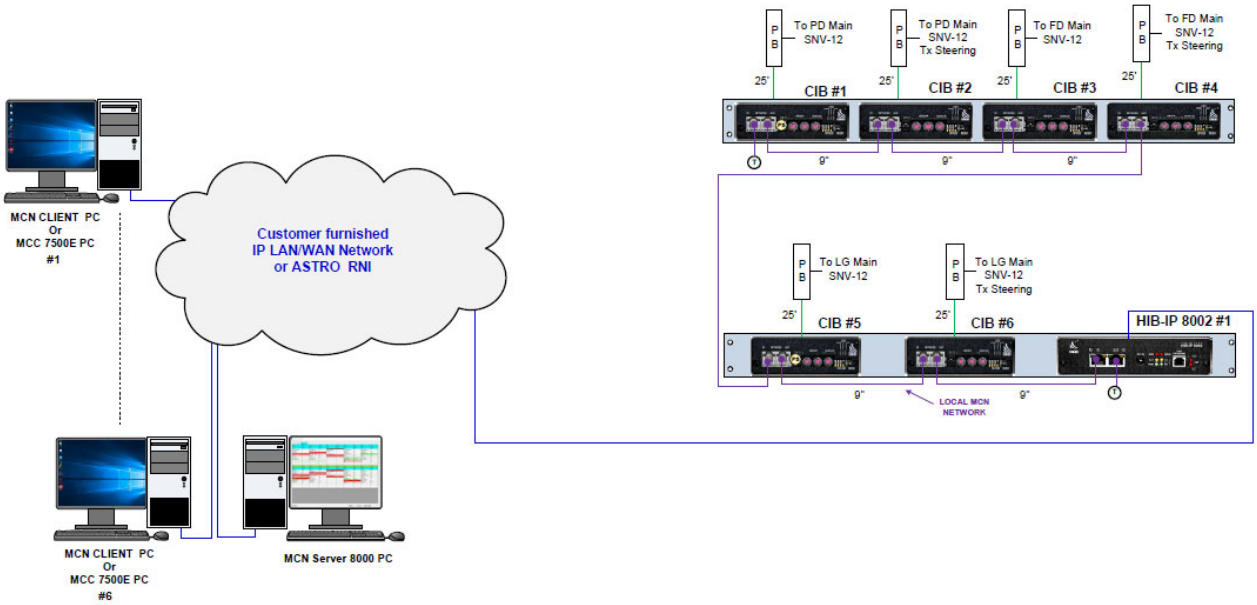

Figure 1-5: Voter and Display High Level Block Diagram

The following alarm features in Table 5 have been specified by Hemet PD and are included as part of this solution.

	ALARM DESCRIPTION
1	Rx Disable
2	Rx Enable
3	Force Vote (Manual Select Rx)
4	Vote indication on the screen
5	Force Vote indication on the screen
6	Manual Select Tx (Tx Steering indication on the screen.)

Table 5: Voter Control Alarms

Monitoring and Control Network (MCN) Server

The Monitoring and Control Network (MCN) 8000 server monitors and controls receiver voting systems from a PC over the IP network. The MCN 8000 server processes status messages (Vote, Receive, Disable, Fail messages) from the comparators and passes them to the client displays on the IP network. The display screens can be user-defined with various numbers of rows and columns and a number of tabs. In addition, the MCN server accepts control commands (Force-Vote, Disable) from the remote clients and sends them to the comparator.

The MCN server supports multiple clients and can be located remotely from the comparator equipment. The MCN client which will reside in the MCC7500E will display features real time stat monitoring and control modules on the MCN network.

1.7 LINK CONNECTIVITY

City of Hemet's dispatch system is designed for Ethernet site link connectivity. Motorola Solutions has included the necessary routers to support Ethernet site links.

The Ethernet site links must meet the bandwidth, latency, jitter and packet loss specified by Motorola in order to provide the optimal performance of the system. City of Hemet is responsible for making sure the Ethernet backhaul and site link requirements are met for the system. Motorola Solutions will work with City of Hemet during the design review to develop a Quality of Service (QoS) Plan, which includes the proper QoS priority levels, tagging and CIR information. The site links are listed in Table 6.

The following are the Ethernet requirements that must be met:

- 30ms or less network throughput delay.
- 5ms or less jitter
- 0.01% or less packet loss.
- 10ms differential delay between any two subsite links.
- Layer 3 Ethernet backhaul with 4 levels of QoS.

SITE A	SITE B	LINK DESCRIPTION	PRIORITY
Dispatch Site			
Hemet PD Dispatch	Alessandro Primary Master Site	Dispatch Site to Primary Master Site	QoS Level 4
Hemet PD Dispatch	Blythe Redundant Master Site	Dispatch Site to Redundant Master Site	QoS Level 4

Table 6: Required Site Links

1.7.1 ASTRO Services Requirements

Motorola requirements for ASTRO services on an IP Ethernet network.

Service Definitions

All application services should be designed and configured to support a routed network architecture, a switched network architecture (Point to Multi-point) or a dedicated link (Point to Point).

The following table defines the System Services required

Service Name	Service Type	Service Description
Zone Core	Layer 3	Site connectivity to the Core
Dispatch	Layer 3	Dispatch site connectivity

Table 7: System Services

Service Demarcation

All ASTRO service demarcation points are required to be copper RJ45, configured for a fixed speed/duplex with auto-negotiation disabled. All layer 3 ASTRO demarcation points should be untagged. All Layer 2 ASTRO demarcation points should be tagged.

All layer 3 ASTRO interfaces will utilize static routing on the CE for communication. There are no dynamic routing protocols (RIP, OSPF or BGP) on the PE-CE links.

Quality of Service

Quality of service is required to be enabled and configured on all PE-CE interfaces. The transport network must honor all forwarding classes defined on all intermediate transport nodes.

The classifications used are unique to each service type being provided. The following table outlines the recommended classification requirements for each service type.

Service Type	QoS Model	Priority Level
Layer 3	DSCP	EF
		AF41
		AF11

Table 8: Quality of Service Class Definitions

Network Resilience and Failure Recovery

To ensure continuous operation of the ASTRO 25 application, the transport should be designed to detect and recover failures in a given window. The failure windows are based on the site types communicating and the physical topology interconnecting the site.

The following table defines the failure windows for different path types.

Connection Type	Media Type	Detection Protocol	Configuration (MAX)
Direct Connect	Fiber	N/A	N/A
Direct Connect	All Others	BFD	3 x 100ms
Indirect Connect	Fiber	BFD	3 x 50ms
Indirect Connect	All Others	BFD	3 x 100ms

Table 9: Failure detection protocols & configuration

PE to PE Network Performance Service

PE to PE one-way network latency, jitter and total packet loss is required to be in line to meet the requirements set by the service. Service testing will be validated using Y.1564 testing methodology.

ASTRO CE-PE Routing Isolation

All ASTRO services are required to be separated from all other network services in its own VPRN.

ASTRO CE-PE IP Plan

All ASTRO CE-PE IP address is required to use RFC 1918 addresses and should not conflict with internal ASTRO IPs.

End-to-End Service Testing

All ASTRO services is required to pass a time appropriate y.1564 test configured with the link metrics for the link being tested. The metrics to be tested should include at a minimum: IPTD, IPDV, IIPLR, Bandwidth and QoS. These tests should be completed by Motorola Solutions prior to system acceptance.

1.8 OPTIONAL ITEMS

The item described in this section is an optional item and are not included in the main offer.

1.8.1 Multi-Protocal Label Switching (MPLS)

Motorola has included an MPLS router utilizing the Nokia 7705 Service Aggregation Router (SAR). The Nokia 7705 Service Aggregation Router (SAR) delivers industry-leading IP/MPLS and pseudowire capabilities.

1.9 POWER

Motorola Solutions has included the power requirements listed in the Table below for the equipment that is included in the rack in the equipment room. There is no power system included in this proposal. City of Hemet will provide the power systems for the equipment provided in this proposal.

SITE LOCATION	AC	
	WATTS	AMPS
HEMET PD EQUIPMENT ROOM	2037	17

Table 10: AC Power Requirements

1.10 DESIGN ASSUMPTIONS

Motorola has made several assumptions in preparing this proposal for the City of Hemet.

- All existing sites or equipment locations will have sufficient space available for the system described.
  - This includes available space for proposed MCC 7500E dispatch positions, cables, and cable entry ports.
  - The City of Hemet is responsible for providing the space in the Equipment Room required for two racks containing all the backroom equipments for the MCC7500 console.
- All existing sites or equipment locations will have adequate electrical power and site grounding suitable to support the requirements of the system described.
- All existing sites will have tower space for the consolette radio antennas.
- Adequate power is available to support the new equipment.
- Existing generators have adequate capacity to support the equipment.
- No power systems are included in this proposal.
- The proposal assumes new equipment will interface with an existing analog conventional RF infrastructure via 4-wire. Motorola's demarcation will be the CCGW providing ports available via 4-wire for conventional channels. The V.24 will be for digital channels. V.24 plus 4-wire will be for mixed mode.
- Any site/location upgrades or modifications are the responsibility of City of Hemet, including the R56 issues identified in the site walk report provided by Motorola dated December 7,2020.
- Approved local, State, or Federal permits as may be required for the installation and operation of the proposed equipment, are the responsibility of the City of Hemet.
- The City of Hemet is responsible for transporting and disposal of existing third party (non-Motorola) console racks and equipment if any.
- Motorola's MCC 7500 subsystem design requires the City of Hemet to provide two Ethernet links from the PSEC core sites to the dispatch center. The City of Hemet is

responsible to provide, configure, test, maintain and demark these circuits within 20' of the proposed MCC7500E rack and/or equipment.

- City of Hemet Ethernet site links must meet the bandwidth, latency, jitter, packet loss, and tolerance to backhaul congestion Motorola specifications in order to provide optimal performance of the system.
- Any required system interconnections not specifically outlined here will be provided by the City of Hemet, including but not limited to dedicated phone circuits or microwave links.
- Any third party base stations or control station connecting to the ECCGW must be TRC equipped.
- No customer programming software (CPS), flash upgrades, and services to reprogram subscribers have been included in this design.
- No telephone system, video, customer alarm systems, fire station alarms, SP interface, non-integrated features and CAD 9-1-1 are included.
- No services are included to upgrade/configure the existing logging solution to be connected to the new Motorola system. The City of Hemet is responsible for providing the audio connection between the existing loggers and the new dispatch solution.
- Motorola's MCC 7500 design is built with dedicated workstations for each MCC 7500 operator positions. The Motorola provided computers will not be configured to share/support CAD, E911 network or any other third party applications.
- Motorola is not responsible for interference caused or received by the Motorola provided equipment except for interference that is directly caused by the Motorola provided transmitter(s) to the Motorola provided receiver(s). Should City of Hemet's system experience interference, Motorola can be contracted to investigate the source and recommend solutions to mitigate the issue.
- Motorola work will be completed during non-holidays Monday – Friday during normal business hours, 8:00 am – 5:00 pm.

SECTION 2

STATEMENT OF WORK

This document, known as the Statement of Work (SOW), describes the deliverables to be furnished to the City of Hemet and the tasks to be performed by Motorola Solution and the City of Hemet to implement the solution described in this contract. It describes the actual work involved and clarifies the responsibilities for both Motorola Solutions and the City of Hemet during the project implementation. Specifically, this SOW provides:

- A summary of the tasks to be completed within the project lifecycle.
- A list of the deliverables associated with the project.
- A description of the responsibilities for both Motorola Solutions and the City of Hemet.

Motorola will install and configure the proposed equipment. The following table describes the tasks involved with installation and configuration.

Tasks	Motorola	City of Hemet
PROJECT INITIATION		
Contract Finalization and Team Creation		
Execute contract and distribute contract documents.	X	X
Assign a Project Manager as a single point of contact.	X	X
Assign resources.	X	X
Schedule project kickoff meeting.	X	X
Deliverable: Signed contract, defined project team, and scheduled project kickoff meeting.		
Project Administration		
Ensure that project team members attend all meetings relevant to their role on the project.	X	X
Set up the project in the Motorola Solutions information system.	X	
Record and distribute project status meeting minutes.	X	
Maintain responsibility for third-party services contracted by Motorola Solutions.	X	
Complete assigned project tasks according to the project schedule.	X	X
Submit project milestone completion documents.	X	
Upon completion of tasks, approve project milestone completion documents.		X
Conduct all project work Monday thru Friday, 8:00 a.m. to 5:00 p.m.).	X	

Tasks	Motorola	City of Hemet
Deliverable: Completed and approved project milestones throughout the project.		
Project Kickoff		
Introduce team, review roles, and decision authority.	X	X
Present project scope and objectives.	X	
Review SOW responsibilities and project schedule.	X	X
Schedule Design Review.	X	X
Deliverable: Completed project kickoff and scheduled Design Review.		
Design Review		
Review the Customer's operational requirements.	X	X
Present the system design and operational requirements for the solution.	X	
Present installation plan.	X	
Present preliminary cutover plan and methods to document final cutover process.	X	
Present configuration and details of sites required by system design.	X	
Validate that Customer sites can accommodate proposed equipment.	X	X
Provide approvals required to add equipment to proposed existing sites.		X
Review safety, security, and site access procedures.	X	
Present equipment layout plans and system design drawings.	X	
Provide backhaul performance specifications and demarcation points.	X	
Provide heat load and power requirements for new equipment.	X	
Provide information on existing system interfaces.		X
Assume liability and responsibility for proving all information necessary for complete installation.		X
Assume responsibility for issues outside of Motorola Solutions' control.		X
Coordination with PSEC for timely access to sites and core equipment.		X
Assume responsibilities for delays created by PSEC.		X
Review and update design documents, including System Description, Statement of Work, Project Schedule, and Acceptance Test Plan, based on Design Review agreements.	X	
Deliverable: Finalized design documentation based upon "frozen" design, along with any relevant Change Order documentation.		
SITE PREPARATION AND DEVELOPMENT		

Tasks	Motorola	City of Hemet
Site Planning		
Provide necessary buildings, equipment shelters, and towers for installation of system equipment.		X
Provide the R56 requirements for space, power, grounding, HVAC, and connectivity requirements at each site.	X	
Provide adequate electrical power in proper phase and voltage at sites.		X
Provide as-built structural and foundation drawings of the structures and site locations, along with geotechnical reports, in order to facilitate a structural analysis.		X
Perform structural analysis of towers, rooftops, or other structures to confirm that they are capable of supporting proposed and future antenna loads, if required.		X
Confirm that there is adequate utility service to support the new equipment and ancillary equipment.		X
Modify towers or other structures, or relocate sites in the system, to ensure that they are capable of supporting proposed and future antenna loads.		X
Conduct site walks to collect pertinent information (e.g. location of telco, power, structures, etc.)	X	
Ensure that each site meets the R56 standards for space, grounding, power, HVAC, and connectivity requirements.		X
Deliverable: Information and permitting requirements completed at each site.		
General Facility Improvements		
Provide adequate HVAC, grounding, lighting, cable routing, and surge protection based upon Motorola Solutions' Standards and Guidelines for Communication Sites (R56)		X
Ensure the resolution of environmental and hazardous material issues at each site including, but not limited to, asbestos, structural integrity (tower, rooftop, water tank, etc.), and other building risks.		X
Ensure that electrical service will accommodate installation of system equipment, including isolation transformers, circuit breakers, surge protectors, and cabling.		X
Provide obstruction-free area for the cable run between the demarcation point and system equipment.		X
Provide structure penetrations (wall or roof) for transmission equipment (e.g. antennas, microwave radios, etc.).		X
Supply interior building cable trays, raceways, conduits, and wire supports.		X
Transport removed site equipment to a location designated by Customer and within Customer's jurisdiction.		X
Deliverable: Sites meet physical requirements for equipment installation.		
SYSTEM INSTALLATION		
Equipment Order and Manufacturing		
Create equipment order and reconcile to contract.	X	

Tasks	Motorola	City of Hemet
Manufacture Motorola Solutions-provided equipment necessary for system based on equipment order.	X	
Deliverable: Equipment procured and ready for shipment.		
System Staging		
Ship all equipment needed to Motorola Solutions' Shop (MSS).	X	
Provide information on existing system interfaces, room layouts, or other information necessary for the assembly to meet field conditions.		X
Set up and rack the solution equipment on a site-by-site basis, as it will be configured in the field at each of the sites.	X	
Cut and label the cables with to/from information to specify interconnection for field installation and future servicing needs.	X	
Assemble required subsystems to assure system functionality.	X	
Inventory the equipment with serial numbers and installation references.	X	
Deliverable: System staged and ready for shipment.		
Equipment Shipment and Storage		
Provide secure location for solution equipment.	X	
Pack and ship solution equipment to the identified, or site locations.	X	
Receive solution equipment.		X
Inventory solution equipment.	X	
Deliverable: Solution equipment received and ready for installation		
General Installation		
Deliver solution equipment to installation location.	X	
Coordinate receipt of and inventory solution equipment with designated contact.	X	
Install all proposed fixed equipment as outlined in the System Description based upon the agreed-upon floor plans, connecting audio, control, and radio transmission cables to connect equipment to the power panels or receptacles, and audio/control line connection points. Installation performed in accordance with R56 standards and state/local codes.	X	
Provide system interconnections that are not specifically outlined in the system design, including dedicated phone circuits, microwave links, or other types of connectivity.		X
Install and terminate all network cables between site routers and network demarcation points, including microwave, leased lines, and Ethernet.	X	
Ensure that Type 1 and Type 2 AC suppression is installed to protect installed equipment.		X

Tasks	Motorola	City of Hemet
Connect installed equipment to the provided ground system.	X	
Label equipment, racks, and cables.	X	
Perform preliminary audit of installed equipment to ensure compliance with requirements and R56 standards.	X	
Note any required changes to the installation for inclusion in the "as-built" system documentation.	X	
Remove, transport, and dispose of old equipment.		X
Deliverable: Equipment installed.		
Console Installation and Configuration		
Identify circuits for connection to console and a demarcation point located within 25 feet of the console interface.		X
Connect console to circuit demarcation points.	X	
Install PC workstation w/ keyboard and mouse, and monitor.	X	
Install an Audio Interface Module (AIM) and purchased peripheral console equipment in accordance with R56 standards and state/local codes.	X	
Develop templates for console programming.	X	X
Perform console programming and configuration.	X	
Deliverable: Console equipment installation completed.		
SYSTEM OPTIMIZATION AND TESTING		
R56 Site Audit		
Perform R56 site-installation quality-audits, verifying proper physical installation and operational configurations.	X	
Create site evaluation report to verify site meets or exceeds requirements, as defined in Motorola Solutions' R56 Standards and Guidelines for Communication Sites.	X	
Deliverable: R56 Standards and Guidelines for Communication Sites audits completed successfully.		
Solution Optimization		
Verify that all equipment is operating properly and that all electrical and signal levels are set accurately.	X	
Verify that all audio and data levels are at factory settings.	X	
Verify communication interfaces between devices for proper operation.	X	
Ensure that functionality meets manufacturers' specifications and complies with the final configuration established during design review or system staging.	X	
Deliverable: Completion of System Optimization.		
Functional Acceptance Testing		

Tasks	Motorola	City of Hemet
Verify the operational functionality and features of the solution supplied by Motorola Solutions, as contracted.	X	
Witness the functional testing.		X
Document all issues that arise during the acceptance tests.	X	
If any major task for the system as contractually described fails during the Customer acceptance testing or beneficial use, repeat that particular task after Motorola Solutions determines that corrective action has been taken.	X	
Resolve any minor task failures before Final System Acceptance.	X	
Document the results of the acceptance tests and present for review.	X	
Review and approve final acceptance test results.		X
Deliverable: Completion of functional testing and approval by Customer.		
PROJECT TRANSITION		
Training		
Finalize schedule for training coursework.	X	
Provide training facility.		X
Ensure that the training participants fulfill course prerequisites.		X
Conduct the training classes outlined in the Training section.	X	
Attend proposed training classes.		X
Deliverable: Training coursework completed.		
Cutover		
Finalize Cutover Plan.	X	X
Provide programming of user radios and related services (i.e. template building, re-tuning, testing and installations), as needed, during cutover period.		X
Conduct cutover meeting with relevant personnel to address both how to mitigate technical and communication problem impacts to the users during cutover and during the general operation of the system.	X	
Notify the personnel affected by the cutover of the date and time planned for cutover.		X
Provide ongoing communication with users regarding the project and schedule.	X	X
Cut over users and ensure that user radios are operating on system.		X
Resolve punchlist items, documented during the Acceptance Testing phase, in order to meet all the criteria for final system acceptance.	X	

Tasks	Motorola	City of Hemet
Assist Motorola Solutions with resolution of identified punchlist items by providing support, such as access to the sites, equipment and system, and approval of the resolved punchlist items.		X
Deliverable: Migration to new system completed, and punchlist items resolved.		
Transition to Warranty		
Review the items necessary for transitioning the project to warranty support and service.	X	
Motorola Solutions to provide services during year 1 warranty which align with the proposed services.	X	
Provide a Customer Support Plan detailing the warranty support associated with the contract equipment.	X	
Participate in the Transition Service/Project Transition Certificate (PTC) process.		X
Deliverable: Service information delivered and approved by Customer		
Finalize Documentation and System Acceptance		
Provide manufacturer's installation material, part list and other related material to Customer upon project completion.	X	
Provide an electronic as-built system manual on CD or other Customer preferred electronic media. The documentation will include the following: ▪ Site Block Diagrams. ▪ Site Equipment Rack Configurations. ▪ Antenna Network Drawings for RF Sites (where applicable). ▪ Functional Acceptance Test Plan Test Sheets and Results. ▪ Equipment Inventory List. ▪ Console Programming Template (where applicable). ▪ Maintenance Manuals (where applicable). ▪ Technical Service Manuals (where applicable). Drawings will be delivered in Adobe PDF format.	X	
Receive and approve documentation.		X
Execute Final Project Acceptance.	X	X
Deliverable: All required documents are provided and approved. Final Project Acceptance.		

2.1 WARRANTY SERVICES

2.2 ADVANCED PLUS SERVICES OVERVIEW

In order to ensure the continuity of the City of Hemet's network and reduce system downtime Motorola Solutions proposes our Advanced Plus Services offering. Appropriate for customers who wish to leverage Motorola Solutions' experienced personnel to maintain mission-critical communications for their first responders, Advanced Plus Services focuses

on monitoring the network on an ongoing basis, proactively mitigating potential functionality and security issues, and providing both remote and on-site support. The proposed offering consists of the following specific services:

- Service Desk.
- Technical Support.
- Network Event Monitoring.
- On-site Support.
- Annual Preventative Maintenance.
- Network Hardware Repair.
- Remote Security Patch Installation.
- Network Updates.

These services will be delivered to Hemet through the combination of local service personnel either dedicated to the network or engaged as needed; a centralized team within our Solutions Support Center (SSC), which operates on a 24 x 7 x 365 basis; and our Repair Depot, which will ensure that equipment is repaired to the highest quality standards. The collaboration between these service resources, all of who are experienced in the maintenance of mission-critical networks, will enable a swift analysis of any network issues, an accurate diagnosis of root causes, and a timely resolution and return to normal network operation.

2.3 ADVANCED PLUS SERVICES DESCRIPTIONS

2.3.1 Centralized Service Delivery

Centralized support will be provided by Motorola Solutions' support staff, located at our Service Desk and Solutions Support Center (SSC). These experienced personnel will provide direct service and technical support through a combination of Service Desk telephone support, technical consultation and troubleshooting through the SSC, and ongoing network monitoring of the City of Hemet's system.

Motorola Solutions will provide **Service Desk** response as a single point of contact for all support issues, including communications between Hemet, third-party subcontractors and manufacturers, and Motorola Solutions. When the City of Hemet's personnel call for support, the Service Desk will record, track, and update all Service Requests, Change Requests, Dispatch Requests, and Service Incidents using our Customer Relationship Management (CRM) system. The Service Desk is responsible for documenting the City of Hemet's inquiries, requests, concerns, and related tickets; tracking and resolving issues; and ensuring timely communications with all stakeholders based on the nature of the incident.

As tickets are opened by the Service Desk, issues that require specific technical expertise and support will be routed to our Solutions Support Center (SSC) system technologists for **Technical Support**, who will provide telephone consultation and troubleshooting capabilities to diagnose and resolve infrastructure performance and operational issues. Motorola Solutions' recording, escalating, and reporting process applies ISO 90001 and TL 9000-certified standards to the Technical Support calls from our contracted customers, reflecting our focus on maintaining mission-critical communications for the users of our systems.

The same SSC staff that provide direct telephone support to Hemet will also provide **Network Event Monitoring** to the City of Hemet's network in real-time, ensuring continuous management of the system's operational functionality. The SSC's technicians will utilize sophisticated tools to remotely monitor the City of Hemet's system, often identifying and resolving anomalous events before they might affect user communications.

2.3.2 Field Service Delivery

On-site repairs and network preventative maintenance will be provided by authorized local field services delivery personnel, who will be dispatched from and managed by the Solutions Support Center.

On-Site Support provides local, trained and qualified technicians who will arrive at the City of Hemet's location upon a dispatch service call to diagnose and restore the communications network. This involves running diagnostics on the hardware or Field Replacement Unit (FRU) in order to identify defective elements, and replacing those elements with functioning ones. The system technician will respond to the the City of Hemet's location in order to remedy equipment issues based on the impact of the issue to overall system function.

Annual Preventive Maintenance Service provides proactive, regularly scheduled operational testing and alignment of infrastructure and network components to ensure that they continually meet original manufacturer specifications. Certified field technicians perform hands-on examination and diagnostics of network equipment on a routine and prescribed basis.

2.3.3 Network Hardware Repair

Motorola Solutions' authorized Repair Depot will repair the equipment provided by Motorola Solutions, as well as select third-party infrastructure equipment supplied as part of the proposed solution. The Repair Depot will manage the logistics of equipment repair (including shipment and return of repaired equipment), repair Motorola Solutions equipment, and coordinate the repair of third-party solution components.

2.3.4 Security Management Operations

The proposed **Remote Security Patch Installation Service** will provide Hemet with pre-tested security updates, pre-tested and remotely installed by Motorola Solutions on the City of Hemet's system. When appropriate, Motorola Solutions will make these updates available to outside vendors in order to enable them to test each patch, and will incorporate the results of those third-party tests into the updates before installation on the City of Hemet's network. Once an update is fully tested and ready for deployment in the City of Hemet's system, Motorola Solutions will remotely install it onto the City of Hemet's system, and notify Hemet that the patch has been successfully installed. If there are any recommended configuration changes, warnings, or workarounds, Motorola Solutions will provide detailed documentation along with the updates on the website.

2.3.5 Network Updates

With our proposed **Network Updates Service**, Motorola Solutions commits to sustain the City of Hemet's ASTRO 25 system through a program of software and hardware updates

aligned with the ASTRO 25 platform lifecycle. This comprehensive approach to technology sustainment will ensure that Hemet has access to the latest available standard features, as well as the opportunity to incorporate optional features through the purchase of hardware and/or software licenses. Updates and expansion of system components will optimize the availability of repair services, and will enable Hemet to add RF sites, dispatch positions, data subsystems, network management positions, and other elements to increase capacity and processing capability. Motorola Solutions will minimize any interruption to system operation during each network update, with minimal reliance on the City of Hemet's personnel.

2.4 MOTOROLA SOLUTIONS' SERVICES CAPABILITIES

Our focus on the needs of our public safety partners has led us to recognize that an integrated implementation and service delivery team that takes a new system from system installation, to acceptance, to warranty, and all the way through extended maintenance, is the best way to ensure that public safety communications systems meet the needs of first responders. Motorola Solutions' team of experts, have developed refined processes and sophisticated tools through our experience in delivering mission-critical communications.

2.4.1 On-Call Support through the Solutions Support Center (SSC)

The cornerstone of our customer care process, our Solution Support Center (SSC) is staffed 24x7x365 by experienced system technologists. This TL 9000/ISO 9001-certified center responds to over 5000 public safety, utility, and enterprise customers. With over 100,000 phone and email interactions with Motorola Solutions customers per month, the SSC provides our customers with a centralized contact point for service requests.

2.4.2 On-Site Service through a Field Service Team

On-site maintenance and repair of the City of Hemet's system will be provided by Motorola Solutions' local team of service personnel. Motorola Solutions will provide Hemet with a Customer Support Plan (CSP) that outlines the details of each service, provides escalation paths for special issues, and any other information specific to the City of Hemet's service agreement. Some of these details will include items such as access to sites, response time requirements, severity level definitions, and parts department access information.

Local technicians will be dispatched for on-site service by the SSC, who will inform the technician of the reason for dispatch. This will enable the technician to determine if a certain component or Field Replacement Unit (FRU) will be needed from inventory to restore the system. Once on site, the field technician will notify the SSC and begin to work on the issue. The technician will review the case notes to determine the status of the issue, and begin the troubleshooting and restoration process. Once the system is restored to normal operation, the field technician will notify the SSC that the system is restored. The SSC, in turn, will notify Hemet that the system is restored to normal operation and request approval to close the case.

2.4.3 Centralized Repair Management through Motorola Solutions' Repair Depot

Our repair management depot coordinates component repair through a central location, eliminating the need to send system equipment to multiple vendor locations for repair. Once equipment is at the depot, technicians will replicate the City of Hemet's network

configuration in our comprehensive test labs in order to reproduce and analyze the issue. Technicians will then restore the equipment to working order. After repairs are completed, equipment will be tested to its original performance specifications and, if appropriate, configured for return to use in the City of Hemet's system. All components being repaired are tracked throughout the process, from shipment by Hemet to return through a case management system where users can view the repair status of the equipment via a web portal.

2.4.4 Direct Access to System Information through MyView Portal

Supplementing Motorola Solutions' proposed services plan for Hemet is access to MyView Portal, the Motorola Solutions' online system information tool (see the figure titled "MyView Portal"). MyView Portal provides our customers with real-time visibility to critical system and services information, all through an easy-to-use, graphical interface. With just a few clicks, the City of Hemet's administrators will gain instant access to system and support compliance, case reporting, ability to update and create cases, have visibility to when the system will be updated, and receive pro-active notifications regarding system updates. Available 24x7x365 from any web-enabled device, the information provided by MyView will be based on your needs and user access permissions, ensuring that the information displayed is secure and pertinent to your operations.



Figure 1 MyView Portal offers real-time, role-based access to critical system and services information.

2.5 TRAINING

Motorola Solutions is proposing the following training courses.

It is necessary that participants bring their laptop computers for all system administrator and technician classes. Materials will be delivered electronically via USB drives.

Course Title	Target Audience	Sessions	Duration	Location	Date	Participants
MCC7500E Console Operator and Admin with MKM7000 Operator Training 4 Training Consoles Required Ratio: 2 per console Course#: AST1054 (Instructor-led)	Supervisors	1 (8 hour) session	1 day	Hemet, CA	Prior to cutover	4
MCC7500 Console Operator Training 4 Training Consoles Required Ratio: 2 per console Course#: AST1053 (Instructor-led)	Dispatchers	3 (4 hour) sessions	1.5 days	Hemet, CA	Prior to cutover	12 (4 per session)

2.6 ADDITIONAL CONSIDERATIONS

The following points require further consideration and discussion between the City of Hemet, PSEC and Motorola, before a formal contract is agreed and signed for the current project. Depending on the outcome of those discussions, this proposal might have to be updated or any additional work not stated in this proposal will have to be considered as a Change Order.

- **Training** - Motorola has included operator and admin training for the new MCC7500E Dispatch Consoles. Further, an overall Training for PSEC System and Features is also recommended and this should be discussed and agreed between the City of Hemet and PSEC.
- **Ethernet Links to PSEC network** - The requirement for new Ethernet Links to the PSEC network has not been considered in this proposal, as this is the City of Hemet's responsibility. Motorola expects Ethernet links to Alessandro & Blythe to be ready and operational prior the beginning of the work on this project. The implementation and maintenance of these links should be discussed between the City of Hemet and PSEC.
- **Warranty and Maintenance** - This proposal includes only Standard Commercial Warranty for the supplied equipment. Any Post-Warranty Maintenance Services and/or SUA shall first be discussed between the City of Hemet and PSEC and consequently included in a separate contract as per the result of those discussions.

SECTION 3

ACCEPTANCE TEST PLAN

System Acceptance of the proposed solution will occur upon successful completion of a Functional Acceptance Test Plan (FATP), which will test the features, functions, and failure modes for the installed equipment in order to verify that the solution operates according to its design. This plan will validate that City of Hemet's solution will operate according to its design, and increase the efficiency and accuracy of the final installation activities. A detailed FATP will be developed and finalized during project implementation.

SECTION 4

EQUIPMENT LIST

This section lists the equipment necessary for the proposed solution.

4.1 MAIN OFFERING

QTY	NOMENCLATURE	DESCRIPTION
1	SQM01SUM0323	ASTRO MASTER SITE
1	CA03517AB	ADD: CORE EXPANSION
2	UA00156AA	ADD: MCC7500 CONSOLE LICENSES (QTY
2	CA01316AA	ADD: UNC ADDTL DEVICE LIC (QTY 10)
1	T8492	SITE ROUTER & FIREWALL- AC
1	CA03445AA	ADD: MISSION CRITICAL HARDENING
1	CA03448AA	ADD: STATEFUL FIREWALL
1	T8492	SITE ROUTER & FIREWALL- AC
1	CA03445AA	ADD: MISSION CRITICAL HARDENING
1	CA03448AA	ADD: STATEFUL FIREWALL
2	CLN1868	2930F 24-PORT SWITCH
2	CLN1866	FRU: 1M DAC CABLE
6	T7885	MCAFEE WINDOWS AV CLIENT
6	T7449	WINDOWS SUPPLEMENTAL TRANS CONFIG
1	B1949	MCC 7500E SOFTWARE DVD
1	B1948	MCC 7500E DISPATCH POSITION LICENSE
6	UA00652AA	ADD: 160 RADIO RESOURCES LICENSE
6	UA00653AA	ADD: BASIC CONSOLE OPERATION
6	UA00654AA	ADD: ASTRO 25 TRUNKING OPERATION
6	UA00655AA	ADD: ADVANCED CONVENTIONAL OPERATIO
6	UA00658AA	ADD: SECURE OPERATION
6	UA00659AA	ADD: ADP/AES/DES-OFB ENCRYPTION
6	UA00661AA	ADD: ENHANCED IRR
6	B1941	USB AUDIO INTERFACE MODULE
6	TT3492	Z2 G4 MINI WORKSTATION NON RETURNAB
6	DSUSB31000S	STARTECH USB 3.0 TO GIGABIT ETHERNE
2	DSF2B56AA	USB EXTERNAL DVD DRIVE
2	DSST7300U3M	STARTECH 7 PORT USB 3.0 HUB
6	DSY7B61AA	HP Z2 MINI ARM WALL VESA MOUNT
12	DSICUSBAUDIO7D	STARTECH 7.1 USB AUDIO ADAPTER SOUN
18	B1912	MCC SERIES DESKTOP SPEAKER
12	B1913	MCC SERIES HEADSET JACK
12	RLN6098	HDST MODULE BASE W/PTT, 15 FT CBL

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QTY	NOMENCLATURE	DESCRIPTION
12	RMN5150A	OVER-THE-HEAD, MONAURAL, NOISE-CANC
6	DSTWIN6328A	PROVIDES ONE DUAL PEDAL FOOTSWITCH
6	DSEV221B	TECH GLOBAL EVOLUTION SERIES 22INCH
6	DDN2723	DUAL IRR SW USB HASP W LICENSE, SOU
6	BKN2001	FRU, USB CABLE, TYPE A TO TYPE C, 4
6	BLN6200	AC POWER STRIP, 6 OUTLET
1	SQM01SUM0205	GGM 8000 GATEWAY
1	CA01616AA	ADD: AC POWER
1	CA02086AA	ADD: HIGH DENSITY ENH CONV GATEWAY
1	SQM01SUM0205	GGM 8000 GATEWAY
1	CA01616AA	ADD: AC POWER
1	CA02086AA	ADD: HIGH DENSITY ENH CONV GATEWAY
1	SQM01SUM0205	GGM 8000 GATEWAY
1	CA01616AA	ADD: AC POWER
1	CA02086AA	ADD: HIGH DENSITY ENH CONV GATEWAY
1	TT3492	Z2 G4 MINI WORKSTATION NON RETURNAB
1	T7885	MCAFEE WINDOWS AV CLIENT
1	T7449	WINDOWS SUPPLEMENTAL TRANS CONFIG
1	DSF2B56AA	USB EXTERNAL DVD DRIVE
1	DSST7300U3M	STARTECH 7 PORT USB 3.0 HUB
1	DDN1289	MCN SERVER 8000 SW LIC FOR 4 MOTORO
2	DDN2123	HIB-IP 8002 UNIT - NETWORK INTERFAC
1	DDN1295	MCN SW LIC OPT CLIENT EXPANSION FOR
7	CDN6121	CIB COMPARATOR INTFC MODULE
1	CDN6112	RACK MOUNT QUAD SIZE A
1	DDN1387	RACK MOUNT FOR HIB-IP
5	CDN6123	CABLE ASSY NETWORK 9 INCHES
1	CDN6124	CABLE ASSY NETWORK 3 FT
1	CDN6126	CABLE ASSY NETWORK 25 FT
6	CDN6130	CBL ASSY 25 PR MALE-MALE 25 FT
6	CDN6118	PUNCH BLOCK DUAL 25 PAIR
3	CDN6116	POWER SUPPLY MCN120 VAC
2	CDN6115	NETWORK TERMINATOR (STANDARD 78K SY
1	DSS160601	MCN ACCESSORY CIB T TEST BOARD
3	DSS260740	DIODE PLUG ASSEMBLY
15	CDN6109	CIB HARDWARE GUIDE
1	T8343	GSERIES SOFTWARE LICENSING
1	UA00415AA	ADD: GSERIES SC-CONV
1	T7038	GCP 8000 SITE CONTROLLER
1	CA00303AA	ADD: QTY (1) SITE CONTROLLER
1	X153AW	ADD: RACK MOUNT HARDWARE
1	CA01953AA	ADD: POWER EFFICIENCY PACKAGE

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to the restrictions on the cover page.

QTY	NOMENCLATURE	DESCRIPTION
1	CA03111AA	ADD: CEC COMPLIANCE
1	CA01136AA	MCC 7500 CONVEN SITE OPER
1	CA00719AA	ADD: ASTRO SYSTEM RELEASE 2019.2
1	F4543	SITE MANAGER BASIC
1	VA00874	ADD: AUX I-O SERV FW CURR ASTRO REL
1	V266	ADD: 90VAC TO 260VAC PS TO SM
3	V592	AAD TERM BLCK & CONN WI
1	BVN1013	MKM 7000 Console Alias Manager Soft
1	TT3492	Z2 G4 MINI WORKSTATION NON RETURNAB
1	T7885	MCAFEE WINDOWS AV CLIENT
1	DSTG221B	TECH GLOBAL EVOLUTION SERIES 22INCH
1	T7449	WINDOWS SUPPLEMENTAL TRANS CONFIG
1	DDN2092	VOICE AND DATA LOGGING,17 IN LCD DR
2	DS12086719	CHATSWORTH 19W INCH ADJUSTABLE TIE-
1	DDN9748	19 INCH BLACK SHELF
1	TRN7343	SEVEN AND A HALF FOOT RACK
1	DSTSJADP	RACK MOUNT GROUND BAR, 19 IN FOR TS
2	DS1101990	SPD, SHIELDED RJ-45 JACK, SINGLE LI
3	DSRMP420B	SPD, TYPE 3, 120V RACK MOUNT, 20A S
1	L37TSS9PW1 N	ALL BAND CONSOLETTE
1	CA01598	ADD: AC LINE CORD US
1	G361	ENH: P25 TRUNKING SOFTWARE APX
1	G51	ENH: SMARTZONE OPERATION APX
1	G78	ADD: 3Y ESSENTIAL SERVICE
1	G806	ENH: ASTRO DIGITAL CAI OP APX
1	G851	ADD: AES/DES-XL/DES-OFB ENCRYPTION
1	GA00469	ENH: EXTENDED DISPATCH APX CONSOLET
1	GA00580	ADD: TDMA OPERATION APX
1	GA05508	DEL: DELETE VHF BAND
1	GA05509	DEL: DELETE UHF BAND
1	W382	ADD: CONTROL STATION DESK GCAI MIC
1	W969	ADD: MULTIPLE KEY ENCRYPTION OPERAT
1	L999	ADD: FULL FP W/E5/KEYPAD/CLOCK/VU
1	HKN6233C	APX CONSOLETTE RACK MOUNT KIT
1	CB000091A03	CABLE, COAXIAL,QMA PLUG TO MINI-UHF JACK CONNETOR
1	DSDS7B03CS36UN	700 CONTROL STATION ANTENNA, 3 DBD
1	DS245173	245173 COLD SHRINK WEATHERPROOFKIT,
1	DDN1089	TYPE N FEMALE PS FOR 1/2 IN CABLE
80	DSLDF450ACABLE	CABLE: 1/2" LDF HELIAX POLY JKT PER
1	DSL4TNMPSA	TYPE N MALE POSITIVE STOP FOR 1/2 I
3	DSSG1212B2U	SG12-12B2U, SUREGROUND 1/2", 48"
1	DSTSXDFMBF	RF SPD, 698-2700MHZ DC BLOCK HIGH P

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to the restrictions on the cover page.

QTY	NOMENCLATURE	DESCRIPTION
1	DSF4PNMV2HC	TYPE N MALE FOR 1/2 IN FSJ4-50B CAB
25	DSFSJ450BCABLE	FSJ4-50B 1/2" 50 OHM
1	DSF4NRHC	F4NR-HC 1/2" TYPE N MALE RIGHT ANGL
1	L37TSS9PW1 N	ALL BAND CONSOLETTE
1	CA01598	ADD: AC LINE CORD US
1	G361	ENH: P25 TRUNKING SOFTWARE APX
1	G51	ENH: SMARTZONE OPERATION APX
1	G78	ADD: 3Y ESSENTIAL SERVICE
1	G806	ENH: ASTRO DIGITAL CAI OP APX
1	GA00469	ENH: EXTENDED DISPATCH APX CONSOLET
1	GA05507	DEL: DELETE 7/800MHZ BAND
1	GA05509	DEL: DELETE UHF BAND
1	W382	ADD: CONTROL STATION DESK GCAI MIC
1	L999	ADD: FULL FP W/E5/KEYPAD/CLOCK/VU
1	HKN6233C	APX CONSOLETTE RACK MOUNT KIT
1	CB000091A03	CABLE, COAXIAL,QMA PLUG TO MINI-UHF JACK CONNETOR
1	DSDS1X00CS36DN	DUAL VHF CONTROL STATION ANTENNA, U
1	DS245173	245173 COLD SHRINK WEATHERPROOFKIT,
1	DDN1089	TYPE N FEMALE PS FOR 1/2 IN CABLE
80	DSLDF450ACABLE	CABLE: 1/2" LDF HELIAX POLY JKT PER
1	DSL4TNMPSA	TYPE N MALE POSITIVE STOP FOR 1/2 I
3	DSSG1212B2U	SG12-12B2U, SUREGROUND 1/2", 48"
1	DSVHF50DMAPGR	RF SPD, 100-512MHZ, DC BLOCK HIGH P
1	DSF4PNMV2HC	TYPE N MALE FOR 1/2 IN FSJ4-50B CAB
25	DSFSJ450BCABLE	FSJ4-50B 1/2" 50 OHM
1	DSF4NRHC	F4NR-HC 1/2" TYPE N MALE RIGHT ANGL
1	L37TSS9PW1 N	ALL BAND CONSOLETTE
1	CA01598	ADD: AC LINE CORD US
1	G361	ENH: P25 TRUNKING SOFTWARE APX
1	G51	ENH: SMARTZONE OPERATION APX
1	G78	ADD: 3Y ESSENTIAL SERVICE
1	G806	ENH: ASTRO DIGITAL CAI OP APX
1	GA00469	ENH: EXTENDED DISPATCH APX CONSOLET
1	GA05507	DEL: DELETE 7/800MHZ BAND
1	GA05508	DEL: DELETE VHF BAND
1	W382	ADD: CONTROL STATION DESK GCAI MIC
1	L999	ADD: FULL FP W/E5/KEYPAD/CLOCK/VU
1	HKN6233C	APX CONSOLETTE RACK MOUNT KIT
1	CB000091A03	CABLE, COAXIAL,QMA PLUG TO MINI-UHF JACK CONNETOR
1	DSBA4067DIN	OMNI, EXPOSED DIPOLE ARRAY, 3 DBD,
1	DS245173	245173 COLD SHRINK WEATHERPROOFKIT,
1	DDN1089	TYPE N FEMALE PS FOR 1/2 IN CABLE

Use or disclosure of this proposal is subject
to the restrictions on the cover page.

QTY	NOMENCLATURE	DESCRIPTION
80	DSLDF450ACABLE	CABLE: 1/2" LDF HELIAX POLY JKT PER
1	DSL4TNMPSA	TYPE N MALE POSITIVE STOP FOR 1/2 I
3	DSSG1212B2U	SG12-12B2U, SUREGROUND 1/2", 48"
1	DSVHF50DMAPGR	RF SPD, 100-512MHZ, DC BLOCK HIGH P
1	DSF4PNMV2HC	TYPE N MALE FOR 1/2 IN FSJ4-50B CAB
25	DSFSJ450BCABLE	FSJ4-50B 1/2" 50 OHM
1	DSF4NRHC	F4NR-HC 1/2" TYPE N MALE RIGHT ANGL
1	T8492	SITE ROUTER & FIREWALL- AC
1	CA03445AA	ADD: MISSION CRITICAL HARDENING
1	CA03448AA	ADD: STATEFUL FIREWALL
1	CLN1868	2930F 24-PORT SWITCH
1	CLN1866	FRU: 1M DAC CABLE
1	B1941	USB AUDIO INTERFACE MODULE
1	B1913	MCC SERIES HEADSET JACK
1	DSTWIN6328A	PROVIDES ONE DUAL PEDAL FOOTSWITCH
1	SQM01SUM0205	GGM 8000 GATEWAY
1	CA01616AA	ADD: AC POWER
1	CA02086AA	ADD: HIGH DENSITY ENH CONV GATEWAY

4.2 OPTIONAL EQUIPMENT

QTY	NOMENCLATURE	DESCRIPTION
1	DSMW3HE06791AA	SAR-8 SHELF V2
1	DSMW3HE02784MA	SAR RELEASE 9.0 BASIC OS LICENSE
1	DSMW3HE06792EA	FAN MODULE (SAR-8 SHELF V2) EXT TEM
2	DSMW3HE02774AB	CONTROL SWITCH MODULE V2 (CSMV2) 48
2	DSMW3HE11473AK	PMC CARD W/ 4 GIG-E SFP BUNDLE (1)
2	DSMW3HE00028CA	SFP - GIGE LX - LC ROHS 6/6 DDM -40
2	DSMW3HE00027CA	SFP - GIGE SX - LC ROHS 6/6 DDM -40
2	DSMW3HE05838AA	250W 120/240V AC POWER CONVERTER
2	DSMW3HE05837BA	7705 AC POWER CONVERTER PIGTAIL - O
1	DS90111918	19" CANTILEVER FLUSH MOUNT SHELF, 1
1	DSMW3HE06791AA	SAR-8 SHELF V2
1	DSMW3HE02784MA	SAR RELEASE 9.0 BASIC OS LICENSE
1	DSMW3HE06792EA	FAN MODULE (SAR-8 SHELF V2) EXT TEM
1	DSMW3HE02774AB	CONTROL SWITCH MODULE V2 (CSMV2) 48
1	DSMW3HE11473AK	PMC CARD W/ 4 GIG-E SFP BUNDLE (1)

PRICING AND TERMS

4.3 PRICING SUMMARY

Motorola is pleased to provide the following equipment and services to City of Hemet:

4.3.1 Main Offering

Description	Price (USD)
Equipment: - Six MCC7500E Consoles - Three ECCGWs - One Conventional Site Controller - Three Consolettes and antenna systems - CTI Voter Display and Control - MKM7000 Console Alias Manager - SDM3000 for AUX I/Os	$527,945
Equipment Discount (LA County Contract)	-$31,956
Additional Equipment Discount if purchased by 03/07/2021	-$84,318
Equipment Total	$411,671
Project Services: - Project Management - Engineering Support - Detailed Design Review - Equipment Ordering and Manufacturing - Equipment Staging and Shipment - Equipment Installation - Programming and Configuration - Functional Acceptance Testing - Customer Training	$376,497
Additional Service Discount if purchased by 03/07/2021	-$64,005
Estimated Tax on Equipment (8.75%)	$36,021
Project Total	**$760,185**

4.3.2 Advanced Plus Package for Main Offering

Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
$47,023	$47,711	$48,419	$49,149	$49,900	$50,675	$51,472	$52,293	$53,139

4.3.3 Optional Subsystems and Equipment

4.3.3.1 MPLS Routers

Description	Price (USD)
Equipment: - Two MPLS SAR Routers	$25,933
Equipment Discount (LA County Contract)	-$3,822
Equipment Total	$22,110
Project Services: - Project Management - Engineering Support - Detailed Design Review - Equipment Ordering and Manufacturing - Equipment Staging and Shipment - Equipment Installation - Programming and Configuration - Functional Acceptance Testing	$35,149
Estimated Tax on Equipment (8.75%)	$1,935
Project Total	**$59,193**

4.4 CONTRACT TERMS

The proposed solution is subject to the terms and conditions of the CSSA provided below.

Communications System and Services Agreement

Motorola Solutions, Inc. ("Motorola") and _____ ("Customer") enter into this "Agreement," pursuant to which Customer will purchase and Motorola will sell the System and Services, as described below. Motorola and Customer may be referred to individually as a "Party" and collectively as the "Parties." For good and valuable consideration, the Parties agree as follows:

Section 1 ATTACHMENTS

1.1. EXHIBITS. The Exhibits listed below are exhibits related to the System sale and implementation. These Exhibits are incorporated into and made a part of this Agreement.

Exhibit A "Motorola Software License Agreement"
Exhibit B "Payment"
Exhibit C Technical and Implementation Documents
- C-1 "System Description" dated _____
- C-2 "Pricing Summary & Equipment List" dated _____
- C-3 "Implementation Statement of Work" dated _____
- C-4 "Acceptance Test Plan" or "ATP" dated _____
- C-5 "Performance Schedule" dated _____

Exhibit D "System Acceptance Certificate"

1.2. ADDENDUM (ADDENDA). Customer may elect to purchase professional or subscription services in addition to the System and related services. Any such services will be governed by the terms in the main body of the Agreement and an applicable Addendum containing terms specific to such service. Such Addenda will be labeled with the name of the service being purchased.

1.3 ORDER OF PRECEDENCE. In interpreting this Agreement and resolving any ambiguities: 1) the main body of this Agreement takes precedence over the exhibits (unless otherwise specified in an exhibit), and any inconsistency between Exhibits A through D will be resolved in their listed order, and 2) The applicable service Addendum will take precedence over the main body of the Agreement and the Exhibits.

Section 2 DEFINITIONS

Capitalized terms used in this Agreement have the following meanings:

"Acceptance Tests" means those tests described in the Acceptance Test Plan.

"Addendum (Addenda)" is the title of the document(s) containing a specific set of terms and conditions applicable to a particular service or other offering beyond the Communication System and System implementation services. The terms in the Addendum are applicable only to the specific service or offering described therein.

"Administrative User Credentials" means an account that has total access over the operating system, files, end user accounts and passwords at either the System level or box level. Customer's personnel with access to the Administrative User Credentials may be referred to as the Administrative User.

"Beneficial Use" means when Customer first uses the System or a Subsystem for operational purposes (excluding training or testing).

"Confidential Information" means all information consistent with the fulfillment of this Agreement that is (i) disclosed under this Agreement in oral, written, graphic, machine recognizable, and/or sample form, being clearly designated, labeled or marked as confidential or its equivalent or (ii) obtained by examination, testing or analysis of any hardware, software or

any component part thereof provided by discloser to recipient. The nature and existence of this Agreement are considered Confidential Information. Confidential Information that is disclosed orally must be identified as confidential at the time of disclosure and confirmed by the discloser by submitting a written document to the recipient within thirty (30) days after such disclosure. The written document must contain a summary of the Confidential Information disclosed with enough specificity for identification purpose and must be labeled or marked as confidential or its equivalent.

"Contract Price" means the price for the System and implementation Services, excluding applicable sales or similar taxes and freight charges. Further, unless otherwise stated in Exhibit B, "Payment" or the pricing pages of the proposal, recurring fees for maintenance, SUA, or subscription services are not included in the Contract Price.

"Deliverables" means all written information (such as reports, specifications, designs, plans, drawings, analytics, Solution Data, or other technical or business information) that Motorola prepares for Customer in the performance of the Services and is obligated to provide to Customer under this Agreement. The Deliverables, if any, are more fully described in the Statement of Work.

"**Derivative Proprietary Materials**" means derivatives of the Proprietary Materials that Motorola may from time to time, including during the course of providing the Services, develop and/or use and/or to which Motorola provides Customer access.

"Effective Date" means that date upon which the last Party executes this Agreement.

"Equipment" means the hardware components of the Solution that Customer purchases from Motorola under this Agreement. Equipment that is part of the System is described in the Equipment List.

"**Feedback"** means comments or information, in oral or written form, given to Motorola by Customer in connection with or relating to Equipment or Services, during the term of this Agreement.

"Force Majeure" means an event, circumstance, or act that is beyond a Party's reasonable control, such as an act of God, an act of the public enemy, an act of a government entity, strikes, other labor disturbances, supplier performance, hurricanes, earthquakes, fires, floods, epidemics, embargoes, war, riots, or any other similar cause.

"Motorola Software" means software that Motorola or its affiliated companies owns.

"Non-Motorola Software" means software that a party other than Motorola or its affiliated companies owns.

"Open Source Software" (also called "freeware" or "shareware") means software with either freely obtainable source code, license for modification, or permission for free distribution.

"Proprietary Materials" means certain software tools and/or other technical materials, including, but not limited to, data, modules, components, designs, utilities, subsets, objects, program listings, models, methodologies, programs, systems, analysis frameworks, leading practices and specifications which Motorola has developed prior to, or independently from, the provision of the Services and/or which Motorola licenses from third parties.

"Proprietary Rights" means the patents, patent applications, inventions, copyrights, trade secrets, trademarks, trade names, mask works, know-how, and other intellectual property rights in and to the Equipment and Software, including those created or produced by Motorola under this Agreement and any corrections, bug fixes, enhancements, updates or modifications to or derivative works from the Software whether made by Motorola or another party.

"Services" means system implementation, maintenance, support, subscription, or other professional services provided under this Agreement, which may be further described in the applicable Addendum and/or SOW.

"Software" (i) means proprietary software in object code format, and adaptations, translations, de-compilations, disassemblies, emulations, or derivative works of such software; (ii) means any modifications, enhancements, new versions

and new releases of the software provided by Motorola; and (iii) may contain one or more items of software owned by a third party supplier. The term "Software" does not include any third party software provided under separate license or third party software not licensable under the terms of this Agreement.

"Software License Agreement" means the Motorola Software License Agreement (Exhibit A).

"Software Support Policy" ("SwSP") means the policy set forth at http://www.motorolasolutions.com/softwarepolicy describing the specific technical support that will be provided to Customers under the Warranty Period and during any paid maintenance support period for Motorola Software. This policy may be modified from time to time at Motorola's discretion.

"Solution" means the combination of the System(s) and Services provided by Motorola under this Agreement.

"Solution Data" means Customer data that is transformed, altered, processed, aggregated, correlated or operated on by Motorola, its vendors or other data sources and data that has been manipulated or retrieved using Motorola know-how to produce value-added content to data consumers, including customers or citizens which is made available to Customer with the Solution and Services.

"Specifications" means the functionality and performance requirements that are described in the Technical and Implementation Documents.

"SUA" or "SUA II" means Motorola's Software Upgrade Agreement program.

"Subsystem" means a major part of the System that performs specific functions or operations. Subsystems are described in the Technical and Implementation Documents.

"System" means the Equipment, including incidental hardware and materials, Software, and design, installation and implementation services that are combined together into an integrated system; the System(s) is (are) described in the Technical and Implementation Documents.

"System Acceptance" means the Acceptance Tests have been successfully completed.

"**System Data**" means data created by, in connection with or in relation to Equipment or the performance of Services under this Agreement.

"Warranty Period" for System Hardware, Software, or services related to system implementation means one (1) year from the date of System Acceptance or Beneficial Use, whichever occurs first. Unless otherwise stated in the applicable Addendum, Warranty Period for other Services means ninety (90) days from performance of the Service.

Section 3 SCOPE OF AGREEMENT AND TERM

3.1. SCOPE OF WORK. Motorola will provide, install and test the System(s), and perform its other contractual responsibilities to provide the Solution, all in accordance with this Agreement. Customer will perform its contractual responsibilities in accordance with this Agreement.

3.2. CHANGE ORDERS. Either Party may request changes within the general scope of this Agreement. If a requested change causes an increase or decrease in the cost or time required to perform this Agreement, the Parties will agree to an equitable adjustment of the Contract Price or applicable subscription fees, Performance Schedule, or both, and will reflect the adjustment in a change order or Addendum. Neither Party is obligated to perform requested changes unless both Parties execute a written change order.

3.3. TERM. Unless terminated in accordance with other provisions of this Agreement or extended by mutual agreement of the Parties, the term of this Agreement begins on the Effective Date and continues until the date of Final Project Acceptance or expiration of the Warranty Period, or completion of the Services, whichever occurs last. The term and the effective date of recurring Services will be set forth in the applicable Addendum.

3.4. ADDITIONAL EQUIPMENT OR SOFTWARE. For three (3) years after the expiration date of the Agreement, Customer may order additional Equipment or Software, if it is then available. Each purchase order must refer to this Agreement, the expiration date of the Agreement, and must specify the pricing and delivery terms. The Parties agree that, notwithstanding expiration of the Agreement, the applicable provisions of this Agreement (except for pricing, delivery, passage of title and risk of loss to Equipment, warranty commencement, and payment terms) will govern the purchase and sale of the additional Equipment or Software. Additional or contrary terms in the purchase order will be inapplicable, unless signed by both parties. Title and risk of loss to additional Equipment will pass at shipment, warranty will commence upon delivery, and payment is due within thirty (30) days after the invoice date. Motorola will send Customer an invoice as the additional Equipment is shipped or Software is licensed. Alternatively, Customer may register with and place orders through Motorola Online ("MOL"), and this Agreement will be the "Underlying Agreement" for those MOL transactions rather than the MOL On-Line Terms and Conditions of Sale. MOL registration and other information may be found at https://businessonline.motorolasolutions.com and the MOL telephone number is (800) 814-0601.

3.5. MOTOROLA SOFTWARE. Any Motorola Software, including subsequent releases, is licensed to Customer solely in accordance with the Software License Agreement. Customer hereby accepts and agrees to abide by all of the terms and restrictions of the Software License Agreement.

3.6. NON-MOTOROLA SOFTWARE. Any Non-Motorola Software is licensed to Customer in accordance with the standard license, terms, and restrictions of the copyright owner on the Effective Date unless the copyright owner has granted to Motorola the right to sublicense the Non-Motorola Software pursuant to the Software License Agreement, in which case it applies and the copyright owner will have all of Licensor's rights and protections under the Software License Agreement. Motorola makes no representations or warranties of any kind regarding Non-Motorola Software. Non-Motorola Software may include Open Source Software.

3.7. SUBSTITUTIONS. At no additional cost to Customer, Motorola may substitute any Equipment, Software, or services to be provided by Motorola, if the substitute meets or exceeds the Specifications and is of equivalent or better quality to the Customer. Any substitution will be reflected in a change order.

3.8. OPTIONAL EQUIPMENT OR SOFTWARE. This paragraph applies only if a "Priced Options" exhibit is shown in Section 1, or if the parties amend this Agreement to add a Priced Options exhibit. During the term of the option as stated in the Priced Options exhibit (or if no term is stated, then for one (1) year after the Effective Date), Customer has the right and option to purchase the equipment, software, and related services that are described in the Priced Options exhibit. Customer may exercise this option by giving written notice to Seller which must designate what equipment, software, and related services Customer is selecting (including quantities, if applicable). To the extent they apply, the terms and conditions of this Agreement will govern the transaction; however, the parties acknowledge that certain provisions must be agreed upon, and they agree to negotiate those in good faith promptly after Customer delivers the option exercise notice. Examples of provisions that may need to be negotiated are: specific lists of deliverables, statements of work, acceptance test plans, delivery and implementation schedules, payment terms, maintenance and support provisions, additions to or modifications of the Software License Agreement, hosting terms, and modifications to the acceptance and warranty provisions.

Section 4 SERVICES

4.1. If Customer desires and Motorola agrees to continue Services beyond the Term, Customer's issuance and Motorola's acceptance of a purchase order for Services will serve as an automatic extension of the Agreement for purposes of the continuing Services. Only the terms and conditions applicable to the performance of Services will apply to the extended Agreement.

4.2. During the Warranty Period, in addition to warranty services, Motorola will provide maintenance Services for the Equipment and support for the Motorola Software pursuant to the applicable maintenance and support Statements of Work. Support for the Motorola Software will be in accordance with Motorola's established Software Support Policy. Copies of the SwSP can be found at http://www.motorolasolutions.com/softwarepolicy and will be sent by mail, email or fax to Customer upon written request. Maintenance Services and support during the Warranty Period are included in the Contract Price. Unless already included in the Contract Price, if Customer wishes to purchase 1) additional maintenance or software support

services during the Warranty Period; or 2) continue or expand maintenance, software support, installation, and/or SUA services after the Warranty Period, Motorola will provide the description of and pricing for such services in a separate proposal document. Unless otherwise agreed by the parties in writing, the terms and conditions in this Agreement applicable to maintenance, support, installation, and/or SUA Services, will be included in the Maintenance and Support Addendum, SUA Addendum, the applicable Statements of Work, and the proposal, (if applicable). These collective terms will govern the provision of such Services.

To obtain any such additional Services, Customer will issue a purchase order referring to this Agreement and the separate proposal document. Omission of reference to this Agreement in Customer's purchase order will not affect the applicability of this Agreement. Motorola's proposal may include a cover page entitled "Service Agreement" or "Installation Agreement", as applicable, and other attachments. These cover pages and other attachments are incorporated into this Agreement by this reference

4.3. PROFESSIONAL AND SUBSCRIPTION SERVICES. If Customer purchases professional or subscription Services as part of the Solution, additional or different terms specific to such Service will be included in the applicable Addendum and will apply to those Services. Customer may purchase additional professional or subscription services by issuing a purchase order referencing this Agreement and Motorola's proposal for such additional services.

4.4. Any information in the form of specifications, drawings, reprints, technical information or otherwise furnished to Customer in providing Services under this Agreement or Motorola data viewed, accessed, will remain Motorola's property, will be deemed proprietary, Confidential Information. This Confidential Information will be promptly returned at Motorola's request.

4.5. TOOLS. All tools, equipment, dies, gauges, models, drawings or other materials paid for or furnished by Motorola for the purpose of providing Services under this Agreement will be and remain the sole property of Motorola. Customer will safeguard all such property while it is in Customer's custody or control, be liable for any loss or damage to this property, and return it to Motorola upon request. This property will be held by Customer for Motorola's use without charge and may be removed from Customer's premises by Motorola at any time without restriction. Upon termination of the contract for any reason, Customer shall return to Motorola all equipment delivered to Customer.

4.6. COVENANT NOT TO EMPLOY. During the term of this Agreement and continuing for a period of two (2) years thereafter, Customer will not hire, engage on contract, solicit the employment of, or recommend employment to any third party of any employee of Motorola or its subcontractors without the prior written authorization of Motorola. This provision applies only to those employees of Motorola or its subcontractors who are responsible for rendering Services under this Agreement. If this provision is found to be overly broad under applicable law, it will be modified as necessary to conform to applicable law.

4.7. CUSTOMER OBLIGATIONS. If the applicable Statement of Work or Addendum contains assumptions that affect the Services or Deliverables, Customer will verify that they are accurate and complete. Any information that Customer provides to Motorola concerning the Services or Deliverables will be accurate and complete in all material respects. Customer will make timely decisions and obtain any required management approvals that are reasonably necessary for Motorola to perform the Services and its other duties under this Agreement. Unless the Statement of Work states the contrary, Motorola may rely upon and is not required to evaluate, confirm, reject, modify, or provide advice concerning any assumptions and Customer-provided information, decisions and approvals described in this paragraph.

4.8. ASSUMPTIONS. If any assumptions or conditions contained in this Agreement, applicable Addenda or Statements of Work prove to be incorrect or if Customer's obligations are not performed, Motorola's ability to perform under this Agreement may be impacted and changes to the Contract Price, subscription fees, project schedule, Deliverables, or other changes may be necessary.

4.9. NON-PRECLUSION. If, as a result of the Services performed under this Agreement, Motorola recommends that Customer purchase products or other services, nothing in this Agreement precludes Motorola from participating in a future

competitive bidding process or otherwise offering or selling the recommended products or other services to Customer. Customer represents that this paragraph does not violate its procurement or other laws, regulations, or policies.

4.10. PROPRIETARY MATERIALS. Customer acknowledges that Motorola may use and/or provide Customer with access to Proprietary Materials and Derivative Proprietary Materials. The Proprietary Materials and the Derivative Proprietary Materials are the sole and exclusive property of Motorola and Motorola retains all right, title and interest in and to the Proprietary Materials and Derivative Proprietary Materials.

4.11. ADDITIONAL SERVICES. Any services performed by Motorola outside the scope of this Agreement at the direction of Customer will be considered to be additional Services which are subject to additional charges. Any agreement to perform additional Services will be reflected in a written and executed change order, Addendum or amendment to this Agreement.

Section 5 PERFORMANCE SCHEDULE

The Parties will perform their respective responsibilities in accordance with the Performance Schedule. By executing this Agreement, Customer authorizes Motorola to proceed with contract performance.

Section 6 CONTRACT PRICE, PAYMENT AND INVOICING

6.1. Customer affirms that a purchase order or notice to proceed is not required for contract performance or for subsequent years of service, if any, and that sufficient funds have been appropriated in accordance with applicable law. The Customer will pay all invoices as received from Motorola and any changes in scope will be subject to the change order process as described in this Agreement. At the time of execution of this Agreement, the Customer will provide all necessary reference information to include on invoices for payment in accordance with this Agreement.

6.2. CONTRACT PRICE. The Contract Price in U.S. dollars is $_____. If applicable, a pricing summary is included with the Payment schedule in Exhibit B. Motorola has priced the Services, Software, and Equipment as an integrated System. A change in Software or Equipment quantities, or Services, may affect the overall Contract Price, including discounts if applicable. Fees for professional, SUA, and/or subscription services which are not included in the Contract Price may be listed in Exhibit B, the pricing pages of the proposal, or the applicable Addendum.

6.3. INVOICING AND PAYMENT. Motorola will submit invoices to Customer according to the Payment schedule in Exhibit B. Invoices will be mailed or emailed to Customer pursuant to Section 6.5, Invoicing and Shipping Addresses. Except for a payment that is due on the Effective Date, Customer will make payments to Motorola within thirty (30) days after the date of each invoice. Customer will make payments when due in the form of a wire transfer, check, or cashier's check from a U.S. financial institution. Overdue invoices will bear simple interest at the maximum allowable rate. For reference, the Federal Tax Identification Number for Motorola is 36-1115800.

6.4. FREIGHT, TITLE, AND RISK OF LOSS. Motorola will pre-pay and add all freight charges to the invoices. Title and risk of loss to the Equipment will pass to Customer upon shipment. Title to Software will not pass to Customer at any time. Motorola will pack and ship all Equipment in accordance with good commercial practices.

6.5. INVOICING AND SHIPPING ADDRESSES. Invoices will be sent to the Customer at the following address:
Name:_____
Address:_____
Phone:_____

E-INVOICE. To receive invoices via email:
Customer Account Number:_____
Customer Accounts Payable Email:_____
Customer CC(optional) Email: _____

The address which is the ultimate destination where the Equipment will be delivered to Customer is:

Name:_____
Address:_____

The Equipment will be shipped to the Customer at the following address (insert if this information is known):
Name:_____
Address:_____
Phone:_____

Customer may change this information by giving written notice to Motorola.

Section 7 SITES AND SITE CONDITIONS

7.1. ACCESS TO SITES. In addition to its responsibilities described elsewhere in this Agreement, Customer will provide a designated project manager; all necessary construction and building permits, zoning variances, licenses, and any other approvals that are necessary to develop or use the sites and mounting locations; and access to the worksites or vehicles identified in the Technical and Implementation Documents as reasonably requested by Motorola so that it may perform its duties in accordance with the Performance Schedule and Statement of Work. If the Statement of Work so indicates, Motorola may assist Customer in the local building permit process.

7.2. SITE CONDITIONS. Customer will ensure that all work sites it provides will be safe, secure, and in compliance with all applicable industry and OSHA standards. To the extent applicable and unless the Statement of Work states to the contrary, Customer will ensure that these work sites have adequate: physical space; air conditioning and other environmental conditions; adequate and appropriate electrical power outlets, distribution, equipment and connections; and adequate telephone or other communication lines (including modem access and adequate interfacing networking capabilities), all for the installation, use and maintenance of the System. Before installing the Equipment or Software at a work site, Motorola may inspect the work site and advise Customer of any apparent deficiencies or non-conformities with the requirements of this Section. This Agreement is predicated upon normal soil conditions as defined by the version of E.I.A. standard RS-222 in effect on the Effective Date.

7.3. SITE ISSUES. If a Party determines that the sites identified in the Technical and Implementation Documents are no longer available or desired, or if subsurface, structural, adverse environmental or latent conditions at any site differ from those indicated in the Technical and Implementation Documents, the Parties will promptly investigate the conditions and will select replacement sites or adjust the installation plans and specifications as necessary. If change in sites or adjustment to the installation plans and specifications causes a change in the cost or time to perform, the Parties will equitably amend the Contract Price, Performance Schedule, or both, by a change order.

Section 8 TRAINING

Any training to be provided by Motorola to Customer will be described in the applicable Statement of Work. Customer will notify Motorola immediately if a date change for a scheduled training program is required. If Motorola incurs additional costs because Customer reschedules a training program less than thirty (30) days before its scheduled start date, Motorola may recover these additional costs.

Section 9 SYSTEM ACCEPTANCE

9.1. COMMENCEMENT OF ACCEPTANCE TESTING. Motorola will provide to Customer at least ten (10) days notice before the Acceptance Tests commence. System testing will occur only in accordance with the Acceptance Test Plan.

9.2. SYSTEM ACCEPTANCE. System Acceptance will occur upon successful completion of the Acceptance Tests. Upon System Acceptance, the Parties will memorialize this event by promptly executing a System Acceptance Certificate. If the Acceptance Test Plan includes separate tests for individual Subsystems or phases of the System, acceptance of the individual Subsystem or phase will occur upon the successful completion of the Acceptance Tests for the Subsystem or phase, and the Parties will promptly execute an acceptance certificate for the Subsystem or phase. If Customer believes the System has failed the completed Acceptance Tests, Customer will provide to Motorola a written notice that includes the

specific details of the failure. If Customer does not provide to Motorola a failure notice within thirty (30) days after completion of the Acceptance Tests, System Acceptance will be deemed to have occurred as of the completion of the Acceptance Tests. Minor omissions or variances in the System that do not materially impair the operation of the System as a whole will not postpone System Acceptance or Subsystem acceptance, but will be corrected according to a mutually agreed schedule.

9.3. BENEFICIAL USE. Customer acknowledges that Motorola's ability to perform its implementation and testing responsibilities may be impeded if Customer begins using the System before System Acceptance. Therefore, Customer will not commence Beneficial Use before System Acceptance without Motorola's prior written authorization, which will not be unreasonably withheld. Motorola is not responsible for System performance deficiencies that occur during unauthorized Beneficial Use. Upon commencement of Beneficial Use, Customer assumes responsibility for the use and operation of the System.

9.4. FINAL PROJECT ACCEPTANCE. Final Project Acceptance will occur after System Acceptance when all deliverables and other work have been completed. When Final Project Acceptance occurs, the parties will promptly memorialize this final event by so indicating on the System Acceptance Certificate.

Section 10 REPRESENTATIONS AND WARRANTIES

10.1. SYSTEM FUNCTIONALITY. Motorola represents that the System will perform in accordance with the Specifications in all material respects. Upon System Acceptance or Beneficial Use, whichever occurs first, this System functionality representation is fulfilled. Motorola is not responsible for System performance deficiencies that are caused by ancillary equipment not furnished by Motorola which is attached to or used in connection with the System or for reasons or parties beyond Motorola's control, such as natural causes; the construction of a building that adversely affects the microwave path reliability or radio frequency (RF) coverage; the addition of frequencies at System sites that cause RF interference or intermodulation; or Customer changes to load usage or configuration outside the Specifications.

10.2. EQUIPMENT WARRANTY. During the Warranty Period, Motorola warrants that the Equipment under normal use and service will be free from material defects in materials and workmanship. If System Acceptance is delayed beyond six (6) months after shipment of the Equipment by events or causes beyond Motorola's control, this warranty expires eighteen (18) months after the shipment of the Equipment.

10.3. SOFTWARE WARRANTY. Except as described in the SwSP and unless otherwise stated in the Software License Agreement, during the Warranty Period, Motorola warrants the Software in accordance with the warranty terms set forth in the Software License Agreement and the provisions of this Section that are applicable to the Software. If System Acceptance is delayed beyond six (6) months after shipment of the Motorola Software by events or causes beyond Motorola's control, this warranty expires eighteen (18) months after the shipment of the Motorola Software. **Nothing in this Warranty provision is intended to conflict or modify the Software Support Policy. In the event of an ambiguity or conflict between the Software Warranty and Software Support Policy, the Software Support Policy governs.**

10.4. EXCLUSIONS TO EQUIPMENT AND SOFTWARE WARRANTIES. These warranties do not apply to: (i) defects or damage resulting from: use of the Equipment or Software in other than its normal, customary, and authorized manner; accident, liquids, neglect, or acts of God; testing, maintenance, disassembly, repair, installation, alteration, modification, or adjustment not provided or authorized in writing by Motorola; Customer's failure to comply with all applicable industry and OSHA standards; (ii) breakage of or damage to antennas unless caused directly by defects in material or workmanship; (iii) Equipment that has had the serial number removed or made illegible; (iv) batteries (because they carry their own separate limited warranty) or consumables; (v) freight costs to ship Equipment to the repair depot; (vi) scratches or other cosmetic damage to Equipment surfaces that does not affect the operation of the Equipment; and (vii) normal or customary wear and tear.

10.5. SERVICE WARRANTY. During the Warranty Period, Motorola warrants that the Services will be provided in a good and workmanlike manner and will conform in all material respects to the applicable Statement of Work. Services will be free of defects in materials and workmanship for a period of ninety (90) days from the date the performance of the Services are completed. Customer acknowledges that the Deliverables may contain recommendations, suggestions or advice

from Motorola to Customer (collectively, "recommendations"). Motorola makes no warranties concerning those recommendations, and Customer alone accepts responsibility for choosing whether and how to implement the recommendations and the results to be realized from implementing them.

10.6. WARRANTY CLAIMS. To assert a warranty claim, Customer must notify Motorola in writing of the claim before the expiration of the Warranty Period. Upon receipt of this notice, Motorola will investigate the warranty claim. If this investigation confirms a valid Equipment or Software warranty claim, Motorola will (at its option and at no additional charge to Customer) repair the defective Equipment or Motorola Software, replace it with the same or equivalent product, or refund the price of the defective Equipment or Motorola Software. These actions will be the full extent of Motorola's liability for the warranty claim. In the event of a valid Services warranty claim, Customer's sole remedy is to require Motorola to re-perform the non-conforming Service or to refund, on a pro-rata basis, the fees paid for the non-conforming Service. If this investigation indicates the warranty claim is not valid, then Motorola may invoice Customer for responding to the claim on a time and materials basis using Motorola's then current labor rates. Repaired or replaced product is warranted for the balance of the original applicable warranty period. All replaced products or parts will become the property of Motorola.

10.7. ORIGINAL END USER IS COVERED. These express limited warranties are extended by Motorola to the original user purchasing the System or Services for commercial, industrial, or governmental use only, and are not assignable or transferable.

10.8. DISCLAIMER OF OTHER WARRANTIES. THESE WARRANTIES ARE THE COMPLETE WARRANTIES FOR THE EQUIPMENT AND MOTOROLA SOFTWARE PROVIDED UNDER THIS AGREEMENT AND ARE GIVEN IN LIEU OF ALL OTHER WARRANTIES. MOTOROLA DISCLAIMS ALL OTHER WARRANTIES OR CONDITIONS, EXPRESS OR IMPLIED, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY, NON-INFRINGEMENT, AND FITNESS FOR A PARTICULAR PURPOSE.

Section 11 DELAYS

11.1. FORCE MAJEURE. Neither Party will be liable for its non-performance or delayed performance if caused by a Force Majeure. A Party that becomes aware of a Force Majeure that will significantly delay performance will notify the other Party promptly (but in no event later than fifteen days) after it discovers the Force Majeure. If a Force Majeure occurs, the Parties will execute a change order to extend the Performance Schedule or applicable Addenda for a time period that is reasonable under the circumstances.

11.2. PERFORMANCE SCHEDULE DELAYS CAUSED BY CUSTOMER. If Customer (including its other contractors) delays the Performance Schedule, it will make the promised payments according to the Payment schedule as if no delay occurred; and the Parties will execute a change order to extend the Performance Schedule and, if requested, compensate Motorola for all reasonable charges incurred because of the delay. Delay charges may include costs incurred by Motorola or its subcontractors for additional freight, warehousing and handling of Equipment; extension of the warranties; travel; suspending and re-mobilizing the work; additional engineering, project management, and standby time calculated at then current rates; and preparing and implementing an alternative implementation plan.

Section 12 DISPUTES

The Parties will use the following procedure to address any dispute arising under this Agreement (a "Dispute").

12.1. GOVERNING LAW. This Agreement will be governed by and construed in accordance with the laws of the State in which the System is installed.

12.2. NEGOTIATION. Either Party may initiate the Dispute resolution procedures by sending a notice of Dispute ("Notice of Dispute"). The Parties will attempt to resolve the Dispute promptly through good faith negotiations including 1) timely escalation of the Dispute to executives who have authority to settle the Dispute and who are at a higher level of management than the persons with direct responsibility for the matter and 2) direct communication between the executives. If the Dispute has not been resolved within ten (10) days from the Notice of Dispute, the Parties will proceed to mediation.

12.3. MEDIATION. The Parties will choose an independent mediator within thirty (30) days of a notice to mediate from either Party ("Notice of Mediation"). Neither Party may unreasonably withhold consent to the selection of a mediator. If the Parties are unable to agree upon a mediator, either Party may request that American Arbitration Association nominate a mediator. Each Party will bear its own costs of mediation, but the Parties will share the cost of the mediator equally. Each Party will participate in the mediation in good faith and will be represented at the mediation by a business executive with authority to settle the Dispute.

12.4. LITIGATION, VENUE and JURISDICTION. If a Dispute remains unresolved for sixty (60) days after receipt of the Notice of Mediation, either Party may then submit the Dispute to a court of competent jurisdiction in the state in which the System is installed. Each Party irrevocably agrees to submit to the exclusive jurisdiction of the courts in such state over any claim or matter arising under or in connection with this Agreement.

12.5. CONFIDENTIALITY. All communications pursuant to subsections 12.2 and 12.3 will be treated as compromise and settlement negotiations for purposes of applicable rules of evidence and any additional confidentiality protections provided by applicable law. The use of these Dispute resolution procedures will not be construed under the doctrines of laches, waiver or estoppel to affect adversely the rights of either Party.

Section 13 DEFAULT AND TERMINATION

13.1. DEFAULT BY A PARTY. If either Party fails to perform a material obligation under this Agreement, the other Party may consider the non-performing Party to be in default (unless a Force Majeure causes the failure) and may assert a default claim by giving the non-performing Party a written and detailed notice of default. Except for a default by Customer for failing to pay any amount when due under this Agreement which must be cured immediately, the defaulting Party will have thirty (30) days after receipt of the notice of default to either cure the default or, if the default is not curable within thirty (30) days, provide a written cure plan. The defaulting Party will begin implementing the cure plan immediately after receipt of notice by the other Party that it approves the plan. If Customer is the defaulting Party, Motorola may stop work on the project until it approves the Customer's cure plan.

13.2. FAILURE TO CURE. If a defaulting Party fails to cure the default as provided above in Section 13.1, unless otherwise agreed in writing, the non-defaulting Party may terminate any unfulfilled portion of this Agreement. In the event of termination for default, the defaulting Party will promptly return to the non-defaulting Party any of its Confidential Information. If Customer is the non-defaulting Party, terminates this Agreement as permitted by this Section, and completes the System through a third Party, Customer may as its exclusive remedy recover from Motorola reasonable costs incurred to complete the System to a capability not exceeding that specified in this Agreement less the unpaid portion of the Contract Price. Customer will mitigate damages and provide Motorola with detailed invoices substantiating the charges. In the event Customer elects to terminate this Agreement for any reason other than default, Customer shall pay Motorola for the conforming Equipment and/or Software delivered and all services performed.

Section 14 INDEMNIFICATION

14.1. GENERAL INDEMNITY BY Motorola. Motorola will indemnify and hold Customer harmless from any and all liability, expense, judgment, suit, cause of action, or demand for personal injury, death, or direct damage to tangible property which may accrue against Customer to the extent it is caused by the negligence of Motorola, its subcontractors, or their employees or agents, while performing their duties under this Agreement, if Customer gives Motorola prompt, written notice of any claim or suit. Customer will cooperate with Motorola in its defense or settlement of the claim or suit. This Section sets forth the full extent of Motorola's general indemnification of Customer from liabilities that are in any way related to Motorola's performance under this Agreement.

14.2. GENERAL INDEMNITY BY CUSTOMER. Customer will indemnify and hold Motorola harmless from any and all liability, expense, judgment, suit, cause of action, or demand for personal injury, death, or direct damage to tangible property which may accrue against Motorola to the extent it is caused by the negligence of Customer, its other contractors, or their employees or agents, while performing their duties under this Agreement, if Motorola gives Customer prompt, written notice of any the claim or suit. Motorola will cooperate with Customer in its defense or settlement of the claim or suit. This Section sets forth the full extent of Customer's general indemnification of Motorola from liabilities that are in any way

related to Customer's performance under this Agreement.

14.3. PATENT AND COPYRIGHT INFRINGEMENT.

14.3.1. Motorola will defend at its expense any suit brought against Customer to the extent it is based on a third-party claim alleging that the Equipment manufactured by Motorola or the Motorola Software ("Motorola Product") directly infringes a United States patent or copyright ("Infringement Claim"). Motorola's duties to defend and indemnify are conditioned upon: Customer promptly notifying Motorola in writing of the Infringement Claim; Motorola having sole control of the defense of the suit and all negotiations for its settlement or compromise; and Customer providing to Motorola cooperation and, if requested by Motorola, reasonable assistance in the defense of the Infringement Claim. In addition to Motorola's obligation to defend, and subject to the same conditions, Motorola will pay all damages finally awarded against Customer by a court of competent jurisdiction for an Infringement Claim or agreed to, in writing, by Motorola in settlement of an Infringement Claim.

14.3.2 If an Infringement Claim occurs, or in Motorola's opinion is likely to occur, Motorola may at its option and expense: (a) procure for Customer the right to continue using the Motorola Product; (b) replace or modify the Motorola Product so that it becomes non-infringing while providing functionally equivalent performance; or (c) accept the return of the Motorola Product and grant Customer a credit for the Motorola Product, less a reasonable charge for depreciation. The depreciation amount will be calculated based upon generally accepted accounting standards.

14.3.3 Motorola will have no duty to defend or indemnify for any Infringement Claim that is based upon: (a) the combination of the Motorola Product with any software, apparatus or device not furnished by Motorola; (b) the use of ancillary equipment or software not furnished by Motorola and that is attached to or used in connection with the Motorola Product; (c) Motorola Product designed or manufactured in accordance with Customer's designs, specifications, guidelines or instructions, if the alleged infringement would not have occurred without such designs, specifications, guidelines or instructions; (d) a modification of the Motorola Product by a party other than Motorola; (e) use of the Motorola Product in a manner for which the Motorola Product was not designed or that is inconsistent with the terms of this Agreement; or (f) the failure by Customer to install an enhancement release to the Motorola Software that is intended to correct the claimed infringement. In no event will Motorola's liability resulting from its indemnity obligation to Customer extend in any way to royalties payable on a per use basis or the Customer's revenues, or any royalty basis other than a reasonable royalty based upon revenue derived by Motorola from Customer from sales or license of the infringing Motorola Product.

14.3.4. This Section 14 provides Customer's sole and exclusive remedies and Motorola's entire liability in the event of an Infringement Claim. Customer has no right to recover and Motorola has no obligation to provide any other or further remedies, whether under another provision of this Agreement or any other legal theory or principle, in connection with an Infringement Claim. In addition, the rights and remedies provided in this Section 14 are subject to and limited by the restrictions set forth in Section 15.

Section 15 LIMITATION OF LIABILITY

Except for personal injury or death, Motorola's total liability, whether for breach of contract, warranty, negligence, strict liability in tort, indemnification, or otherwise, will be limited to the direct damages recoverable under law, but not to exceed the price of the Equipment, Software, or implementation and other one-time Services with respect to which losses or damages are claimed. With respect to all subscription or other ongoing Services and unless as otherwise provided under the applicable Addenda, Motorola's total liability will be limited to the direct damages recoverable under law, but not to exceed the price of twelve (12) months of Services preceding the incident giving rise to the claim. ALTHOUGH THE PARTIES ACKNOWLEDGE THE POSSIBILITY OF SUCH LOSSES OR DAMAGES, THEY AGREE THAT MOTOROLA WILL NOT BE LIABLE FOR ANY COMMERCIAL LOSS, INCONVENIENCE, LOSS OF USE, LOSS TIME, DATA, GOODWILL, REVENUES, PROFITS OR SAVINGS; OR OTHER SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES IN ANY WAY RELATED TO OR ARISING FROM THIS AGREEMENT, THE SALE OR USE OF THE EQUIPMENT OR SOFTWARE, OR THE PERFORMANCE OF SERVICES BY MOTOROLA PURSUANT TO THIS AGREEMENT. This limitation of liability provision survives the expiration or termination of the Agreement and applies notwithstanding any contrary provision. No action for contract breach or otherwise relating to the

transactions contemplated by this Agreement may be brought more than one (1) year after the accrual of the cause of action, except for money due upon an open account.

Section 16 CONFIDENTIALITY AND PROPRIETARY RIGHTS

16.1. CONFIDENTIAL INFORMATION.

16.1.1. Each party is a disclosing party ("Discloser") and a receiving party ("Recipient") under this Agreement. All Deliverables will be deemed to be Motorola's Confidential Information. During the term of this Agreement and for a period of three (3) years from the expiration or termination of this Agreement, Recipient will (i) not disclose Confidential Information to any third party; (ii) restrict disclosure of Confidential Information to only those employees (including, but not limited to, employees of any wholly owned subsidiary, a parent company, any other wholly owned subsidiaries of the same parent company), agents or consultants who must be directly involved with the Confidential Information for the purpose and who are bound by confidentiality terms substantially similar to those in this Agreement; (iii) not copy, reproduce, reverse engineer, decompile, or disassemble any Confidential Information; (iv) use the same degree of care as for its own information of like importance, but at least use reasonable care, in safeguarding against disclosure of Confidential Information; (v) promptly notify Discloser upon discovery of any unauthorized use or disclosure of the Confidential Information and take reasonable steps to regain possession of the Confidential Information and prevent further unauthorized actions or other breach of this Agreement; and (vi) only use the Confidential Information as needed to fulfill this Agreement.

16.1.2. Recipient is not obligated to maintain as confidential, Confidential Information that Recipient can demonstrate by documentation (i) is now available or becomes available to the public without breach of this agreement; (ii) is explicitly approved for release by written authorization of Discloser; (iii) is lawfully obtained from a third party or parties without a duty of confidentiality; (iv) is known to the Recipient prior to such disclosure; or (v) is independently developed by Recipient without the use of any of Discloser's Confidential Information or any breach of this Agreement.

16.1.3. All Confidential Information remains the property of the Discloser and will not be copied or reproduced without the express written permission of the Discloser, except for copies that are absolutely necessary in order to fulfill this Agreement. Within ten (10) days of receipt of Discloser's written request, Recipient will return all Confidential Information to Discloser along with all copies and portions thereof, or certify in writing that all such Confidential Information has been destroyed. However, Recipient may retain one (1) archival copy of the Confidential Information that it may use only in case of a dispute concerning this Agreement. No license, express or implied, in the Confidential Information is granted other than to use the Confidential Information in the manner and to the extent authorized by this Agreement. The Discloser warrants that it is authorized to disclose any Confidential Information it discloses pursuant to this Agreement.

16.2. PRESERVATION OF MOTOROLA'S PROPRIETARY RIGHTS. Motorola, the third party manufacturer of any Equipment, and the copyright owner of any Non-Motorola Software own and retain all of their respective Proprietary Rights in the Equipment and Software, and nothing in this Agreement is intended to restrict their Proprietary Rights. All intellectual property developed, originated, or prepared by Motorola in connection with providing to Customer the Equipment, Software, or related services remain vested exclusively in Motorola, and this Agreement does not grant to Customer any shared development rights of intellectual property. Except as explicitly provided in the Software License Agreement, Motorola does not grant to Customer, either directly or by implication, estoppel, or otherwise, any right, title or interest in Motorola's Proprietary Rights. Customer will not modify, disassemble, peel components, decompile, otherwise reverse engineer or attempt to reverse engineer, derive source code or create derivative works from, adapt, translate, merge with other software, reproduce, distribute, sublicense, sell or export the Software, or permit or encourage any third party to do so. The preceding sentence does not apply to Open Source Software which is governed by the standard license of the copyright owner.

16.3 VOLUNTARY DISCLOSURE. Except as required to fulfill its obligations under this Agreement, Motorola will have no obligation to provide Customer with access to its Confidential Information and/or proprietary information. Under no circumstances will Motorola be required to provide any data related to cost and pricing.

16.4 DATA AND FEEDBACK.

16.4.1 To the extent permitted by law, Customer owns all right, title and interest in System Data created solely by it or its

agents (hereafter, "Customer Data"), and grants to Motorola the right to use, host, cache, store, reproduce, copy, modify, combine, analyze, create derivatives from, communicate, transmit, publish, display, and distribute such Customer Data.

16.4.2 Motorola owns all right, title and interest in data resulting from System Data that is or has been transformed, altered, processed, aggregated, correlated or operated on (hereafter, "Derivative Data").

16.4.3 Any Feedback given by Customer is and will be entirely voluntary and, even if designated as confidential, will not create any confidentiality obligation for Motorola. Motorola will be free to use, reproduce, license or otherwise distribute and exploit the Feedback without any obligation to Customer. Customer acknowledges that Motorola's receipt of the Feedback does not imply or create recognition by Motorola of either the novelty or originality of any idea. The parties further agree that all fixes, modifications and improvements made to Motorola products or services conceived of or made by Motorola that are based, either in whole or in part, on the Feedback are the exclusive property of Motorola and all right, title and interest in and to such fixes, modifications or improvements to the Motorola product or service will vest solely in Motorola.

Section 17 GENERAL

17.1. TAXES. The Contract Price does not include any excise, sales, lease, use, property, or other taxes, assessments or duties, all of which will be paid by Customer except as exempt by law. If Motorola is required to pay any of these taxes, Motorola will send an invoice to Customer and Customer will pay to Motorola the amount of the taxes (including any interest and penalties) within thirty (30) days after the date of the invoice. Customer will be solely responsible for reporting the Equipment for personal property tax purposes, and Motorola will be solely responsible for reporting taxes on its income or net worth.

17.2. ASSIGNABILITY AND SUBCONTRACTING. Except as provided herein, neither Party may assign this Agreement or any of its rights or obligations hereunder without the prior written consent of the other Party, which consent will not be unreasonably withheld. Any attempted assignment, delegation, or transfer without the necessary consent will be void. Notwithstanding the foregoing, Motorola may assign this Agreement to any of its affiliates or its right to receive payment without the prior consent of Customer. In addition, in the event Motorola separates one or more of its businesses (each a "Separated Business"), whether by way of a sale, establishment of a joint venture, spin-off or otherwise (each a "Separation Event"), Motorola may, without the prior written consent of the other Party and at no additional cost to Motorola, assign this Agreement such that it will continue to benefit the Separated Business and its affiliates (and Motorola and its affiliates, to the extent applicable) following the Separation Event. Motorola may subcontract any of the work, but subcontracting will not relieve Motorola of its duties under this Agreement.

17.3. WAIVER. Failure or delay by either Party to exercise a right or power under this Agreement will not be a waiver of the right or power. For a waiver of a right or power to be effective, it must be in a writing signed by the waiving Party. An effective waiver of a right or power will not be construed as either a future or continuing waiver of that same right or power, or the waiver of any other right or power.

17.4. SEVERABILITY. If a court of competent jurisdiction renders any part of this Agreement invalid or unenforceable, that part will be severed and the remainder of this Agreement will continue in full force and effect.

17.5. INDEPENDENT CONTRACTORS. Each Party will perform its duties under this Agreement as an independent contractor. The Parties and their personnel will not be considered to be employees or agents of the other Party. Nothing in this Agreement will be interpreted as granting either Party the right or authority to make commitments of any kind for the other. This Agreement will not constitute, create, or be interpreted as a joint venture, partnership or formal business organization of any kind.

17.6. HEADINGS AND SECTION REFERENCES. The section headings in this Agreement are inserted only for convenience and are not to be construed as part of this Agreement or as a limitation of the scope of the particular section to which the heading refers. This Agreement will be fairly interpreted in accordance with its terms and conditions and not for or against either Party.

17.7. NOTICES. Notices required under this Agreement to be given by one Party to the other must be in writing and either personally delivered or sent to the address provided by the other Party by certified mail, return receipt requested and

postage prepaid (or by a recognized courier service, such as Federal Express, UPS, or DHL), or by facsimile with correct answerback received, and will be effective upon receipt.

17.8. COMPLIANCE WITH APPLICABLE LAWS. Each Party will comply with all applicable federal, state, and local laws, regulations and rules concerning the performance of this Agreement or use of the System. Customer will obtain and comply with all Federal Communications Commission ("FCC") licenses and authorizations required for the installation, operation and use of the System before the scheduled installation of the Equipment. Although Motorola might assist Customer in the preparation of its FCC license applications, neither Motorola nor any of its employees is an agent or representative of Customer in FCC or other matters.

17.9 FUTURE REGULATORY REQUIREMENTS. The Parties acknowledge and agree that this is an evolving technological area and therefore, laws and regulations regarding Services and use of Solution may change. Changes to existing Services or the Solution required to achieve regulatory compliance may be available for an additional fee. Any required changes may also impact the price for Services.

17.10. AUTHORITY TO EXECUTE AGREEMENT. Each Party represents that it has obtained all necessary approvals, consents and authorizations to enter into this Agreement and to perform its duties under this Agreement; the person executing this Agreement on its behalf has the authority to do so; upon execution and delivery of this Agreement by the Parties, it is a valid and binding contract, enforceable in accordance with its terms; and the execution, delivery, and performance of this Agreement does not violate any bylaw, charter, regulation, law or any other governing authority of the Party.

17.11. ADMINISTRATOR LEVEL ACCOUNT ACCESS. If applicable to the type of System purchased by Customer, Motorola will provide Customer with Administrative User Credentials. Customer agrees to only grant access to the Administrative User Credentials to those personnel with the training and experience to correctly use them. Customer is responsible for protecting Administrative User Credentials from disclosure and maintaining Credential validity by, among other things, updating passwords when required. Customer may be asked to provide valid Administrative User Credentials when in contact with Motorola System support personnel. Customer understands that changes made as the Administrative User can significantly impact the performance of the System. Customer agrees that it will be solely responsible for any negative impact on the System or its users by any such changes. System issues occurring as a result of changes made using the Administrative User Credentials may impact Motorola's ability to perform Services or other obligations under the Agreement. In such cases, a revision to the appropriate provisions of the Agreement, including the Statement of Work, may be necessary. To the extent Motorola provides assistance to correct any issues caused by or arising out of the use of or failure to maintain Administrative User Credentials, Motorola will be entitled to bill Customer and Customer will pay Motorola on a time and materials basis for resolving the issue.

17.12. SURVIVAL OF TERMS. The following provisions will survive the expiration or termination of this Agreement for any reason: Section 3.5 (Motorola Software); Section 3.6 (Non-Motorola Software); if any payment obligations exist, Sections 6.2 and 6.3 (Contract Price and Invoicing and Payment); Subsection 10.8 (Disclaimer of Implied Warranties); Section 12 (Disputes); Section 15 (Limitation of Liability); and Section 16 (Confidentiality and Proprietary Rights); and all of the General provisions in Section 17.

17.13. ENTIRE AGREEMENT. This Agreement, including all Exhibits, constitutes the entire agreement of the Parties regarding the subject matter of the Agreement and supersedes all previous agreements, proposals, and understandings, whether written or oral, relating to this subject matter. This Agreement may be executed in multiple counterparts, and shall have the same legal force and effect as if the Parties had executed it as a single document. The Parties may sign in writing, or by electronic signature, including by email. An electronic signature, or a facsimile copy or computer image, such as a PDF or tiff image, of a signature, shall be treated as and shall have the same effect as an original signature. In addition, an electronic signature, a true and correct facsimile copy or computer image of this Agreement shall be treated as and shall have the same effect as an original signed copy of this document. This Agreement may be amended or modified only by a written instrument signed by authorized representatives of both Parties. The preprinted terms and conditions found on any Customer purchase or purchase order, acknowledgment or other form will not be considered an amendment or modification of this Agreement, even if a representative of each Party signs that document.

The Parties hereby enter into this Agreement as of the Effective Date.

Motorola Solutions, Inc.	**Customer**
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

EXHIBIT A

MOTOROLA SOFTWARE LICENSE AGREEMENT

This Exhibit A Motorola Software License Agreement ("Agreement") is between Motorola Solutions, Inc., (“Motorola"), and _____ (“Licensee”).

For good and valuable consideration, the parties agree as follows:

Section 1 DEFINITIONS

1.1 “Designated Products” means products provided by Motorola to Licensee with which or for which the Software and Documentation is licensed for use.

1.2 “Documentation” means product and software documentation that specifies technical and performance features and capabilities, and the user, operation and training manuals for the Software (including all physical or electronic media upon which such information is provided).

1.3 “Open Source Software” means software with either freely obtainable source code, license for modification, or permission for free distribution.

1.4 “Open Source Software License” means the terms or conditions under which the Open Source Software is licensed.

1.5 “Primary Agreement” means the agreement to which this exhibit is attached.

1.6 “Security Vulnerability” means a flaw or weakness in system security procedures, design, implementation, or internal control

s that could be exercised (accidentally triggered or intentionally exploited) and result in a security breach such that data is compromised, manipulated or stolen or the system damaged.

1.7 “Software” (i) means proprietary software in object code format, and adaptations, translations, de-compilations, disassemblies, emulations, or derivative works of such software; (ii) means any modifications, enhancements, new versions and new releases of the software provided by Motorola; and (iii) may contain one or more items of software owned by a third party supplier. The term "Software" does not include any third party software provided under separate license or third party software not licensable under the terms of this Agreement.

Section 2 SCOPE

Motorola and Licensee enter into this Agreement in connection with Motorola's delivery of certain proprietary software or products containing embedded or pre-loaded proprietary software, or both. This Agreement contains the terms and conditions of the license Motorola is providing to Licensee, and Licensee’s use of the proprietary software and affiliated documentation.

Section 3 GRANT OF LICENSE

3.1. Subject to the provisions of this Agreement and the payment of applicable license fees, Motorola grants to Licensee a personal, limited, non-transferable (except as permitted in Section 7) and non-exclusive license under Motorola’s copyrights and Confidential Information (as defined in the Primary Agreement) embodied in the Software to use the Software, in object code form, and the Documentation solely in connection with Licensee's use of the Designated Products. This Agreement does not grant any rights to source code.

3.2. If the Software licensed under this Agreement contains or is derived from Open Source Software, the terms and conditions governing the use of such Open Source Software are in the Open Source Software Licenses of the copyright owner and not this Agreement. If there is a conflict between the terms and conditions of this Agreement and the terms and conditions of the Open Source Software Licenses governing Licensee's use of the Open Source Software, the terms and conditions of the license grant of the applicable Open Source Software Licenses will take precedence over the license grants in this Agreement. If requested by Licensee, Motorola will use commercially reasonable efforts to: (i) determine whether any Open Source Software is provided under this Agreement; and (ii) identify the Open Source Software (or specify where that license may be found).

3.3 TO THE EXTENT, IF ANY, THAT THERE IS A SEPARATE LICENSE AGREEMENT PACKAGED WITH, OR PROVIDED ELECTRONICALLY WITH, A PARTICULAR PRODUCT THAT BECOMES EFFECTIVE ON AN ACT OF ACCEPTANCE BY THE END USER, THEN THAT AGREEMENT SUPERSEDES THE SOFTWARE LICENSE AGREEMENT AS TO THE END USER OF EACH SUCH PRODUCT.

Section 4 LIMITATIONS ON USE

4.1. Licensee may use the Software only for Licensee's internal business purposes and only in accordance with the Documentation. Any other use of the Software is strictly prohibited. Without limiting the general nature of these restrictions, Licensee will not make the Software available for use by third parties on a "time sharing," "application service provider," or "service bureau" basis or for any other similar commercial rental or sharing arrangement.

4.2. Licensee will not, and will not allow or enable any third party to: (i) reverse engineer, disassemble, peel components, decompile, reprogram or otherwise reduce the Software or any portion to a human perceptible form or otherwise attempt to recreate the source code; (ii) modify, adapt, create derivative works of, or merge the Software; (iii) copy, reproduce, distribute, lend, or lease the Software or Documentation to any third party, grant any sublicense or other rights in the Software or Documentation to any third party, or take any action that would cause the Software or Documentation to be placed in the public domain; (iv) remove, or in any way alter or obscure, any copyright notice or other notice of Motorola's proprietary rights; (v) provide, copy, transmit, disclose, divulge or make the Software or Documentation available to, or permit the use of the Software by any third party or on any machine except as expressly authorized by this Agreement; or (vi) use, or permit the use of, the Software in a manner that would result in the production of a copy of the Software solely by activating a machine containing the Software. Licensee may make one copy of Software to be used solely for archival, back-up, or disaster recovery purposes; *provided* that Licensee may not operate that copy of the Software at the same time as the original Software is being operated. Licensee may make as many copies of the Documentation as it may reasonably require for the internal use of the Software.

4.3. Unless otherwise authorized by Motorola in writing, Licensee will not, and will not enable or allow any third party to: (i) install a licensed copy of the Software on more than one unit of a Designated Product; or (ii) copy onto or transfer Software installed in one unit of a Designated Product onto one other device. Licensee may temporarily transfer Software installed on a Designated Product to another device if the Designated Product is inoperable or malfunctioning, if Licensee provides written notice to Motorola of the temporary transfer and identifies the device on which the Software is transferred. Temporary transfer of the Software to another device must be discontinued when the original Designated Product is returned to operation and the Software must be removed from the other device. Licensee must provide prompt written notice to Motorola at the time temporary transfer is discontinued.

4.4 Licensee will maintain, during the term of this Agreement and for a period of two years thereafter, accurate records relating to this license grant to verify compliance with this Agreement. Motorola or an independent third party ("Auditor") may inspect Licensee's premises, books and records, upon reasonable prior notice to Licensee, during Licensee's normal business hours and subject to Licensee's facility and security regulations. Motorola is responsible for the payment of all expenses and costs of the Auditor. Any information obtained by Motorola and the Auditor will be kept in strict confidence by Motorola and the Auditor and used solely for the purpose of verifying Licensee's compliance with the terms of this Agreement.

Section 5 OWNERSHIP AND TITLE

Motorola, its licensors, and its suppliers retain all of their proprietary rights in any form in and to the Software and Documentation, including, but not limited to, all rights in patents, patent applications, inventions, copyrights, trademarks, trade secrets, trade names, and other proprietary rights in or relating to the Software and Documentation (including any corrections, bug fixes, enhancements, updates, modifications, adaptations, translations, de-compilations, disassemblies, emulations to or derivative works from the Software or Documentation, whether made by Motorola or another party, or any improvements that result from Motorola's processes or, provision of information services). No rights are granted to Licensee under this Agreement by implication, estoppel or otherwise, except for those rights which are expressly granted to Licensee in this Agreement. All intellectual property developed, originated, or prepared by Motorola in connection with providing the Software, Designated Products, Documentation or related services, remains vested exclusively in Motorola, and Licensee will not have any shared development or other intellectual property rights.

Section 6 LIMITED WARRANTY; DISCLAIMER OF WARRANTY

6.1. Unless otherwise stated in the Primary Agreement, the commencement date and the term of the Software warranty will be a period of ninety (90) days from Motorola's shipment of the Software (the "Warranty Period"). If Licensee is not in breach of any of its obligations under this Agreement, Motorola warrants that the unmodified Software, when used properly and in accordance with the Documentation and this Agreement, will be free from a reproducible defect that eliminates the functionality or successful operation of a feature critical to the primary functionality or successful operation of the Software. Whether a defect occurs will be determined by Motorola solely with reference to the Documentation. Motorola does not warrant that Licensee's use of the Software or the Designated Products will be uninterrupted, error-free, completely free of Security Vulnerabilities, or that the Software or the Designated Products will meet Licensee's particular requirements. Motorola makes no representations or warranties with respect to any third party software included in the Software. Notwithstanding, any warranty provided by a copyright owner in its standard license terms will flow through to Licensee for third party software provided by Motorola.

6.2 Motorola's sole obligation to Licensee and Licensee's exclusive remedy under this warranty is to use reasonable efforts to remedy any material Software defect covered by this warranty. These efforts will involve either replacing the media or attempting to correct significant, demonstrable program or documentation errors or Security Vulnerabilities. If Motorola cannot correct the defect within a reasonable time, then at Motorola's option, Motorola will replace the defective Software with functionally-equivalent Software, license to Licensee substitute Software which will accomplish the same objective, or terminate the license and refund the Licensee's paid license fee.

6.3. Warranty claims are described in the Primary Agreement.

6.4. The express warranties set forth in this Section 6 are in lieu of, and Motorola disclaims, any and all other warranties (express or implied, oral or written) with respect to the Software or Documentation, including, without limitation, any and all implied warranties of condition, title, non-infringement, merchantability, or fitness for a particular purpose or use by Licensee (whether or not Motorola knows, has reason to know, has been advised, or is otherwise aware of any such purpose or use), whether arising by law, by reason of custom or usage of trade, or by course of dealing. In addition, Motorola disclaims any warranty to any person other than Licensee with respect to the Software or Documentation.

Section 7 TRANSFERS

Licensee will not transfer the Software or Documentation to any third party without Motorola's prior written consent. Motorola's consent may be withheld at its discretion and may be conditioned upon transferee paying all applicable license fees and agreeing to be bound by this Agreement. If the Designated Products are Motorola's radio products and Licensee transfers ownership of the Motorola radio products to a third party, Licensee may assign its right to use the Software (other than CPS and Motorola's FLASHport® software) which is embedded in or furnished for use with the radio products and the related Documentation; *provided* that Licensee transfers all copies of the Software and Documentation to the transferee, and Licensee and the transferee sign a transfer form to be provided by Motorola upon request, obligating the transferee to be bound by this Agreement.

Section 8 TERM AND TERMINATION

8.1 Licensee's right to use the Software and Documentation will begin when the Primary Agreement is signed by both parties and will continue for the life of the Designated Products with which or for which the Software and Documentation have been provided by Motorola, unless Licensee breaches this Agreement, in which case this Agreement and Licensee's right to use the Software and Documentation may be terminated immediately upon notice by Motorola.

8.2 Within thirty (30) days after termination of this Agreement, Licensee must certify in writing to Motorola that all copies of the Software have been removed or deleted from the Designated Products and that all copies of the Software and Documentation have been returned to Motorola or destroyed by Licensee and are no longer in use by Licensee.

8.3 Licensee acknowledges that Motorola made a considerable investment of resources in the development, marketing, and distribution of the Software and Documentation and that Licensee's breach of this Agreement will result in irreparable harm to Motorola for which monetary damages would be inadequate. If Licensee breaches this Agreement, Motorola may terminate this Agreement and be entitled to all available remedies at law or in equity (including immediate injunctive relief and repossession of all non-embedded Software and associated Documentation unless Licensee is a Federal agency of the United States Government).

Section 9 Commercial Computer Software

9.1 *This Section 9 only applies to U.S. Government end users.* The Software, Documentation and updates are commercial items as that term is defined at 48 C.F.R. Part 2.101, consisting of "commercial computer software" and "computer software documentation" as such terms are defined in 48 C.F.R. Part 252.227-7014(a)(1) and 48 C.F.R. Part 252.227-7014(a)(5), and used in 48 C.F.R. Part 12.212 and 48 C.F.R. Part 227.7202, as applicable. Consistent with 48 C.F.R. Part 12.212, 48 C.F.R. Part 252.227-7015, 48 C.F.R. Part 227.7202-1 through 227.7202-4, 48 C.F.R. Part 52.227-19, and other relevant sections of the Code of Federal Regulations, as applicable, the Software, Documentation and Updates are distributed and licensed to U.S. Government end users: (i) only as commercial items, and (ii) with only those rights as are granted to all other end users pursuant to the terms and conditions contained herein.

9.2 If Licensee is licensing Software for end use by the United States Government or a United States Government agency, Licensee may transfer such Software license, but only if: (i) Licensee transfers all copies of such Software and Documentation to such United States Government entity or interim transferee, and (ii) Licensee has first obtained from the transferee (if applicable) and ultimate end user an enforceable end user license agreement containing restrictions substantially identical to the ones contained in this Agreement. Except as stated in the foregoing, Licensee and any transferee(s) authorized by this subsection 9.2 may not otherwise use or transfer or make available any Motorola software to any third party nor permit any party to do so.

Section 10 CONFIDENTIALITY

Licensee acknowledges that the Software and Documentation contain Motorola's valuable proprietary and Confidential Information and are Motorola's trade secrets, and that the provisions in the Primary Agreement concerning Confidential Information apply.

Section 11 LIMITATION OF LIABILITY

The Limitation of Liability provision is described in the Primary Agreement.

Section 12 NOTICES

Notices are described in the Primary Agreement.

Section 13 GENERAL

13.1. COPYRIGHT NOTICES. The existence of a copyright notice on the Software will not be construed as an admission or presumption of publication of the Software or public disclosure of any trade secrets associated with the Software.

13.2. COMPLIANCE WITH LAWS. Licensee acknowledges that the Software is subject to the laws and regulations of the United States and Licensee will comply with all applicable laws and regulations, including export laws and regulations of the United States. Licensee will not, without the prior authorization of Motorola and the appropriate governmental authority of the United States, in any form export or re-export, sell or resell, ship or reship, or divert, through direct or indirect means, any item or technical data or direct or indirect products sold or otherwise furnished to any person within any territory for which the United States Government or any of its agencies at the time of the action, requires an export license or other governmental approval. Violation of this provision is a material breach of this Agreement.

13.3 FUTURE REGULATORY REQUIREMENTS. The Parties acknowledge and agree that this is an evolving technological area and therefore, laws and regulations regarding Services and use of Solution may change. Changes to existing Services or the Solution required to achieve regulatory compliance may be available for an additional fee. Any required changes may also impact the price for Services.

13.4. ASSIGNMENTS AND SUBCONTRACTING. Motorola may assign its rights or subcontract its obligations under this Agreement, or encumber or sell its rights in any Software, without prior notice to or consent of Licensee.

13.5. GOVERNING LAW. This Agreement is governed by the laws of the United States to the extent that they apply and otherwise by the internal substantive laws of the State to which the Software is shipped if Licensee is a sovereign government entity, or the internal substantive laws of the State of Illinois if Licensee is not a sovereign government entity. The terms of the U.N. Convention on Contracts for the International Sale of Goods do not apply. In the event that the Uniform Computer Information Transaction Act, any version of this Act, or a substantially similar law (collectively "UCITA") becomes applicable to a party's performance under this Agreement, UCITA does not govern any aspect of this Agreement or any license granted under this Agreement, or any of the parties' rights or obligations under this Agreement. The governing law will be that in effect prior to the applicability of UCITA.

13.6. THIRD PARTY BENEFICIARIES. This Agreement is entered into solely for the benefit of Motorola and Licensee. No third party has the right to make any claim or assert any right under this Agreement, and no third party is deemed a beneficiary of this Agreement. Notwithstanding the foregoing, any licensor or supplier of third party software included in the Software will be a direct and intended third party beneficiary of this Agreement.

13.7. SURVIVAL. Sections 4, 5, 6.4, 7, 8, 9, 10, 11 and 13 survive the termination of this Agreement.

13.8. ORDER OF PRECEDENCE. In the event of inconsistencies between this Exhibit and the Primary Agreement, the parties agree that this Exhibit prevails, only with respect to the specific subject matter of this Exhibit, and not the Primary Agreement or any other exhibit as it applies to any other subject matter.

13.9. SECURITY. Motorola uses reasonable means in the design and writing of its own Software and the acquisition of third party Software to limit Security Vulnerabilities. While no software can be guaranteed to be free from Security Vulnerabilities, if a Security Vulnerability is discovered, Motorola will take the steps set forth in Section 6 of this Agreement.

EXHIBIT B

PAYMENT

Except for a payment that is due on the Effective Date, Customer will make payments to Motorola within thirty (30) days after the date of each invoice. Customer will make payments when due in the form of a check, cashier's check, or wire transfer drawn on a U.S. financial institution. If Customer has purchased additional Professional or Subscription services, payment will be in accordance with the applicable addenda. Payment for the System purchase will be in accordance with the following milestones.

System Purchase (excluding Subscribers, if applicable)

1. **25% of the Contract Price due upon contract execution (due upon effective date);**

2. **60% of the Contract Price due upon shipment of equipment from Staging;**

3. **10% of the Contract Price due upon installation of equipment; and**

4. **5% of the Contract Price due upon Final Acceptance.**

If Subscribers are purchased, 100% of the Subscriber Contract Price will be invoiced upon shipment (as shipped).

Motorola shall make partial shipments of equipment and will request payment upon shipment of such equipment. In addition, Motorola shall invoice for installations completed on a site-by-site basis or when professional services are completed, when applicable. The value of the equipment shipped/services performed will be determined by the value shipped/services performed as a percentage of the total milestone value. Unless otherwise specified, contract discounts are based upon all items proposed and overall system package. For invoicing purposes only, discounts will be applied proportionately to the FNE and Subscriber equipment values to total contract price. Overdue invoices will bear simple interest at the maximum allowable rate by state law.

For Lifecycle Support Plan and Subscription Based Services:
Motorola will invoice Customer annually in advance of each year of the plan.
The chart below outlines the hourly labor rates for Motorola System Integration resources to be used. The staffing requirements shall be multiplied by the appropriate rate per resource in the table below. The hourly labor rates are fully burdened. The hourly rates per resource type and level are listed in Table 1.

	Resource Types			
Levels	Project Management	System Engineering	System Technologist	Project Administration
4	$ 290.00	$ 300.00	$ 280.00	$ 200.00
3	$ 240.00	$ 250.00	$ 240.00	$ 180.00
2	$ 220.00	$ 220.00	$ 220.00	$ 170.00
1	$ 190.00	$ 210.00	$ 210.00	$ 160.00

Table 1 - Hourly Rates

These rates apply to ordinary days and times (Monday to Friday during the hours 8am to 5pm). Additional surcharges may apply to work done outside these timeframes. The minimum charge for any resource will be 4 hours. Travel expenses are not included in these rates and may be charged separately. The qualifications of each type and level of resource are defined in the tables found at https://www.motorolasolutions.com/content/dam/msi/secure/services/labor-rates-exhibit-160408.pdf. All Motorola System Integration personnel assigned to this project will be classified according these levels. Project Administrative roles are varied and their specific duties and qualifications will be determined by the complexity and requirements of each project.

EXHIBIT D

SYSTEM ACCEPTANCE CERTIFICATE

Customer Name: _____

Project Name: _____

This System Acceptance Certificate memorializes the occurrence of System Acceptance. Motorola and Customer acknowledge that:

1. The Acceptance Tests set forth in the Acceptance Test Plan have been successfully completed.

2. The System is accepted.

Customer Representative:	Motorola Representative:
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

FINAL PROJECT ACCEPTANCE:
Motorola has provided and Customer has received all deliverables, and Motorola has performed all other work required for Final Project Acceptance.

Customer Representative:	Motorola Representative:
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

SECTION 5

OUR COMMITMENT

Motorola Solutions creates innovative, mission-critical communication solutions and services that help public safety and commercial customers build safer cities and thriving communities. You can find our products at work in a variety of industries including law enforcement, fire, emergency medical services, national government security, utilities, mining, energy, manufacturing, hospitality, retail, transportation and logistics, education, and public services.

Founded in 1928, Motorola Solutions has a history of innovation that has revolutionized communications. From pioneering mobile communications in the 1930s and making equipment that carried the first words from the moon in 1969, to supporting modern-day emergency response equipment for disaster relief efforts around the world, Motorola Solutions has a global footprint with products that demonstrate its thought leadership.

Throughout its history, Motorola Solutions has transformed innovative ideas into products that connect people to each other and the world around them. Moving forward, the company strives to keep its commitment of make things better and life easier, to make sound recommendations that will guide you in linking your current and future communication needs and objectives with technology’s ever-evolving promise.

PSEC Use Agreement for

Full Time Use with

City of Hemet Police Department

PSEC USE AGREEMENT

This Use Agreement ("Agreement") is made and entered into this 1st day of February 2021 by and between the County of Riverside, a political subdivision of the State of California ("COUNTY"), and the City of Hemet Police Department ("AGENCY"), collectively "the Parties."

RECITALS

WHEREAS, COUNTY operates, manages and maintains the Public Safety Enterprise Communication System ("PSEC System") and all infrastructure equipment utilized to support "subscribers" on the PSEC System; Maintenance of subscriber equipment i.e. consoles, handheld radios, mobiles radios, are not part of the subscriber monthly rate. If Agency chooses to utilize PSEC for maintenance, AGENCY will be required to enter into a separate agreement.

WHEREAS, AGENCY desires to use the PSEC System, in compliance with the terms of this Agreement and without ever hindering the functionality or operation of the PSEC System;

WHEREAS, COUNTY is willing to grant AGENCY a limited license to access and use the PSEC System.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COUNTY and AGENCY agree as follows:

I. Use Granted

Subject to and conditioned on AGENCY's payment of the fees and compliance and performance in accordance with the terms and conditions of this Agreement, COUNTY grants to AGENCY and AGENCY hereby accepts a limited, nonexclusive, nontransferable, and non-assignable license (mobile or portable radios or dispatch console) to access and use, solely during the terms, as defined in Exhibit C which is attached and incorporated herein, the PSEC System, at COUNTY's sole and exclusive discretion. Subject to the COUNTY's approval, AGENCY may choose to add additional subscribers to the system. Additional subscribers may impact the system's capacity thereby requiring the system to be expanded. Any system expansion costs incurred to support the additional subscribers will be billed to the AGENCY.

The County of Riverside Board of Supervisors (the "Board") retains ultimate legal and financial authority over the PSEC System; however, the Board, through the PSEC Charter, has delegated administrative, operational and financial control to the PSEC Steering Committee. The PSEC Steering Committee provides governance and financial accountability. AGENCY agrees and acknowledges that AGENCY shall always be in compliance with the terms of this Agreement and never hinder the functionality or operation of the PSEC System. Users of the PSEC system will abide by the direction/guidance provided by the PSEC Steering Committee.

Supervision over the provision of COUNTY services, the standards of performance and other matters incident to the performance of such services, shall remain with the COUNTY at all times. The full PSEC Governance Charter is available upon request.

II. Period of Performance

The initial term of this Agreement shall commence on February 1, 2021 and expire on June 30, 2025 (the "Initial Term"), unless earlier terminated. Absent a written notice of termination pursuant to section IV below, this Agreement shall automatically renew in five (5) year increments (each a "Renewal Term"), subject to approval by the COUNTY's Board of Supervisors. The rates payable by AGENCY during a Renewal Term is defined in Section III of this Agreement.

III. Payment

PSEC System rates are reviewed and approved annually by the Board, with changes taking effect automatically on July 1 of each year. On July 1 of every year, the rates for PSEC System use and maintenance under this Agreement will automatically adjust based upon these new rates, in accordance with Riverside County PSEC Rate Guide, which is attached as Exhibit A of this Agreement and incorporated herein by this reference. Specific to the Communication device rate (per user rate), the Board of Supervisors (ITEM # 3.29, ID 12322) on May 19th, 2020 approved an incentive program for net new users joining the PSEC system. This incentive program provides tiered percent discounts that are applied to the Board approved Communication device rate for the given year. AGENCY will pay the tiered percent/rate indicated in the year they sign and commit to the new Service Agreement. For example, if AGENCY enters into the agreement with PSEC during FY22/23 (County fiscal year begins on July 1st of the current year and ends on June 30th of the following year) they start paying at 50% of the Board Approved Rate). AGENCY will pay the listed tiered percent/rate for each subsequent year of the contract until the program expires in fiscal year 24/25 wherein the AGENCY will pay the full Board Approved rate for that year and all future years. The Onboarding Incentive table details the tiered percent available for each of the next 5 fiscal years.

Onboarding Incentive

Fiscal year	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25
Monthly Onboarding Percentage of the Board Approved Communication Device Rate Payable by AGENCY	0%	25%	50%	75%	100%

COUNTY shall invoice AGENCY each month for AGENCY's use of the PSEC System. Payment shall be due on the first day of each calendar month during the term of this Agreement. In the event AGENCY fails to make its monthly payment within thirty (30) days after the due date, a non-refundable late fee of three hundred dollars ($300.00) shall apply.

IV. Termination

Termination by COUNTY: COUNTY may terminate this Agreement without cause upon 90 days written notice served upon AGENCY stating the extent and effective date of termination. Further, COUNTY shall have the right to immediately terminate this Agreement if AGENCY: files for voluntary or involuntary bankruptcy for the adjudication of Agency as a debtor; makes a general assignment, or AGENCY's interest hereunder is assigned involuntarily or by operation of law, for the benefit of creditors; fails to comply with the terms of this Agreement; or fails to comply with applicable law. AGENCY shall have thirty (30) days to cure any default, to the satisfaction of COUNTY, AGENCY's breach or default under this Agreement after written notice from the COUNTY.

Termination by AGENCY: This Agreement may be terminated by AGENCY without cause, provided that AGENCY has given at least ninety (90) days' prior written notice. Upon expiration or termination of this Agreement, all rights, licenses, consents and authorizations granted by COUNTY to AGENCY shall immediately terminate, and COUNTY may disable all access to the PSEC System.

V. Restrictions

The Use granted herein is for AGENCY, and AGENCY only. AGENCY shall not permit any other individual or entity to, access or use the license except as expressly permitted in this Agreement. Specifically, AGENCY shall not:

A. Enter into a separate agreement that provides any third-party access to the PSEC Radio System;

B. Rent, lease, lend, sell, sublicense, assign, distribute, publish, transfer, or make available in any manner or form any part of this license, or access to and/or use of the PSEC System;

C. Access or use the PSEC System in any manner, or for any purpose that infringes, misappropriates or otherwise violates any intellectual property right or other right of any third party (including by any unauthorized access to, misappropriation, use, alteration, destruction or disclosure of any information obtained through the PSEC System), or that violates any applicable law;

D. Bypass any security device or protection used to access the PSEC System, or access the PSEC System through any means other than by valid access credentials;

E. Damage, destroy, disrupt, disable, impair, interfere with or otherwise impede or harm in any manner the PSEC System, including but not limited to, interference with the COUNTY's access to or use of the PSEC System;

F. Otherwise access or use the Services beyond the scope of the authorization granted under Section I of this Agreement.

VI. Indemnification

AGENCY shall indemnify and hold harmless the County of Riverside, its Agencies, Districts, Special Districts and Departments, their respective directors, officers, Board of Supervisors, elected and appointed officials, employees, agents and representatives (individually and collectively hereinafter referred to as Indemnitees) from any liability, action, claim or damage whatsoever, based or asserted upon any access and/or use of the PSEC System by AGENCY, its officers, employees, subcontractors, agents or representatives arising out of or in any way relating to this Agreement, including but not limited to property damage, bodily injury, or death or any other element of any kind or nature. AGENCY shall defend the Indemnitees at its sole expense including all costs and fees (including, but not limited, to attorney fees, cost of investigation, defense and settlements or awards) in any claim or action based upon such acts, omissions or services. With respect to any action or claim subject to indemnification herein by AGENCY, AGENCY shall, at its sole cost, have the right to use counsel of its own choice and shall have the right to adjust, settle, or compromise any such action or claim without the prior consent of the County of Riverside; provided, however, that any such adjustment, settlement or compromise in no manner whatsoever limits or circumscribes AGENCY's indemnification to Indemnitees as set forth herein

VII. Coverage Performance

The PSEC system provides extensive and robust coverage across Riverside County. However due to the nature of radio systems (i.e. variation in geography, location in relation to PSEC radio sites, time dependent obstructions, radio performance and many other factors) coverage cannot be guaranteed for every location within the County. Coverage performance also cannot be guaranteed within buildings. AGENCY will perform radio tests of the system to verify their coverage needs will be met prior to onboarding onto the system. By onboarding onto the PSEC system, AGENCY chooses to accept the PSEC Radio System coverage as-is. If coverage expansion is requested by the AGENCY, any associated costs will be at the AGENCY's expense.

VIII. Miscellaneous

A. Nothing in this Agreement shall be construed to create a partnership, joint venture or agency relationship between the parties.

B. County's Representative: COUNTY appoints its Chief Information Officer and the PSEC Steering Committee Chairman, as its authorized representatives to administer this Agreement.

C. Notices: Notices required or given by either party shall be to the following:

COUNTY:	**AGENCY**
County of Riverside, PSEC	City of Hemet Police Department
Delano Anderson, ITM	Glen Brock, Captain
7195 Alessandro Blvd., Suite A	450 E. Latham Avenue
Riverside, CA 92506	Hemet, CA 92543
DAnderson@rivco.org	gbrock@cityofhemet.org
(951) 955-0570	(951) 765-2500

D. AGENCY shall not delegate or assign any interest in this Agreement, whether by operation of law or otherwise, without the prior written consent of COUNTY. Any attempt to delegate or assign any interest herein shall be deemed void and of no force or effect.

E. Any waiver by COUNTY of any breach of any one or more of the terms of this Agreement shall not be construed to be a waiver of any subsequent or other breach of the same or of any other term of this Agreement. Failure on the part of COUNTY to require exact, full, and

complete compliance with any terms of this Agreement shall not be construed as in any manner changing the terms or preventing COUNTY from enforcement of the terms of this Agreement.

F. AGENCY shall comply with all applicable Federal, State and local laws and regulations. AGENCY will comply with all applicable COUNTY policies and procedures. In the event there is a conflict between the various laws or regulations that may apply, the AGENCY shall comply with the more restrictive law or regulation.

G. This Agreement shall be governed by the laws of the State of California. Any legal action related to the performance or interpretation of this Agreement shall be filed only in the Superior Court of the State of California located in Riverside, California, and the parties waive any provision of law providing for a change of venue to another location. In the event any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

H. This Agreement, including any attachments or exhibits, constitutes the entire Agreement of the parties with respect to its subject matter and supersedes all prior and contemporaneous representations, proposals, discussions and communications, whether oral or in writing. This Agreement may be changed or modified only by a written amendment signed by authorized representatives of both parties.

IX. Maintenance

I. County will maintain all PSEC infrastructure. Maintenance of any additional equipment including but not limited to AGENCY's consoles and subscriber equipment will be covered in Exhibit B Support and Maintenance.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Agreement.

COUNTY:
COUNTY OF RIVERSIDE

By:_____
Name: Dave Rogers
Title: Assistant County Executive Officer/CIO

Dated:_____

By:_____
Name: Chet Ashbaugh
Title: PSEC Chairman

Dated:_____

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

By:_____
Deputy County Counsel

Dated:_____

AGENCY:
CITY OF HEMET POLICE DEPARTMENT

By:_____
Name:
Title:

Date:_____

EXHIBIT A

INITIAL SET UP COSTS AND PSEC BOARD APPROVED RATES

Initial mandatory setup services are billed at the approved time and material rates in accordance with the Riverside County PSEC Rate Guide below.

- Engraving radio ID and asset information onto radio to facilitate tracking and prevent ID duplication within the PSEC radio provisioning system.
- Installation, programming, and testing of radio, console or consolette will be billed at *Radio Technician Expert Time* rate, as applicable.
- Codeplug creation, activating radio, console or consolette for use on the System, and activating encryption is billed at *Radio Technician* and/or *Radio Engineering Expert Time* rate.

Any future radio additions (i.e. adding additional radios) will also be billed at *Radio Technician and/or Radio Engineer Expert Time*.

Costs shown below are an estimation of actual costs to be incurred. Services will be billed at actual time spent to complete each service.

PSEC Radio System Cost Estimate: City of Hemet Police Department					
			City of Hemet Police Department Subscriber User Count:		175
Function and Activities	**Rate Description**	**Rate**	**Estimated Labor Time**	**Qty**	**Total**
Engineering Fleet Map Development	Engineering Expert Time	$112.46	2 Hours	2	$224.92
Provisioning Manager/KMF/UNS Time for putting units into ALL Systems	Engineering Expert Time	$112.46	15 mins per radio	48	$5,341.85
Provisioning Manager Licensing Fee per User	License Fee	$14.00	N/A	185	$2,590.00
Project Management for Console Installation	Engineering Expert Time	$112.46	20 hours	20	$0.00
Radio Technician Console ELT File Creation	Technician Expert Time	$68.43	10 hours	10	$0.00
Radio Technician Codeplug ELT File Creation	Technician Expert Time	$68.43	40 hours	40	$2,737.20
Dispatch Installation and Cutover Support	Engineering Expert Time	$112.46	20 hours	20	$2,249.20
Administrative Cost	Use Agreement	n/a	n/a	n/a	$500.00
				Total One-Time Cost	**$13,643.17**
				10% contingency	**$1,314.32**
				Total One-Time Cost with Contingency	**$14,957.49**

The published rate guide reflects a cost of $167.42 for each voice radio user (listed as communication device) for Fiscal year 20/21.

SERVICE DESCRIPTION	DEFINITION	FY 20/21 RATE	UNIT
Data			
Modem - HPD	HPD: High Performance Data Radio	$150.87	Per Modem per Month
Subscriber			
Device - Emergency radio	Monthly charges for emergency radio use	$29.87	Per Device per Month
Device - Holiday radio	Monthly charges for holiday rate radio use	$32.96	Per Device per Month
Device - Communication device	Monthly charges for the based consolette, consoles, mobile and portable radio unit	$167.42	Per Device per Month
Vehicle			
Vehicle Repairs	Material and Shipping	Actual Cost (Shipping & Materials)	
Technician			
Technician Expert Time (during business hours)	Hourly shop and field radio, infrastructure, and microwave repair rate	$68.43	Per Hour
Technician Expert Time (after business hours)	After hours (overtime) shop and field radio, infrastructure, and microwave repair rate	$71.46	Per Hour
Microwave and Site			
Rack	Set rate for monthly full rack mount charge	$523.56	Per Month
Half Rack	Set rate for monthly half rack mount charge	$261.78	Per Month
Floor Space	Set rate for monthly square footage charge excluding rack space	$523.56	Per Month
Antenna Mounted Lower	Set rate for monthly LMR antenna lower	$300.00	Position of the antenna per month
Antenna Mounted Middle	Set rate for monthly LMR antenna middle	$600.00	Position of the antenna per month
Antenna Mounted Top	Set rate for monthly LMR antenna top	$900.00	Position of the antenna per month
Mile-T1	Monthly charge per T1 circuit mile	$13.74	Per mile per month
Mile-Analog	Monthly charge per analog circuit mile for microwave transmission	$0.89	Per mile per month
Application Fee	Application fee for FCC licensing or for permits	Actual Cost	Per application
Technology Engineering			
Engineering Expert Time	Hourly rate to design, implement and/or maintain radio communication networks and infrastructure of Countywide Communication facilities	$112.46	Per Hour
Engineering Expert Time - Overtime	Weekend or after-hours rate to design, implement and/or maintain radio communication networks and infrastructure of Countywide Communication facilities	$118.05	Per Hour

EXHIBIT B

SUPPORT AND MAINTENANCE

1. COUNTY maintenance and support of AGENCY's fleet of subscriber equipment will include the services listed below as part of the monthly subscriber rate paid to the COUNTY. AGENCY is responsible for scheduling all maintenance and for transporting radios to PSEC facility

   Radios/Consoles

   - Firmware/Software upgrades mandated by PSEC
   - County initiated codeplug updates*

   Any radio or console repairs not covered by a separate subscriber (consoles/radios) maintenance agreement with PSEC, will be billed at the Board Approved Rate. If parts are needed as part of the repair, all parts will be billable.

   Any AGENCY driven changes, including console configuration files (ELT)/codeplug modifications, will be billed on a time & material basis per board approved rates. Items not listed as covered under this Agreement will be subject to additional cost one a time and material basis per Board approved rates.

2. Any changes to ELT/code plugs shall be reviewed by COUNTY to ensure no adverse impact on the overall system.

3. AGENCY and COUNTY will coordinate all firmware and software upgrades of subscribers (portable, mobile or consoles) prior to AGENCY action. AGENCY is responsible for ensuring that all console and subscriber equipment firmware and software version remains compatible with the current and future PSEC system release versions. Any upgrades and/or replacement of console or subscriber equipment to maintain combability with the PSEC system is the sole responsibility of the AGENCY.

4. Encryption key may be changed by COUNTY when required.
5. If radio is lost or stolen, and agency chooses to deactivate the radio, contact can be made 24x7 to PSEC's on-call technicians. On-call contact information is distributed to all PSEC customers on a weekly basis.

6. The COUNTY utilizes over-the-air tools to evaluate whether radios operating on the system are doing so within their factory rated specifications. Subscribers that operate outside of the factory specification

tolerance can cause interference and degrade audio quality performance on the radio system. The COUNTY will notify the AGENCY of radios that are performing outside of their factory rated specifications and the AGENCY will be required to have radio serviced with their service provider prior to impacting the system or system users. If a subscriber piece of equipment is determined to be detrimental to the system or other PSEC user(s) the equipment will be removed and or deactivated from the system.

7. AGENCY must maintain an updated record of subscriber/Console firmware and software changes.

8. PSEC Facility Maintenance Operations

   Subscriber repair covered under a separate agreement will be may be provided during normal business hours at one of the three PSEC radio shops. Drop off service for portable and mobile radios is available during normal business hours on appointment basis only. Radio shop contact information is listed below.

   - **7195 Alessandro Blvd., Riverside, CA 92506**
     - (951) 955-3644
   - **82695 Dr. Carreon Blvd., Indio, CA 92201**
     - (760) 863-8999
   - **249 N. Spring Street, Blythe, CA 92225**
     - (760) 921-5087 or (760) 921-5079

   Normal business hours are: Mon - Thurs 7:00 a.m. to 4:30 p.m. and Friday 7:00 a.m. to 3:30 p.m. excluding holidays. PSEC does have 24x7 maintenance technicians available for emergency repairs. Contact can be made to PSEC's on-call technicians. On-call contact information is distributed to all PSEC customers on a weekly basis.

9. COUNTY does not keep cache spares. AGENCY should have spares in the event equipment cannot be repaired in shop and may need to be shipped back and/or there is a prolonged waiting period for factory repair.

10. ADDITIONAL EQUIPMENT PURCHASES AND FEES

    Additional equipment purchases are considered any equipment purchases/orders/added after the signing of the Agreement.

Additional equipment purchases, the initial mandatory setup fee and future AGENCY requested changes (i.e. ELT/code Plug changes driven by the Agency) are not included in the monthly subscriber rate and will be invoiced separately.

All radios purchased will require an Advanced System Key (ASK) feature. This includes Motorola, Harris, EF Johnson and any others.

- All radios purchased to operate on PSEC System must have hardware system key enabled and COUNTY will be the keeper of that key.
- All radio types and/or manufacturers must be pre-approved to come on the PSEC System by COUNTY prior to purchase.

11. APPROVED EQUIPMENT as of July 1st, 2020

The following equipment has been approved by COUNTY for use on the PSEC Radio System:

- Motorola MCC7500
- Motorola APX Consolette
- Motorola APX Series 4000 Portables
- Motorola APX Series 6000 Mobiles and Portables
- Motorola APX Series 7000 Mobiles and Portables
- Motorola APX Series 8000 Portables and Mobiles
- Harris XL-200 (Firmware Version R06E06)
- Harris Unity (Firmware version-XGPRO6K07 _XG100P) (No Failsoft operation)
- Kenwood VP 6430
- Kenwood VP5430
- Kenwood NX5400
- Kenwood VP 900

All equipment to be used on the PSEC System MUST be pre-approved by COUNTY prior to operation on the System.

Although the COUNTY has evaluated the provided list of approved subscribers for System compatibility, the COUNTY is not responsible for any issues encountered by AGENCY with these subscribers that are deemed to be a manufacturer issue.

It is the responsibility of the AGENCY to test manufacturer subscribers, not included on the approved list, and obtain assurance from the manufacturer that their subscribers can operate on the PSEC Radio System per the AGENCY's and COUNTY's requirements. AGENCY may request the COUNTY to test other manufacturer's equipment to be used on the PSEC Radio System, depending on the level of testing required these services may be billed at the Board approved rates.

12. CALL OUTS

- COUNTY shall provide 24-hour service support for COUNTY maintained and operated infrastructure related issues and equipment.
- AGENCY owned infrastructure issues and equipment are the responsibility of the AGENCY. After-hours call out radio repair service that is not covered by a separate agreement for single subscriber issues must be deemed an emergency and will be billed at the board approved rate
- If AGENCY has a need for after-hours radio repair service, that service will be billed at a time and material rate in accordance within EXHIBIT A "INITIAL SET UP COSTS AND PSEC BOARD APPROVED RATES".

13. SPECIAL PROVISIONS

- If AGENCY wants to program their own radios, they must sign the Advanced System Key (ASK) agreement.
- AGENCY does not have the authority to program radio subscriber equipment for other agencies, including Federal agencies, without previous authorization from PSEC.
- This Agreement only authorizes devices that are APCO P25 Phase II TDMA (time division multiple access) compliant. FDMA (frequency division multiple access) radios are not authorized on the PSEC Radio System.

EXHIBIT C

STATEMENT OF WORK

This Statement of Work between the AGENCY and COUNTY describes the duties of each of the parties.

The AGENCY is requesting to join the PSEC Radio System as a full-time user with a total of 175 AGENCY owned subscribers.

The AGENCY's area of operation will be covered by the Southwest Simulcast cells. The coverage provided by the PSEC Radio System is "as is". This agreement does not provide any coverage guarantees. It is the responsibility of the AGENCY to test their area of operation and determine if it meets their needs prior to joining the PSEC Radio System.

COUNTY will develop the fleet map, review vendor created codeplug, and activate the ID's on the network for AGENCY. These costs are listed in the Cost Estimate Table in EXHIBIT A. "INITIAL SET UP COSTS AND PSEC BOARD APPROVED RATES" of this Agreement.

Talkgroups

AGENCY will follow the COUNTY'S naming convention for talkgroup development. COUNTY will work in conjunction with AGENCY to develop the talkgroup structure for the AGENCY. COUNTY and AGENCY will jointly design and develop radio personalities for use on the PSEC system.

AGENCY represents by entering into this Agreement, that all their equipment conforms to the specifications of the PSEC System and AGENCY will abide by all programming guidelines set forth in this Agreement. All subscriber equipment on the PSEC System must support system key technology that will allow only authorized persons to program subscriber radios on the system.

County Responsibilities:

- COUNTY will hold the license for all master system key technologies and will provide child keys to AGENCY for radio programming.
- All subscribers (mobile, portable, and consolette) Logical Identification Numbers (LID) are defined and issued by the COUNTY. LID numbers are the intellectual property of the COUNTY and must be surrendered at termination of this agreement.
- COUNTY will engrave all portables and mobiles with PSEC Trunked radio unit IDs.

Agency Responsibilities:

- AGENCY agrees that all their equipment conforms to the specifications of the PSEC system and will abide by all programming guidelines set forth.

- All subscriber equipment on the PSEC System must support Advanced System Key technology that will allow only authorized persons to program subscriber radios on the system.

- AGENCY is solely responsible for procuring all equipment and services related to implementing their dispatch centers.

Pegasus Telecommunications Consulting Group
(A Division of Comsite Pacific, Inc.)
P.O. Box 1608, Santa Maria, CA 93456-1608
562-370-7744
EIN #95-3815999
http://www.pegasustelecom.net

June 23, 2020

To: Captain Glen Brock
Hemet Police Department
450 E. Latham Avenue
Hemet, CA 92543

Cc: Dale Digiambattista
Support Services Manager

Re: Hemet Police Department Radio Communications System Project
P.O. # 2020-000457

Pegasus Telecommunications Consulting Group (PTCG) is pleased to offer this comprehensive City of Hemet Police radio system assessment and recommendations study. This report is the culmination of months of work, collecting input from the Police Department relative to their present radio system condition and their operational requirements for a replacement system that will afford high-reliability radio communications, flexibility, longevity, and good value. Applying information solicited from Hemet Police command staff, we believe we have met these goals.

Please feel free to contact me if you have questions or comments.

Thank you for this opportunity to serve the City of Hemet.

Ray Grimes
Owner/Principal Consultant

Pegasus Telecommunications Consulting Group

(A Division of Comsite Pacific, Inc.)

P.O. Box 1608, Santa Maria, CA 93456-1608

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http://www.pegasustelecom.net

June 23, 2020

City of Hemet Police Communications System

Review and Recommendations – Subscribe to PSEC vs City Owned Radio System

Pegasus Telecommunications Consulting Group (PTCG) has been engaged by the City of Hemet to assist in determining the relative benefits and costs associated with either constructing a new radio system for the primary use of the police department, or subscribing to the Riverside County Public Safety Enterprise Communications (PSEC) countywide trunked radio system. Critically important aspects of either choice is that the chosen solution provides dependable mobile radio coverage and handheld portable radio outdoors and indoors coverage within the City, with a high level of system redundancy, infrastructure reliability, and hardening in response to heightened terrorism activities and natural and environmental hazards such as earthquakes, tornadoes, and fires. The threshold for achieving each of these operational considerations must also be weighed against cost and the availability of resources – personnel – to monitor and maintain the system.

For this report, we will first review the operational considerations for each decision individually, discussing advantages and disadvantages of the respective solution. We will examine factors that may affect the expected time to implement each solution, and the relative costs.

1. Operational Considerations –
    a. Radio spectrum availability and interoperability
    b. Radio coverage (coverage area and building penetration), signal reliability, and communications redundancy
    c. System management
    d. System reliability and maintenance
    e. Subscriber equipment, i.e. mobile and portable radios
        i. As purchased and equipped, all subscriber equipment should be capable of using P25, standards compliant encryption

2. Factors that may affect time to implement
    a. Frequency and site availability
    b. Procurement Processes
    c. Infrastructure upgrades (PSAP, remote sites, towers)
3. Budgetary, anticipated costs
    a. Initial or one-time costs
    b. Projection of recurring costs for at least 5 years after initial acceptance

Reasonable assumptions or extrapolations regarding intended system design, implementation process and timeline procurement process, were made to arrive at an understandable comparison of the two choices. To the maximum extent possible we avoided the inclusion of technical jargon which we believe would have led to much more involved discussions and probable confusion. Particular benefits or risks associated with either decision are identified to the maximum extent possible, however they may not be fully quantifiable within the available information or scope of this engagement.

The City has made some preliminary decisions regarding type and configuration of their prospective new police radio system. To the extent possible, we have used the information provided by the City to prepare this analysis. The PSEC system is mature but is in a continuous mode of evaluation and upgrade to meet the collective requirements of the subscribing agencies. System or user features, functionality, and costs will undoubtedly evolve as the system users identify new requirements.

CITY OF HEMENT POLICE SYSTEM (City Owned and Maintained)

Existing System

The Police department currently operates with approximately 74 sworn and 8 community service officers. It is authorized for 81 sworn personnel and 12 community service officers. Supporting this primary operation are approximately 88 mobile units and 90 portable units.

There are approximately 12 low-tier portable radios held in reserve by Hemet PD and used by volunteers. A discussion of the disposition of these units, and how these volunteer operations will be integrated into future police operations is subject to many factors that Hemet must consider. The relative cost impact on either system decision should be negligible so it will not be discussed or considered in this report.

The City of Hemet currently operates its VHF system with installations at five (5) sites.

1. Sites are connected to the dispatch center via a city owned microwave system that is in the process of being replaced and upgraded.
2. Each site has three (3) VHF repeaters, one each to support police, fire, and public works, with the exception of the Hemet PD site which hosts a voted receiver
    a. One hub site is owned by the City of Hemet (located at Hemet PD).
        i. It is supported by its own generator however at this time we do not have sufficient information to comment on its ability to support any new equipment at that site.
        ii. A tower engineering report is not available to determine possible costs associated with any new hardware installations.
        iii. Facility interior space and utilities to support this upgrade are being assessed by the City.
    b. One site (Park Hill), a city-owned water tank farm has been determined by the City to be unusable due to physical status of the site facility and antenna structure.
        i. Due to physical status and overlapping coverage from other sites, this site is not included in evaluation for use in the new radio system. No new equipment can or will be added.
    c. One high site (Simpson Park) is located southeast of the city on city owned land.
        i. This site requires tower improvements to accommodate equipment, to assure an unobstructed microwave path, and structural resiliency
        ii. This site has a large generator which should be sufficient to operate the new police radio installation.
        iii. The city owns a secure shelter on this property.
    d. One high site (Platte Ridge) is in operation at a west-end commercial radio facility.
        i. Standby power onsite but not supporting Hemet equipment.
        ii. Tower space is sufficient but limited.
        iii. A question remains open regarding battery backup for Hemet equipment located at this site.
    e. One remote high site (North Mountain) is on USFS land north of the city. Site facility space is managed by Riverside County and additional space is available for a fee.
        i. A question remains open regarding sufficient battery backup for Hemet equipment located at this site.
        ii. Tower space and shelter space is sufficient and secure.

3. Dispatch will consist of 6 console positions and a logging recorder located at headquarters
    a. Existing dispatch console equipment is beyond the manufacturer's stated end-of-life and needs to be replaced immediately.
    b. Logging Recorder – approximately 5 years old, analog only and not capable of capturing metadata such as text-911 or GPS
4. Subscriber equipment and Interoperability
    a. All primary personnel, that are sworn and community service officers currently use multi-band Harris radio equipment that is capable of both analog and P25 digital operation, including PSEC trunking.
    b. This equipment will continue operating on the City's VHF radio channels for interoperability with fire and public works. In addition, they will be programmed to operate on either the PSEC system, or a new City owned system.

New Police Radio System

The existing VHF radio system will remain in place for use by the fire and public works departments. The City has indicated that a decision has already been made that if implemented, the police department will move to new 700MHz channels and the fire department will acquire the one VHF channel on which police currently operate.

There is no final decision regarding whether the City would expect to configure the new police system as a "conventional" repeater system or would pursue trying to deploy a trunked system. In either event to achieve the coverage reliability required for effective police operations, the system will need to be engineered for simulcast operations with voting receivers.

Any radio system design is predicated first on the availability of radio frequencies, or channels. We have been advised that the City may have access to two (2) 700MHz channels. We find no information that indicates these channels are currently licensed to the City so this would be the first critical milestone that must be addressed before any system design or realistic budget can be established for the project.

The process for identifying frequencies and getting them coordinated and licensed can be expected to take a year or more. In addition, due to the heavy radio congestion throughout southern California, the licensing coordinators may place restrictions on the location of repeaters and permitted power levels which could seriously affect the design and cost of any new system.

For purposes of this report, we will assume that two channels can be secured for the new system. This can be justified based on the number of mobile and portable units in operation and is consistent with similar sized systems. Additionally, we will assume that these two channels are deployed as "conventional repeater" channels, not in a trunked configuration to minimize costs and deployment time. Though trunking the channels would provide somewhat more flexibility for operational communications, it still would not allow for more than two simultaneous conversations so there is effectively little benefit when weighed against cost.

Coverage

Coverage, that is the balance between the area that is served by the system and the reliability and redundancy of the system, as it relates to coverage is a function of the location of repeaters, i.e. what site(s) are employed, and their power levels.

The only coverage maps made available to us for this report that directly reflect probable radio coverage for a City owned system was prepared by Motorola as part of a proposal for a VHF system enhancement. These maps depict what is known as "street level coverage for portable units" at 95% reliability. The City has operational experience regarding known coverage from these sites that it considers adequate.

Though the desire is to procure and deploy a 700MHz system which may have significantly different coverage characteristics from those of the VHF system, due to the number of unknown parameters needed for accurate modeling, prediction models were not constructed for this report. Detailed coverage prediction models, particularly related to appropriate in-building system performance, will have to be prepared and evaluated prior to issuing an RFP for a new system.

The four candidate sites identified for this system include one high site owned by the City, one site managed by the County of Riverside, one high site that is operated by a commercial radio site operator, and one site located at Police Headquarters. In all, there is some level of overlapping coverage afforded by all of these sites so that in the event of one of the repeaters, microwave connection, or tower failure, the other two sites can be expected to provide, though less than perfect, reasonable radio coverage in the immediate Hemet area. One key item to recognize is that the site located at Police headquarters affords a high degree of access in the event maintenance is needed, and because of its location, provides a high degree of reliable communications for units operating around the core of the city.

RIVERSIDE COUNTY PUBLIC SAFETY ENTERPRISE COMMUNICATIONS (PSEC)

PSEC is a countywide, trunked, 700MHz system owned and operated by Riverside County. The County 'Costs' to operate and upgrade the system are shared by all of the user departments on the system and apportioned as user fees based on the number of subscriber units on the system. Costs for operation, maintenance, and necessary system upgrades are forecast on an annual basis and user fees are calculated accordingly.

Circling back to the City's desire for at least two channels (in trunking they are called "talkgroups" because of the nature of the technology), PSEC has indicated that this is probably appropriate for a department the size of Hemet PD, though they are open to any discussions that would indicate a need for more. PSEC has also indicated that they are examining the ability to support at least some level of GPS location services on the network.

The PSEC system currently supports approximately 6800 subscriber units and is expected to grow to approximately 11,000 by 2025 as new agencies such as Beaumont PD, and members of ERICA (Eastern Riverside County Interoperable Communications Authority) are considering the value of the shared PSEC system. We would expect that per unit subscriber costs will be reduced as these new users are brought onboard, and that the system features, such as GPS location support, will grow. Though we have little reason to doubt PSEC's anticipated growth and the attendant cost reductions, for the cost analysis contained in this report we held subscription fees constant at the current rate.

The County supports this system directly with a full-time staff of engineers and technicians. At least one engineer and two technicians are on-call at all times to respond to any alarms or failures in the PSEC system. The County staff is backed up by service agreements with Motorola to support the radio system, and additional contracts for maintenance and repair of the microwave system, backup generators, battery plants, and tower services.

COVERAGE AND CAPACITY

The PSEC system provides coverage in and around the Hemet area via at least three simulcast zones that provide overlapping coverage in and around the City of Hemet. This provides a very high level of redundancy for users in the Hemet area since the failure of any one voice channel, or in most cases any one site, would be expected to have only minor impact on Hemet's ability to communicate within the city and over a reasonably extended service area outside city limits.

The coverage design criteria for the PSEC system called for 95% communications reliability for "portables on the street" in lightly populated areas throughout the county. Reliability for in-building coverage in small-to-medium buildings such as residential or light office structures located in more densely populated cities including Hemet was also specified at 95%. The City of Hemet currently has portable units programmed to operate on the PSEC system and will be working with PSEC on coverage verification. Should these coverage tests identify previously unknown issues or problem locations, there are a variety of ways for them to be addressed ranging from installation of bi-directional amplifiers (BDAs) to changing antenna patterns or adding site(s) to the PSEC system. Any of these solutions would be subject to further discussion.

Since this is a shared system, it is important that PSEC manages not just the coverage and system reliability, but also the system capacity and utilization for the benefit of all of the subscribing departments. Users want to be assured that the system is not so busy that their messages cannot get through, and that the system is not overbuilt to the point that it is too expensive to operate. There are many factors that affect system capacity with Grade of Service (GOS) which is one of the items contained in most Utilization Reports being the most recognized measure.

In utilization reports provided by PSEC for the last year, we recognized that there were four months where during the busiest hour of those each of those months, the number of system-busies was beyond PSEC's expected 2% grade-of-service which means that the goal of making sure that users do not experience greater than a 3-second wait when trying to communicate was missed in those instances. PSEC indicates that these instances were related to brush fire surge responses. PSEC is addressing this by adding voice channels (capacity) at the affected sites. These upgrades are expected to be complete by this September.

Coverage maps and system utilization reports for the portions of the system that serve the Hemet area were provided by PSEC and are included as an Appendix of this report.

COST COMPARISON

The following table provides a ten-year cost of operation comparison of a Hemet owned-and-operated system versus subscribing to the PSEC system. A few key points regarding this cost analysis:

1. The analysis is based on broad, budgetary factors and should be used only for comparative analysis. It is not intended to create any definitive budget.
2. Values included in this table are not based on specific proposals or detailed pricing and are therefore presented only for comparison purposes.
3. For simplicity, items that are common to both choices were not priced into this model. For example, since portable and mobile radios would be of similar cost and on the same replacement cycle irrespective of the overall system are therefore not included in this comparison.

Ten-Year Radio System Cost of Operations Comparison - City of Hemet

	One-time costs	Recurring/ Unit	Qty	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Comparative Total Cost
City Owned														
Radio System, 2 channel, 3 site, simulcast. Includes new dispatch consoles (6 positions) and logging recorder and Maintenance. Does not include installation, microwave or land lines.	$ 1,800,000	$ 125,000	1	$ -	$ 125,000	$ 127,500	$ 130,050	$ 132,651	$ 135,304	$ 138,010	$ 140,770	$ 143,586	$ 146,457	
Estimated site upgrades, i.e. tower engineering reports, generator and UPS upgrades, etc.	$ 100,000													
Recurring Site Rental Fees. New equipment only. Assumes initial 5 year contract is flat.		$ 850	2	$ 1,700	$ 1,700	$ 1,700	$ 1,700	$ 1,734	$ 1,769	$ 1,804	$ 1,840	$ 1,877	$ 1,914	
Frequency Coordination and FCC	$ 20,000													
RFP Preparation and System Installation	$ 1,500,000													
Accrual for 10 year fixed end system refresh					$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	$ 180,000	
One-Time Total	**$ 3,420,000**	**Recurring Annual**		**$ 1,700**	**$ 306,700**	**$ 309,200**	**$ 311,750**	**$ 314,385**	**$ 317,073**	**$ 319,814**	**$ 322,610**	**$ 325,463**	**$ 328,372**	**$ 5,300,622**
PSEC		**Migration Incentive (% adjust)**		0%	25%	50%	75%	100%	100%	100%	100%	100%	100%	
Dispatch Consoles (6 position), Backup Control Stations & Logging Recorder. Recurring PSEC participation feels.	$ 500,000	$177	6	$0	$3,186	$6,372	$9,558	$12,744	$12,744	$12,744	$12,744	$12,744	$12,744	
Console & Logging Recorder Maintenance		$23,000	1	$0	$23,000	$23,460	$23,929	$24,408	$24,896	$25,394	$25,902	$26,420	$26,948	
Backup Data Circuit (Hemet to PSEC Core)	$ 2,000	$18,000	1	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	$18,000	
Contract Award and Installation	$ 190,000													
Portable Radios (Subscriber Fees Only)		$177	90	$0	$47,790	$95,580	$143,370	$191,160	$191,160	$191,160	$191,160	$191,160	$191,160	
Mobile Radios (Subscriber Fees Only)		$177	88	$0	$46,728	$93,456	$140,184	$186,912	$186,912	$186,912	$186,912	$186,912	$186,912	
Control Stations (Subscriber Fees Only)		$177	6	$0	$3,186	$6,372	$9,558	$12,744	$12,744	$12,744	$12,744	$12,744	$12,744	
Accrual for 10 year fixed end system refresh (dispatch console and recorder)					$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000	
One-Time Total	**$ 692,000**	**Recurring Annua**		**$ 18,000**	**$ 191,890**	**$ 293,240**	**$ 394,599**	**$ 495,968**	**$ 496,456**	**$ 496,954**	**$ 497,462**	**$ 497,980**	**$ 498,508**	**$ 2,387,107**

SUMMARY

When given the choice of a city owned versus subscription system, weighing the benefits and tradeoffs are often difficult. In this case the choice of which system affords the greatest benefits in terms of cost, reliability, and allocation of resources for maintainability is rather straightforward.

Comparing radio coverage and system reliability and maintainability indicates that the PSEC system has advantages over a city owned system. Depending upon how the City views its requirements these may or may not be significant issues and for the most part they can be reasonably addressed through policies and procedures.

The significant decision points have to do with time to implement either solution and the ten-year cost of operation for the respective choice. Time to implement is important because Hemet's existing system, with only one channel available for the police, does not adequately serve the department operationally and does not provide the level of redundancy or security appropriate for police operations thus elevating the need for a rapid implementation of the selected solution. Finally, the City will want to weigh costs of either decision. We prepared a ten-year comparative cost analysis because often the cost of an owned system can be justified by a lower cost of maintenance over time.

It's also important to recognize that for either the city owned radio system upgrade or PSEC solutions, the dispatch center electronics must be replaced and upgraded, as this aging equipment is unsupported for repairs and operational features upgrades. The dispatch center upgrade assessment and RFP will be addressed separately.

Radio Coverage

A City owned system with one of its sites located at police headquarters may have a slight advantage over the PSEC system for in-building coverage and signal reliability in the core of the city, recognizing that the other three city designated sites do not provide any significant coverage advantage over the PSEC system. This is very much offset by the overall PSEC system configuration which has more sites serving Hemet and its surrounding areas.

The PSEC system offers countywide coverage that will not, and effectively cannot be matched by a city owned system. By participating in the PSEC system, the City of Hemet can maintain direct communication with its units across the entire County. In addition, Hemet PD will enjoy a very-high level of interoperability with County and other participating agencies on the PSEC system.

System Reliability and Maintainability

The anticipated configuration for a City owned system includes three remote transmitter sites with two repeaters at each site, all connected via a city owned microwave system, and supported with backup battery and/or generator power. This configuration would afford a reasonable level of redundancy and reliability. Minimal city staff directly responsible for the system means that the city will primarily depend on service agreements with third parties over whom the city will have little immediate control with respect to their availability or performance.

The PSEC system is managed and monitored continuously by teams of dedicated radio and microwave engineers employed by PSEC. At least one PSEC engineer and two technicians are on-call 24x7 and are responsible for monitoring and/or responding to any service affecting PSEC system failure. This direct PSEC staff is further supported through service agreements and contracts with that address the radio network and console hardware, microwave, and power plants, i.e. generators and backup batteries.

Time to implement

Implementation of the PSEC subscription solution is much simpler and can be reliably deployed far more quickly than procurement of a City owned system.

Implementation of a City owned system must start with identification and coordination of radio channels (frequencies). This is a required first step because the coordination and licensing process may set certain limits on power output and locations allowed for available radio channels. This can dramatically affect the system design and cost of the radio network. Ongoing experience shows that this is typically a six-month to one-year process. Preparation of an RFP cannot effectively start until this is near its endpoint. Then the RFP, installation, and acceptance process can be expected to take another year. Overall, this means that in a best-case scenario, the police department should expect that they would not be able to operate on a new City owned system for two years.

Subscription to and operation on the PSEC system can be effected much more rapidly. Subscriber equipment, i.e. police portable and mobile radios, are capable of being reprogramed to operate on the PSEC system. This can be organized and completed in a matter of days, or at most weeks. The longer lead-time item needed for full and complete operation on the PSEC system requires the replacement of the dispatch consoles at police headquarters. Until that is completed, field units would be able to communicate with each other, but Dispatch would not be able to reach them or record the conversations so we would not necessarily recommend this mode of operation.

The PSEC system is relatively closed in that all parts are supplied by Motorola. This is both good and bad with respect to console procurement. On the one hand the City has little flexibility in selecting a console vendor, negotiating price, and identifying features or capabilities that they may want. On the other side it means that the City would have equipment that is common throughout the system. PSEC engineers and technicians are familiar with the equipment and if Hemet were to experience a problem the service methods and capabilities of the service technicians are well understood.

Comparative Cost Analysis

It is important to re-emphasize that the cost analysis prepared for this report should not be considered a definitive system or decision budget. Values were assembled from a variety of sources including a prior system proposal prepared by Motorola for the City of Hemet, information provided by PSEC, and recent pricing for similar products and systems provided by other vendors. It is meant to provide a meaningful comparison of the costs directly attributable to either decision. The City should expect that there may be significant variation from these estimates depending on a variety of decisions that will undoubtedly affect any final system configuration.

As can be seen from the table, the one-time costs for the City owned system are expected to be nearly five times greater than the fixed equipment necessary to participate in the PSEC system. This initial cost directly drives the cost of maintenance and the set-aside that should be budgeted for future replacement of the system.

Some may argue that a ten-year cycle is too short for this type of equipment. It is true that some parts of this system may have a life expectancy greater than ten years. It is also true that some components will be obsolete or failing in less than ten years, so the overall average life expectance of the system is reasonable. It should also be pointed out that we included a very small escalation factor for maintenance agreements but calculated the replacement accrual as a flat-line cost. We believe that this is an optimistic view of the future costs of a city owned and operated system.

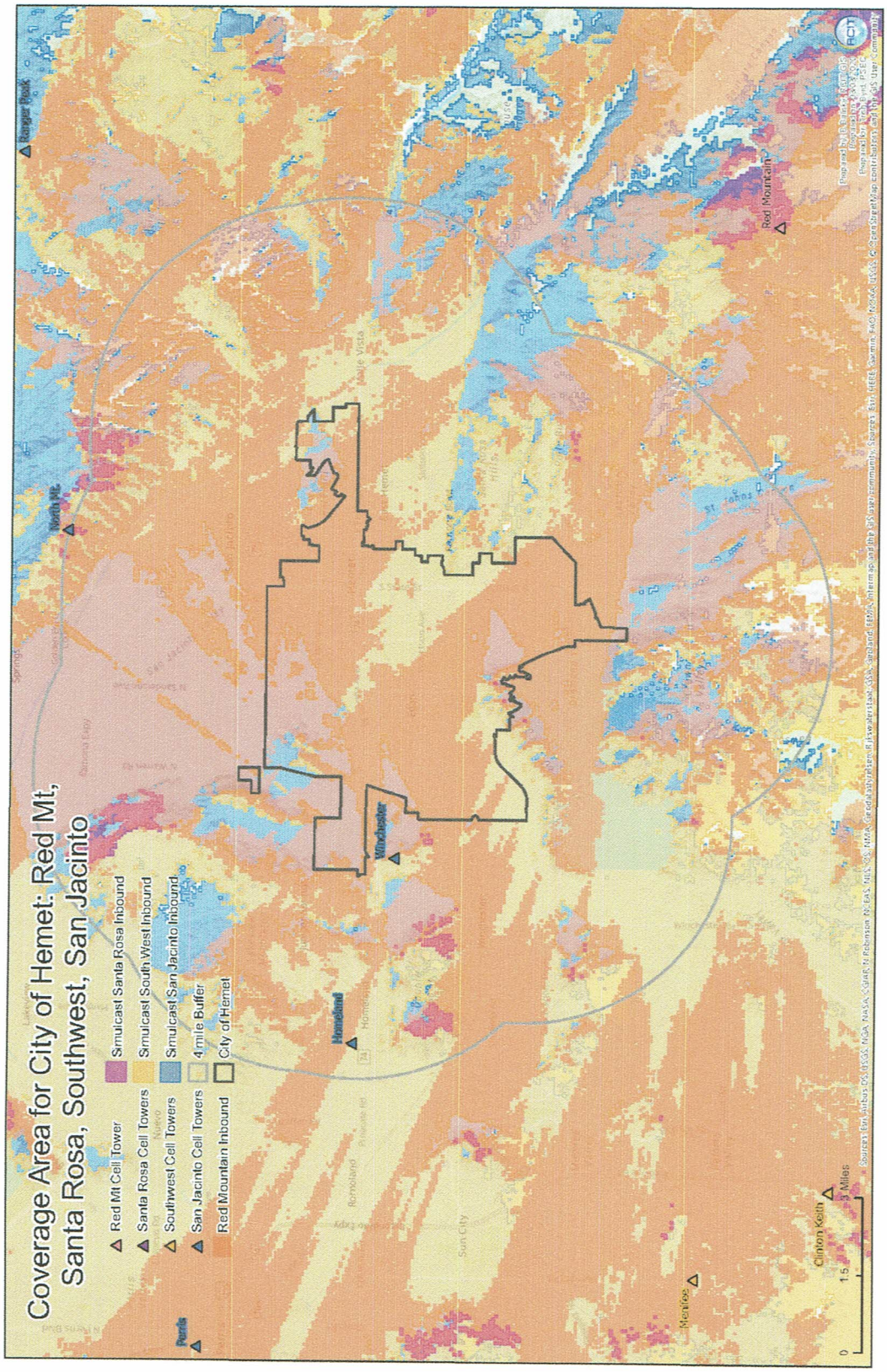
We did not assign any city labor costs to either maintaining a city owned system, or to coordinating with PSEC for a subscriber system. It is assumed that whether a City owned system, or should the City subscribe to PSEC, there will be an ongoing requirement for dedicated City personnel to support the monitoring and management of the system.

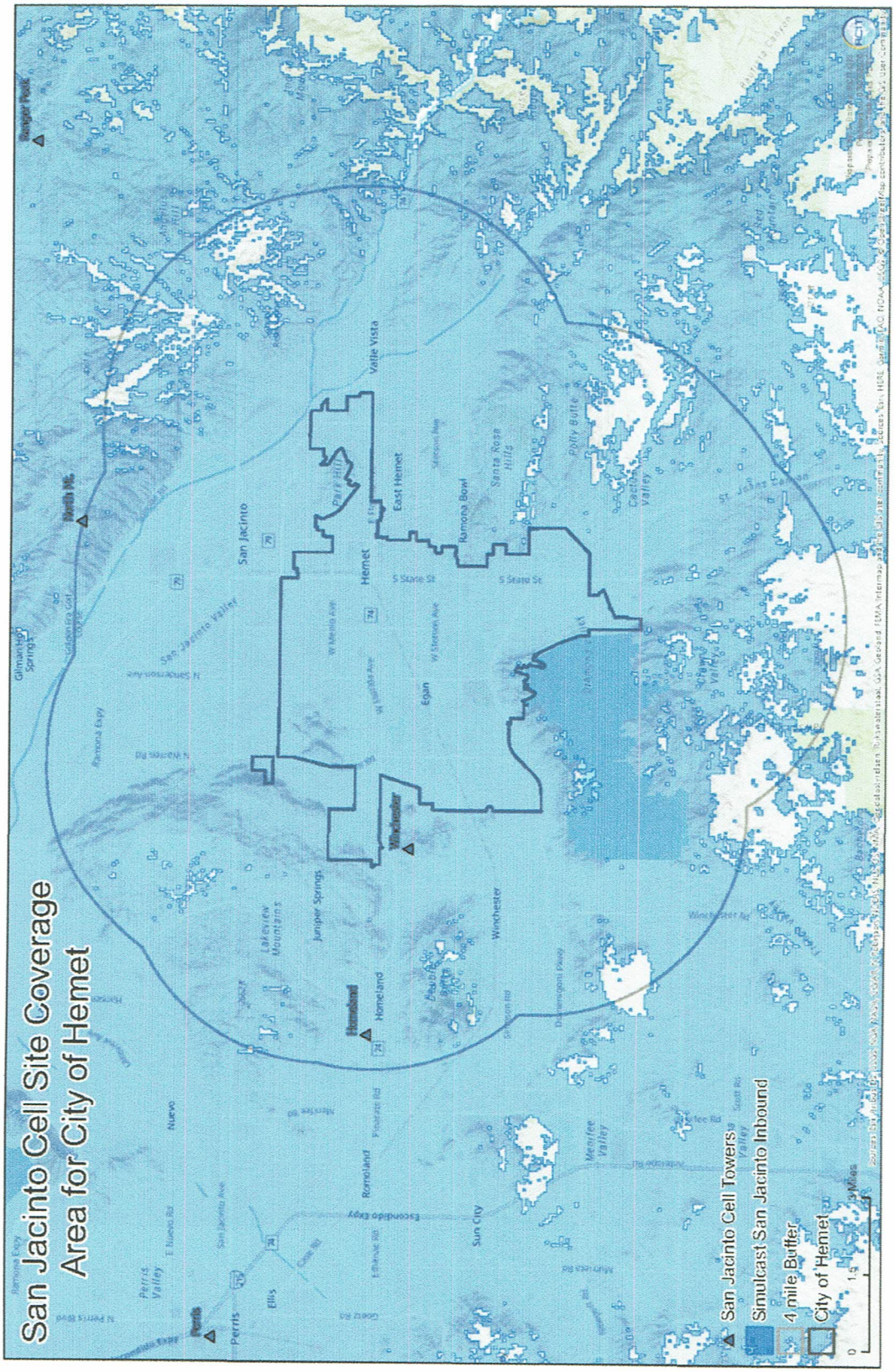
Recommendation

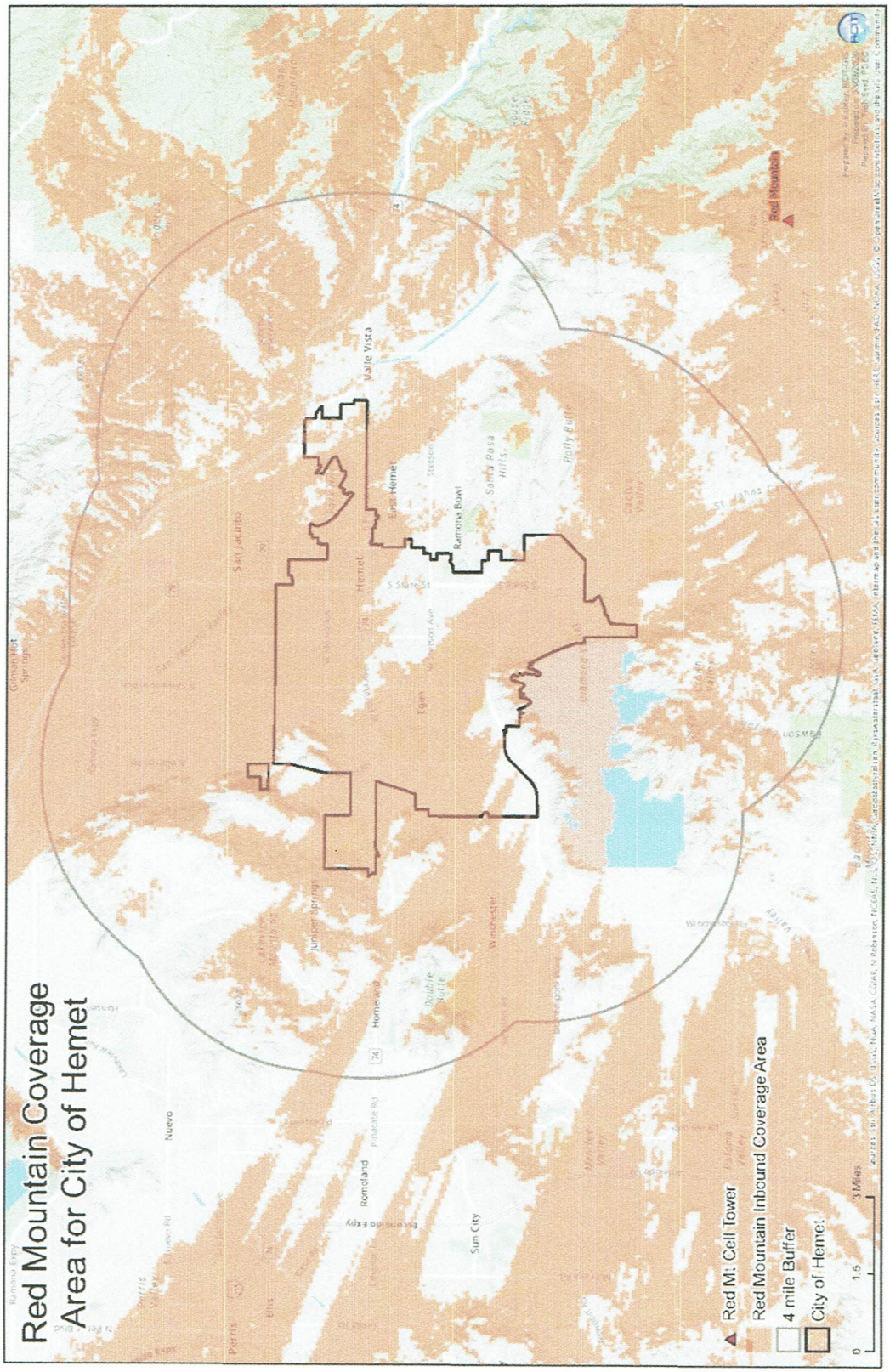
Realizing the immediate requirements of the City to replace much of the current system, the timing that is required to implement a City owned system, and the multi-year financial benefit to joining PSEC, we believe that it is in the City's best interest to participate in the PSEC system. Even this choice will take several months to implement since contracting for new dispatch equipment and establishing a hot-cutover plan is the key prerequisite to migrating Hemet PD to the PSEC system.

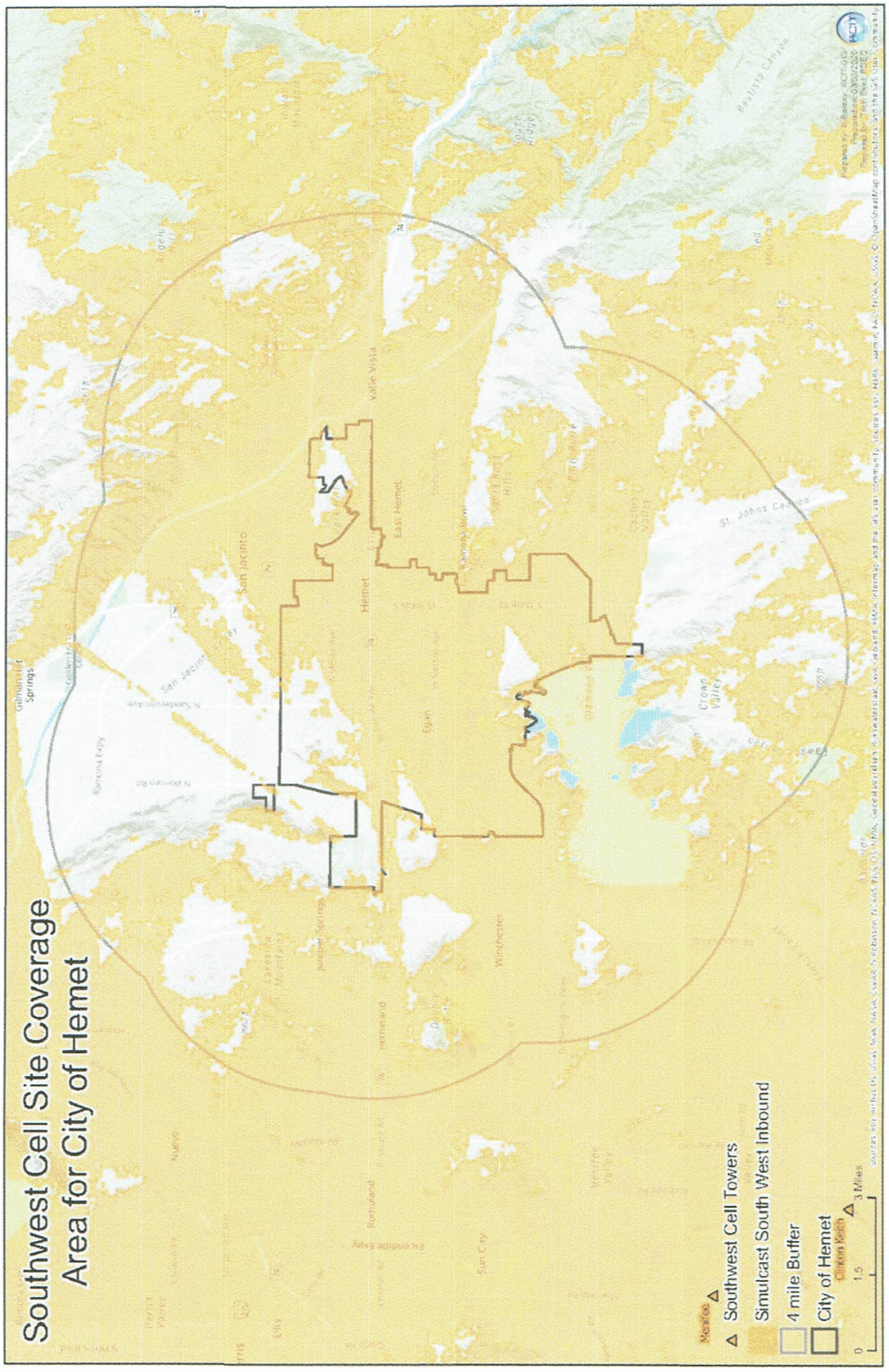
APPENDIX

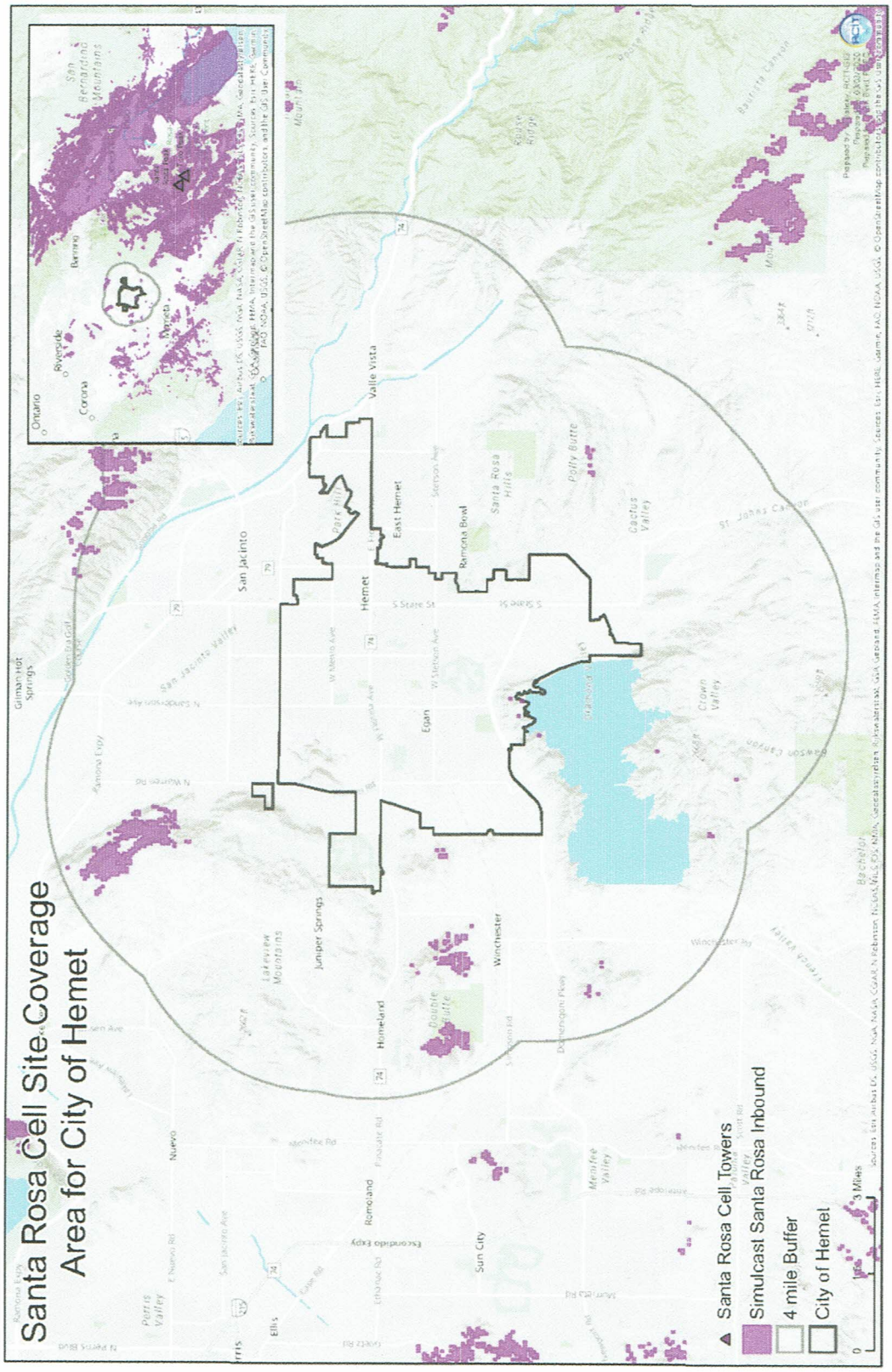
PSEC Coverage maps and System Utilization Data


Coverage Area for City of Hemet: Red Mt, Santa Rosa, Southwest, San Jacinto
Red Mt Cell Tower
Santa Rosa Cell Towers
Southwest Cell Towers
San Jacinto Cell Towers
Red Mountain Inbound
Simulcast Santa Rosa Inbound
Simulcast South West Inbound
Simulcast San Jacinto Inbound
4 mile Buffer
City of Hemet
Ranger Peak
North Mt.
Winchester
Homeland
Perris
Menifee
Clinton Keith
Red Mountain
0
1.5
3 Miles


San Jacinto Cell Site Coverage
Area for City of Hemet
San Jacinto Cell Towers
Simulcast San Jacinto Inbound
4 mile Buffer
City of Hemet
Hemet
San Jacinto
Valle Vista
East Hemet
Ramona Bowl
Santa Rosa Hills
Polly Butte
Cactus Valley
Egan
Winchester
Juniper Springs
Lakeview Mountains
Homeland
Nuevo
Romoland
Sun City
Menifee Valley
Perris
Ellis
Gilman Hot Springs
Ramona Expy
Escondido Expy
Park Hill
Ranger Peak
North Mt.
Homeland
Perris Valley
Cranes Valley
Miles


Red Mountain Coverage
Area for City of Hemet
Red Mt. Cell Tower
Red Mountain Inbound Coverage Area
4 mile Buffer
City of Hemet
0
1.5
3 Miles
Red Mountain
Valle Vista
Hemet
San Jacinto
Ramona Bowl
Sun City
Romoland
Homeland
Nuevo
Perris


Southwest Cell Site Coverage
Area for City of Hemet
Menifee
Southwest Cell Towers
Simulcast South West Inbound
4 mile Buffer
City of Hemet
0
1.5
3 Miles
Hemet
San Jacinto
Valle Vista
East Hemet
Winchester
Sun City
Romoland
Homeland
Nuevo
Green Valley
Lakeview
Perris
Canyon Lake
Lake Elsinore
Wildomar
Menifee
Murrieta
Temecula
Aguanga
Anza
Idyllwild
Pine Cove
Mountain Center
Cahuilla
Warner Springs
Julian
Santa Ysabel
Ramona
Valley Center
Pauma Valley
Pala
Rainbow
Fallbrook
Bonsall
Oceanside
Vista
San Marcos
Escondido
Carlsbad
Encinitas
Solana Beach
Del Mar
San Diego
Coronado
Imperial Beach
Chula Vista
National City
La Mesa
Lemon Grove
Spring Valley
El Cajon
Santee
Lakeside
Alpine
Jamul
Dulzura
Potrero
Campo
Boulevard
Tecate
Jacumba
Ocotillo
Borrego Springs
Ranchita
Julian
Warner Springs
Aguanga
Anza
Idyllwild
Pine Cove
Mountain Center
Cahuilla
Temecula
Murrieta
Menifee
Wildomar
Lake Elsinore
Canyon Lake
Perris
Nuevo
Romoland
Homeland
Sun City
Winchester
Hemet
San Jacinto
East Hemet
Valle Vista
Green Valley
Lakeview
Crown Valley
Cabazon
Banning
Beaumont
Calimesa
Yucaipa
Redlands
Loma Linda
Highland
San Bernardino
Colton
Grand Terrace
Rialto
Fontana
Bloomington
Jurupa Valley
Riverside
Moreno Valley
Perris
Corona
Norco
Eastvale
Mira Loma
Jurupa Valley
Riverside
Moreno Valley
Perris
Corona
Norco
Eastvale
Mira Loma
Jurupa Valley
Riverside
Moreno Valley
Perris
Corona
Norco
Eastvale
Mira Loma
Jurupa Valley
Riverside
Moreno Valley
Perris
Corona
Norco
Eastvale
Mira Loma


Santa Rosa Cell Site Coverage
Area for City of Hemet
Santa Rosa Cell Towers
Simulcast Santa Rosa Inbound
4 mile Buffer
City of Hemet
Hemet
San Jacinto
Valle Vista
East Hemet
Ramona Bowl
Santa Rosa Hills
Polly Butte
Cactus Valley
Egan
Juniper Springs
Winchester
Homeland
Double Butte
Lakeview Mountains
Romoland
Sun City
Menifee Valley
Nuevo
Ellis
Perris Valley
Gilman Hot Springs
Crown Valley
Bachelor
Ontario
Riverside
Corona
Menifee
San Bernardino Mountains
0
1
3 Miles

Site Utilization - GoS (Auto Busy Hour) SAN JACINTO OCT 2018 to NOV 2019

System	RFSS	Site
ALL	ALL	ALL

Target GoS: 2%
Start Date: 10/01/2018 12:00 AM Passive Airtime: Included
End Date: 11/01/2018 12:00 AM cptbl Busy Wait: 3 Seconds

Site Alias	Busy Hour	Call Requests	Requested Time (Secs)	Resource Busies	Resource Busy Time (Secs)	Resource Busy Avg (Secs)	Unacceptable Busies	Unacceptable Busy Time (Secs)	Voice Channels	Offered Load (Er.)	Actual GoS
JAN	01/23/2019 10:00 AM	917	13,666.8	0	1.0	0.3	0	0.0	5	3.80	0.0000%
FEB	02/19/2019 03:00 PM	1,035	16,171.1	0	5.1	0.5	0	0.0	5	4.49	0.0000%
MAR	03/07/2019 03:00 PM	1,012	14,638.8	0	13.5	0.6	1	0.0	5	4.07	0.0988%
APR	04/23/2019 12:00 PM	936	14,322.7	0	7.8	1.3	1	0.0	5	3.98	0.1068%
MAY	05/29/2019 12:00 PM	1,121	14,917.8	3	16.6	1.0	1	3.5	5	4.14	0.0892%
JUNE	06/05/2019 09:00 AM	1,117	16,822.3	3	22.6	1.1	1	13.3	5	4.67	0.0895%
JULY	07/11/2019 10:00 AM	957	14,953.6	7	71.3	1.0	7	32.3	5	4.15	0.7315%
AUG	08/15/2019 09:00 AM	962	15,238.6	2	40.0	0.6	2	8.4	5	4.23	0.2079%
SEP	09/24/2019 01:00 PM	1,201	17,356.7	2	118.4	1.0	7	40.9	5	4.82	0.5828%
OCT	10/10/2019 02:00 PM	957	16,025.8	3	81.4	1.1	7	0.0	5	4.45	0.7315%
NOV	11/06/2019 11:00 AM	1,118	16,916.8	13	6.2	0.5	0	0.0	5	4.70	0.0000%
DEC		-	-	0	0.0	0.0	0	0.0	0	0.00	0.0000%
		14,230	**214,208**	**35**	**400**	**11.4**	**28**	**102**	**70**		
Mt. David (SJ)	10/24/2018 10:00 AM	1,032	14,562.3	0	4.4	0.4	0	0.0	5	4.05	#REF!

Site Utilization - GoS (Auto Busy Hour) SOUTHWEST OCT 2018 to NOV 2019

System	RFSS	Site
ALL	ALL	ALL

Target GoS: 2%
Start Date: 10/01/2018 12:00 AM
Passive Airtime: Included
End Date: 11/01/2018 12:00 AM
Acptbl Busy Wait: 3 Seconds

Site Alias	Busy Hour	Call Requests	Requested Time (Secs)	Resource Busies	Resource Busy Time (Secs)	Resource Busy Avg (Secs)	Unacceptable Busies	Unacceptable Busy Time (Secs)	Voice Channels	Offered Load (Er.)	Site Utilization	Actual GoS	Statistical GoS
OCT	10/23/2018 11:00 AM	909	14,580.7	0	2.0	0.4	0	0.0	5	4.05	81.00%	0.0000%	48.0267%
NOV	11/07/2018 02:00 PM	761	11,987.7	0	0.5	0.5	0	0.0	5	3.33	66.60%	0.0000%	23.6938%
DEC	12/12/2018 07:00 PM	954	14,579.1	1	4.1	0.8	0	0.0	5	4.05	81.00%	0.0000%	47.5866%
JAN	01/17/2019 02:00 PM	877	14,007.0	0	0.4	0.4	0	0.0	5	3.89	77.82%	0.0000%	41.6349%
FEB	02/15/2019 10:00 AM	967	15,266.0	0	1.1	0.6	0	0.0	5	4.24	84.81%	0.0000%	56.3113%
MAR	03/20/2019 01:00 PM	918	13,334.3	0	2.4	0.5	0	0.0	5	3.70	74.08%	0.0000%	34.1026%
APR	04/11/2019 12:00 PM	1,023	14,117.7	2	7.3	0.7	0	0.0	5	3.92	78.43%	0.0000%	41.4709%
MAY	05/29/2019 12:00 PM	1,052	14,657.8	0	4.2	0.4	0	0.0	5	4.07	81.43%	0.0000%	47.6596%
JUNE	06/05/2019 02:00 PM	1,003	15,720.3	1	24.2	1.2	1	14.7	5	4.37	87.34%	0.0997%	62.3625%
JULY	07/11/2019 10:00 AM	884	13,814.3	2	1.0	0.5	0	0.0	5	3.84	76.75%	0.0000%	39.4451%
AUG	08/21/2019 09:00 AM	1,039	13,765.9	1	5.2	0.7	0	0.0	5	3.82	76.48%	0.0000%	37.4065%
SEP	09/11/2019 01:00 PM	996	14,815.6	1	6.2	0.6	0	0.0	5	4.12	82.31%	0.0000%	50.1530%
OCT	10/10/2019 02:00 PM	797	13,898.3	0	21.1	1.6	0	16.5	5	3.86	77.21%	0.0000%	41.2345%
NOV	11/06/2019 10:00 AM	853	14,579.6	2	0.5	0.3	0	0.0	5	4.05	81.00%	0.0000%	48.5418%
DEC		-	-	0	0.0	0.0	0	0.0	0	0.00	0.00%	0.0000%	0.0000%
		13,033	**199,124**	**10**	**80**	**8.0**	**1**	**31**	**70**				

Site Utilization - GoS (Auto Busy Hour) RED OCT 2018 to NOV 2019

System	RFSS	Site
ALL	ALL	ALL

Start Date: 10/01/2018 12:00 AM
End Date: 11/01/2018 12:00 AM

Target GoS: 2%
Passive Airtime: Included
Acptbl Busy Wait: 3 Seconds

MONTH	Busy Hour	Call Requests	Requested Time (Secs)	Resource Busies	Resource Busy Time (Secs)	Resource Busy Avg (Secs)	Unacceptable Busies	Unacceptable Busy Time (Secs)	Voice Channels	Offered Load (Er.)	Site Utilization	Actual GoS	Statistical GoS
OCT	10/30/2018 10:00 AM	126	2,089.0	0	0.0	0.0	0	0.0	2	0.58	29.01%	0.0000%	10.0934%
NOV	11/27/2018 02:00 PM	174	2,352.0	1	5.0	5.0	1	5.0	2	0.65	32.67%	0.5747%	11.9310%
DEC	12/12/2018 07:00 PM	164	3,147.2	0	0.0	0.0	0	0.0	2	0.87	43.71%	0.0000%	22.2993%
JAN	01/12/2019 07:00 PM	176	2,753.1	0	0.0	0.0	0	0.0	2	0.76	38.24%	0.0000%	16.6916%
FEB	02/19/2019 04:00 PM	175	3,123.6	0	0.0	0.0	0	0.0	2	0.87	43.38%	0.0000%	21.7032%
MAR	03/18/2019 09:00 PM	135	2,046.8	0	0.0	0.0	0	0.0	2	0.57	28.43%	0.0000%	9.4809%
APR	04/03/2019 03:00 PM	165	2,456.5	0	0.0	0.0	0	0.0	2	0.68	34.12%	0.0000%	13.3107%
MAY	05/29/2019 01:00 PM	494	3,989.0	12	6.0	0.5	0	0.0	2	1.11	55.40%	0.0000%	28.3608%
JUNE	06/05/2019 04:00 PM	245	5,018.1	5	5.1	1.0	1	3.3	2	1.39	69.70%	0.4082%	52.3864%
JULY	07/25/2019 09:00 AM	248	3,982.8	2	3.0	1.5	0	0.0	2	1.11	55.32%	0.0000%	33.3444%
AUG	08/10/2019 12:00 PM	185	2,909.3	0	0.0	0.0	0	0.0	2	0.81	40.41%	0.0000%	18.5271%
SEP	09/27/2019 08:00 PM	189	4,281.1	0	0.0	0.0	0	0.0	2	1.19	59.46%	0.0000%	39.8279%
OCT	10/09/2019 09:00 AM	199	3,302.4	1	0.4	0.4	0	0.0	2	0.92	45.87%	0.0000%	23.7174%
NOV	11/06/2019 11:00 AM	229	4,736.6	4	2.2	0.6	0	0.0	2	1.32	65.79%	0.0000%	47.2767%
DEC	-	-	-	0	0.0	0.0	0	0.0	0	0.00	0.00%	0.0000%	0.0000%
		2,704	44,188	25	22	0.9	2	8	28				

DAVE ROGERS
Assistant County Executive Officer
Chief Information Officer

JIM SMITH
Chief Technology Officer

GUSTAVO VAZQUEZ, ACIO
Converged Communications Bureau
Public Safety Enterprise Communications

DELANO ANDERSON, ITM
PSEC Operations Manager

Dale Digiambattista
City of Hemet
450 E. Latham
Hemet, CA
92543

Dale,

Thank you for inquiring about the Public Safety Radio Console options allowed on the Riverside County Information Technology Public Safety Enterprise Communications Network (PSEC).

Currently the only working public safety grade console is an original equipment manufacturer (OEM) model MCC7500 or MCC 7500e connected to the PSEC core.

Other agencies have integrated non-OEM consoles but require a middleware device called a Console Subsystem Interface (CSSI).

PSEC currently does not have a CSSI in place and no plans have been made to integrate one due to demand and cost so far.

A note of caution while the CSSI does provide a gateway to the P25 radio system for different vendor's consoles, performance of the features across the link may vary. Additionally, end users may run the risk of conflict between manufacturer's in software upgrades, new functionality and end of life issues.

Sincerely,

Howard W. Newton III, P.E.

Radio Engineer II
Public Safety Enterprise Communications (PSEC)
Office: (951) 955-0565
Cell: (951 500-2355
Fax: (951) 9550603
Email: hnewton@rivcoit.org

TERM CONTRACT AWARD		CONTRACT NO: MA-IS-1740313-1	VERSION DATE
INTERNAL SERVICES DEPARTMENT		PROCUREMENT FOLDER: 1326070	

MOTOROLA SOLUTIONS INC
725 S. FIGUEROA ST., STE. 1870

LOS ANGELES CA 90017

BUYER: Priscilla Diaz
PHONE: 323-267-2315
EMAIL: pdiaz@isd.lacounty.gov

VENDOR NO: 033256
CONTACT: DAVE ANDREWS
PHONE: 213-362-6704

FISCAL YEAR:
EFFECTIVE DATE: 07/01/17
EXPIRATION: 06/30/20

RADIO COMMUNICATIONS (MOTOROLA)

LINE NO.	COMMODITY/SERVICE DESCRIPTION	QUANTITY	UOM	PRICE TYPE	VALUE
1	COMMODITY CODE: 725-45-00-028600 RADIO COMMUNICATIONS EQUIPMENT MFG: MOTOROLA % DISCOUNT: SEE EXHIBIT A 2017-2020 DISCOUNT DATED JULY, 1, 2017	0.000		DISCOUNT	0.0000 %
2	COMMODITY CODE: 962-86-00-043391 FREIGHT (SEE PAGE 17 OF EXHIBIT A FOR FREIGHT/SHIPPING CHARGE DETAILS)	0.000	EA	ITEM	$ 0.000000

Priscilla Diaz 6/29/17
COUNTY OF LOS ANGELES

MOTOROLA SOLUTIONS, INC
By: [signature] 5-29-17
VENDOR SIGNATURE/DATE

Approved
MARK W. ANTHONY

SPECIAL TERMS & CONDITIONS	TERM CONTRACT AWARD	
	CONTRACT NO: MA-IS-1740313-1	Page 2

TERMS & CONDITIONS OF PURCHASE FOR CONTRACT 1740313

NOTE: THE COUNTY OF LOS ANGELES IS USING A NEW DATABASE NUMBERING SYSTEM; THEREFORE, THE COUNTY OF LOS ANGELES MASTER PURCHASE AGREEMENT NUMBER 1240419 (TERM: 2012 - 2017) WILL HAVE A NEW NUMBER ASSOCIATED WITH IT. THIS NEW NUMBER IS A PROCEDURAL CHANGE AND DOES NOT CHANGE THE NATURE OF THE EXTENSION OF THE AGREEMENT NUMBER 1240419. ALL THE TERMS AND CONDITIONS OF THE AGREEMENT REMAIN THE SAME.

****NOTE: THIS CONTRACT SHALL BE FOR THE PURCHASE OF RADIO COMMUNICATION EQUIPMENT & RELATED ACCESSORIES ONLY. PRODUCTS WITH RADIO COMMUNICATIONS AS AN ADDTIONAL FEATURE (I.E DESK OR LAPTOP COMPUTERS) SHALL NOT BE PURCHASED UNDER THIS CONTRACT.****

CONDITIONS OF PURCHASE: THIS CONTRACT SHALL BE IN ACCORDANCE WITH THESE TERMS AND CONDITIONS AND ANY ATTACHMENTS HERETO. NO OTHER CONDITIONS OR MODIFICATIONS OF THESE TERMS AND CONDITIONS WILL BE EFFECTIVE UNLESS SPECIFICALLY AGREED TO IN WRITING BY THE COUNTY OF LOS ANGELES (COUNTY). FAILURE OF COUNTY TO OBJECT TO PROVISIONS CONTAINED IN ANY ACKNOWLEDGMENT, DOCUMENT OR OTHER COMMUNICATION FROM VENDOR SHALL NOT BE CONSTRUED AS A WAIVER OF THESE TERMS AND CONDITIONS NOR AN ACCEPTANCE OF ANY SUCH PROVISION.

1. TERMS OF AGREEMENT:

THE TERM OF THIS AGREEMENT SHALL COMMENCE ON THE DATE THE AGREEMENT IS EXECUTED AND SHALL EXPIRE IN THREE (3) YEARS THEREAFTER, UNLESS SOONER TERMINATED OR EXTENDED, IN WHOLE OR IN PART, AS PROVIDED IN THIS AGREEMENT; EXCEPT THAT:

A. COUNTY MAY EXTEND THIS CONTRACT FOR AN ADDITIONAL 24 MONTHS. (TO BE DONE IN 12 MONTH INCREMENTS).
B. COUNTY SHALL NOTIFY VENDOR OF ANY DETERMINATION TO EXTEND THIS AGREEMENT NOT LESS THAN THIRTY (30) DAYS BEFORE THE EXPIRATION OF THE ORIGINAL OR EXTENDED AGREEMENT.
C. COUNTY'S PROJECT MANAGER MAY AUTHORIZE MONTH TO MONTH EXTENSION AT THE ENDOF EACH AGREEMENT TERM, NOT TO EXCEED SIX (6) MONTHS.

VENDOR AGREES THAT SUCH EXTENSIONS SHALL BE AT THE SAME RATES, TERMS AND CONDITIONS.

ANY AGREEMENT FORMULATED FROM THIS INQUIRY MAY BE CANCELLED BY EITHER PARTY, AFTER INITIAL YEAR OF THE AGREEMENT PERIOD, UPON NINETY (90) DAYS WRITTEN NOTICE. THE COUNTY MAY CONTINUE TO PLACE ORDERS AGAINST SAID AGREEMENT UNTIL THE EFFECTIVE DATE OF SUCH CANCELLATION.

2 DELIVERY: DELIVERY SHALL BE AS STATED HEREIN. WHEN USING COMMON CARRIERS, COUNTY RESERVES THE RIGHT TO DESIGNATE THE TRANSPORTATION CARRIER. FAILURE ON THE PART OF VENDOR TO ADHERE TO SHIPPING TERMS SPECIFIED HEREON OR WRITTEN AGREEMENT MAY, AT COUNTY'S DISCRETION, RESULT IN ADDITIONAL HANDLING COSTS BEING DEDUCTED FROM VENDOR'S INVOICE. COST OF INSPECTION ON DELIVERIES OR OFFERS FOR DELIVERY WHICH DO NOT MEET SPECIFICATIONS WILL BE FOR THE ACCOUNT OF VENDOR. UNLESS OTHERWISE SET FORTH HEREIN, ALL ITEMS SHALL BE SUITABLE PACKED AND MARKED. PURCHASE ORDER NUMBER MUST BE ON ALL SHIPPING DOCUMENTS AND CONTAINERS.

3 INVOICES: INVOICES SHALL BEAR UPON THEIR FACE THE PURCHASE ORDER NUMBER WHICH APPEARS IN THE UPPER RIGHT-HAND CORNER HEREOF. INVOICES MUST STATE THAT THEY COVER, AS THE CASE MAY BE, COMPLETE OR PARTIAL DELIVERY, AND MUST SHOW UNITS AND UNIT PRICES. INVOICES WILL NOT BE PAID UNLESS AND UNTIL THE REQUIREMENTS HAVE BEEN FULLY MET. WHEN PRICE SHOWN IS A DELIVERED PRICE, ALL TRANSPORTATION AND DELIVERY CHARGES MUST BE PREPAID IN FULL TO DESTINATION.

4 PRICE/SALES TAX: UNLESS OTHERWISE DEFINITELY SPECIFIED, PRICES BID SHALL NOT INCLUDE SALES, OR USE TAXES. CONTRACTOR SHALL PROVIDE EITHER THE SERIAL NUMBER OR ITS RETAILER'S PERMIT TO ENGAGE IN BUSINESS AS A SELLER (IF A CA COMPANY) OR ITS RETAILER'S CERTIFICATE OF REGISTRATION - USE TAX (IF NOT CA COMPANY). WITHOUT ONE OF THESE NUMBERS, COUNTY WILL NOT PAY SALES/USE TAX DIRECT TO ANY VENDOR.

5 PAYMENT TERMS: PAYMENT TERMS ARE NET 30 DAYS FROM COUNTY'S RECEIPT OF A CORRECT AND PROPER INVOICE, AS PREPARED IN ACCORDANCE WITH THE TERMS OF THE PURCHASE ORDER AND CONTRACT 17404313 IN NO EVENT SHALL COUNTY BE LIABLE FOR ANY LATE CHARGES. INVOICES SHALL ONLY BE ISSUED AFTER COUNTY'S ACCEPTANCE OF THE GOODS AND/OR PRODUCTS. DISCOUNTS SHALL BE AS SET FORTH ON PURCHASE ORDER OR CONTRACT (WHICHEVER IS GREATER).

6 WARRANTIES: VENDOR SHALL, AT NO COST TO COUNTY, PROMPTLY CORRECT ANY AND ALL DEFECTS IN THE ITEMS OR SERVICES PROVIDED HEREUNDER. THE TERM OF THIS WARRANTY SHALL BE AS SET FORTH ON THE FACE HEREOF OR IS NOT TERM AS SHOWN, NINETY (90) DAYS FROM DATE OF COUNTY'S ACCEPTANCE OF THE ITEM OR SERVICE. VENDOR WARRANTS THAT THE ITEMS MAY BE SHIPPED, SOLD AND USED IN CUSTOMARY MANNER WITHOUT VIOLATION OF ANY LAW, ORDINANCE, RULE OR REGULATION OF ANY GOVERNMENT OR ADMINISTRATIVE BODY.

DISCLAIMER OF OTHER WARRANTIES: THESE WARRANTIES ARE THE COMPLETE WARRANTIES FOR THE EQUIPMENT PROVIDED UNDER THIS AGREEMENT AND ARE GIVEN IN LIEU OF ALL OTHER WARRANTIES. MOTOROLA DISCLAIMS ALL OTHER WARRANTIES OR CONDITIONS, EXPRESS OR IMPLIED, INCLUDING THE IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

7 CANCELLATION: UNLESS OTHERWISE SPECIFIED HEREIN, COUNTY MAY CANCEL ALL OR PART OF A PURCHASE ORDER AT NO COST AND FOR ANY REASON BY GIVING WRITTEN NOTICE TO VENDOR AT LEAST THIRTY (30) CALENDAR DAYS PRIOR TO SCHEDULED DELIVERY. A CANCELLATION CHARGE NOT EXCEEDING ONE PERCENT (1%) OF THE VALUE OF THE CANCELLED PORTION OF THE PURCHASE ORDER MAY BE CHARGED COUNTY FOR CANCELLATION WITH LESS THAN THIRTY (30) CALENDAR DAYS PRIOR WRITTEN NOTICE.

8 EMPLOYMENT ELIGIBILITY: VENDOR WARRANTS THAT IT FULLY COMPLIES WITH ALL STATUTES AND REGULATIONS REGARDING THE EMPLOYMENT OF ALIENS AND OTHERS.

8A--FAIR LABOR STANDARDS: VENDOR SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE FEDERAL FAIR LABOR STANDARDS ACT.

9 HAZARDOUS MATERIALS: VENDOR WARRANTS THAT IT COMPLIES WITH ALL FEDERAL, STATE AND LOCAL LAWS, RULES, ORDINANCES AND REGULATIONS CONCERNING HAZARDOUS MATERIALS AND TOXIC SUBSTANCES.

10 COVENANT AGAINST GRATUITIES: VENDOR WARRANTS THAT NO GRATUITIES (IN THE FORM\OF ENTERTAINMENT, GIFTS, OR OTHERWISE) WERE OFFERED OR GIVEN BY VENDOR, OR ANY AGENT OR REPRESENTATIVE OF VENDOR, TO ANY OFFICE OR EMPLOYEE OF COUNTY WITH A VIEW TOWARD SECURING A PURCHASE ORDER OR FAVORABLE TREATMENT WITH RESPECT TO ANY DETERMINATION CONCERNING THE PERFORMANCE OF THE PURCHASE ORDER. IN THE EVENT OF BREACH OF THIS WARRANTY, COUNTY SHALL BE ENTITLED TO PURSUE THE SAME REMEDIES INCLUDING, BUT NOT LIMITED TO, TERMINATION, AGAINST VENDOR AS IT COULD PURSUE IN THE EVENT OF VENDOR'S DEFAULT.

11 CONFLICT OF INTEREST: NO COUNTY EMPLOYEE WHOSE POSITION WITH COUNTY ENABLES SUCH EMPLOYEE TO INFLUENCE THE AWARD OF A

PURCHASE ORDER OR ANY COMPETING AGREEMENT, AND NO SPOUSE OR ECONOMIC DEPENDENT OF SUCH EMPLOYEE, SHALL BE EMPLOYED IN ANY CAPACITY BY VENDOR, OR HAVE ANY OTHER DIRECT OR INDIRECT FINANCIAL INTEREST IN THE PURCHASE ORDER. NO OFFICER OR EMPLOYEE OF VENDOR, WHO MAY FINANCIALLY BENEFIT FROM THE AWARD OF A PURCHASE ORDER SHALL IN ANY WAY PARTICIPATE IN COUNTY'S APPROVAL, ONGOING EVALUATION, OR IN ANY WAY ATTEMPT TO UNLAWFULLY INFLUENCE COUNTY'S APPROVAL OR ONGOING EVALUATION.

11A--VENDOR SHALL COMPLY WITH ALL CONFLICT OF INTEREST LAWS, ORDINANCES AND REGULATIONS NOW IN EFFECT OR HEREAFTER TO BE ENACTED DURING THE TERM OF THE PURCHASE ORDER. VENDOR WARRANTS THAT IT IS NOT AWARE OF ANY FACTS WHICH CREATE A CONFLICT OF INTEREST. IF VENDOR HEREAFTER BECOMES AWARE OF ANY FACTS WHICH MIGHT REASONABLY BE EXPECTED TO CREATE A CONFLICT OF INTEREST, IT SHALL IMMEDIATELY MAKE FULL WRITTEN DISCLOSURE OF SUCH FACTS TO COUNTY. FULL WRITTEN DISCLOSURE SHALL INCLUDE, BUT IS NOT LIMITED TO, IDENTIFICATION OF ALL PERSONS IMPLICATED AND A COMPLETE DESCRIPTION OF ALL RELEVANT CIRCUMSTANCES.

12 GOVERNING LAW AND VENUE: THIS PURCHASE ORDER SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA. VENDOR AGREES AND CONSENTS TO THE EXCLUSIVE JURISDICTION OF THE COURTS OF THE STATE OF CALIFORNIA FOR ALL PURPOSES REGARDING THIS PURCHASE ORDER, AND FURTHER AGREES AND CONSENTS THAT VENUE OF ANY ACTION HEREUNDER SHALL BE EXCLUSIVELY IN THE COUNTY OF LOS ANGELES, CALIFORNIA.

13 INDEMNIFICATION: VENDOR SHALL INDEMNIFY, DEFEND AND HOLD HARMLESS COUNTY, ITS AGENTS, OFFICERS AND EMPLOYEES FROM AND AGAINST ANY AND ALL LIABILITY, EXPENSE, INCLUDING DEFENSE COSTS AND LEGAL FEES, AND CLAIMS FOR DAMAGES OF ANY NATURE WHATSOEVER ARISING FROM OR CONNECTED WITH ALLEGED OR ACTUAL NEGLIGENCE DUE TO OR ASSOCIATED WITH VENDOR'S NEGLIGENT OPERATIONS, GOODS, AND/OR COMMODITIES OR SERVICES PROVIDED HEREUNDER.

IF AN INFRINGEMENT CLAIM OCCURS VENDOR MAY AT ITS OPTION AND EXPENSE PROCURE FOR COUNTY THE RIGHT TO CONTINUE USING THE EQUIPMENT, REPLACE OR MODIFY IT SO THAT IT BECOMES NON-INFRINGING WHILE PROVIDING FUNCTIONALLY EQUIVALENT PERFORMANCE, OR GRANT COUNTY A CREDIT FOR SUCH EQUIPMENT OR VENDOR SOFTWARE AS DEPRECIATED AND ACCEPT ITS RETURN. THE DEPRECIATION AMOUNT WILL BE CALCULATED BASED UPON GENERALLY ACCEPTED ACCOUNTING STANDARDS FOR SUCH EQUIPMENT AND SOFTWARE.

VENDOR WILL HAVE NO DUTY TO DEFEND OR INDEMNIFY FOR ANY INFRINGEMENT CLAIM THAT IS BASED UPON (I) THE COMBINATION OF THE EQUIPMENT OR VENDOR SOFTWARE WITH ANY THIRD PARTY SOFTWARE, APPARATUS OR DEVICE NOT FURNISHED BY VENDOR; (II) THE USE OF ANCILLARY EQUIPMENT OR SOFTWARE NOT FURNISHED BY MOTOROLA AND THAT IS ATTACHED TO OR USED IN CONNECTION WITH THE EQUIPMENT OR VENDOR SOFTWARE; (III) ANY EQUIPMENT THAT IS NOT VENDOR'S DESIGN OR FORMULA; (IV) A MODIFICATION OF THE VENDOR SOFTWARE BY A PARTY OTHER THAN VENDOR; OR (V) THE FAILURE BY COUNTY TO INSTALL AN ENHANCEMENT RELEASE TO THE VENDOR SOFTWARE THAT IS INTENDED TO CORRECT THE CLAIMED INFRINGEMENT. THE FOREGOING STATES THE ENTIRE LIABILITY OF VENDOR WITH RESPECT TO INFRINGEMENT OF PATENTS AND COPYRIGHTS BY THE EQUIPMENT AND VENDOR SOFTWARE OR ANY PARTS THEREOF.

THIS INDEMNITY SHALL INCLUDE, BUT NOT BE LIMITED TO, CLAIMS FOR OR BY REASON OF ANY ALLEGED INFRINGEMENT OF ANY UNITED STATES PATENT OR COPYRIGHT OR ANY ACTUAL OR ALLEGED TRADE SECRET DISCLOSURE.

14 LIABILITY INSURANCE:

THE COUNTY OF LOS ANGELES, ITS AGENTS OR EMPLOYEES, WILL NOT BE RESPONSIBLE FOR LOSS BY FIRE, FLOOD OR ACTS OF GOD. AFTER SUCH LOSS OF EQUIPMENT OR PARTS THEREOF HAS BEEN REPORTED TO YOU, REPLACEMENT IS TO BE MADE BY SUPPLIER WITHIN TIME QUOTED FOR ORIGINAL DELIVERY. HOWEVER, IF POSITIVE PROOF CAN BE FURNISHED SHOWING THAT A COUNTY EMPLOYEE IS RESPONSIBLE FOR ANY ACT OF NEGLIGENCE THAT AFFECTS THE OPERATION OR CONDITION OF THE EQUIPMENT, REPAIR OR REPLACEMENT WILL BE FOR THE ACCOUNT OF THE COUNTY.

THIS LIMITATION OF LIABILITY PROVISION SHALL APPLY NOTWITHSTANDING ANY CONTRARY PROVISION IN THIS AGREEMENT. EXCEPT FOR PERSONAL INJURY OR DEATH, MOTOROLA'S TOTAL LIABILITY, WHETHER FOR BREACH OF CONTRACT, WARRANTY, NEGLIGENCE, STRICT LIABILITY IN TORT, INDEMNIFICATION, OR OTHERWISE, WILL BE LIMITED TO THE DIRECT DAMAGES RECOVERABLE UNDER LAW, BUT NOT TO EXCEED ONE MILLION DOLLARS WITH RESPECT TO WHICH LOSSES OR DAMAGES ARE CLAIMED.

ALTHOUGH THE PARTIES ACKNOWLEDGE THE POSSIBILITY OF SUCH LOSSES OR DAMAGES, THEY AGREE THAT MOTOROLA WILL NOT BE LIABLE FOR ANY COMMERCIAL LOSS; INCONVENIENCE; LOSS OF USE, TIME, DATA, GOOD WILL, REVENUES, PROFITS OR SAVINGS; OR OTHER SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES IN ANY WAY RELATED TO OR ARISING FROM THIS AGREEMENT, THE SALE OR USE OF THE EQUIPMENT OR SOFTWARE, OR THE PERFORMANCE OF SERVICES BY MOTOROLA PURSUANT TO THIS AGREEMENT. THIS LIMITATION OF LIABILITY WILL SURVIVE THE EXPIRATION OR TERMINATION OF THIS AGREEMENT. NO ACTION FOR BREACH OF THIS AGREEMENT OR OTHERWISE RELATING TO THE TRANSACTIONS CONTEMPLATED BY THIS AGREEMENT MUST BE BROUGHT WITHIN THE STATUTORY PERIOD PROVIDED UNDER CALIFORNIA LAW.

15 INSURANCE COVERAGE REQUIREMENTS;
GENERAL LIABILILTY: INSURANCE (WRITTEN ON ISO POLICY FORM CG 00 01 OR ITS EQUIVALENT) WITH LIMITS OF NOT LESS THAN THE FOLLOWING:
GENERAL AGGREGATE: $5 MILLION
PERSONAL AND ADVERTISING INJURY: $1 MILLION
EACH OCCURENCE: $5 MILLION

16 WORKERS COMPENSATION AND EMPLOYERS' LIABILLITY: INSURANCE PROVIDING WORKERS COMPENSATION BENEFITS, AS REQUIRED BY THE LABOR CODE OF THE STATE OF CALIFORNIA OR BY ANY OTHER STATE, AND FOR WHICH CONTRACTOR IS RESPONSIBLE. IF CONTRACTOR'S EMPLOYEES WILL BE ENGAGED IN MARITIME EMPLOYMENT, COVERAGE SHALL PROVIDE WORKERS COMPENSATION BENEFITS AS REQUIRED BY THE U.S. LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT, JONES ACT OR ANY OTHER FEDERAL LAW FOR WHICH CONTRACTOR IS RESPONSIBLE.

IN ALL CASES, THE ABOVE INSURANCE ALSO SHALL INCLUDE EMPLOYERS' LIABILITY COVERAGE WITH LIMITS OF NOT LESS THAN THE FOLLOWING:

EACH ACCIDENT: $1 MILLION
DISEASE - POLICY LIMIT: $1 MILLION
DISEASE - EACH EMPLOYEE: $1 MILLION

17 INDEMNIFICATION AND INSURANCE REQUIREMENTS
FOR LOS ANGELES COUNTY SERVICE AGREEMENTS

INDEMNIFICATION: CONTRACTOR SHALL INDEMNIFY, DEFEND AND HOLD HARMLESS COUNTY, AND ITS SPECIAL DISTRICTS, ELECTED AND APPOINTED OFFICERS, EMPLOYEES, AND AGENTS FROM AND AGAINST ANY AND ALL LIABILITY, INCLUDING BUT NOT LIMITED TO DEMANDS, CLAIMS, ACTIONS, FEES, COSTS, AND EXPENSES (INCLUDING ATTORNEY AND EXPERT WITNESS FEES), ARISING FROM OR CONNECTED WITH CONTRACTOR'S ACTS AND/OR OMISSIONS ARISING FROM AND/OR RELATING TO THIS AGREEMENT.

GENERAL INSURANCE REQUIREMENTS: WITHOUT LIMITING CONTRACTOR'S INDEMNIFICATION OF COUNTY AND DURING THE TERM OF THIS AGREEMENT, CONTRACTOR SHALL PROVIDE AND MAINTAIN, AND SHALL REQUIRE ALL OF ITS SUB-CONTRACTORS TO MAINTAIN, THE FOLLOWING PROGRAMS OF INSURANCE SPECIFIED IN THIS AGREEMENT. SUCH INSURANCE SHALL BE PRIMARY TO ANY OTHER INSURANCE OR SELF-INSURANCE PROGRAMS MAINTAINED BY COUNTY, AND SUCH COVERAGE SHALL BE PROVIDED AND MAINTAINED BY CONTRACTOR'S OWN EXPENSE.

CONTRACTOR SHALL PROVIDE TO COUNTY A SPECIFIC ADDITIONAL INSURED ENDORSEMENT FOR COMPLETED OPERATIONS.

EVIDENCE OF INSURANCE: CERTIFICATE(S) OR OTHER EVIDENCE OF COVERAGE SATISFACTORY TO COUNTY SHALL BE DELIVERED TO PURCHASING AGENT DESIGNEE PRIOR TO COMMENCING SERVICES UNDER THIS AGREEMENT.

THE COUNTY ACCEPTS THE STANDARD ACORD FORM CERTIFICATE OF INSURANCE AS SATISFACTORY EVIDENCE OF INSURANCE.

THE COUNTY ACCEPTS A BLANKET ADDITIONAL INSURED ENDOREMENT.

CERTIFICATE(S) OR OTHER EVIDENCE OF COVERAGE SHALL BE DELIVERED TO:
ATTN:
PRISCILLA DIAZ
MA-IS-1740313
COUNTY OF LOS ANGELES - ISD
1100 NORTH EASTERN AVENUE RM # G115
LOS ANGELES, CA 90063

SUCH CERTIFICATES OR OTHER EVIDENCE SHALL:

(1) SPECIFICALLY IDENTIFY THIS AGREEMENT.

(2) CLEARLY EVIDENCE ALL COVERAGES REQUIRED IN THIS AGREEMENT.

(3) CONTRACTOR AGREES THAT COUNTY IS TO BE GIVEN WRITTEN NOTICE BY MAIL AT LEAST THIRTY (30) DAYS IN ADVANCE OF CANCELLATION FOR ALL POLICIES EVIDENCED ON THE CERTIFICATE OF INSURANCE.

(4) INCLUDE COPIES OF THE ADDITIONAL INSURED ENDORSEMENT TO THE COMMERCIAL GENERAL LIABILITY POLICY, INCLUDING THE COUNTY OF LOS ANGELES ITS SPECIAL DISTRICTS, ITS OFFICIALS, OFFICERS AND EMPLOYEES AS ADDITIONAL INSUREDS FOR ACTIVITIES ARISING FROM THIS AGREEMENT PER THE PROVISIONS OF THE BLANKET ADDITIONAL INSURED ENDORSEMENT.

(5) CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DEDUCTIBLES OR SELF-INSURED RETENTIONS. CONTRACTOR REPRESENTS THAT ITS FINANCIAL STRENGTH IS SUFFICIENT TO COVER ANY DEDUCTIBLES OR SELF-INSURED RETENTIONS. CONTRACTOR AGREES TO CONTINUE CARRYING AT ALL TIMES DURING THE TERM OF THIS AGREEMENT INSURANCE OF THE KINDS AND IN THE AMOUNTS LISTED IN THIS AGREEMENT.

18 INSURER FINANCIAL RATINGS: INSURANCE IS TO BE PROVIDED BY AN INSURANCE COMPANY ACCEPTABLE WITH AN A.M. BEST RATING OF NOT LESS THAN A:VII, UNLESS OTHERWISE APPROVED BY COUNTY.

FAILURE TO MAINTAIN COVERAGE: FAILURE BY CONTRACTOR TO MAINTAIN THE REQUIRED INSURANCE, OR TO PROVIDE EVIDENCE OF INSURANCE COVERAGE ACCEPTABLE TO COUNTY, SHALL CONSTITUTE A MATERIAL BREACH OF THE CONTRACT UPON WHICH COUNTY MAY IMMEDIATELY TERMINATE OR SUSPEND THIS

AGREEMENT. COUNTY, AT ITS SOLE OPTION, MAY OBTAIN DAMAGES FROM CONTRACTOR RESULTING FROM SAID BREACH.

NOTIFICATION OF INCIDENTS, CLAIMS OR SUITS: CONTRACTOR SHALL REPORT TO COUNTY:

(1) ANY ACCIDENT OR INCIDENT RELATING TO SERVICES PERFORMED UNDER THIS AGREEMENT WHICH INVOLVES INJURY OR PROPERTY DAMAGE WHICH MAY RESULT IN THE FILING OF A CLAIM OR LAWSUIT AGAINST CONTRACTOR AND/OR COUNTY. SUCH REPORT SHALL BE MADE IN WRITING WITHIN 24 HOURS OF OCCURRENCE.

(2) ANY THIRD PARTY CLAIM OR LAWSUIT FILED AGAINST CONTRACTOR ARISING FROM OR RELATED TO SERVICES PERFORMED BY CONTRACTOR UNDER THIS AGREEMENT.

(3) ANY INJURY TO A CONTRACTOR EMPLOYEE WHICH OCCURS ON COUNTY PROPERTY. THIS REPORT SHALL BE SUBMITTED ON A COUNTY "NON-EMPLOYEE INJURY REPORT" TO THE COUNTY CONTRACT MANAGER.

(4) ANY LOSS, DISAPPEARANCE, DESTRUCTION, MISUSE, OR THEFT OF ANY KIND WHATSOEVER OF COUNTY PROPERTY, MONIES OR SECURITIES ENTRUSTED TO CONTRACTOR UNDER THE TERMS OF THIS AGREEMENT.

COMPENSATION FOR COUNTY COSTS: IN THE EVENT THAT CONTRACTOR FAILS TO COMPLY WITH ANY OF THE INDEMNIFICATION OR INSURANCE REQUIRMENTS OF THIS AGREEMENT, AND SUCH FAILURE TO COMPLY RESULTS IN ANY COSTS TO COUNTY, CONTRACTOR SHALL PAY FULL COMPENSATION FOR ALL COSTS INCURRED BY COUNTY.

INSURANCE COVERAGE REQUIREMENTS FOR SUB-CONTRACTORS: CONTRACTOR SHALL ENSURE ANY AND ALL SUB-CONTRACTORS PERFORMING SERVICES UNDER THIS AGREEMENT MEET THE INSURANCE REQUIREMENTS OF THIS AGREEMENT BY EITHER:

(1) CONTRACTOR PROVIDING EVIDENCE OF INSURANCE COVERING THE ACTIVITIES OF SUB-CONTRACTORS, OR

(2) CONTRACTOR PROVIDING EVIDENCE SUBMITTED BY SUB-CONTRACTORS EVIDENCING THAT SUB-CONTRACTORS MAINTAIN THE REQUIRED INSURANCE COVERAGE. COUNTY RETAINS THE RIGHT TO OBTAIN COPIES OF EVIDENCE OF SUB-CONTRACTOR INSURANCE COVERAGE AT ANY TIME.

19 DEFAULT: IN THE EVENT VENDOR FAILS TO PERFORM HEREUNDER AND DOES NOT CURE SUCH FAILURE WITHIN FIFTEEN (15) CALENDAR DAYS OF THE DATE COUNTY'S NOTICE WAS SENT TO VENDOR, COUNTY MAY, AT ITS SOLE DISCRETION, CANCEL OR TERMINATE THIS PURCHASE ORDER. SUCH CANCELLATION OR TERMINATION SHALL BE AT NO COST TO COUNTY. SHOULD COUNTY SO CANCEL OR TERMINATE, COUNTY MAY AT ITS SOLE DISCRETION, PROCURE THE ITEMS OR SERVICES FROM OTHER SOURCES AND VENDOR SHALL BE LIABLE TO COUNTY FOR ANY AND ALL EXCESS COSTS, DETERMINED BY COUNTY, FOR SUCH ITEMS OR SERVICES.

20 INVALIDITY, REMEDIES NOT EXCLUSIVE: THE INVALIDITY IN WHOLE OR IN PART OF ANY TERM OR CONDITION OF THIS PURCHASE ORDER SHALL NOT AFFECT THE VALIDITY OF THE REMAINDER OF THIS PURCHASE ORDER AND THE APPLICATION OF SUCH PROVISIONS TO THE OTHER PERSONS OR CIRCUMSTANCES SHALL NOT BE AFFECTED THEREBY. THE RIGHTS AND REMEDIES PROVIDED HEREIN SHALL NOT BE EXCLUSIVE AND ARE IN ADDITION TO ANY OTHER RIGHTS AND REMEDIES IN LAW OR EQUITY.

20A---NON-DISCRIMINATION: BY ACCEPTANCE OF ANY PURCHASE ORDER UNDER CONTRACT 1740313, CONTRACTOR CERTIFIES AND AGREES THAT ALL PERSONS EMPLOYED BY IT, ITS AFFILIATES, SUBSIDIARIES, OR HOLDING COMPANIES ARE

AND WILL BE TREATED EQUALLY BY IT WITHOUT REGARD TO OR BECAUSE OF RACE, RELIGION, ANCESTRY, NATIONAL ORIGIN, DISABILITY OR SEX AND IN COMPLIANCE WITH ALL ANTI-DISCRIMINATION LAWS OF THE UNITED STATES OF AMERICA AND THE STATE OF CALIFORNIA. CONTRACTOR CERTIFIES AND AGREES THAT IT WILL DEAL WITH ITS SUBCONTRACTORS, BIDDERS OR VENDORS WITHOUT REGARD TO OR BECAUSE OF RACE, RELIGION, ANCESTRY, NATIONAL ORIGIN, DISABILITY OR SEX. VENDOR SHALL ALLOW THE COUNTY ACCESS TO ITS EMPLOYMENT RECORDS DURING THE REGULAR BUSINESS HOURS TO VERIFY COMPLIANCE WITH THESE PROVISIONS WHEN SO REQUESTED BY THE COUNTY. IF THE COUNTY FINDS THAT ANY OF THE ABOVE PROVISIONS HAVE BEEN VIOLATED, THE SAME SHALL CONSTITUTE A MATERIAL BREACH OF CONTRACT 40760 (AND ITS PURCHASE ORDER(S) UPON WHICH, THE COUNTY MAY DETERMINE TO CANCEL, TERMINATE, OR SUSPEND THE PURCHASE ORDER AND/OR CONTRACT. THE PARTIES AGREE THAT IN THE EVENT THE VENDOR VIOLATES THE ANTI-DISCRIMINATION PROVISIONS OF THE PURCHASE ORDER, THE COUNTY SHALL, AT ITS OPTION AND IN LIEU OF TERMINATION OR SUSPENDING THIS PURCHASE ORDER AND /OR CONTRACT, BE ENTITLED TO LIQUIDATED DAMAGES, PURSUANT TO CALIFORNIA CIVIL CODE SECTION 1671, OF THE GREATER TEN PERCENT (10%) OF THE PURCHASE ORDER AMOUNT OR ONE THOUSAND DOLLARS.

21 COMPLIANCE WITH LAWS: VENDOR SHALL FULLY COMPLY WITH ALL APPLICABLE PROVISIONS OF FEDERAL, STATE AND LOCAL LAWS, RULES AND REGULATIONS, AND VENDOR AGREES TO HOLD COUNTY, ITS AGENTS, OFFICERS AND EMPLOYEES HARMLESS FROM ANY AND ALL LIABILITY, COSTS, INCLUDING, BUT NOT LIMITED TO ATTORNEY'S FEES, AND DAMAGES RESULTING FROM FAILURE OF COMPLIANCE.

22 FORCE MAJURE: NEITHER PARTY WILL BE LIABLE FOR DELAYS IN PERFORMANCE BEYOND ITS REASONABLE CONTROL, INCLUDING, BUT NOT LIMITED TO, FIRE, FLOOD, ACT OF GOD OR RESTRICTION OF CIVIL OR MILITARY AUTHORITY.

23 ASSIGNMENT AND DELEGATION: VENDOR SHALL NOT ASSIGN ITS RIGHTS OR DELEGATE ITS DUTIES UNDER THE PURCHASE ORDER WITHOUT COUNTY'S PRIOR WRITTEN AUTHORIZATION AND ANY ASSIGNMENT OR DELEGATION WITHOUT SUCH AUTHORIZATION SHALL BE NULL AND VOID AND SHALL CONSTITUTE A MATERIAL BREACH OF THIS PURCHASE ORDER UPON WHICH COUNTY MAY IMMEDIATELY TERMINATE THE PURCHASE ORDER IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH ON DEFAULT.

COUNTY'S CONSENT TO AN ASSIGNMENT SHALL NOT BE UNREASONABLY WITHHELD.

24 TIME IS OF THE ESSENCE: IF ANY ANTICIPATED OF ACTUAL DELAYS ARISE, VENDOR SHALL IMMEDIATELY SO NOTIFY COUNTY, REGARDLESS OF NOTICE IF DELIVERIES ARE NOT MADE AT THE TIME AGREED UPON. COUNTY MAY, AT ITS SOLE DISCRETION, TERMINATE THIS PURCHASE ORDER AND PROCEED PURSUANT TO PARAGRAPH ON DEFAULT.

25 NONEXCLUSIVITY: NOTHING HEREIN IS INTENDED NOR SHALL IT BE CONSTRUED AS CREATING ANY EXCLUSIVE ARRANGEMENT WITH VENDOR.

26 STANDARD TERMS AND CONDTIONS, PAGE 12 -PRICE GUARANTEE: DELETED

27 WAIVER: THE FAILURE OF EITHER PARTY TO INSIST, IN ANY ONE OR MORE INSTANCES, UPON THE PERFORMANCE OF ANY TERMS, CONDITIONS OR COVENANT OF THIS PURCHASE ORDER OR TO EXERCISE ANY RIGHT HEREUNDER SHALL NOT BE CONSTRUED AS A WAIVER OF THE FUTURE PERFORMANCE OF ANY SUCH TERM, CONDITION OR COVENANT, BUT THE OBLIGATION WITH RESPECT TO FUTURE PERFORMANCE SHALL CONTINUE IN FULL FORCE AND EFFECT. NO WAIVER SHALL BE ENFORCEABLE UNLESS SET FORTH IN WRITING AND SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE PARTY GRANTING THE WAIVER.

28 ACCEPTANCE: UNLESS EXPLICITLY STATED BY COUNTY AS OTHERWISE, COUNTY, MAY CONDUCT, AT ITS LOCATION OR ANY OTHER COUNTY DESIGNATED

LOCATION AND AT ITS EXPENSE, AN INCOMING ACCEPTANCE TEST ON ALL ITEMS PURCHASED HEREUNDER. THE ACCEPTANCE TEST PERIOD SHALL NOT EXCEED THIRTY (30) DAYS FROM RECEIPT OF SUCH ITEM(S) BY COUNTY. COUNTY MAY, AT ITS SOLE DISCRETION, REJECT ALL OR ANY PART OF ITEMS OR SERVICES NOT CONFORMING TO THE REQUIREMENTS/SPECIFICATIONS STATED IN A PURCHASE ORDER.

29 SPARE PARTS: VENDOR SHALL MAKE SPARE PARTS AVAILABLE TO COUNTY FOR A PERIOD OF TWO (2) YEARS FROM THE DATE OF DELIVERY OF THE ITEMS TO COUNTY. IF VENDOR IS UNABLE TO SO PROVIDE SPARE PARTS, IT SHALL PROVIDE COUNTY WITH THE NAME(S) OF VENDOR'S SUPPLIERS SO THAT COUNTY MAY ATTEMPT TO PROCURE SUCH UNAVAILABILITY, VENDOR SHALL PROVIDE, AT NO COST, REASONABLE ASSISTANCE TO COUNTY IN OBTAINING SPARE PARTS.

30 ENTIRE AGREEMENT MODIFICATIONS: THIS PURCHASE ORDER CONTRACT AND ANY ATTACHMENTS HERETO, CONSTITUTES THE COMPLETE AND EXCLUSIVE STATEMENT OF THE PARTIES WHICH SUPERSEDES ALL PREVIOUS AGREEMENTS, WRITTEN OR ORAL, AND ALL COMMUNICATIONS BETWEEN THE PARTIES RELATING TO THE SUBJECT MATTER HEREOF. THIS PURCHASE ORDER SHALL NOT BE MODIFIED, SUPPLEMENTED, QUALIFIED OR INTERPRETED BY ANY PRIOR COURSE OF DEALING BETWEEN THE PARTIES OR BY ANY USAGE OF TRADE. ALL MODIFICATIONS TO THIS PURCHASE ORDER SHALL BE SET FORTH IN WRITING AND SIGNED BY THE VENDOR AND PURCHASING AGENT OR HIS/HER DESIGNEE.

30A--COUNTY STOCK: STOCK FURNISHED BY COUNTY TO BE USED IN A PURCHASE ORDER SHALL BE RETURNED TO COUNTY FREE FROM DAMAGE FROM ANY CAUSE AND IN ACCORDANCE WITH ALL OTHER TERMS AND CONDITIONS OF CONTRACT, PURCHASE ORDER AND HEREIN.

31 INDEPENDENT CONTRACTOR STATUS: VENDOR SHALL AT ALL TIMES BE ACTING IN THE CAPACITY OF INDEPENDENT CONTRACTOR. THIS PURCHASE ORDER IS NOT INTENDED, AND SHALL NOT BE OR CONSTRUED, TO CREATE THE RELATIONSHIP OF AGENT, SERVANT, EMPLOYEE PARTNERSHIP, JOINT VENTURE OR ASSOCIATION, AS BETWEEN COUNTY AND VENDOR. THE EMPLOYEES AND AGENTS OF ONE PARTY SHALL NOT BE OR CONSTRUED TO BE, THE EMPLOYEES OR AGENTS OF THE OTHER PARTY FOR ANY REASON WHATSOEVER.

32 TAX EXEMPT STATUS: TAX EXEMPT ITEMS SHALL BE AS LISTED ON THE FACE HEREOF.

32A---TERMINATION FOR FAILURE TO OPERATE IN ORDINARY COURSE: VENDOR'S STABILITY WAS AND/IS A PRIMARY BASIS FOR ENTERING INTO AND CONTINUING WITH AGREEMENT, THEREFORE, COUNTY MAY TERMINATE ANY AGREEMENT BY THIRTY (30) DAYS WRITTEN NOTICE SHOULD VENDOR FAIL TO CONTINUE TO DO BUSINESS IN THE ORDINARY COURSE.

33 COUNTY LOBBYISTS: VENDOR AND EACH COUNY LOBBYIST OR COUNTY LOBBYING FIRM AS DEFINED IN LOS ANGELES COUNTY CODE SECTION 2.160.010, RETAINED BY VENDOR, SHALL FULLY COMPLY WITH THE COUNTY LOBBYIST ORDINANCE, LOS ANGELES COUNTY CODE CHAPTER 2.160. FAILURE ON THE PART OF VENDOR ANY COUNTY LOBBYIST OR COUNTY LOBBYING FIRM RETAINED BY VENDOR TO DULLY COMPLY WITH THE COUNTY LOBBYIST ORDINANCE SHALL CONSTITUTE A MATERIAL BREACH OF THE PURCHASE ORDER AND/OR AGREEMENT UPON WHICH COUNTY MAY IMMEDIATELY TERMINATE OR SUSPEND THE PURCHASE ORDER AND/OR AGREEMENT.

33A---CONSIDERATION OF HIRING GAIN PROGRAM PARTICIPANTS: SHOULD THE VENDOR REQUIRE ADDITIONAL OR REPLACEMENT PERSONNEL AFTER THE EFFECTIVE DATE OF THIS AGREEMENT EXTENSION. CONTRACTOR SHALL GIVE CONSIDERATION FOR SUCH EMPLOYMENT OPENINGS TO PARTICIPANTS IN COUNTY'S DEPARTMENT OF THE PUBLIC SOCIAL SERVICES GREATER AVENUE FOR INDEPENDENCE (GAIN) PROGRAM WHO MEET CONTRACTOR'S MINIMUM QUALIFICATIONS FOR THE OPEN

POSITION. FOR THIS PURPOSE, CONSIDERATION SHALL MEAN THAT CONTRACTOR WILL INTERVIEW QUALIFIED CANDIDATES. COUNTY WILL REFER GAIN PARTICIPANTS BY JOB CATEGORY TO VENDOR.

34 TERMINATION FOR IMPROPER CONSIDERATION: COUNTY MAY, BY WRITTEN NOTICE TO VENDOR, IMMEDIATELY TERMINATE, THE RIGHT OF VENDOR TO PROCEED WITH A PURCHASE ORDER IF IT IS FOUND THAT CONSIDERATION IN ANY FORM WAS OFFERED OR GIVEN BY VENDOR, (EITHER DIRECTLY OR THROUGH AN INTERMEDIARY) TO ANY COUNTY OFFICER, EMPLOYEE, OR AGENT WITH THE INTENT OF SECURING A PURCHASE ORDER OR SECURING FAVORABLE TREATMENT WITH RESPECT TO THE AWARD, AMENDMENT, OR EXTENSIONS OF THE AGREEMENT OR THE MAKING OF ANY DETERMINATIONS WITH RESPECT TO THE VENDOR 'S PERFORMANCE PURSUANT TO THE CONTRACT. IN THE EVENT OF SUCH TERMINATION, COUNTY SHALL BE ENTITLED TO PURSUE THE SAME REMEDIES AGAINST VENDOR AS IT COULD PURSUE IN THE EVENT OS DEFAULT BY VENDOR.

CONTRACTOR SHALL IMMEDIATELY REPORT ANY ATTEMPT BY A COUNTY OFFICER OR EMPLOYEE TO SOLICIT SUCH IMPROPER CONSIDERATION. THE REPORT SHALL BE MADE EITHER TO THE COUNTY MANAGER CHARGED WITH THE SUPERVISION OF THE EMPLOYEE OR TO THE COUNTY AUDITOR-CONTROLLER'S EMPLOYEE FRAUD HOTLINE AT 213.974.0914 OR 800.544.6861. IMPROPER CONSIDERATION MAY TAKE THE FORM OF, AMONG OTHER ITEMS, CASH, DISCOUNTS, SERVICES, THE PROVISION OF TRAVEL OR GRATUITIES (ENTERTAINMENT, TANGIBLE GIFTS), OR THE PROMISE OF ANY OF THESE.

35 PARTICIPATING PUBLIC AGENCIES

COUNTY AND VENDOR AGREE THAT OTHER GOVERNMENTAL ENTITIES WITHIN CALIFORNIA, INCLUDING BUT NOT LIMITED TO: COUNTIES, CITIES, SPECIAL DISTRICTS, POLITICAL SUBDIVISIONS, SCHOOL DISTRICTS, HIGHER EDUCATION, AND OTHER MUNICIPALITIES (PARTICIPATING PUBLIC AGENCIES) MAY PURCHASE PRODUCTS OR SERVICES DEFINED HEREIN ON THE SAME TERMS, CONDITIONS AND PRICING AS THE COUNTY, SUBJECT TO ANY APPLICABLE LOCAL PURCHASING ORDINANCES AND THE LAWS OF THE STATE OF PURCHASE.

THE COUNTY SHALL NOT BE CONSTRUED AS A DEALER, RE-MARKETER, REPRESENTATIVE, PARTNER OR AGENT OF ANY TYPE OF THE SUPPLIER.

PARTICIPATING PUBLIC AGENCIES SHALL BE RESPONSIBLE FOR THE ORDERING OF PRODUCTS UNDER THIS AGREEMENT. PAYMENT FOR PRODUCTS OR SERVICES AND INSPECTIONS AND ACCEPTANCE OF PRODUCTS OR SERVICES ORDERED BY A PARTICIPATING PUBLIC AGENCY SHALL BE THE EXCLUSIVE OBLIGATION OF SUCH PROCURING PARTY.

THE COUNTY SHALL NOT BE OBLIGATED, LIABLE OR RESPONSIBLE FOR ANY ORDER MADE BY ANY PARTICIPATING PUBLIC AGENCY OR ANY EMPLOYEE THEREOF FOR ANY PAYMENT REQUIRED TO BE MADE WITH RESPECT TO SUCH ORDER; AND THAT ANY DISPUTES BETWEEN A PARTICIPATING PUBLIC AGENCY AND THE SUPPLIER ARE NOT THE RESPONSIBILITY OF THE COUNTY. THE EXERCISE OF ANY RIGHTS OR REMEDIES BY THE PARTICIPATING PUBLIC AGENCY OR SUPPLIER SHALL BE THE EXCLUSIVE OBLIGATION OF SUCH PARTY.

THE COUNTY MAKES NO REPRESENTATION OR GUARANTY WITH RESPECT TO ANY MINIMUM PURCHASES BY THE COUNTY OR ANY PARTICIPATING PUBLIC AGENCY OR ANY EMPLOYEE THEREOF UNDER THIS AGREEMENT.

EACH PARTICIPATING PUBLIC AGENCYS PURCHASE ORDER MUST REFER TO THIS LOS ANGELES COUNTY MASTER PURCHASE AGREEMENT (MPA) NUMBER MA-IS-1740313 AND MUST SPECIFY THE PRICING AND DELIVERY TERMS. NOTWITHSTANDING ANY ADDITIONAL OR CONTRARY TERMS IN THE PURCHASE ORDER, THE APPLICABLE PROVISIONS OF THIS MPA (EXCEPT FOR PRICING, DELIVERY, PASSAGE OF TITLE AND RISK OF LOSS TO EQUIPMENT, WARRANTY COMMENCEMENT, AND PAYMENT TERMS) WILL GOVERN THE PURCHASE AND SALE OF THE EQUIPMENT OR SOFTWARE ORDERED BY THE PARTICIPATING PUBLIC AGENCY. TITLE AND RISK OF LOSS TO EQUIPMENT

WILL PASS AT SHIPMENT, WARRANTY WILL COMMENCE UPON DELIVERY, AND PAYMENT IS DUE WITHIN THIRTY (30) DAYS AFTER THE INVOICE DATE.

36 FREIGHT/SHIPPING CHARGES:

1) ORDERS PLACED THROUGH THE MOTOROLA PARTS & ACCESSORIES DEPARTMENT WILL SHIP FOB DESTINATION, UPS GROUND AT NO CHARGE.
2) ORDERS PLACED FOR RADIO AND FACTORY/MANUFACTURED ITEMS SHALL BE CHARGED AT 1.25% OF THE EQUIPMENT TOTAL AND ADDED TO THE PRICE QUOTE.
3) EXPEDITED SHIPMENTS VIA AIR (FEDEX ETC.) WHEN REQUESTED BY COUNTY SHALL BE AT COUNTY EXPENSE.

37 PRICING AS PER ATTACHED:

1. EXHIBIT A _ 2017-2020 DATED JULY 1, 2017

38 WARRANTY OF COMPLIANCE WITH COUNTYS DEFAULTED PROPERTY TAX REDUCTION PROGRAM

CONTRACTOR ACKNOWLEDGES THAT COUNTY HAS ESTABLISHED A GOAL OF ENSURING THAT ALL INDIVIDUALS AND BUSINESSES THAT BENEFIT FINANCIALLY FROM COUNTY THROUGH CONTRACT ARE CURRENT IN PAYING THEIR PROPERTY TAX OBLIGATIONS (SECURED AND UNSECURED ROLL) IN ORDER TO MITIGATE THE ECONOMIC BURDEN OTHERWISE IMPOSED UPON COUNTY AND ITS TAXPAYERS.

UNLESS CONTRACTOR QUALIFIES FOR AN EXEMPTION OR EXCLUSION, CONTRACTOR WARRANTS AND CERTIFIES THAT TO THE BEST OF ITS KNOWLEDGE IT IS NOW IN COMPLIANCE, AND DURING THE TERM OF THIS CONTRACT WILL MAINTAIN COMPLIANCE, WITH LOS ANGELES COUNTY CODE CHAPTER 2.206.

39 TERMINATION FOR BREACH OF WARRANTY TO MAINTAIN COMPLIANCE WITH COUNTYS DEFAULTED PROPERTY TAX REDUCTION PROGRAM

FAILURE OF CONTRACTOR TO MAINTAIN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN PARAGRAPH 38 "WARRANTY OF COMPLIANCE WITH COUNTYS DEFAULTED PROPERTY TAX REDUCTION PROGRAM" SHALL CONSTITUTE DEFAULT UNDER THIS CONTRACT. WITHOUT LIMITING THE RIGHTS AND REMEDIES AVAILABLE TO COUNTY UNDER ANY OTHER PROVISION OF THIS CONTRACT, FAILURE OF CONTRACTOR TO CURE SUCH DEFAULT WITHIN 10 DAYS OF NOTICE SHALL BE GROUNDS UPON WHICH COUNTY MAY TERMINATE THIS CONTRACT AND/OR PURSUE DEBARMENT OF CONTRACTOR, PURSUANT TO COUNTY CODE CHAPTER 2.206.

The County of Los Angeles accepts your offer to furnish our requirements (and such requirements as may be ordered by cities and /or districts indicated herein) of the listed commodity, or service, as needed, subject to conditions of the stated quotation and as provided herein. All Purchase Agreements, Purchase Orders and Contracts will be deemed to be made and entered into the State of California under the constitution and laws of this state and are to be so construed.

PRICE GUARANTEE: Unless otherwise provided herein, prices are maximum for the period of this agreement. In the event of a price decline, or, should you at any time during the life of this agreement sell the same material or service under similar quantity and deliver conditions to the State of California, or legal district thereof, or to any county or Municipality within the State of California at prices below those stated herein, you will immediately extend such lower prices to the County of Los Angeles.

ATTENTION: VENDOR/DEPARTMENT - SPECIAL NOTE: County departments are not authorized to use this agreement as a purchasing source for products not specifically covered herein. Changes of items, equipment, or modifications to prices, specifications, or conditions, etc., of this agreement can be made only by the Purchasing Agent by issuance of official amendment and in accordance with properly authorized changes agreed upon prior to consummation.

Los Angeles County will not pay for items not listed below that have not been processed in accordance with the above paragraph. Vendor will incur payment problems.

County's Quality Assurance Plan. The County or its agent will evaluate Contractor's performance under this agreement on not less than annual basis. Such evaluation will include assessing Contractor's compliance with all contract terms and performance standards. Contractor deficiencies which County's determines are severe or continuing and that may place performance of the agreement in jeopardy if not corrected will be reported to the Board of Supervisors. The report will include improvement/corrective action measures taken by the County and Contractor. If improvement does not occur consistent with the corrective action measures, County may terminate this agreement or impose other penaltiesas specified in this agreement.

CONTRACTOR RESPONSIBILITY AND DEBARMENT

1. A responsible Contractor is a Contractor who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business onlywith responsible contractors.

2. The Contractor is hereby notified that, in accordance with Chapter 2.202 of the County Code, if the County acquires information concerning the performance of the contractor on this or other contracts which indicates that the Contractor is not responsible, the County may, in addition to other remedies provided in the contract, debar the Contractor from bidding on County contracts for a specified period of time not to exceed 5 years, and terminate any or all existing contracts the Contractor may have with the County.

3. The County may debar a contractor if the Board of Supervisors finds, in its discretion, that the Contractor has done any of the following: (1) violated any term of a contract with the County, (2) committed any act or omission which negatively reflects on the Contractor's quality, fitness or capacity to perform a contract with the County or any other public entity, or engaged in a pattern or practice which negatively reflects on same, (3) committed an act or offense which indicates a lack of business integrity or business honesty, or (4) made or submitted a false claim against the County or any other public entity.

4. If there is evidence that the Contractor may be subject to debarment, the Department will notify the Contractor in writing of the evidence which is, the basis for the proposed debarment and will advise the Contractor of the scheduled date for a debarment hearing before the Contractor Hearing Board.

5. The Contractor Hearing Board will conduct a hearing where evidence on the proposed debarment is presented. The Contractor and/ or the Contractor's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a proposed decision, which shall contain a recommendation regarding whether the contractor should be debarred, and, if so, the appropriate length of time of the debarment. If the Contractor fails to avail itself of the opportunity to submit evidence to the Contractor Hearing Board,the Contractor may be deemed to have waived all rights of appeal.

6. A record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Hearing Board.

PROHIBITION AGAINST USE OF CHILD LABOR

1. Not knowingly sell or supply to COUNTY any products, goods, supplies or other personal property produced or manufactured in violation of child labor standards set by the International Labor Organizations through its 1973 Convention concerning Minimum Age for Employment.

2. Upon request by COUNTY, identify the country/countries of origin of any products. goods, supplies or other personal property bidder sells or supplies to COUNTY, and

VENDOR shall:

7. These terms shall also apply to (subcontractors/subconsultants) of County Contractors.

3. Upon request by COUNTY, provide to COUNTY the manufacturer's certification of compliance with all international child labor conventions.

Should COUNTY discover that any products, goods, supplies or other personal property sold or supplied by VENDOR to COUNTY are produced in violation of any international child labor conventions, VENDOR shall immediately provide an alternative, compliant source of supply.

Failure by VENDOR to comply with the provisions of this clause will be grounds for immediate cancellation of this Purchase Order or termination of this Agreement and award to an alternative vendor.

A. Jury Service Program.

This Contract is subject to the provisions of the County's ordinance entitled Contractor Employee Jury Service ("Jury Service Program") as codified in Sections 2.203.010 through 2.203.090 of the Los Angeles County Code.

Should COUNTY discover that any products, goods, supplies or other personal property sold or supplied by VENDOR to COUNTY are produced in violation of any international child labor conventions, VENDOR shall immediately provide an alternative, compliant source of supply.

B. Written Employee Jury Service policy.

1. Unless Contractor has demonstrated to the County's satisfaction either that Contractor is not a "Contractor" as defined under the Jury Service Program (Section 2.203.020 of the County Code) or that Contractor qualifies for an exception to the Jury Service Program (Section 2.203.070 of the County Code), Contractor shall have and adhere to a written policy that provides that its Employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service. This policy may provide that Employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the Employee's regular pay the fees received for jury service.

2. For purposes of this Section, "Contractor" means a person, partnership, corporation or other entity which has a contract with the County or a subcontract with a County contractor and has received or will receive an aggregate sum of $50,000 or more in any 12-month period under one or more County contracts or subcontracts. "Employee" means any California resident who is a full time employee of Contractor. "Full time" means 40 hours or more worked per week, or a lesser number of hours if the lesser number is a recognized industry standard and is approved as such by the County. If Contractor uses any subcontractor to perform services for the County under the Contract, the subcontractor shall also be subject to the provisions of this Section. The provisions of this Section shall be inserted into any such subcontract agreement and a Copy of the Jury Service Program shall be attached to the agreement.

3. If Contractor is not required to comply with the Jury Service Program when the Contract commences, Contractor shall have a continuing obligation to review the applicability of its "exception status" from the Jury Service Program, and Contractor shall immediately notify County if Contractor at any time either comes within the Jury Service Program's definition of "Contractor" or if Contractor no longer qualifies for an exception to the Program. In either event, Contractor shall immediately implement a written policy consistent with the Jury Service Program. The County may also require, at any time during the Contract and at its sale discretion, that Contractor demonstrate to the county's satisfaction that Contractor either continues to remain outside of the Jury service Program's definition of "Contractor" and/or that Contractor continues to qualify for an exception to the Program.

4. Contractor's violation of this Section of the contract may constitute a material breach of the Contract. In the event of such material. breach, County may, in its sole discretion, terminate the Contract and/or bar Contractor from the award of future County contracts for a period of time consistent with the seriousness of the breach.

PRICE SPECIFIC CONTRACTS AND PURCHASE ORDERS

Vendors are entitled to receive payment for goods received by, or services provided to the county specific to the Contract or Purchase Order price amount. Under no circumstances will those Suppliers, Contractors or Vendors who supply goods or otherwise contract services with the County of Los Angeles be entitled to or paid for expenditures beyond the Contract or Purchase Order amounts. Vendors are prohibited from accepting prepayment for goods or services without the express written approval of the County Purchasing Agent.

ASSIGNMENT BY CONTRACTOR

A. Contractor shall not assign its rights or delegate its duties under the Agreement, or both whether in whole or in part, without the prior written consent of County, in its discretion, and any attempted assignment or delegation without such consent shall be null and void. For purposes of this paragraph, County consent shall require a written amendment to the Agreement, which is formally approved and executed by the parties. Any payments by county to any approved delegate or assignee on any claim under the Agreement shall be deductible, at County's sole discretion, against the claims which Contractor, may have against county.

B. Shareholders, partners, members, or other equity holders of Contractor may transfer, sell exchange, assign, or divest themselves of any interest they may have therein. However, in the event any such sale, transfer, exchange. assignment, or divestment is effected in such a way as to give majority control of Contractor to any person(s), corporation, partnership, or legal entity other than the majority controlling interest therein at the time of execution of the Agreement, such disposition is an assignment requiring the prior written consent of County in accordance with applicable provisions of this Agreement.

C. Any assumption, assignment, delegation, or takeover of any of the Contractor's duties, responsibilities, obligations, or performance of same by any entity other than the Contractor, whether through assignment, subcontract, delegation, merger, buyout, or any other mechanism, with or without consideration for any reason whatsoever without county's express prior written approval, shall be a material breach of the Agreement which may result in the termination of the Agreement. In the event of such termination, County shall be entitled to pursue the same remedies against Contractor as it could pursue in the event of default by Contractor.

EXHIBIT A

MA-IS-1740313 CONTRACT AGREEMENT PRICING
2017-2020
MOTOROLA COMMUNICATIONS EQUIPMENT & SERVICES

Motorola products & services discount percentages is listed below

Pricing for products & services listed below is located in Motorola Product Catalog (ECAT)

Pricing shall be in accordance with Motorola Product Catalog (ECAT) and any subsequent revisions and updates

New Products released between contract renewals will be offered to the County with prevailing discounts. Motorola will revise Exhibit A to included the new products

MOTOROLA PRODUCTS	2017- 2020 DISCOUNT
APX Personnel Accountability	
APX Personnel Accountability Information	
ASTRO 25 Infrastructure and Systems	
Master Site	14.00%
Master Site ASTRO 7.5 Upgrade Add-On	14.00%
Master Site ASTRO 7.6 Upgrade Add-On	14.00%
Master Site ASTRO 7.7 Upgrade Add-On	14.00%
Master Site ASTRO 7.8 Upgrade Add-On	14.00%
Master Site ASTRO 7.9 Upgrade Add-On	14.00%
Master Site ASTRO 7.11	14.00%
Master Site ASTRO 7.11 Upgrade Add-On	14.00%
Master Site ASTRO 7.13	14.00%
Master Site ASTRO 7.13 Upgrade Add-On	14.00%
Master Site ASTRO 7.14 New	14.00%
Master Site ASTRO 7.14 Upg/Add	14.00%
Master Site ASTRO 7.15 New Add-On	14.00%
Master Site ASTRO 7.15 Upgrade	14.00%
ASTRO 25 Conventional K1/K2	14.00%
ASTRO 25 Conventional K1/K2 7.13 Core	14.00%
ASTRO 25 Conventional K1/K2 7.13 Upgrade Add-On	14.00%

ASTRO 25 Conventional K1/K2 A7.14 Core	14.00%
ASTRO 25 Conventional K1/K2 A7.14 Upgrade Add-On	14.00%
ASTRO 25 Conventional 7.15 K-Core	14.00%
ASTRO 25 Conventional A7.15 K- Core Upgrade Add-On	14.00%
ASTRO 25 Trunking L1/L2 Core	14.00%
ASTRO 25 Trunking L1/L2 7.13 Core	14.00%
ASTRO 25 Trunking L1/L2 7.13 Upgrade Add-On	14.00%
ASTRO 25 Trunking L1/L2 7.14 Core	14.00%
ASTRO 25 Trunking L1/L2 7.14 Upgrade Add-On	14.00%
ASTRO 25 Trunking 7.15 L-Core	14.00%
ASTRO 25 Trunking 7.15 L-Core Upgrade Add-On	14.00%
Packet Data Gateway	14.00%
Packet Data Gateway (Rackmount-server based)	14.00%
Packet Data Gateway (HPD)	14.00%
High Performance Data Packet Data Gateway	14.00%
Enhanced Telephone Interconnect	14.00%
Network Fault Management	14.00%
GenWatch3 ATIA Based Solutions	14.00%
Remote Site	
Site Controllers	
MTC 9600	14.00%
PSC 9600	14.00%
GCP 8000	18.00%
GCP 8000 Software Upgrades	20.00%
Comparators	
GCM 8000	15.00%
DIGITAC	15.00%
Base Stations / Repeaters	
GTR 8000 Expandable Site Subsystem	20.00%
GTR 8000 Base Radio	20.00%
GTR 8000 Site Subsystem	20.00%
GTR 8000 Expandable Site Subsystem Chan Addition	20.00%
GTR 8000 Software Upgrades	20.00%
G-SERIES Hardware Upgrades	20.00%
QUANTAR	25.00%
QUANTAR High Power Boost Amplifier	25.00%
QUANTAR 6809 Trunking	25.00%
QUANTAR Intellirepeater Trunking	25.00%
QUANTAR Conventional Operations	25.00%
QUANTAR Cabinet and Rack Options	25.00%

QUANTAR General Options	25.00%
QUANTAR Kits and Accessories	25.00%
Receivers	
GPW 8000	25.00%
ASTRO-TAC Receiver	25.00%
SmartX	
Networking and Transport	
Network Security ASTRO 7x Systems	15.00%
Switching and Routing Center	15.00%
Network Products LAN Switches / HUBS Models	15.00%
Network Products Routers / Gateways	15.00%
Network Products Terminal Servers	15.00%
Secure Solutions	
ASTRO Digital Interface Unit (DIU)	14.00%
ASTRO DIU FLASHport Upgrade	14.00%
ASTRO DIU CM FLASHport UCM Upgrade	14.00%
ASTRO DIU Encryption Refurbished	14.00%
ASTRO DIU 3000 Refurbished	14.00%
Key Management Facility (KMF)	
KMF (Integrated Trunking & Conventional)	14.00%
KMF Crypto Card FLASHport Upgrades	14.00%
KMF Small Fleet	14.00%
ASTRO 25 PDEG Encryption Unit	14.00%
CAI Data Encryption Module (CDEM)	14.00%
CRYTPR 2 Broadband IP Encryption Unit	14.00%
AME2000	14.00%
MGEG Crypto Card	14.00%
MVPN for APX	14.00%
Interoperability Solutions	
ISSI.1 Network Gateway	5.00%
MOTOBRIDGE IP Interoperable Solution	15.00%
Data Applications	
Location Solutions	
ASTRO 25 Outdoor Location Solution Overview	5.00%
ASTRO 25 GPS Units	5.00%
ASTRO 25 Location APIs	5.00%
Tx Messenger	15.00%
Data Devices	
HPD 1000 Modem	5.00%
HPD 1000 Modem Upgrade	5.00%

Site Equipment	
RF Distribution Best Practices	0.00%
Battery Reverting Charger	10.00%
DC Power Systems	10.00%
Surge Protection Devices (SPDs)	10.00%
UPS	10.00%
Zetron Model 30 Worldpatch	10.00%
Antennas	
Low Band PIM VHF	10.00%
Low Band PIM UHF	10.00%
800 MHz Low PIM	10.00%
Low Band	10.00%
VHF	10.00%
UHF	10.00%
700 MHz	10.00%
800 MHz	10.00%
900 MHz	10.00%
Circulators and Isolators	
UHF	10.00%
Duplexers	
VHF	10.00%
UHF	10.00%
800 MHz	10.00%
900 MHz	10.00%
Filters	
800 MHz	10.00%
Receiver Multicouplers	
VHF	10.00%
UHF	10.00%
800 MHz	10.00%
Transmitters and Combiners	
VHF	10.00%
UHF	10.00%
700 MHz	10.00%
800 MHz	10.00%
Transmission Lines	
Super Flex/Low Density Foam	
1/2" Super Flex	10.00%
1/4" Super Flex	10.00%
3/8" LDF Foam Kits	10.00%

1/2" LDF Foam Kits	10.00%
5/8" LDF Foam Kits	10.00%
7/8" AVA	10.00%
1-1/4 AVA	10.00%
1-5/8" Copper AVA Cable	10.00%
Aluminum Coaxial Cable	
7/8" FXL Aluminum Cable	10.00%
1-5/8" FXL Aluminum Cable	10.00%
7/8" Aluminum	10.00%
1-5/8" Aluminum	10.00%
VXL Flexible Cables	
7/8" Extra Flexible Coaxial Cable	10.00%
1-5/8" Extra Flexible Coaxial Cable	10.00%
1-1/4" Extra Flexible Coaxial Cable	10.00%
AirCell Cables	
1/2" Transline Cable	10.00%
7/8" Transline Cable	10.00%
1-1/4" Transline Cable	10.00%
1-5/8" Transline Cable	10.00%
1/2" Radiating Cable	10.00%
7/8" Radiating Cable	10.00%
1-1/4" Radiating Cable	10.00%
1-5/8" Radiating Cable	10.00%
Conventional Simulcast Controller	20.00%
Rapid Deployment Infrastructure	15.00%
Advanced Messaging Solution	
A1, A2, A3 Configurations	5.00%
Battery Monitoring	10.00%
Comparators	
GCM 8000 Comparator	20.00%
ASTRO-TAC 3000 Comparator	20.00%
ASTRO-TAC 9600 Comparator	25.00%
DIGITAC Comparator	15.00%
MLC 8000 Comparator	20.00%
Data Applications & Video Solutions	
MVX1000 In-Car Digital Video System	
MVX1000 In-Car Digital Video System	0.00%
MVX1000 Digital Multimedia Mgmt System (DMMS)	0.00%
VIEVU LE3 On Body Camera	5.00%
Digital Patroller 2 (DP-2)	

DP-2 In-Car Products	0.00%
DP-2 Video Management System (Server)	0.00%
Automatic License Plate Recognition	5.00%
ALT1000 ALPR SURVEILLANCE TRAILER	5.00%
Fixed Automatic License Plate Recognition	5.00%
Intelligent Data Portal	5.00%
Optimized Video Security	
Optimized Video Security Portfolio	0.00%
Mesh Camera Solutions	0.00%
Public Safety Applications	0.00%
RadioIP	0.00%
RIC	0.00%
Real Time Video Intelligence (RTVI)	0.00%
Real Time Crime Center (RTCC)	0.00%
Tx Messenger	0.00%
Data Devices	
Rugged Mobile Computing Devices (ML and MW)	
MW810 Mobile Workstation R2.0 (F5218)	0.00%
MW810 Mobile Workstation (F5208)	0.00%
ML910 Rugged Notebook Computer (Core Duo 1.66 GHz)	0.00%
Vehicular Radio Modem (VRM)	
Vehicular Radio Modem 850	0.00%
Dispatch Solutions	
Dispatch Computer Hardware	15.00%
Logging Solutions	
Dual Instant Recall Recorder	5.00%
MCC 7500 IP Logging Recorder Products	5.00%
NICE Inform	5.00%
HDL Plus	5.00%
NICE NRX	5.00%
Verint Recording Solutions	15.00%
MC Series Desktop Controllers	15.00%
MCC 5500 Dispatch Console	10.00%
MCD 5000 Deskset System	20.00%
MIP 5000 IP Dispatch Console	20.00%
MKM 7000 Console Alias Manager	15.00%
Monitoring and Control Network	10.00%
Motorola MCC 7100 Dispatch Position	15.00%
Motorola MCC 7500 Products	
MCC Series Accessories	15.00%

MCC 7500 Dispatch Consoles	15.00%
MCC 7500 Archiving Interface Servers	15.00%
MCC 7500 IP Logging Recorder Products	10.00%
MCC 7500 Conventional Channel Items	15.00%
MCC 7500 Aux I/O Items	10.00%
Servers, Workstations, OS and Ancillary Items	
Digital Conventional Systems	
IP Based Digital Conventional Systems	15.00%
Encoders	
Information Only	
Enterprise Applications	
Information Only	
Fire Station Alerting	
FSA4000	15.00%
MACH Alert	15.00%
Fireground Solutions	
Information Only	
800MHz Simplex Operation - Frequency Translator	10.00%
Fixed Data Products	
Fixed Data General Information	
IRM 1500	5.00%
ACE 1000 RTU	5.00%
ACE 3600 RTU	5.00%
ACE Product Licenses	5.00%
MOSCAD RTU	15.00%
MOSCAD-L RTU	0.00%
MOSCAD-M RTU	0.00%
MOSCAD Toolbox	18.00%
IP Gateways & M-OPC	18.00%
Network Fault Management	18.00%
MDS Data Radios	15.00%
Fixed Network Equipment	
Motorola Wireless Communication Sfwr II (MWCS II)	15.00%
MOTOBRIDGE IP Interoperable Solution	15.00%
MOTOMESH Quattro	0.00%
MOTOMESH Extension	0.00%
MOTOMESH Duo	0.00%
MOTOMESH Solo	0.00%
Private Data Systems Software Subscriptions	0.00%
Wireless Network Gateway - Rackmount Server-Based	15.00%

High Performance Data Packet Data Gateway	15.00%
WDE1000 2.4/4.9 802.11 PCMCIA Card	0.00%
Fixed Stations	
CDR700/CDR500 Repeaters	
QUANTAR	
ASTRO-TAC Receiver25	25.00%
QUANTAR	25.00%
6809 Trunking	25.00%
Conventional Operations	25.00%
Cabinets and Racks Options	25.00%
General Options	25.00%
INTELLIREPEATER Trunking	25.00%
Kits and Accessories Options	25.00%
MTR2000 MOTOTRBO UPGRADE	25.00%
MTR3000	25.00%
GTR 8000 Expandable Site Subsystem	20.00%
GTR 8000 Base Radio	20.00%
GTR 8000 Site Subsystem	20.00%
GTR 8000 AND GCP 8000 SOFTWARE UPGRADE	20.00%
GTR 8000 EXPANDABLE SITE SUBSYSTEM CHAN ADDITION	20.00%
G-series Hardware Upgrades	
Fixed Station Antenna Systems	
Single Side Band	
Single Side Band Antennas	10.00%
Transmission Lines	
Super Flex/Low Density Foam	
Transmission Line Info	10.00%
1/4" Super Flex	10.00%
1/2" Super Flex	10.00%
3/8" LDF Foam Kits	10.00%
1/2" LDF Foam Kits	10.00%
5/8" LDF Foam Kits	10.00%
7/8" AVA	10.00%
1-1/4 AVA	10.00%
1-5/8 AVA	10.00%
ALUMINUM COAXIAL CABLE	
7/8" FXL Aluminum Cable	10.00%
1-5/8" FXL Aluminum Cable	10.00%
7/8 ALUMINUM	10.00%
1 5/8 ALUMINUM	10.00%

VXL FLEXIBLE CABLES	10.00%
7/8" Extra Flexible Coaxial Cable	10.00%
1-5/8" Extra Flexible Coaxial Cable	10.00%
1-1/4" Extra Flexible Coaxial Cable	10.00%
AirCell Cables	
1/2" Transline Cable	10.00%
7/8" Transline Cable	10.00%
1-1/4" Transline Cable	10.00%
1-5/8" Transline Cable	10.00%
1/2" Radiating Cable	10.00%
7/8" Radiating Cable	10.00%
1-1/4" Radiating Cable	10.00%
1-5/8" Radiating Cable	10.00%
Fixed Wireless (Broadband)	
RF Design Software	
EnterprisePlanner	0.00%
SiteScanner	0.00%
LANPlanner	0.00%
MeshPlanner	0.00%
Private Broadband Networks	0.00%
One Point Wireless	0.00%
PTP (Point to Point)	0.00%
RAD Data Products	0.00%
PMP (Point to Multipoint)	0.00%
Wireless LAN	15.00%
Location Solutions	
TRX Indoor Location	15.00%
ASTRO 25 Outdoor Location Solution Overview	15.00%
ASTRO 25 GPS Units	15.00%
ASTRO 25 Location APIs	15.00%
Military	
APX7000L LTE	25.00%
SRX 2200 UHFR1	0.00%
SRX 2200 VHF	0.00%
SRX 2200 700/800	0.00%
Mobile Stations	
Professional Commercial Radio (PCR) Information (Pricing in MOL)	
MOTOTRBO™ Mobiles	
XPR™ 2500	10.00%
XPR™ 4350	10.00%

XPR™ 4550	10.00%
XPR™ 4580 SmartNet/Privacy Plus	10.00%
XPR™ 4380/4580 Digital	10.00%
XPR™ 5350/5380	10.00%
XPR™ 5550/5580	10.00%
XPR™ 8380/8400	10.00%
MOTOTRBO Mobile Accessories	10.00%
ASTRO Digital APX 8500 Mobile Radios	
APX8500 Mobile Radio	27.00%
APX8500 Consolette	00.00%
ASTRO Digital APX 7500 Mobile Radios	
APX7500 Mobile Radio	27.00%
APX 7500 Consolette	27.00%
ASTRO Digital APX 6500 Mobile Radios	
APX 6500 Mobile Radio	27.00%
APX 6500Li	
APX 6500Li	27.00%
APX 4500	
APX 4500	27.00%
APX Retrofit Kits	
APX1500	
APX1500	27.00%
DIGITAL VEHICULAR REPEATER	
DIGITAL VEHICULAR REPEATER UHF	15.00%
DIGITAL VEHICULAR REPEATER 800	15.00%
DIGITAL VEHICULAR REPEATER 700	15.00%
DIGITAL VEHICULAR REPEATER VHF	15.00%
VRX1000 - VEHICLE RADIO EXTENDER	15.00%
PCRM	
PM1500	
VHF Models	10.00%
UHF Models	10.00%
CPS Programming Cables Information	
Interoperability Solutions	
ISSI.1 Network Gateway	5.00%
ISSI 8000 / CSSI 8000 Network Gateway	5.00%
Motobridge	15.00%
WAVE 5000	5.00%

Mobile Accessories	
Mini Mag Antennas	20.00%
Parts Antennas	20.00%
Network Security (IA)	
Network Security-IA (7.14 and prior)	15.00%
Network Security-IA (7.15 and beyond)	15.00%
Networking Products	
Switching and Routing Center (7.13 and beyond)	15.00%
Modems and Modem Cards	15.00%
Network Products Routers/Gateways	15.00%
Network Products Channel Banks	15.00%
Network Products Digital Cross Connect Switches	15.00%
Network Products LAN Switches / HUBS Models	15.00%
Network Products Terminal Servers	0.00%
Network Products Time and Frequency	0.00%
Network Products WAN Switches	15.00%
PCR Paging	
Professional Commercial Radio (PCR) Information (Pricing in MOL)	
Minitor VI	10.00%
PassPort and LTR Infrastucture	
TRIDENT Information	
Programming over P25 (POP25)	
POP25 information	
Public Safety LTE	
User Equipment (UE)	
USB Modem	15.00%
VSM - Vehicular Subscriber Modem	15.00%
LEX-L10G	5.00%
LTE SIM Card	15.00%
LTE VML750	15.00%
LEX-F10	15.00%
LEX-L11	15.00%
Networking & Transport	
EPC DNS/DHCP Appliance/NTP Server	5.00%
eNodeB L2 Switch (AC/DC Power)	5.00%
PTT L2/L3 Switch (AC Power)	5.00%
L2/L3 Aggregation Switch/Router (copper)	5.00%
Core MLX-4E	5.00%
L2/L3 Aggregation Switch/Router (fiber)	5.00%
L2/L3 Remote EPG Switch (fiber)	5.00%

L2/L3 Remote EPG Switch (copper)	5.00%
Core CES2048X	5.00%
Security	
Firewall Manager	5.00%
Core / EPC Firewall	5.00%
Agency and Regional Applications Firewall	5.00%
MSI Mobile VPN	14.00%
Mobile Virtual Private Network - MVPN	5.00%
Radio Access Network	
Site Ancillary	5.00%
Antenna System	5.00%
eNodeB Band Class 14	5.00%
eNodeB Band Class 20	5.00%
RF Site Battery Backup System	5.00%
eNodeB Band Class 28	5.00%
Enhanced Packet Core	
Converged Packet Gateway – CPG	5.00%
Subscriber & Policy Manager – SPM	5.00%
Mobility Management Equipment - MME	5.00%
Home Subscriber Service (HSS)	5.00%
Evolved Packet Gateway (EPG)	5.00%
Diameter Routing Agent – DRA	5.00%
Policy and Charging Rules Function - PCRF	5.00%
Operations & Maintenance	5.00%
Device Management Solutions	5.00%
Operations Support Platform	5.00%
Operations Support System for Radio & Core-OSSRC	5.00%
Application	
Real Time Video Intelligence – RTVI	0.00%
Priority Management – PM	0.00%
Emergency Button / Quick Action Button	0.00%
Location Services	0.00%
Presence Services	0.00%
Radio Services / Radio Remote Control	0.00%
Public Safety PTT	
Public Safety Push To Talk (PTT)	0.00%
Public Safety Push To Talk - PTT Server	0.00%
Public Safety LTE PTT Gateway	0.00%

Portable Radiophones	
Professional Commercial Radio (PCR) Information (Pricing in MOL)	
MOTOTRBO™ Portables	
XPR™ 3300	10.00%
XPR™ 3500	10.00%
XPR™ 6350	10.00%
XPR™ 6550	10.00%
XPR™ 6380/6580 SmartNet/Privacy Plus	10.00%
XPR™ 6380/6580 Digital	10.00%
XPR™ 7350/7380	10.00%
XPR™ 7550/7580	10.00%
SL 7550/7580/7590	10.00%
MOTOTRBO Portable Accessories	10.00%
APX 8000	
APX 8000	27.00%
APX 8000 Accessories	20.00%
APX 8000XE	
APX 8000XE	27.00%
APX 8000XE Accessories	20.00%
APX 7000	
APX 7000	27.00%
APX 7000 Accessories	20.00%
APX 7000XE	
APX 7000XE	27.00%
APX 7000XE Accessories	20.00%
APX 6000	
APX 6000 700/800 MHz	27.00%
APX 6000 VHF	27.00%
APX 6000 UHF	27.00%
APX 6000 Accessories	20.00%
APX 6000XE	
APX 6000XE 700/800 MHz	27.00%
APX 6000XE VHF	27.00%
APX 6000XE UHF	27.00%
APX 6000XE Accessories	20.00%
APX 6000Li	
APX6000Li 700/800	27.00%

APX6000Li UHF	27.00%
APX6000Li VHF	27.00%
APX6000Li Accessories	20.00%
APX 4000	
APX 4000 700/800	27.00%
APX 4000 VHF	27.00%
APX 4000 UHF	27.00%
APX 4000 900 MHz	27.00%
APX 4000 Accessories	20.00%
APX 3000	
APX 3000 700/800	27.00%
APX 3000 VHF	27.00%
APX 3000 UHF R1	27.00%
APX 3000 UHF R2	27.00%
APX 3000 Accessories	20.00%
APX1000	
APX1000 700/800MHz	27.00%
APX1000 UHF	27.00%
APX1000VHF	27.00%
APX1000 900 MHz	27.00%
TRX Indoor Location	
TRX Indoor Location	0.00%
XTS 5000 ACCESSORIES ONLY	
XTS 5000 700/800 ACCESSORIES ONLY	15.00%
XTS 5000 VHF ACCESSORIES ONLY	15.00%
XTS 5000 UHF ACCESSORIES ONLY	15.00%
ASTRO Digital XTS 2500 ACCESSORIES ONLY	
XTS 2500 700/800 MHz ACCESSORIES ONLY	15.00%
XTS 2500 900 MHz ACCESSORIES ONLY	15.00%
XTS 2500 VHF ACCESSORIES ONLY	15.00%
XTS 2500 UHF ACCESSORIES ONLY	15.00%
ASTRO Digital XTS 1500 ACCESSORIES ONLY	
XTS1500 900 MHz ACCESSORIES ONLY	15.00%
XTS 1500 700/800 MHz ACCESSORIES ONLY	15.00%
XTS 1500 VHF ACCESORIES ONLY	15.00%
XTS 1500 UHF ACCESSORIES ONLY	15.00%
MT 1500 ACCESSORIES ONLY	
MT 1500 800 MHz ACCESSORIES ONLY	15.00%
MT 1500 VHF ACCESSORIES ONLY	15.00%
MT 1500 UHF ACCESSORIES ONLY	15.00%

XTS 4000 ACCESSORIES ONLY	
XTS4000 VHF ACCESSORIES ONLY	15.00%
XTS4000 UHF R1 ACCESSORIES ONLY	15.00%
MTVA & XTVA Accessories	
Mobile Vehicular Adapter (MTVA)	20.00%
XTS Vehicular Adapter (XTVA)	20.00%
APX Transportable Base Station	22.00%
PR1500	
PR1500 VHF	10.00%
PR1500 UHF	10.00%
Radio Applications	
Pop25 for Trunking and Conventional Information	
Presence Notifier Application Information	
Advanced System Key	20.00%
Radioware Solutions	
TX Application Software	0.00%
Receivers	
GPW 8000 Receiver	20.00%
ASTRO TAC Receivers	0.00%
MTR 3000 Analog Receivers	25.00%
Secure Solutions	
Key Variable Loader (KVL)	
KVL 3000 Plus FLASHport Upgrade	14.00%
KVL 4000	14.00%
KVL 4000 FLASHport	14.00%
VPN	
PSLTE VPN	14.00%
Services Solutions	
Service Solutions Information	
SmartX	
SmartX	14.00%
APX Programming Software	
APX Radio Management	20.00%
Software Upgrades/FLASHport	
Lifecycle Products	
Software Maintenance Agreement (SMA)	0.00%
System Upgrade Agreement (SUA)	0.00%
Infrastructure Software Upgrades/FLASHport	
ASTRO-TAC FLASHport & Upgrades	20.00%
ASTRO-TAC Receiver Conventional Upgrades	20.00%

ASTRO-TAC Receiver Trunked Upgrade	20.00%
ASTRO-TAC & ASTRO-TAC 3000 FLASHport Upgrades	20.00%
QUANTAR Software & Hardware Upgrade	20.00%
Software Upgrades/FLASHport	20.00%
Software & Hardware Upgrades/FLASHport	20.00%
STR 3000 FLASHport	20.00%
Programming Software	
Customer Programming Software	0.00%
Radio Service Software	0.00%
Subscriber Software Upgrades/FLASHport	
MT 1500 SW FLASH	20.00%
XTS 1500 SW FLASH	20.00%
XTL 1500 SW FLASH	20.00%
XTS 2500 SW FLASH	20.00%
XTL 2500 SW FLASH	20.00%
XTL 5000 & Consolette SW FLASH	20.00%
XTS 5000 SW FLASH	20.00%
XTS/XTL New UCM KVL3000PLUS FLASH	20.00%
XTL/XTS5000, 2500, Consolett UCM KVL3000PLUS FLASH	20.00%
APX 7500 & Consolette SW FLASH	20.00%
APX 7000 SW FLASH	20.00%
APX 6500 SW FLASH	20.00%
APX 6500Li SW FLASH	20.00%
APX 6000 & APX 6000XE SW FLASH	20.00%
APX 6000Li SW FLASH	20.00%
APX 4000 SW FLASH	20.00%
APX 4500 SW FLASH	20.00%
APX Mobile/Portable MACE KVL4000 FLASH	20.00%
APX 3000 SW FLASH	20.00%
APX Mobile/Portable MACE KVL3000PLUS FLASH	20.00%
APX Mobile and Portable Firmware Refresh	20.00%
SRX 2200 SW FLASH	20.00%
Telephone Interconnect	
Zetron Model 30 Worldpatch	10.00%
Enhanced Telephone Interconnect	14.00%
Text Messaging Services Solution	
Text Messaging Services Solution	5.00%
Trunking Products and Systems	
MTC 3600	
MTC 3600 SMARTNET Single Site Controller	14.00%

MTC 3600 SMARTNET Simulcast Prime	14.00%
MTC 3600 SMARTNET Remote Site Controller	14.00%
MTC 3600 SmartZone Simulcast Prime Site	14.00%
MTC 3600 SmartZone ReSC	14.00%
MTC 3600 SmartZone Remote (Non-Simulcast)	14.00%
MTC 3600 Upgrades	14.00%
SmartZone Network Management & Controllers	
4.1 Network Management System Upgrades	14.00%
MZC 5000 Zone Controller	14.00%
Simulcast Miscellaneous	14.00%
RF Modems for Site Lens/System Watch	0.00%
Site Lens	0.00%
Genesis	
GenWatch3 Over The Air Based Solutions	15.00%
GenWatch3 ATIA Based Solutions	15.00%
SystemWatch II 3600 on XP	0.00%
Unified Network Services (UNS)	
UNS	0.00%
UNS Expansions and Upgrades	0.00%
MotoMapping	0.00%
Replacement Parts, Radio Accessories, Batteries, Kits, and Programming Tools	
Contact Motorola Parts & Accessories Department (800 422 4210) for price quotes.	20.00%
Non-Motorola Mfg. Items - Supply Chain Commodities	
To order non manufactured items to support radio products listed in Exhibit A discounts will be applied based on the following APC Codes 131, 207, 229, 417, 457, 515, 557, 708, 740, 854	15.00%
Frieght/Shipping Charges - Details	
1) Orders placed through the Motorola Parts & Accessories Department will ship FOB destination, UPS ground. **2) Orders placed for radio and factory/manufactured items shall be charged at 1.25% of the equipment total and added to the price quote.** **3) Expedited shipments via air (FedEx etc.) when requested by County shall be at County expense.**	

CITY OF HEMET
Hemet, California
RESOLUTION NO. 2021-XXX

A RESOLUTION AWARDING A CONTRACT TO PURCHASE 6 MOTOROLA MCC7500E DISPATCH CONSOLES, SUPPORTING EQUIPMENT, AND WARRANTY TO MOTOROLA SOLUTIONS IN AN AMOUNT NOT TO EXCEED $1,351,096.80 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND PURCHASE ORDERS IN SUPPORT OF THE AGREEMENT.

WHEREAS, the City of Hemet has maintained a public safety radio system for many decades.

WHEREAS, the current public radio system is end of life and experiencing multiple system failures resulting in radio down time for public safety departments.

WHEREAS, a fully functional radio system is essential to delivering public safety services to the residents of the City of Hemet.

WHEREAS, the City of Hemet Police and Fire Departments assessed radio system options and found that the Riverside County Public Enterprise Communication System (PSEC) offered the best option to replace the current radio system.

WHEREAS, the Motorola Solutions MCC 7500 series consoles are the only radio consoles permitted on the PSEC radio system by the County of Riverside.

WHEREAS, staff requests the City Council authorize the City Manager to execute the Agreement to acquire 6 MCC 7500e radio consoles from Motorola Solutions and purchase orders in support of the Agreement.

NOW, THERFORE, THE CITY COUNCIL OF THE CITY OF HEMET DOES HEREBY FIND AND RESOLVE: that the City Council approve the award of a contract to Motorola Solutions in an amount not to exceed $1,351,096.80 for 6

MCC 7500e radio consoles with a 10-year extended warranty and authorize the City Manager to execute the Agreement and purchase orders in support of the Agreement.

PASSED, APPROVED AND ADOPTED this ___ day of _____ 2021.

_____
Karlee Meyer, Mayor

ATTEST:

_____
Daryl Betancur, City Clerk

State of California)
County of Riverside)
City of Hemet)

I, Daryl Betancur, City Clerk of the City of Hemet, do hereby certify that the foregoing resolution was adopted by the Hemet City Council on the ___ day of _____, 2021, and was passed by the following vote:

AYES: Council Members:
NOES: Council Member:
ABSTAIN: Council Member:
ABSENT: Council Member:

_____
Daryl Betancur, City Clerk

EXHIBIT A

City of Hemet
City Council Meeting

STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Administration
Submitted by: Christopher Lopez, City Manager
Ericka Murphy, Executive Analyst;

☐ **Receive and File** ☐ **Consent Calendar** ☒ **Business Item** ☐ **Public Hearing**

TITLE:

Novel Coronavirus (COVID-19) Emergency Declaration Update

RECOMMENDED ACTION:

That the City Council receive the following information.

BACKGROUND:

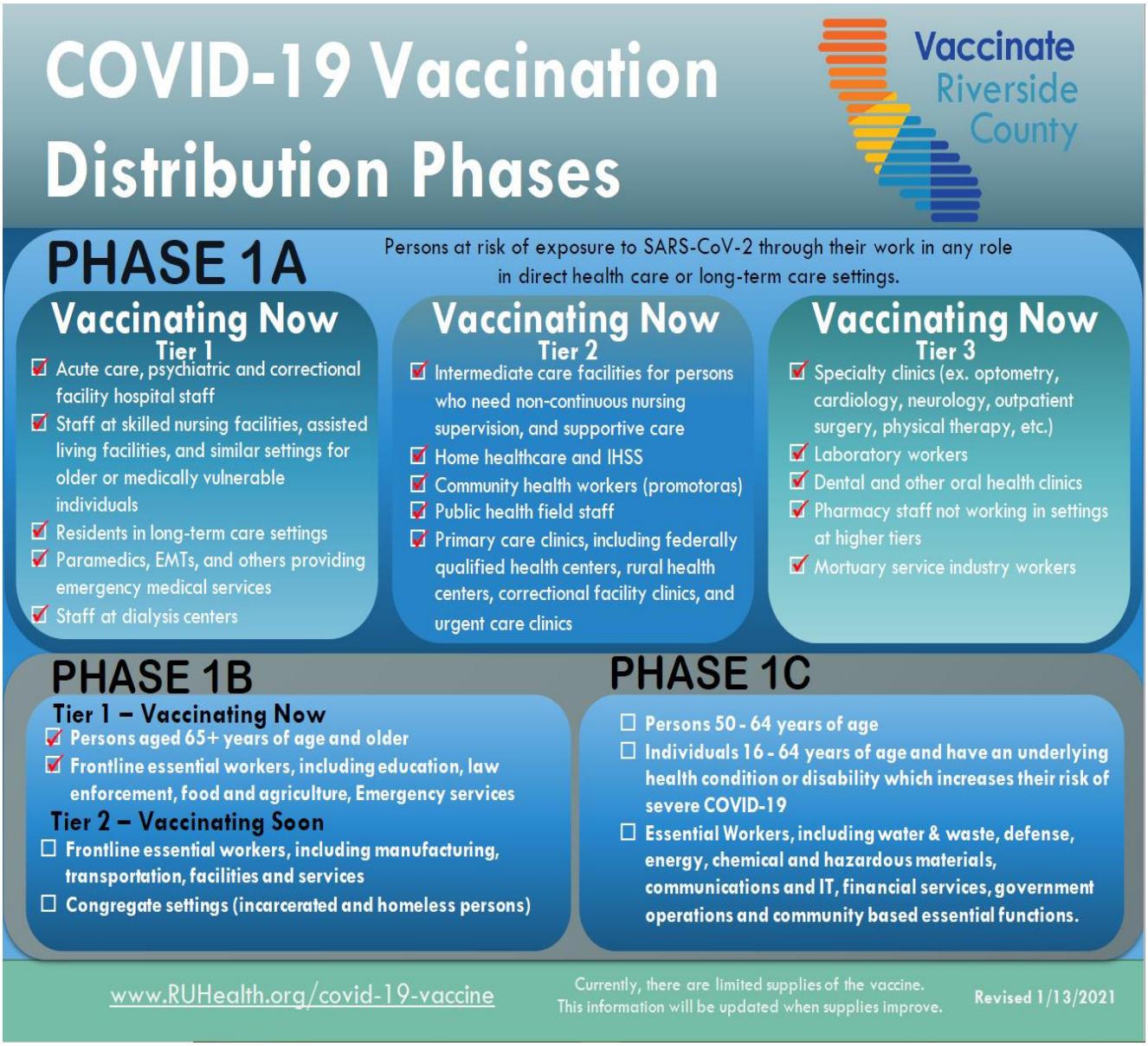
At the March 16, 2020 Emergency Meeting of the City Council, staff was directed to maintain an ongoing agenda item for the COVID-19 Emergency Declaration. This report is intended to provide the Council with updates on the efforts made towards mitigating impacts to the community.

The Council has reviewed and considered the continued existence of the COVID-19 emergency situation at every Council Meeting since adoption, and has not taken any action to rescind the resolution.

DISCUSSION:

As mandates change, staff continues to cooperate with businesses, senior care facilities, and community members to ensure their needs are met.

Vaccinations continue in the preliminary distribution phases and City staff who have expressed interest in receiving a vaccine were provided information on accessing it. The distribution phases are charted below.



The City's website and social media pages continue to be monitored for questions and updated periodically.

Members of the public continue to be encouraged to get tested, and remain vigilant in following recommendations surrounding hand washing and social distancing.

FISCAL IMPACT:

There is no fiscal impact associated with this update.

REVIEWED BY LEGAL:

☒ Staff report ☐ Resolution
☐ Ordinance ☐ Agreement

City of Hemet
City Council Meeting
STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Finance
Submitted by: Christopher Lopez, City Manager
Lorena Rocha, Finance Director;

☐ **Receive and File** ☐ **Consent Calendar** ☒ **Business Item** ☐ **Public Hearing**

TITLE:

2nd Quarter Fiscal Year 2020/2021 Budget Update and Mid-Year Review

RECOMMENDED ACTION:

1. Receive and File the 2nd Quarter FY2020/2021 Budget Report.
2. Adopt a Resolution Amending the Budget and Approving Appropriations for FY2020/2021.

BACKGROUND:

It is considered a best practice to review the annual budget on an ongoing basis to ensure the fiscal integrity of all City of Hemet operations. Since the Fiscal Year 2020-21 Budget was adopted on June 24, 2020, quarterly reports have been presented to the City Council in an effort to enhance transparency regarding the fiscal position of the City.

ANALYSIS:

Fiscal year 2020-2021 quarterly budget activity reports reflect unaudited revenue and expenditure activity through December 31, 2020 for all funds.

It is important to note some enhancements made to the report in an effort to provide greater transparency. The adjusted budget amounts listed previously only included the total adjusted budget. The attached report now breaks down the budgeted items into five columns:

- Original Council Approved Budget
- Purchase Order Carryovers from prior year for items already under contract and previously approved by Council (See Attachment 3 for detail)
- Continuing Appropriations: These are projects that were previously approved by Council in a prior Budget year, but not yet completed. (See Attachment 4 for detail)
- Council Approved Amendments throughout the Fiscal Year

- Total Amended Budget

Section 3 of the Annual Budget Resolution states the following:

> At the close of the fiscal year, unexpended appropriations in the operating budget will be encumbered as necessary to underwrite the expense of the outstanding purchase commitments. Unexpended appropriations for authorized but uncompleted projects as approved by City Council may be carried forward to the next succeeding budget upon approval of the City Manager.

This section of the Budget Resolution has been the basis for Continuing Appropriations in past fiscal years. Staff is working on an updated policy that would require Continuing Appropriations to be brought forward to Council for final approval prior to carrying over any previously budgeted projects.

One final change made to this report is the addition of a column titled: Projected Year End Expenditures." This column was added as an estimate of where departments are expected to end the fiscal year. Since we are 50% of the way through the year, the projections are estimated assuming current expenditures will double by year end. As the year is closer to ending, each Department Head will analyze their department needs and provide more realistic year end projections based on what projects are in the works and what may not be completed prior to year end.

DISCUSSION:

The General Fund (excluding Measure U) has collected 37% of revenues budgeted through the end of the second quarter, while the General Fund (Measure U) has collected 44% of revenues budgeted. This amount is typical as the majority of General Fund revenues collected through property taxes are received in the second half of the fiscal year and sales tax revenues are generally received two months in arrears. General Fund (excluding Measure U) expenditures are running slightly under budget through the end of the second quarter at 46.9% mainly due to vacancies in budgeted positions. General Fund (Measure U) expenditures were also under budget, at 44.4% due to one-time equipment purchases that have not been completed.

With several CIP projects planned, but not completed, the Water Fund has spent 25% of its annual budget.

At Mid-Year, a review is completed to ensure Departments have what they need to complete the Fiscal Year with adequate funding to continue to serve the Residents of Hemet.

For FY2020-2021, the following Mid-Year Appropriation Amendments are proposed (See Attachment A):

EXPENDITURE ADJUSTMENTS

Department/Operation	FY20/21 Approved Budget	FY20/21 Proposed Amended	Adjustment Requested
City Manager's Office	$1,022,600	$1,031,700	$9,100
City Clerk's Office	$360,300	$426,600	$66,300
Community Development (Building)	$1,122,200	$1,257,200	$35,000

Community Development (Planning)	$1,047,600	$1,297,600	$250,000
Public Works/Engineering	$1,024,100	$1,119,200	$95,100
Public Works Admin	$980,100	$990,400	$10,300
Measure U	$8,576,000	$9,091,700	$515,700
		Total:	$981,500

General Fund

- City Manager's Office: It is proposed to remove the Office Specialist-Confidential position and add the Executive Assistant position to reflect the responsibilities completed by the incumbent.
- City Clerk's Office: It is proposed to add the position of Deputy City Clerk back to this operation. This position was removed as of July 1, 2020.
- Also in the City Clerk's Office, it is proposed to increase the budget for salary/benefits for the City Clerk position.
- The Building Division has experienced an increase in plan submissions and needs additional funding for contract plan check.
- The Planning Division is required to complete 3 updates to the Housing element of the General Plan and needs $250,000 to complete these updates. Planning has applied for a grant which would offset costs 100% should the City be awarded the grant. Budget must be established to accommodate the plan.
- City Engineer/Public Works: It is proposed to increase the budget for salary/benefits for the City Engineer/Public Works Director position.
- Development Engineering: It is proposed to increase Professional Services by $90,000 to accommodate increase in plans submitted for review. This increase will be offset by an increase in Engineering plan check revenues.
- Police: There is a need to purchase 5 Motorcycles for Police Officer use
- Police: There is a need to increase the proposed budget for the Radio project

General Fund revenues are projected to end higher then expected due to early signs of a COVID recovery with respect to Sales Tax and Measure U Transactions tax reports. City Staff recently met with HDL and projection for Property Taxes have also been amended based on HDL reports.

In Community Development, the increase in Development within the City supports an increase in revenue projections for Planning and Engineering.

Some revenues are projected to decrease due to continued closures of City Facilities such as the Library.

Overall, there is a proposed increase in General Fund Revenues of $1.8 million with an additional increase of nearly $700,000 in Measure U Revenues.

REVENUE ADJUSTMENTS (See Attachment A)

Revenue Categories	**FY20/21 Approved Budget**	**FY20/21 Proposed Amended**	**Adjustment Requested**
Sales Taxes	$11,785,300	$12,700,200	$914,900
Measure U	$10,305,000	$11,000,000	$695,000

Property Taxes	$14,098,000	$14,468,000	$370,000
Other Taxes	$6,536,800	$6,528,957	($7,843)
Fines & Forfeitures	$85,500	$112,100	$26,600
Use of Money and Property	$262,000	$254,500	($7,500)
Intergovernmental Revenues	$702,000	$1,057,160	$355,160
Charges for Services	$437,600	$397,700	($39,900)
Miscellaneous Revenues	$2,327,050	$2,117,452	($209,598)
Community Development/Engineering	$1,550,000	$1,987,929	$437,929
		Total:	$2,534,748

Request for Council Action:

It is recommended that Council:

- Add the Executive Assistant position to the City Manager's Office Budget
- Add the Deputy City Clerk position to the City Clerk's Office Budget
- Increase the City Clerk Salary Range to: $100,739 to $135,000
- Increase the City Engineer/PW Director Salary Range to: $175,000 to $195,000
- Approve the updated salary schedule to reflect the new City Clerk and City Engineer/PW Director salary ranges accordingly
- Increase Budget in Account 120-3300-2610 by $35,000
- Increase Budget in Account 120-1700-2710 by $250,000
- Increase Budget in Account 120-4100-2710 by $90,000
- Increase Budget in Account 110-3101-5400 by $225,000
- Increase Budget in Account 110-3101-5400 by $193,800 and 110-3240-5400 by $96,900
- Approve amended Revenues Projections for Fiscal Year 2020/2021

Other Policy Considerations

The Council approved the use of Measure U reserves to fund general fund public safety obligations in lieu of public safety reductions in the General Fund. With the increase in revenues in the General Fund, Council may want to consider reimbursing the Measure U fund since the City's revenues are coming in higher than projected. This would reimburse the Measure U fund for expenditures already incurred, and would replace the use of fund balance for the remainder of the year.

If Council directs this option, then the staff would bring back an item at a future council meeting authorizing this action.

This action would result in an increase in General Fund expenses, and a higher fund balance in Measure U.

FISCAL IMPACT:

If the Mid-Year Budget Amendment is approved as presented, the increase to General Fund Expenditures will be $455,500 and the increase to General Fund - Measure U expenditures will be $515,700. Non-General Fund expenditures will need to be increased by $10,300.

The proposed amendment will increase General Fund Revenues by $1,839,748 with an increase of $695,000 to General Fund - Measure U.

REVIEWED BY LEGAL:

☒ Staff report ☒ Resolution
☐ Ordinance ☐ Agreement

ATTACHMENT(S):

Q2FY2021 Gen Fund
Q2FY2021 Non-GF
PO Carryovers from FY 19-20
Continuing Appropriations FY1920
Resolution MidYear FY20202021
Attachment A

CITY OF HEMET
GENERAL FUND (EXCLUDING MEASURE U)- REVENUE AND EXPENDITURE REPORT
AS OF DECEMBER 31, 2020

	Initial Budget	Purchase Order Carryovers	Continuing Appropriations	Council Approved Amendments	Adjusted Budget	Year to Date Actual	% of Budget Rcvd / Used	
REVENUE SUMMARY								
GENERAL ADMIN	939,300	-	-	-	939,300	473,502	50.41%	
PROPERTY TAXES (includes VLF)	14,098,000	-	-	-	14,098,000	2,212,620	15.69%	
SALES TAXES	11,785,300	-	-	-	11,785,300	5,418,719	45.98%	
OTHER TAXES & FEES	6,536,800	-	-	-	6,536,800	3,247,385	49.68%	
LICENSES & PERMITS	71,689	-	-	-	71,689	71,663	99.96%	
FINES & FORFEITURES	85,500	-	-	-	85,500	68,427	80.03%	
USE OF MONEY & PROPERTY	262,000	-	-	-	262,000	41,131	15.70%	
INTERGOVERNMENTAL	702,000	-	-	-	702,000	424,538	60.48%	
CHARGES FOR SERVICES	437,600	-	-	-	437,600	161,655	36.94%	
OTHER FINANCING SOURCES	2,327,050	-	-	-	2,327,050	813,250	34.95%	
COMMUNITY DEVELOPMENT	1,550,000	-	310,000	-	1,860,000	1,237,729	66.54%	
Total revenue before transfers	38,795,239				39,105,239	14,170,619	36.24%	
MEASURE U IN SUPPORT OF GF	2,413,066				2,413,066	1,206,534	50.00%	
TRANSFERS IN	225,000				225,000	92,055	40.91%	
TOTAL RESOURCES	41,433,305				41,743,305	15,469,207.52	37.06%	
EXPENDITURE SUMMARY								**Projected Year End Expenditures**
CITY COUNCIL	198,000	-	2,500		200,500	87,942	43.86%	175,884
PEG FEES PROJECTS	-	21,790	529,706		551,496	-	0.00%	0
CITY MANAGER	1,022,600	25,034	-		1,047,634	365,296	34.87%	730,593
CITY CLERK	360,300	-	-		360,300	115,239	31.98%	230,478
FINANCE	1,161,500	44,404	-		1,205,904	565,244	46.87%	1,130,488
CITY TREASURER	32,100	-	-		32,100	15,002	46.74%	30,005
HUMAN RESOURCES	421,000	10,425	-		431,425	152,317	35.31%	304,635
NON-DEPARTMENTAL	122,000	-	-		122,000	-	0.00%	0
POLICE DEPARTMENT	21,359,300	6,696	111,472		21,477,468	10,394,796	48.40%	20,789,592
FIRE DEPARTMENT	9,912,300	31,163	-		9,943,463	5,116,556	51.46%	10,233,112
ANIMAL REGULATION	318,000	-	-		318,000	131,884	41.47%	263,767
PARKS	890,700		-		890,700	472,812	53.08%	945,624
LIBRARY / LITERACY / SIMPSON CTR	1,612,700	19,373	-		1,632,073	706,748	43.30%	1,413,496
PLANNING	1,047,600	74,158	237,070		1,358,828	447,435	32.93%	894,869
HOUSING	-		-		0	-	0.00%	0
BUILDING	1,122,200	41,897	-		1,164,097	516,379	44.36%	1,032,759
CODE COMPLIANCE	819,000	-	-		819,000	305,638	37.32%	611,275
ENGINEERING	1,024,100	8,277			1,032,377	565,418	54.77%	1,130,835
Total expenditures before transfers	41,423,400	283,215	880,749	0	42,587,364	19,958,706	46.87%	39,917,412
TRANSFERS OUT	20,000	-	-	-	20,000	10,002	0.00%	20004
TOTAL USES	41,443,400	283,215	880,749	0	42,607,364	19,968,708	46.87%	39,937,416

CITY OF HEMET
GENERAL FUND (MEASURE U ONLY)- REVENUE AND EXPENDITURE REPORT
AS OF DECEMBER 31, 2020

	Initial Budget	Purchase Order Carryovers	Continuing Appropriations	Council Approved Amendments	Adjusted Budget	Year to Date Actual	% of Budget Rcvd / Used
REVENUE SUMMARY							
MEASURE U	10,305,000	-	-	-	10,305,000	4,538,877	44.05%
Total revenue before transfers	10,305,000	-	-	-	10,305,000	4,538,877	44.05%
TOTAL RESOURCES	10,305,000	-	-	-	10,305,000	4,538,877	44.05%
EXPENDITURE SUMMARY							
POLICE DEPARTMENT (MEASURE U)	5,149,000	67,175	1,199,013		6,415,188	2,586,281	40.31%
FIRE DEPARTMENT (MEASURE U)	3,427,000	111,255	1,488,416		5,026,671	2,354,919	46.85%
Total expenditures before transfers	8,576,000	178,430	2,687,429	0	11,441,859	4,941,200	43.19%
MEASURE U IN SUPPORT OF GF	2,413,066	-	-	-	2,413,066	1,206,534	50.00%
TOTAL USES	10,989,066	178,430	2,687,429	0	13,854,925	6,147,734	44.37%

CITY OF HEMET
NON-GENERAL FUND - REVENUE AND EXPENDITURE REPORT
AS OF DECEMBER 31, 2020

REVENUE SUMMARY

	Initial Budget	Continuing Appropriations	Council Approved Amendments	Adjusted Estimate	Year to Date Actual	% of Budget Remaining
SPECIAL REVENUE FUNDS						
130 PUBLIC SAFETY TOWING	55,600	-	-	55,600	42,242	24.03%
221 GAS TAX	3,089,137	-	-	3,089,137	1,707,657	44.72%
222 MEASURE A	1,562,000	-	-	1,562,000	527,838	66.21%
223 ARTICLE 3 / SB 821	-	-	-	-	-	0.00%
224 AQMD	102,000	112,575	-	214,575	28,463	86.74%
231 ASSET FOREITURE	1,000	-	-	1,000	2,709	0.00%
234 PUBLIC SAFETY CFD	585,000	-	-	585,000	-	100.00%
241 GENERAL PLAN	27,500	-	-	27,500	34,800	0.00%
254 STORM DRAIN/SEWER	3,759,700	-	-	3,759,700	1,809,162	51.88%
788 HEARTLAND BOND	810,000	-	-	810,000	10,734	98.67%
TOTAL SPECIAL REVENUES	9,991,937	112,575	0	10,104,512	4,163,605	58.79%
DEVELOPMENT IMPACT FEE FUNDS:						
315 PUBLIC MEETINGS FACILITIES	2,000	-	-	2,000	-	0.00%
316 GENERAL FACILITIES	85,200	-	-	85,200	88,798	0.00%
326 FLOOD CONTROL	216,400	-	-	216,400	137,453	36.48%
329 BRIDGES/STREETS	295,320	-	-	295,320	342,259	0.00%
331 LAW ENFORCEMENT	42,400	-	-	42,400	53,745	0.00%
332 FIRE FACILITIES	75,400	-	-	75,400	63,874	15.29%
361 PARK DEVELOPMENT	150,800	-	-	150,800	112,944	0.00%
362 VALLEY WIDE DVL	26,700	-	-	26,700	22,000	0.00%
363 LIBRARY FACILITIES	70,200	-	-	70,200	87,070	-24.03%
370 CAPITAL PROJECTS FUND	-	10,565,781	-	10,565,781	-	0.00%
375 CITY EMERGENCY / DISASTER FUNI	-	-	1,051,667	1,051,667	1,051,667	0.00%
TOTAL IMPACT FEE FUNDS	964,420	10,565,781	1,051,667	12,581,868	1,959,809	84.42%
ENTERPRISE FUND:						
571 WATER	11,053,300	-	-	11,053,300	5,937,443	46.28%
TOTAL ENTERPRISE FUND	11,053,300	-	-	11,053,300	5,937,443	46.28%
ASSESSMENT DISTRICT FUNDS:						
225 L&LMD	1,900,561	-	-	1,900,561	5,472	99.71%
227 LIGHTING DIST POST 218	388,039	-	-	388,039	-	100.00%
228 LANDSCAPE DIST POST 218	1,922,601	-	-	1,922,601	757	99.96%
229 PUBLIC WORKS CFD	-	-	-	-	-	100.00%
TOTAL ASSESSMENT DISTRICT	4,211,201	-	-	4,211,201	6,228	99.85%
INTERNAL SERVICE FUNDS:						
380 EQUIPMENT REPLACEMENT	327,500	-	-	327,500	158,748	51.53%
680 ADMINISTRATIVE SERVICES	2,159,000	-	-	2,159,000	1,094,185	49.32%
681 WORKERS COMP	1,864,100	-	-	1,864,100	932,046	50.00%
682 MEDICAL/DENTAL	320,000	-	-	320,000	116,460	63.61%
683 LIABILITY FUND	1,488,400	-	-	1,488,400	745,649	49.90%
684 VEHICLE MAINTENANCE	1,335,900	-	-	1,335,900	687,949	48.50%
685 FACILITIES MAINTENANCE	1,418,100	-	-	1,418,100	713,093	49.71%
686 PW ADMINISTRATION	863,100	-	-	863,100	480,898	44.28%
689 OPEB	4,657,300	-	-	4,657,300	2,328,654	50.00%
690 UNEMPLOYMENT BENEFITS	25,000	-	-	25,000	12,498	50.01%
691 CITY ATTORNEY ALLOCATION	1,625,000	-	-	1,625,000	812,508	50.00%
692 EMERGENCY SERVICES	96,300	-	-	96,300	48,402	49.74%
TOTAL INTERNAL SERVICE	16,179,700	-	-	16,179,700	8,131,091	49.75%
GRANT FUNDS						
232 PUBLIC SAFETY GRANTS	-	313,519	272,925	586,444	212,669	63.74%
236 COPS /AB 3229	-	-	-	-	97,864	100.00%
237 LLEBG	-	-	-	-	-	100.00%
240 CDBG	1,081,807	-	-	1,081,667	222,598	79.42%
242 HOME - Program Income	-	-	-	-	-	100.00%
245 CALHOME	-	-	-	-	-	0.00%
246 HOME	2,500	-	-	2,500	-	0.00%
247 NSP GRANT	-	-	-	-	14,380	0.00%
260 INDIAN GAMING GRANTS	-	-	-	-	-	0.00%
TOTAL GRANT FUNDS	1,084,307	313,519	272,925	1,670,611	547,510	67.23%
TOTAL	**43,484,865**			**55,801,192**	**20,745,687**	

CITY OF HEMET
NON-GENERAL FUND - REVENUE AND EXPENDITURE REPORT
AS OF DECEMBER 31, 2020

EXPENDITURE SUMMARY

	Initial Budget	Purchase Order Carryovers	Continuing Appropriations	Council Approved Amendments	Adjusted Budget	Year to Date Actual	% of Budget Remaining
SPECIAL REVENUE FUNDS							
130 PUBLIC SAFETY TOWING	52,100	-	-	-	52,100	21,218	59.28%
221 GAS TAX	1,415,120	378,699	1,418,336	-	3,212,156	950,077	70.42%
222 MEASURE A	-	251,552	6,960,049	1,461,254	8,672,856	561,199	93.53%
223 ARTICLE 3 / SB 821	-			-	-	-	100.00%
224 AQMD	5,000	70,756	2,336	-	78,092	70,756	9.39%
231 ASSET FOREITURE	-		8,569	-	8,569	-	100.00%
234 PUBLIC SAFETY CFD	576,400	-	-	-	576,400	311,428	45.97%
241 GENERAL PLAN	-	46,900	11,000	-	57,900	5,640	90.26%
254 STORM DRAIN/SEWER	2,631,500	48,126	2,702,659	-	5,382,285	1,040,140	80.67%
788 HEARTLAND BOND	773,500	-	-	-	773,500	597,920	22.70%
TOTAL SPECIAL REVENUES	5,453,620	796,034	11,102,950	1,461,254	18,813,858	3,558,377	81.09%
DEVELOPMENT IMPACT FEE FUNDS:							
315 PUBLIC MEETINGS FACILITIES	-	-	-	-	-	-	0.00%
316 GENERAL FACILITIES	-		665,652	-	665,652	31,089	95.33%
326 FLOOD CONTROL	-	114,064	1,971,611	-	2,085,675	2,548	99.88%
329 BRIDGES/STREETS	-	22,887	2,541,548	-	2,564,435	27,874	98.91%
331 LAW ENFORCEMENT	-	-	-	-	-	-	100.00%
332 FIRE FACILITIES	-	-	-	-	-	-	100.00%
361 PARK DEVELOPMENT	-	-	277,129	-	277,129	-	100.00%
362 VALLEY WIDE DVL	-	-	-	-	-	-	0.00%
363 LIBRARY FACILITIES	158,850	8,983	-	-	167,833	52,872	68.50%
370 CAPITAL PROJECTS FUND	-	8,208	10,643,374	-	10,651,582	23,487	0.00%
375 CITY EMERGENCY / DISASTER FUN	-	-	-	-	-	133,674	0.00%
TOTAL IMPACT FEE FUNDS	158,850	154,141	16,099,315	-	16,412,306	271,544	98.35%
ENTERPRISE FUND:							
571 WATER	10,897,900	283,604	4,552,554	151,499	15,885,557	3,987,293	74.90%
TOTAL ENTERPRISE FUND	10,897,900	283,604	4,552,554	151,499	15,885,557	3,987,293	74.90%
ASSESSMENT DISTRICT FUNDS:							
225 L&LMD	1,520,300	-	189,778	-	1,710,078	779,820	54.40%
227 LIGHTING DIST POST 218	234,794		19,736		254,530	77,085	69.71%
228 LANDSCAPE DIST POST 218	1,622,999		96,349		1,719,348	803,786	53.25%
229 PUBLIC WORKS CFD	-				-	-	100.00%
TOTAL ASSESSMENT DISTRICT	3,378,093	-	305,863	-	3,683,956	1,660,690	54.92%
INTERNAL SERVICE FUNDS:							
380 EQUIPMENT REPLACEMENT	-	-	-	-	-	-	100.00%
680 ADMINISTRATIVE SERVICES	2,799,200	39,683	-	-	2,838,883	1,058,052	62.73%
681 WORKERS COMP	1,874,900	-	-	-	1,874,900	475,014	74.66%
682 MEDICAL/DENTAL	320,000	-	-	-	320,000	154,442	51.74%
683 LIABILITY FUND	1,488,200	-	-	-	1,488,200	1,206,174	18.95%
684 VEHICLE MAINTENANCE	1,337,800	-	-	-	1,337,800	712,371	46.75%
685 FACILITIES MAINTENANCE	1,400,020	28,587	321,174	37,500	1,787,282	698,602	60.91%
686 PW ADMINISTRATION	980,100	8,275	122,872	-	1,111,247	373,209	66.42%
689 OPEB	4,857,400	-	-	-	4,857,400	2,410,119	50.38%
690 UNEMPLOYMENT BENEFITS	25,000	-	-	-	25,000	9,499	62.01%
691 CITY ATTORNEY ALLOCATION	1,625,000	-	-	-	1,625,000	356,621	78.05%
692 EMERGENCY SERVICES	96,000	-	-	-	96,000	10,551	89.01%
TOTAL INTERNAL SERVICE	16,803,620	76,545	444,046	37,500	17,361,712	7,464,652	57.01%
GRANT FUNDS							
232 PUBLIC SAFETY GRANTS	-	7,550	313,519	272,925	593,994	193,243	67.47%
236 COPS /AB 3229	-	-	-	-	-	-	100.00%
237 LLEBG	-	-	-	-	-	-	0.00%
240 CDBG	1,081,667	135,227	611,133	542,529	2,370,556	307,791	87.02%
242 HOME - Program Income	-	-	-	-	-	-	0.00%
245 CALHOME	-	-	-	-	-	-	0.00%
246 HOME	-	-	-	-	-	-	0.00%
247 NSP GRANT	-	3,365	-	-	3,365	-	0.00%
260 INDIAN GAMING GRANTS	-				-	-	0.00%
TOTAL GRANT FUNDS	1,081,667	146,142	924,652	815,454	2,967,915	501,034	83.12%

PO #	PO Description	PO Date	Vendor #	Vendor Name	Ship-to Code	Total PO Amount	Amount Owing
2019-000486	BLDG DEPT ON-SITE TRAINING SERVICES	7/1/2019	91072	C S G CONSULTANTS INC	Bldg Dept	$3,000.00	$2,680.00
2020-000110	BUILDING DEPARTMENT PLAN CHECK SERVICES	8/5/2019	91072	C S G CONSULTANTS INC	Bldg Dept	$90,000.00	$1,788.12
2020-000134	LEASE AGREEMENT CANON IMAGERUNNER ADVANCE C7565I III - BUILDING DIVISION	8/21/2019	93130	CANON FINANCIAL SERVICES INC	Bldg Dept	$3,480.60	$326.30
2020-000135	MAINTENANCE AGREEMENT CANON IMAGERUNNER ADVANCE C7565I III - BUILDING DIVISION	8/21/2019	74244	CANON SOLUTIONS AMERICA INC	Bldg Dept	$1,119.00	$724.78
2020-000142	BUILDING DIVISION PLAN REVIEW/BUILDING SERVICES	8/26/2019	96645	4LEAF INC	Bldg Dept	$45,000.00	$36,377.50
2020-000264	CHRISTMAS PARADE COORDINATOR SERVICES	10/8/2019	77737	PARTY PLANNERS	City Manager	$4,500.00	$533.99
2020-000351	FACILITY OPERATION MANAGEMENT SERVICES OF THE JAMES SIMPSON CENTER	12/18/2019	70903	VALLEY-WIDE RECREATION & PARK	City Manager	$196,000.00	$1,985.28
2020-000442	CONSULTING/OD (7301) TCFOE GARY WINTERS	4/27/2020	96980	CENTRE FOR ORGANIZATION EFFECT, THE	City Manager	$24,500.00	$24,500.00
2020-000324	3-YEAR SOFTWARE SUBSCRIPTION AND HOSTING	11/25/2019	83474	CARTEGRAPH SYSTEMS, INC	Corp Yard	$149,400.00	$13,675.00
2020-000404	MSRC ELECTRIC VEHICLE PURCHASE	3/5/2020	94470	NATIONAL AUTO FLEET GROUP	Corp Yard	$70,755.72	$70,755.72
2014-000247	PROVIDE PROFESSIONAL ENGINEERING	7/1/2019	78341	MICHAEL BAKER INTERNATIONAL	Eng Dept	$336,248.88	$116,573.31
2016-000595	ENGINEERING DESIGN FOR NEW TRAFFIC SIGNAL @ WARREN & AUTO BLVD	7/1/2019	94443	S T C TRAFFIC INC	Eng Dept	$27,000.00	$510.83
2019-000516	CIP 5685 2017/18 SLURRY SEAL PROJECT	7/1/2019	96463	AMERICAN ASPHALT SOUTH INC	Eng Dept	$761,630.00	$13,837.96
2019-000564	CANON SCANNER	7/1/2019	74244	CANON SOLUTIONS AMERICA INC	Eng Dept	$8,511.12	$960.00
2020-000017	CIP 5613 - BIOLOGICAL SURVEYS AND	7/8/2019	92231	CADRE ENVIRONMENTAL	Eng Dept	$6,300.00	$2,790.00
2020-000079	CIP 5666 FLORIDA AVE EVP/OPTICOM	7/23/2019	84721	D D L TRAFFIC INC	Eng Dept	$23,196.00	$23,196.00
2020-000250	CIP 5688 18/19 SLURRY SEAL LABOR COMPLIANCE SERVICES	9/25/2019	94493	ALLIANT CONSULTING INC	Eng Dept	$9,442.00	$2,876.00
2020-000257	CIP 5688 SLURRY SEAL	10/1/2019	76776	ALL AMERICAN ASPHALT	Eng Dept	$819,229.48	$53,247.03
2020-000296	CIP 5613 BIOLOGICAL MONITORING SERVICES	10/24/2019	92231	CADRE ENVIRONMENTAL	Eng Dept	$5,220.00	$540.00
2020-000306	CIP 5613 TS @ WARREN/AUTO LABOR COMPLIANCE SERVICES	11/7/2019	94493	ALLIANT CONSULTING INC	Eng Dept	$4,863.00	$2,759.50
2020-000307	CIP 5687 KIRBY ST IMPROVEMENTS LABOR COMPLIANCE SERVICES	11/7/2019	94493	ALLIANT CONSULTING INC	Eng Dept	$7,242.00	$3,622.25
2020-000319	CIP 5696 HEMET VALLEY BIKEWAY	11/25/2019	79769	L S A ASSOCIATES, INC	Eng Dept	$11,861.30	$8,472.06
2020-000350	CIP 5687 KIRBY STREET IMPROVEMENTS	12/18/2019	96804	UNITED PAVING CO	Eng Dept	$531,374.79	$75,542.90
2020-000356	CIP 5613 TRAFFIC SIGNAL @ WARREN & AUTO	1/14/2020	96818	ELECNOR BELCO ELECTRIC INC	Eng Dept	$298,356.55	$16,286.55
2020-000415	RESTATED AGREEMENT FOR INTERIM AND	3/16/2020	96309	H R GREEN PACIFIC INC	Eng Dept	$100,000.00	$7,316.75
2020-000450	CIP 5704 PHASE I PAVEMENT REHAB LABOR COMLIANCE SERVICES	5/7/2020	94493	ALLIANT CONSULTING INC	Eng Dept	$7,813.00	$5,298.25
2020-000462	CIP 5704 PHASE I PAVEMENT REHAB	5/18/2020	97010	ONYX PAVING COMPANY INC	Eng Dept	$919,860.00	$298,283.00
2020-000472	LABOR COMPLIANCE SERVICES FOR CIP 5703 ACCESSIBLE SIDEWALK & ADA	6/4/2020	94493	ALLIANT CONSULTING INC	Eng Dept	$6,708.00	$6,708.00
2020-000473	CIP 5703 ACCESSIBLE SIDEWALK & ADA	6/8/2020	89603	C T & T CONCRETE PAVING INC	Eng Dept	$211,975.00	$211,975.00
2020-000289	JANITORIAL SERVICES F/Y 19/20	10/23/2019	92702	MERCHANTS BUILDING MNTCE LLC	Fac Maint	$102,069.56	$24,422.24
2018-000674	FIRE STATION KITCHEN REMODEL CIP 5679	7/1/2019	95764	T R DESIGN GROUP INC	Fac Maint	$39,220.00	$4,165.00
2020-000443	SIMPSON PARK RADIO ROOM MOLD & ROOF REPAIR	4/27/2020	96994	PAUL DAVIS RESTORATION &	Fac Maint	$9,442.18	$9,442.18

2020-000474	TRAFFIC SIGNAL MAINTENANCE	6/8/2020	97032	CROSSTOWN ELECTRICAL & DATA	Fac Maint	$68,067.08	$57,220.27
2020-000117	4 QTY BBPOS CHIP READER $400	8/5/2019	82697	PROGRESSIVE SOLUTIONS INC	Finance	$3,940.00	$3,940.00
2020-000374	ANALYSIS OF IMPEDIMENT FOR CDBG	2/3/2020	93211	CASTANEDA & ASSOCIATES	Finance	$21,700.00	$5,200.00
2020-000437	FY 19/20 AUDIT SERVICES	4/16/2020	94208	PUN GROUP LLP	Finance	$41,500.00	$41,500.00
2020-000440	FY1920 CONSULTANT TO PERFORM ANNUAL	4/20/2020	69252	R S G, INC	Finance	$3,869.00	$1,919.00
2020-000070	CSG CONSULATNATS CONTRACT EXTENTION FOR	7/17/2019	91072	C S G CONSULTANTS INC	Fire Dept	$101,000.00	$11,886.25
2020-000271	DISPATCH STATION FOR EMERGENCY MEDICAL DISPATCH FOR COUNTY	10/17/2019	91619	RUSS BASSETT CORPORATION	Fire Dept	$16,781.30	$16,781.30
2020-000421	EMS COORDINATOR CONTRACT FOR SERVICE	3/16/2020	92383	SOUTHERN CALIFORNIA EMS	Fire Dept	$37,400.00	$2,495.00
2020-000422	LION TURNOUTS	3/24/2020	71122	ALLSTAR FIRE EQUIPMENT	Fire Dept	$49,133.30	$49,133.30
2020-000433	DISPATCH CENTER PURCHASE AND INSTALL	4/16/2020	94471	CAROUSEL INDUSTRIES OF	Fire Dept	$36,829.76	$36,829.76
2020-000487	CONSOLE FOR 911 DISPATCH	6/29/2020	95185	WEST COAST CABLE INC	Fire Dept	$15,367.00	$15,367.00
2019-000317	PREPARE TENTATIVE AND FINAL PARCEL MAPS	7/1/2019	75807	ENGINEERING RESOURCES	Housing	$11,231.00	$3,365.00
2020-000268	KOFF & ASSOCIATES-COMPENSATION STUDY	10/17/2019	96500	KOFF & ASSOCIATES INC	HR Dept	$35,028.00	$10,425.00
2020-000052	THE CIRCLE DELIVERS PRINT MANAGEMENT SERVICES	7/9/2019	95105	CIRCLE INC	IT Dept	$17,000.00	$2,471.64
2020-000149	CALIFA PUBLIC LIBRARY BROADBAND INTERNET ACCESS	8/27/2019	84997	CALIFA GROUP	IT Dept	$22,000.00	$5,023.02
2016-000265	HARDWARE & SOFTWARE FOR NEW PD CAMERAS	7/1/2019	94059	LEVERAGE INFORMATION SYSTEMS	IT Dept	$94,098.84	$8,208.13
2018-000563	ARCGIS SERVER CONSULTING SERVICES:~	7/1/2019	77718	ENVIRONMENTAL SYSTEMS RESEARCH	IT Dept	$11,889.00	$3,717.05
2018-000632	CHECKPOINT UPGRADE & WEST COVINA MIGRATION ASSISTANCE	7/1/2019	90866	NOVACOAST INC	IT Dept	$20,900.00	$1,810.42
2019-000347	NOVACOAST - IT PROFESSIONAL SERVICES~	7/1/2019	90866	NOVACOAST INC	IT Dept	$6,000.00	$312.50
2019-000368	SCADA UPDATE~	7/1/2019	95233	NTH GENERATION COMPUTING, INC	IT Dept	$21,913.13	$1,763.13
2019-000390	UPGRADE EXISTING MICROSOFT SCCM	7/1/2019	90866	NOVACOAST INC	IT Dept	$23,850.00	$1,145.30
2019-000440	(4) PANASONIC TOUGHBOOK COMPUTER & ROUTER FOR NEW PD VEHCILES	7/1/2019	83979	C D C E, INC	IT Dept	$25,187.90	$2,320.00
2019-000453	EMERGENCY MAINTENANCE AND ASSISTANCE	7/1/2019	90866	NOVACOAST INC	IT Dept	$10,000.00	$87.00
2019-000461	PLANNET CONSULTING LLC. AGREEMENT FOR	7/1/2019	96215	PLANNET CONSULTANT LLC	IT Dept	$49,747.00	$21,789.96
2019-000509	PANASONIC CF-33 TOUGHBOOK TABLET WITH DESK DOCKING STATION	7/1/2019	83979	C D C E, INC	IT Dept	$4,110.94	$810.19
2019-000519	SCCM APPLICATION DEPLOYMENT / ASSET INTELLIGENCE	7/1/2019	90866	NOVACOAST INC	IT Dept	$28,400.00	$4,400.00
2019-000546	OFFICE365 - PROFESSIONAL MIGRATION/DEPLOYMENT SERVICES	7/1/2019	90866	NOVACOAST INC	IT Dept	$48,000.00	$17,536.25
2019-000557	VPN SOFTWARE CONFIGURATION FOR MANAGEMENT TABLET PC DEPLOYMENT	7/1/2019	90866	NOVACOAST INC	IT Dept	$15,400.00	$3,180.00
2020-000234	PD COMPUTER UPGRADE - PURCHASE OF MOBILE COMPUTERS & HARDWARE	9/18/2019	83979	C D C E, INC	IT Dept	$369,533.50	$700.00
2020-000145	ANNUAL SUBSCRIPTION FOR HOOPLA STREAMING SERVICE FROM MIDWEST TAPE	8/26/2019	76810	MIDWEST TAPE, LLC	Library	$25,000.00	$8,982.71
2017-000771	STATEMENT OF WORK FOR NEW FIREWALL AT	7/1/2019	90866	NOVACOAST INC	Library	$19,575.00	$4,570.00
2019-000421	NOVACOAST PUBLIC SERVER INSTALLATION~	7/1/2019	90866	NOVACOAST INC	Library	$47,080.00	$12,817.50
2020-000431	LEASE AGREEMENT CANON IMAGERUNNER ADVANCE C3525I II FOR HPD PACT	4/16/2020	93130	CANON FINANCIAL SERVICES INC	PACT Bldg	$910.80	$663.18

2020-000432	MAINTENANCE AGREEMENT CANON IMAGERUNNER ADVANCE C3525I II FOR HPD PACT	4/16/2020	74244	CANON SOLUTIONS AMERICA INC	PACT Bldg	$380.20	$218.03
2020-000453	SB2 PLANNING GRANT PROGRAM	5/13/2020	84512	ADVANCE PLANNING LLC	Plan Dept	$81,650.00	$74,157.50
2020-000475	PREPARATION OF THE GENERAL PLAN AND HOUSING ELEMENTS	6/8/2020	92431	M I G INC	Plan Dept	$49,000.00	$46,900.00
2020-000112	PD PURCHASE OF VESTS FOR CURRENT AND NEW OFFICERS	8/6/2019	70822	GALLS, LLC	Police Dept	$14,463.75	$2,950.76
2020-000328	CANON LEASE AGREEMENT FOR PD RECORDS FAX	12/3/2019	93130	CANON FINANCIAL SERVICES INC	Police Dept	$296.40	$81.52
2020-000329	CANON LEASE AGREEMENT FOR PD TRAFFIC COPIER	12/3/2019	93130	CANON FINANCIAL SERVICES INC	Police Dept	$2,754.00	$757.36
2020-000330	CANON LEASE AGREEMENT FOR PD RECORDS COPIER	12/3/2019	93130	CANON FINANCIAL SERVICES INC	Police Dept	$2,754.00	$757.36
2020-000331	BLANKET PO CANON MAINTENANCE AGREEMENT PD RECORDS COPIER	12/3/2019	74244	CANON SOLUTIONS AMERICA INC	Police Dept	$1,900.00	$1,451.20
2020-000332	CANON MAINTENANCE AGREEMENT FOR PD TRAFFIC COPIER	12/3/2019	74244	CANON SOLUTIONS AMERICA INC	Police Dept	$1,600.00	$1,419.54
2020-000333	CANON MAINTENANCE AGREEMENT FOR PD RECORDS FAX	12/3/2019	74244	CANON SOLUTIONS AMERICA INC	Police Dept	$600.00	$488.79
2020-000151	INSTALL VESTA PRI MODULE IN EXISTING VESTA GATEWAY	8/27/2019	94471	CAROUSEL INDUSTRIES OF	Police Dept	$6,835.19	$6,835.19
2020-000303	UPGRADE TO WORKFORCE TELESTAFF - PD PAYROLL	10/31/2019	92328	IMMIX TECHNOLOGY INC	Police Dept	$15,638.65	$10,250.00
2020-000419	SOU TRAINING AMMUNITION	3/16/2020	57297	SAN DIEGO POLICE EQUIPMENT	Police Dept	$3,551.61	$2,101.14
2020-000457	CONSULTING CONTRACT FOR PREP OF RADIO SYSTEM REPLACEMENT	5/13/2020	96334	PEGASUS TELECOMMUNICATIONS	Police Dept	$56,000.00	$52,800.00
2016-000162	ENVIRO & REGULATORY PERMITTING SVCS	7/1/2019	78341	MICHAEL BAKER INTERNATIONAL	Water	$55,305.12	$26,400.00
2017-000651	GIS SUPPORT SERVICES FOR WATER	7/1/2019	95150	MILLER SPATIAL SERVICES LLC	Water	$30,000.00	$17,310.00
2018-000542	RADIO READ WATER METERS	7/1/2019	77258	CORE & MAIN LP	Water	$1,523,918.73	$198,870.46
2019-000409	SALT CREEK MITIIGATION PER ATTACHED	7/1/2019	78341	MICHAEL BAKER INTERNATIONAL	Water	$49,735.00	$12,677.40
2019-000442	EMERGENCY PERMIT FOR CDFW SECTION 1602	7/1/2019	78341	MICHAEL BAKER INTERNATIONAL	Water	$19,500.00	$2,910.06
2019-000536	LABOR COMPLIANCE FOR WELL 12 REHAB	7/1/2019	94493	ALLIANT CONSULTING INC	Water	$7,242.00	$11.25
2019-000540	WELL 12 REHAB PROJECT CIP 5694	7/1/2019	96497	WEBER WATER RESOURCES CA LLC	Water	$142,460.41	$5,012.64
2020-000438	SCADA SERVER PROGRAMMING	4/16/2020	95908	TESCO CONTROLS INC	Water	$58,420.00	$58,420.00
						Total	$1,923,321.56

Continuing Appropriations

For the Fiscal Year Ending June 30, 2020

CAPITAL PROJECTS

Acct Number	Project	Amount	Project Subtotal
100-1100-2270	City council computer purchase	$ 2,500.00	$ 2,500.00
110-5702-5400	Electric Vehicles/Stations	$ 10,000.00	
224-5702-5400	Electric Vehicles/Stations	$ 2,336.39	
685-5702-5400	Electric Vehicles/Stations	$ 10,000.00	
686-5702-5400	Electric Vehicles/Stations	$ 10,000.00	$ 32,336.39
221-5666-1100	CIP 5666 - Florida Ave EVP/Opticom Hardware	$ 2,489.06	
221-5666-1400	CIP 5666 - Florida Ave EVP/Opticom Hardware	$ 441.03	
221-5666-1405	CIP 5666 - Florida Ave EVP/Opticom Hardware	$ 596.31	
221-5666-2710	CIP 5666 - Florida Ave EVP/Opticom Hardware	$ 560.30	$ 4,086.70
221-5690-1100	CIP 5690 - ST19 Citywide Street Improvements	$ 92,346.71	
221-5690-2220	CIP 5690 - ST19 Citywide Street Improvements	$ 1,000.00	
221-5690-2710	CIP 5690 - ST19 Citywide Street Improvements	$ 82,473.35	
221-5690-2714	CIP 5690 - ST19 Citywide Street Improvements	$ 500.00	
221-5690-5500	CIP 5690 - ST19 Citywide Street Improvements	$ 1,168,000.00	$ 1,344,320.06
221-5704-5500	CIP 5704 - 1920 Pavement Rehabilitation	$ 43,057.00	$ 43,057.00
222-5001-5500	CI Holding Acct	$ 624,790.03	$ 624,790.03
222-5685-1100	Slurry Seal Project	$ 46,761.75	
222-5685-1300	Slurry Seal Project	$ 2,000.00	
222-5685-1400	Slurry Seal Project	$ 643.72	
222-5685-1405	Slurry Seal Project	$ 10,961.14	
222-5685-2220	Slurry Seal Project	$ 2,348.20	
222-5685-2710	Slurry Seal Project	$ 59,201.35	
222-5685-2714	Slurry Seal Project	$ 500.00	
222-5685-5500	Slurry Seal Project	$ 3,720.00	$ 126,136.16
222-5686-1100	1718 Pavement Rehab	$ 102,024.63	
222-5686-2220	1718 Pavement Rehab	$ 1,000.00	
222-5686-2710	1718 Pavement Rehab	$ 73,815.00	
222-5686-2714	1718 Pavement Rehab	$ 500.00	
222-5686-5500	1718 Pavement Rehab	$ 1,288,500.00	$ 1,465,839.63
222-5687-1100	Kirby St Improvements	$ 72,545.53	
222-5687-2220	Kirby St Improvements	$ 434.00	
222-5687-2710	Kirby St Improvements	$ 43,665.13	
222-5687-2714	Kirby St Improvements	$ 500.00	
222-5687-5500	Kirby St Improvements	$ 68,625.21	$ 185,769.87
222-5688-1100	1819 Slurry Seal	$ 98,047.42	
222-5688-2220	1819 Slurry Seal	$ 949.40	
222-5688-2710	1819 Slurry Seal	$ 45,967.00	
222-5688-2714	1819 Slurry Seal	$ 500.00	
222-5688-5500	1819 Slurry Seal	$ 1,107,845.52	$ 1,253,309.34
222-5696-1100	Hemet Valley Bikeway	$ 19,086.83	
222-5696-2220	Hemet Valley Bikeway	$ 500.00	
222-5696-2710	Hemet Valley Bikeway	$ 6,980.45	
222-5696-5500	Hemet Valley Bikeway	$ 2,438,000.00	$ 2,464,567.28
222-5703-1100	19/20 Accessible Sidewalk/Ramps	$ 18,856.60	

Continuing Appropriations

For the Fiscal Year Ending June 30, 2020

CAPITAL PROJECTS (cont.)

Acct Number	Project	Amount	Project Subtotal
222-5703-2710	19/20 Accessible Sidewalk/Ramps	$ 17,310.60	
222-5703-5500	19/20 Accessible Sidewalk/Ramps	$ 52.00	$ 36,219.20
222-5705-1100	1920 Slurry Seal	$ 83,882.38	
222-5705-2220	1920 Slurry Seal	$ 407.60	
222-5705-2710	1920 Slurry Seal	$ 63,241.00	
222-5705-2714	1920 Slurry Seal	$ 500.00	
222-5705-5500	1920 Slurry Seal	$ 655,387.00	$ 803,417.98
228-5644-2450	CIP 5644Turf Replacement Projects - Post 218	$ 51,349.00	$ 51,349.00
254-5646-2710	Sewer Master Plan	$ 34,676.08	$ 34,676.08
254-5648-5400	Heartland Basin Pump Relocate	$ 100,000.00	$ 100,000.00
254-5653-1100	Sewer Main Line Replacement	$ 500.00	
254-5653-1400	Sewer Main Line Replacement	$ 500.00	
254-5653-1405	Sewer Main Line Replacement	$ 2,000.00	
254-5653-2220	Sewer Main Line Replacement	$ 2,000.00	
254-5653-2710	Sewer Main Line Replacement	$ 255,313.64	
254-5653-2714	Sewer Main Line Replacement	$ 1,000.00	
254-5653-5500	Sewer Main Line Replacement	$ 1,896,669.00	$ 2,157,982.64
254-5663-2220	Sewer Man Hole Rehab	$ 1,000.00	
254-5663-2710	Sewer Man Hole Rehab	$ 16,000.00	
254-5663-2714	Sewer Man Hole Rehab	$ 1,000.00	
254-5663-5500	Sewer Man Hole Rehab	$ 142,000.00	$ 160,000.00
254-5672-2710	ERP Planning System	$ 250,000.00	$ 250,000.00
326-4650-5400	Clarifier Units for Corp Yard	$ 107,340.00	
326-4650-5500	Storm Drain Maintenance	$ 290,000.00	$ 397,340.00
326-5590-1100	State St Storm Drain	$ 199,427.76	
326-5590-1300	State St Storm Drain	$ 15,500.00	
326-5590-1400	State St Storm Drain	$ 6,135.75	
326-5590-1405	State St Storm Drain	$ 38,724.06	
326-5590-2220	State St Storm Drain	$ 500.00	
326-5590-2465	State St Storm Drain	$ 200.00	
326-5590-2710	State St Storm Drain	$ 59,163.44	
326-5590-2714	State St Storm Drain	$ 700.00	
326-5590-5500	State St Storm Drain	$ 1,253,920.18	$ 1,574,271.19
329-4130-5400	Major Machinery & Equipment	$ 176,000.00	$ 176,000.00
329-5001-5505	Grants Reimbursable Const Exp Holding	$ 495,728.71	$ 495,728.71
329-5537-1100	Stetson Ave Bridge Project	$ 176.89	
329-5537-2710	Stetson Ave Bridge Project	$ 6,279.51	
329-5537-5500	Stetson Ave Bridge Project	$ 173,033.85	$ 179,490.25
329-5613-1100	Traffic Signal at Warren/Auto	$ 106,946.49	
329-5613-1400	Traffic Signal at Warren/Auto	$ 5,404.75	
329-5613-1405	Traffic Signal at Warren/Auto	$ 28,560.31	
329-5613-2710	Traffic Signal at Warren/Auto	$ 45,069.39	
329-5613-2714	Traffic Signal at Warren/Auto	$ 1,094.68	
329-5613-5500	Traffic Signal at Warren/Auto	$ 443.45	$ 187,519.07
329-5639-1100	Update DIF Analysis	$ 18,000.00	

Continuing Appropriations

For the Fiscal Year Ending June 30, 2020

CAPITAL PROJECTS (cont.)

Acct Number	Project	Amount	Project Subtotal
329-5639-1400	Update DIF Analysis	$ 1,480.00	
329-5639-1405	Update DIF Analysis	$ 5,220.00	
329-5639-2220	Update DIF Analysis	$ 200.00	
329-5639-2710	Update DIF Analysis	$ 275,000.00	
329-5639-2714	Update DIF Analysis	$ 100.00	$ 300,000.00
329-5651-1100	HWY Safety Improvement	$ 13,491.77	
329-5651-1400	HWY Safety Improvement	$ 443.70	
329-5651-1405	HWY Safety Improvement	$ 6,939.45	
329-5651-2710	HWY Safety Improvement	$ 967,332.50	$ 988,207.42
329-5668-1100	Interim Seattle Basin Improvements	$ 17,000.00	
329-5668-1400	Interim Seattle Basin Improvements	$ 1,000.00	
329-5668-1405	Interim Seattle Basin Improvements	$ 7,000.00	
329-5668-2710	Interim Seattle Basin Improvements	$ 169,602.90	$ 194,602.90
329-5670-2710	Chambers St Drainage	$ 20,000.00	$ 20,000.00
370-5697-1100	CIP 5697 McSweeny Phase 1	$ 81,690.83	
370-5697-2710	CIP 5697 McSweeny Phase 1	$ 78,573.33	
370-5697-5500	CIP 5697 McSweeny Phase 1	$ 1,724,355.00	$ 1,884,619.16
370-5698-1100	CIP 5698 McSweeny Phase 2	$ 84,000.00	
370-5698-2710	CIP 5698 McSweeny Phase 2	$ 78,671.33	
370-5698-5500	CIP 5698 McSweeny Phase 2	$ 4,127,427.56	$ 4,290,098.89
370-5699-1100	CIP 5699 McSweeny Phase 3	$ 84,000.00	
370-5699-2710	CIP 5699 McSweeny Phase 3	$ 78,671.34	
370-5699-5500	CIP 5699 McSweeny Phase 3	$ 4,305,984.30	$ 4,468,655.64
571-5598-2220	Echo Hills Phase III Santa Fe	$ 1,000.00	
571-5598-2710	Echo Hills Phase III Santa Fe	$ 892.50	
571-5598-2714	Echo Hills Phase III Santa Fe	$ 500.00	
571-5598-5500	Echo Hills Phase III Santa Fe	$ 93,500.00	$ 95,892.50
571-5624-1100	Integrated Regional Water Mgmt. Program	$ 12,000.00	
571-5624-1400	Integrated Regional Water Mgmt. Program	$ 1,030.00	
571-5624-1405	Integrated Regional Water Mgmt. Program	$ 4,000.00	
571-5624-1410	Integrated Regional Water Mgmt. Program	$ 1,000.00	
571-5624-2250	Integrated Regional Water Mgmt. Program	$ 9,866.00	
571-5624-2255	Integrated Regional Water Mgmt. Program	$ 20,000.00	
571-5624-2710	Integrated Regional Water Mgmt. Program	$ 68,995.57	$ 116,891.57
571-5627-2220	Water Quality Treatment	$ 5,000.00	
571-5627-2465	Water Quality Treatment	$ 20,000.00	
571-5627-2710	Water Quality Treatment	$ 542,270.00	
571-5627-5500	Water Quality Treatment	$ 1,103,300.00	$ 1,670,570.00
571-5635-2220	CIP 5635 Well 10 A Construction	$ 5,000.00	
571-5635-2710	CIP 5635 Well 10 A Construction	$ 95,148.82	$ 100,148.82
685-5667-5300	Police Facility Security Renovation	$ 19,091.55	$ 19,091.55
685-5679-5300	Facilities - Fire Station Rehabilitation	$ 53,057.23	$ 53,057.23
686-5676-5300	PW Modular Replacement	$ 75,000.00	$ 75,000.00
		Total Capital Projects:	**$ 28,427,542.26**

Continuing Appropriations

For the Fiscal Year Ending June 30, 2020

GRANT PROJECTS - CDBG GRANTS

Acct Number	Project	Amount	Project Subtotal
240-3853-5500	CI Holding Acct	$ 611,133.07	$ 611,133.07
		Total Grant Projects - CDBG Projects:	**$ 611,133.07**

GRANT PROJECTS - OTHER

Acct Number	Project	Amount	Project Subtotal
110-3100-5410	PACT Host Agency Grant	$ 110,278.25	$ 110,278.25
120-1710-2710	SB2 - Planning Grant Program	$ 228,350.00	$ 228,350.00
232-3110-1300	19/20 OTS (STEP) Grant	$ 83,664.60	
232-3110-2560	19/20 OTS (STEP) Grant	$ 2,345.00	$ 86,009.60
232-3112-2450	2020 Coronavirus Grant	$ 36,285.00	
232-3112-2710	2020 Coronavirus Grant	$ 2,792.00	
232-3112-5400	2020 Coronavirus Grant	$ 35,000.00	$ 74,077.00
232-3193-5400	BSCC Grant	$ 5,093.00	$ 5,093.00
232-3197-1300	2018 JAG Grant	$ 1,110.00	
232-3197-2260	2018 JAG Grant	$ 483.40	
232-3197-5400	2018 JAG Grant	$ 8,379.13	$ 9,972.53
232-3263-2560	17 Homeland Sec Grant Training	$ 7,400.00	
232-3263-5400	Homeland Security Grant - Radios	$ 3,568.50	$ 10,968.50
232-3264-2560	CHOG FY 2017 Equipment	$ 5,939.00	
232-3264-5400	CHOG FY 2017 Equipment	$ 10,140.27	$ 16,079.27
232-3266-5400	CHOG FY 2018 Equipment	$ 67,000.00	$ 67,000.00
232-3267-5400	FY18 Homeland Security Grant - Cert	$ 8,988.13	$ 8,988.13
232-3301-2260	2019 JAG Grant	$ 1,060.00	
232-3301-5400	2019 JAG Grant	$ 34,271.00	$ 35,331.00
		Total All Other Grants:	**$ 652,147.28**

GENERAL PROJECTS

Acct Number	Project	Amount	Project Subtotal
100-1150-2710	PEG Fees Project	$ 3,442.96	
100-1150-5300	PEG Fees Project	$ 526,263.30	$ 529,706.26
110-3100-5405	Gang Task Force Seed Money	$ 1,194.09	$ 1,194.09
110-3101-5400	Police Measure U - Radio System Replacement	$ 1,199,012.61	$ 1,199,012.61
110-3240-5400	Fire Measure U - Apparatus Type 1 Engine Company	$ 738,824.00	
110-3240-5400	Fire Measure U - Self-Contained Breathing Apparatus	$ 45,239.06	
110-3240-5400	Fire Measure U - Personal Protective Equipment	$ 60,000.00	
110-3240-5400	Fire Measure U - Radio System Replacement	$ 581,335.20	
110-3240-5400	Fire Measure U - West Covina Cad/Rms Maint Agreement	$ 60,000.00	
110-3240-5400	Fire Measure U - 911 Phone Hardware/Software	$ 3,018.11	$ 1,488,416.37
120-1700-2706	Downtown Specific Plan	$ 8,720.00	$ 8,720.00
221-4200-5400	SCE Streetlight Acquisition and LED Retrofits	$ 26,872.51	$ 26,872.51
225-5644-2450	Turf Removal Projects Pre 218 LMD	$ 101,205.25	$ 101,205.25
225-8250-5400	Street Light Pole Replacements	$ 88,572.56	$ 88,572.56
227-8260-5400	Lighting Fund - Parkhill	$ 10,839.82	
227-8261-5400	Lighting Fund - North Annexation	$ 1,776.47	
227-8263-5400	Lighting Fund - Pacific Green	$ 314.11	

Continuing Appropriations

For the Fiscal Year Ending June 30, 2020

GENERAL PROJECTS (cont.)

Acct Number	Project	Amount	Project Subtotal
227-8264-5400	Lighting Fund - Crean	$ 49.98	
227-8265-5400	Lighting Fund - Heartland	$ 460.89	
227-8266-5400	Lighting Fund - Stoney Mountain	$ 716.37	
227-8267-5400	Lighting Fund - Montana	$ 383.03	
227-8268-5400	Lighting Fund - Covenant	$ 86.36	
227-8270-5400	Lighting Fund - Woodcrest	$ 254.35	
227-8273-5400	Lighting Fund - Kalpesh	$ 3,226.20	
227-8278-5400	Lighting Fund - Menlo Estates II	$ 135.75	
227-8281-5400	Lighting Fund - Durango	$ 153.82	
227-8283-5400	Lighting Fund - Enclave	$ 139.30	
227-8285-5400	Lighting Fund - Palomino	$ 17.07	
227-8289-5400	Lighting Fund - Emerson	$ 900.65	
227-8290-5400	Lighting Fund - Autumn Ridge II	$ 223.87	
227-8291-5400	Lighting Fund - Villa de Madrid	$ 32.33	
227-8299-5400	Lighting Fund - Seven Hills	$ 25.39	$ 19,735.76
228-8265-5400	Heartland Basin Pump Relocate	$ 45,000.00	$ 45,000.00
241-1750-2710	General Plan Update	$ 11,000.00	$ 11,000.00
316-5001-2260	ERP System - IT	$ 500,000.00	$ 500,000.00
316-5667-2710	PD Renovation	$ 15,604.47	
316-5667-5300	PD Renovaton	$ 150,048.00	$ 165,652.47
361-7150-2710	Parks Master Plan ($150,000 xxx-5001-xxxx)	$ 277,129.00	$ 277,129.00
571-5001-2260	Enterprise Refresh - Water	$ 300,000.00	$ 300,000.00
571-9000-2270	Replacement of 2 SCADA Servers $30K each	$ 36,161.12	$ 36,161.12
571-9000-5400	Water Main Replacement Park to Florida	$ 2,172,890.00	
571-9000-5400	Well Site Security Fencing (FS #2)	$ 60,000.00	$ 2,232,890.00
685-4560-5400	HVAC Replacements (14/15 & 15/16) - CIP 5558	$ 239,025.65	$ 239,025.65
686-4150-2801	CA Beverage Container	$ 37,872.12	$ 37,872.12
		Total General Projects:	**$ 7,308,165.77**

OTHER MISCELLANEOUS DEPARTMENTAL REQUESTS

Acct Number	Project	Amount	Project Subtotal
231-3150-2560	Asset Seizure Training & Education	$ 2,569.42	$ 2,569.42
231-3151-2710	Narcotics/Crime Informants Award Fund - petty cash	$ 6,000.00	$ 6,000.00
		Total Other Miscellaneous Departmental Requests:	**$ 8,569.42**
		Grand Total of all Continuing Appropriations:	**$ 37,007,557.80**

Continuing Appropriations

For the Fiscal Year Ending June 30, 2020

Summary of Continuing Appropriations by Function	
Capital Projects	$ 28,427,542.26
CDBG Grants	$ 611,133.07
Grant Projects	$ 652,147.28
General Projects	$ 7,308,165.77
Miscellaneous Projects	$ 8,569.42
Total Continuing Appropriations:	**$ 37,007,557.80**

SUMMARY OF CONTINUING APPROPRIATIONS BY FUND		
Fund	**Fund Title**	**Amount**
100	General Fund	$ 532,206.26
110	General Fund	$ 121,472.34
110	Measure U	$ 2,687,428.98
120	Planning Department	$ 237,070.00
221	Streets	$ 1,418,336.27
222	Measure A	$ 6,960,049.49
224	Air Pollution Reduction	$ 2,336.39
225	Pre Prop 218 LLMD	$ 189,777.81
227	Post Prop 218 LLMD	$ 19,735.76
228	Post Prop 218 LLMD	$ 96,349.00
231	Asset Seizure	$ 8,569.42
232	Public Safety Grants	$ 313,519.03
240	CDBG	$ 611,133.07
241	General Plan	$ 11,000.00
254	Sewer/Storm Drain	$ 2,702,658.72
316	General Facilities	$ 665,652.47
326	Flood Control	$ 1,971,611.19
329	Bridges/Streets/Traffic Facilities	$ 2,541,548.35
361	Park Development	$ 277,129.00
370	Capital Projects Fund	$ 10,643,373.69
571	Public Water Utility	$ 4,552,554.01
685	Facilities Maintenance	$ 321,174.43
686	PW Administration	$ 122,872.12
	TOTAL CONTINUING APPROPRIATIONS:	**$ 37,007,557.80**

CONTINUE GRANT REVENUES FOR THE YEAR ENDING JUNE 30, 2020		
Account	**Description**	
120-0584	Community Development Grant Reimbursement	$ 310,000.00
224-0597	MSRC Grant Reimbursement	$ 112,575.04
232-0582	Public Safety Grants	$ 313,519.03
370-0716	Capital Projects - Project Reimbursement	$ 10,565,780.86
	TOTAL GRANT REVENUE:	**$ 11,301,874.93**

Approved, Lorena Rocha, Finance Director Date

Approved, Christopher Lopez, City Manager Date

CITY OF HEMET
Hemet, California
RESOLUTION NO. 2021-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, AMENDING THE BUDGET AND APPROVING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2020 AND ENDING JUNE 30, 2021

WHEREAS, on June 24, 2020, the Hemet City Council adopted the Fiscal Year 2020/2021 annual budget; and

WHEREAS, the City of Hemet conducts regular reviews of its budget as it is fiscally prudent to do so; and

WHEREAS, based upon the latest review the City desires to amend the budget as stated in Attachment A

WHEREAS, the City desires to amend the salary schedule as stated in Attachment A

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hemet, California, the recommended adjustments to the budget as summarized in Exhibit A, attached hereto and incorporated herein by reference, and corresponding adjustments to the expenditure appropriations within the funds, are hereby approved.

PASSED, APPROVED AND ADOPTED this 23rd day of February, 2021.

_____
Karlee Meyer, Mayor

ATTEST:

_____
Daryl Betancur, Interim City Clerk

State of California)
County of Riverside)
City of Hemet)

I, Daryl Betancur, Interim City Clerk of the City of Hemet, do hereby certify that the foregoing resolution was adopted by the Hemet City Council on the 23rd day of February, 2021, and was passed by the following vote:

AYES: Council Members:
NOES: Council Member:
ABSTAIN: Council Member:
ABSENT: Council Member:

_____
Daryl Betancur, Interim City Clerk

EXHIBIT A

Fiscal Year 2020/2021
Mid-Year Budget Request

EXPENDITURE ADJUSTMENTS

Department		Amount	Justification	Funding Source	Council Action
City Manager's Office	General Fund	$ 9,100	Eliminate Office Specialist-Confidential position and add Executie Assistant position	Salary savings from vacancies	Add Executive Assistant position to the City Manager's Office Budget
City Clerk's Office	General Fund	$ 45,900	Add Deputy City Clerk position to approved budgeted positions	Increased General Fund revenues	Add Deputy City Clerk position to City Clerk's Office Budget
City Clerk's Office	General Fund	$ 20,400	Increase City Clerk salary to market rate	Increased General Fund revenues	Increase City Clerk Salary Range to: $100,739 to $135,000 and amend salary schedule accordingly
Community Development (Building)	General Fund	$ 35,000	Increased Contract Inspection/Plan Check Services	Increased General Fund revenues	Increase budget in account 120-3300-2610 by $35,000
Community Development (Planning)	General Fund	$ 250,000	Required Housing Element updates (LEAF Grant will offset costs if City is awarded Grant)	Increased General Fund revenues (Grant reimbursement if Grant is approved)	Increase budget in 120-1700-2710 by $250,000
Public Works/Engineering	General Fund	$ 5,100	Increase City Engineer/PW Director salary to market rate	Increased General Fund revenues	Increase City Engineer/PW Director Salary Range to: $175,000 to $195,000 and amend salary schedule accordingly
Public Works/Engineering	Non-General Fund	$ 10,300	Increase City Engineer/PW Director salary to market rate	Fund Balance	Increase City Engineer/PW Director Salary Range to: $175,000 to $195,000 and amend salary schedule accordingly
Engineering (Development)	General Fund	$ 90,000	Increase in Professional Services to Increase Plan Checks	Increase in Plan Check revenues	Increase budget in account 120-4100-2710 by $90,000
Police - Measure U	Gen Fund-Measure U	$ 225,000	Purchase of 5 Motorcycles	Police Measure U fund balance	Increase budget in account 110-3101-5400 by $225,000
Measure U (Police 2/3, Fire 1/3)	Gen Fund-Measure U	$ 290,700	Additional Funds required for Radio Project	Police/Fire Measure U fund balance	Increase budget in account 110-3101-5400 by $193,800 and 110-3240-5400 by $96,900
	Total:	**$ 981,500**			

CITY OF HEMET REVENUES ALL FUNDS
FY 2018-2019 TO FY 2020-2021 PROJECTIONS

FUND	REVENUE TITLE	FY 2018-2019 Actuals	FY 2019-2020 Actuals	FY 2020-2021 Adopted	FY 2020-2021 Mid-Year Revised
110-0110	PROPERTY TAXES-CURRENT SEC.	5,631,532	5,837,773	5,600,000	5,900,000
110-0115	PRIOR YEAR PROPERTY TAXES	169,622	163,881	100,000	120,000
110-0116	PROPERTY TAX RPTTF ON-GOING	1,298,660	1,349,611	1,100,000	1,200,000
110-0117	DELINQ PROP TAX PENALTIES	22,935	0	100,000	50,000
110-0120	SALES AND USE TAX	12,547,200	12,917,291	11,176,200	12,000,000
110-0125	PROP 172 (1/2 % SALES TAX)	701,721	703,039	609,100	700,000
110-0126	MEASURE U	11,736,852	11,731,128	10,305,000	11,000,000
110-0130	TRANSIENT OCCUPANCY TAX	974,570	770,463	700,000	775,000
110-0144	CABLE TV FRANCHISE- VERIZON	235,587	207,298	300,000	200,000
110-0145	IWM FRANCHISE FEE	3,673,694	3,736,227	3,733,575	3,794,432
110-0147	PEG FUNDS TIME WARNER/CHARTER	133,829	102,565	130,000	115,000
110-0148	PEG FUNDS VERIZON/FRONTIER	47,117	41,460	50,000	40,000
110-0163	NEW BUSINESS LICENSES	46,013	36,218	50,000	30,000
110-0164	DEL PENALTY ON NEW BUS LICENSE	1,892	3,271	1,000	2,500
	Sub-Total Taxes	**39,273,861**	**39,662,113**	**33,954,875**	**35,926,932**
110-0310	VEHICLE CODE FINES	80,733	76,788	50,000	40,000
110-0320	OTHER CODE FINES	75,590	54,443	20,000	60,000
110-0325	CITY PARKING CITATIONS	35,424	23,096	15,000	12,000
110-0330	FORFEITURES AND PENALTIES	(55)	794	500	100
	Sub-Total Fines & Forfeitures	**191,692**	**155,120**	**85,500**	**112,100**
110-0421	RENT/2ND FLOOR LIBRARY	1,851	6,119	7,500	0
	Sub-Total Use of Money & Property	**1,054,022**	**828,425**	**7,500**	**0**
110-0505	STATE MOTOR VEH IN LIEU TAX	6,786,066	7,072,601	6,643,000	7,000,000
110-0510	COUNTY HOMEOWNERS EXEMPTION	60,180	57,689	60,000	58,000
110-0533	RESTITUTION/DUI	8,853	13,205	18,000	4,000
110-0566	LIBRARY GRANTS	24	45	0	3,583
110-0569	STATE LIBRARY LITERACY GRANT	0	18,360	18,000	28,577
	Sub-Total Intergovernmental Revenues	**7,630,203**	**7,647,050**	**6,739,000**	**7,094,160**
110-0611	LIBRARY SALE OF COPIES	12,775	8,971	12,000	500
110-0625	SPECIAL FIRE DEPT SERVICES	22,419	2,567	2,500	3,000
110-0640	CR&R ADMIN FEE FROM PROP TAX ROLLS	0	0	0	25,000
110-0641	RTA BUS PASS 5% ADMIN FEE	1,000	1,136	1,000	100
110-0680	LIBRARY FEES AND FINES	27,944	19,053	29,000	1,000
110-0698	ALARM PERMITS/FEES	70,336	83,675	75,000	50,000
	Sub-Total Charges for Services	**491,825**	**387,084**	**119,500**	**79,600**
110-0746	HUSD CONTRIB FOR SRO OFFICERS	510,056	394,916	614,150	414,552
110-0790	OTHER REVENUE	179,054	54,951	20,000	10,000
	Sub-Total Miscellaneous	**2,386,494**	**2,024,805**	**634,150**	**424,552**
120-0221	BUILDING PERMITS	730,602	607,867	482,500	680,616
120-0223	BUILDING - TRAINING FOR RESIDENTIAL/COMM	7,351	5,808	4,700	5,952
120-0238	ENGINEERING ENCROACHMENT PERMIT	85,255	69,663	75,000	60,000
120-0239	ENGINEERING PLANS STORAGE/SCANNING	8,985	2,468	4,000	2,000
120-0240	PRE-INSPECTION	62,774	29,573	26,800	20,082
120-0291	LICENSE VALIDITY FEE	16,247	12,702	0	10,000
120-0601	PLANNING APPLICATIONS	143,595	131,739	75,000	112,500
120-0630	BUILDING PLAN CHECK FEE	201,219	173,618	127,600	115,110
120-0635	PLAN STORAGE FEE	7,206	8,090	6,500	9,212
120-0636	MICROFILM REPRO	41,818	29,807	23,600	28,480
120-0645	ENGINEERING PLAN CHECK ON/OFF SITE	74,341	187,827	125,000	200,000
120-0646	GRADING PLAN CHECK	59,514	1,970	0	75,000
120-0647	ENGINEER MAP PLAN CHECK	21,802	0	0	70,000
120-0691	DEV SERV PROCESSING FEE	21,744	29,620	34,700	32,593
120-0693	TUMF 1% ADMIN FEE	7,093	8,228	11,000	12,784
	Sub-Total Community Development Revenue	**2,360,706**	**1,872,141**	**996,400**	**1,434,329**

GENERAL FUND REVISED REVENUES	**54,742,509**	**54,951,694**	**42,536,925**	**45,071,673**	2,534,748	Increase including Measure U
(General Fund Revenues excluding Measure U)		**43,751,694**	**32,231,925**	**34,071,673**	1,839,748	Increase without Measure U

City of Hemet
City Council Meeting
STAFF REPORT

Meeting: City Council Meeting - Feb 23 2021
Department: Community Development
Submitted by: Christopher Lopez, City Manager
H. P. Kang, Community Development Director;

☐ **Receive and File** ☒ **Consent Calendar** ☐ **Business Item** ☐ **Public Hearing**

TITLE:

Acceptance and Approval to Initiate the 6th Cycle Housing Element Update (2021-2029), Addendum to the City's General Plan Safety Element, and Addition of Environmental Justice Element and Adoption of a Resolution Approving Agreement with Kimley-Horn and Associates, Inc.

RECOMMENDED ACTION:

It is respectfully recommended that City Council:

1. Adopt a Resolution Approving an Agreement with Kimley-Horn and Associates, Inc., and Authorizing the City Manager to utilize the General Fund with equal amount reimbursement from the Local Early Action Planning (LEAP) Grant funding program up to $250,000 for the 6th Cycle Housing Element Update, addendum to the City's Safety Element, and addition of Social Justice Element.

BACKGROUND:

On November 10, 2020, the City Council authorized staff to apply for the non-competitive Local Early Action Planning (LEAP) Grants Program Funds from the California Department of Housing and Community Development (HCD) in the amount of $250,000 for the projects summarized below. Although the grant has not been approved, this is a non-competitive grant (LEAP grant) that provides an opportunity to have the State pay for these unfunded mandates. The funds must be expended by December 31, 2023.

Housing Element Update
The Cycle 6 Housing Element update covers the time period of October 15, 2021 to October 15, 2029. The update must address the City's Regional Housing Needs Assessment (RHNA) allocation, comply with all City, regional, and State requirements, and be certified by the HCD.

SB 375 specifies that if a local government on an eight-year planning cycle fails to adopt its housing element within 120 days of the statutory due date, the jurisdiction will be required to update its housing element every four years until it adopts at least two consecutive revisions by the applicable due dates.

Addendum to Safety Element

In addition, the City must also update it's safety element to ensure the housing element and safety element are both internally consistent with the City's General Plan to ensure compliance with Senate Bills 1241 and 1035 (Government code 65302(g) 1 through 4), to identify any new information and establish new polices, as warranted, related to seismic, flood, dam inundation, wildland fire, noise, airport hazards, and climate adaptation and resiliency strategies. This task shall include the creation of a Local Hazard Mitigation Plan that assesses and addresses identified vulnerabilities. Existing law requires the housing element and safety element to be revised during the same period.

Environmental Just Element (Social Needs Element)

Pursuant to Government code 65302(h), Senate Bill 1000 (2016) requires cities and counties to adopt an Environmental Justice Element if identified as a "disadvantaged community" by the California Environmental Protection Agency. "Disadvantaged communities" means an area identified by the California Environmental Protection Agency pursuant to Section 39711 of the Health and Safety Code or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. The Environmental Justice Element will include policies to reduce health risks by addressing improvements to air quality, access to public facilities, food access, safe and sanitary homes, and physical activity. Senate Bill 1000 (2016) requires cities containing a State-defined disadvantaged community to update their General Plans when two or more elements are updated to incorporate an Environmental Justice element. This may be either a separate stand-alone element or policies integrated throughout the other elements of the General Plan.

Request for Proposal Qualification

On January 19, 2021, a Request for Proposal (RFP) was sent to nine consulting firms, of which one comprehensive proposal was received from Kimley-Horn and Associates, Inc. It was reported by several other consulting firms that they were overextended in assisting other surrounding Southern California cities with their Housing Elements. Kimley-Horn and Associates, which is a full service planning, environmental, and engineering consultant firm, has extensive experience and has coordinated with cities and counties throughout California since the early 1990's and is well versed on all current and recently enacted State law mandates. The consulting team members paired for this effort has experience with over 35 housing elements that have either been certified or in progress for surrounding California cities, including Indian Wells, Murrieta, Chino, Rialto, and Hemet for the 4th and 5th Cycles. The consulting firm's qualifications are as provided in the attached.

FISCAL IMPACT:

On December 8, 2020, the LEAP Grant application was submitted by the City. Since then, Community Development Department has been working with HCD staff to finalize the grant approval. It is anticipated that the grant award will be received this month. Pursuant to Section XVI(2)(F) of the LEAP NOFA, the application includes a request for alternative arrangements to reimbursement and payment advancement due to its inability to pay for work. Based on communications with HCD, the payment advancements would be broken up into two (2) segments.

City staff estimates the cost to prepare these three General Plan element updates, including environmental analysis, to be $150,000 to $200,000. Therefore, to allow for contingency expenses, the total amount of the contract award is not to exceed $250,000.

Due to the short window of time needed to adopt the 6th Cycle Housing Element Update, it is requested that $250,000 is included in the Mid-Year budget adjustment from the General Fund to be replenished in equal amount from the Local Early Action Planning (LEAP) grant funding as a reimbursable fund from the California Department of Housing and Community Development (HCD). For this reason, staff is not requesting that the City Council appropriate the funding within this staff report, but within the Mid-Year budget adjustments.

REVIEWED BY LEGAL:

☒ Staff report ☒ Resolution
☐ Ordinance ☒ Agreement

ATTACHMENT(S):

CC Resolution_Kimley-Horn_02.23.2021
Agreement For Services draft
Leap Grant Alternative Reimb Reques and Application_signed
Kimley-Horn and Associates, Inc. (Proposal).

CITY OF HEMET
Hemet, California
RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, APPROVING A NEW AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT THROUGH DECEMBER 2021, AND AUTHORIZING THE CITY MANAGER TO UTILIZE THE GENERAL FUND WITH EQUAL AMOUNT REIMBURSEMENT FROM THE LOCAL EARLY ACTION PLANNING (LEAP) GRANT FUND PROGRAM ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

WHEREAS, the City of Hemet entered into an agreement with Kimley-Horn and Associates, Inc. on February 24, 2021, to administer the 6th Cycle Housing Element Update (2021-2029), addendum to the City's General Plan Safety Element, and addition of Social Justice Element; and

WHEREAS, Kimley-Horn and Associates, Inc. will follow the Local Early Action Planning Grant (LEAP) guidelines, and any applicable PGP guidelines published by HCD.; and

WHEREAS, Kimley-Horn and Associates Inc. will perform necessary services for the Local Early Action Planning (LEAP) Grant for LEAP programs; and

WHEREAS, David Barquist, AICP will function as the Principal-In-Charge to carry out all functions of the Grant implementation over all projects. This will include overall project management, preparing requests for proposals, overseeing the consultant selection process, scheduling work deliverables, coordinating consultants, producing public notices, public outreach, coordinating City Council and Planning Commission work study sessions, workshops, and public hearings,

preparing staff reports, making presentations, and coordinating attendance contracted specialists, as needed, for attendance at public meetings and hearings.

NOW, THEREFORE, the City Council of the City of Hemet does hereby find and resolve:

SECTION 1. Authorize the City Manager to execute the new Agreement with Kimley-Horn and Associates, Inc. to start February 24, 2021 and expire on December 1, 2021.

SECTION 2. Authorize the City Manager to utilize the General Fund with equal amount reimbursement from the Local Early Action Planning (LEAP) Grant Funding as a reimbursable fund from HCD.

SECTION 3. Authorize the City Manager to execute an amendment up to $250,000 for the agreement with Kimley-Horn and Associates, Inc.

SECTION 4. The City of Hemet shall be subject to the terms and conditions as specified in the Standard Agreement, the Local Early Action Planning (LEAP) grant Guidelines, and any applicable PGP guidelines published by HCD. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable thorough the executed Standard Agreement. The City Council hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by HCD and in accordance with the Planning Grants NOFA, the Planning Grants Guidelines and the 2020 Planning Grants Program Application.

PASSED, APPROVED AND ADOPTED this ___ day of _____, 2021.

_____
Karlee Meyer, Mayor

ATTEST:

_____

Daryl A. Betancur, Interim City Clerk

State of California)
County of Riverside)
City of Hemet)

I, Daryl A. Betancur, Interim City Clerk of the City of Hemet, do hereby certify that the foregoing resolution was adopted by the Hemet City Council on the _____ day of _____, 2021, and was passed by the following vote:

AYES: Council Members:
NOES: Council Member:
ABSTAIN: Council Member:
ABSENT: Council Member:

_____
Daryl A. Betancur, Interim City Clerk

Exhibit A: Agreement for Project Planning Services

EXHIBIT A
Agreement for Project Planning Services

AGREEMENT FOR SERVICES

By and Between

THE CITY OF HEMET,
a California municipal corporation

and

KIMLEY-HORN AND ASSOCIATES, INC.

February ___, 2021

AGREEMENT FOR SERVICES
BY AND BETWEEN
THE CITY OF HEMET, CALIFORNIA
AND
KIMLEY-HORN AND ASSOCIATES, INC.

This Agreement for Services ("Agreement") is entered into as of this ___ day of February, 2021 by and between the City of Hemet, a California municipal corporation ("City") and Kimley-Horn and Associates, Inc., a Corporation ("Service Provider"). City and Service Provider are sometimes hereinafter individually referred to as "Party" and hereinafter collectively referred to as the "Parties."

RECITALS

A. City has sought, by a Request for Proposal the performance of the services defined and described particularly in Section 2 of this Agreement.

B. Service Provider, following submission of a proposal for the performance of the services defined and described particularly in Section 2 of this Agreement, was selected by the City to perform those services.

C. Pursuant to the City of Hemet's Municipal Code, City has authority to enter into this Services Agreement and the City Manager has authority to execute this Agreement.

D. The Parties desire to formalize the selection of Service Provider for performance of those services defined and described particularly in Section 2 of this Agreement and desire that the terms of that performance be as particularly defined and described herein.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the mutual promises and covenants made by the Parties and contained here and other consideration, the value and adequacy of which are hereby acknowledged, the Parties agree as follows:

SECTION 1. TERM OF AGREEMENT.

Subject to the provisions of Section 20 "Termination of Agreement" of this Agreement, the Term of this Agreement is until December 1, 2021 commencing on the date first ascribed above.

SECTION 2. SCOPE OF SERVICES & SCHEDULE OF PERFORMANCE.

(a) Scope of Services. Service Provider agrees to perform to the satisfaction of the City the services set forth in Exhibit "A" "Scope of Services" (hereinafter, the "Services") and made a part of this Agreement by this reference.

(b) Schedule of Performance. The Services shall be completed to the satisfaction of the City pursuant to the schedule specified in Exhibit "A." Should the Services not be completed pursuant to that schedule, the Service Provider shall be deemed to be in Default of this Agreement. The City, in its sole discretion, may choose not to enforce the Default provisions of this Agreement and may instead allow Service Provider to continue performing the Services.

SECTION 3. ADDITIONAL SERVICES.

Service Provider shall not be compensated for any work rendered in connection with its performance of this Agreement that are in addition to or outside of the Services unless such additional services are authorized in advance and in writing in accordance with Section 26 "Administration and Implementation" or Section 28 "Amendment" of this Agreement. If and when such additional work is authorized, such additional work shall be deemed to be part of the Services.

SECTION 4. COMPENSATION AND METHOD OF PAYMENT.

(a) Subject to any limitations set forth in this Agreement, City agrees to pay Service Provider the amounts specified in Exhibit "B" "Compensation" and made a part of this Agreement by this reference. The total compensation, including reimbursement for actual and reasonable expenses, shall not exceed One-Hundred and Ninety-One Thousand, One-Hundred and Thirty-Five dollars ($191,135), unless additional compensation is approved in writing in accordance with Section 26 "Administration and Implementation" or Section 28 "Amendment" of this Agreement up to the maximum amount of Two Hundred and Fifty Thousand dollars ($250,000).

(b) Each month Service Provider shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month. The invoice shall detail charges by the following categories: labor (by sub-category), travel, materials, equipment, supplies, and subcontractor contracts. Subcontractor charges shall be detailed by the following categories: labor, travel, materials, equipment and supplies. If the compensation set forth in subsection (a) and Exhibit "B" include payment of labor on an hourly basis (as opposed to labor and materials being paid as a lump sum), the labor category in each invoice shall include detailed descriptions of task performed and the amount of time incurred for or allocated to that task. City shall independently review each invoice submitted by the Service Provider to determine whether the work performed and expenses incurred are in compliance with the provisions of this Agreement. In the event that no charges or expenses are disputed, the invoice shall be approved and paid according to the terms set forth in subsection (c). In the event any

charges or expenses are disputed by City, the original invoice shall be returned by City to Service Provider for correction and resubmission.

(c) Except as to any charges for work performed or expenses incurred by Service Provider which are disputed by City, City will use its best efforts to cause Service Provider to be paid within forty-five (45) days of receipt of Service Provider's correct and undisputed invoice.

(d) Payment to Service Provider for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Service Provider.

SECTION 5. INSPECTION AND FINAL ACCEPTANCE.

City may inspect and accept or reject any of Service Provider's work under this Agreement, either during performance or when completed. City shall reject or finally accept Service Provider's work within sixty (60) days after submitted to City. City shall reject work by a timely written explanation, otherwise Service Provider's work shall be deemed to have been accepted. City's acceptance shall be conclusive as to such work except with respect to latent defects, fraud and such gross mistakes as amount to fraud. Acceptance of any of Service Provider's work by City shall not constitute a waiver of any of the provisions of this Agreement including, but not limited to, Section 16 "Indemnification" and Section 17 "Insurance."

SECTION 6. OWNERSHIP OF DOCUMENTS.

All original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared, developed or discovered by Service Provider in the course of providing the Services pursuant to this Agreement shall become the sole property of City and may be used, reused or otherwise disposed of by City without the permission of the Service Provider. Upon completion, expiration or termination of this Agreement, Service Provider shall turn over to City all such original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents.

If and to the extent that City utilizes for any purpose not related to this Agreement any maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files or other documents prepared, developed or discovered by Service Provider in the course of providing the Services pursuant to this Agreement, Service Provider's guarantees and warranties in Section 9 "Standard of Performance" of this Agreement shall not extend to such use of the maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files or other documents.

SECTION 7. SERVICE PROVIDER'S BOOKS AND RECORDS.

(a) Service Provider shall maintain any and all documents and records demonstrating or relating to Service Provider's performance of the Services. Service

Provider shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, or other documents or records evidencing or relating to work, services, expenditures and disbursements charged to City pursuant to this Agreement. Any and all such documents or records shall be maintained in accordance with generally accepted accounting principles and shall be sufficiently complete and detailed so as to permit an accurate evaluation of the services provided by Service Provider pursuant to this Agreement. Any and all such documents or records shall be maintained for three (3) years from the date of execution of this Agreement and to the extent required by laws relating to audits of public agencies and their expenditures.

(b) Any and all records or documents required to be maintained pursuant to this section shall be made available for inspection, audit and copying, at any time during regular business hours, upon request by City or its designated representative. Copies of such documents or records shall be provided directly to the City for inspection, audit and copying when it is practical to do so; otherwise, unless an alternative is mutually agreed upon, such documents and records shall be made available at Service Provider's address indicated for receipt of notices in this Agreement.

(c) Where City has reason to believe that any of the documents or records required to be maintained pursuant to this section may be lost or discarded due to dissolution or termination of Service Provider's business, City may, by written request, require that custody of such documents or records be given to the City. Access to such documents and records shall be granted to City, as well as to its successors-in-interest and authorized representatives.

SECTION 8. INDEPENDENT CONTRACTOR.

(a) Service Provider is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of City. Service Provider shall have no authority to bind City in any manner, nor to incur any obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City.

(b) The personnel performing the Services under this Agreement on behalf of Service Provider shall at all times be under Service Provider's exclusive direction and control. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Service Provider or any of Service Provider's officers, employees, or agents except as set forth in this Agreement. Service Provider shall not at any time or in any manner represent that Service Provider or any of Service Provider's officers, employees, or agents are in any manner officials, officers, employees or agents of City.

(c) Neither Service Provider, nor any of Service Provider's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Service Provider expressly waives any claim Service Provider may have to any such rights.

SECTION 9. STANDARD OF PERFORMANCE.

Service Provider represents and warrants that it has the qualifications, experience and facilities necessary to properly perform the Services required under this Agreement in a thorough, competent and professional manner. Service Provider shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all Services. In meeting its obligations under this Agreement, Service Provider shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing services similar to the Services required of Service Provider under this Agreement. In addition to the general standards of performance set forth this section, additional specific standards of performance and performance criteria may be set forth in Exhibit "A" "Scope of Work" that shall also be applicable to Service Provider's work under this Agreement. Where there is a conflict between a general and a specific standard of performance or performance criteria, the specific standard or criteria shall prevail over the general.

SECTION 10. COMPLIANCE WITH APPLICABLE LAWS; PERMITS AND LICENSES.

Service Provider shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Service Provider shall obtain any and all licenses, permits and authorizations necessary to perform the Services set forth in this Agreement. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall be liable, at law or in equity, as a result of any failure of Service Provider to comply with this section.

SECTION 11. PREVAILING WAGE LAWS

It is the understanding of City and Service Provider that California prevailing wage laws do not apply to this Agreement because the Agreement does not involve any of the following services subject to prevailing wage rates pursuant to the California Labor Code or regulations promulgated thereunder: Construction, alteration, demolition, installation, or repair work performed on public buildings, facilities, streets or sewers done under contract and paid for in whole or in part out of public funds. In this context, "construction" includes work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work.

SECTION 12. NONDISCRIMINATION.

Service Provider shall not discriminate, in any way, against any person on the basis of race, color, religious creed, national origin, ancestry, sex, age, physical handicap, medical condition or marital status in connection with or related to the performance of this Agreement.

SECTION 13. UNAUTHORIZED ALIENS.

Service Provider hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act, 8 U.S.C.A. §§ 1101, et seq., as amended, and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Service Provider so employ such unauthorized aliens for the performance of the Services, and should the any liability or sanctions be imposed against City for such use of unauthorized aliens, Service Provider hereby agrees to and shall reimburse City for the cost of all such liabilities or sanctions imposed, together with any and all costs, including attorneys' fees, incurred by City.

SECTION 14. CONFLICTS OF INTEREST.

(a) Service Provider covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Service Provider's performance of the Services. Service Provider further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent or subcontractor without the express written consent of the City Manager. Service Provider agrees to at all times avoid conflicts of interest or the appearance of any conflicts of interest with the interests of City in the performance of this Agreement.

(b) City understands and acknowledges that Service Provider is, as of the date of execution of this Agreement, independently involved in the performance of non-related services for other governmental agencies and private parties. Service Provider is unaware of any stated position of City relative to such projects. Any future position of City on such projects shall not be considered a conflict of interest for purposes of this section.

(c) City understands and acknowledges that Service Provider will perform non-related services for other governmental agencies and private Parties following the completion of the Services under this Agreement. Any such future service shall not be considered a conflict of interest for purposes of this section.

SECTION 15. CONFIDENTIAL INFORMATION; RELEASE OF INFORMATION.

(a) All information gained or work product produced by Service Provider in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Service Provider. Service Provider shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the City Manager, except as may be required by law.

(b) Service Provider, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the City Manager or unless requested by the City Attorney of City, voluntarily provide declarations, letters of support, testimony at

depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided Service Provider gives City notice of such court order or subpoena.

(c) If Service Provider, or any officer, employee, agent or subcontractor of Service Provider, provides any information or work product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Service Provider for any damages, costs and fees, including attorney's fees, caused by or incurred as a result of Service Provider's conduct.

(d) Service Provider shall promptly notify City should Service Provider, its officers, employees, agents or subcontractors, be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder. City retains the right, but has no obligation, to represent Service Provider or be present at any deposition, hearing or similar proceeding. Service Provider agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Service Provider. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

SECTION 16. INDEMNIFICATION.

(a) Indemnification for Professional Liability. Where the law establishes a professional standard of care for Service Provider's services, to the fullest extent permitted by law, Service Provider shall indemnify, protect, defend and hold harmless City and any and all of its officials, employees and agents ("Indemnified Parties") from and against any and all liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorney's fees and costs, court costs, interest, defense costs, and expert witness fees) arise out of, are a consequence of, or are in any way attributable to, in whole or in part, any negligent or wrongful act, error or omission of Service Provider, or by any individual or entity for which Service Provider is legally liable, including but not limited to officers, agents, employees or sub-contractors of Service Provider, in the performance of professional services under this Agreement.

(b) Indemnification for Other than Professional Liability. Other than in the performance of professional services and to the full extent permitted by law, Service Provider shall indemnify, protect, defend and hold harmless City, and any and all of its employees, officials and agents from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorney's fees and costs, court costs, interest, defense costs, and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by Service

Provider, or by any individual or entity for which Service Provider is legally liable, including but not limited to officers, agents, employees or sub-contractors of Service Provider.

(c) Indemnification from Subcontractors. Service Provider agrees to obtain executed indemnity agreements with provisions identical to those set forth in this section from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Service Provider in the performance of this Agreement naming the Indemnified Parties as additional indemnitees. In the event Service Provider fails to obtain such indemnity obligations from others as required herein, Service Provider agrees to be fully responsible according to the terms of this section. Failure of City to monitor compliance with these requirements imposes no additional obligations on City and will in no way act as a waiver of any rights hereunder. This obligation to indemnify and defend City as set forth herein is binding on the successors, assigns or heirs of Service Provider and shall survive the termination of this Agreement or this section.

(d) Limitation of Indemnification. Notwithstanding any provision of this section to the contrary, design professionals are required to defend and indemnify the City only to the extent permitted by Civil Code Section 2782.8, which limits the liability of a design professional to claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. The term "design professional," as defined in Section 2782.8, is limited to licensed architects, licensed landscape architects, registered professional engineers, professional land surveyors, and the business entities that offer such services in accordance with the applicable provisions of the California Business and Professions Code.

(e) City's Negligence. The provisions of this section do not apply to claims occurring as a result of City's sole negligence. The provisions of this section shall not release City from liability arising from gross negligence or willful acts or omissions of City or any and all of its officials, employees and agents.

SECTION 17. INSURANCE.

Service Provider agrees to obtain and maintain in full force and effect during the term of this Agreement the insurance policies set forth in Exhibit "C" "Insurance" and made a part of this Agreement. All insurance policies shall be subject to approval by City as to form and content. These requirements are subject to amendment or waiver if so approved in writing by the City Manager. Service Provider agrees to provide City with copies of required policies upon request.

SECTION 18. ASSIGNMENT.

The expertise and experience of Service Provider are material considerations for this Agreement. City has an interest in the qualifications and capability of the persons and entities who will fulfill the duties and obligations imposed upon Service Provider

under this Agreement. In recognition of that interest, Service Provider shall not assign or transfer this Agreement or any portion of this Agreement or the performance of any of Service Provider's duties or obligations under this Agreement without the prior written consent of the City. Any attempted assignment shall be ineffective, null and void, and shall constitute a material breach of this Agreement entitling City to any and all remedies at law or in equity, including termination of this Agreement pursuant to Section 20 "Termination of Agreement." City acknowledges, however, that Service Provider, in the performance of its duties pursuant to this Agreement, may utilize sub-contractors.

SECTION 19. CONTINUITY OF PERSONNEL.

Service Provider shall make every reasonable effort to maintain the stability and continuity of Service Provider's staff and sub-contractors, if any, assigned to perform the Services. Service Provider shall notify City of any changes in Service Provider's staff and sub-contractors, if any, assigned to perform the Services prior to and during any such performance.

SECTION 20. TERMINATION OF AGREEMENT.

(a) City may terminate this Agreement, with or without cause, at any time by giving thirty (30) days written notice of termination to Service Provider. In the event such notice is given, Service Provider shall cease immediately all work in progress.

(b) Service Provider may terminate this Agreement for cause at any time upon thirty (30) days written notice of termination to City.

(c) If either Service Provider or City fail to perform any material obligation under this Agreement, then, in addition to any other remedies, either Service Provider, or City may terminate this Agreement immediately upon written notice.

(d) Upon termination of this Agreement by either Service Provider or City, all property belonging exclusively to City which is in Service Provider's possession shall be returned to City. Service Provider shall furnish to City a final invoice for work performed and expenses incurred by Service Provider, prepared as set forth in Section 4 "Compensation and Method of Payment" of this Agreement. This final invoice shall be reviewed and paid in the same manner as set forth in Section 4 "Compensation and Method of Payment" of this Agreement.

SECTION 21. DEFAULT.

In the event that Service Provider is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Service Provider for any work performed after the date of default. Instead, the City may give notice to Service Provider of the default and the reasons for the default. The notice shall include the timeframe in which Service Provider may cure the default. This timeframe is presumptively thirty (30) days, but may be extended, though not reduced, if circumstances warrant. During the period of time that Service Provider is in default, the

City shall hold all invoices and shall, when the default is cured, proceed with payment on the invoices. In the alternative, the City may, in its sole discretion, elect to pay some or all of the outstanding invoices during the period of default. If Service Provider does not cure the default, the City may take necessary steps to terminate this Agreement under Section 20 "Termination of Agreement." Any failure on the part of the City to give notice of the Service Provider's default shall not be deemed to result in a waiver of the City's legal rights or any rights arising out of any provision of this Agreement.

SECTION 22. EXCUSABLE DELAYS.

Service Provider shall not be liable for damages, including liquidated damages, if any, caused by delay in performance or failure to perform due to causes beyond the control of Service Provider. Such causes include, but are not limited to, acts of God, acts of the public enemy, acts of federal, state or local governments, acts of City, court orders, fires, floods, epidemics, strikes, embargoes, and unusually severe weather. The term and price of this Agreement shall be equitably adjusted for any delays due to such causes.

SECTION 23. COOPERATION BY CITY.

All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the Services shall be furnished to Service Provider in every reasonable way to facilitate, without undue delay, the Services to be performed under this Agreement.

SECTION 24. NOTICES.

All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, or sent by telecopier or certified mail, postage prepaid and return receipt requested, addressed as follows:

To City: City of Hemet
Attn: City Manager
445 E. Florida Avenue
Hemet, CA 92543

To Service Provider: Kimley-Horn Associates, Inc.
Attn: David Barquist, AICP
1100 W. Town and Country Road, Suite 700
Orange, CA 92868

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile or, if mailed, three (3) days after deposit of the same in the custody of the United States Postal Service.

SECTION 25. AUTHORITY TO EXECUTE.

The person or persons executing this Agreement on behalf of Service Provider represents and warrants that he/she/they has/have the authority to so execute this Agreement and to bind Service Provider to the performance of its obligations hereunder.

SECTION 26. ADMINISTRATION AND IMPLEMENTATION.

This Agreement shall be administered and executed by the City Manager or his or her designated representative. The City Manager shall have the authority to issue interpretations and to make amendments to this Agreement, including amendments that commit additional funds, consistent with Section 28 "Amendment" and the City Manager's contracting authority under the Hemet Municipal Code.

SECTION 27. BINDING EFFECT.

This Agreement shall be binding upon the heirs, executors, administrators, successors and assigns of the Parties.

SECTION 28. AMENDMENT.

No amendment to or modification of this Agreement shall be valid unless made in writing and approved by the Service Provider and by the City. The City Manager shall have the authority to approve any amendment to this Agreement if the total compensation under this Agreement, as amended, would not exceed the City Manager's contracting authority under the Hemet Municipal Code. All other amendments shall be approved by the City Council. The Parties agree that the requirement for written modifications cannot be waived and that any attempted waiver shall be void.

SECTION 29. WAIVER.

Waiver by any Party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any Party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision nor a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Service Provider shall not constitute a waiver of any of the provisions of this Agreement.

SECTION 30. LAW TO GOVERN; VENUE.

This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the Parties, venue in state trial courts shall lie exclusively in the County of Riverside, California. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Central District of California, in Riverside.

SECTION 31. ATTORNEYS FEES, COSTS AND EXPENSES.

In the event litigation or other proceeding is required to enforce or interpret any provision of this Agreement, the prevailing Party in such litigation or other proceeding shall be entitled to an award of reasonable attorney's fees, costs and expenses, in addition to any other relief to which it may be entitled.

SECTION 32. ENTIRE AGREEMENT.

This Agreement, including the attached Exhibits "A" through "C", is the entire, complete, final and exclusive expression of the Parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between Service Provider and City prior to the execution of this Agreement. No statements, representations or other agreements, whether oral or written, made by any Party which are not embodied herein shall be valid and binding.

SECTION 33. SEVERABILITY.

If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and the Agreement shall be read and construed without the invalid, void or unenforceable provision(s).

SECTION 34. CONFLICTING TERMS.

Except as otherwise stated herein, if the terms of this Agreement conflict with the terms of any Exhibit hereto, or with the terms of any document incorporated by reference into this Agreement, the terms of this Agreement shall control.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date and year first-above written.

CITY OF HEMET

_____
Christopher Lopez
City Manager

ATTEST:

_____
Daryl Betancur
Interim City Clerk

APPROVED AS TO FORM

_____
Steven P. Graham
City Attorney

SERVICE PROVIDER

Kimley-Horn Associates, Inc.

By: _____
Its: _____

By: _____
Its: _____

EXHIBIT "A"
SCOPE OF SERVICES

Task 1: Scope of Services and Process

Task 1.1: Project Kick-off

Kimley-Horn will participate in a Kick-Off Meeting with City staff to discuss the update process, answer questions, provide data, and exchange other important procedural aspects of the Housing Element Update. The meeting will address the following:

- Review/Modify the Scope of Work and Schedule
- Define Outreach Methodologies
- Data Sharing/Exchanging
- Meetings and Public Engagement

Task 1.1 Deliverables:

- Kick-off Meeting Agenda
- Kick-off Meeting Minutes

Task 1.2: Project Schedule

Kimley-Horn will develop and maintain a project deliverables schedule outlining major milestones, meetings, work products, community outreach events, subcommittee meetings, and public hearings. The Project Team will provide regular tracking and updating of the project schedule so that Hemet stays on schedule throughout the Housing Element Update process. The project deliverables schedule will include all tasks within the Scope of Work and accommodate anticipated City and agency review times.

Task 1.2 Deliverables:

- Project Schedule (Updated as needed)

Task 2: Project Team Coordination

Task 2.1: Project Management and Coordination Meetings

Kimley-Horn will meet regularly with the project team to coordinate project deliverables, data, and public meetings. The scope and fee provided assume monthly phone meetings will occur throughout the duration of the project and face-to-face meetings when circumstances warrant. It is assumed that five meetings with staff will occur during the update process for project management, project updates and strategy planning. Additional phone conferences and coordination is anticipated to occur throughout the process.

Task 3: Housing Element Components

Task 3.1: Document Review

Following the Kick-Off Meeting, Kimley-Horn will provide City of Hemet staff with a listing of pertinent data that is necessary to complete the work program. Kimley-Horn will only request data that is proprietary to the City and not available publicly. Kimley-Horn will review all applicable City, regional, and State documents pertaining to the Housing Element update. This may include various policy and regulatory documents and other assistance programs. Kimley-Horn will be responsible for identifying and resolving any information gaps. Kimley-Horn anticipates a "turnkey approach" for data collection to the greatest extent feasible and will only request information that is proprietary to the City to minimize the work effort by City Staff.

Task 3.1 Deliverable

- Document Library List

Task 3.2: Evaluate the Current Housing Element

As required by State law, Kimley-Horn will review and evaluate the 5TH Cycle 2014-2021 Housing Element and its programs. In general, the task will include a review of the appropriateness of the housing goals, objectives, and polices in contributing to the attainment of the stated housing goal; the effectiveness of the Housing Element in attaining community housing goals and objectives; and the City's progress in implementing the Housing Element.

The report will include the following information:

- Evaluate the status, effectiveness, and appropriateness of the current housing policy programs and identify any barriers to implementation
- Compare identified goals from the adopted Housing Element to actual accomplishments during the plan period
- Evaluate the existing Housing Element in relation to current State housing laws and identify any omissions or deficiencies

Task 3.2 Deliverable

- Review of Past Performance Matrix

Task 3.3: Housing Needs, Constraints, Resources, Population, and Housing Profile

As required by State law, Kimley-Horn will assess housing needs, constraints, and resources available. A population and housing profile will be conducted that summarizes, population and household characteristics, analysis of special needs populations, and units at risk of converting to market rate units. Housing constraints will identify non-governmental, governmental, and environmental constraints that may influence housing. Housing resources such as availability of vacant land, zoning to

accommodate RHNA growth needs, and capacities of available sites will be analyzed. Funding and financing resources available to address existing and future housing market conditions and needs will be identified. Opportunities for energy conservation will also be explored. Based on new housing law, the adequate sites analysis will be much more in-depth and detailed compared to prior planning periods. It is Kimley-Horn's experience that the new law will necessitate a more detailed study of adequate sites to satisfy HCD standards.

Task 3.3 Deliverables

- Housing Needs, Constraints, Resources, Population Report
- Housing Profile
- Adequate Sites Analysis and GIS Shapefiles
- GIS Based Inventory of Sites
- Data Tables, Maps, and Relevant Text

Task 3.4 Develop Housing Plan

Kimley-Horn will develop a Housing Plan that constitutes the policy component of the Housing Element. The Housing Plan may include prior policies from the 5th Cycle Housing Element that are still appropriate and will be supplemented by new policies and programs that address new statutory requirements. The Housing Plan will identify policies and programs to address Conservation and Improvement, Availability and Production, Affordability, Removal of Constraints, and Equal Housing Opportunity. Policies and programs will be supplemented with Quantified Objectives by income category.

*Task 3.5 Deliverables*Housing Policy Plan

- List of Quantified Objectives

Task 4: Community Engagement

Task 4.1 Community Outreach Plan

Kimley-Horn will employ an approach to public participation that provides for meaningful input and involvement. Kimley-Horn will conduct a minimum of two community engagement workshops to solicit public comments on the Housing Element Update prior to initiating work on Housing Element components.

Based upon coordination with City Staff, the Kimley-Horn team will formulate a Community Outreach Program that addresses the outreach strategies, dates, locations, participants and other relevant data. This Outreach Program will guide the outreach process for the Housing Element and will be updated as needed.

Utilizing a variety of "tools" such as PowerPoint presentations, informational handouts, visual aids, and Social Media, Kimley-Horn will prepare and deliver materials to help

workshop participants understand the update process, issues to resolve (as identified during the current Housing Element Evaluation), and potential solutions. It is assumed that City staff will be responsible for the scheduling of venues, staff coordination, and provide public noticing, facilities, set-up for all community engagement activities.

In consideration of the current COVID-19 environment, our team understand the limitations on social gathering and how that can have a demonstrated effect on the level of participation in the planning process. Kimley-Horn can utilize a variety of strategies to enhance community engagement, including use of surveys, online meetings, webinars, and live event feeds to encourage participation. Those options and opportunities can be further explored during the kickoff meeting.
Hemet City Staff will be responsible for coordination and participation associated with venue and event scheduling and public dissemination of information via the City's website and other methods in collaboration with the City's public information officer.

Task 4.1 Deliverable

- Draft Community Outreach Plan in electronic format

Task 4.2 Community Workshop #1
Introduction and Policy Considerations
Kimley-Horn will facilitate an initial community workshop with the public and stakeholders to discuss the Housing Element update process. Kimley-Horn will prepare and deliver a PowerPoint presentation, informational handouts, visual aids, and other materials. In collaboration with City staff, Kimley-Horn will identify key stakeholders. The meeting will introduce participants to the RHNA process, Housing Element requirements, legislative requirements and engage in the identification of policy considerations. Participants will identify challenges, issues, and opportunities facing housing in Hemet that will inform policy within the Housing Element.

Task 4.2 Deliverables

- Electronic copies (in PDF format) of draft presentation, handouts, etc.
- Preparation of Facilitation of Workshop
- Summary Workshop notes

Task 4.3 Community Workshop #2
Kimley-Horn will facilitate a second community workshop with the public and stakeholders to discuss the Public Review Draft Housing Element. Workshop #2 will build upon the information learned from Workshop #1 and provide draft analysis, policies, and programs for review and discussion. Kimley-Horn will prepare and deliver a PowerPoint presentation, informational handouts, visual aids, and other materials. In collaboration with City staff, Kimley-Horn will identify key stakeholders.

Task 4.3 Deliverables

- Electronic copies (in PDF format) of draft presentation, handouts, etc.
- Preparation of Facilitation of Workshop
- Summary Workshop notes

Task 4.4 Community Outreach Survey Tool (OPTIONAL)

Kimley-Horn understands that a flexible community outreach strategy is critical to gathering diverse and meaningful input form the community. The COVID-19 pandemic is altering the way that cities are approaching community outreach during the 6th Cycle Housing Element Update as participants may be less likely to attend traditional community workshops, even when possible. Provided the City would like to explore alternatives or in addition to "in-person" community outreach workshops, Kimley-Horn will provide a web-based community outreach tool that maximizes the level of community engagement. The web-based survey tool includes analytics to evaluate community input on locations for potential housing, housing goals, policies, and programs. The community survey provides an alternative method for gathering public participation that allows residents and stakeholders the flexibility of participating at a time that works for their schedule. The tool also provides tangible data that can be incorporated into the Housing Element to quantify the City's outreach efforts to HCD.

Task 4.4 Deliverables

- Set up, launch and running of outreach survey tool in coordination with City Staff
- Summary report of survey results
- Review of survey data and incorporation into the Housing Element

Task 4.5 Joint Study Session with City Council and Planning Commission

Kimley-Horn will attend and facilitate one (1) joint study session/meeting with the City Council and Planning Commission. The joint body will not take any formal action at this meeting. This meeting will be used for interim discussion prior to formal Public Hearings later.

The Study Session will serve as an educational opportunity to present information on new housing-related state law, elements of the 6th Cycle Housing Element Update process, and other project-related information determined to be important by City Staff. As part of the work plan refinement process, Kimley-Horn can discuss with City staff the most effective approach for these meetings, including opportunities for involvement of key stakeholder groups, non-profits, and other members of the community. Additional Study Sessions may be conducted at the request of City Staff as additional services not assumed in this proposal.

Task 4.5 Deliverables

- Electronic copies (in PDF format) of draft presentation, handouts, etc.
- Preparation of facilitation of Study Session
- Summary Study Session notes

Task 5: Draft Housing Element

Kimley-Horn will prepare a Screencheck Draft, Public Review Draft, and Final Housing Element.

Task 5.1 Screencheck Draft

Kimley-Horn will prepare and submit a Screencheck Draft Housing Element to the City for review. The Screencheck Draft will be a complete draft document and include all required statutory content. The draft will provide tables, maps, and graphics.

Task 5.1 Deliverables

- One electronic copy (in native file format and PDF format) of the Screencheck Draft Housing Element for City review and comment
- One reproducible copy of the Screencheck draft

Task 5.2 Pre-HCD Submittal Public Review Draft

Kimley-Horn will prepare a Pre-HCD Public Review Draft Housing Element based on feedback received during the public review process to be reviewed prior to the formal submittal to HCD for initial review. The public review of the Draft Housing Element prior to review by HCD has been requested for 6th Cycles to make certain that public comments are reflected in the Draft document. Kimley-Horn will provide appropriate responses to public comments on the draft document. This will be beneficial to the City, as issues can be identified and addressed from third parties prior to HCD's formal review. It is recommended the City permit a 30-day public review period.

Task 5.2 Deliverables

- One electronic copy (in native file format and PDF format)
- One reproducible copy

Task 5.3 HCD Submittal

Following all initial community outreach workshops and meetings, Kimley-Horn will prepare summary notes or minutes of the community workshop, and a summary of all other comments received during the public review period described in previous tasks.

The HCD Submittal draft will incorporate all community and stakeholder feedback as well as staff comments based on community/third-party input. Once the Draft Housing Element is finalized, it will be submitted for an initial 60-day review to the Department of Housing and Community Development (HCD) after required meetings and approvals

from the Planning Commission and City Council. Kimley-Horn will prepare a transmittal letter to HCD detailing how the Housing Element meets State law requirements. The Draft Housing Element will be accompanied by a completed Completeness Review Checklist.

Task 5.3 Deliverables

- One electronic copy (in native file format and PDF format) of the HCD Draft Housing Element
- electronic copy (in native file format and PDF format) of the transmittal letter and checklist

Task 5.4 Response to Comments

Kimley-Horn will coordinate the preparation of responses to any comments or requested revisions to the HCD Review Draft Housing Element. Based on our recent experience, the City should be prepared to receive considerably more comments during this Cycle.

Task 5.4 Deliverables

- Summary Matrix of Response to HCD Comments

Task 5.5 Public Review Draft

Kimley-Horn will prepare a Public Review Draft Housing Element based on comments from HCD for release to the public for review prior to scheduled adoption hearings. Kimley-Horn will resolve any issues and make requested revisions to the Draft to the satisfaction of the City prior to Public Hearing.

Task 5.5 Deliverables

- One electronic copy (in native file format and PDF format)
- One reproducible copy

Task 5.6: Final Draft Housing Element

Following review by HCD, Kimley-Horn will revise the appropriate sections and prepare a Final Draft Housing Element to be presented at public hearings before City Council.

Task 5.6 Deliverable

- One electronic copy (in native file format and PDF format) of the Final Draft Housing Element

Task 5.7: Transmittal of Final Adopted Housing Element to HCD

Kimley-Horn will transmit the Final Housing Element to HCD for final certification and will maintain ongoing communication with the State until the Housing Element is officially deemed certified. As required by state housing element law, the final adopted

document must be provided to HCD prior to deeming the Housing Element certified by the State.

Task 5.7 Deliverable

- Ten (10) bound copies of the adopted Housing Element Document for distribution

Task 6: Land Use Element Amendments

Kimley-Horn will evaluate the Hemet General Plan Land Use Element for any necessary consistency amendments in response to land use considerations developed as part of the Housing Element Update. This will ensure internal consistency with the General Plan document, as necessary. Consistency amendments may include revisions to the official land use map, textual and other policy modifications necessary to demonstrate internal consistency with the Housing Element.

Task 6.1 Deliverable

- One electronic copy (in native file format and PDF format) of the Draft amended Land Use Element (text, table, and maps)
- One final electronic copy of Final amended Land Use Element

Task 7: Environmental Compliance

The proposed Housing Element Update is a policy document that addresses the City's housing need; no actual land development or re-designations/rezoning is currently assumed. Accordingly, a CEQA Initial Study leading to a Negative Declaration (IS/ND) will be prepared to evaluate the Housing Element Update's potential impacts. This approach assumes that the Housing Element Update will not propose sweeping changes to the City's adopted housing-related policies and programs and would generally provide for continuation of current policies and programs. As such, the IS/ND will evaluate the Housing Element Update's potential impacts using existing available information- no technical studies or evaluations are assumed. Where new policies and programs are proposed, it is assumed these would not have any potential to affect the environment. Thus, our proposed approach to the project's environmental analysis is to focus the IS' scope on the housing policies and programs, but not those components with potential to result in physical impacts (e.g., re-designations/rezoning with potential to increase development capacities). For those components, our proposed approach assumes the environmental clearance will be obtained through CEQA documentation for other past and concurrent efforts.

<u>Tasks 7.1: Public Review Initial Study</u>
Kimley-Horn will prepare a programmatic IS utilizing the State CEQA Guidelines Appendix G Checklist, and will describe the project's location, environmental

setting/baseline conditions, and characteristics. The IS' main body will consist of an environmental checklist and the supporting environmental analyses, which will consider the whole action involved with the project. Kimley-Horn will respond to one reconciled set of City comments on the Administrative Public Review IS/ND and will prepare and distribute the Public Review IS/ND.

Task 7.2: Assembly Bill 52/Senate Bill 18 Notifications
City staff will be responsible for AB 52/SB 18 notifications and any follow-up consultations; however, Kimley-Horn will provide consultation support if requested by City staff. A maximum of four hours is assumed for this task.

Task 7.3: CEQA Notices
Our team will prepare, distribute, and file the IS/ND CEQA Notices (i.e., NOI/NOC/NOD). The Notices will be distributed via certified mail to all responsible, trustee, and interested agencies, community groups, and individuals, and filed with the County Clerk and State Clearinghouse. Distribution will be based upon a city-provided distribution list. This Scope excludes any required radius mailing, newspaper notices, and payment of California Department of Fish and Wildlife (CDFW) fees, if required.

Tasks 7.4: Responses to Comments Technical Memorandum (TM) and Mitigation Monitoring and Reporting Program (MMRP)
Kimley-Horn will prepare the Administrative Responses to Comment TM to include: 1) List of commenting persons/organizations/public agencies; 2) Comment letters; and 3) Responses to relevant environmental issues raised in comments. We will respond to written comments received on the IS/ND during the public review period, and any additional comments raised during public meetings. Because the extent of comments that will result from the public review process is presently unknown, Kimley-Horn has budgeted conservatively, assuming a maximum of 20 hours for completion of the Administrative Responses to Comments TM. Kimley-Horn will provide City with an augment should additional effort be needed based on complexity/volume of comments. Kimley Horn will also prepare the MMRP pursuant to CEQA requirements.

The Kimley-Horn team will complete the Responses to Comments TM and MMRP pursuant to one reconciled set of City comments. We will also submit proposed responses to commenting agencies.

Task 7.5: Environmental Project Management and Meetings
Our CEQA team will be responsible for management of our environmental process and ongoing consultation with the City. The CEQA team will review the environmental documentation for CEQA compliance and coordinate with planning and support staff toward document completion.

Task 7.6: Environmental Meetings

Key staff will attend meetings/hearings/calls and represent the project team, as appropriate. Key is the Project Kick-Off Meeting to establish the CEQA Project, analysis parameters, construction details, buildout conditions, scheduling, and overall communications protocol. A maximum of 30 hours of technical staff time is assumed for this task; including preparation, attendance, and follow-up, as appropriate.

Task 7 Deliverables:

- Draft and Final Project Description
- Draft and Final CEQA Notices
- Draft and Final Public Review IS/ND
- Draft and Final Responses to Comments TM & MMRP

Task 8: Public Hearings

The Kimley-Horn team will prepare for and attend up to two (2) total Public Hearings. These meetings include one (1) Planning Commission and one (1) City Council Public Hearing. Kimley Horn will prepare a PowerPoint presentation and be prepared to answer questions.

Task 8 Deliverables

- One electronic copy (in native file format and PDF format) of the PowerPoint presentation
- Attendance by up to two (2) Kimley-Horn staff members

Task 9: Safety Element

Pursuant to newly adopted statues, the General Plan Safety Element will be updated to address flood hazards, risk of fire for land classified as state responsibility areas and land classified as very high fire hazard severity zones, and climate adaptation and resiliency to comply with Govt. Code Sections 65302(g)(2) through (5). The review shall also address fire hazards, generally, to describe goals, policies, and objectives.

To meet the requirements of SB 379 and to better understand the potential impacts and vulnerabilities to climate change, Kimley-Horn will conduct a vulnerability assessment and identify future adaptation responses. Key climate change impact relevant to the City include extreme heat, drought, water availability, and limited wildfire exposure.

Prior to the adoption of any amendments to the Safety Element, the Element will be sent for review and comment by a variety of local and state agencies, including the State Board of Forestry and Fire Protection, Department of Conservation, and local agencies that provide fire protection to territories in the City. Depending on the agency, this will require review up to 90 days prior to any adoption by the City Council.

Kimley-Horn will prepare the amendments to the General Plan Safety Element and attend, present, and participate in up to one (1) Planning Commission meeting and one (1) City Council Meeting to adopt the General Plan Amendments.

Task 9 Deliverables

- One electronic copy (in native file format and PDF format) of the Final Draft Safety Element
- One camera-ready copy of the Final Draft Safety Element
- GIS based maps, tables, and text
- PowerPoint presentation
- Draft language for staff reports
- Meeting attendance by up to two (2) Kimley-Horn staff

Task 10: SB 1000 Compliance/Environmental Justice Element

Kimley Horn will develop Environmental Justice policies pursuant to adopted statutes. The General Plan will be updated in compliance with SB 1000 to address the environmental justice requirements, and may include policies incorporated into the General Plan or a stand alone Element. Kimley-Horn will collaborate with the City to determine the best method to incorporate the SB 1000 requirements.

Based on CalEnviroScreen 3.0, the City of Hemet includes SB 535 disadvantaged communities. Kimley-Horn will work with City staff to determine the location and extent of locally disadvantages communities to be targeted for outreach, including workshops and pop-up events with multilingual materials, as appropriate, for the anticipated populations. We will work with an involved stakeholder group made up of representatives from Riverside County Department of Health, educational institutions, and community leaders to help solicit participation from hard to reach disadvantaged populations.

Objectives and policies will be developed directing resources to disadvantaged communities that will improve health, recreation, and economic mobility opportunities through cleaner air, better access to transportation infrastructure, access to education and employment, home maintenance, and nutrition. The plan will also include policies that prevent development and new infrastructure from placing disproportionate burdens in disadvantaged areas relative to the long-term benefits that they will receive. The plan will also include measures that support ongoing two-way engagement between the City and disadvantaged residents to ensure that their voices are heard and that their needs are part of the decision-making process.

<u>Tasks 10.1: Environmental Justice Stakeholder Interviews</u>
Kimley-Horn will conduct up to four (4) virtual stakeholder interviews dedicated to identifying potential environmental justice issues and opportunities in disadvantages

communities. These discussions will seek meaningful engagement with underserved populations in disadvantaged communities, new immigrants, and communities who do not speak English as their primary language. We recommend conducting the focus groups/stakeholder interviews with local community groups.

Tasks 10.2: Environmental Justice Strategies

Under SB 1000, the City of Hemet is required to incorporate environmental justice goals and policies into its general plan if the jurisdiction has a disadvantaged community. Kimley-Horn will collaborate to prepare an environmental justice working paper outlining technical information and policy recommendations that will enable the City to prepare and adopt an Environmental Justice Element.

The working paper will define the extent of disadvantaged community areas in Hemet using both the legal framework established by SB 1000 and the results of stakeholder engagement described above. Using CalEnviroScreen, available City data, and other sources, we will examine key environmental and economic indicators including air quality, water quality, hazardous waste and toxic release from facilities, traffic density, cleanup sites, health indicators related to environmental factors, and socioeconomic vulnerability factors.

Based on the exiting Air Quality analysis conducted in the current General Plan EIR, along with projected changes in land use, population, housing, and other socioeconomic indicators, Kimley-Horn will conduct a screening-level assessment to determine areas that may be subjected to increased levels of risk associated with toxic air contaminants (TACs) and fine particulate matter (PM^2s) exposure in the future due to changes in land use, population growth in existing developed areas of the city, changes in roadway volumes, or other factors. The assessment will also examine the presence of existing disadvantaged communities and the degree to which they are already affected or may be affected in the future.

Based on relevant indicators, the team will present key policy approaches addressing each environmental justice topic required by SB 1000. These policies will encourage more equitable development and design and can improve community resilience.

Tasks 10.3: Environmental Justice Element

Using CalEnviroScreen, available City data, and other sources, Kimley-Horn will examine key environmental and economic indicators including air quality, water quality, hazardous waste and toxic release from facilities, traffic density, cleanup sites, health indicators related to environmental factors, and socioeconomic vulnerability factors. This will include conducting an analysis of exposure of existing and future sensitive receptors to air pollution, including TACs and fPM^2s, and determining the degree of exposure burden in disadvantaged communities. Based on these and other relevant indicators, we will present key policy approaches addressing each environmental justice topics required by SB 1000. These policies will encourage more equitable development

and design and can improve community resilience. They will also address how environmental justice considerations should be considered in the context of the City's future development strategies to maintain adequate community service levels and reduce pollution burden in disadvantaged communities as Hemet continues to grow.

Kimley-Horn proposed the following general content of the Environmental Justice Element:

- Develop a community outreach strategy in conformance with the requirements of SB 1000 to obtain input from disadvantage communities on the goals, objectives, and policies.
- Coordinate with partners of the Riverside County Department of Health and other health related entities.
- Create policies that reduce health risks, promote civil engagement in public decision making, prioritize programs of the disadvantage communities.
- Attend, present, and participate in up to one (1) Planning Commission meeting and one (1) City Council meeting to adopt the General Plan Amendments.
- An Air Quality Study will be required for analysis in the CEQA document.

Task 10 Deliverables:

- One electronic copy (in native file format and PDF format) of the Final Draft Safety Element
- One camera-ready copy of the Final Draft Safety Element
- GIS based maps, tables, and text
- PowerPoint presentation
- Draft language for staff reports
- Meeting attendance by up to two (2) Kimley-Horn staff

EXHIBIT "B"
COMPENSATION

CITY OF HEMET HOUSING ELEMENT UPDATE - ESTIMATED FEES					
TASK	Principal $285	Manager/ PM $165	Associate Planner $130	Asst Plnr / Support $120	Total Cost
TASK 1: PROJECT KICKOFF AND SCHEDULE					
1.1 Project Kick Off	3	2	3		$1,575
1.2 Project Schedule			4		$520
TASK 2: PROJECT TEAM COORDINATION					
2.1 Project Team Coordination	20		16	10	$8,980
TASK 3: HOUSING ELEMENT COMPONENTS					
3.1 Document Review	1	8	8		$2,645
3.2 Evaluate Current Housing Element	2	6	8		$2,600
3.3 Needs/Constraints/Resources	8	20	130	40	$27,280
3.4 Housing Plan	4	20	24		$7,560
TASK 4: COMMUNITY ENGAGEMENT					
4.1 Outreach Plan	1	3	3		$1,170
4.2 Workshop #1	5	5	20	4	$5,330
4.3 Workshop #2	5	5	20	4	$5,330
4.4 Outreach Survey Tool (optional)	1	4	24	2	$11,805
4.5 Joint Study Session w/ PC and CC	5	5	20		$4,850
TASK 5: DRAFT HOUSING ELEMENT					
5.1 Screencheck Draft	6	12	32	20	$10,250
5.2 Pre HCD Submittal Public Review	2	20	20	20	$8,870
5.3 HCD Submittal	2	4	8		$2,270
Response to Comments	6	20	24	6	$8,850
5.5 Public Review Draft	4	8	20	6	$5,780
5.6 Final Draft Housing Element	1	4	8	4	$2,465
5.7 Transmitall and Final Adoption to HCD			4		$520
TASK 6: LAND USE ELEMENT AMENDMENTS	4	10	24	16	$7,830
TASK 7: ENVIRONMENTAL COMPLIANCE	42	35	40	90	$33,745
TASK 8: PUBLIC HEARINGS (1 PC / 1 CC)	12			20	$5,820
TASK 9: SAFETY ELEMENT					
8.1 Safety Element	16	16	48	18	$15,600
TASK 10: SB 1000 COMPLIANCE/ EJ ELEMENT					
9.1 Environmental Justice Element	6	20	40	9	$11,290
9.2 Stakeholder Meetings (4)	4	4	20		$4,400
9.3 EJ Strategy	2	9	20		$4,655
Expenses (travel, copies, etc.). Estimated during COVID restrictions					***$950***
TOTAL ESTIMATED FEE without OPTIONAL TASK	***159***	***238***	***585***	***269***	***$191,135***
Note: Kimley-Horn reserves the right to reallocate staffing resources and budget amongst tasks if necessary, not to exceed total approved fees.					

EXHIBIT "C"
INSURANCE

A. Insurance Requirements. Service Provider shall provide and maintain insurance, acceptable to the City, in full force and effect throughout the term of this Agreement, against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the Services by Service Provider, its agents, representatives or employees. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

Service Provider shall provide the following scope and limits of insurance:

1. Minimum Scope of Insurance. Coverage shall be at least as broad as:

(1) Commercial General Liability. Insurance Services Office form Commercial General Liability coverage (Occurrence Form CG 0001).

(2) Automobile. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, including code 1 "any auto" and endorsement CA 0025, or equivalent forms subject to the written approval of the City.

(3) Workers' Compensation. Workers' Compensation insurance as required by the Labor Code of State of California covering all persons providing Services on behalf of the Service Provider and all risks to such persons under this Agreement.

(4) Professional Liability. Professional liability insurance appropriate to the Service Provider's profession. This coverage may be written on a "claims made" basis, and must include coverage for contractual liability. The professional liability insurance required by this Agreement must be endorsed to be applicable to claims based upon, arising out of or related to Services performed under this Agreement. The insurance must be maintained for at least three (3) consecutive years following the completion of Service Provider's services or the termination of this Agreement. During this additional three (3) year period, Service Provider shall annually and upon request of the City submit written evidence of this continuous coverage.

2. Minimum Limits of Insurance. Service Provider shall maintain limits of insurance no less than:

(1) Commercial General Liability. $1,000,000 general aggregate for bodily injury, personal injury and property damage.

(2) Automobile. $1,000,000 per accident for bodily injury and property damage. A combined single limit policy with aggregate limits in an amount of not less than $2,000,000 shall be considered equivalent to the said required minimum limits set forth above.

(3) Workers' Compensation. Workers' Compensation as required by the Labor Code of the State of California of not less than $1,000,000 per occurrence.

(4) Professional Liability. $1,000,000 per occurrence.

B. Other Provisions. Insurance policies required by this Agreement shall contain the following provisions:

1. All Policies. Each insurance policy required by this Agreement shall be endorsed and state the coverage shall not be suspended, voided, cancelled by the insurer or either Party to this Agreement, reduced in coverage or in limits except after 30 days' prior written notice by certified mail, return receipt requested, has been given to City.

2. Commercial General Liability and Automobile Liability Coverages.

(1) City, and its respective elected and appointed officers, officials, and employees and volunteers are to be covered as additional insureds as respects: liability arising out of activities Service Provider performs; products and completed operations of Service Provider; premises owned, occupied or used by Service Provider; or automobiles owned, leased, hired or borrowed by Service Provider. The coverage shall contain no special limitations on the scope of protection afforded to City, and their respective elected and appointed officers, officials, or employees.

(2) Service Provider's insurance coverage shall be primary insurance with respect to City, and its respective elected and appointed, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by City, and its respective elected and appointed officers, officials, employees or volunteers, shall apply in excess of, and not contribute with, Service Provider's insurance.

(3) Service Provider's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

(4) Any failure to comply with the reporting or other provisions of the insurance policies, including breaches of warranties, shall not affect coverage

provided to City, and its respective elected and appointed officers, officials, employees or volunteers.

3. Workers' Compensation Coverage. Unless the City Manager otherwise agrees in writing, the insurer shall agree to waive all rights of subrogation against City, and its respective elected and appointed officers, officials, employees and agents for losses arising from work performed by Service Provider.

C. Other Requirements. Service Provider agrees to deposit with City, at or before the effective date of this Agreement, certificates of insurance necessary to satisfy City that the insurance provisions of this contract have been complied with. The City may require that Service Provider furnish City with copies of original endorsements effecting coverage required by this Exhibit "C". The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. City reserves the right to inspect complete, certified copies of all required insurance policies, at any time.

1. Service Provider shall furnish certificates and endorsements from each sub-contractor identical to those Service Provider provides.

2. Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City or its respective elected or appointed officers, officials, employees and volunteers, or the Service Provider shall procure a bond guaranteeing payment of losses and related investigations, claim administration, defense expenses and claims.

3. The procuring of such required policy or policies of insurance shall not be construed to limit Service Provider's liability hereunder nor to fulfill the indemnification provisions and requirements of this Agreement.

City of Hemet
Community Development Department

445 EAST FLORIDA AVENUE, HEMET, CALIFORNIA 92543 (951) 765-2375

December 3, 2020

Paul McDougall
California Department of Housing and Community Development
2020 West El Camino, Suite 500
Sacramento, CA 95833

Re: LEAP Grant Alternative Reimbursement Request

Dear Mr. McDougall:

Thank you so much for discussing the above referenced matter in the past few weeks. We discussed alternative reimbursement for the LEAP grant that the City of Hemet is applying in the amount of $250,000 for the work of General Plan Update for the Housing Element in encouraging housing development in the City of Hemet.

During the FY 2020-2021, the City of Hemet experienced a major budget cut across the board losing positions in various departments. With such devastating loss, the city does not have adequate funds to fund the Housing Element Update at mid-year budget. Additionally, the City of Hemet has constructed 395 Single-Family Residential development in the past 5 years. Based on the number of new homes constructed, city did not collect adequate funds for General Plan Update through the Development Impact Fees. These are the reason for our request of Alternative Reimbursement request to get us started with the RFP process.

Should you have any questions, please do not hesitate to contact me at (951) 765-2456 or email me at hkang@cityofhemet.org.

Sincerely,

H. P. Kang
Community Development Director

Local Early Action Planning Grant Application

State of California
Governor Gavin Newsom

Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency

Doug McCauley, Acting Director
Department of Housing and Community Development

Zachary Olmsted, Deputy Director
Department of Housing and Community Development
Housing Policy Development

2020 West El Camino, Suite 500
Sacramento, CA 95833

Website: https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml
Email: EarlyActionPlanning@hcd.ca.gov

January 27, 2020

LEAP Application Packaging Instructions

The applicant is applying to the Department of Housing and Community Development (Department) for a grant authorized underneath the Local Early Action Planning Grants (LEAP) provisions pursuant to Health and Safety Code Sections 50515 through 50515.05. LEAP provides funding to jurisdictions for the preparation and adoption of planning documents, process improvements that accelerate housing production and facilitate compliance in implementing the sixth cycle of the regional housing need assessment. If you have questions regarding this application or LEAP, email earlyactionplanning@hcd.ca.gov.

If approved for funding, the LEAP application is incorporated as part of your Standard Agreement with the Department. In order to be considered for funding, all sections of this application, including attachments and exhibits if required, must be complete and accurate.

All applicants must submit a complete, signed, original application package and digital copy on CD or USB flash drive to the Department and postmarked by the specified due date in the NOFA. Applicants will demonstrate consistency with LEAP requirements by utilizing the following forms and manner prescribed in this application.

- Pages 3 through 14 constitute the full application (save paper, print only what is needed)
- Attachment 1: Project Timeline and Budget: Including high-level tasks, sub-tasks, begin and end dates, budgeted amounts, deliverables, and adoption and implementation dates.
- Attachment 2: Nexus to Accelerating Housing Production
- Attachment 3: State and Other Planning Priorities
- Attachment 4: Required Resolution Template
- Government Agency Taxpayer ID Form (available as a download from the LEAP webpage located at https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml
- If the applicant is partnering with another local government or other entity, include a copy of the legally binding agreement; and
- Supporting documentation (e.g., letters of support, scope of work, project timelines, etc.)

Pursuant to Section XII of the LEAP 2020 Notice of Funding Availability (NOFA), the application package must be postmarked on or before July 1, 2020, and received by the Department at the following address:

Department of Housing and Community Development
Division of Housing Policy Development
2020 West El Camino Ave, Suite 500
Sacramento, CA 95833

A. Applicant Information and Certification

Applicant (Jurisdiction)		City of Hemet	
Applicant's Agency Type		Local Government	
Applicant's Mailing Address		445 E. Florida Avenue	
City		Hemet	
State	California	Zip Code	92543
County		Riverside	
Website		www.cityofhemet.org	
Authorized Representative Name		Christopher R. Lopez	
Authorized Representative Title		City Manager	
Phone	951-765-2301	Fax	
Email	CLopez@cityofhemet.org		
Contact Person Name		H.P. Kang	
Contact Person Title		Community Development Director	
Phone	951-765-2456	Fax	
Email	HKang@cityofhemet.org		
Proposed Grant Amount	$	250,000.00	

Pursuant to Health and Safety Code Section 50515.03 through (d) of the Guidelines, all applicants must meet the following two requirements to be eligible for an award:

1. ***Does the application demonstrate a nexus to accelerating housing production as shown in Attachment 2?***	Yes	■	No	☐
2. ***Does the application demonstrate that the applicant is consistent with State Planning or Other Priorities shown in Attachment 3?***	Yes	■	No	☐
Is a fully executed resolution included with the application package?	Yes	■	No	☐
Does the address on the Government Agency Taxpayer ID Form exactly match the address listed above?	Yes	■	No	☐
Is the applicant partnering with another eligible local government entity? *If Yes, provide a fully executed copy of the legally binding agreement.*	Yes	☐	No	■

As the official designated by the governing body, I hereby certify that if approved by HCD for funding through the Local Early Action Planning Program (LEAP), the City of Hemet assumes the responsibilities specified in the Notice of Funding Availability and certifies that the information, statements and other contents contained in this application are true and correct.

Signature: _____ Name: Christopher R. Lopez

Date: 12/3/2020 Title: City Manager

B. Proposed Activities Checklist

		Check all activities the locality is undertaking. Activities must match the project description.
1	☑	Rezoning and encouraging development by updating planning documents and zoning ordinances, such as general plans, community plans, specific plans, implementation of sustainable communities' strategies, and local coastal programs
2	☐	Completing environmental clearance to eliminate the need for project-specific review
3	☐	Establishing housing incentive zones or other area based housing incentives beyond State Density Bonus Law such as a workforce housing opportunity zone pursuant to Article 10.10 (commencing with Section 65620) of Chapter 3 of Division 1 of Title 7 of the Government Code or a housing sustainability district pursuant to Chapter 11 (commencing with Section 66200) of Division 1 of Title 7 of the Government Code
4	☐	Performing infrastructure planning, including for sewers, water systems, transit, roads, or other public facilities necessary to support new housing and new residents
5	☐	Planning documents to promote development of publicly owned land such as partnering with other local entities to identify and prepare excess or surplus property for residential development
6	☐	Revamping local planning processes to speed up housing production
7	☐	Developing or improving an accessory dwelling unit ordinance in compliance with Section 65852.2 of the Government Code
8	☐	Planning documents for a smaller geography (less than jurisdiction-wide) with a significant impact on housing production including an overlay district, project level specific plan, or development standards modifications proposed for significant areas of a locality, such as corridors, downtown or priority growth areas
9	☐	Rezoning to meet requirements pursuant to Government Code Section 65583(c)(1) and other rezoning efforts to comply with housing element requirements, including Government Code Section 65583.2(c) (AB 1397, Statutes of 2018)
10	☐	Upzoning or other implementation measures to intensify land use patterns in strategic locations such as close proximity to transit, jobs or other amenities
11	☐	Rezoning for multifamily housing in high resource areas (according to Tax Credit Allocation Committee/Housing Community Development Opportunity Area Maps); Establishing Pre-approved architectural and site plans
12	☑	Preparing and adopting housing elements of the general plan that include an implementation component to facilitate compliance with the sixth cycle RHNA
13	☐	Adopting planning documents to coordinate with suballocations under Regional Early Action Planning Grants (REAP) that accommodate the development of housing and infrastructure and accelerate housing production in a way that aligns with state planning priorities, housing, transportation equity and climate goals, including hazard mitigation or climate adaptation
14	☐	Zoning for by-right supportive housing, pursuant to Government Code section 65651 (Chapter 753, Statutes of 2018)
15	☐	Zoning incentives for housing for persons with special needs, including persons with developmental disabilities
16	☐	Planning documents related to carrying out a local or regional housing trust fund
17	☐	Environmental hazard assessments; data collection on permit tracking; feasibility studies, site analysis, or other background studies that are ancillary (e.g., less than 15% of the total grant amount) and part of a proposed activity with a nexus to accelerating housing production
18	☑	Other planning documents or process improvements that demonstrate an increase in housing related planning activities and facilitate accelerating housing production
19	☐	Establishing Prohousing Policies

C. Project Description

Provide a description of the project and each activity using the method outlined below, and ensure the narrative speaks to ***Attachment 1: Project Timeline and Budget.***

a. *Summary of the Project and its impact on accelerating production*
b. *Description of the tasks and major sub-tasks*
c. *Summary of the plans for adoption or implementation*

Please be succinct and use Appendix A or B if more room is needed.

a. SUMMARY OF THE PROJECT AND ITS IMPACT ON ACCELERATIONG HOUSING PRODUCTION

The name of the project is General Plan Updates 2020. The purpose of the project is to update three elements of the General Plan to comply with State regulations and mandates:

1. Public Safety Element. Senate Bill 1035 (2018) requires the Public Safety element to be updated not less than once every eight years upon each revision of the housing element to identify any new information relating to flood and fire hazards and climate adaptation and resiliency strategies. The Public Safety Element update will encourage accelerated housing production by demonstrating where and under what conditions housing can be safely constructed and by assuring residents of their long-term health and welfare.
2. Environmental Justice Element. Senate Bill 1000 (2016) requires cities containing a State-defined disadvantaged community to update their General Plans when two or more elements are updated to incorporate an Environmental Justice element. The Environmental Justice element will include an analysis of opportunities for multifamily infill housing.
3. Housing Element. The City's Cycle 6 RHNA is 6,450 units, which is 8 percent of its current population. During the Cycle 5 term, the City averaged 75 new units annually. The new RHNA expects 806 new units annually; therefore, the Housing Element update will almost certainly require the rezoning of large parcels of land to achieve compliance with State housing element law.

b. DESCRIPTION OF THE TASKS AND MAJOR SUB-TASKS

The City will issue a Request for Proposals (RFP) and select a consultant to complete the following tasks:

1. Public Safety Element. Update the City's Public Safety Element to comply with the provisions of Senate Bill 1035 (2018) by identifying new information and establishing new polices, as warranted, relating to seismic, flood, dam inundation, wildland fire, noise, airport hazards, and climate adaptation and resiliency strategies. This task shall include the creation of a Local Hazard Mitigation Plan that assesses and addresses identified vulnerabilities.
2. Environmental Justice Element. Prepare the City's first Environmental Justice Element pursuant to the mandates of SB 1000 (2016). This may be either a separate stand-alone element or environmental justice policies integrated throughout the other elements of the General Plan.

CONTINUED ON APPENDIX A.

D. Legislative Information

District	#	Legislator Name
Federal Congressional District		District 36
		Congressman Raul Ruiz
State Assembly District		District 42
		Assembly Member Chad Mayes
		District 67
		vacant
State Senate District		District 23
		Senator Mike Morrell
		District 28
		Melissa Melendez

Applicants can find their respective State Senate representatives at https://www.senate.ca.gov/, and their respective State Assembly representatives at https://www.assembly.ca.gov/.

Attachment 1: Project Timeline and Budget: (if more room is needed, duplicate Attachment 1 or add attachment labeled Attachment 1A)

Task	Est. Cost	Begin	End	Deliverable	Notes
Issue RFP, select consultant	$ 0	10/1/20	10/30/20	Request for Proposals	RFP is for all 3 GP updates & CEQA
CC authorization; Issue P.O.	$ 250,000	11/1/20	12/31/20	Signed contracts & P.O.	LEAP grant to encumber funds
Prepare draft elements	$ 0	1/1/21	4/30/21	Draft documents	Includes community feedback
Community engagement	$ 0	3/1/21	4/30/21	Meetings and outreach	
Prepare CEQA analysis	$ 0	5/1/21	7/30/21	CEQA docs	Includes rezoning analysis
Public hearings & adoption	$ 0	8/1/21	9/30/21	Approved GP updates	
Submission to HD	$ 0	10/1/21	10/15/21	Cycle 6 Housing Element	
					Schedule and budget subject to
					change upon receipt of
					responses to RFP.
					The encumbered amount
					will equal the amount of contract
					but not to exceed $250,000.
					The project ending date will
					not change. The project
					must be finalized by 10/1/21.
Total Projected Cost $	250000				

Include high-level tasks, major sub-tasks (Drafting, Outreach, Public Hearings and Adoption), budget amounts, begin and end dates and deliverables. If other funding is used, please note the source and amount in the Notes section.

Attachment 2: Application Nexus to Accelerating Housing Production

Applicants shall demonstrate how the application includes a nexus to accelerating housing production by providing data regarding current baseline conditions and projected outcomes such as a reduction in timing, lower development costs, increased approval certainty, increases in number of entitlements, more feasibility, or increases in capacity. An expected outcome should be provided for each proposed deliverable. If necessary, use Appendix B to explain the activity and its nexus to accelerating housing production.

Select at least one	*Baseline	**Projected	***Difference	Notes
Timing (e.g., reduced number of processing days)				
Development cost (e.g., land, fees, financing, construction costs per unit)				
Approval certainty and reduction in discretionary review (e.g., prior versus proposed standard and level of discretion)				
Entitlement streamlining (e.g., number of approvals)				
Feasibility of development	Infeasible	Feasible with a	0 units to poten	PSE update will include
Infrastructure capacity (e.g., number of units)				
Impact on housing supply and affordability (e.g., number of units)	75 annually	806 annually	731 annually	HE and EJE update will show how to meet RHNA

**** Baseline – Current conditions in the jurisdiction (e.g. 6-month development application review, or existing number of units in a planning area)***

*****Projected – Expected conditions in the jurisdiction because of the planning grant actions (e.g. 2-month development application review)***

******Difference – Potential change resulting from the planning grant actions (e.g., 4-month acceleration in permitting, creating a more expedient development process)***

Attachment 3: State and Other Planning Priorities Certification (Page 1 of 3)

Applicants must demonstrate that the locality is consistent with State Planning or Other Planning Priorities by selecting from the list below activities that are proposed as part of this application or were completed within the last five years. Briefly summarize the activity and insert a date of completion.

State Planning Priorities

Date of Completion	Brief Description of the Action Taken
Promote Infill and Equity	
Rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas.	
Seek or utilize funding or support strategies to facilitate opportunities for infill development.	
10/1/2021	The EJ Element will identify areas for MFR development in the City core and methods to keep the units affordable, safe, and accessible.
Other (describe how this meets subarea objective)	
Promote Resource Protection	
Protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands; natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands; recreation lands such as parks, trails, greenbelts, and other open space; and landscapes with locally unique features and areas identified by the state as deserving special protection.	
10/1/21	Large undeveloped areas are in protected vernal pool areas or MSHCP areas. The EJ and PS Elements will identify ways to protect these resources while allowing for housing.
Actively seek a variety of funding opportunities to promote resource protection in underserved communities.	
Other (describe how this meets subarea objective)	
Encourage Efficient Development Patterns	
Ensuring that any infrastructure associated with development, other than infill development, supports new development that does the following:	
(1) Uses land efficiently.	

Attachment 3: State and Other Planning Priorities Certification (Page 2 of 3)

(2) Is built adjacent to existing developed areas to the extent consistent with environmental protection.	
(3) Is located in an area appropriately planned for growth.	
(4) Is served by adequate transportation and other essential utilities and services.	
10/1/21	The EJ and HE Elements will include policies to ensure adequate transportation, utilities, and services, particularly in the disadvantage communities
(5) Minimizes ongoing costs to taxpayers.	
Other (describe how this meets subarea objective)	

Other Planning Priorities

Affordability and Housing Choices	
Incentives and other mechanisms beyond State Density Bonus Law to encourage housing with affordability terms.	
Efforts beyond state law to promote accessory dwelling units or other strategies to intensify single-family neighborhoods with more housing choices and affordability.	
Upzoning or other zoning modifications to promote a variety of housing choices and densities.	
10/1/21	The HE update will include zone changes to meet the RHNA and increase densities.
Utilizing surplus lands to promote affordable housing choices.	
Efforts to address infrastructure deficiencies in disadvantaged communities pursuant to Government Code Section 65302.10.	
10/1/21	The EJ Element will make policy recommendations to address any infrastructure deficiencies.
Other (describe how this meets subarea objective)	

Attachment 3: State and Other Planning Priorities Certification (Page 3 of 3)

Conservation of Existing Affordable Housing Stock	
Policies, programs or ordinances to conserve stock such as an at-risk preservation ordinance, mobilehome park overlay zone, condominium conversion ordinance and acquisition and rehabilitation of market rate housing programs.	
10/1/21	The HE update will address these issues.
Policies, programs and ordinances to protect and support tenants such as rent stabilization, anti-displacement strategies, first right of refusal policies, resources to assist tenant organization and education and "just cause" eviction policies.	
Other (describe how this meets subarea objective)	
Climate Adaptation	
Building standards, zoning and site planning requirements that address flood and fire safety, climate adaptation and hazard mitigation.	
10/1/21	The PS Element update will include policies and programs to address these issues.
Long-term planning that addresses wildfire, land use for disadvantaged communities, and flood and local hazard mitigation.	
10/1/21	The PS Element update will include policies and programs to address these issues.
Community engagement that provides information and consultation through a variety of methods such as meetings, workshops, and surveys and that focuses on vulnerable populations (e.g., seniors, people with disabilities, homeless, etc.).	
10/1/21	The City is requiring substantial and significant community engagement in the preparation of the General Plan update.
Other (describe how this meets subarea objective)	

Certification: I certify under penalty of perjury that all information contained in this LEAP State Planning and Other Planning Priorities certification form (Attachment 2) is true and correct.

Certifying Officials Name: Christopher R. Lopez

Certifying Official's Title: City Manager

Certifying Official's Signature: _____ Date: 12/3/2020

CITY OF HEMET
Hemet, California
RESOLUTION NO. 2020-094

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL PLANNING SUPPORT GRANT PROGRAM FUNDS

WHEREAS, pursuant to Health and Safety Code 50515 et. Seq. the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Grants program or LEAP); and

WHEREAS, the City Council of the City of Hemet desires to submit a LEAP grant application package (Application) on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment; and

WHEREAS, the Department has issued a NOFA on January 27, 2020 in the amount of $119,040,000 for assistance to all California Jurisdictions; and

WHEREAS, Section XVI(2)(F) of the LEAP NOFA provides for alternative arrangements to reimbursement and payment methods.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET DOES HEREBY FIND AND RESOLVE:

SECTION 1. The City Manager is hereby authorized and directed to apply for and submit to the Department the Application package.

SECTION 2. Pursuant to Section XVI(2)(F) of the NOFA, the Application package includes a request for alternative arrangements to reimbursement and payment methods.

SECTION 3. In connection with the LEAP grant, if the application is approved by the Department, the City Manager of the City of Hemet is authorized to enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of $250,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant's obligations related thereto, and all amendments thereto.

SECTION 4. The Applicant shall be subject to the terms and conditions as specified in the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

PASSED, APPROVED AND ADOPTED this 10th day of November, 2020.

Russ Brown, Mayor

ATTEST:

Clay James, City Clerk

State of California)
County of Riverside)
City of Hemet)

I, Clay James, City Clerk of the City of Hemet, do hereby certify that the foregoing resolution was adopted by the Hemet City Council on the 10th day of November, 2020, and was passed by the following vote:

AYES: 4 Council Members: Krupa, Meyer, Perciful, and Mayor Brown.
NOES: 0 None.
ABSTAIN: 0 None.
ABSENT: 0 None.

Clay James, City Clerk

Appendix A

CONTINUED FROM PAGE 5

3. Housing Element. Prepare the Cycle 6 Housing Element Update covering the time period October 15, 2021 to October 15, 2029. The update must address the City's Regional Housing Needs Assessment (RHNA) allocation, comply with all City, regional, and State requirements, and be certified by the Department of Housing and Community Development (HCD).
4. CEQA Documentation. Prepare an Initial Study on the impact of the updates to all three elements combined and after consultation with the City prepare the appropriate environmental documentation. If it is determined in Task 3 that zone changes are necessary to meet the City's required RHNA, this task shall include CEQA analysis of those zone changes.
5. Associated tasks.
(a) To help reduce expenses, the City has chosen to have all three elements updated simultaneously including public noticing, community meetings, public hearings, and environmentally analysis. The schedule will be set by the Housing Element update.
(b) Due to potential COVID-19 transmission, community engagement and public hearing meetings shall include social distancing or isolating options to ensure safe participation such as on-line meetings or electronic dialog, if necessary.
(c) The City is located in an Airport Influence Area (Hemet-Ryan Airport); therefore, all legislative amendments such as General Plan Amendments must be reviewed by the Riverside County Airport Land Use Commission (ALUC) prior to Planning Commission consideration. Prepare the ALUC application.
(d) The City does not currently have a GIS department and may not be able to provide the shape files that created the existing maps in the General Plan. The selected consultant will be expected to create and provide to the City any required maps and the underlying data.

c. SUMMARY OF THE PLANS FOR ADOPTION OR IMPLEMENTATION
Each element of the Hemet General Plan includes goals, policies, and implementation measures. The General Plan Updates project will update those goals, policies, and implementation measures for each of the updated elements: Public Safety, Environmental Justice, and Housing. The focus will be on mechanisms to accelerate the production of housing including zoning incentives, corridor planning, development standards modifications, financing strategies, facilitating adequate infrastructure to support development, approval streamlining, and other mechanisms that promote housing production or mitigate regulatory barriers.

Pursuant to Section XVI(2)(F) of the LEAP NOFA, the City of Hemet will be requesting alternative arrangements to reimbursement and payment methods due to its inability to pay for the work. For reasons of economies of scale, community engagement, and timing, the City would like to issue one contract to a single consultant to prepare all three element updates and does not have the funds to meet the cost and encumber the contract funds.

State of California
Financial Information System for California (FI$Cal)

GOVERNMENT AGENCY TAXPAYER ID FORM

2000 Evergreen Street, Suite 215
Sacramento, CA 95815
www.fiscal.ca.gov
1-855-347-2250

The principal purpose of the information provided is to establish the unique identification of the government entity.

Instructions: You may submit one form for the principal government agency and all subsidiaries sharing the same TIN. Subsidiaries with a different TIN must submit a separate form. Fields bordered in red are required. Hover over fields to view help information. Please print the form to sign prior to submittal. You may email the form to: vendors@fiscal.ca.gov, or fax it to (916) 576-5200, or mail it to the address above.

Principal Government Agency Name	City of Hemet
Remit-To Address (Street or PO Box)	445 E. Florida Ave.
City	Hemet
State	CA
Zip Code+4	92543

Government Type: [x] City [ ] County [ ] Special District [ ] Federal [ ] Other (Specify)

Federal Employer Identification Number (FEIN): 95-6000719

List other subsidiary Departments, Divisions or Units under your principal agency's jurisdiction who share the same FEIN and receives payment from the State of California.

Dept/Division/Unit Name	Complete Address
City of Hemet Police Department	450 E. Latham Ave. Hemet, CA 92543
City of Hemet Fire Department	510 E. Florida Ave. Hemet, CA 92543

Contact Person	Tiffany Barnett
Title	Accounting Manager
Phone number	951-765-2387
E-mail address	tbarnett@cityofhemet.org
Signature	Tiffany Barnett
Date	11/17/20

Draft Timeline/Milestones	
Project Name	**Meeting Date**
Kick-Off Meeting	Monday, January 11, 2021
Community Workshop	Wednesday, February 10, 2021
Planning Commission Study Session Housing &EJ Element	Tuesday, April 6, 2021
Planning Commission Study Session Safety Element	Tuesday, April 20, 2021
City Council Study Session Housing & EJ Element	Tuesday, April 13, 2021
City Council Study Session Safety Element	Tuesday, April 27, 2021
NOI to Adopt Addendum of EIR 30-Day Review Period	Monday, May 3, 2021
PC Recommendation of DRAFT Documents	Tuesday, June 8, 2021
City Council Review DRAFT Document & Addendum to EIR &GPA (All Elements)	Tuesday, June 22, 2021
Submit Draft to HCD for compliance	Friday, June 25, 2021
Submit Revisions to HCD upon request	Friday, July 9, 2021
Estimated HCD Compliance Letter Received	Tuesday, August 10, 2021
Planning Commission Final Recommendation	Tuesday, August 17, 2021
City Council Adoption	Tuesday, September 14, 2021
Submit to HCD for Final Approval	Friday, September 17, 2021

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February 2, 2021

1100 W. Town and Country Rd.
Suite 700
Orange, CA
92868
TEL 714 939 1030
FAX 714 621 0368

Ms. Monique Alaniz-Flejter, Senior Planner
Community Development Department – Planning Services
City of Hemet
445 E. Florida Ave.
Hemet, CA 92543

RE: 2021-2019 Housing Element and Safety Element Update

Dear Ms. Alaniz-Flejter and Members of the Selection Committee:

Kimley-Horn provides the **City of Hemet** with a team of Housing Element specialists that have a proven record of preparing successful Housing Element Updates and work directly with local communities as trusted advisors in all aspects of Housing Element statutory requirements and policy development. We understand how to effectively tailor and implement State Housing Element Laws to meet your local community needs and use our familiarity with California State Department of Housing and Community Development (HCD) procedures to assist the City in achieving a certified Housing Element.

Kimley-Horn has worked with cities and counties throughout California and our team has collaborated extensively with HCD staff since the early 1990s. Housing Element compliance has become an increasingly daunting task, and the upcoming 6th Cycle will be no exception. Therefore, the City will need a team that has recent, practical experience in Housing Element Updates and understands how to work with HCD, stakeholders, and decision-makers.

The Kimley-Horn team offers the following strengths for your consideration:

Specialists in the Housing Element Certification Process – The Kimley-Horn team has significant staff expertise and knowledge of the requirements for achieving certification by HCD. Our team has years of experience in multiple Housing Element Update cycles and can translate our recent 6th Cycle experience working with HCD in several Southern California jurisdictions to the benefit of the Hemet. Kimley-Horn has had tremendous success when collaborating proactively with HCD to achieve statutory compliance.

Understand and have Practical Experience with New Housing Laws – The California legislature has enacted numerous new housing laws in just the past few years. Many of these laws directly affect the analysis and content of the Housing Element. Kimley-Horn is one of the first consulting firms to work under these new statutes, even before HCD has provided local guidance for interpreting them. This means that Hemet will have a team that possesses an "insider knowledge" of new statutory requirements, and how HCD interprets them during Housing Element compliance review. Based on this experience, Kimley-Horn can inform Hemet of HCD's interpretation of these laws and the acceptable methods/analysis/actions the City must employ.

Approach Tailored to Your Success – Kimley-Horn will work closely with Hemet to provide a scope of services required to support policies and programs that are consistent with the community's vision. We have committed a local team of qualified and experienced specialists who are identified in this proposal to help Hemet develop its housing policy goals. Kimley-Horn's greatest strength is in our desire to create strong interpersonal relationships with our clients and the stakeholders they serve, resulting in a mutually enjoyable and rewarding work effort. Kimley-Horn will provide local coordination from our Orange and Riverside offices where our planning staff is supported by in-house technical resources.

Comprehensive and Experienced Team – Our Principal in Charge, **Dave Barquist, AICP,** has a strong record of successful housing program management and State certification of Housing Elements. Our team will work directly with the City to guide the day-to-day tasks of all projects towards successful completion. Our team is supported by a core group of experienced professionals to work with the City.

Quality Documents – Kimley-Horn's commitment to quality can be attested through the many professional awards received for our projects, and the satisfaction of our clients and the communities they serve. Our documentation is thorough, and the presentation of information is clear, concise, understandable, and defensible. We understand the nuances of creating policy documents that meet State-mandated requirements, while supporting and advancing the local goals and policies of the community.

ɔmmitment to the City of Hemet – We know that a strong commitment to client satisfaction and a quality product must be the foundation of our service to you. Our local team will allow Hemet to enjoy immediate access to our team. Kimley-Horn commits to be responsive and available to you when you need us. Our team will provide proactive communication and function as an extension of your staff to the City, so together we can complete this project successfully.

We have reviewed and understand all elements of the City's Request for Proposals (RFP) and are committed to performing the services as outlined in the scope of work provided. Our scope of services assumes completion of this work effort by the October 15, 2021 deadline.

Kimley-Horn appreciates the opportunity to submit this proposal to the City of Hemet and welcomes the opportunity to work as your trusted advisor and Housing Element team. Please do not hesitate to contact Dave at 714.705.1317, dave.barquist@kimley-horn.com, or the address on the previous page (our nearest local office to the City) if you have any questions or require additional information. Our proposal price will be valid for a period of at least 180 days.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

David Barquist, AICP
Principal in Charge

Jason Melchor, P.E.
Associate/Authorized Signer

B. BACKGROUND AND PROJECT SUMMARY

The City of Hemet is requesting the services of a highly experienced Housing Element consultant to assist the City in completing the State-Mandated Housing Element Update. The 6th Cycle Housing Element must be updated to comply with the current RHNA process and new statutory requirements. Kimley-Horn will provide Hemet with seasoned technical specialists to achieve certification by HCD and approval by the City Council within the timeframe established by state law. Our scope of services provides the necessary tasks to achieve statutory compliance, while providing the City with a locally based policy document that reflects the visions and values of Hemet.

Unique from prior Housing Element planning cycles, new state legislation has significantly heightened the consequences of not having a certified Housing Element and empowers the state to implement a variety of remedies, such as the provisions of AB 72, to monitor progress and potentially de-certify Housing Elements if they fail to comply with adopted policies/programs in a timely manner.

Our scope of services and project schedule reflects adherence with state mandated deadlines and provides an adequate level of schedule buffer to proactively address potential issues with HCD. Additionally, due to the limited funding and financing resources currently available to the City for housing-related activities, a certified Housing Element may help to meet eligibility requirements for future state housing funds, grants and other financial assistance. ***Our strategic approach considers policies and programs that can maximize Hemet's potential for acquiring grants and other alternative for funding and financing sources.***

To develop effective planning policy in the City of Hemet, it is important to fully understand the key planning issues in the community. While the Housing Element is a state-mandated policy document, the Housing Element's policy program is a statement of the City's vision and community values. During the community engagement process, many of the City's planning issues will be identified and policy solutions explored.

Understanding of Local Context

Kimley-Horn understands that the City's 6th Cycle Housing Element Update will substantially differ from the 5th Cycle Update due to new statutory requirements and a ***significantly increased RHNA allocation of 6,450 units compared to the 5th Cycle allocation of 604 units.***

As part of the 6th Cycle update, the City will be required to comply with new State law to Affirmatively Further Fair Housing (AFFH), which addresses the equitable dispersion of affordable units throughout the City and the preservation of existing "at-risk" affordable housing stock. Kimley-Horn has recent experience working with HCD, local jurisdictions, and communities to interpret and fairly apply recent AFFH guidance during the 6th Cycle planning period. Our recent experience working on 6th Cycle Housing Elements for SANDAG and SCAG jurisdictions will benefit Hemet as we understand how to address and analyze these new requirements.

Approach to Successful Completion and Certification

Kimley-Horn will effectively manage the update process in the spirit of working as an extension of staff in all aspects of the Housing Element Update process as outlined in our scope of services including:

- Preparing a Housing Element Needs Assessment
- Facilitating community outreach and collaborating with City staff to identify key stakeholders
- Preparing all Housing Element components required by state law
- Serve as the City's representative and liaison with HCD
- Prepare a Public Review Draft Housing Element
- Prepare a Final Draft Housing Element based on public and agency comments
- Presenting the Final Draft Housing Element at two public hearings before the Planning Commission and City Council
- Facilitating HCD collaboration throughout the certification process
- Final Adoption by the Hemet City Council

Compliance with State Housing Law

The City's Housing Element must comply with State Housing Element Law to achieve certification by HCD. Kimley-Horn provides Hemet with a unique understanding of Housing Element Law, ***and most importantly, how HCD interprets the law***. This will assist City Staff and elected officials in understanding the implications of non-certification.

Kimley-Horn will evaluate existing available land resources to accommodate this projected need in compliance with the statutory requirements of **AB 2348** and **AB 1397**. The new requirements applicable to sites analysis is a significant issue that should not be understated. Kimley-Horn's recent application of these statutory requirements has facilitated the development of an effective approach to identifying, evaluating and selecting appropriate sites. We utilize unique tools and software to identify and evaluate candidate sites to accommodate the City's future RHNA growth need.

Community Engagement

Kimley-Horn recommends a targeted outreach effort to assist the public, stakeholders, and elected/appointed officials in understanding the update process, its implications, and the various methods of achieving compliance with State Law.

Community engagement in the Housing Element planning process is an important component to an effective and easily implemented policy program. Kimley-Horn's extensive community outreach experience enables our team to develop effective outreach strategies that achieve community-based support to accurately identify current issues and develop policy that is responsive to The City's housing needs.

Our team is well-versed in conducting outreach in the current COVID-19 environment. We understand the limitations on social gathering and how that can have a demonstrated effect on the level of participation in the planning process. Kimley-Horn has employed several strategies to enhance community engagement, including use of surveys, online meetings, webinars, and live event feeds to

encourage participation. Because these restrictions are based on the community and County guidance, we will work with the City of Hemet to find local solutions to outreach to benefit the overall process.

Proactive Engagement with HCD

Kimley-Horn believes it is prudent and sound professional practice to involve HCD staff from the initial stages of the update process. Kimley-Horn has enjoyed a long-term and positive professional relationship with HCD staff. It is intended that HCD will be consulted from the very beginning of the Housing Element Update process. This may involve possible visits with HCD staff, informal discussion on policy and programs, and identification of potential issues within the existing Housing Element. Kimley-Horn will continue interaction with HCD throughout the Housing Element Update process in order to resolve any issues and make certification a seamless process. Based on the our recent experience in the decertification process and the political sensitivities of this process, it is advisable the City take a proactive posture with HCD to ensure communication is open and effective to assist the City in achieving local goals and complying with statutory requirements and avoiding decertification potential in the future.

New Legislative Considerations

The State of California's recent passing of numerous Housing Bills is indicative of a significant trend towards ***increasing the expectations on local governments*** to make their contributions to meeting state housing needs. In our recent experience, Kimley-Horn can testify to the validity of the State's newer, more aggressive approach to Housing Element compliance. These new laws have a profound affect on the cost and content of the Housing Element Update.

A variety of new laws have been adopted that will influence the City's policy and program considerations. We have directly applied these recently enacted laws, negotiated with HCD, and developed workable policy and program solutions for our local government clients. The City of Hemet will greatly benefit from our recent work as it will enable more efficient review and negotiation with HCD during the certification process.

C. APPROACH

Kimley-Horn has reviewed the City's RFP and understands the statutory deadline for certification of Housing Elements in the SCAG region is October 15, 2021. Kimley-Horn understands that the City would like to achieve HCD certification within this statutory deadline.

Kimley-Horn understands that much of the analysis for the Housing Element will rely on data from a variety of sources including American Community Survey, DOF, HUD, SCAG and other federal state and local sources. Getting the most accurate picture of existing and future needs will require the utilization of the most currently available data.

Approach to Successful Update Process

Kimley-Horn will function as an extension of Hemet staff throughout the planning process to reduce the need for unnecessary staff time and commitments to complete the Housing Element update. The Kimley-Horn team will provide the primary leadership for conducting all aspects of the work effort. As the City's Housing Element consultant, we recognize that it is our responsibility to conduct the necessary analysis, assist in educating the community, local stakeholders, and elected officials, and use our expertise and experience to assist the City in a successful update process.

The following scope of services is consistent with the City's requests for services outlined in the RFP and represents an approach to the 6th Cycle Housing Element Update that our team has found to be effective in achieving certification. The 6th Cycle requires analysis, public review periods, and community outreach efforts above and beyond what has been typically included in previous Housing Element Cycles. This scope of services has been tailored to meet the requirements of the update process as outlined by HCD while promoting collaboration with community members, elected officials, and other local stakeholders. **We have also included a Project Schedule at the end of Section D.**

D. METHODOLOGY

Task 1: Scope of Services and Process

Task 1.1: Project Kick-off

Kimley-Horn will participate in a Kick-Off Meeting with City staff to discuss the update process, answer questions, provide data, and exchange other important procedural aspects of the Housing Element Update. The meeting will address the following:

- Review/Modify the Scope of Work and Schedule
- Define Outreach Methodologies
- Data Sharing/Exchanging
- Meetings and Public Engagement

Task 1.1 Deliverables:

- Kick-off Meeting Agenda
- Kick-off Meeting Minutes

sk 1.2: Project Schedule

Kimley-Horn will develop and maintain a project deliverables schedule outlining major milestones, meetings, work products, community outreach events, subcommittee meetings, and public hearings. The Project Team will provide regular tracking and updating of the project schedule so that Hemet stays on schedule throughout the Housing Element Update process. The project deliverables schedule will include all tasks within the Scope of Work and accommodate anticipated City and agency review times.

Task 1.2 Deliverables:

- Project Schedule (Updated as needed)

Task 2: Project Team Coordination

Task 2.1: Project Management and Coordination Meetings

Kimley-Horn will meet regularly with the project team to coordinate project deliverables, data, and public meetings. The scope and fee provided assume monthly phone meetings will occur throughout the duration of the project and face-to-face meetings when circumstances warrant. It is assumed that five meetings with staff will occur during the update process for project management, project updates and strategy planning. Additional phone conferences and coordination is anticipated to occur throughout the process.

Task 3: Housing Element Components

Task 3.1: Document Review

Following the Kick-Off Meeting, Kimley-Horn will provide City of Hemet staff with a listing of pertinent data that is necessary to complete the work program. Kimley-Horn will only request data that is proprietary to the City and not available publicly. Kimley-Horn will review all applicable City, regional, and State documents pertaining to the Housing Element update. This may include various policy and regulatory documents and other assistance programs. Kimley-Horn will be responsible for identifying and resolving any information gaps. Kimley-Horn anticipates a "turnkey approach" for data collection to the greatest extent feasible and will only request information that is proprietary to the City to minimize the work effort by City Staff.

Task 3.1 Deliverable

- Document Library List

Task 3.2: Evaluate the Current Housing Element

As required by State law, Kimley-Horn will review and evaluate the 5TH Cycle 2014-2021 Housing Element and its programs. In general, the task will include a review of the appropriateness of the housing goals, objectives, and polices in contributing to the attainment of the stated housing goal; the effectiveness of the Housing Element in attaining community housing goals and objectives; and the City's progress in implementing the Housing Element. The report will include the following information:

- Evaluate the status, effectiveness, and appropriateness of the current housing policy programs and identify any barriers to implementation
- Compare identified goals from the adopted Housing Element to actual accomplishments during the plan period
- Evaluate the existing Housing Element in relation to current State housing laws and identify any omissions or deficiencies

Task 3.2 Deliverable

- Review of Past Performance Matrix

Task 3.3: Housing Needs, Constraints, Resources, Population, and Housing Profile

As required by State law, Kimley-Horn will assess housing needs, constraints, and resources available. A population and housing profile will be conducted that summarizes, population and household characteristics, analysis of special needs populations, and units at risk of converting to market rate units. Housing constraints will identify non-governmental, governmental, and environmental constraints that may influence housing. Housing resources such as availability of vacant land, zoning to accommodate RHNA growth needs, and capacities of available sites will be analyzed. Funding and financing resources available to address existing and future housing market conditions and needs will be identified. Opportunities for energy conservation will also be explored. Based on new housing law, the adequate sites analysis will be much more in-depth and detailed compared to prior planning periods. It is Kimley-Horn's experience that the new law will necessitate a more detailed study of adequate sites to satisfy HCD standards.

Task 3.3 Deliverables

- Housing Needs, Constraints, Resources, Population Report
- Housing Profile
- Adequate Sites Analysis and GIS Shapefiles
- GIS Based Inventory of Sites
- Data Tables, Maps, and Relevant Text

Task 3.4 Develop Housing Plan

Kimley-Horn will develop a Housing Plan that constitutes the policy component of the Housing Element. The Housing Plan may include prior policies from the 5th Cycle Housing Element that are still appropriate and will be supplemented by new policies and programs that address new statutory requirements. The Housing Plan will identify policies and programs to address Conservation and Improvement, Availability and Production, Affordability, Removal of Constraints, and Equal Housing Opportunity. Policies and programs will be supplemented with Quantified Objectives by income category.

Task 3.5 Deliverables

- Housing Policy Plan
- List of Quantified Objectives

sk 4: Community Engagement

Task 4.1 Community Outreach Plan

Kimley-Horn will employ an approach to public participation that provides for meaningful input and involvement. Kimley-Horn will conduct a minimum of two community engagement workshops to solicit public comments on the Housing Element Update prior to initiating work on Housing Element components.

Based upon coordination with City Staff, the Kimley-Horn team will formulate a Community Outreach Program that addresses the outreach strategies, dates, locations, participants and other relevant data. This Outreach Program will guide the outreach process for the Housing Element and will be updated as needed.

Utilizing a variety of "tools" such as PowerPoint presentations, informational handouts, visual aids, and Social Media, Kimley-Horn will prepare and deliver materials to help workshop participants understand the update process, issues to resolve (as identified during the current Housing Element Evaluation), and potential solutions. It is assumed that City staff will be responsible for the scheduling of venues, staff coordination, and provide public noticing, facilities, set-up for all community engagement activities.

In consideration of the current COVID-19 environment, our team understand the limitations on social gathering and how that can have a demonstrated effect on the level of participation in the planning process. Kimley-Horn can utilize a variety of strategies to enhance community engagement, including e of surveys, online meetings, webinars, and live event feeds to encourage participation. Those options and opportunities can be further explored during the kickoff meeting.

Hemet City Staff will be responsible for coordination and participation associated with venue and event scheduling and public dissemination of information via the City's website and other methods in collaboration with the City's public information officer.

Task 4.1 Deliverable

- Draft Community Outreach Plan in electronic format

Task 4.2 Community Workshop #1 – Introduction and Policy Considerations

Kimley-Horn will facilitate an initial community workshop with the public and stakeholders to discuss the Housing Element update process. Kimley-Horn will prepare and deliver a PowerPoint presentation, informational handouts, visual aids, and other materials. In collaboration with City staff, Kimley-Horn will identify key stakeholders. The meeting will introduce participants to the RHNA process, Housing Element requirements, legislative requirements and engage in the identification of policy considerations. Participants will identify challenges, issues, and opportunities facing housing in Hemet that will inform policy within the Housing Element.

Task 4.2 Deliverables

- Electronic copies (in PDF format) of draft presentation, handouts, etc.
- Preparation of Facilitation of Workshop
- Summary Workshop notes

Task 4.3 Community Workshop #2

Kimley-Horn will facilitate a second community workshop with the public and stakeholders to discuss the Public Review Draft Housing Element. Workshop #2 will build upon the information learned from Workshop #1 and provide draft analysis, policies, and programs for review and discussion. Kimley-Horn will prepare and deliver a PowerPoint presentation, informational handouts, visual aids, and other materials. In collaboration with City staff, Kimley-Horn will identify key stakeholders.

Task 4.3 Deliverables

- Electronic copies (in PDF format) of draft presentation, handouts, etc.
- Preparation of Facilitation of Workshop
- Summary Workshop notes

Task 4.4 Community Outreach Survey Tool (OPTIONAL)

Kimley-Horn understands that a flexible community outreach strategy is critical to gathering diverse and meaningful input form the community. The COVID-19 pandemic is altering the way that cities are approaching community outreach during the 6th Cycle Housing Element Update as participants may be less likely to attend traditional community workshops, even when possible. Provided the City would like to explore alternatives or in addition to "in-person" community outreach workshops, Kimley-Horn will provide a web-based community outreach tool that maximizes the level of community engagement. The web-based survey tool includes analytics to evaluate community input on locations for potential housing, housing goals, policies, and programs. The community survey provides an alternative method for gathering public participation that allows residents and stakeholders the flexibility of participating at a time

that works for their schedule. The tool also provides tangible data that can be incorporated into the Housing Element to quantify the City's outreach efforts to HCD.

Task 4.4 Deliverables

- Set up, launch and running of outreach survey tool in coordination with City Staff
- Summary report of survey results
- Review of survey data and incorporation into the Housing Element

Task 4.5 Joint Study Session with City Council and Planning Commission

Kimley-Horn will attend and facilitate one (1) joint study session/meeting with the City Council and Planning Commission. The joint body will not take any formal action at this meeting. This meeting will be used for interim discussion prior to formal Public Hearings later.

The Study Session will serve as an educational opportunity to present information on new housing-related state law, elements of the 6th Cycle Housing Element Update process, and other project-related information determined to be important by City Staff. As part of the work plan refinement process, Kimley-Horn can discuss with City staff the most effective approach for these meetings, including opportunities for involvement of key stakeholder groups, non-profits, and other members of the community. Additional Study Sessions may be conducted at the request of City Staff as additional services not assumed in this proposal.

Task 4.5 Deliverables

- Electronic copies (in PDF format) of draft presentation, handouts, etc.
- Preparation of facilitation of Study Session
- Summary Study Session notes

Task 5: Draft Housing Element

Kimley-Horn will prepare a Screencheck Draft, Public Review Draft, and Final Housing Element.

Task 5.1 Screencheck Draft

Kimley-Horn will prepare and submit a Screencheck Draft Housing Element to the City for review. The Screencheck Draft will be a complete draft document and include all required statutory content. The draft will provide tables, maps, and graphics.

Task 5.1 Deliverables

- One electronic copy (in native file format and PDF format) of the Screencheck Draft Housing Element for City review and comment
- One reproducible copy of the Screencheck draft

Task 5.2 Pre-HCD Submittal Public Review Draft

Kimley-Horn will prepare a Pre-HCD Public Review Draft Housing Element based on feedback received during the public review process to be reviewed prior to the formal submittal to HCD for initial review. The public review of the Draft Housing Element prior to review by HCD has been requested for 6th Cycles to

make certain that public comments are reflected in the Draft document. Kimley-Horn will provide appropriate responses to public comments on the draft document. This will be beneficial to the City, as issues can be identified and addressed from third parties prior to HCD's formal review. It is recommended the City permit a 30-day public review period.

Task 5.2 Deliverables

- One electronic copy (in native file format and PDF format)
- One reproducible copy

Task 5.3 HCD Submittal

Following all initial community outreach workshops and meetings, Kimley-Horn will prepare summary notes or minutes of the community workshop, and a summary of all other comments received during the public review period described in previous tasks.

The HCD Submittal draft will incorporate all community and stakeholder feedback as well as staff comments based on community/third-party input. Once the Draft Housing Element is finalized, it will be submitted for an initial 60-day review to the Department of Housing and Community Development (HCD) after required meetings and approvals from the Planning Commission and City Council. Kimley-Horn will prepare a transmittal letter to HCD detailing how the Housing Element meets State law requirements. The Draft Housing Element will be accompanied by a completed Completeness Review Checklist.

Task 5.3 Deliverables

- One electronic copy (in native file format and PDF format) of the HCD Draft Housing Element
- electronic copy (in native file format and PDF format) of the transmittal letter and checklist

Task 5.4 Response to Comments

Kimley-Horn will coordinate the preparation of responses to any comments or requested revisions to the HCD Review Draft Housing Element. Based on our recent experience, the City should be prepared to receive considerably more comments during this Cycle.

Task 5.4 Deliverables

- Summary Matrix of Response to HCD Comments

Task 5.5 Public Review Draft

Kimley-Horn will prepare a Public Review Draft Housing Element based on comments from HCD for release to the public for review prior to scheduled adoption hearings. Kimley-Horn will resolve any issues and make requested revisions to the Draft to the satisfaction of the City prior to Public Hearing.

Task 5.5 Deliverables

- One electronic copy (in native file format and PDF format)
- One reproducible copy

Task 5.6: Final Draft Housing Element

Following review by HCD, Kimley-Horn will revise the appropriate sections and prepare a Final Draft Housing Element to be presented at public hearings before City Council.

Task 5.6 Deliverable

- One electronic copy (in native file format and PDF format) of the Final Draft Housing Element

Task 5.7: Transmittal of Final Adopted Housing Element to HCD

Kimley-Horn will transmit the Final Housing Element to HCD for final certification and will maintain ongoing communication with the State until the Housing Element is officially deemed certified. As required by state housing element law, the final adopted document must be provided to HCD prior to deeming the Housing Element certified by the State.

Task 5.7 Deliverable

- Ten (10) bound copies of the adopted Housing Element Document for distribution

Task 6: Land Use Element Amendments

Kimley-Horn will evaluate the Hemet General Plan Land Use Element for any necessary consistency amendments in response to land use considerations developed as part of the Housing Element Update. This will ensure internal consistency with the General Plan document, as necessary. Consistency amendments may include revisions to the official land use map, textual and other policy modifications necessary to demonstrate internal consistency with the Housing Element. .

Task 6.1 Deliverable

- One electronic copy (in native file format and PDF format) of the Draft amended Land Use Element (text, table, and maps)
- One final electronic copy of Final amended Land Use Element

Task 7: Environmental Compliance

The proposed Housing Element Update is a policy document that addresses the City's housing need; no actual land development or re-designations/rezoning is currently assumed. Accordingly, a CEQA Initial Study leading to a Negative Declaration (IS/ND) will be prepared to evaluate the Housing Element Update's potential impacts. This approach assumes that the Housing Element Update will not propose sweeping changes to the City's adopted housing-related policies and programs and would generally provide for continuation of current policies and programs. As such, the IS/ND will evaluate the Housing Element Update's potential impacts using existing available information- no technical studies or evaluations are assumed. Where new policies and programs are proposed, it is assumed these would not have any potential to affect the environment. Thus, our proposed approach to the project's environmental analysis is to focus the IS' scope on the housing policies and programs, but not those components with potential to result in physical impacts (e.g., re-designations/rezoning with potential to increase development capacities). For those components, our proposed approach assumes the environmental clearance will be obtained through CEQA documentation for other past and concurrent efforts.

Tasks 7.1: Public Review Initial Study

Kimley-Horn will prepare a programmatic IS utilizing the State CEQA Guidelines Appendix G Checklist, and will describe the project's location, environmental setting/baseline conditions, and characteristics. The IS' main body will consist of an environmental checklist and the supporting environmental analyses, which will consider the whole action involved with the project. Kimley-Horn will respond to one reconciled set of City comments on the Administrative Public Review IS/ND and will prepare and distribute the Public Review IS/ND.

Task 7.2: Assembly Bill 52/Senate Bill 18 Notifications

City staff will be responsible for AB 52/SB 18 notifications and any follow-up consultations; however, Kimley-Horn will provide consultation support if requested by City staff. A maximum of four hours is assumed for this task.

Task 7.3: CEQA Notices

Our team will prepare, distribute, and file the IS/ND CEQA Notices (i.e., NOI/NOC/NOD). The Notices will be distributed via certified mail to all responsible, trustee, and interested agencies, community groups, and individuals, and filed with the County Clerk and State Clearinghouse. Distribution will be based upon a city-provided distribution list. This Scope excludes any required radius mailing, newspaper notices, and payment of California Department of Fish and Wildlife (CDFW) fees, if required.

Tasks 7.4: Responses to Comments Technical Memorandum (TM) and Mitigation Monitoring and Reporting Program (MMRP)

Kimley-Horn will prepare the Administrative Responses to Comment TM to include: 1) List of commenting persons/organizations/public agencies; 2) Comment letters; and 3) Responses to relevant environmental issues raised in comments. We will respond to written comments received on the IS/ND during the public review period, and any additional comments raised during public meetings. Because the extent of comments that will result from the public review process is presently unknown, Kimley-Horn has budgeted conservatively, assuming a maximum of 20 hours for completion of the Administrative Responses to Comments TM. Kimley-Horn will provide City with an augment should additional effort be needed based on complexity/volume of comments. Kimley Horn will also prepare the MMRP pursuant to CEQA requirements.

The Kimley-Horn team will complete the Responses to Comments TM and MMRP pursuant to one reconciled set of City comments. We will also submit proposed responses to commenting agencies.

Task 7.5: Environmental Project Management and Meetings

Our CEQA team will be responsible for management of our environmental process and ongoing consultation with the City. The CEQA team will review the environmental documentation for CEQA compliance and coordinate with planning and support staff toward document completion.

sk 7.6: Environmental Meetings

Key staff will attend meetings/hearings/calls and represent the project team, as appropriate. Key is the Project Kick-Off Meeting to establish the CEQA Project, analysis parameters, construction details,

buildout conditions, scheduling, and overall communications protocol. A maximum of 30 hours of technical staff time is assumed for this task; including preparation, attendance, and follow-up, as appropriate.

Task 7 Deliverables:

- Draft and Final Project Description
- Draft and Final CEQA Notices
- Draft and Final Public Review IS/ND
- Draft and Final Responses to Comments TM & MMRP

Task 8: Public Hearings

The Kimley-Horn team will prepare for and attend up to two (2) total Public Hearings. These meetings include one (1) Planning Commission and one (1) City Council Public Hearing. Kimley Horn will prepare a PowerPoint presentation and be prepared to answer questions.

Task 8 Deliverables

- One electronic copy (in native file format and PDF format) of the PowerPoint presentation
- Attendance by up to two (2) Kimley-Horn staff members

Task 9: Safety Element

)rsuant to newly adopted statues, the General Plan Safety Element will be updated to address flood hazards, risk of fire for land classified as state responsibility areas and land classified as very high fire hazard severity zones, and climate adaptation and resiliency to comply with Govt. Code Sections 65302(g)(2) through (5). The review shall also address fire hazards, generally, to describe goals, policies, and objectives.

To meet the requirements of SB 379 and to better understand the potential impacts and vulnerabilities to climate change, Kimley-Horn will conduct a vulnerability assessment and identify future adaptation responses. Key climate change impact relevant to the City include extreme heat, drought, water availability, and limited wildfire exposure.

Prior to the adoption of any amendments to the Safety Element, the Element will be sent for review and comment by a variety of local and state agencies, including the State Board of Forestry and Fire Protection, Department of Conservation, and local agencies that provide fire protection to territories in the City. Depending on the agency, this will require review up to 90 days prior to any adoption by the City Council.

Kimley-Horn will prepare the amendments to the General Plan Safety Element and attend, present, and participate in up to one (1) Planning Commission meeting and one (1) City Council Meeting to adopt the General Plan Amendments.

Task 9 Deliverables

- One electronic copy (in native file format and PDF format) of the Final Draft Safety Element
- One camera-ready copy of the Final Draft Safety Element
- GIS based maps, tables, and text
- PowerPoint presentation

- Draft language for staff reports
- Meeting attendance by up to two (2) Kimley-Horn staff

Task 10: SB 1000 Compliance/Environmental Justice Element

Kimley Horn will develop Environmental Justice policies pursuant to adopted statutes. The General Plan will be updated in compliance with SB 1000 to address the environmental justice requirements and may include policies incorporated into the General Plan or a standalone Element. Kimley-Horn will collaborate with the City to determine the best method to incorporate the SB 1000 requirements.

Based on CalEnviroScreen 3.0, the City of Hemet includes SB 535 disadvantaged communities. Kimley-Horn will work with City staff to determine the location and extent of locally disadvantages communities to be targeted for outreach, including workshops and pop-up events with multilingual materials, as appropriate, for the anticipated populations. We will work with an involved stakeholder group made up of representatives from Riverside County Department of Health, educational institutions, and community leaders to help solicit participation from hard to reach disadvantaged populations.

Objectives and policies will be developed directing resources to disadvantaged communities that will improve health, recreation, and economic mobility opportunities through cleaner air, better access to transportation infrastructure, access to education and employment, home maintenance, and nutrition. The plan will also include policies that prevent development and new infrastructure from placing disproportionate burdens in disadvantaged areas relative to the long-term benefits that they will receive. The plan will also include measures that support ongoing two-way engagement between the City and disadvantaged residents to ensure that their voices are heard and that their needs are part of the decision-making process.

Tasks 10.1: Environmental Justice Stakeholder Interviews

Kimley-Horn will conduct up to four (4) virtual stakeholder interviews dedicated to identifying potential environmental justice issues and opportunities in disadvantages communities. These discussions will seek meaningful engagement with underserved populations in disadvantaged communities, new immigrants, and communities who do not speak English as their primary language. We recommend conducting the focus groups/stakeholder interviews with local community groups.

Tasks 10.2: Environmental Justice Strategies

Under SB 1000, the City of Hemet is required to incorporate environmental justice goals and policies into its general plan if the jurisdiction has a disadvantaged community. Kimley-Horn will collaborate to prepare an environmental justice working paper outlining technical information and policy recommendations that will enable the City to prepare and adopt an Environmental Justice Element.

The working paper will define the extent of disadvantaged community areas in Hemet using both the legal framework established by SB 1000 and the results of stakeholder engagement described above. Using CalEnviroScreen, available City data, and other sources, we will examine key environmental and economic indicators including air quality, water quality, hazardous waste and toxic release from facilities,

traffic density, cleanup sites, health indicators related to environmental factors, and socioeconomic vulnerability factors.

Based on the exiting Air Quality analysis conducted in the current General Plan EIR, along with projected changes in land use, population, housing, and other socioeconomic indicators, Kimley-Horn will conduct a screening-level assessment to determine areas that may be subjected to increased levels of risk associated with toxic air contaminants (TACs) and fine particulate matter (PM^2s) exposure in the future due to changes in land use, population growth in existing developed areas of the city, changes in roadway volumes, or other factors. The assessment will also examine the presence of existing disadvantaged communities and the degree to which they are already affected or may be affected in the future.

Based on relevant indicators, the team will present key policy approaches addressing each environmental justice topic required by SB 1000. These policies will encourage more equitable development and design and can improve community resilience.

Tasks 10.3: Environmental Justice Element

Using CalEnviroScreen, available City data, and other sources, Kimley-Horn will examine key environmental and economic indicators including air quality, water quality, hazardous waste and toxic release from facilities, traffic density, cleanup sites, health indicators related to environmental factors, and socioeconomic vulnerability factors. This will include conducting an analysis of exposure of existing and future sensitive receptors to air pollution, including TACs and fPM^2s, and determining the degree of exposure burden in disadvantaged communities. Based on these and other relevant indicators, we will present key policy approaches addressing each environmental justice topics required by SB 1000. These policies will encourage more equitable development and design and can improve community resilience. They will also address how environmental justice considerations should be considered in the context of the City's future development strategies to maintain adequate community service levels and reduce pollution burden in disadvantaged communities as Hemet continues to grow.

Kimley-Horn proposed the following general content of the Environmental Justice Element::

- Develop a community outreach strategy in conformance with the requirements of SB 1000 to obtain input from disadvantage communities on the goals, objectives, and policies.
- Coordinate with partners of the Riverside County Department of Health and other health related entities.
- Create policies that reduce health risks, promote civil engagement in public decision making, prioritize programs of the disadvantage communities.
- Attend, present, and participate in up to one (1) Planning Commission meeting and one (1) City Council meeting to adopt the General Plan Amendments.
- An Air Quality Study will be required for analysis in the CEQA document.

Task 10 Deliverables:

- One electronic copy (in native file format and PDF format) of the Final Draft Safety Element
- One camera-ready copy of the Final Draft Safety Element
- GIS based maps, tables, and text
- PowerPoint presentation

- Draft language for staff reports
- Meeting attendance by up to two (2) Kimley-Horn staff

Proposed Draft Project Schedule

CITY OF HEMET HOUSING ELEMENT UPDATE - ESTIMATED SCHEDULE	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV
TASK1: PROJECT TEAM COORDINATION										
1.1 Project Kick Off										
1.2 Project Schedule										
TASK 2: PROJECT TEAM COORDINATION										
2.1 Project Team Coordinations										
TASK 3: HOUSING ELEMENT COMPONENTS										
3.1 Document Review										
3.2 Evaluate Current Housing Element										
3.3 Needs/Constraints/Resources										
3.4 Housing Plan										
TASK 4: COMMUNITY ENGAGEMENT										
4.1 Outreach Plan										
4.2 Workshop #1										
4.3 Workshop #2										
4.4 Outreach Survey Tool (optional)										
4.5 Joint Study Session w/ PC and CC										
TASK 5: DRAFT HOUSING ELEMENT										
5.1 Screencheck Draft										
5.2 Pre HCD Submittal Public Review										
5.3 HCD Submittal										
4 Response to Comments										
5 Public Review Draft										
5.6 Final Draft Housing Element										
5.7 Transmittall and Final Adoption to HCD										
TASK 6: LAND USE ELEMENT AMENDMENTS										
TASK 7: ENVIRONMENTAL COMPLIANCE										
TASK 8: PUBLIC HEARINGS (1 PC / 1 CC)										
TASK 9: SAFETY ELEMENT UPDATE										
TASK 10: SB 1000 COMPLIANCE/ENVIRONMENTAL JIUSTICE										

E. STAFFING

We offer a highly skilled, experienced, and responsive team of professionals that have a proven record of successfully working municipalities on Housing Element requirements and policies, and the preparation of Housing Element Updates. Our team is led by project manager **Dave Barquist, AICP**, and is supported by a highly integrated team that offers a depth of Housing Element knowledge and demonstrated leadership in helping local agencies meet Housing Element requirements. We have included brief summary resumes for our key team members on the following pages.



Professional Credentials

- Bachelor of Science, Urban and Regional Planning, California State Polytechnic University, Pomona
- American Institute of Certified Planners (AICP) #013476

DAVE BARQUIST, AICP

Principal-in-Charge, Planning/Policy, Outreach

Dave has over 25 years of public and private sector planning experience, including extensive policy and program analysis for local and regional Housing Elements that encompasses constraints and resources analysis, housing needs assessments, conditions surveys, and housing affordability studies. His experience includes direct involvement in the management and preparation of more than 50 Housing Element Updates in all RHNA planning periods since the 1990s.

Sample of Recent Relevant Experience

Encinitas 6th Cycle Housing Element, Encinitas, CA – Project Manager
Del Mar 6th Cycle Housing Element, Del Mar CA – Project Manager
Solana Beach 6th Cycle Housing Element, Solana Beach, CA – Principal in Charge
Coronado 6th Cycle Housing Element, Coronado, CA – Project Manager
County of Orange 6th Cycle Housing Element, Orange County, CA – Project Manager
City of Fountain Valley Housing Element, Fountain Valley, CA – Project Manager
City of Anaheim Housing Element, Anaheim, CA – Project Manager
City of Orange Housing Element, Orange, CA – Project Manager
City of Placentia Housing Element, Placentia, CA – Project Manager



RITA GARCIA

Environmental Analysis

With more than 30 years of experience, Rita has provided environmental and planning services to a broad range of public and private sector clients. She specializes in managing and contributing to CEQA/NEPA documents and regulatory permitting for a broad range of policy-level, multi-component projects, including Housing Elements, General Plans, and Specific Plans. She has been involved with varied policy documents involving new development and redevelopment, and facility and infrastructure components in sensitive environments, with substantial public involvement and controversy.

Professional Credentials

- Bachelor of Science, Urban and Regional Planning, California State Polytechnic University, Pomona

Sample of Recent Relevant Experience

Encinitas 2013-2021 Housing Element Supplemental PEIR, Encinitas, CA – Environmental Manager
City of Riverside 2014-2021 Housing Element Addendum EIR, Riverside, CA – Project Manager
Murrieta General Plan 2035 Program EIR, Murrieta, CA – Senior Analyst
City of Riverside 2014-2021 Housing Element Update Implementation Plan EIR, Riverside, CA – Project Manager



MOLLY MENDOZA

Planning/Policy, Outreach

Molly is a planner with experience in planning, development, and design. Molly also specializes in community engagement. She has experience analyzing community outreach results, participating in outreach events, and engaging local stakeholder in project planning. Before coming to Kimley-Horn, Molly worked as a planning intern with the City of Anaheim and as a policy analyst with Housing Long Beach.

Professional Credentials

- Master of Urban and Regional Planning, University of California, Irvine
- Bachelor of Arts, History, California State University, Long Beach

Sample of Recent Relevant Experience

Rialto Housing Element Update, Rialto, CA – Planning Analyst
Rancho Los Amigos South Campus Specific Plan, Downey, CA – Planning Analyst
County of Orange 2021-2029 Housing Element Update, Orange County, CA – Planning Analyst
City of Orange 2021-2029 Housing Element Update, Orange, CA – Planning Analyst
Del Mar 2021-2029Housing Element Update, Del Mar, CA – Planning Analyst
Encinitas 2021-2029 Housing Element Update, Encinitas, CA – Planning Analyst
Housing Element Update, Solana Beach, CA – Planning Analyst



INES GALMICHE

Planning/Policy, EJ Analysis

Ines is a planning analyst with experience in both the public and private sector. She specializes in sustainability and equity, and her work focuses on planning analysis, policy review, and community outreach. Ines has experience in ensuring project compliance, engaging with the public, participating in outreach events, and in research analysis. Before coming to Kimley-Horn, Ines worked as an Assistant Planner at City of Costa Mesa.

Professional Credentials

- Master of Urban and Regional Planning, University of California, Irvine
- Bachelor of Arts, Sociology, University of California, Santa Cruz

Sample of Recent Relevant Experience

Housing Element Update, Costa Mesa, CA – Planning Analyst
Housing Element Update, Pico Rivera, CA – Planning Analyst
Housing Element, Anaheim, CA – Planning Analyst
Housing Element Update, Orange County, CA – Planning Analyst
County of Orange Safety Update, Orange County, CA – Planning Analyst
Solana Beach Safety Element Update, Solana Beach, CA – Planning Analyst



MATT HORTON, AICP

GIS/Graphics/Planning/Policy

Matt is a planner with more than eight years of experience in land use planning, mobility planning, and GIS analysis. Matt specializes in the development of community plans that thoughtfully consider the interrelationship between mobility and land use. His time at Kimley-Horn has been focused on improving public policy decision making through spatial analytics, scenario planning, and geographic information systems.

Professional Credentials

- Master of Urban and Regional Planning, University of Minnesota
- Bachelor of Arts (Geography and History, Minor in Political Science), Gustavus Adolphus College
- American Institute of Certified Planners (AICP) #027891

Sample of Recent Relevant Experience

Housing Element Update, Encinitas, CA – Project Planner
Housing Element Update, Solana Beach, CA – Project Planner
Red Hill Corridor Specific Plan and EIR, Tustin, CA – GIS Specialist
On-Call Civil and Traffic Engineering, Carlsbad, CA – Project Planner
Parking Management Plan, Village and Barrio, Carlsbad, CA – Project Planner
Trolley Program Feasibility Study, Carlsbad, CA – Project Manager
Balboa Avenue Transit Station Specific Plan, San Diego, CA – Project Planner
Corridor Planning II Process Zoning Code and Map Update for the General Plan 2030 Update, Santa Cruz, CA – Analyst

F. QUALIFICATIONS

Kimley-Horn is a full-service planning, environmental, and engineering consulting firm providing services to public and private clients nationwide. We offer the City of Hemet a staff of experienced planners, public policy specialists, and environmental analysts working within a collaborative environment that includes a multidisciplinary team of more than 500 planning and design professionals in 11 offices throughout California, including our offices in Orange, San Diego, Los Angeles, and Riverside.

Our Housing Element team is based out of our local Orange and Riverside ofifces and includes a team of policy and environmental planners with years of experience successfully interpreting and implementing State housing legislation to achieve HCD certification for jurisdictions across California. The team assigned to the City includes housing element and planning specialists that work daily with public sector clients, providing hands-on, turnkey services to cities, counties, and other state and local agencies throughout California.

Our team has worked on numerous housing elements in the local area and statewide. Our experience includes working with several jurisdictions to gain mid-cycle certification. These jurisdictions were some of the first to incorporate the requirements of 2017-2019 State housing legislation in order to achieve HCD certification. Kimley-Horn is currently working with several SANDAG and SCAG jurisdictions on 6th Cycle Updates. Our team works diligently to stay up to date on current legislation and works directly with jurisdictions and HCD on the appropriate implementation of new legislation regarding Affirmatively Furthering Fair Housing (AFFH), AB 1397 candidate sites analysis, AB 686 compliance and other applicable statutory requirements. Our team will use our years of experience and understanding of the Housing Element process to provide a turnkey experience for the City.

With this experience, we have developed a deep understanding of the Department of Housing and Community Development (HCD) certification process and utilize our longstanding relationship with HCD to our clients' advantage. ***We are proud to be able to say that every Housing Element we've worked on has achieved certification by HCD!***

Recent Housing Element Experience

The following are a sample of additional Housing Element Update projects completed by members of our team.

Housing Element	Cycle/Year Certified	Housing Element	Cycle/Year Certified
Anaheim Housing Element	(4th cycle - Certified in 2009)	Indian Wells Housing Element	(5th cycle – Certified in 2014)
Anaheim Housing Element	(5th cycle- Certified 2014)	Indio Housing Element	(4th cycle - Certified in 2009)
Antioch Housing Element	(4th cycle - Certified in 2010)	La Mirada Housing Element	(5th cycle - Certified in 2014)
Hemet Housing Element	(5th cycle - Certified in 2013)	Los Alamitos Housing Element	(4th cycle - Certified in 2010)
Artesia Housing Element	(4th cycle - Certified in 2011)	Lynwood Housing Element	(4th cycle - Certified in 2010)
Carmel Housing Element	(4th cycle - Certified in 2010)	Montclair Housing Element	(4th and 5th cycle – Certified in 2014)
Chula Vista Housing Element	(4th cycle - Certified in 2007)	Murrieta Housing Element	(6th cycle – In progress)
City of Chino Housing Element	(6th Cycle – In progress)	Orange Housing Element	(4th cycle - Certified in 2010)
Costa Mesa Housing Element	(6th Cycle – In progress)	Orange Housing Element	(5th cycle- Certified in 2014)
Del Mar Housing Element	(6th Cycle – In progress)	Orange Housing Element	(6th Cycle – In progress)
El Monte Housing Element	(5th cycle - Certified in 2013)	County of Orange Housing Element	(6th Cycle – In progress)
Encinitas Housing Element	(6th Cycle – In progress)	Placentia Housing Element	(4th cycle - Certified in 2010)
Fontana Housing Element	(4th cycle - Certified in 2010)	Rialto Housing Element	Mid-Cycle Update – In progress
Fontana Housing Element	(5th cycle- Certified in 2014)	Salinas Housing Element	(4th cycle - Certified in 2011)
Fountain Valley Housing Element	(5th cycle, Certified in 2014)	Saratoga Housing Element	(4th cycle - Certified in 2010)
Fullerton Housing Element	(4th cycle - Certified in 2010)	Solana Beach Housing Element	(6th Cycle – In progress)
Gilroy Housing Element	(Found in compliance by HCD in 2011)	Stanton Housing Element	(4th cycle - Certified in 2009)
Hemet Housing Element	(5th cycle - Certified in 2014)	Truckee Housing Element	(4th cycle - Certified in 2009)

References

The Kimley-Horn team is proud of its successful track record of Housing Element updates for both the 4th cycle and 5th cycle RHNA planning periods. Below is a sample of the Housing Elements our key staff has completed.

City of Rialto Housing Element (5th Cycle), Rialto, CA

Kimley-Horn assisted the City of Rialto with the 2014-2021 Housing Element update. The City missed the statutory deadline to complete their 5th cycle Housing Element and completed the Housing Element to meet requirements of AB 1233. Kimley-Horn assisted the City with an updated land inventory analysis to accommodate both the 4th cycle and 5th cycle RHNA needs of the City. The update includes revisions to the City's housing profile, updated governmental and non-governmental constraints to the development of housing, a progress report on the performance of the existing Housing Element, and a revised Housing Plan.

Reference: Karen Peterson, Senior Planner, City of Rialto, 909.820.2505, kpeterson@rialtoca.gov
Dates: 2016 – 2020
Team Members: Dave Barquist – Project Manager, Nick Chen – Assistant Project Manager, Molly Mendoza – Planning Analyst

ty of Chino Housing Element (6th Cycle), Chino, CA

Kimley-Horn is assisting the City of Chino with the 6th Cycle Housing Element update. They will be considering considerable growth due to draft RHNA allocations and must deal with limitation imposed by local growth control legislation. The Kimley Horn team is developing a unique outreach program in consideration with COVID-19 and will be engaging an AdHoc Housing Committee through the planning process.

Reference: Warren Morelion, City Planner, City of Chino 909.334.3332, wmorelion@cityofchino.org
Dates: 2020
Team Members: Dave Barquist – Project Manager, Nick Chen – Assistant Project Manager, Molly Mendoza – Planning Analyst

City of Solana Beach Housing Element (6th Cycle), Solana Beach, CA

Kimley-Horn is assisting the City of Solana Beach with the 6th Cycle Housing Element update. They will be considering developing policies and programs for a built-out coastal community with almost no vacant land and must deal with limiting land use policies. The Kimley Horn team has developed a comprehensive analysis of sites in consideration of a substantial growth in 6th Cycle RHNA calculations.
Reference: Joseph Lim, Director, City of Solana Beach 858.720.2434, jlim@cosb.org
Dates: 2020
Team Members: Dave Barquist – Principal, Nick Chen –Project Manager, Molly Mendoza – Planning Analyst

City of Encinitas Housing Element (5th Cycle and 6th Cycle), Encinitas, CA

Kimley-Horn is currently assisting the City with their Housing Element Update for the RHNA 5th and 6th Cycle planning periods. Kimley-Horn worked extensively with City staff, elected official, legal counsel, HCD and the public to develop policy solutions. Aside from completing the technical analysis associated with updating a Housing Element, the process has included numerous outreach events, including stakeholder meetings, community forums, open houses, and public working sessions. Each step of the process has included components to inform and engage the community to make certain that their feedback is incorporated into the Housing Element Update whenever feasible.
Reference: Jennifer Gates, Principal Planner, City of Encinitas, 760.633.2714, jgates@encinitas.gov
Dates: 2017 – Present
Team Members: Dave Barquist – Project Manager, Nick Chen – Assistant Project Manager, Molly Mendoza – Planning Analyst, Rita Garcia – Environmental Manager, Brian Leung – Environmental Analyst

G. FEE PROPOSAL

CITY OF HEMET HOUSING ELEMENT UPDATE - ESTIMATED FEES					
TASK	Principal $285	Manager/ PM $165	Associate Planner $130	Asst Plnr / Support $120	Total Cost
TASK 1: PROJECT KICKOFF AND SCHEDULE					
1.1 Project Kick Off	3	2	3		$1,575
1.2 Project Schedule			4		$520
TASK 2: PROJECT TEAM COORDINATION					
2.1 Project Team Coordination	20		16	10	$8,980
TASK 3: HOUSING ELEMENT COMPONENTS					
3.1 Document Review	1	8	8		$2,645
3.2 Evaluate Current Housing Element	2	6	8		$2,600
3.3 Needs/Constraints/Resources	8	20	130	40	$27,280
3.4 Housing Plan	4	20	24		$7,560
TASK 4: COMMUNITY ENGAGEMENT					
4.1 Outreach Plan	1	3	3		$1,170
4.2 Workshop #1	5	5	20	4	$5,330
4.3 Workshop #2	5	5	20	4	$5,330
4.4 Outreach Survey Tool (optional)	1	4	24	2	$11,805
4.5 Joint Study Session w/ PC and CC	5	5	20		$4,850
TASK 5: DRAFT HOUSING ELEMENT					
5.1 Screencheck Draft	6	12	32	20	$10,250
5.2 Pre HCD Submittal Public Review	2	20	20	20	$8,870
5.3 HCD Submittal	2	4	8		$2,270
5.4 Response to Comments	6	20	24	6	$8,850
5.5 Public Review Draft	4	8	20	6	$5,780
5.6 Final Draft Housing Element	1	4	8	4	$2,465
5.7 Transmitall and Final Adoption to HCD			4		$520
TASK 6: LAND USE ELEMENT AMENDMENTS	4	10	24	16	$7,830
TASK 7: ENVIRONMENTAL COMPLIANCE	42	35	40	90	$33,745
TASK 8: PUBLIC HEARINGS (1 PC / 1 CC)	12			20	$5,820
TASK 9: SAFETY ELEMENT					
8.1 Safety Element	16	16	48	18	$15,600
TASK 10: SB 1000 COMPLIANCE/ EJ ELEMENT					
9.1 Environmental Justice Element	6	20	40	9	$11,290
9.2 Stakeholder Meetings (4)	4	4	20		$4,400
9.3 EJ Strategy	2	9	20		$4,655
Expenses (travel, copies, etc.). Estimated during COVID restrictions					***$950***
TOTAL ESTIMATED FEE without OPTIONAL TASK	***159***	***238***	***585***	***269***	***$191,135***

Note: Kimley-Horn reserves the right to reallocate staffing resources and budget amongst tasks if necessary, not to exceed total approved fees.