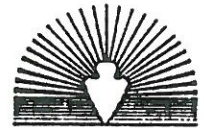




LAND USE SERVICES DEPARTMENT
PLANNING DIVISION
PLANNING COMMISSION STAFF REPORT



HEARING DATE: May 3, 2012

AGENDA ITEM # 2

Project Description

APN:	0649-201-43
APPLICANT:	HEREM, WILLIAM
COMMUNITY:	HAVASU LAKE
LOCATION:	EXTENDING BETWEEN PAROSOL DRIVE & MALAMEDIA ROAD, APPROX. 100 FEET SOUTH OF PANOPLY ROAD.
PROJECT NO:	P200900013
STAFF:	KEVIN WHITE
REP('S):	JOSEPH BONDIMAN & ASSOCIATES.
PROPOSAL:	A) GENERAL PLAN LAND USE ZONING DISTRICT AMENDMENT FROM SD-RES TO RS ON 3.44 ACRES. B) TENTATIVE PARCEL MAP 19169 TO CREATE 4 PARCELS & A REMAINDER ON 3.44 ACRES.



54 Hearing Notices Sent On: April 20, 2012
P.C. Field Inspection Date: April 26, 2012

Report Prepared By: Kevin White
Field Inspected By: Commissioner Coleman

SITE INFORMATION:

Parcel Size: 3.44 acres

Terrain: Generally flat, moderately sloping

Vegetation: Sparse Vegetation

SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
SITE	Single Family Residence	Special Development-Residential
North	Residences	Single Residential
South	Vacant	Special Development-Residential
East	Senior Center	Special Development-Residential
West	Vacant	Special Development-Residential

	<u>AGENCY</u>	<u>COMMENT</u>
City Sphere of Influence:	N/A	N/A
Water Service:	Havasu Water Company	Presently Served
Sewer Service	Septic System	N/A

STAFF RECOMMENDATION: That the Planning Commission **Recommend** that the Board of Supervisors Adopt the General Plan Amendment and Approve Tentative Parcel Map 19169.

Recommendations to the Board of Supervisors are not subject to appeal.

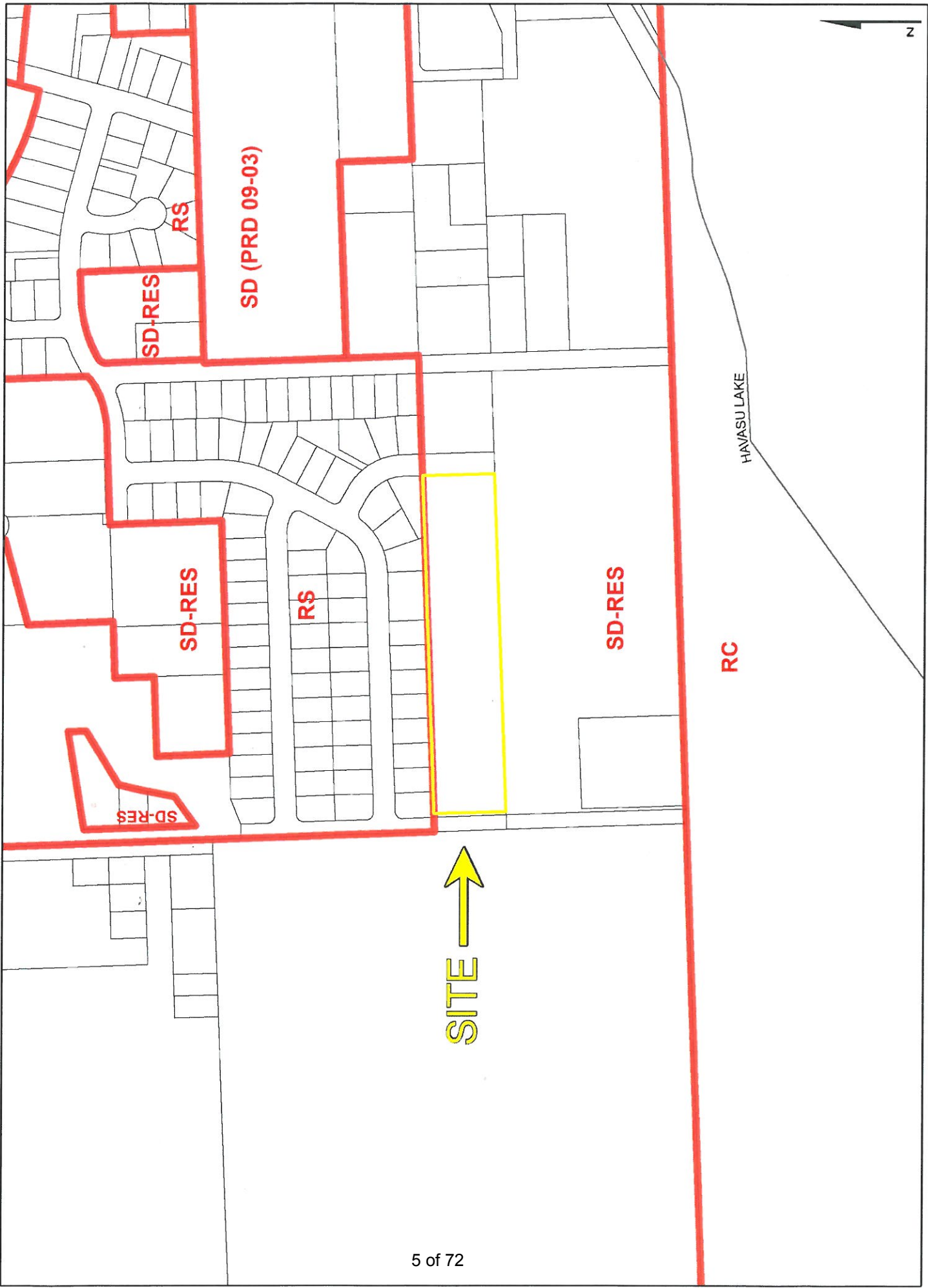
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VICINITY MAP



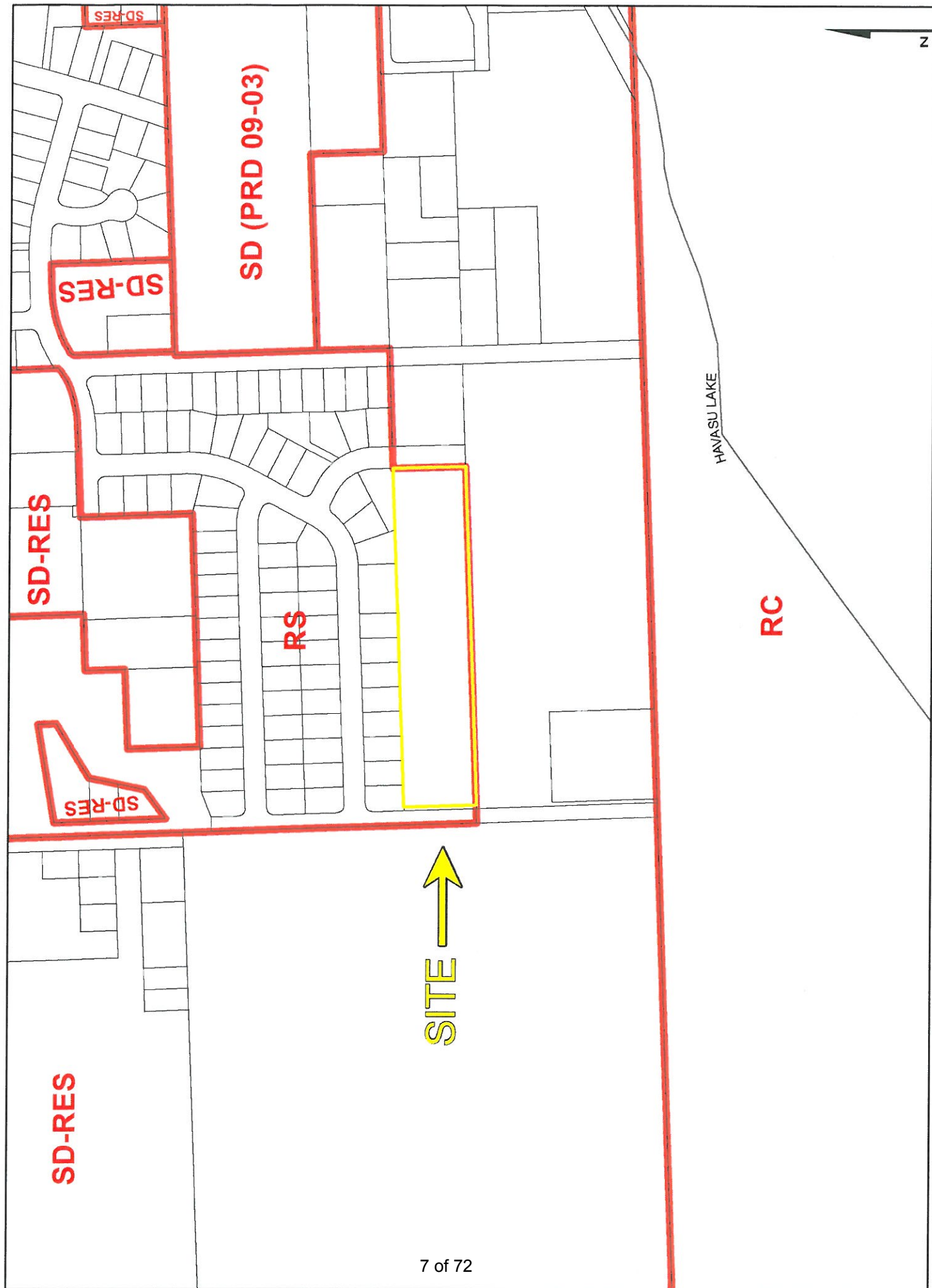
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OFFICIAL LAND USE DISTRICT MAP



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PROPOSED LAND USE DISTRICT MAP



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VIEW FROM THE PROPERTY LOOKING NORTH



VIEW OF THE PROPERTY LOOKING SOUTH



VIEW OF THE PROPERTY LOOKING EAST

BACKGROUND:

The Project is a General Plan Amendment (GPA) to change the Official Land Use Zoning District on the project site from SD-RES (Special Development – Residential) to RS (Single Residential). Also proposed is Tentative Parcel Map 19169 to create 4 lots and a remainder.

The project site is located on 3.44 acres between Parasol Drive and Malamedia Road approximately 100 feet south of Panoply Road in the Havasu Landing Community. Havasu Landing is located approximately 20 miles south of the City of Needles, and consists of single-family residential homes, a marina, campground, general store, two gas stations, two restaurants, a casino and a fire station. The majority of this development is located within the Chemehuevi Indian Reservation, which surrounds the private unincorporated lands in the area.

The project site includes one single family home that is located on the proposed remainder parcel. The project is bounded by residential units to the north, vacant land to the west and south and commercial uses to the east. The level of disturbance on the site has been characterized as moderate, with evidence of some off-road vehicle use, and trash dumping. Vegetation on the project site consists mostly of the creosote bush community. Wildlife observed on site consists mostly of birds and reptiles.

ANALYSIS:

The General Plan Amendment would allow the extension of the RS Zoning District that exists north of the project site. The RS zoning is primarily for the development of single family residences. The district allows density of four units per acre, and requires a minimum lots size of 7,200 square feet.

The Tentative Parcel Map will allow four lots and a remainder. The proposed lots would greatly exceed the minimum lot size and density of the proposed district because the proposed parcels would range in size from 31,114 square feet to 37,428 square feet. The primary access to the development will be from a proposed road on the south side of the project site, which will connect to Parasol Drive. The remainder parcel, located on the western portion of the site would obtain access from Malmedia Road. The proposed remainder parcel is currently developed as a single family residence that includes a detached garage. The garage encroaches on the adjacent property to the south and has a life of structure easement. The existing residence is presently served by the Havasu Water Company, which would be utilized for the proposed lots. Septic systems are proposed to handle wastewater.

A General Biological Assessment was conducted by Lilburn Corporation. The report noted that six special status species have been reported as occurring in the region. Those species included the Desert Tortoise, the Bonytail Chub, the Arizona Bell's vireo, the Razorback Sucker, the Yellow-breasted Chat, and the Elf Owl. The United States

Fish and Wildlife Service commented on the proposed project and stated the project site is outside the range of the desert tortoise, or is unlikely to support desert tortoises

The report concluded that the habitat was poor due to use of the site because vegetation has been disturbed by off-highway vehicles. The survey did not find any listed species or habitat for listed species. However, two species, the loggerhead shrike and spiny-hair blazing star have a possibility of occurring on site. A follow-up field visit to review the biological conditions on-site is required prior to recordation of the parcel map. The future development of the individual lots may require alteration and filling of state and federal jurisdictional streambeds. Permits from the responsible agencies would be required, and these requirements are required to be noted on a composite development plan prior to recordation of the Parcel Map.

CEQA. An Initial Study has been prepared in compliance with the California Environmental Quality Act (CEQA), which supports a conclusion that the proposal will not have any significant adverse impacts on the environment, with implementation of appropriate mitigation measures. Therefore, a Mitigated Negative Declaration is recommended along with approval of the project.

RECOMMENDATION: That the Planning Commission make the following recommendations to the Board of Supervisors:

- A) **ADOPT** a Mitigated Negative Declaration, based on a finding that the Initial Study was completed in compliance with CEQA, that it has been reviewed and considered prior to approval of the project, and that the Initial Study/Mitigated Negative Declaration reflects the independent judgment of the County of San Bernardino;
- B) **ADOPT** General Plan Amendment from SD-RES (Special Development – Residential) to RS (Single Residential).
- C) **APPROVE** Tentative Parcel Map 19169 to create four parcels and a remainder on 3.44 acres;
- D) **ADOPT** the Findings as contained in the Staff Report; and
- E) **FILE** a Notice of Determination.

Attachments: Exhibit A: Findings
 Exhibit B: Initial Study
 Exhibit C: Conditions of Approval
 Exhibit D: Correspondence

EXHIBIT A

FINDINGS

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FINDINGS - GENERAL PLAN AMENDMENT SD-RES to RS)

[SBCC 86.12.060]

1. The proposed amendment is internally consistent with all other provisions of the respective plan, the General Plan or an applicable specific plan, as it is consistent with the following goals and policies of the County General Plan:

Policy LU 9.1 – Encourage infill development in unincorporated areas and sphere of influence areas.

Policy Implementation: The proposed General Plan Amendment will allow the extension of residential development which occurs north of the proposed project

Goal LU 1 The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents in the Mountain Region of the County.

Goal Implementation: The amendment will create a harmonious blend of single residential with varying densities in the local community.

2. The proposed land use zoning district amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County, because the amendment facilitates a project that has incorporated appropriate conditions of approval and mitigation measures to protect and enhance public health and safety, while providing a logical and orderly expansion of an existing adjacent single residential land use.
3. The proposed land use zoning district amendment is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised, because the proposed amendment represents a continuation of the existing residential land use patterns and zoning in the surrounding areas. The amendment does not compromise existing or other planned uses and a community benefit will be derived from the creation of new single residential lots that may generate local construction jobs and retail/construction material sales.

4. The proposed land use zoning district amendment will provide a reasonable and logical extension of the existing land use pattern in the surrounding area, because the proposed amendment will extend residential development, and allow the development of single-family homes adjacent to other existing single-family homes north of the site.
5. The proposed land use zoning district amendment does not conflict with provisions of this Development Code, because the project site conforms to the size and location criteria specified for the Special Development land use district and all future construction will be required to conform to the Single Residential development standards and other land use regulations.
6. The proposed land use zoning district amendment will not have a substantial adverse effect on surrounding property, because the new lots will conform to the proposed Single Residential Land Use District which has adequate building setback guidelines and represents a continuation of the existing land use pattern and zoning north of the project site.
7. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located. The site has been conditioned to obtain water service and sewer service. Fire and police protection will also be provided by the San Bernardino County Fire Department and the Sheriff's Department. The County Public Works Department evaluated drainage associated with the project and determined that impacts will be less than significant with the implementation of specified mitigation measures.
8. The Environmental Initial Study has been prepared in compliance with the California Environmental Quality Act (CEQA) and represents the independent judgment of the County acting as lead agency for the project. The project will not have a significant adverse impact on the environment with the implementation of all the required conditions of approval and mitigation measures.

FINDINGS: TENTATIVE PARCEL MAP 19169 [SBCC 87.02.060]

1. The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable community plan, and any applicable specific plan, because the design and improvements conform to the provisions of the Single Residential land use district including the location criteria and building density standards. The General Plan Amendment that has been filed concurrently with the Tentative Parcel Map, if approved, will change the land use district to Single Residential. This amendment must be adopted by the Board before full compliance with the General Plan can be achieved. The project is consistent with General Plan goals and policies as follows:

Goal LU 1.2: The design and siting of new development will meet locational and development standards to ensure compatibility of the new development with adjacent land uses and community character.

Goal Implementation: The subdivision is an extension of residential uses north of the project site. The type and character of the proposed homes will be consistent with the existing homes in the vicinity.

2. The site is physically suitable for the type and proposed density of development site, because the subdivision is an appropriate transition from the larger parcels south of the site and the higher density north of the site.
3. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, because mitigation measures will be required to reduce the impact that the project will have on biological resources to a level below significance.
4. The design of the subdivision and type of improvements are not likely to cause serious public health problems, because the site location, the subdivision design, and the density proposed are such that hazards from flood, fire, noise and other potential public health hazards are minimal with the implementation of the proposed conditions of approval and mitigation measures.
5. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision because the recorded map will require all necessary public rights of easements to be shown. The development will provide two-points of legal and physical access to the site with proper documentation of

those access rights. The conditions of approval shall require that any easement conflicts be resolved and that statements of concurrence be provided from utility companies, whose easements may be affected by the proposed development prior to recordation.

6. The discharge of the sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, because the proposed lots are large enough to appropriately handle wastewater through septic systems, in compliance with the Regional Water Quality Control Board.
7. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities; because the proposed lots will conform to the development standards set forth in the proposed zoning district, which respectively provide adequate building setback guidelines for the land use. The building setbacks promote optimum spacing of structures to create adequate opportunity for the use of solar technology, the use of which is encouraged by design considerations listed on the Composite Development Plan and any required Conditions, Covenants and Restrictions related to the proposed subdivision.
8. The proposed subdivision, its design, density and type of development and improvements conforms to the regulations of the Development Code and the regulations of any public agency having jurisdiction by law, because the size and shape of the proposed space are adequate for the type of residential development proposed, and appropriate agencies (including County Surveyor, County Public Works, County Fire, County Environmental Health Services, County Building and Safety, County Special Districts and LAFCO) have all reviewed and approved the project design, the proposed conditions and the mitigation measures.
9. The Environmental Initial Study has been prepared in compliance with the California Environmental Quality Act (CEQA) and represents the independent judgment of the County acting as lead agency for the project. The project will not have a significant adverse impact on the environment with the implementation of all the required conditions of approval and mitigation measures.

EXHIBIT B

INITIAL STUDY

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SAN BERNARDINO COUNTY
Proposed Mitigated Negative Declaration
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

PROJECT LABEL:

APN:	0649-201-43
APPLICANT:	HEREM, WILLIAM
COMMUNITY:	HAVASU LAKE
LOCATION:	EXTENDING BETWEEN PAROSOL DRIVE & MALAMEDIA ROAD, APPROX. 100 FEET SOUTH OF PANOPLY ROAD.
PROJECT NO:	P200900013
STAFF:	KEVIN WHITE
REP(S):	JOSEPH BONADIMAN & ASSOCIATES.
PROPOSAL:	A. GENERAL PLAN LAND USE ZONING DISTRICT AMENDMENT FROM SD-RES TO RS ON 3.44 ACRES. B. TENTATIVE PARCEL MAP 19169 TO CREATE 4 PARCELS & A REMAINDER ON 3.44 ACRES.

USGS Quad: Havasu Lake
T, R, Section: T 5N R 24E Sec 36 SE ¼
Thomas Bros.: 372-E4

Planning Area: HAVASU LAKE
Zoning: SD-RES
Overlays: N/A

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department - Current Planning
385 North Arrowhead Avenue
San Bernardino, CA 92415-0182

Contact person: Kevin White, Senior Planner

Phone No: (909) 387-4115

Fax No: (909) 387-3249

E-mail: Kwhite@lusd.sbcounty.gov

Project Sponsor: William Herem
1540 Durango Lane
Agua Dulce, CA 91399

PROJECT DESCRIPTION:

The proposed project is a General Plan Land Use Zoning District Amendment from Special Development-Residential (SD-RES) to Single Residential (RS) on 3.44 acres. The project also includes Tentative Parcel Map 19169 to create four parcels and a remainder on 3.44 acres.

ENVIRONMENTAL/EXISTING SITE CONDITIONS:

The project is located on 3.44 acres of vacant, undeveloped, desert land within the Lower Colorado River Region in the Havasu Lake Planning Area. This small recreational community consists of single family residential homes, a marina, campgrounds, a general store, two (2) gas stations, two (2) restaurants, a casino and a fire station. The majority of these uses are located within the Chemehuevi Indian Reservation.

The project site is made up of low hills with an elevation range from 545 feet above mean sea level to 570 feet above mean sea level. The project site includes one single family home that is located on the proposed remainder parcel. The project is bounded by residential units to the north, vacant land to the west and south and commercial to the east. The level of disturbance on the site has been characterized as moderate, with evidence of some off-road vehicle use, and trash dumping.

AREA	EXISTING LAND USE	ZONING/OVERLAY DISTRICTS
Site	Residence	SD-RES
North	Residential	RS
South	Vacant	SD-RES
East	Commercial	SD-RES
West	Vacant	SD-RES

Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

Federal: Army Corps of Engineers, Fish and Wildlife.

State of California: Fish and Game, Caltrans, Regional Water Quality Control Board (Colorado River Basin), Air Quality Management District (Mojave)

County of San Bernardino: Land Use Services - Code Enforcement; Building and Safety, Public Health-Environmental Health Services, Special Districts, Public Works. County Fire and

Local: N/A

EVALUATION FORMAT

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on seventeen (17) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

- | | | | |
|---|--|-----------------------------|-----------------|
| 1. Potentially
Significant
Impact | 2. Less than
Significant
with Mitigation | 3. Less than
Significant | 4. No
Impact |
|---|--|-----------------------------|-----------------|

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors, these respectively

1. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (Listing the impacts requiring analysis within the EIR).
2. Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List mitigation measures)
3. No significant adverse impacts are identified or anticipated and no mitigation measures are required. (Optional mitigation may be added by stating: "As a precautionary measure to further reduce any potential for impacts, the following requirement shall apply"):
4. No impacts are identified or anticipated and no mitigation measures are required.

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use/ Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature (prepared by): Kevin White, Senior Planner

Date

1/6/2011

Signature: John P. McGuckian, AICP- Principal Planner

26 of 72

Date

1/6/2011

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
I. AESTHETICS - Would the project				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Check ☐ if project is located within the view-shed of any Scenic Route listed in the General Plan):

- I a) The proposed project is not located within a designated Scenic Corridor and will not have a substantial adverse effect on a scenic vista, as there are none identified within the vicinity of the project site that would be affected by the proposed development of the site.
- I b) The proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, because the site is not adjacent to a state scenic highway and there are no trees, rock outcroppings, or historic buildings on the project site.
- I c) The proposed project will not substantially change the existing visual character or quality of the site and its surroundings. The proposed development would allow the construction of 4 new single family homes, adjacent to existing single family homes.
- I d) The proposed project is located in a desert community where many residents currently enjoy a dark night sky. The project will result in a minor increase in night lighting from residences and traffic around the proposed development. In order for the project to conform to the Development Code regulations for glare, outdoor lighting and night sky protection mitigation measure will be required to be angled and down shielded to minimize off-site glare.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
II. AGRICULTURE RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (Check ☐ if project is located in the Important Farmlands Overlay):

- II a) The subject property is not identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There are no agricultural uses on the site currently.
- II b) The subject property is designated and the proposed use does not conflict with any agricultural land use or Williamson Act land conservation contract.
- II c) The subject property is designated as Special Development – Residential and the proposed use does not involve other changes in the existing environment that, due to their location or nature, could result in conversion of Prime Farmland, to a non-agricultural use.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Discuss conformity with the South Coast Air Quality Management Plan, if applicable):

- III a) The project will not conflict with or obstruct implementation of the Mojave Air Quality Management Plan, because the proposed uses do not exceed the thresholds established for air quality concerns within the CEQA Air Quality Handbook developed by the South Coast Air Quality Management District and used as a guide by the Mojave Desert Air Quality Management District. The proposed subdivision would create a maximum of 8 residential units. This size of development is well below the threshold set for single family residential, which is 166 units. The traffic increase is not significant based on the handbook criteria and will not contribute in any substantial way to the degradation of local region air quality. The site will be paved and landscaped which will mean little or no wind-blown dust or particulate matter will leave the site.
- III b) The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation, because the proposed use(s) do not exceed established thresholds of concern as established by the District. A dust control plan (DCP) and a Coating Restriction Plan (CRP) are required as mitigation measures to regulate construction activities that could create wind blown dust and overspray of coating material.

- III c) The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), because the proposed uses do not exceed established thresholds of concern.
- III d) The project will not expose sensitive receptors to substantial pollutant concentrations, because there are no identified concentrations of substantial pollutants and the project is not located within ¼ mile of a use considered a sensitive receptor.
- III e) The project will not create odors affecting a substantial number of people because there are no identified potential uses that will result in the production of objectionable odors.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially
Significant
Impact

Less than
Significant with
Mitigation
Incorp.

Less than
Significant

No
Impact

IV. BIOLOGICAL RESOURCES - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have substantial adverse effects, 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 Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ☐):

- IV a) This project will not 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 Game or U.S. Fish and Wildlife Service. The project site is at an elevation of 565 feet above sea level and contains vegetative habitat described as Sonoran Creosote Scrub. The project site currently has one existing residence and is adjacent to high density residential.

A General Biological Assessment was conducted by Lilburn Corporation which included a record search for special, endangered and threatened wildlife species, as well as a field assessment conducted on June 5, 2009. The report noted that six special status species have been reported as occurring in the region. Those species included the Desert Tortoise, the Bonytail Chub, the Arizona Bell's vireo, the Razorback Sucker, the Yellow-breasted Chat, and the Elf Owl.

The report concluded that the habitat was poor due to use of the site. Vegetation has been disturbed by off-highway vehicles. The survey did not find any listed species or habitat for listed species. The United States Fish and Wildlife commented on the proposed project and stated the project site is outside the range of the desert tortoise, or is unlikely to support desert tortoises

- IV b) This project will not 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 US Fish and Wildlife Service because the project site has no such biological resources, riparian habitat or sensitive natural community identified on site.
- IV c) This project will not 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, because the project is not within an identified protected wetland.
- IV d) This project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, because there are no such corridors or nursery sites within or near the project site.
- IV e) This project will not conflict with any local policies or ordinances protecting biological resources, as the site have been previously disturbed and there are no identified biological resources that are subject to such regulation.
- IV f) This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted in the area of the project site.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION (Check if the project is located in the Cultural <input type="checkbox"/> or Paleontologic <input checked="" type="checkbox"/> Resources overlays or cite results of cultural resource review):				
V a) This project will not cause a substantial adverse change in the significance of a historical resource, because there are no such resources identified on the site.				
V b) The project site is located in is project will not cause a substantial adverse change to an archaeological resource, because there are no such resources identified on the site.				
V c) This project site is located in an area known to contain Paleontological Resources. A Paleontological Assessment was conducted by Paleo Solutions Inc. The report concluded that based on the fossils recovered and collected within and near the project site, the site has moderate sensitivity and further survey is necessary prior to grading and during grading.				
V d) This project will not disturb any human remains, including those interred outside of formal cemeteries, because no such burials grounds are identified on this project site. If any human remains are discovered, during construction of this project, the developer is required to contact the County Coroner, County Museum for determination of appropriate mitigation measures and a Native American representative, if the remains are determined to be of Native American origin.				

Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as conditions of project approval to reduce these impacts to a level below significant.

MM# **Mitigation Measures**

V-1 **V-1** **Cultural Resource CDP notes.** The following notes shall be added to the Composite Development Plan to the satisfaction of County Planning prior to recordation of the Parcel Map.

"Paleontological Monitoring. Prior to the start of any earth moving activity, a Qualified Paleontologist shall be retained to establish procedures for paleontological resource monitoring during grading, that include procedures for temporarily halting or redirecting work to permit the sampling, identification and evaluation of the fossils as appropriate. These procedures shall be submitted for review and approval obtained from County Planning in coordination with the County Museum. During all construction activities that involve soil disturbance, the following activities will be conducted and included in the approved procedures:

- Pre-grading Conference. A pre-grading conference will be held to explain the established procedures to the construction contractors by the Qualified Paleontologist.*
- Monitoring. Paleontologic monitors shall monitor all land disturbing and grading activities. They shall be equipped to salvage any specimens that are discovered.*
- Recovered specimens. Emergency procedures applicable to the discovery of unanticipated significant paleontological resources (e.g., large specimens as determined by the Paleontologist). Qualified paleontologic personnel shall prepare recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Preparation and stabilization of all recovered fossils is essential in order to fully mitigate adverse impacts to the resources.*

Mitigation Measure IV-1] – Prior to Recordation – CDP Note

VI. GEOLOGY AND SOILS - Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42

Potentially
Significant
Impact

Less than
Significant with
Mitigation
Incorp.

Less than
Significant

No
Impact

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ii. Strong seismic ground shaking?

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iii. Seismic-related ground failure, including liquefaction?

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iv. Landslides?

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b) Result in substantial soil erosion or the loss of topsoil?

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c) 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 or off site landslide, lateral spreading, subsidence, liquefaction or collapse?

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d) Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial risks to life or property?

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e) 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?

☐ ☐ ☒ ☐

SUBSTANTIATION (Check ☐ if project is located in the Geologic Hazards Overlay District):

VI a) (i-iv) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving; i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) Seismic-related ground failure, including liquefaction or iv) Landslides, because there are no such geologic hazards

identified in the immediate vicinity of the project site. The project will be reviewed and approved by County Building and Safety with appropriate seismic standards.

- VI b) The project will not result in substantial soil erosion or the loss of topsoil, because the site will be paved and landscaped. Erosion control plans will be required to be submitted, approved and implemented.
- VI c) The project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse. Where a potential for these is identified a geology report is required to be reviewed and approved by the County Building and Safety Geologist, who will require implementation of appropriate mitigation measures, if any are required
- VI d) The project site is not located in an area that has been identified by the County Building and Safety Geologist as having the potential for expansive soils, as determined by a required soils report.
- VI e) The project area is known to have soils capable of supporting septic tanks, and the proposed lots are well over 20,000 square feet. A percolation report will be required prior to the issuance of a building permit to determine the appropriate type of system.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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 in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- VII a) The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because no use approved on the site is anticipated to be involved in such activities. If such uses are proposed on-site in the future, they will be subject to permit and inspection by the Hazardous Materials Division of the County Fire Department and in some instances additional land use review.
- VII b) The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, because any proposed use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department.
- VII c) The project uses will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, because the project does not propose the use of hazardous materials and all existing and proposed schools are more than one-quarter mile away from the project site.
- VII d) The project site is not included on a list of hazardous materials sites.
- VII e) The project site is not within the vicinity or approach/departure flight path of a public airport.
- VII f) The project site is not within the vicinity or approach/departure flight path of a private airstrip.
- VII g) The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the project has adequate access from two or more directions.
- VII h) The project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, because there are no wildlands adjacent to this site.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
VIII. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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 that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structure that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

j) Inundation by seiche, tsunami, or mudflow?

☐☐☒☐

SUBSTANTIATION

- VIII a) The project will not violate any water quality standards or waste discharge requirements, because the project will be served by the Havasu Water Company and will utilize septic systems that will be subject to regulation by the County that will ensure compliance with waste discharge requirements.
- VIII b) The project will not 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, because the project is served by an existing water purveyor that has indicated that there is currently sufficient capacity in the existing water system to serve the anticipated needs of this project.
- VIII c) The project will not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site, because the project does not propose any substantial alteration to a drainage pattern, stream or river and the project is required to submit and implement an erosion control plan.
- VII d) The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site, because the project does not propose any substantial alteration to a drainage pattern, stream or river. County Public Works has reviewed the proposed project drainage and all necessary drainage improvements both on and off site have been required as conditions of the construction of the project.
- VIII e) The project will not 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, because County Public Works has reviewed the proposed project drainage and has determined that the proposed systems are adequate to handle anticipated flows. All necessary drainage improvements both on- and off-site will be required as conditions of the construction of the project.
- VIII f) The project will not otherwise substantially degrade water quality, because appropriate measures relating to water quality protection, including erosion control measures have been required.
- VIII g) The project will not place unprotected 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, because the project has been reviewed by County Public Works and the project is not within identified flood hazard areas.

- VIII h) The project will not place within a 100-year flood hazard area structures that would impede or redirect flood flows because the site is not located within a 100-year flood hazard area and any area identified as being potentially affected by a 100-year storm the structures will be subject to a flood hazard review and will be required to be elevated a minimum of one foot above the base flood elevation.
- VIII i) The project will not 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, because the project site is not within any identified path of a potential inundation flow that might result in the event of a dam or levee failure or that might occur from a river, stream, lake or sheet flow situation.
- VIII j) The project will not be impacted by inundation by seiche, tsunami, or mudflow, because the project is not adjacent to any body of water that has the potential of seiche or tsunami nor is the project site in the path of any potential mudflow.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- IX a) The project will not physically divide an established community. The project is an extension of residential uses that exist north of the project site.
- IX b) The project proposes a change in the official land use district to allow a higher density of development. The current Land Use District is SD-RES, which allows residential development at one- (1) dwelling unit per 2.5 acres. The project proposes development at approximately 1.45 units per acre. The project has an established water purveyor, a method of sewage disposal acceptable to the California Regional Water Quality Control Board, as well as road and drainage improvements to handle increased traffic and increased water runoff from the project site.
- IX c) The project will not conflict with any applicable habitat conservation plan or natural community conservation plan, because there is no habitat conservation plan or natural community conservation plan within the area surrounding the project site and no habitat conservation lands are required to be purchased as mitigation for the proposed project.

No significant adverse impacts are identified or anticipated and no mitigation measures are required

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
X. MINERAL RESOURCES - Would the project:				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SUBSTANTIATION (Check <input type="checkbox"/> if project is located within the Mineral Resource Zone Overlay):				
X a) The 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 because there are no identified important mineral resources on the project site and the site is not within a Mineral Resource Zone Overlay.				
X b) The 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 plan, because there are no identified locally important mineral resources on the project site.				
No significant adverse impacts are identified or anticipated and no mitigation measures are required				

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
XI. NOISE - Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (Check if the project is located in the Noise Hazard Overlay District ☐ or is subject to severe noise levels according to the General Plan Noise Element ☐):

- XI a) The project will not 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, because the project has been conditioned to comply with the noise standards of the County Development Code and no noise exceeding these standards is anticipated to be generated by the proposed uses
- XI b) The project will not create exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels, because the project has been conditioned to comply with the vibration standards of the County Development Code and no vibration exceeding these standards is anticipated to be generated by the proposed uses.

- XI c) The project will not generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, because the subdivision will result in single-family residences, in an already existing residential community.
- XI d) The project will not generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing or allowed without the project, because the project has been conditioned to comply with the noise standards of the County Development Code.
- XI e) The project is not located within an airport land use plan area or within 2 miles of a public/public use airport.
- XI f) The project is not within the vicinity of a private airstrip.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
XII. POPULATION AND HOUSING - Would the project:				
a) Induce 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- XII a) The proposed project will create four new parcels and a remainder, which will not induce substantial population to the project area.
- XII b) The proposed use will not displace substantial numbers of existing housing units, necessitating the construction of replacement housing because no housing units are proposed to be demolished as a result of this proposal.
- XII c) The proposed use will not displace substantial numbers of people necessitating the construction of replacement housing elsewhere because the project will not displace any existing housing or existing residents.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XIII. PUBLIC SERVICES

- a) 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:

Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- XIII a) The proposed project will not 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, including fire and police protection, schools, parks or other public facilities.

The project is in close proximity to the local fire station. Response times for fire protection are expected to be very short. The Havasu Landing area falls under the jurisdiction of the San Bernardino County Sheriff's Department/Colorado River Station that is located in the City of Needles. The proposed project was reviewed by the Sheriff's Office and it was determined that the project will not have a significant impact on the Colorado River Station.

The Needles School District was notified of the project and has determined that the project would not have a negative impact on the local school in the area that currently serves students from K-8th grade. Currently there are no schools in the Havasu Landing community that cater to grades 9-12. The closest California high school is located in the City of Needles, which is approximately an hour and a half away. The potential increase in population that the project induces is not expected to create the need for a high school.

No significant adverse impacts are identified or anticipated and no mitigation measures are required

XIV. RECREATION

- | | Impact | | with Mitigation
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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION

- XIV a) This project will not 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 because the impacts generated by the residents of this project will be minimal.
- XIV b) This project proposes a clubhouse facility and outdoor recreational facilities, however, the construction of these recreational facilities are not expected to increase the potential for an adverse effect on the environment. These recreational facilities intended for the residents of the park.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XV. TRANSPORTATION/TRAFFIC - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION

- XV a) The project will not cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system because the increase in the number of vehicle trips, the volume to capacity ratio on roads, and the congestion level at intersections remains below the planned thresholds for those facilities.
- XV b) The project will not exceed, either individually or cumulatively, a level of service [LOS] standard established by the county congestion management agency for designated roads or highways, because County Public Works – Traffic Division has reviewed the traffic generation of the proposed project and anticipates that traffic service will be remain at an LOS of "C" or better, as required by the County General Plan.
- XV c) The project will not 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 because there are no airports in the vicinity of the project and there is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed uses and no new air traffic facilities are proposed.

- XV d) The project will not substantially increase hazards due to a design feature or incompatible uses because the project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the project that will impact surrounding land uses.
- XV e) The project will not result in inadequate emergency access, because there is a minimum of two access points.
- XV f) The project will not result in inadequate parking capacity, because the project meets the parking standards established by the County Development Code.
- XV g) The project will not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks), because these have been required to be installed as conditions of approval.

No significant adverse impacts are identified or anticipated and no mitigation measures are required

- XVI c) The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects, as County Public Works has determined that either there is sufficient capacity in the existing storm water system to absorb any additional stormwater drainage caused by the project or has required facilities to be constructed as a part of this project. Any drainage facility construction that is required is included in this environmental review and this review has required appropriate mitigation measures, if necessary.
- XVI d) The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources as the local water purveyor (Havasu Water Company) has given assurance that it has adequate water service capacity to serve the projected demand for the project, in addition to the provider's existing commitments.
- XVI e) The proposed project has a determination from the wastewater treatment provider serving the project that it has adequate capacity to serve the projected demand for the project, in addition to the provider's existing commitments.
- XVI f) Project area is served by the Allied Waste Services which has sufficient permitted capacity to accommodate the project's solid waste disposal needs in the Lake Havasu landfill.
- XVI g) The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste.

No significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which will cause Substantial adverse effects on human beings, either directly Or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION

- XVII a) The project does not appear to have the potential to significantly degrade the overall quality of the region's environment or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. There are no rare or endangered species or other species of plants or animals or habitat identified by the biological report as being significantly and negatively impacted by this project. There are no identified historic or prehistoric resources identified on this site. If any archaeological or paleontological resources are identified during construction the project, the project is conditioned to stop and identify appropriate authorities, which properly record and/or remove for classification any such finds.
- XVII b) The project does not have impacts that are individually limited, but cumulatively considerable. The sites of projects in the area to which this project would add cumulative impacts have either existing or planned infrastructure that is sufficient for all planned uses. These sites either are occupied or are capable of absorbing such uses without generating any cumulatively significant impacts.

- XVII c) The project will not have environmental impacts that will cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by the studies conducted for this project or identified by review of other sources or by other agencies.

Only minor increases in traffic, emissions and noise will be created by implementation of the proposed project. These potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse affects upon the region, the local community or its inhabitants. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further insure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval.

No significant adverse affects have been identified and all necessary mitigation measures have been identified in the preceding sections and are summarized in the following section.

XVIII. MITIGATION MEASURES

(Any mitigation measures, which are not 'self-monitoring' shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval)

V-1 Cultural Resource CDP notes. *The following notes shall be added to the Composite Development Plan to the satisfaction of County Planning prior to recordation of the Parcel Map.*

"Paleontological Monitoring. Prior to the start of any earth moving activity, a Qualified Paleontologist shall be retained to establish procedures for paleontological resource monitoring during grading, that include procedures for temporarily halting or redirecting work to permit the sampling, identification and evaluation of the fossils as appropriate. These procedures shall be submitted for review and approval obtained from County Planning in coordination with the County Museum. During all construction activities that involve soil disturbance, the following activities will be conducted and included in the approved procedures:

- Pre-grading Conference. A pre-grading conference will be held to explain the established procedures to the construction contractors by the Qualified Paleontologist.*
- Monitoring. Paleontologic monitors shall monitor all land disturbing and grading activities. They shall be equipped to salvage any specimens that are discovered.*
- Recovered specimens. Emergency procedures applicable to the discovery of unanticipated significant paleontological resources (e.g., large specimens as determined by the Paleontologist). Qualified paleontologic personnel shall prepare recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Preparation and stabilization of all recovered fossils is essential in order to fully mitigate adverse impacts to the resources.*

Mitigation Measure IV-1] – Prior to Recordation – CDP Note

GENERAL REFERENCES (List author or agency, date, title)

Alquist-Priolo Special Studies Zone Act Map Series (PRC 27500)

California Department of Water Resources Bulletin #118 (Critical Regional Aquifers), 1975.

CEQA Guidelines, Appendix G

California Standard Specifications, July 1992

County Museum Archaeological Information Center

County of San Bernardino Development Code, 1998

County of San Bernardino General Plan, adopted 1989, revised 1998

County of San Bernardino Hazard Overlay Map

County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998

County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995

County of San Bernardino, June 2004, *San Bernardino County Stormwater Program, Model Water Quality Management Plan Guidance*.

County of San Bernardino Road Planning and Design Standards

Environmental Impact Report, San Bernardino County General Plan, 1989

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map

South Coast Air Quality Management District, CEQA Air Quality Handbook, November 1993 **OR**
Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM10) Attainment Plan, July 1995

PROJECT SPECIFIC REFERENCES

TRAFFIC STUDY

AIR QUALITY STUDY

BIOLOGICAL STUDY

GEOLOGY/SOILS STUDY

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EXHIBIT C

CONDITIONS OF APPROVAL

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CONDITIONS OF APPROVAL

GENERAL REQUIREMENTS

Conditions of Operation or Procedure:

LAND USE SERVICES/Planning Division (909) 387-4131

1. **Project Approval Description.** Tentative Parcel Map (TPM) 19169 is approved to be recorded and constructed in compliance with the conditions of approval, the approved stamped tentative map as designed, the required Composite Development Plan (CDP) required by this approval. This approval includes the requirements of any approved reports (e.g. biological assessment). TPM 19169 is approved to subdivide 3.44 acres into four (4) parcels and a remainder for single residential development. The project site is extends between Parosol Drive & Malamedia Road, approximately 100 feet south of Panoply Road. The Current Zoning Designation for this Project is Special Development - Residential (SD-RES). APN: 0649-201-43; Project Number: P200900013
2. **Expiration/TPM.** This Tentative Parcel Map conditional approval shall become null and void, unless all conditions have been completed and the Parcel Map has been deemed complete by the County Surveyor for purposes of recordation within thirty-six (36) months following the approval effective date, unless an extension of time is granted.

PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The "developer" is responsible for initiation of any extension request

3. **Extension of Time/TPM.** Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Planning may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.

4. Indemnification. In compliance with SBCC §81.01.070, the “developer” shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the “developer” of any claim, action, or proceeding and that the County cooperates fully in the defense. The “developer” shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the “developer” of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer’s indemnification obligation applies to the indemnitees’ “passive” negligence but does not apply to the indemnitees’ “sole” or “active” negligence or “willful misconduct” within the meaning of Civil Code Section 2782.

5. Revisions. Any proposed change to the approved Tentative Parcel Map and/or the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted for review and approval obtained from County Planning
6. “Developer” Defined. The term “developer” as used in these conditions of approval for this project and for any development of this project site, includes all of the following: the applicant, the property owner and any lessee, tenant or sub-tenant, operator and/or any other agent or other interested party of the subject project and/or project site and/or any heir or any other successor in interest in the project site or project land use by sale or by lease of all or of a portion of the project site or project land uses and/or any other right given to conduct any land use in any or all of the project structures or any area on the project site.

7. Development Fees. Additional fees may be required prior to issuance of development permits and shall be paid as specified in adopted fee ordinances.
8. Underground Utilities. All existing and proposed utility lines on or adjacent to the project site shall be placed underground in accordance with requirements of County Development Code Standards and the serving utility companies.
9. Condition Compliance. Condition compliance confirmation for purposes of Final Map recordation will be coordinated by the County Surveyor.
10. Project Account. The Job Costing System (JCS) account number is P200900013. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$500.00 shall be in the project account at the time of project approval and a minimum balance of \$500.00 must be in the project account at the time the County Surveyor initiates Condition Compliance Review for recordation. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation. There shall be sufficient funds (\$250.00) remaining in the account to properly fund file closure and any other required post-occupancy compliance review and inspection requirements (e.g. mitigation performance).
11. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These include:
 - a) FEDERAL: Army Corps of Engineers, Fish and Wildlife.
 - b) STATE: Fish and Game, Caltrans, Regional Water Quality Control Board (Colorado River Basin), Air Quality Management District (Mojave)
 - c) County of San Bernardino: Land Use Services - Code Enforcement; Building and Safety, Public Health-Environmental Health Services, Special Districts, Public Works, County Fire and
 - d) LOCAL: N/A

APN: 0649-201-43

CONDITIONS OF APPROVAL

Havasu Lake/1st Supervisorial District

P200900013/TPM 19169

Herem, William

May 3, 2012

Effective Date: TBD

Expiration Date: TBD

Page 4 of 9

COUNTY FIRE/Community Safety (909) 386-8400

12. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.

PRIOR TO RECORDATION OF THE PARCEL MAP

The following shall be completed:

LAND USE SERVICES / Planning Division (909) 387-4131

13. CDP/Planning. A Composite Development Plan (CDP) is required to be prepared in compliance with the County Development Code. The CDP shall be submitted to the County Surveyor, who will then circulate the CDP for review and approval by all County agencies requiring CDP notes. Once approved the CDP is permanently filed with County Building & Safety and when developed each parcel shall comply with these Conditions of Approval.

a) Delineate all setbacks and easements on the CDP.

b) Add the following Note to the CDP:

- Cultural Resources. *The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to adhere to the following requirements and to include in any construction contracts/subcontracts a provision that project contractors shall also adhere to the following requirements:*

If archaeological, paleontological and/or historical resources are uncovered during ground disturbing activities, all work in that area shall cease immediately until written clearance by County Planning is provided indicating that satisfactory mitigation has been implemented. A qualified expert (e.g. archaeologist or paleontologist), as determined by County Planning in consultation with the County Museum shall be hired to assess and record the find, determine its significance, and recommend any further mitigation. The developer shall implement any such additional mitigation to the satisfaction of County Planning. If human remains are uncovered during ground disturbing activities, the San Bernardino County Coroner shall be contacted within 24 hours of the find, and all work halted until a clearance is given by that office and any other involved agencies. If the remains or cultural artifacts are determined to be of Native American origin, the local Native American representative shall also be notified."
[Mitigation Measure V-1] Grading Permits/Planning

- "Jurisdictional Delineation. The future development of the individual lots may require potential alteration and filling of state and federal jurisdictional streams. If so, permits from the responsible agencies would be required."

ENVIRONMENTAL HEALTH SERVICES/ Water & Waste Water Division (909) 387-4666

14. Water Purveyor. The water purveyor shall be the Havasu Water Company, or, if not available, EHS approved. Applicant shall procure a verification letter from the water agency with jurisdiction. This letter shall state whether or not water connection and service shall be made available to the project by the water agency. This letter shall reference the Assessor's Parcel Number. (Letter on file dated June 11, 2008).
15. CDP. Submit evidence of contractual arrangements or installation of water improvements to the Environmental Health Services (EHS) for prior to recordation. A note shall be placed on the Composite Development Plan (CDP) stating, "Water purveyor shall be Havasu W.C. Proof of installation of water improvements shall be provided prior to the issuance of building permits."
16. Sewer Purveyor. Method of sewage disposal shall be EHS approved.
17. Sewer Disposal. If sewer connection and/or service is unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: A soil percolation report shall be submitted to EHS for review and approval. The following note shall be placed on a Composite Development Plan (CDP): "An approved percolation report, (EHS reference number) prepared by (person/firm name & credentials) on (date prepared), is on file with EHS. A plot plan showing the location of the septic system shall be submitted to EHS prior to the issuance of building permits for the individual lots." For information, please contact the Wastewater Section at (909) 387-4666.

LAND USE SERVICES / Building and Safety (909) 387-4131

18. CDP. The project applicant shall submit for review and approval a Composite Development Plan. The following statements shall be placed verbatim on the CDP:
 - a) "Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance." Grading plans submitted to Building and Safety for roads not included in the County maintained road system shall include Land Development approved road improvement plans for comparison. When a difference between the grading and road standards occurs, plan review and inspections shall be based on the higher standard."
 - b) "A preconstruction inspection, tree removal plan and permit in compliance with the County's Plant Protection and Management Ordinance, shall be approved prior to any land disturbance and/or removal of any trees or plants."

- c) "Natural Drainage Course(s)/Easement(s) shall not be occupied or obstructed unless specific approval from Land Development Engineering/Drainage Review is provided".
- d) Delineate all easements on the Composite Development Plan (CDP).

COUNTY FIRE /Community Safety (909) 386-8465

- 19. Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
- 20. Fire Fee. The required fire fees (currently \$174.00) shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8465.
- 21. CDP. The project applicant shall submit for review and approval a Composite Development Plan. The following statements shall be placed verbatim on the CDP.
 - a) "Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department."
 - b) "Fire Requirements. Individual lot owners shall be required to provide their own fire protection measures as determined and approved by the Fire Department prior to any building permit issuance. Fire protection measures may include Fire Department approval of:
 - Individual fire protection water-systems (e.g. fire flow) for each lot.
 - Automatic fire sprinklers for all structures.
 - Surfacing of access roads and driveways."

PUBLIC WORKS / Land Development / Roads (909) 387-8145

- 22. Parcel Map. A parcel map is required with all appropriate easements to be dedicated (or offered for dedication in the case of drainage easements) in accordance with the provisions of the California Government Code, the San Bernardino County General Plan and the San Bernardino County Development Code.
- 23. Drainage Study. The developer's engineer shall provide a preliminary drainage study to determine the nature of on-site and downstream flood hazards. The drainage study

shall include off-site tributary information, rough calculations, proposed easements and/or mitigation measures for any hazards determined. (Provided and Accepted)

24. Legal Access. Legal access to all newly created parcels shall be required to a maintained public road. It shall be the developer's responsibility to provide documentation or the necessary dedications to make the connection. Provide legal access to remainder parcel.
25. Road Standard. The private road shall be designed and constructed to County private road standards with a paved surface no less than 26'. Pave Parasol Drive a minimum of 26' feet. Public Roads shall be designed and built to County Standards in accordance with the Master Plan of Highways. Street Improvement Plans must be submitted to the Land Development Office for review and approval prior to construction.
26. Bond. Road and drainage improvements required as a condition of this project shall be bonded in accordance with County Development code unless constructed and approved prior to recordation.
27. Physical Access. Physical access shall be required to all newly created parcels. Physical access is defined as a route which is traversable in a standard (two-wheel drive) sedan. The Developer's Engineer or Surveyor shall submit a signed and sealed letter to Land Development Engineering certifying that physical access has been completed.
28. Curbs. Rolled curbs matching existing curb system in the neighborhood are required on both the private road and Parasol Drive. Engineer shall propose appropriate placement and design based on drainage conditions to safely pass and convey storm runoff.
29. Road Name. Consult with the San Bernardino County Traffic Division (909) 387-8197 for authorization to name the following proposed road(s): unnamed new private road (cul-de-sac)
30. CDP. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD, prior to recordation of the Final Map (in verbatim):

"The site is subject to infrequent flood hazards by reasons of overflow, erosion and debris deposition in the event of a major storm."

"Any natural drainage course traversing the site shall not be occupied, obstructed or disturbed without prior approval of the Land Development Engineering Division of the Public Works Department."

"The site is in FEMA Zone(s) D. Future construction shall meet FEMA requirements prior to building permit."

"All required on-site and off-site improvements shall be approved by the Department of Public Works and completed by the applicant prior to occupancy of these parcels."

31. Turnarounds. Turnarounds at dead end streets shall be in accordance with the requirements of the County Department of Public Works and Fire Department.

PUBLIC WORKS / County Surveyor / Parcel Map Section (909) 387-8162

32. Parcel Map/CS. A parcel map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.

33. Utility Clearance. Subdivider shall present evidence to the County Surveyor's Office that they have tried to obtain a non-interference letter from any utility company that may have rights of easements within the property boundaries.

34. Easements/CS. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.

35. Title Report. Subdivider shall present a title report prepared for subdivision purposes.

36. Surveyor Fees. Prior to approval for recordation, all fees required under actual cost Job Number PM 19169 shall be paid in full.

SPECIAL DISTRICTS (909) 387-5940

37. Refuse. Assessor's Parcel Number 0649-201-43 lies within the boundaries of County Service Area 70, Improvement Zone HL (CSA 70 HL). Each developed parcel resulting from TPM 19169 will be subject to a separate CSA 70 HL refuse service charge. The District provides refuse services in CSA 70 HL and separate parcel developments become subject to their own CSA 70 HL services charges at the time they are developed. For additional information regarding CSA 70 HL please contact Tim Millington, Regional Manager, Special Districts Department at (909) 387-5940.

END OF CONDITIONS – TPM 19169 P200900013

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EXHIBIT D

CORRESPONDENCE

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**SAN BERNARDINO COUNTY LAND USE SERVICES DEPARTMENT
PLANNING DIVISION PROJECT NOTICE**

San Bernardino County Land Use Services Department/Planning Division
385 North Arrowhead Avenue, First Floor, San Bernardino, CA. 92415-0182

2009 MAR 31 10:10 AM
CITY OF SAN BERNARDINO

ATTENTION PROPERTY OWNERS

The development proposal listed below has been filed with the County Land Use Services Department/Planning Division. You are invited to comment because your property is located near the proposed project. Please comment in the space below. You may attach additional pages as necessary.

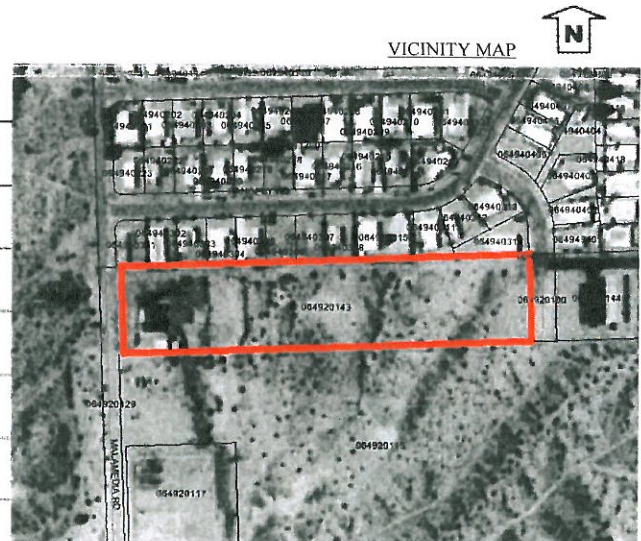
Your comments must be received by this department **no later than April 03, 2009 to be sure that they are included in the final project action.** However, comments will be taken up to the time of the project decision. Please refer to this project by the Applicant's name and the Assessor Parcel Number indicated below. If you have no comment, a reply is not necessary. If you have any questions regarding this proposal, please contact **Project Planner, KEVIN WHITE** at (909) 387-4115 or mail your comments to the address above. If you wish, you may also FAX your comments to (909) 387-3249.

ASSESSOR PARCEL NUMBER:	0649-201-43	(See map below for more information)
PROJECT NUMBER	P200900013/CF	
APPLICANT	HEREM, WILLIAM	
LAND USE DISTRICT (ZONING):	SD-Res	
IN THE COMMUNITY OF:	HAVASU LAKE/1ST/ SUPERVISORIAL DISTRICT	
LOCATED AT:	MALAMEDIA ROAD AND PARASOL DRIVE, EXTENDING BETWEEN; APPROXIMATELY 106 FEET SOUTH OF PANOPLY ROAD	
PROPOSAL	A) GENERAL PLAN LAND USE ZONING DISTRICT AMENDMENT FROM SPECIAL DEVELOPMENT RESIDENTIAL (SD-RES) TO SINGLE RESIDENTIAL (RS) ON 3.44 ACRES; B) TENTATIVE PARCEL MAP 19169 TO CREATE 4 PARCELS AND ONE REMAINDER ON 3.44 ACRES	

If you want to be notified of the project decision, print your name clearly and legibly on this form and mail it to the address above along with a self-addressed, stamped envelope. All decisions are subject to an appeal period of ten (10) calendar days after an action is taken.

Comments (If you need additional space, please attach additional pages):

What kind of Residential
Are you thinking of
put in? Home? or
what
Richard A. Barber
19323 Wiersma Ave.
Cerritos, Ca. 90703



Richard A. Barber

26 MAR 09

SIGNATURE

DATE

AGENCY

IF YOU CHALLENGE ANY DECISION REGARDING THE ABOVE PROPOSAL IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED IN WRITTEN CORRESPONDENCE DELIVERED TO THE LAND USE SERVICES/DEPARTMENT/PLANNING DIVISION AT, OR PRIOR TO, THE TIME IT MAKES ITS DECISION ON THE PROPOSAL OR, IF A PUBLIC HEARING IS HELD ON THE PROPOSAL, YOU OR SOMEONE ELSE MUST HAVE RAISED THOSE ISSUES AT THE PUBLIC HEARING OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE HEARING BODY AT, OR PRIOR TO, THE HEARING.

DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, TIME RESTRICTIONS MAY BE PLACED ON ORAL TESTIMONY AT ANY PUBLIC HEARING ABOUT THIS PROPOSAL. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

My river address is
148514 Panoply
Havas Lake, Ca.
92307

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