

NEPA Environmental Assessment

**For the Proposed Morongo Outdoor Entertainment Center
310 +/- acres located on Morongo Reservation
Cabazon, CA**

*Revised
August 2013*

Prepared for:

*Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825
&*



*Morongo Band of Mission Indians
12700 Pumarra Rd
Banning, CA 92220*



MSA CONSULTING, INC.
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

**Environmental Assessment for
Morongo Outdoor Entertainment Center
310 +/- acres**

Prepared For:

BUREAU OF INDIAN AFFAIRS
2800 Cottage Way
Sacramento, California 95825

MORONGO BAND OF MISSION INDIANS
12700 Pumarra Road
Banning, California 92220

Prepared By:

MSA Consulting, Inc.
34200 Bob Hope Drive
Rancho Mirage, California 92270

Revised
August 9, 2013

TABLE OF CONTENTS

	Page
1.0 INTRODUCTION	
1.1 Purpose and Need	1
2.0 PROJECT ALTERNATIVES	
2.1 Alternative One	3
2.2 Alternative Two	3
2.3 Alternative Three	5
3.0 ENVIRONMENTAL IMPACTS	
3.1 Land Resources	6
A. Topography	6
B. Soils	6
C. Geology	7
3.2 Water Resources	8
3.3 Air Quality	12
3.4 Living Resources	21
A. Wildlife	22
B. Vegetation	23
C. Ecosystems	24
D. Agriculture	25
3.5 Cultural Resources	27
3.6 Socioeconomic Conditions	32
A. Employment and Income	32
B. Demographic Trends	32
C. Lifestyle and Cultural Values	32
D. Community Infrastructure (Public Services, Utilities) ...	33
E. Environmental Justice	35
3.7 Resource Use Patterns	36
A. Hunting, Fishing, Gathering	36
B. Timber Harvesting	36
C. Agriculture	36
D. Minerals	36
E. Recreation	37
F. Transportation	37
G. Land Use Plan	40
3.8 Other Values	41

A. Wilderness.....	41
B. Noise and Light	41
C. Visual	44
D. Public Health and Safety.....	44
E. Climate Change (Greenhouse Gases).....	45
F. Indian Trust Assets	46
G. Hazardous Materials	47
4.0 MITIGATION.....	49
5.0 CONSULTATION	55
6.0 LIST OF CONTRIBUTORS	57
7.0 APPENDICES	58

EXHIBITS

**All Exhibits to be found at the end of referenced sections*

Section 1.0

- Exhibit 1 - Regional Location
- Exhibit 2 - Vicinity Map
- Exhibit 3 - Aerial Photograph
- Exhibit 4 - Conceptual Site Plan

Section 3.1

- Exhibit 5 – USGS

Section 3.2

- Exhibit 6 – FEMA Map

Section 3.5

- Exhibit 7 – Existing Flume

Section 3.7

- Exhibit 8 – Intersection Location Map

Section 4.0

- Exhibit 9 – Seminole Drive Widening
- Exhibit 10 – Event Arrival Traffic
- Exhibit 11 – Event Departure Traffic
- Exhibit 12 – Traffic Control Exhibit I-10 & Main Street
- Exhibit 13 – Traffic Control Exhibit I-10, Thunder RD/Apache Trail
- Exhibit 14 – Traffic One Way Departure

APPENDICES

APPENDIX A	Air Quality Impact Study
APPENDIX B	Noise Assessment
APPENDIX C	Biological Assessment
APPENDIX D	Cultural Resource Study (Confidential)
APPENDIX E	Geotechnical Report
APPENDIX F	Traffic Impact Analysis

1.0 PURPOSE AND NEED

This Environmental Assessment (EA) has been prepared to comply with the National Environmental Policy Act (NEPA) of 1969, as amended (40 CFR 1500) and the Bureau of Indian Affairs (BIA) NEPA Handbook 59 IAM3. The EA will analyze the potential effects of the proposal by Garson Entertainment Group to develop the Morongo Outdoor Entertainment Center. The project is proposed on 310+/- acres of vacant land located on the Morongo Reservation. The project site is located northeast of the Morongo Casino Resort and Spa in Cabazon California, County of Riverside. See Exhibits 1-3 at the end of this chapter.

The BIA as lead agency will use the EA to determine if the approval of the land lease between the Morongo Tribe and Garson Entertainment will result in significant effects to the Human Environment. The Tribe will serve as a cooperating agency due to its jurisdiction by law and special expertise.

Development of the Morongo Outdoor Entertainment facility will allow additional and diverse income from the lease to be generated and contribute revenue to the Tribe's various and growing economic ventures. The proposed development will generate ongoing short term and long term employment from construction and all future events to be held at the facility.

Proposed Activity

Garson Entertainment Group proposes a music and events venue that will include a main, open air amphitheater with seating for 15,000-18,000 persons, a tent of 80,000 square feet with a capacity of 10,000 persons, a Beach Club with a capacity of 2,500 persons and a Forest venue which would feature a heavily landscaped area with small performance areas for approximately 500 persons, refer to Exhibit 4 "Conceptual Site Plan". All of these venues can operate simultaneously in a festival setting, however, it is anticipated that the main amphitheater, Beach Club or Tent venue would primarily be used. The Beach Club venue may be operated on a daily basis.

A concourse area of approximately 8.5 acres will connect all of the music venues and offer retail sales, food and activity areas. Open grass areas of approximately 21 acres could be used to support festivals and other activities. The overall project site is 310 +/- acres; it is proposed that 68 acres of the overall total will house the music venues and related activity area with the remaining 242 acres to be used as campgrounds and parking area. Camping would only take place during festival events otherwise it is not available for public use. The site would include approximately 11,000 parking spaces for vehicles, plus parking for 200 buses. Camping and RV parking areas will also be provided approximately 3,200 spaces.

Timeframe

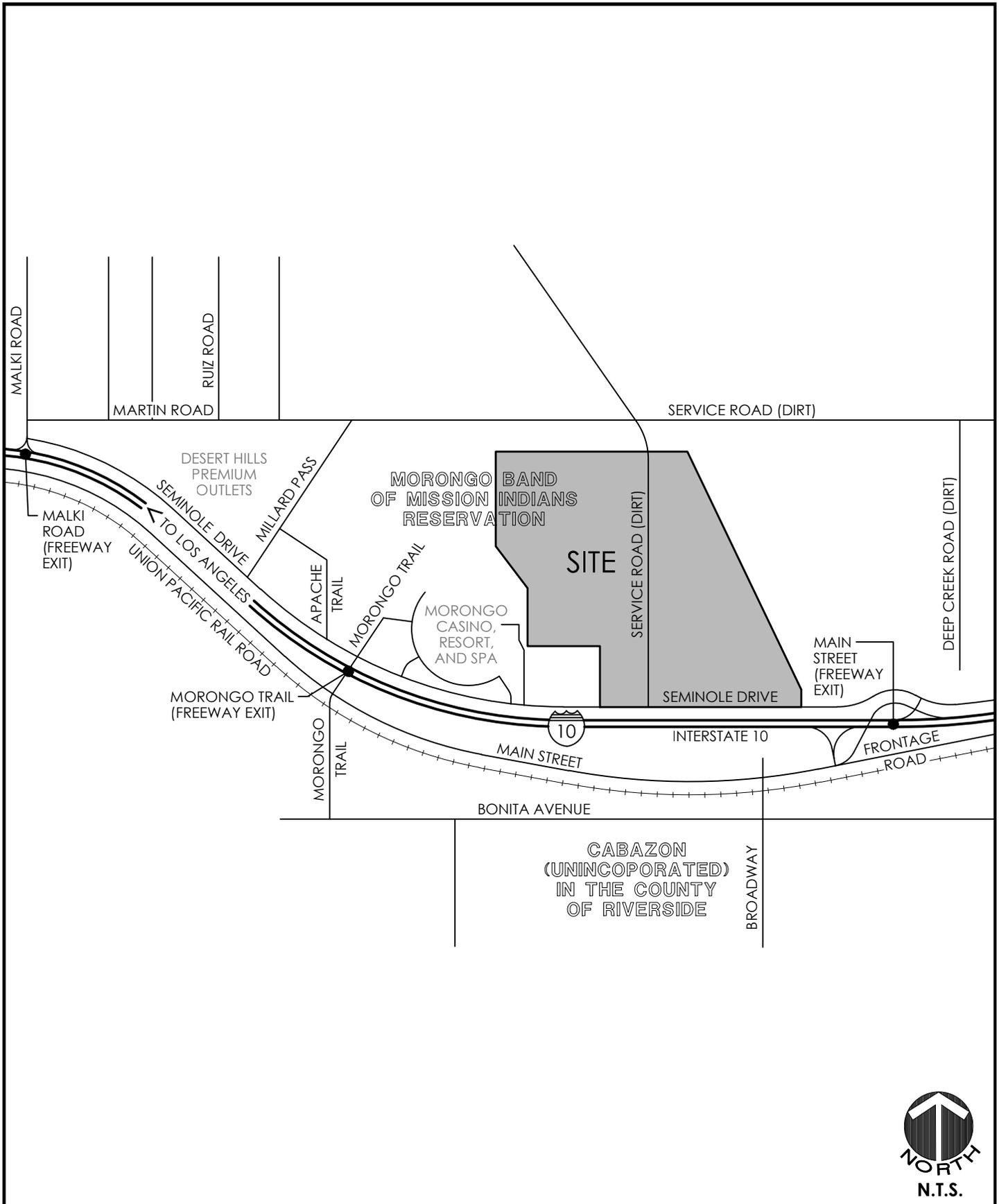
The project proponents hope to construct the facility toward the end of 2013 and begin presenting concerts and events in the late spring of 2014.

General Setting

The project site is 310+/- acres of vacant land located on the reservation of the Morongo Band of Mission Indians. The Morongo Reservation spans over 35,000 acres in Riverside County between the San Gorgonio and San Jacinto Mountains, often referred to as the San Gorgonio

Pass. Two cities and various unincorporated communities are located within the Pass, including the cities of Beaumont and Banning which are west of the project site; Cabazon is a small community located east of the project site (see Exhibit 1 “Regional Map”). Access to the project site is provided by Interstate-10. The site fronts on Seminole Drive and is located midway between two existing I-10 freeway off-ramps, one at Main Street and the second at Apache Trail, which is the primary access to the Morongo Casino Resort Spa and the Cabazon Outlets.

Surrounding land uses include heavily grazed landscape to the north, east, and west. Southwest of the project site is the Morongo Casino and Canyon Lanes Bowling Alley (original Morongo Casino). South of the project site is Interstate-10 and the Union Pacific Railroad. The site is currently being used for cattle grazing and is bounded by or crossed by several utility corridors including electrical transmission lines and gas/oil lines to the north. The site also surrounds a small 5 acre parcel that contains a water reservoir and well that’s operated by the Cabazon Water Company which is not a part of the project.



MSA CONSULTING, INC.
 PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING
 34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

Vicinity Map

Morongo Outdoor Entertainment
 Environmental Assessment

Exhibit 2



MSA CONSULTING, INC.
 PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

Aerial Photograph

Morongo Outdoor Entertainment
 Environmental Assessment

Exhibit 3



MSA CONSULTING, INC.
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

Conceptual Site Plan

Morongo Outdoor Entertainment
Environmental Assessment

Exhibit 4

2.0 PROJECT ALTERNATIVES AND COMPARISON

2.1 No-Action Alternative.

Implementation of the No-Action alternative would leave the project site in its existing vacant condition. Grazing of Tribal cattle and livestock on the site would continue. This Alternative would not meet the Tribe's goals of diversifying income and economic ventures in addition; opportunity for Tribal and community employment would not be realized. This is the baseline condition described throughout the document. Its impacts relative to the Reduced Size Alternative are correspondingly similar to the Preferred Alternative but in general to a lesser degree.

2.2 Reduced Size Alternative.

This alternative would result in fewer impacts relative to some resources found in the Preferred Alternative, due to its smaller footprint, however many components of this NEPA review would also see similar results for other resources. This section is primarily a comparison between the Reduced Size Alternative and the Preferred Alternative.

The Reduced Size Alternative would consist of an entertainment amphitheater that would house concert events only and the venue area would be approximately 20 acres. It would be located in the same general area indicated on the Preferred Alternative site plan. No camping facilities would be provided. The parking area would consist of approximately 66 acres. This would result in a project that totals approximately 86 acres in area.

The maximum attendees would be approximately 20,000. The average vehicle ridership, assumed to be 2.5 results in an estimated 8,000 vehicle trips each day in one direction. Peak hour traffic counts would be 6,000 for the reduced project (5,120 for the Preferred Alternative, due to extended arrival periods.) Primary access to the event area would be paved; the parking area would be stabilized with decomposed granite or a proposed equal. The venue area would be landscaped with turf.

Facilities would be temporary similar to the Preferred Alternative. The number of facilities would be sized appropriately in accordance with estimated attendance, including portable toilets and small accessory structures. A general comparison relative to NEPA topics is provided below.

Land Resources

Topo, Soils and Geology: same general geologic conditions, area of disturbance would be less for the Reduced Alternative.

Water Resources

Water would be utilized for irrigation purposes, which would be reduced relative to the reduction in the venue size. Both the Reduced and Preferred Alternatives would temporarily decrease the level of irrigation due to active occupation.

Air Quality

Air quality during construction will be equal or less, due to the limitations on disturbed surface area during construction.

Cumulative air quality impacts relative to vehicular emissions would be greater for the Preferred Alternative; however the hourly operational impacts would be higher for the concert only events due to extended arrival times.

Living Resources

Wildlife, Vegetation, Ecosystems and Agriculture would be similar in that the site does not contain significant resources. Mitigation for Burrowing Owls would be included in both projects, so impacts will be avoided.

Cultural Resources

Historical, Archaeological and Religious impacts will be similar for both due to the fact that impacts to identified resources (such as the flume) will be mitigated according to measures determined by Tribal consultation. Tribal Monitoring would be required during the construction of both the Reduced and Preferred Alternatives

Socioeconomic Conditions

The Reduced Alternative will augment socioeconomic conditions for the Tribe however it would provide for less opportunity for revenue as its use will be limited in capacity and format. The Preferred Alternative, with greater opportunity for a variety of uses throughout the year, would allow for a more diverse list of events and income potential. As discussed again in the Resource Use Patterns section below, the Reduced Alternative will contribute to the Socioeconomic Conditions of the Tribe, however to a lesser extent.

Resource Use Patterns

Less than significant impacts are expected for hunting, timber, agriculture and minerals as these resources are not found on the property that either the Preferred or Reduced Alternatives would encompass. Both projects would serve as an extension of planned commercial development along Seminole. However the Preferred Project will have the potential for greater use and benefit of the properties with high visual access to Interstate 10 and the 99,000 vehicles per day that pass through the reservation.

Transportation

The Reduced Alternative would have similar impacts when compared to the Preferred Alternative. Both Projects would be required to build permanent improvements on Seminole Drive. Any concert events that exceed 10,000 attendees would be required to implement the temporary traffic control measures. Peak hour impacts for both projects would be similar due to the camping amenities and extended arrival and departure times associated with Festivals.

Other Values

Both alternatives would be constructed on property that has been heavily grazed for many decades. Less than significant impacts are expected for the Reduced and Preferred Alternative.

Impacts relative to noise and light, vistas, public health, safety and hazardous materials would be similar between the two alternatives due to the proposed land uses. The Reduced Alternative would provide less opportunity for activities that might result in these types of impacts considering its smaller footprint and reduced amenities. However both Alternatives can be considered to result in less than significant impacts due to corresponding levels of security, services and management that would be provided for individual events.

Climate Change

The Reduced Alternative would be expected to contribute a lesser amount of CO₂-equivalent emissions per year. However the Preferred Alternative is projected to result in approximately 528.74 Metric Tons Per Year of Unmitigated Emissions. This quantity is well below the 25,000 Metric Tons or more of CO₂-equivalent emissions which is the threshold that would trigger further quantitative and qualitative assessments of GHG emissions.

As previously discussed in the Socioeconomic Conditions and Resource Use Patterns, both Alternatives are expected to improve Indian trust assets by adding value to the property. Comparatively, the Reduced Alternative would be expected to contribute to a lesser degree.

2.3 Preferred Alternative

Construction and operation of the Preferred Alternative would not result in significant environmental impacts with the implementation of mitigation measures incorporated into the project. The development of the proposed entertainment facility described throughout this document, would meet the goals of the Tribe for economic and employment diversity. The proposed project is conveniently situated near I-10 and existing Tribal enterprises such as, food, lodging, gas, and entertainment. These amenities would be utilized by concert and festival attendees and bring in financial economic benefits to the Tribe and surrounding community.

The No-Action Alternative and the Reduced Size Alternative do not provide the best means for meeting the Tribe's goals of economic and employment diversity. While the Reduced Size Alternative would still contribute to employment and revenue, it would contribute to a lesser degree. This Preferred Alternative is found to represent the purpose and need of the proposed action.

3.0 ENVIRONMENTAL IMPACTS

3.1 Land Resources

The subject property was investigated by Geocon West Inc. in July and August of 2012 with a final report issued in April of 2013 (Appendix E). The scope of their investigation included a site reconnaissance, review of aerial photographs and pertinent geologic literature, and a preliminary geotechnical site investigation and percolation testing. This included 15 geotechnical test pits up to 15 feet in depth.

The report finds that any undocumented fill and the upper approximately three feet of site soil deposits are considered unsuitable in the current condition for support of proposed improvements and will require remedial grading. No groundwater was encountered and problems related to groundwater are not anticipated during grading. Test results from percolation testing indicate percolation rates on the order of 42 to 240 inches/hour are to be anticipated for onsite sandy soils in a loose state for prelim design purposes. Once a design layout has been determined and structural loads are known, a more detailed geotechnical review should be performed to address specific site improvements. Under the present settings, neither soil nor geologic conditions were encountered during the investigation that would preclude the construction of the proposed entertainment center.

A. Topography

The entire site exhibits a uniform alluvial fan/bajada aspect sloped from north to south between 2130 feet above sea level to approximately 1850 feet above sea level, a slope of approximately 7%. The bajada is moderately incised by a dry wash complex lying to the east of the subject property that serves to define the eastern boundary of the site/use area angling from northwest to southeast. No incised washes are located on the property.

B. Soils

Quaternary-age alluvial fan deposits were encountered in all the test pits excavated for the study. The fan or bajada appears to be relatively uniform across the site and consists of mainly coarse deposits emanating from the San Bernardino Mountains located to the north of the site. The predominant soil types include sandy gravel and variable amounts of silt, cobbles, and boulders (30%) up to 24 inches in diameter. Excavation encountered clast-supported boulder layers with little sand matrix. A significant quantity of oversized rock should be anticipated during grading. The upper two to three feet of the site is bioturbated (mixed by biological organisms) by roots and rodent burrows and is not considered suitable for structural support without overexcavation and recompaction.

Groundwater

The site is within the Whitewater Subbasin and no groundwater was discovered during the site investigation and excavation activities. Well logs within one mile of the site indicate a depth to groundwater in the 430 to 500 foot depth.

C. Geologic Hazards

The site is not within an Alquist-Priolo or Riverside County Fault Hazard Zone. The San Gorgonio Fault Zone is located approximately 1/3 mile to the north of the site. There was no evidence of on-site faulting found during the site investigation. The site is within a seismically active region near the active margin between the North American and Pacific tectonic plates. The principal source of seismic activity is movement along the northwest-trending faults including the San Andreas, San Jacinto and Elsinore fault zones. These fault systems are estimated to produce up to approximately 55 millimeters (2.2 inches +/-) of slip between the plates each year.

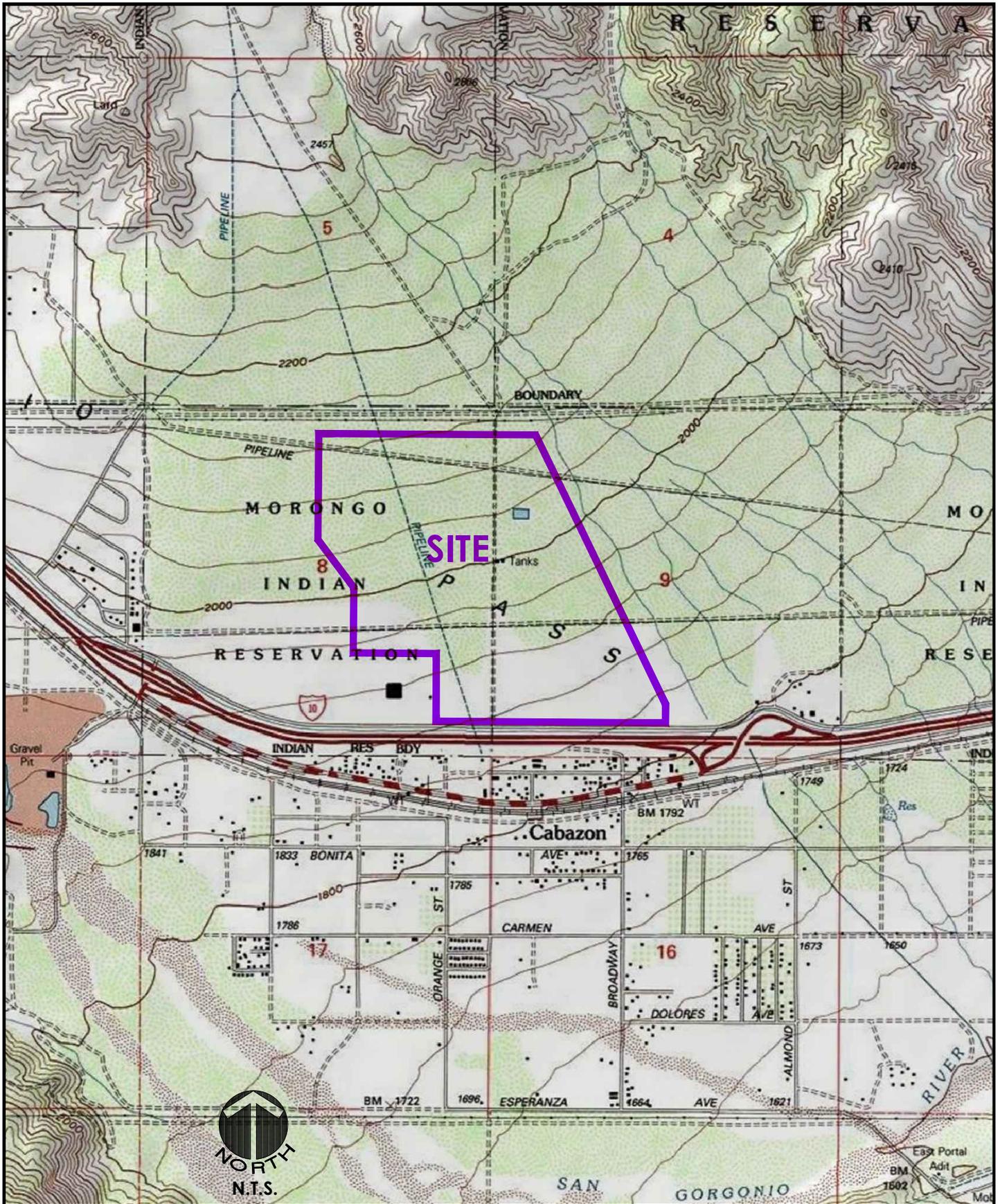
Due to the close proximity of multiple faults, the site could be subjected to strong ground shaking similar to most of Southern California. In the event of an earthquake and ground shaking, low profile and limited vertical construction can be mitigated if any proposed structures are designed and constructed in conformance with current building codes and engineering practices. The estimated maximum earthquake magnitude and peak ground acceleration for the San Andreas Fault are 8.2 and 0.60g respectively.

Liquefaction

Liquefaction is a phenomenon in which loose, saturated, relatively cohesionless soil deposits lose shear strength during strong ground motion. This condition usually exists where certain soil conditions are paired with a relatively high water table. As the water table is relatively deep (wells in area are drilled to 400 to 500 foot depths) the study concludes that the potential for liquefaction is very low.

Conclusion

The study concludes that the site is suitable for the proposed entertainment venue which is largely composed of graded, turfed ground forms, temporary tents and other accessory structures and limited vertical construction. These land forms and structures can be safely constructed if building codes and nominal engineering practices are followed along with the specific recommendations outlined in the study.



MSA CONSULTING, INC.
 PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

U.S. Geological Survey

Morongo Outdoor Entertainment
 Environmental Assessment

Exhibit 5

3.2 Water Resources

The following section describes the existing conditions related to surface water, drainage, groundwater, water quality, use and rights.

Surface Water and Drainage

The project of approximately 310 acres is located in a geographic setting known as the San Gorgonio Pass. This area is an east-west valley separating the San Bernardino Mountains to the north from the San Jacinto Mountains to the south. The principal drainage patterns in the area are caused by runoff from these mountain ranges. The valley floor of the pass is described as having been filled with sediment eroded from the mountains to the north and south, also contributing to the formation of groundwater basins.

The San Gorgonio Pass represents a significant drainage divide between the Santa Ana River Watershed to the west and Whitewater River Watershed to the east. The eastern portion of this Pass, where the project is situated, slopes to the east toward the Coachella Valley, primarily via the San Gorgonio River. There is a descent in elevation from approximately 2,600 feet near Beaumont to approximately 1,600 feet near Cabazon. The average annual precipitation in this region ranges from 12 to 30 inches, generally increasing at higher elevations with most of it occurring from January through March. At the project site, where the elevation ranges from approximately 1,800 feet to 2,150 feet, the average annual precipitation is estimated at 12.5 inches.

The project is situated on the Millard Canyon alluvial fan, which is formed by minor drainages from the San Bernardino Mountains, located approximately 1 mile to the north of the site. Ephemeral drainages, primarily attributed to Millard Creek and Deep Canyon Creek, flow across the alluvial area in a predominantly northwest-to-southeast direction before reaching the San Gorgonio River, approximately 1 mile south of the project. The Millard Canyon drainages typically have no surface water flow during the summer months. Drainage in the vicinity is also caused by the S. P. Spring, which is located at the mouth of Millard Canyon, approximately 1.5 miles north of the site. This natural spring is described as being formed by the presence of seismic faulting which acts as a barrier to the north-south groundwater flow.

When the groundwater flowing through the canyon sediment encounters the fault barrier, it is forced to rise, reaching the surface and forming the spring that joins the other ephemeral drainages. The project area is unaffected by runoff from the San Jacinto Mountains, which are located 1.5 to 2 miles south of the project. The most pronounced natural drainage paths that descend from Millard Canyon across the alluvial fan do not traverse the project, as they occur to the east. As a result, the site of 310 acres only has evidence of minor surface flows as well as active and inactive man-made drainage improvements. The improvements include an inactive flume that previously formed part of a local irrigation system. This feature is characterized as a small rock and concrete canal (flume) approximately 18 to 24 inches in width that crosses the site from northwest to southeast.

Segments of this channel are buried or obstructed. Parallel to the channel is an underground pipe that appears to carry small flows across the site. Near the south end of the canal and irrigation lines is a concrete structure that serves as a weir box. The trough is utilized for the existing cattle

grazing operations that are present in the area. According to the project-specific *Biological Assessment and Impact Analysis*, prepared by James W. Cornett Ecological Consultants, Inc. on July 15, 2012, no blue-line stream corridors (streams or dry washes) traverse the project site.

Groundwater

Groundwater in the San Gorgonio Pass is known to have been formed in sediment that eroded from the San Bernardino and San Jacinto mountains. Smaller, separate groundwater basins have also formed in several adjacent canyons, including Banning, Potrero, and Millard. Groundwater beneath the project vicinity occurs in aquifers estimated at 500 to 1,000 feet in depth. This groundwater flows generally west to east across the pass.

The Morongo Band of Mission Indians obtains water from local groundwater production wells. This supply provides what is considered a reliable source of groundwater to the Morongo Indian Reservation to support the existing residential and commercial uses as well as the casino and water bottling plant facilities. Water services are provided by the Morongo Band of Mission Indians Water Department under the supervision of the Reservation Services Administrator. The infrastructure consists of 30 miles of potable water mains, pressure reducing stations and storage reservoirs. It should be noted that a Cabazon Water Company tank is located on 5-acres on the central portion of the site, but such facility will not be a part of the project.

Prior studies conducted by the U.S. Geological Survey for the San Gorgonio Pass have provided additional information beneficial for the assessment of water resources and water management in the area. These assessments indicate that although groundwater levels in the region have generally declined in the past 80 years, there appears to be enough groundwater from the main basins and adjacent canyons to supply the existing and foreseeable needs of the area.

Flooding

As previously described, the project site fits into a local physical context composed of a series of overlapping alluvial fans, which together can be referred to as a bajada. The bajada is serially incised by dry washes to the immediate east of the site that cut through the landscape from northwest to southeast. Surface flows in the washes are known to be rare. There are no natural washes or blue-line streams that traverse the project. Prior road and utility improvements in the project area and surroundings have resulted in features, such as temporary roads and berms, that presently divert flows farther east and away from the site.

According to the Federal Emergency Management Agency (FEMA), the project site is included in Flood Insurance Rate Map (FIRM) Number 06065C0845G, Dated August 28, 2008. The FIRM indicates that the property has three flood zone designations affecting different portions of the site: Flood Zone D, Zone X and Zone A. Zone D is assigned to the western portion of the project, where evidence of surface flows is less pronounced. It represents an undetermined flood risk and applies to areas with possible, but undetermined flood hazards. No flood hazard analysis has been conducted for a Zone D under this designation. Zone X is identified for an eastern portion of the site. This zone applies to areas with average depths of less than one foot or drainage areas less than one square mile and to areas protected from the 0.2% annual chance floodplain. Zone X is deemed have a low to moderate flood risk.

The northeast corner of the site, an area situated closer to the more pronounced drainages, has a Zone A designation. Zone A applies to areas with a 1-percent chance of flooding and a 26-percent chance of flooding over the life of a 30-year mortgage. Because detailed analyses are not performed for such areas, no depths or base flood elevations are shown within these zones. The proposed project will avoid improvements in any part of Zone A.

Water Quality and Use

As previously described, the project site fits into a local physical context composed of a series of overlapping alluvial fans, which together can be referred to as a bajada. The bajada is serially incised by dry washes to the immediate east of the site that traverse the landscape from northwest to southeast. Surface flows in the washes are known to be rare. There are no natural washes or blue-line streams that traverse the project.

The quality of water resources is managed primarily under the Morongo Environmental Protection Department, which includes the Tribal Water and Pollution Prevention programs. Federal statutes related to water resources, including the Clean Water Act, are implemented and administered pursuant to the U.S. Environmental Protection Agency (EPA). Surface water monitoring to measure the chemical and physical characteristics of each waterbody in the reservation is conducted routinely by the Tribal Environmental Protection Staff. Water quality standards help protect resources by establishing limits on the amount of pollutants allowed to enter a local waterbody.

In 1972, the Clean Water Act (CWA) was developed to address growing environmental and public health concerns related to water pollution. The Act created mechanisms to regulate the discharge of pollutants and to ensure water quality protection. The EPA is the primary federal agency responsible for administering the CWA. Federally recognized tribes, including the Morongo Band of Mission Indians, are eligible to administer certain activities of the CWA, including the development of water quality programs and standards.

The National Pollution Discharge Elimination System (NPDES) is a program for regulating and administering permits for all discharges to receiving waters. Discharges to receiving waters on Indian lands in California are regulated by the EPA. All construction projects encompassing one acre or more on Federal land, including Indian lands/reservations, must be covered by the EPA's NPDES General Storm Water. Project features are designed to protect water quality and include compliance with the NPDES permit requirements. All applicable elements of NPDES will be followed by the project.

The project will be required to apply for a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity in compliance with the U.S. Environmental Protection Agency (EPA). This includes the development of a Storm Water Pollution Prevention Plan (SWPPP) by a qualified professional for implementation during construction by the properly trained practitioner.

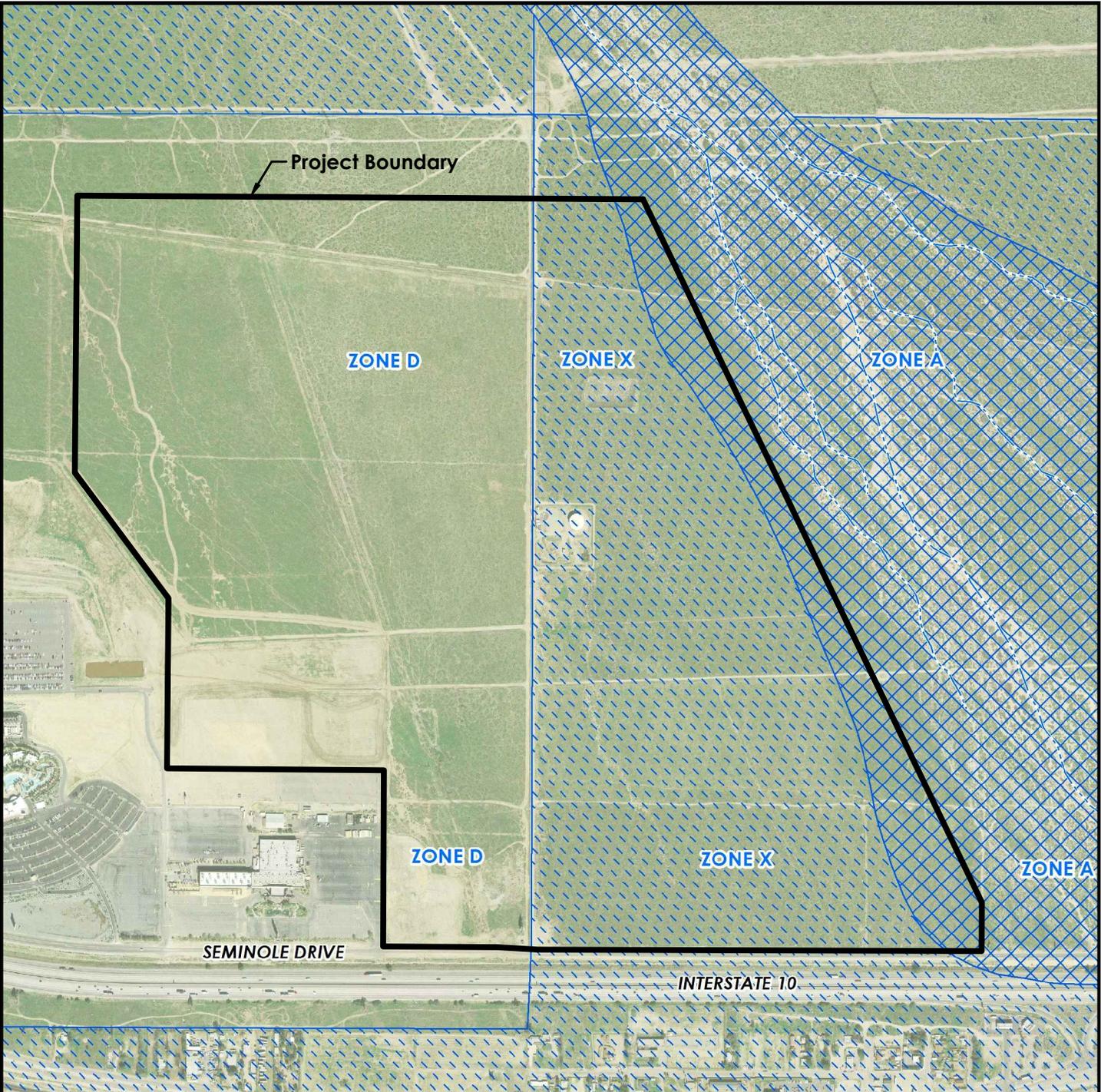
The SWPPP will include a site-specific strategy of non-structural and structural best management practices (BMPs) to control runoff, soil erosion and all potential sources of construction-related pollutants. The non-structural measures will include proper training and

housekeeping procedures to prevent, identify, eliminate or control any potential sources of non-storm water (pollutants) and sediment. These measures will closely align with the construction management practices. Structural BMPs will be installed as necessary to physically contain or control runoff, soil erosion and any other potential pollutants. The placement and maintenance of these structural BMPs will be determined on the construction configuration and on factors that include climate, topography, soil types, and vegetation cover in the context of the project site. Linear sediment and pollution barriers, such as silt fences, gravel bags, fiber rolls, wind fencing and erosion control blankets are common BMP options to surround the construction perimeter and reduce impacts to surrounding areas. Less than significant impacts are anticipated to result from the temporary construction operations.

The Morongo Water Department (MWD) provides potable water services to the reservation, which encompasses more than 35,000 acres and a population of approximately 1,000 persons, including tribal members, descendants, and other residents. MWD is responsible for delivering potable and non-potable water to all residential homes and enterprises operated by the Tribe. While the area is primarily rural in character with low-density residential and agricultural land uses, there are facilities that include the Morongo Casino Resort & Spa, the Morongo Travel Center (fuel dispensing facility), the Arrowhead Water Bottling Plant, and other commercial and Tribal enterprises located in the vicinity of the Cabazon community. The largely vacant project site and other portions of the reservation are used for cattle grazing, which began as an operation in 1916.

Operations of the proposed project will result in an increase in water demand compared to the current undeveloped site condition. When events are not taking place, the daily water demand is estimated between 0.75 and 1 million gallons. The use of this water will primarily be attributed to irrigation (lawn areas). A reduction of this demand will be achieved through the implementation of water conservation measures, as set forth by the Tribe. During events, the level of irrigation may temporarily decrease due to active occupation, while additional uses of water are triggered to serve the attendees, in the form of drinking fountains and other fixtures temporarily requiring potable water. Event vendors will help reduce water waste uses through the supply of their own services, including vending of bottled water and contracting of portable sanitary facilities and fixtures. The Morongo Water Department has the capacity to deliver over 10,000 gallons per minute and has multiple wells extracting water throughout their service area. Less than significant impacts are anticipated.

In conclusion, the nature and location of the proposed improvements is expected to have less than significant impacts as related to surface and water drainage, groundwater, flooding, water quality and use. Construction activities will adhere to the NPDES regulations to prevent temporary erosion and pollution impacts. At buildout, a majority of the project area will be improved as pervious camping areas with the necessary improvements to minimize drainage and water quality impacts.



LEGEND

-  FEMA ZONE A
-  FEMA ZONE X
-  FEMA STREAM CENTERLINES



MSA CONSULTING, INC.
 PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

FEMA Map

Morongo Outdoor Entertainment
 Environmental Assessment

Exhibit 6

3.3 Air Quality

The project site is located within the San Gorgonio Pass, which is the only major pass connecting the Los Angeles Basin and the Colorado Desert. This area is also known as the Banning Pass, because of the centrally located City of Banning. The Banning Pass is approximately five miles wide and extends from a point west of Beaumont (where the elevation is 2200 feet) approximately fifteen miles to the east (where the elevation drops to 1,400 feet) between the rural communities of Cabazon and Whitewater.

The Salton Sea Air Basin portion of Riverside County is located east of the Banning Pass. This sub-region of Riverside County is the federal nonattainment area known as the Coachella Valley Planning Area. The South Coast Air Basin (SCAB) is located west of the Banning Pass in the Los Angeles Basin. Ambient air quality data, meteorology, and topography indicate that the Morongo areas located in the Banning Pass, experience transitional conditions characteristic of a mountain pass area through which air pollutants are channeled from the highly urbanized Los Angeles metropolitan SCAB nonattainment area (to the west) to the less developed Coachella Valley in Riverside County (to the east). Sources of ozone precursor emissions in Riverside County are concentrated in the western portions, within the SCAB. The Coachella Valley has fewer stationary sources and population centers and lower traffic volumes.

On December 20, 2012, the U.S. EPA revised the boundaries between the SCAB and the Coachella Valley portion of the SDAB and established a separate 1-hour ozone nonattainment area for the Indian country within the Morongo Reservation. The EPA also proposed re-designating the reservation of the Morongo Band of Mission Indians as a separate air quality planning area for the one-hour and 1997 eight-hour ozone standards. The U.S. EPA also granted the Morongo Tribe's request to designate the Morongo Reservation as a separate "Serious" nonattainment area for the 2008 8-hour ozone standard. Consequently, the project site is located within the Morongo Band of Mission Indians "Serious" nonattainment area for the 2008 eight-hour ozone NAAQS.

Emissions Data

Sources of Air Quality impacts include stationary and mobile sources. Sources of ozone precursors located within tribal boundaries include: the Morongo Resort & Spa cogeneration facility, the Morongo Travel Center, rail traffic (including up to 50 freight trains/day), and the Interstate 10 highway. The Morongo areas of Indian country include 35,000 acres where 1,500 Tribal members live. The Title V operating permit for the Morongo Casino Resort & Spa cogeneration facility limits its emissions to less than 18.7 tons per year of NO_x and 18.7 tons per year of VOC (i.e., 0.05 tons per day of NO_x and 0.05 tons per day of VOC). Interstate 10 is an eight-lane freeway located immediately south of the project site which currently accommodates up to 99,000 vehicles per day, 18 percent of which are trucks.

The 2012 EPA "Technical Analysis for the Morongo Band of Mission Indians" concluded that although the Morongo Reservation does contain stationary and mobile sources of ozone precursors, the magnitude of the emissions of ozone precursors (NO_x and VOC) is very small compared to emissions in the adjacent SCAB and Coachella Valley ozone nonattainment areas. The minimal amount of emissions associated with activities on the Morongo lands of Indian country and corresponding minimal contribution to regional ozone violations within the

adjacent nonattainment areas resulted in the EPA recently designating the Morongo areas of Indian country as a separate ozone nonattainment area.

Regulatory Setting

The federal Clean Air Act (CAA) governs air quality by directing federal, state and local agencies to regulate activities that generate air pollutants. The Environmental Protection Agency (EPA) is responsible for reducing air pollution nationwide and limiting the emissions of air pollutants coming from industrial and other stationary air pollution sources as well as mobile sources (i.e., on-road motor vehicles and non-road sources such as airplanes, trains, ships, boats, construction equipment, farm machinery etc.).

In the 1990 revision of the Clean Air Act, Congress recognized that Indian Tribes have the authority to implement air pollution control programs. The EPA's Tribal Authority Rule gives tribes the ability to develop air quality management programs, write rules to reduce air pollution and implement and enforce their rules in Indian country. While state and local agencies are responsible for all Clean Air Act requirements, tribes may develop and implement only those parts of the Clean Air Act that is appropriate for their lands.

In 2011, Tribal Council adopted the Morongo Air Quality Protection Code. The purpose of this Code is to reduce or control present and future sources of air pollution within the exterior boundaries of the Morongo Reservation. The code outlines current applicable federal regulations and, pursuant to §301(d) of the Clean Air Act and 40 CFR §49, establishes the procedure required for the Tribe to assume responsibility of the Federal Clean Air Act Programs it deems necessary to further improve air quality and strengthen Tribal sovereignty over the Tribe's air resources.

The SCAG is the Metropolitan Planning Organization that reviews the consistency of local plans, projects, and programs with regional plans and the authorized regional agency for Inter-Governmental Review. The South Coast Air Quality Management District (SCAQMD) is responsible for adopting, implementing and enforcing air quality rules and regulations within the South Coast Air Basin and the Salton Sea Air Basin. The SCAQMD is also responsible for reviewing and commenting on environmental documents for projects that may generate significant adverse air quality impacts. The SCAQMD advises lead agencies in addressing and mitigating the potential adverse air quality impacts caused by projects both during and after construction.

NEPA Impact Significance Considerations

The default trip generation rates incorporated in CalEEMod were modified to reflect the trip generation forecast developed in the *Traffic Impact Analysis For the Proposed Morongo Outdoor Entertainment Project* (Crain & Associates; May, 2013). The summary is provided below.

Table 3.3-1
Project-Related Daily Trip Generation By Event Type^a

Project Component (Vehicle Occupancy Assumed) ^b	Two-Way Trips (External)	Site Use and Capacity Proposed ^c
Two-Day Music Festivals <u>Weekend Music Festival</u> - Non-Campers (2.5/Vehicle) - RV/Camping Usage (2.5/Vehicle) - Employees (1.15/Vehicle) - Vendors (1.15/Vehicle) - Two-Day Festival (5 Times/Year)	48,000 Total 8,000 Total 3,440 Total 350 Total 59,790 Total	40,000 Attendees /Day 60,000 Attendees (24,000 Vehicles) 10,000 Attendees (4,000 Vehicles) 533 Employees/Shift (4.79 Shifts) 160 Vendors/Shift (1.25 Shifts) 40,000 Saturday + 40,000 Sunday
One Day Music Festivals <u>Saturday or Sunday Music Festival</u> - Non-Campers (2.5/Vehicle) - RV/Camping Usage (2.5/Vehicle) - Employees (1.15/Vehicle) - Vendors (1.15/Vehicle) - One-Day Festival (7 Times/Year)	24,000 Total 8,000 Total 2,460 Total 280 Total 34,740 Total	40,000 Attendees/Day 30,000 Persons (12,000 Vehicles) 10,000 Attendees (4,000 Vehicles) 533 Employees (3 Shifts) 160 Vendors (1 Shift) Capacity Crowd (40,000 Attendees)
Friday Evening Concerts - Non-Campers (2.5/Vehicle) - Camping/RV Area - Employees (1.15/Vehicle) - Vendors (1.15/Vehicle) Friday & Saturday (16 Times/Year)	16,000 Total Not Allowed 464 Total 70 Total 16,534 Total	20,000 Persons (8,000 Vehicles) Not Allowed 267 Employees (One Shift) 40 Vendors (One Shift) 4:00 PM Friday-4:00 AM Saturday
Minor Events - Beach Club (Open 307 Days/Year) - Miscellaneous Events (25/Year)	2,050 Daily 1,250 Daily 1,000 Daily	2,500 Capacity (2.5/Vehicle) + Employees 1,500 Average (2.5/Vehicle) + Employees 1,200 Attendees (2.5/Vehicle) + Employees

a. Crain & Associates. *Traffic Impact Analysis for the Proposed Morongo Outdoor Entertainment Project*. May, 2013.

b. Crain & Associates assumed vehicle occupancy factors of 1.15 employees and vendors per vehicle and 2.5 attendees per vehicle.

c. The Camping/RV Area could accommodate 6,000 parked passenger vehicles when not being used for camping/RV parking during two-day festivals. On-site camping would be permitted only during festival events and not open for public use at other times.

The air quality impact analysis focuses on the impacts associated with criteria pollutants, greenhouse gases (GHGs), and toxic air contaminants (TACs). Project-related construction and operational emissions of criteria pollutants were estimated with the California Emissions Estimator Model (CalEEMod) Version 2011.1.1. CalEEMod provides construction-related and operational emissions estimates for criteria pollutants (including PM_{2.5}) and greenhouse gases (including methane and nitrous oxides).

CalEEMod incorporates the project location, climate zone, utility company providing electricity, and default values for trip purpose percentages and average trip lengths by trip type. The model can evaluate conditions when construction phases overlap, and incorporate as default parameters regional vehicle fleet mix and travel characteristics representative of the South Coast Air Basin and the Coachella Valley portion of the Salton Sea Air Basin. As mentioned previously, the default trip generation rates incorporated in CalEEMod were modified to reflect the trip generation forecast developed in Appendix F, *Traffic Impact Analysis For the Proposed Morongo Outdoor Entertainment Project* (Crain & Associates; May, 2013). Annual average emissions quantified with CalEEMod were utilized for the impact analysis to facilitate comparisons to the U.S. EPA General Conformity *de minimis* levels. These *de minimis* levels represent the minimum thresholds for which a conformity determination must be performed for various criteria pollutants in various areas. The CalEEMod assumptions and output sheets are provided in Appendix C in Crain & Associates Traffic Analysis.

Criteria Pollutant De Minimis Levels

According to the Project Specific Air Quality Impact Study (Appendix A,) under the National Environmental Policy Act of 1969, Federal actions require a determination regarding the significance of air quality impacts. All federal actions are subject to General Conformity requirements unless otherwise exempt. Exempt actions include: (1) federal actions covered by the Transportation Conformity Regulations; (2) actions with total direct and indirect emissions below specified *de minimis* levels; (3) actions specifically listed as exempt in the rule; and (4) actions included on any list of “presumed to conform” actions. In determining significance under NEPA, the annual direct and indirect project-related emissions of all criteria pollutants (including the ozone precursors VOC and NO_x) resulting from project construction and operation activities were compared to the applicable EPA General Conformity *de minimis* levels.

The General Conformity *de minimis* levels are appropriate thresholds for use in determining NEPA significance. *De minimis* levels are defined in 40 CFR 93 § 153 as the minimum threshold for which a conformity determination must be performed for various criteria pollutants in various areas. As stated in the Project Air Quality Impact Study, project actions with total direct and indirect emissions below specified *de minimis* levels are assumed to conform to Federal Implementation Plans and are not subject to a conformity determination.

Greenhouse Gases Indicator

The United States Council on Environmental Quality Guidance (CEQ) issued guidance for consideration by Federal agencies in scoping their NEPA analyses in the form of a memorandum entitled *Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions* on February 18, 2010. As stated therein:

“Specifically, if a proposed action would be reasonably anticipated to cause direct emissions of 25,000 metric tons or more of CO₂-equivalent GHG emissions on an annual basis, agencies should consider this an indicator that a quantitative and qualitative assessment may be meaningful to decision makers and the public.”

Short-Term Construction Impacts

The unmitigated emissions of criteria pollutants and GHGs during the three-month construction period are shown in Table 3-2. Annual average emissions are shown therein to facilitate comparison to the General Conformity *de minimis* levels. The project-related construction activities would generate: 0.81 tons of ROG, 6.34 tons of NO_x, 3.19 tons of CO, 0.01 tons of SO₂, 0.57 tons of PM₁₀, and 0.32 tons of PM_{2.5}. All of the construction-related criteria pollutant emissions would be less than the General Conformity *de minimis* levels and therefore less than significant.

The unmitigated construction-related GHG emissions are projected to total 687.28 metric tons (MT) of CO₂-equivalent over the three-month period in 2013. One hundred on-site acres would hydro seeded to introduce turf as part of the site improvements proposed. The change in on-site vegetation that would occur with the proposed project would result in a one-time positive impact on GHG emissions of 431 MT of CO₂-equivalent. Consequently, the net increase in GHG emissions in the year 2013 associated with the construction activities would total 256.28 MT of CO₂-equivalent (37 percent of the unmitigated GHG emissions). Construction-related GHG emissions would be less than significant.

Table 3.3-2

Unmitigated Annual Average Air Pollutant Emissions^a
Associated With Construction of the Proposed Project
(Tons/Year)

Emissions Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}	CO _{2e}
Site Grading Phase							
- Fugitive Dust	0.00	0.00	0.00	0.00	0.13	0.05	0.00
- Off-Road Diesel	0.55	4.79	2.10	0.00	0.19	0.19	507.66
- Worker Trips	0.00	0.01	0.06	0.00	0.01	0.00	9.20
- Hauling	0.05	0.43	0.34	0.00	0.17	0.01	37.52
Subtotal	0.60	5.23	2.50	0.00	0.50	0.25	554.38
Trenching Phase							
- Off-Road Diesel	0.11	0.81	0.44	0.00	0.04	0.04	100.59
- Worker Trips	0.00	0.00	0.03	0.00	0.00	0.00	3.85
Subtotal	0.11	0.81	0.47	0.00	0.04	0.04	104.44
Paving Phase							
- Pavement Offgassing	0.03	0.00	0.00	0.00	0.00	0.00	0.00
- Off-Road Diesel	0.03	0.19	0.12	0.00	0.02	0.02	15.42
- Worker Trips	0.00	0.00	0.01	0.00	0.00	0.00	1.28
Subtotal	0.06	0.19	0.13	0.00	0.02	0.02	16.70
Landscaping Phase							
- Off-Road Diesel	0.01	0.09	0.07	0.00	0.01	0.01	9.39
- Vendor	0.03	0.02	0.01	0.00	0.00	0.00	2.70
- Worker Trips	0.00	0.00	0.01	0.00	0.00	0.00	0.93
Subtotal	0.04	0.11	0.09	0.00	0.01	0.01	13.02
Total Construction	0.81	6.34	3.19	0.01	0.57	0.32	688.54
De Minimis Level	50	50	100	40	70	10	25,000
Below De Minimis	Yes	Yes	Yes	Yes	Yes	Yes	Yes

a. Twice daily watering of exposed surfaces was assumed as well as reduced speeds (less than 15 mph) on unpaved on-site surfaces. These practices are included in SCAQMD Rule 403.1 and are not considered by the SCAQMD to be mitigation. CO_{2e} emissions are shown in metric tons per year. See Appendix C for CalEEMod input parameter assumptions and defaults.

Long-Term Operational Impacts

Over the long-term, the operation of the outdoor entertainment facility would generate primarily indirect air pollutant emissions associated with mobile sources (automobiles, recreational vehicles, buses, and trucks) used to access the project site. The significance of project-related operational impacts will vary depending on the frequency with which events occur and the types of entertainment events held on-site. Large music festivals with many popular performers will occur over longer periods of time and attract a larger audience that will be willing to travel longer distances. The larger the audience, the higher the vehicle miles traveled (VMT) associated with the event and the more air pollutants emitted within the region by mobile sources.

Assumptions utilized for air quality modeling, relative to the size of the events, estimated attendance and associated vehicle trips were derived as follows:

User Defined Arena Land Use - assumed a Saturday trip-generation for a two-day music festival of 59,791 two-way daily trips. Per the Traffic Impact Analysis by Crain & Associates, it was assumed that 93.66% of the trips would be made by attendees with an average trip length of 75 miles per trip; 5.76% of the daily trips would be employee trips and 0.59% of the daily trips would be vendor trips with an average trip length of 37 miles per trip. Detailed trip generation information was provided for a two-day music festival and a one-night concert.

Unlike the one-night concerts, the one and two-day music festivals will last all day long and may include camping. The trip generation for the one-day music festival was assumed to be one-half of the two-day festival rather than the one-night concert. Therefore, the trip generation associated with the estimated 12 music festivals was assumed to be 59,791 daily trips per 2-day event times (17/2) 2-day festivals, or 508,224 daily festival trips per year.

The trip generation associated with a one-night concert is 16,534 daily two-way trips. The trip generation for the minor events and beach club were assumed to be similar to the one-night concert, but were proportionately adjusted by the number of attendees. There would be 810,500 attendees annually associated with the concert, minor events, and beach club activities. This is equivalent to 40.53 one-night concerts generating a total of 670,040 daily concert equivalent trips per year.

The total annual daily trip generation from the site is projected to be 1,178,264 daily trips. This annual trip generation rate was applied to the arena land use that included 50.7 acres of development on 52 Saturdays per year. The total annual daily trip generation is equivalent to 446.92 Saturday trips per acre. These assumptions are also illustrated in the previous Table 3-1.

Table 3-3 (next page) shows the projected long-term operational emissions of criteria pollutants when the project is completed and fully operational with all entertainment venues utilized over the course of a year. Annual average area source emissions associated with the proposed project would be negligible. The average annual unmitigated operational emissions of criteria pollutants associated with the proposed project are projected to total: 1.03 tons per year of ROG, 1.59 tons per year of NOx, 6.96 tons per year of CO, 0.02 tons per year of PM10, and 0.02 tons per year of PM2.5. None of the projected annual average criteria pollutant emission levels are expected to exceed the General Conformity *de minimis* levels.

Table 3.3-3

Pollutant	Regional Mobile Source Emissions (Tons/Year)	<i>De Minimis</i> Level (Tons/Year)	Below <i>De Minimis</i> (Yes/No)
Reactive Organic Gases	1.03	50	Yes
NOx	1.59	50	Yes
Carbon Monoxide	6.96	100	Yes
SOx	0.00	40	Yes
PM10	0.02	70	Yes
PM2.5	0.02	10	Yes

a. See Appendix A for CalEEMod assumptions and output. The annual average area source emissions were negligible. Mobile source emissions assumed a project opening year of 2014 but included the on-road motor vehicle use (VMT) projected to occur approximately five years after the project opens. The VMT assumed reflected all travel to and from the site by patrons, employees, and vendors over the course of a year based upon a vehicle occupancy rate of 2.5 patrons per vehicle and 1.15 employees and vendors per vehicle.

The long-term operational impact of the proposed project on regional emissions of criteria pollutants including ozone precursors would be less than significant. Any individual event would accordingly be less than significant as well.

Operational TAC Emissions

There are no existing sensitive receptor sites located within one-quarter mile of the project site other than people who frequent the outdoor recreation area located west of the project site that was developed in conjunction with the Morongo Casino Resort and Spa. The proposed music festivals and concerts are not expected to generate significant operational emissions of hazardous or toxic air contaminants that would result in adverse impacts on existing sensitive receptors located within one-quarter mile of the project site. Any of these materials used on-site would be transported, stored, and used in accordance with existing regulations. Their use by employees or vendors at entertainment events on-site would be subject to the issuance of permits and inspections by the Morongo Fire Department. This impact would be less than significant.

The proposed project would generate heavy-duty diesel truck trips and increase diesel idling emissions in the vicinity. Diesel particulate matter (DPM) and diesel exhaust organic gas (DEOG) emissions associated with those truck trips would introduce additional toxic air contaminants on and adjacent to the site. Risks associated with DPM will be reduced by limiting heavy diesel truck idling time within the site to no more than five consecutive minutes. DPM and DEOG emissions associated with heavy trucks would decrease over time as cleaner technology is implemented pursuant to the CARB *Diesel Risk Reduction Program*. This impact would be less than significant.

Operational Emissions of Objectionable Odors

The lead agency and project proponents should coordinate to identify and resolve any potential land use compatibility issues. In making a determination of odor significance, the distance between the odor source and the sensitive receptors must be considered. For example, all outdoor trash areas and waste bins should be designed and maintained such that deposited material is contained during windy periods to minimize litter, odors, and other nuisances. Trash and any recyclables should be collected regularly. Portable sanitation facilities should be located far enough from sensitive receptors to minimize the potential for impacts associated with objectionable odors. Odor impacts would be less than significant.

No CO modeling is required and no cumulative impact analysis is required because the General Conformity *de minimis* levels were not exceeded. No mitigation is required.

3.4 Living Resources

A biological assessment was performed on the project site and completed in July 2012 (James W. Cornett Ecological Consultants - Appendix C). Field surveys referenced from this report were performed in May, June and July of 2012.

The proposed project is located on vacant property within the Morongo Reservation north of Interstate-10 and south of the San Bernardino Mountains. It is composed of a series of overlapping alluvial fans, referred to as a bajada. The project site is sloped from north to south between 2130 feet above sea level to approximately 1850 feet above sea level. The bajada is incised by dry washes to the east that define the eastern boundary of the site from northwest to southeast. These washes are not located on the property.

The soils are composed of silt, sand and occasional patches of fine gravel. Small boulders are sparingly distributed over the site. There are no naturally occurring springs or permanent aquatic habitat on the site. A small irrigation channel approaches the northern boundary of the site with flows of a few inches deep. Surface waters did not reach the limits of the boundary during biological surveys. The entire site has been heavily grazed for several decades with the result that vegetation has been altered from the original terrain. Vacant property in the vicinity consists of a mix of creosote scrub and coastal sage communities and the subject property consists of a similar mix.

Regulatory Background

The project site is not included within a conservation area of the Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP). Tribal reservation land was excluded from this plan. There are no natural biotic communities within the site boundaries. Section 9 was previously located within the MSHCP however when it was brought into trust it was removed from that plan.

No federally listed plant or animal species, or unique habitats, were found within the project boundaries. However, the Western Burrowing Owl (*Athene cunicularia*) was discovered to be a resident on the project site. Burrowing Owls are not considered threatened or endangered. They are protected in Mexico and the United States by the Migratory Bird Treaty Act (MBTA) of 1918. Mitigation of impacts is required under the Act.

The Migratory Bird Act prohibits harming the owl and therefore mitigation that is approved by U.S. Fish & Wildlife (USFWS) is required. At present time the USFWS approves of the mitigation provided in the "Staff Report on Burrowing Owl Mitigation" prepared by the California Department of Fish & Wildlife (CDFW). This mitigation is provided in Section 4.0 of this EA. With the implementation of the mitigation measures detailed in Section 4.0, impacts to on-site biological resources can be reduced to below a level of significance. A no effect determination was made for the federally listed desert tortoise (*Gopherus agassizi*.) however mitigation is provided in Section 4.0 to respond to any chance sighting during construction.

The project site does not lie within the boundaries of an existing habitat conservation plan. No blue-line stream corridors (streams or dry washes) run through the project site. Following the

completion of the recommended mitigation in this report, the outdoor entertainment amphitheater project should not have significant adverse impacts upon biological resources in the region.

A. Wildlife

Invertebrates

Invertebrates that were encountered during the biological surveys included the eleodes beetle (*Eleodes armata*,) harvester ant (*Pogonomyrmex californicus*,) honey bee (*Apis mellifera*,) and Pepsis wasp (*Pepsis* sp.) Two insect species of concern to the U.S. Fish & Wildlife, known to occur within the region are the Coachella giant sand treader cricket (*Macrobaenetes valgum*) and the Coachella Valley Jerusalem cricket (*Stenopelmatus calhouni*,) No sign of these species were encountered on the site. The coarse and compacted soils found onsite do not provide suitable habitat for this species. The U.S. Fish & Wildlife Service has also listed the Casey's June beetle (*Cnemidophorus tigris*) as the third endangered insect species. This species is primarily found in the Palm Springs area and was not found (or expected to be found) onsite.

Reptiles and Amphibians

Only one amphibian was expected or found onsite. This species was the western toad (*Bufo boreas*,) Frequently encountered reptiles were the side-blotched lizard (*Uta stansburiana*,) western whiptail (*Cnemidophorus tigris*) and the desert spiny lizard (*Sceloporus magister*). The western rattlesnake (*Crotalus viridis*) was the species of snake most encountered. One sensitive lizard species has been modeled to be located within the Morongo Indian Reservation by the Environmental Protection Department. It is the Coachella Valley fringe-toed lizard (*Uma inornata*,) This species is commonly found on loose, windblown sand, a habitat not found on the project.

A concerted effort was made to determine presence or absence of the threatened desert tortoise (*Gopherus agassizi*,) No evidence of any kind was found of this species. The tortoise has been modeled to be present by the Morongo Band's Environmental Protection Department. The modeled area does not include the subject property. Because of the friable soil and abundant spring time ephemerals, the site is considered suitable habitat. Tortoise populations have been identified six miles to the east. Mitigation is provided in Section 4.0 to respond to any chance sighting during construction.

Birds

Birds that were identified during the biological survey included the California quail (*Callipepla californica*,) cactus wren (*Campylorhynchus brunneicapillus*,) mourning dove (*Zenaidura macroura*,) house finch (*Carpodacus mexicanus*,) common raven (*Corvus corax*) and the red-tailed hawk (*Buteo jamaicensis*,) Three special-status avian species were found onsite, the Burrowing Owl (*Athene cunicularia*,) Loggerhead Shrike (*Lanius ludovicianus*) and LeConte's Thrasher (*Toxostoma lecontei*,)

Burrowing Owl

Three active Burrowing Owl burrows were found within the project boundaries. The easternmost onsite burrow was occupied by 10 young owls. Four more burrows were found offsite and to the west of the property. Two of the burrows were found within the 500 meter buffer distance. The

burrow just west of the project boundary appeared to house one adult owl. The second burrow appeared to have twelve young flying owls associated with it. The remaining offsite burrows identified are not likely to be influenced by project grading activities. Locations and details of active burrows are found within the Biological Assessment located in Appendix C of this EA.

The Burrowing Owl is protected in the United States by the Migratory Bird Treaty Act of 1918 and mitigation is required under this act. The entire site is considered potential habitat for this species. Mitigation, including construction scheduling outside of the breeding season will be required. See Section 4.0 for Mitigation Measures.

The Loggerhead Shrike and LeConte's Thrasher were both observed within the project boundaries. Neither of these species is officially listed as threatened or endangered by the State or Federal governments. They are both considered a Species of Special Concern by the State of California. Relative to the Loggerhead Shrike, onsite vegetation, including cat claw acacia and golden cholla, provides suitable nesting sites. However, no nests were found.

Relative to LeConte's Thrasher, its presence was anticipated due to the numerous onsite golden cholla plants, which are frequently used by the species for nesting. However no nests were located. The absence of nests was thought to be attributed to recent drought or the presence of the predatory Loggerhead Shrike.

The least Bell's vireo (*Vireo helli pusillus*) and the southwestern willow flycatcher (*Empidonax traillii extimus*) are two federally endangered bird species that are modeled to be present within the Morongo Indian Reservation by the Environmental Protection Department. Modeled habitat did not include the project location. Neither of these species was observed nor are they expected. Both species prefer riparian areas.

Mammals

Mammals found within the site boundaries included the white-tailed antelope squirrel (*Ammospermophilus leucurus*), deer mouse (*Peromyscus maniculatus*), black tailed jackrabbit (*Lepus californicus*) and coyote (*Canis latrans*). One special-status species was detected onsite. This was the Palm Springs little pocket mouse (*Perognathus longimembris bangsi*). This species was determined to be the most commonly occurring rodent to be found on the subject property. The Palm Springs little pocket mouse has been considered for listing by the U.S. Fish & Wildlife Service but is not listed at this time. The federally endangered Stephens kangaroo rat (*Dipodomys stephensi*) was not located on the property. A related species Merriam's kangaroo rat (*Dipodomys merriami*) was captured on one occasion. The Stephens kangaroo rat is known to inhabit areas to the west of the project site.

B. Vegetation

As mentioned previously, the site has served as grazing land for tribal cattle for many years. As a result the site supports a unique grouping of plants. This current assemblage of vegetation consists of elements of both the coastal sage scrub and creosote scrub communities. Specifically the grazed community reflects the catclaw acacia series but without the creosote bush.

Five perennial plant species dominate the project site including: catclaw acacia (*Acacia greggii*),

golden cholla (*Cylindropuntia echinocarpa*.) California buckwheat (*Eriogonum-fasciculatum*.) brittlebush (*Encilia farinose*) and cheesebush (*Ambrosia salsola*.) Approximately 90% of the perennial plant cover within the site is composed of these five plant species. Introduced weed species covers approximately 75% of the subject property. Ephemeral grasses are the dominant weeds and include foxtail brome (*Bromus rubens*.) Schismus grass (*Schismus barbatus*) and slender wild oat (*Avena fatua*.) non-grass weedy ephemerals include Russian thistle (*Salsola kali*.) turkey mullein (*Croton setigerus*) and telegraph weed (*Heterotheca grandiflora*.) These species are common and widespread, especially on semi-arid regions of California that are used for grazing.

Thirteen sensitive plant species have been identified in the region or are in similar semi-arid habitats. No individuals of these special status species were found on or adjacent to the site. Listed plants and their designation are provided: Munz's onion (*Allium munzii*) federally endangered, Triple-ribbed milkvetch (*Astragalus tricarinatus*) endangered species, Nevin's barberry (*Berberis nevinii*) federally threatened, Thread-leaved brodiaea (*Brodiaea filifolia*.) winged cryptantha (*Cryptantha holoptera*.) California ditaxis (*Ditaxis californica*.) Foxtail cactus (*Escobaria vivipara alversonii*.) Little San Bernardino Mountain gilia (*Gilia maculate*.) Parish's desert-thorn (*Lycium parishii*.) Spearleaf (*Matelea parvifolia*.) California Orcutt grass (*Orcuttia californica*) and Thurber's beardtongue (*Penstemon thurberi*.)

C. Ecosystems

As mentioned previously, the site is composed of a series of overlapping alluvial fans, referred to as a bajada. This system of alluvial fans includes dry washes that originate in the San Bernardino Mountains and help to define the eastern boundary of the project. Surface waters are rare and the dry washes are estimated to exhibit surface flows no more than two to three times a year. No natural washes or blue-line streams traverse the project site. No biological findings indicate a federal streambed alterations permit is necessary as authorized under Section 404 of the Clean Water Act.

A shallow irrigation channel utilized by the herd enters the northwest portion of the property. It is heavily impacted by frequent cattle traffic. Surface flows end and infiltrate at a berm that is approximately 5 feet in height. The berm traverses the northern portion of the property in an east/west direction. A buried water pipeline is located within an easement that appears to be aligned with the irrigation channel. The easement that defines the subsurface water as well as the small segment of surface irrigation will be avoided by the project. Aside from this segment of irrigation water, there are no naturally occurring springs or permanent aquatic habitat on the subject property.

A series of heavily incised channels are located south of the southwest corner of the site. These channels appear to convey storm flows from adjacent, offsite parking lots. These incised channels are not located on the subject property.

The subject property and surrounding land have been utilized for grazing for quite some time. Land to the south is also heavily impacted by roadways and commercial uses. Adjacent and onsite property has been altered from what was most likely a mix of creosote scrub and coastal sage communities. Numerous dirt roads cross the site. A few of them are maintained. The site

also contains several systems of barbed wire fences and utility easements. There are no natural undisturbed biotic communities within the site boundaries. There were no wildlife corridors that could be detected through observation or sign.

D. Agriculture

As mentioned previously the site is currently utilized for cattle grazing. These activities have impacted the site so that the native habitat has been disrupted. An interview with Lonnie Rodriguez, Tribal Environmental Protection (May 16, 2012) revealed that the irrigation conveyance system was constructed for agricultural tribal enterprises in the late 1800s to early 1900s. Agricultural activities in the area included the cultivation of cattle and orchards.

The project specific Cultural Analysis states that the reservation was originally established as the Portrero Reservation by Executive Order in 1876, and the land was set aside for that purpose by Executive Order in 1877 and 1881 (Gunther 1984:335). It is likely that some limited cattle grazing occurred associated with families that lived on the reservation at that time.

According to correspondence with Tribal Environmental Protection, Tribal cattle grazing operations began in 1916 when 150 cattle arrived on the reservation per the Banning Record August 17, 1916. The rangelands are limited, by the Tribe, in carrying capacity and livestock type. Only the grazing of cattle and horses is allowed. Individual members are also held to an allowable number of grazing animals.

This correspondence goes further to state that adequate land will be available for grazing following construction of the project. The subject property is located on Sections 8 and 9 (recently brought into trust.) These sections have been allocated by the Tribe's general plan for development.

According to the *Morongo Reservation Range Inventory Progress Report for FY 2006*, there are 7,250 acres of soil suitable for grazing on the reservation.

- Sheephead Soil Series – 1,148 acres
- Rock Land – 310 acres
- Gorgonio Soils – 3,987 acres
- Hanford Soils – 1,805

Section 9 was not part of the reservation at the time of the study and its acreage was not included in the inventory. One irrigation trough located near the southwest corner of the subject property is expected to be impacted by the project however there are several troughs throughout the reservation for cattle to utilize. Additionally cattle will have access to Hathaway Canyon stream, bog, recharge ponds, Millard Canyon streams and springs, and Deep and Lion Canyon springs and streams.

Besides the Millard Canyon wash, which is located to the east of the eastern subject property, and the shallow channel segment in the northwest portion of the site, there is no evidence of additional irrigation water in Section 8 or 9 for the cattle. As mentioned previously these two channels will not be impacted by project construction or operations.

Because Section 9 is a recent addition to the reservation and Section 8 has been zoned for commercial activities, the project is not expected to *significantly* impact cattle grazing operations on the reservation.

3.5 Cultural Resources

A Cultural Resources assessment was performed on the project site referred to as the APE (Area of Potential Effect) and completed in March, 2013 by CRM TECH. Field surveys, a literature search, and contact with other Native American tribes referenced from this report were performed between May 2012 and April of 2013. Supplemental investigation and responses to questions and comments were developed by CRM TECH in July and August of 2013.

The Morongo Indian Reservation

The Native American group associated with the APE is the Morongo Band of Mission Indians, which includes members of both Cahuilla and Serrano descent.

The area of the Morongo Indian Reservation, known to the Cahuilla people as *Malki*, was considered the territory of the *Wanikik* lineage of the Pass Cahuilla in historic times. Ethnohistoric accounts claim that the *Wanikik* lineage, originally from the Whitewater Canyon, relocated to *Malki* sometime in the 19th century, after a flash flood destroyed their former village. Evidence of occupation has been found in the several protected canyons with water sources throughout the pass area. The name "Morongo," however, derived from the *Maroña* clan of the Serrano, who lived on Mission Creek and began to join the *Wanikik* people in the mid-19th century.

The reservation was originally established as the Portrero Reservation by Executive Order in 1876, and the land was set aside for that purpose by Executive Order in 1877 and 1881. Initially some 88,000 acres in total area, the reservation was eventually reduced to approximately 32,000 acres, which were officially patented to the Morongo Band of Mission Indians in 1908. With an enrollment of nearly 1,000, the Morongo Band is today one of the most populous Native American tribes in Southern California.

The subject property is located toward the geographic center of the current configuration of the reservation and partly on Section 8 where the Tribe has been actively expanding various Tribal economic and cultural endeavors over the past 60 or so years. These activities include a Tribal headquarters office complex, a major hotel and casino, the conversion of an early casino into a bowling alley, Tribal festival grounds, and a modern waste water treatment facility. Most of the residential areas on the reservation are located one to three miles to the west of the site.

Current Natural Setting

The proposed project is located on vacant property within the reservation of the Morongo Band of Mission Indians north of Interstate Highway 10 and southerly of the San Bernardino Mountains. The reservation is composed of a series of overlapping alluvial fans, referred to as a bajada. The project site is sloped from north to south between 2130 feet above sea level to approximately 1850 feet above sea level. The bajada is moderately incised by a dry wash complex to the east that defines the eastern boundary of the site from northwest to southeast. These washes are not located on the property.

As part of the Colorado Desert, the San Gorgonio Pass and Coachella Valley region features a climate that is typical of the southern California desert country, marked by extremes in temperature and aridity. Temperatures may exceed 120 degrees in summer and fall to near or

below freezing in the winter. The annual precipitation is less than 5 inches, while the annual evaporation rate exceeds three feet.

The soils are composed of silt, sand and occasional patches of fine gravel. Small boulders are sparingly distributed over the site. There are no naturally occurring springs or permanent aquatic/riparian habitat on the site. The remnants of a small irrigation channel somewhat directs a small flow of spring water to the northern boundary of the site with flows of a few inches deep. Surface waters did not reach the limits of the boundary during the period that the site has been under study. The site is located in the windy part of the narrow pass that connects western Riverside County with the Coachella Valley and beyond. The windy conditions likely contribute to lack of an historic Cahuilla presence at this particular site within the reservation.

The entire site has been heavily grazed by cattle for several decades with the result that vegetation has been altered from the original terrain. Vacant property in the vicinity consists of a mix of creosote scrub and coastal sage communities and the subject property most likely consisted of a similar mix prior to the introduction of cattle grazing.

Cultural Setting

A specific cultural sequence for the Colorado Desert, offered by Shaefer (1994), identifies the earliest time period as the Paleoindian (ca. 8,000 to 10,000 to 12,000 years ago), with small, mobile bands of hunters and gatherers relying on a variety of small and large game animals roaming the region. These groups preferred settling on mesa and terraces overlooking the larger washes. Simple stone tools are the typical artifacts associated with this era.

Next follows the Early Archaic Period dating to ca. 8,000 to 4,000 years ago with a notable decrease in human densities and more foraging than hunting and fewer artifacts identified to this time period followed by the Late Archaic Period (ca. 4,000 to 1,500 years ago). This period was characterized by continued low population densities and groups of “flexible” sizes that settled near available seasonal food resources and relied on opportunistic hunting of game animals. Groundstone artifacts for food processing were prominent during this period.

The most recent period in Schaefer’s scheme is the Late Prehistoric, dating from ca. 1,500 years ago to the time of the Spanish missions. The seasonal settlement pattern associated with the weather extremes continued and human activity was associated with the Patayan cultural patterns which relied more heavily on the availability of seasonal wild plants and animal resources. It was during this period that brown and buff ware ceramics were introduced into the region.

The presence of Holocene Lake Cahuilla, the occasional fresh water lake in what is now the eastern Coachella Valley, was a major attractor of Native people at those times when the basin was filled to the 40 foot elevation level extending into what is now Indio and approximately 32 miles southeast of the subject property. The source of the fresh water was from the Colorado River which would flow alternately in various directions based on the alluvial formations caused by the natural sediment transport of that riverine system. When the lake was filling with fresh water, the lakeshore was a bustling series of native encampments there for the fish and wildlife. When the lake was drying up, the Native population would relocate toward other rivers, streams and water sources and further areas as influenced by weather and food sources.

Ethnohistoric Context

The San Gorgonio Pass area was historically a major crossing and intersecting point for Native American tribes in the larger region. It is generally considered to be the traditional territory of the Pass Cahuilla, but was likely visited and used by the Serrano as well. The Pass Cahuilla are one of three subgroups of the Cahuilla as defined by modern anthropologists. The Cahuilla are a Takic-speaking people who for many centuries have occupied the central portion of what is now Riverside County. The Serrano generally centered in the San Bernardino Mountains but also included the southern rim of the Mojave Desert and also into the Perris Valley.

Modern anthropological literature suggests that the Cahuilla and Serrano were similar in many respects and were both organized by lineages, clans, and moieties that interacted with the others through trade, ceremonies and intermarriage. The leading anthropological works on the Cahuilla and Serrano culture and history include Kroeber (1925), Strong (1929), Bean (1978) and Bean and Smith (1978).

While there was likely contact with Europeans in the early 1770's, Spanish influence on the Cahuilla and Serrano culture was negligible until the early 1800's. The Spanish and later, the American presence and involvement, severely impacted the Native populations and their culture. In particular, the Native populations were decimated during the 19th century due to the introduction of European diseases such as smallpox for which the Native peoples had no immunity.

Historic Context

Being the only easily traversed pass between Coastal southern California and the Colorado Desert, the San Gorgonio Pass where the project site is located has long been used as a travel and trading route between those areas. The Cocomaricopa Trail was a Native American trading route which was "discovered" by explorer William David Bradshaw in 1862 and became more commonly known as the Bradshaw Trail and became the link between the sea ports and trade near the coast and the gold fields near Ehrenberg, Arizona over the next decade until the construction of the Southern Pacific Railroad. Use of the Bradshaw Trail diminished until being revived in the 20th century by the burgeoning popularity of the automobile in the form of the Ocean-to-Ocean Highway known then as Route 60. Route 60 was eventually improved and renumbered to Interstate 10. Where the Bradshaw Trail tended to follow close to the southerly toe of slope of the San Jacinto Range (closely aligned with Highway 111 in the Coachella Valley), Route 60/10 took a more central alignment away from the towns and villages that had sprung up along the original trail location.

The reservation for the Morongo Band was established in a similar time frame to the several reservations that were formed along the route of the Southern Pacific Railroad right of way in the California desert. The configuration of the Morongo reservation also in part resembled the checkerboard ownership pattern necessitated due to the previous land grants to the railroad as an incentive to both construct and operate the railroad connecting the east and west coasts. These land grants, under the provisions of the Pacific Railway Act of 1862 were largely ended by 1871 when the creation of Tribal reservations began in this part of Southern California.

The history of the community of Cabazon began in the mid-1870's with the arrival and exploits of Colonel Milton Sanders Hall who was initially involved in grading the Southern Pacific rail bed from Cucamonga to Indio beginning in 1875. In addition to the railroad grading contract, Hall also obtained a contract with the railroad for railroad ties, and wood for steam locomotive fuel. Initially the area was called Hall's Siding until a railroad station was established in 1876 and the name changed to Jacinto and then later changed to Cabazon in honor of Old Chief Cabezón of the Desert Cahuilla. Maps from 1885-1886 indicate that the Cabazon Station may have been located just southerly of the project site on the south side of the rail line.

In the 20th century, the area continued to be influenced by the forces of transportation starting with the railroad and then motor vehicle demands which converted the original Bradshaw Trail into a paved roadway eventually designated Highways 99, 60 and 70 and most recently Interstate Highway 10. The pass area in which the subject project is located was the only easy passage from the inland desert areas to the coastal areas.

Historic Use of the Subject Property

The alluvial fans of the northerly slopes of the pass which would occasionally flood, combined with the exposure to wind and weather, and coupled with the absence of a close-by, reliable water source, would suggest that the APE would not have been viewed as a favorable, long-term settlement by the aboriginal people of the area. Despite those conditions occasional camping was likely, especially since the southerly portion of the site was at or near the Cocomaricopa Trail (later the Bradshaw Trail) and then the rail line.

A small rock lined canal or flume, which brought water from higher up in the mountains down to the floor of the pass to the Cabazon station was previously studied with the conclusion that the construction probably dated to the later part of the 19th century. See Exhibit 7 at the end of this section. While the flume crosses the property, it does not appear that it was designed to serve the property other than perhaps indirectly as a water source for the cattle grazing that has been the major use of the site in the 20th and 21st centuries.

In more recent times, several cross country utility lines have been allowed to cross the property in an east-west direction, along with above ground electrical lines and service roads. An above ground water reservoir operated by the Cabazon County Water District is located on a five-acre outparcel that is located in the center of the site along with a dirt road and pipeline easement that extends from Seminole Road to the reservoir.

Conclusion

Section 106 of the National Historic Preservation Act mandates that federal agencies take into account the effects of their undertakings on historic properties and seek ways to avoid, minimize, or mitigate any adverse effects on such properties (36 CFR 800.1(a)). As stated above, the results of research procedures completed during this study indicate that nine historic-period archaeological sites and a historic-period isolate are currently in existence within or partially within the APE, but none of them meets the definition of a "historic property," as provided by Section 106. However, one of the sites, designated 33-007888/ -014871 and presenting a concrete- and stone-lined canal of 1870s-1880s vintage, may be of some local historic interest.

The research results further indicate that the subsurface sediments within the APE appear to be relatively low in sensitivity for potentially significant archaeological deposits, especially those from the prehistoric period. In light of these findings, and pursuant to 36 CFR 800.4(d)(1), CRM TECH presents the following recommendations to the BIA:

- No historic properties are present in the APE, and thus no historic properties will be affected by the undertaking as currently proposed.
- Although not required by pertinent federal statutes and regulations, *in situ* preservation of a representative portion of the canal at Site 33-007888/-014871 by avoidance of physical impact during the undertaking, if feasible, is recommended in the interest of protecting the nation's—and the local community's—historical heritage whenever possible.
- No mitigation measures are recommended on the other sites identified within the APE.
- No further cultural resources investigation is necessary for the proposed undertaking unless development plans undergo such changes as to include areas not covered by this study.
- If buried cultural materials are discovered during any earth-moving operations associated with the undertaking, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds.



MSA CONSULTING, INC.
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

Existing Flume

Morongo Outdoor Entertainment
Environmental Assessment

Exhibit 7

3.6 Socioeconomic Conditions

This section describes the existing socioeconomic conditions and environmental justice issues that pertain to the proposed project.

A. Employment and Income

According to the U.S. Bureau of Labor Statistics for Riverside County, the 2012 annual average of employment was 826,100, unemployment labor force was 114,800 persons at an estimated unemployment rate of 12.2%. The U.S. Census Bureau sites the average median income for Riverside County from 2007-2011 is \$58,365. Employment and median income for the Banning Pass is provided in the table below.

City	Employment*	Unemployment	Median Income*
Banning	10,500	1,500	\$37,373
Beaumont	6,100	900	\$66,132
Cabazon	900	300	Unavailable

* Employment numbers from California Employment Development Department based on 2012 estimates. *Median income provided by U.S. Census Bureau from 2007-2011.

The most recent American Indian Population and Labor Force report from the BIA is from 2005. In 2012 the Department of the Interior decided not to release its 2010 report. The Department cites methodology inconsistencies and will work towards the redesign of the survey for a more accurate report.

The Morongo Band of Mission Indians is one of the largest private-sector employers of the Banning-Beaumont area, employing more than 3,000 people. The proposed development would meet the Tribal goals of diversifying income and promote economic self-sufficiency to the Tribe through a suitable use of the property. Short term employment would be available with the construction of the individual venues and an estimated 400-500 jobs could be offered after construction completion for scheduled concert and festival events. The project would contribute revenue towards the development of Tribal socioeconomic services, such as, but not limited to, health, daycare, education, cultural enrichment, employment and other Tribal governmental benefits and programs.

B. Demographic Trends

The 2010 U.S. Census Bureau data estimates the population of the Morongo Reservation at 913 persons, the overall population for the City of Banning is 30,260 per the 2011 U.S. Census Bureau estimate. The population percent change for Banning from April 2010 to July 2011 is 2.2%. Persons 65 years and over at 25.9% represent the largest age group of the City. Persons under 18 years are at 22.9%, the second largest number. The 2010 median age is 42.3 which is an increase from 41.2 in 2008. Persons categorized as White makeup 64.7% percent of the population in Banning. 41.1% are of Hispanic or Latino Origin and 19.7% are all other races, which includes the 2.2% categorized as Native American.

C. Lifestyle and Cultural Values

The Morongo Indian Reservation is comprised of several different groups of California Indians, including the Serrano, Cahuilla and Cuperno. The area of the Morongo Indian Reservation,

known to the Cahuilla people as *Malki*, was considered the territory of the *Wanikik* lineage of the Pass Cahuilla in historic times (Strong 1929:91; Bean et al. 1991:116). Ethnohistoric accounts claim that the *Wanikik* lineage, originally from the Whitewater Canyon, relocated to *Malki* some time in the 19th century, after a flash flood destroyed their former village (Strong 1929:91; Bean et al. 1991:11). The name "Morongo," however, derived from the *Maroña* clan of the Serrano, who lived on Mission Creek and began to join the *Wanikik* people in the mid-19th century (Strong 1929:5; Gunther 1984:334).

The reservation was originally established as the Portrero Reservation by Executive Order in 1876, and the land was set aside for that purpose by Executive Order in 1877 and 1881 (Gunther 1984:335). Initially some 88,000 acres in total area, the reservation was eventually reduced to approximately 32,000 acres, which were officially patented to the Morongo Band of Mission Indians in 1908 (*ibid.*). With an enrollment of nearly 1,000, the Morongo Band is today one of the most populous Native American tribes in Southern California.

Cultural Values remain an important aspect to the past and present for to the Tribe, the Cultural Heritage Program was created to promote and revitalize the traditional ways of life. They work to stimulate interest in Tribal history, language and land. The annual Morongo Culture Days Celebration is held every spring and is dedicated to celebrating life on the Morongo Reservation. The Malki Museum located on the reservation aims at the preservation of Indian culture and traditions. The Museum collects and displays art, artifacts, & historical materials.

Cattle Ranching is also a part of the Morongo culture; it is seen as a proper and traditional use of the land. Some of the tribes were experienced cattlemen before the establishment of the reservation and after it was established worked as cowboys for other Ranchers. The Morongo Cattlemen's Association was formed sometime in the 1930's, today, the Cattlemen's Association continues to run cattle and raise livestock. Each member of the Association has their own special branding which passes down to future generations who carry on the tradition of raising cattle.

The Morongo Indians have vastly improved their economic conditions with their business enterprises. To date they have assets in their AAA Four Diamond Resort, The Morongo Casino & Spa, restaurants, retail, and recreation ventures. They continue to look for new opportunities to add long-term economic benefits to the Tribe and community.

D. Community Infrastructure

Public Services

The Morongo Fire Department responds to fires both on and off the reservation. The department has 20 full time employees that consist of 18 firefighters and 2 management staff. Firefighters are divided into 3 shifts with 6 firefighters on each shift. The Morongo Fire Department protects 110 miles of reservation land as well as the residential community, tribal businesses and the 44 acre Morongo Casino Resort & Spa in addition they have a joint service agreement with Riverside County Fire. Fire trucks and fire personal will be on stand-by for concert and festival events, in the case of a fire emergency. Temporary structures are proposed for most of the site

and any permanent facilities will have a fire sprinkler system per the California Building and Fire Code.

Morongo Reservation Patrol consists of Traffic and Patrol Divisions and Enterprise Security. The divisions team together to enforce Tribal Ordinances, monitor entry onto the reservation and patrol over 35,000 acres of Tribal property. In addition, they assist in Tribal court, and secure Tribal enterprises. The Riverside County Sheriff Department is also contracted by the Tribe to serve the Morongo Indian Reservation. The closest County Sheriff station is located at 50290 Main Street in Cabazon.

Due to the nature of the proposed project day to day operations are not expected. The site will only be used for selected music events which will be planned and coordinated in advance. The only exception may be the Beach Club venue which has the option to be used daily. That option may be explored once the site is fully operational. Adequate response times during events are anticipated for both Fire and Police services and impacts are not expected to be significant.

An Emergency Operation Plan that outlines the procedures for addressing emergencies should be submitted to Tribal Police, Riverside County Sheriff's Office, and Morongo Fire Department. Concert promoters will coordinate with Fire, Tribal Police, and the Sheriff's department prior to events to ensure their standard level of service to the Tribe and community continue to be met.

Utilities

Water and wastewater services are provided by the Morongo Band of Mission Indians Water and Wastewater Department under the supervision of the Reservation Services Administrator's. The department currently serves the reservation and all of the Tribes enterprise facilities. The Tribe has over 35 miles of potable distribution system, consisting of pipelines, reservoirs and wells, in addition to the 15 miles of non-potable water system. Both water and sewer mains are located within the boundary of the project site. Sewer is to the west of the project and along Seminole. Water lines are east of the site. The Air Quality Analysis prepared by Endo Engineering estimates that the project will require an estimated 1,221,074 gallons per year of potable water. It is also estimated to use 2,560,700 gallons per year for outdoor water use.

The Morongo Water Department (MWD) has the capacity to deliver 10,000 gallons per minute and has wells extracting water from 150' to 600' below ground surface. The MWD provided potable and non-potable water to all residents and their Tribal enterprises. Previous studies prepared by the U. S. Geological Survey for the San Gorgonio Pass indicate that all though groundwater level in the region have generally declined, adequate groundwater from the main basins, reservoirs and adjacent canyons are available to service the proposed project.

Current usage for irrigation purposes is estimated between 0.75 and 1 million gallons. Irrigation may temporarily decrease due to active occupation for concerts and festivals. Additional potable water uses would be used for drinking fountains and other temporary uses. Event vendors would also contribute to water conservation by providing bottled water for sale, and the contracting of sanitary facilities.

The Morongo Water Department also oversees its own reclamation plant and it is designed to treat up to 750,000 gallons per day. This plant is operated daily by the Tribe and Veolia Waters. Portable sanitation facilities from a permitted company will be brought on site for all concerts and or festival use. Septic pump trucks will collect waste after events and disposal of waste will be at an approved wastewater treatment plant.

The Cabazon Water Company owns and operates a reservoir and pipeline located between two parcels of the proposed development on 5-acres. This tank has a production well on-site and produces ground water. The water line serves the south side of Cabazon and serves the businesses at the east end of Seminole. This facility will not serve the project site, the project design will be coordinated to avoid and protect the reservoir during and after construction.

Development of the proposed project will add to the demand of water supply services. Domestic water services will be provided to the project site by the Morongo Water and Wastewater Department. A telephone conversation with the Morongo Water Department indicates that there is adequate water supply to serve the site. The final design of the project is expected to follow water conservation guidelines set forth by the Tribe in effort to mitigate the impacts to the water supply. Less than significant impacts are expected related to the proposed project. See Section 3.2 Water Resources for additional discussion.

CR&R Waste & Recycling Services would serve the project site for all waste and recycling services. The Tribe also maintains their own Environmental Code that dictates the rules and regulations for solid and hazardous waste removal. Concert and Festival promoters will coordinate with the Tribe's Public Works Department and CR&R for solid waste and recycling services. It is estimated that the project will generate 4.36 tons of waste per year, per acre for the use of the amphitheater (Endo Engineering, Air Quality Analysis, Appendix A).

Southern California Edison provides electricity to the reservation through access agreements, and will require right of way from the Tribe. Through these agreements service would be provided to the proposed project site. Telephone and two petroleum pipelines traverse the site to the south while electrical lines and petroleum pipelines traverse the site along the northern boundary. The project proposes an outdoor entertainment venue to accommodate attendance from 1,200 to 40,000 patrons depending on the type of event.

A stage crew would install and remove all lighting and sound equipment before and after events. Electrical usage for 2 day festival events is 45,600KW and a single concert event is estimated at 8,550KW. The project design will incorporate energy conservation measures. No significant impacts to electric services are anticipated from the implementation of the proposed project.

Impacts to Telephone and cable services are expected to be less than significant with implementation of the proposed project.

E. Environmental Justice

There are no low-income or minority populations in the vicinity of the proposed project that would be negatively impacted by the project. Any impacts would affect all populations of the area equally.

3.7 Resource Use Pattern

A. Hunting, Fishing, Gathering

The existing project site of approximately 310 acres is largely undeveloped, but has continuously been disturbed by the cattle grazing operations during the past decades. Cattle grazing activities on-site form part of a larger allocation of over 7,000 acres of land suitable for such use within the Reservation. However, the project area (Section 8 and 9) has been designated for development by the Tribe's General Plan. As a result, the conversion of this land to suit the needs of the proposed entertainment venue would not impair the existing grazing activities due to the existing ample land. The project property does not have the recognized resources to support hunting, fishing or gathering activities. As previously described the site is adjacent to bowling, resort and casino establishments, which include their respective access driveways and parking areas. Access to the general public is presently regulated and monitored largely as a measure of safety. As a result, the proposed action would not result in impacts to hunting, fishing or gathering.

B. Timber Harvesting

The vacant project area does not contain or is located near any land uses or facilities timber harvesting activities. Moreover, the project will not introduce such uses. Less than significant impacts are anticipated.

C. Agriculture

As previously discussed, the project presently supports cattle grazing activities. However, no other agriculture-related operations take place on-site. According to the California Farmland Mapping and Monitoring Program, the project area and much of its surroundings to the north and east are identified as Grazing Land (G). This category applies to land on which the existing vegetation is suited for grazing of livestock. The category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities.

The removal of approximately 310 acres from the Grazing Land (G) category is expected to be less than significant due in part to the abundance of such land in the region. Areas of the project site have previously been disturbed by the installation and maintenance of utilities as well as by grading activities associated with the adjacent resort, casino and bowling establishments. The contiguity of the proposed entertainment center to existing facilities is deemed to make the preferred use of land because development has been designated here by the Tribal development guidance plans. Other areas in the reservation currently utilized for cattle grazing will not be significantly impacted by the project. Less than significant impacts are anticipated.

D. Minerals

The project area does not have known mineral resources or mineral extraction or processing facilities. Information related to mineral resources is primarily obtained from the various studies and research prepared pursuant to the Surface Mining and Reclamation Act of 1975 (SMARA) under the California Department of Conservation, Division of Mines and Geology. Local and regional mineral deposits are classified according to Mineral Resource Zones (MRZs) designations. The project land is designated as a zone MRZ-3, which applies as follows:

MRZ-3: Areas where the significance of mineral deposits cannot be evaluated from the available data. Hilly or mountainous areas underlain by sedimentary, metamorphic, or igneous rock types and lowland areas underlain by alluvial wash or fan material are often included in this category. Additional information about the quality of material in these areas could either upgrade the classification to MRZ-2 or downgraded it to MRZ-1.

The proposed improvements will not result in significant impacts to known mineral resources, as none exist on the subject property.

E. Recreation

Morongo offers a full time recreation department to its tribal members and families. Activities offered are for youth, adults and families. The project will result in the conversion of undeveloped land to an entertainment venue that will not interfere or remove existing recreational opportunities. Less than significant impacts are expected.

F. Transportation

The project site is located north of the I-10 Freeway, at the base of the mountains of the San Gorgonio Wilderness area. The site is bounded by Seminole Drive and the Canyon Lanes at Morongo bowling alley to the south, the Morongo Casino Resort & Spa and open space to the west, and open space to the north and east.

Project parking would be provided on the site via surface parking in the form of general, VIP, charter bus, and staff parking areas. The site would include approximately 11,000 car parking spaces, plus parking for 200 buses. Camping and RV parking areas are also to be provided with approximately 3,200 spaces. The camping is only available during festival events and is not open for public use otherwise. For events without camping, those areas will be available to provide approximately 6,000 additional parking spaces. The main access roads would be paved along with the VIP parking areas. The main parking areas would be finished with compacted decomposed granite or similar materials to allow percolation of rain water while controlling dust.

The project site and surrounding uses are well-served by Major and Secondary Roads, including Malki Road, Morongo/Apache Trail, Main Street, Seminole Drive and Main Street. In addition, surface street interchanges provide access to and from the I-10 Freeway at Malki Road, Morongo/Apache Trail and Main Street. To address the project impacts on these transportation facilities, existing traffic conditions were analyzed at twelve intersections in the study area.

The Morongo Reservation is surrounded by the County of Riverside. This analysis from Crain & Associates (Appendix F) was prepared in accordance with the assumptions, methodologies, and procedures outlined in the County of Riverside Transportation Department *Traffic Impact Analysis Preparation Guide* (April 2008). The analysis is also consistent with the guidelines in the County of Riverside Congestion Management Program (CMP). This report presents the results of a detailed analysis of existing (2012) and future (2013) traffic conditions during the Friday-through-Monday peak hours of event traffic at 12 study intersections. I-10 Freeway is anticipated to be the major access route for the project site via the selected study intersections.

The locations of these study intersections are shown on Exhibit 8, “Study Intersection Location Map” at the end of this section. The following traffic conditions have been analyzed:

1. Existing (2012) traffic volumes
2. Future (2013) (With Ambient Growth) With Project traffic volumes
3. Future (2013) (With Ambient Growth) With Project With Cumulative Development traffic volume

Existing (2012) Traffic Volumes

Traffic volumes for existing conditions were obtained from manual traffic counts conducted at the twelve study intersections in October 2012. In accordance with the project proposed peak activity periods, five peak event traffic periods were identified and counted at the twelve study intersections. Those peak periods are as shown in the following table:

**Table 3.7-1: Traffic Count Time Periods
(Existing and Proposed)**

Start		End		Traffic Flow	
Day	Time	Day	Time	Proposed Event Type	Direction
Friday	3:00 PM	Friday	9:00 PM	Concert	Inbound
Friday	11:00 PM	Saturday	2:00 AM	Concert	Outbound
Saturday	10:00 AM	Saturday	3:00 PM	Weekend Festival	Inbound All
Sunday	11:00 PM	Monday	2:00 AM	Weekend Festival	Outbound Non-Campers
Monday	6:00 AM	Monday	9:00 AM	Weekend Festival	Outbound Campers in Street Peak.

Level-of-service (LOS) designations are based on the criterion of average control delay per vehicle. Control delay is a measure of driver discomfort, frustration, and fuel consumption, and includes initial deceleration delay approaching the intersection, queue move-up time, stopped delay and final acceleration delay.

Table 3.7-2: Level-of-Service Criteria for Signalized Intersections

LOS	Description of Operating Characteristics	Control Delay per Vehicle (Seconds)
A	Very low control delay, most vehicles do not stop at all	≤ 10.0
B	Relatively low control delay. However, more vehicles stop than LOS A.	$>10.0 \leq 20.0$
C	Higher control delays. Individual cycle failures may begin to appear. The number of vehicles stopping is significant at this level, although many still pass through the intersection without stopping.	$>20.0 \leq 35.0$
D	Control delay in the range where the influence of congestion becomes more noticeable. Many vehicles stop and individual cycle failures are noticeable.	$>35.0 \leq 55.0$
E	High control delay values. Individual cycle failures are frequent occurrences.	$>55.0 \leq 80.0$
F	High control delay values that often occur with over-saturation. Poor progression and long cycle lengths may also be major contributing causes to such delay levels	> 80.0

Source: *Highway Capacity Manual* (Transportation Research Board, Washington, D.C.; 2000), page 16- 2.

11 of the 12 study intersections are currently operating at LOS “D” or better levels. However, the intersection of I-10 Eastbound On/Off-Ramps and Malki Road (south leg) is operating at LOS “E” during the Saturday Midday peak hour.

Project Trip Generation

The following section describes the methodology and procedures used to determine the trip generation, distribution and assignment of traffic resulting from the proposed project.

The general distribution percentages were utilized to assign the project trips to specific routes and intersections that will be used for project access. As part of the proposed project, the one block segment of Seminole Drive from Thunder Road to Morongo Trail will be closed during the peak event hours prior to the event start time until after the event end time, to facilitate the use of the Maliki Road Interchange by 25 other users, such as vehicle traffic associated with the Desert Hills Premium Outlet mall and the Morongo Spa & Casino patrons and employees. As a result, all project traffic is distributed so as to not use this segment of Seminole Drive.

In order to develop the traffic characteristics of the proposed project, two major event types were analyzed: the Music Festival and the Evening Concert. Project assumptions were applied to each of these events. The assumptions were generally as follows:

- Total Number of attendees
- Camping total (not allowed for evening concert)
- Hours of operation of Festival grounds
- Assume no shuttles (adequate onsite parking)
- Typical attendee arrival/departure times percentages
- Typical employee arrival/departure times percentages

The Traffic study states that the Riverside County traffic standards are not directly applicable to the Tribal roads associated with the project. County Standards are applicable for improvements on County Roads. The County’s criterion is both informational for developing the assumptions for events at the site and the intersections leading to it, and consistency to the extent feasible is recommended. The County of Riverside Transportation Department has defined the deficiencies and significant impacts in accordance with the following requirements. The General Plan states the following:

“Peak hour intersection operations of Level of Service “C” or better are generally acceptable along all County maintained roads and conventional state highways. As an exception, Level of Service “D” may be allowed in Community Development areas, only at intersections of any combination of Secondary Highways, Major Highways, Arterial Highways, Urban Arterial Highways, Express ways, conventional state highways or freeway ramp intersections. LOS “E” may be allowed in designated community centers to the extent that it would support transit-oriented development and walkable communities.”

As stated previously, the Riverside County criteria allow a variety of conditions depending upon the specific circumstances being addressed. The capacity leading to and from the project site will only be relied upon for short periods of time during and surrounding events, and the project

events will be periodic in nature. Thus, the County criteria that is applicable to conditions occurring during the normal weekday commute conditions should not be directly applied as they are not representative of the typical conditions with those considerations, the capacity of the roadway (i.e. LOS “E”) was defined as the maximum permissible level for the peak arrival and departure times.

The results of the analysis of Future With Project traffic conditions at the study intersections are summarized in Table 7 in the Crain Traffic Analysis. As shown in Table 7, the addition of ambience growth and the project-related traffic to existing traffic conditions would deteriorate the LOS at eight study intersections to LOS “F”.

Future (2013) With Project With Cumulative Conditions

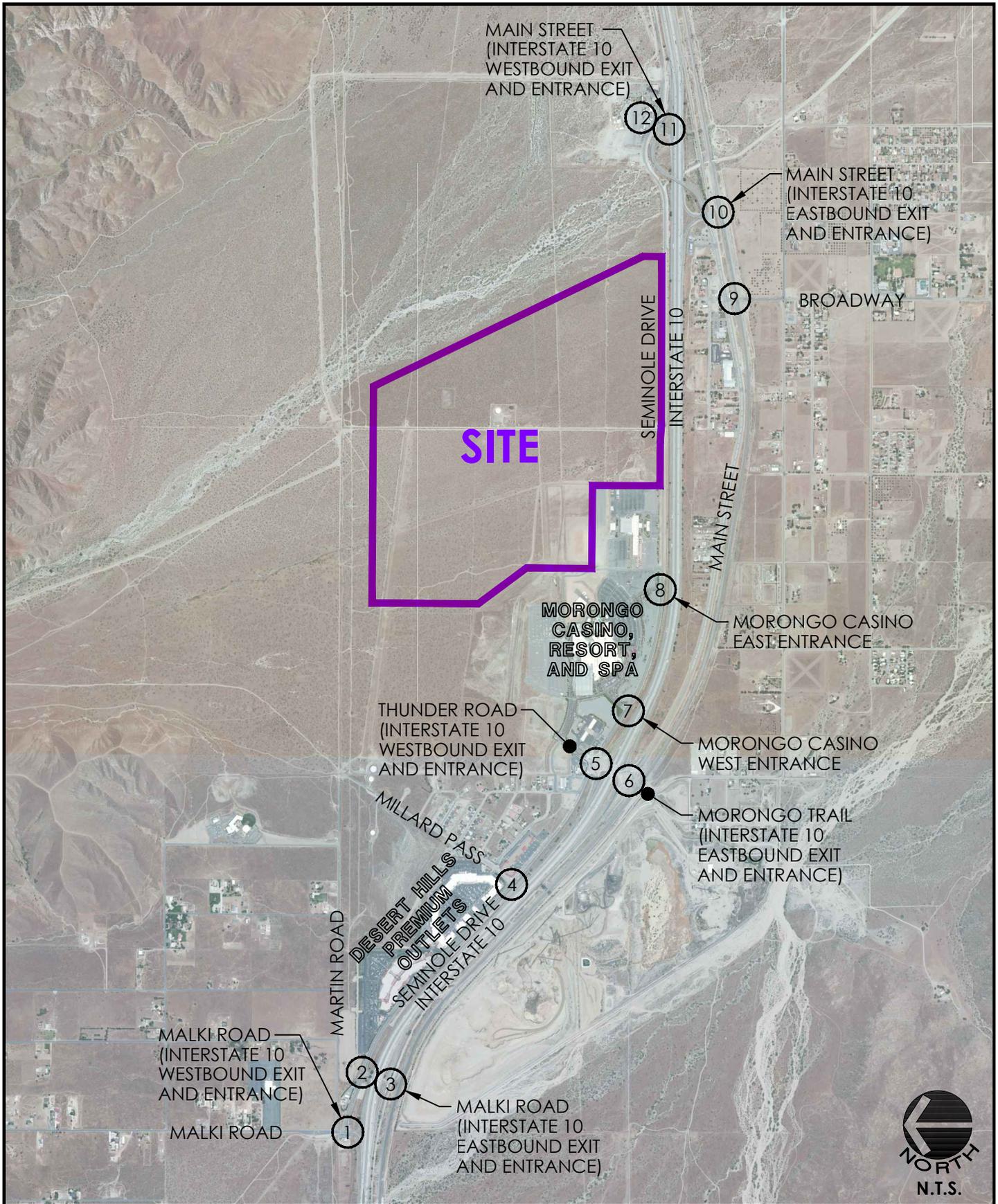
According to the Traffic Analysis, the inclusion of the annual growth factor generally accounts for area-wide traffic increases. Additionally, the traffic generated by “cumulative projects” in the study area was also added to the future baseline traffic volumes. Finally, the traffic expected to be generated by the cumulative projects was analyzed as an incremental addition to the Future (2013) With Project condition, resulting in the Future (2013) With Project With Cumulative conditions.

There are 3 potential cumulative projects in the study area. The number of trips expected to be generated by the cumulative projects and their distributions were obtained from information provided by public agencies, traffic studies and environmental reports, to the extent available. Due to the characteristic of these cumulative projects, it is assumed that these projects would generate minimal amount of traffic during Friday midnight to Saturday early morning peak event traffic hour and Sunday midnight to Monday early morning peak event traffic hour. The results of the analysis of Future With Project With Cumulative traffic conditions determined that the addition of project and cumulative projects traffic to existing traffic conditions would deteriorate the LOS at eight study intersections to LOS “F”. The eight intersections would therefore not be operating within their capacity under the future traffic conditions. See Section 4.0 for Mitigation Measures.

According to the Traffic Analysis, the proposed measures will mitigate the significantly impacted intersections surrounding the venue so that those intersections operate within their capacity under both the Future With Project and Future Without Project with Cumulative scenarios.

G. Land Use Plan

The proposed entertainment venue includes a core area of 68 acres where the concert and event activities would be located and is focused toward the northeast corner of an overall 310 (approximate) acre area allocated by the Tribe for parking and camping needed to support the venue. In keeping with the overall Reservation Master Plan being considered by the Tribe, the entertainment venue leaves the 1,000 feet closest to Seminole open to facilitate Tribal economic activities to complement the development pattern for properties with high visual access to Interstate 10 and the 99,000 vehicles per day that pass through the reservation.



MSA CONSULTING, INC.
 PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
 TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

Intersection Location Map

Morongo Outdoor Entertainment
 Environmental Assessment

Exhibit 8

3.8 Other Values

A. Wilderness

The Wilderness Act of 1964 helped establish a National Wilderness Preservation System. A wilderness refers to an area of undeveloped Federal land retaining its natural character and influence, without permanent improvements or human habitation, which is protected and managed as to preserve its natural conditions. A wilderness may also contain ecological, geological, or other features of scientific, educational, scenic or historical value.

The proposed action is not located on or near a designated Wilderness Area. The nearest area with such designation is the San Gorgonio Wilderness, located approximately 3.5 miles to the north. This area is managed by the United States Forest Service. No other Federal land with such designation is near the project. As previously described, the project area and some of its surroundings within the Morongo Reservation are primarily rural in character, with low-density residential and agricultural uses. However, the developed areas of the reservation, primarily north of Interstate 10, contrast with this setting. These facilities consist of the Morongo Casino, Resort and Spa, the Morongo Travel Center, the Desert Hills Premium Outlets and other commercial and Tribal enterprises exist in the community. Moreover, the entire project site has been heavily grazed for several decades, resulting in alterations to vegetation and terrain from their native conditions.

A portion of land to the east and north of the project forms part of the Cabazon Conservation Area under the Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP), which covers a regional extent. This Cabazon Conservation Area includes portions of the San Gorgonio River and several tributaries in the westernmost part of the MSHCP Plan Area as well as portions of the San Jacinto and San Bernardino Mountains, which serve as the fluvial sand source areas. The Morongo Indian Reservation, within which the project is located, does not contain part of the MSHCP or its conservation areas. Section 9 was removed from the MSHCP when it was brought into Trust.

A biological assessment was performed on the project site and issued on July of 2012 (James W. Cornett Ecological Consultants). The vacant property in the vicinity was found to be a mix of creosote scrub and coastal sage communities. The assessment found no federally listed plant or animal species or unique habitats within the project boundaries. However, the Western Burrowing Owl was discovered on-site. Burrowing Owls are protected in Mexico and the United States by the Migratory Bird Treaty Act of 1918. Mitigation of impacts is required under the act. The study found that the project is not situated within the boundaries of any existing habitat conservation plan. No impacts upon biological or wilderness resources are anticipated.

B. Noise and Light

Sound is technically described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers. In terms of human response to noise, a sound 10 dB higher than another is judged to be twice as loud; and 20 dB higher four times as loud; and so forth. Everyday sounds normally range from 30 dB (very quiet) to 100 dB

(very loud). The human ear does not respond uniformly to sounds at all frequencies. It tends to be less sensitive to low and high frequencies than to medium frequencies that correspond with human speech. In response to this, the A-weighted noise level or scale has been developed to correspond better with peoples' subjective judgment of sound levels. This A-weighted sound level is called the "noise level" referenced in units of dB (A).

Noise is generally defined as unwanted sound that disrupts normal activities or that diminishes the quality of the environment. It is usually caused by human activity that adds to the existing acoustic setting of a locale. The responses of individuals to noise levels are diverse and influenced by multiple factors, including the type of noise, the perceived importance of the noise, its appropriateness to the setting, noise sensitivity of the individual, and the time of day as well as the type of activity during which the noise occurs.

Noise is generally deemed undesirable when it interferes with normal activities, causes actual physical harm, or has an adverse effect on health. The presence of structures (e.g., solid walls and buildings) and natural topography (e.g., hills) that obstructs the line-of-sight between a noise source and a receptor tends to reduce the noise level. This type of sound attenuation is known as "barrier insertion loss." Partial attenuation will occur to a lesser extent if the line-of-sight between the source and its receptor is partially blocked.

Several scales have been developed which address community noise levels. Those that are applicable to this analysis are the Equivalent Noise Level (Leq) and the Community Noise Equivalent Level (CNEL). Leq is the average A-weighted sound level measured over a given time interval. Leq can be measured over any given time period, but is typically measured for 1-minute, 15-minute, 1-hour, or 24-hour periods. CNEL is another average A-weighted sound level measured over a 24-hour period. The CNEL scale, as described above, is expressed as a weighted aggregate number.

The time of day corrections which comprise the CNEL model require the addition of 5 decibels to sound levels from 7:00 p.m. to 10:00 p.m. in the evening, and an additional 10 decibels to sound levels occurring between 10:00 p.m. and 7:00 a.m. Because there is a general decrease in the overall amount and loudness of noise generated during these times as compared to daytime hours, sensitivity to sound increases. Therefore, sounds seem louder in the evening and at night and are weighted accordingly.

In general, sensitive noise receptors, such as residential uses, schools, libraries, churches, hospitals and nursing homes are considered unsuitable land uses in unmitigated noise environments where exterior CNEL levels exceed 65 dB. Commercial and industrial uses, conventional hotels and motels, neighborhood ballparks and playgrounds, and other outdoor spectator sport arenas are considered less sensitive land uses. Heavy commercial and industrial uses, transportation and utility land uses are considered least sensitive, with allowable unmitigated exterior ambient noise levels of up to 70 CNEL.

The proposed action is located in a setting with present sources of noise that include traffic and commercial operations. The undeveloped project site is located approximately one-quarter of a mile north of Interstate 10, which accommodates high traffic volume. South of Interstate 10 is

the Union Pacific Railroad, which provides freight rail service. Regional passenger rail services also make use of this railroad. The existing commercial establishments, fueling facilities, regional destinations and the casino also contribute to the existing noise levels.

A project-specific Noise Assessment was performed by Mestre Greve Associates and issued in a revised form in March of 2013 (Appendix B). The potential noise impacts were divided into two groups: temporary and long term. Temporary impacts are usually associated with noise generated by construction activities. Long-term impacts are further divided into impacts on surrounding land uses generated by the proposed project and those impacts that occur at the proposed project site.

Construction noise represents a short-term impact on ambient noise levels. Noise generated by construction equipment, including trucks, graders, bulldozers, concrete mixers and portable generators can reach high levels. Although the noise levels associated with construction will be low at existing residences, the limits on hours contained in the California Model Noise Ordinance should be considered. The Model Noise Ordinance recommends limiting construction activity to certain time periods.

Construction activities cannot take place between 7:00 p.m. and 7:00 a.m. on weekdays or at any time on weekends or holidays without being in violation of the noise ordinance. As long as the project does not construct within these hours it will be consistent with the Model Noise Ordinance and less than significant impacts are expected. Increased traffic caused by the project will result in increased traffic noise levels along the roadways in the vicinity of the project. This section examines noise impacts from the proposed project on the surrounding land uses. Specifically traffic noise increases due to the project are examined. Traffic data utilized was provided by the traffic consultant for the project (Crain & Associates, November 9, 2012).

The parking and camping areas of the proposed venue become a source of noise. Traffic associated with parking lots is not usually of sufficient volume to exceed community noise standards that are based on a time averaged scale such as the CNEL scale. The camping and use of recreational vehicles is associated with additional forms of noise, which would normally have the potential to impact surrounding sensitive noise receptors. However, none are located on or in the immediate surroundings of the venue.

The activities of door slamming, car alarm activation, engine start-up and car circulation are projected to generate noise levels of up to 34 dBA at a distance of 3,000 feet (approximate distance to nearest residences), which is well below the corresponding nighttime ambient level of 61 dBA and California Model Noise Ordinance limits of 60 dBA. RV generators and camp singing activities are projected to generate noise levels ranging from 29 to 44 dBA, which are also below the nighttime ambient levels. The projected noise levels from the parking lot and camping activities are all well below the ambient nighttime noise levels, and therefore, less than impacts are anticipated. Mitigation measures related to noise are provided in Section 4.0 of this report.

Concert noise would be generated in the proposed amphitheater, festival grounds, and retail concourse. The loudest of these areas would be the amphitheater. The amphitheater would

accommodate the loudest bands and the largest crowds. The existing daytime ambient noise levels range from 49.0 to 64.5 dBA among the 8 measured points. The existing nighttime ambient noise levels range from 45.5 to 65.0 dBA for the same 8 measured sites. The projected noise levels range from 19 to 53 dBA. These levels from the amphitheater concerts and other events planned for the entertainment center are below the ambient conditions a site by site comparison. The reports analysis concludes that even the amphitheater noise levels are well below ambient conditions for all areas around the project and therefore, less than significant impacts are anticipated from the amphitheater concerts or other events planned for the entertainment center.

As previously described in this assessment, the vacant project site is located in a local setting within close proximity to the existing Morongo Casino, bowling facility, gasoline stations, commercial establishments. These facilities, along with street lighting for nearby roads and Interstate 10, are sources of nighttime lighting primarily for safety purposes. The existing casino includes a multiple-story tower with ample illumination. The proposed action would result in the use of temporary lighting throughout the site to illuminate areas for circulation, parking and camping during events. The performing areas would make use of additional lighting during nighttime events and performances. These temporary impacts would not significantly change the character of the locale considering the existing uses that currently benefit from nighttime lighting for security and marketing purposes. Less than significant impacts are anticipated.

C. Visual

The existing daytime and nighttime visual character of the undeveloped site is heavily influenced by the existing surrounding uses, establishments and operations. The existing 27-story casino/hotel tower, bowling center, fueling stations, restaurants, retail shops and residential uses in the community tend to dominate the local setting, marking dynamic contrast with the San Bernardino Mountains backdrop found approximately 1.5 miles to the north. Traffic along the existing local roads and Interstate 10 also contributes to this existing active setting. Existing overhead utilities may be considered existing visual impairments to the localized view shed.

The proposed improvements will result in the expansion of development in accordance with the Tribal General Plan. Though an area previously undeveloped will host new facilities, including musical performances and other events, these will remain relatively grouped in an existing dynamic setting fronting Interstate 10. Facilities will be relatively low-lying. Views to the site are obstructed largely by existing buildings, topography and highway features. Moreover, no significant physical structures or features that may be considered visual resources will be altered or removed by this project. Temporary use performance lighting and safety illumination will remain localized during the permitted events. Permanent and temporary placement of structures is expected to be designed in a manner that compliments the existing built environment. Less than significant impacts to visual resources are anticipated.

D. Public Health and Safety

The presently vacant site does not have facilities that require a heightened presence of safety enforcement or public health administration in comparison to the rest of the reservation. Morongo Reservation Patrol consists of Traffic and Patrol Divisions and Enterprise Security. The divisions team together to enforce Tribal Ordinances, monitor entry onto the reservation and

patrol over 35,000 acres of Tribal property. In addition, they assist in Tribal court, and secure Tribal enterprises. The Riverside County Sheriff Department is also contracted by the Tribe to serve the Morongo Indian Reservation. The closest County Sheriff station is located at 50290 Main Street in Cabazon.

The events and performances of the proposed action would take place with sufficient police protection and other safety staff to ensure that the existing service ratios and response times of existing police are not significantly impacted. Peace officers and security staff would be contracted according to the size of the events to ensure adequate levels of protection. Emergency response personnel would also be brought in to ensure that the existing safety personnel for the reservation and community are not hindered. The site will only be used for selected music events which will be planned and coordinated in advance. The project would not result in actions or events without substantial rules and regulations that would help ensure that the general public health is not compromised. Less than significant impacts are expected.

E. Climate Change (Greenhouse Gasses)

A project-specific *Morongo Outdoor Entertainment Facility Air Quality Impact Study* was prepared by Endo Engineering in April of 2013. The potential future emissions of greenhouse gases are estimated based upon the projected combustion of fossil fuels during the construction and operation of the facility. Additional information related to air quality impacts is provided in Section 3.3 of this report.

Greenhouse gases (GHG) trap solar energy in the Earth's atmosphere and make the planet warmer. Without GHG, the Earth would be too cold to be inhabitable. Common greenhouse gases in the Earth's atmosphere include: water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone, and to a lesser extent chlorofluorocarbons. Carbon dioxide is the main GHG thought to contribute to global climate change. Carbon dioxide absorbs long-wave radiant energy reflected by the Earth, which warms the atmosphere.

GHG radiate long-wave radiation absorbed by the atmosphere out to space as well as down toward the Earth's surface. This process is known as the "greenhouse effect." Human activities (such as burning carbon-based fossil fuels) create water vapor and CO₂ as by-products, thereby impacting the levels of GHG in the atmosphere. Human activities are thought to be responsible for almost all of the increase in GHG within the atmosphere over the last 150 years. The largest source of GHG emissions is burning fossil fuels for electricity, heat, and transportation.

There is no formally adopted NEPA threshold for GHG emissions for use in making a determination regarding the significance of environmental effects related to GHG emissions in the environmental review process. However, the United States Council on Environmental Quality Guidance (CEQ) issued guidance for consideration by Federal agencies in scoping their NEPA analyses in the form of a memorandum entitled *Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions* on February 18, 2010. The CEQ guidance states that agencies should consider the direct emission of 25,000 metric tons or more of CO₂-equivalent GHG emissions on an annual basis as an indicator that quantitative and qualitative assessment of GHG emissions associated with a proposed action may be meaningful to decision makers and the public.

The unmitigated construction-related GHG emissions are projected to total 687.28 metric tons (MT) of Carbon Dioxide-Equivalent (CO₂e) over the three-month period in 2013. One hundred on-site acres would be hydro seeded to introduce turf as part of the site improvements proposed. The change in on-site vegetation that would occur with the proposed project would result in a one-time positive impact on GHG emissions of 431 MT of CO₂e. Consequently, the net increase in GHG emissions in the year 2013 associated with the construction activities would total 256.28 MT of CO₂e (37 percent of the unmitigated GHG emissions). The project's operations are expected to result in a net increase in GHG emissions (after sequestration factors are taken into account) of 459.69 MT/year of CO₂e.

Construction-related and operational GHG emissions and climate change would be less than significant over both the short-term and long-term. Therefore, additional more detailed analyses would not provide meaningful results for the public or decision makers.

F. Indian Trusts Assets

Indian Trust Assets (ITAs) are legal interests in assets held in trust by the Federal Government for federally recognized Indian Tribes or Individual Indians. Assets are anything owned that has monetary value. The asset need not be owned outright, but could be some other type of property interest, such as a lease or a right to use something. Assets can be real property, physical assets or intangible property rights. The United States has an Indian trust responsibility to protect and maintain rights reserved by or granted to Indian Tribes or Indian individuals by treaties, statutes, and executive orders.

A characteristic of an ITA is that it cannot be sold, leased, or otherwise alienated without the United States' approval. Examples of objects that may be trust assets are lands, minerals, hunting and fishing rights, and water rights. While most ITAs are on reservations, they may also be found off-reservations. The project occupies a portion of Section 8 and 9 within Morongo Band of Mission Indians Reservation, which is Federal land held in trust on behalf of the Tribe in Riverside County, California.

The Realty Department of the Tribe oversees and manages approximately 55 square miles of their Tribal Trust, Individual Trust and Tribally owned fee land. According to the Tribe's General Plan, the project area has been allocated for development. Section 8, the eastern portion of the site, is zoned for commercial activities.

Cattle grazing operations are known to have occurred on the Reservation since 1916. According to the *Morongo Reservation Range Inventory Progress Report for FY 2006*, there are 7,250 acres of soil suitable for grazing on the reservation. These uses are in part guided by Morongo Ordinance #1, which regulates the annual carrying capacity of rangelands as well as the allowable types of livestock. There are multiple irrigation troughs utilized by cattle throughout the reservation, including one in Section 8.

A relatively small portion of the existing cattle grazing operations occur on-site in Section 8 and 9. The project is anticipated to convert 310 acres of this land from its undeveloped use to the proposed outdoor entertainment venue. Although the cattle grazing operations would cease to occur within the project, this change is not anticipated to significantly alter or reduce the cattle

grazing assets on the reservation. These uses will continue to occur on the remaining suitable areas. Other existing troughs and related facilities for the cattle would not be impacted. The cattle will have access to Hathaway Canyon stream, bog, recharge ponds, Millard Canyon stream and springs, and the Deep and Lion Canyon spring and streams.

Moreover, the proposed concert venue operations would not occur without approval by the United States Bureau of Indian Affairs (BIA). The proposed operations would not result in a change of the land status corresponding to the Morongo Band of Mission Indians or obstruct the use of other Indian Trust Assets. Less than significant impacts are anticipated upon Indian Trust Assets.

G. Hazardous Materials

A multi-system database review was performed within the Environmental Protection Agency's (EPA) *Envirofacts* information platform to help identify EPA-regulated facilities or other sites which are known or suspected of having an existing release, a past release or a material threat of release of hazardous materials. The database search did not reveal the presence of such sites within the vacant project area. Outside of the proposed action, there are three recognized sites.

Within the Toxics Release Inventory (TRI), which tracks the management of over 650 toxic chemicals that pose a threat to human health and the environment, one recognized site is listed at the Cabazon Plan 11 located on 13990 Apache Trail, Cabazon, CA 92230, approximately 1 mile southwest of the proposed action. This site is recognized for potential chemical releases to the air and land surface.

Within the Resource Conservation Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers, one recognized site is identified as a waste management facility located on 47350 Foothill Road, Banning CA 92222, approximately 3 miles to the northwest of the project.

Within the Air Facility System (AFS) database, which contains compliance and permit data for stationary sources of air pollution, one record was found associated with the Morongo Casino Cogeneration Facility, located on 49750 Seminole Drive.

A map search within the State of California information platforms *Geotracker* and *Evironstar*, was performed to identify sites on or near the project that have known contamination or sites for which there may be reasons to investigate further. According to those databases, there are no such known sites within the project area. Two sites outside of the project area, both located north of Interstate 10 along Seminole Drive are recognized Leaking Underground Storage Tank (LUST) sites associated to fueling stations (Chevron Station #9-7410) and Texaco Cabazon). The Chevron station cleanup is deemed closed while the Texaco Cabazon cleanup is open as of 10/24/2002. Being located off-site and down gradient from the project, these sites are not anticipated to represent or impact conditions on-site.

The presence of the aforementioned facilities in the Cabazon community is not known to represent an existing impact to the proposed action, especially considering that the project is

located up-gradient of these sites. Moreover access to the site is strictly regulated, thus minimizing the potential of unaccounted impacted conditions. Construction activities and project operations of the entertainment venue will be regulated to prohibit activities which have the potential to cause a release or mismanagement of hazardous materials. Less than significant impacts are anticipated.

4.0 MITIGATION

Mitigation includes specific means, measures or practices that would reduce or eliminate effects of the proposed action or alternatives. Mitigation measures can be applied to reduce or eliminate adverse effects to biological, physical, or socioeconomic resources. Mitigation may be used to reduce or avoid adverse impacts, whether or not they are significant in nature.

As defined in CEQA Regulations (40 CFR 1508.20) mitigation can include:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impact by limiting the degree of magnitude of the action and its implementation.
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
5. Compensating for the impact by replacing or providing substitute resources or environments.

Unless provided otherwise by State or Federal regulations (e.g. Clean Water Act) the enforceability of the following mitigation measures will be achieved through project approval by the Morongo Band of Mission Indians and BIA lease approval.

Section 3.1 Land Resources Mitigation

Mitigation for Geotechnical is as follows:

- 3.1-1 Extensive but standard mitigation measures (6.1.1 through 6.15.1) are outlined in the Geotechnical Report (Appendix E) and shall be incorporated into the Environmental Assessment as appropriate.

Section 3.4 Living Resources Mitigation

Burrowing Owl - As indicated within the Biological Survey and NEPA analysis, the mitigation provided in the “Staff Report on Burrowing Owl Mitigation” prepared by the California Department of Fish and Wildlife, March 7, 2012. It is understood that this methodology is approved by the U.S Fish & Wildlife.

Desert Tortoise - The desert tortoise was not detected within the project boundaries though it is known from the area. To guard against the possibility that a desert tortoise may wander onto the site and be injured or killed following the completion of the biological surveys recommendations have been made.

The project site does not lie within the boundaries of an existing habitat conservation plan. No blue-line stream corridors (streams or dry washes) run through the project site. Following the completion of the required mitigation in this report, the outdoor entertainment amphitheater project should not have significant adverse impacts upon biological resources in the region.

The mitigation for the Burrowing Owl is as follows:

- 3.4-1 A preconstruction survey should take place at least 30 days prior to grading to determine the location of active burrows on and within 550 yards of the project site. If no active burrows are found in the survey area grading may commence providing a biological monitor is onsite.
- 3.4-2 A biological monitor, with the authority to halt or redirect grading, should be present whenever grading or construction vehicles are present and operating onsite. The function of the monitor is to protect Burrowing Owls that arrive on or near the project site after the clearance survey and during the construction period.
- 3.4-3 The breeding season of the western Burrowing Owl is from February 1 through August 31 of each year. No construction disturbances of any kind should occur within 500 meters (550 yards) of an active burrow during this time period. Thus, on the project site grading should take place from September 1 until January 30 of each year to avoid the restriction or cancellation of grading because of the presence of Burrowing Owls during the breeding season.
- 3.4-4 Resident owls present on or near the project site outside the breeding season may be relocated to other sites on the reservation by a permitted biologist. Relocation details can be found in the staff report on Burrowing Owl Mitigation.

The mitigation for the Desert Tortoise is as follows:

- 3.4-5 A tortoise-proof fence shall be placed around the entire site prior to grading.
- 3.4-6 A tortoise clearance survey shall be conducted inside the fenced area prior to grading. Should a tortoise be discovered, it shall be removed by a biologist permitted to do so by the U.S. Fish & Wildlife Service. Disposition of the tortoise is to be at the direction of the Service.
- 3.4-7 A biological monitor shall be on the project site whenever vehicles, associated with grading and construction activities, are present and operating. A tortoise discovered on or adjacent to the project site by any person shall be relocated by a permitted biologist at the direction of the Service.

Section 3.5 Cultural Resources Mitigation

No historic properties are present in the APE (Area of Potential Effect), and thus no historic properties will be affected by the undertaking as currently proposed. No mitigation measures are recommended on the other sites identified within the APE.

No further cultural resources investigation is necessary for the proposed undertaking unless development plans undergo such changes as to include areas not covered by this study.

Mitigation for Cultural Resources are as follows:

- 3.5-1 The project proponent shall employ a Tribal monitor during all grading operations to look for unearthed resources.
- 3.5-2 If buried cultural materials are discovered during any earth-moving operations associated with the undertaking, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds.
- 3.5-3 Although not required by pertinent federal statutes and regulations, *in situ* preservation of a representative portion of the canal at Site 33-007888/-014871 by avoidance of physical impact during the undertaking, if feasible, is recommended in the interest of protecting the nation's—and the local community's—historical heritage whenever possible.

Section 3.6 Socioeconomic Conditions

Mitigation for Public Services is as follows:

- 3.6-2 An Emergency Operations Plan should be submitted to Tribal Police, Riverside County Sheriff's office and Morongo Fire Department prior to scheduled events.

Section 3.7 Resource Use Mitigation

Traffic - As indicated in the Future Traffic Conditions section, the proposed project is expected to result in eight study intersections not operating within their capacity under the future (2013) traffic conditions. The following permanent and temporary traffic control improvements are recommended to address these impacts and can be found in the Traffic Impact Analysis (Appendix F.)

Event Traffic Control (shall be implemented on a temporary basis for each event with a capacity of 10,000 or more attendees.) An event traffic control plan will be prepared that delineates the following details.

Traffic Control Officers

To increase capacity at STOP-controlled intersections, traffic control officers (TCO's) are recommended to be deployed at the eight study intersections that would operate above their capacity. By utilizing TCO's, capacity at these intersections would operate similar to a signalized intersection, and therefore was analyzed as such as event-day traffic mitigation. The TCO's would be utilized from three hours prior to the event beginning to the mid-point of the event for the Arrival Period, and until two hours following its conclusion for the Departure Period. Off-duty California Highway Control Officers are often hired for traffic control throughout the region.

The intersections where Traffic Control Officers would be utilized are illustrated at the end of this section in Exhibit 10 and Exhibit 11 for arrival and departure periods and are identified as:

- 1) Seminole Drive & Malki Road (North)/I-10 WB On/Off Ramps (Departure Period only)
- 2) I-10 EB On/Off Ramps & Malki Road (south leg) (A signal at this location would limit the need for TCO to the Departure Period only)
- 3) Seminole Drive & Millard Pass (The Departure Period only.)
- 4) Seminole Drive & Thunder Road/I-10 WB On/Off Ramps (Both Arrival and Departure Periods)
- 5) Main Street & Apache Trail/I-10 EB On/Off Ramps (Both Arrival and Departure Periods)
- 6) Main Street & I-10 EB On/Off Ramps/Railroad Avenue (Both Arrival and Departure Periods)
- 7) Main Street & I-10 WB On/Off Ramps (Both Arrival and Departure Periods)
- 8) Seminole Drive & Main Street (Both Arrival and Departure Periods)

Cross sections of the Seminole Drive widening and event arrival and departure lane configurations are shown as concepts in Exhibit 9 at the end of this section.

Mitigation for Physical Improvements is as follows: (shall be installed on a permanent basis):

- 3.7-1 Widen Seminole Drive between the Morongo Casino East Driveway and Main Street to a total continuous width of a minimum of 36 feet (including drivable shoulders), from a two-lane facility to a two-lane facility plus a median lane, in order to adequately facilitate a reversible lane delineation for before and after any event.
- 3.7-2 Widen Seminole Drive between the easterly edge of the Cabazon Outlets property and Apache Trail to a total continuous width of a minimum of 36 feet (including drivable shoulders), from a two-lane facility to a two-lane facility plus a median lane in order to adequately facilitate a reversible lane delineation for before and after any event.

Mitigation for Traffic Control Officers is as follows:

- 3.7-3 Traffic Control Officers (TCO) are recommended to be utilized at the eight study intersections that would operate above their capacity. The officers would be utilized from 3 hours prior to the event beginning to the mid-point of the event for the Arrival Period and then until two hours following its conclusion for the Departure Period.

Mitigation for Temporary Traffic Delineators and Signage for Event Arrival and Departure Periods are as follows:

- 3.7-4 Temporary signage, cones and direction by the traffic control officers will be used during the event Arrival and Departure Periods.

Arrival Period: 3 hours prior to the start of the event to the mid-point of the event on each day.

Departure Period: from the mid-point of the event to two hours following its conclusion.

- 3.7-5 Event inbound traffic will be prohibited from using the Malki Road interchange through the temporarily closed portion of Seminole Drive (from Apache Trail to Thunder Road traffic circle intersection).
- 3.7-6 Temporary advance messages along appropriate distances in the form of trailer mounted changeable message and any additional static temporary signs will be provided on the day of each event to direct incoming traffic to the proper interchanges, and the signs will display the message during the Arrival Period when the blockage is implemented. Placement of changeable message signs will vary and will be determined with approval from appropriate jurisdictions.
- 3.7-7 During the arrival period the Apache Trail and Main Street interchanges will be temporarily delineated to increase the inbound configuration on the I-10 Freeway Eastbound Off-Ramp at Main Street (Exhibit 12 and 13 following this section).
- 3.7-8 During the arrival period Seminole Drive and Main Street leading to the Project site will be modified from one lane to two lanes (Exhibit 14), using the proposed added median lane as the second inbound lane.
- 3.7-9 During the event departure period, the improved road configuration on Seminole Drive (widened from two to three lanes) will facilitate a reversed lane delineation so that two outbound lanes are provided leading to both the Main Street and Malki Road on-ramp interchanges.
- 3.7-10 During the departure period, temporary delineators will be implemented to increase the outbound configuration on the I-10 Freeway Westbound On-Ramps at both interchanges from one lane to two lanes (Exhibit 12 and 13).
- 3.7-11 During the Departure Period the segments of Agave Road from Thunder Road to Apache Trail and Apache Trail from Agave Road to Seminole Drive will be temporarily modified to one-way operation and at least three outbound lanes be provided on Thunder Road north of Agave Road.

Exhibit 14 illustrates the lane configurations to be used at this location during the departure periods.

Mitigations for Turn Restriction are as follows:

- 3.7-12 In addition to the temporary closure of Seminole Drive from Thunder Road to Morongo Trail peak event arrival times, event-day turn restrictions shall be instituted at the intersection of Agave Road and Thunder Road.
- 3.7.13 No left turns would be allowed from any of the approaches during the period surrounding the event start time. The TCOs would enforce the temporarily signed turn restrictions.

Exhibit 14 also indicates the location where the turn restrictions are to be installed.

Mitigation for Jurisdictional Approval:

3.7-14 In order to widen the segments of Seminole Drive specified above, appropriate permits will need to be obtained from the Morongo Reservation authorities and Riverside County.

3.7-15 Encroachment Permits will be needed from the Morongo Reservation authorities, Riverside County and Caltrans for the deployment of event-day traffic controls on surface streets, freeway ramps, and the freeway mainline.

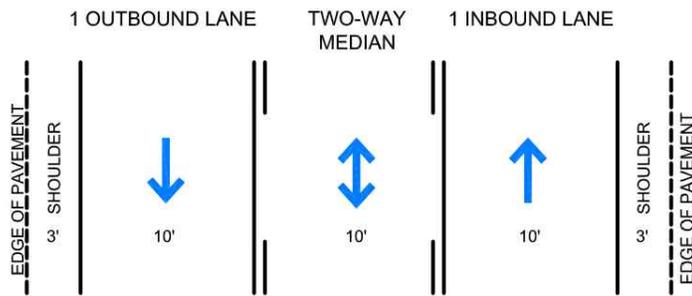
According to the Traffic Analysis, The mitigation measures discussed above and shown in the corresponding exhibits were analyzed to determine their effectiveness in achieving the minimum acceptable traffic conditions. The proposed mitigation measures will mitigate significantly impacted intersections surrounding the venue so that those intersections operate within their nominal capacity under both the Future with Project and Future With Project With Cumulative scenarios. For additional reference, Table 12 from the Traffic Impact Analysis located in Appendix F provides the Level of Service (LOS) Summary.

Section 3.8 Other Values Mitigation

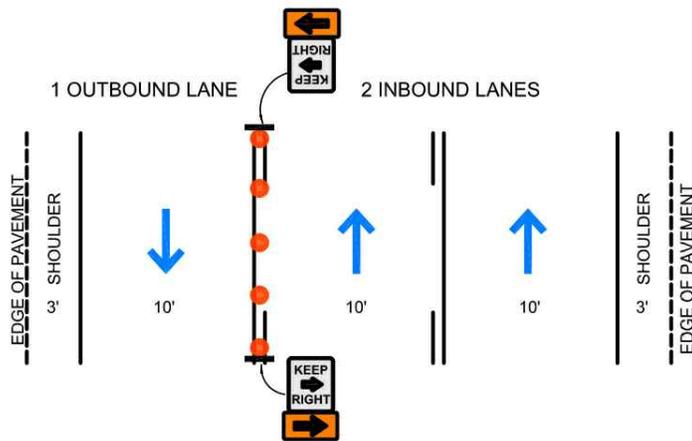
Mitigation for Noise:

3.8-1 Control of Construction Hours – All construction activities shall be limited to the allowable hours of 7:00 a.m. and 7:00 p.m. during weekdays only. No construction should be allowed during federal or Tribal holidays.

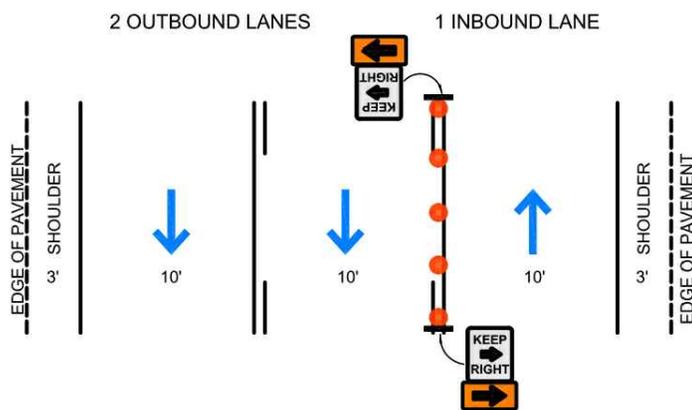
TYPICAL NON-EVENT DAY LANE CONFIGURATION



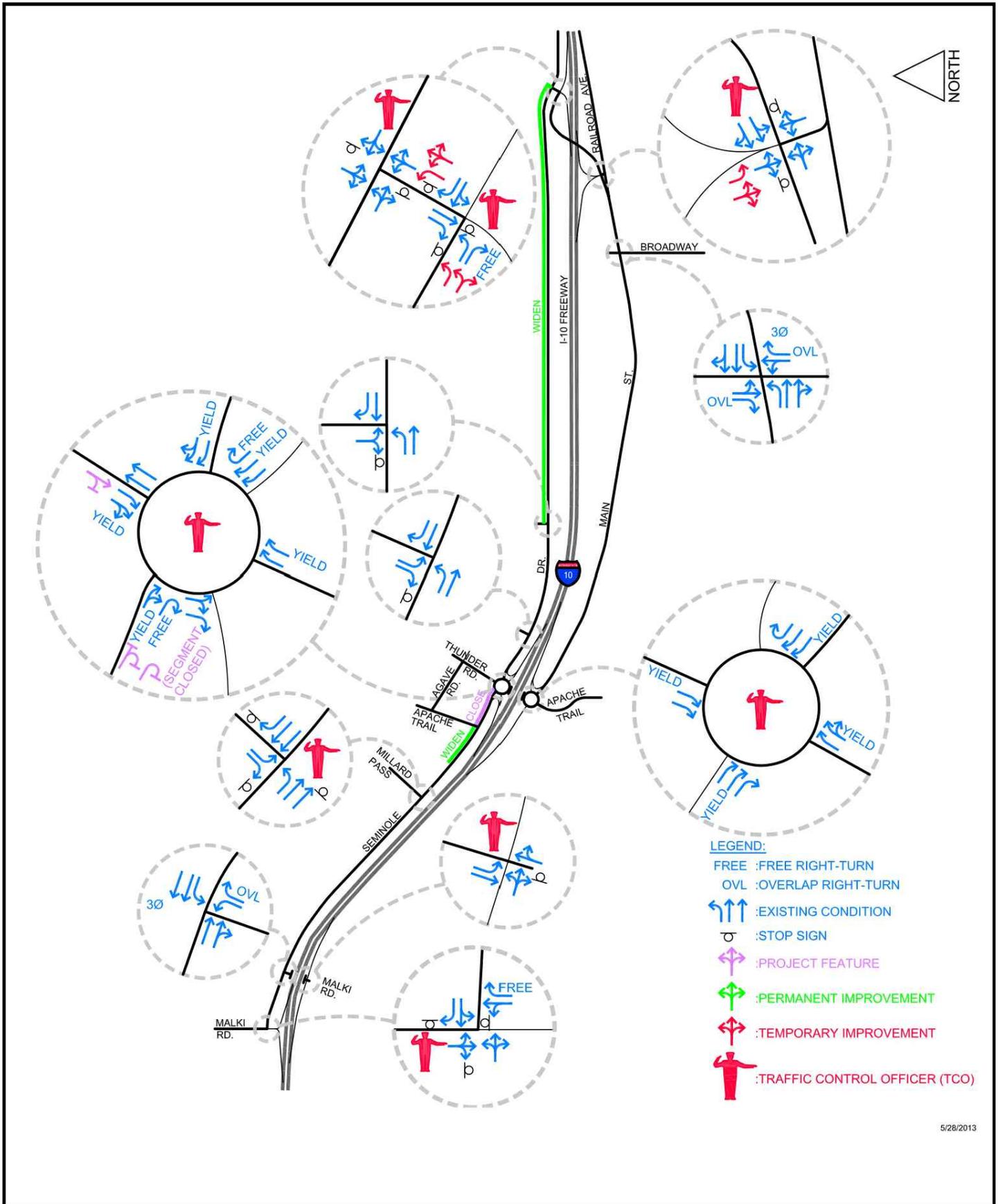
TYPICAL EVENT ARRIVAL PERIOD LANE CONFIGURATION



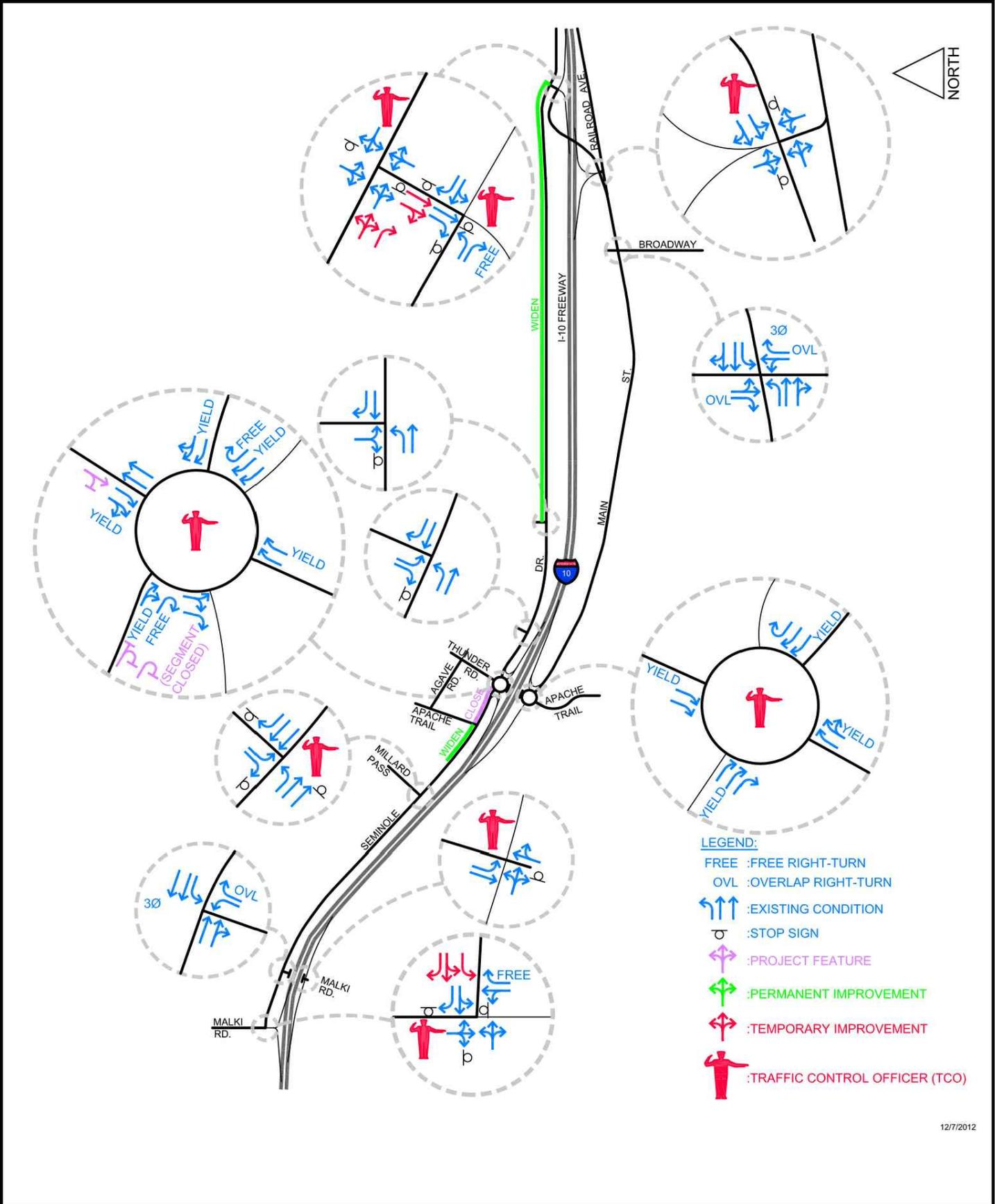
TYPICAL EVENT DEPARTURE PERIOD LANE CONFIGURATION



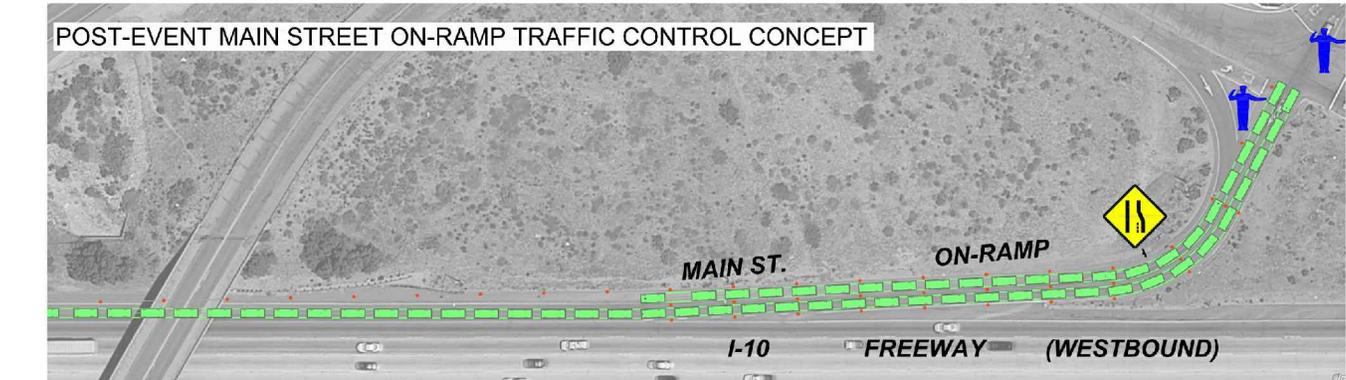
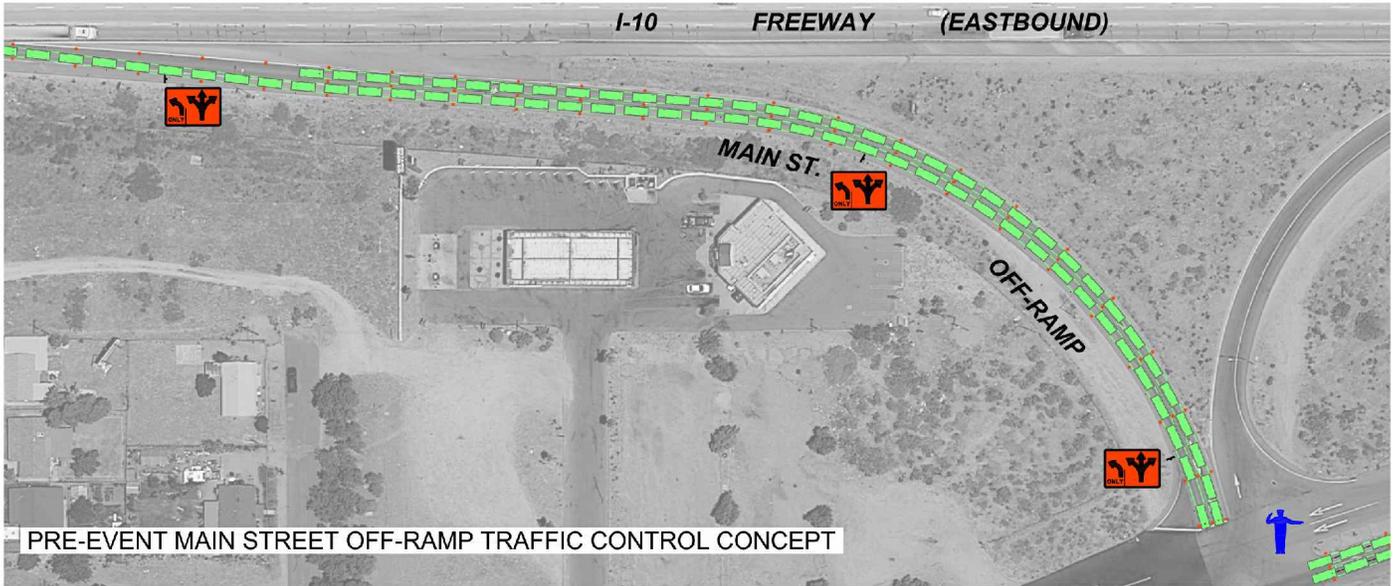
5/28/2013



5/28/2013

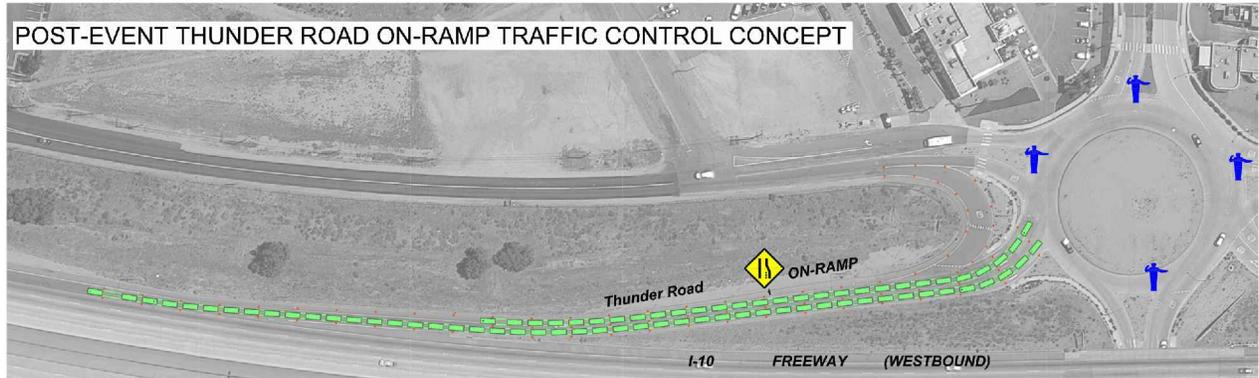
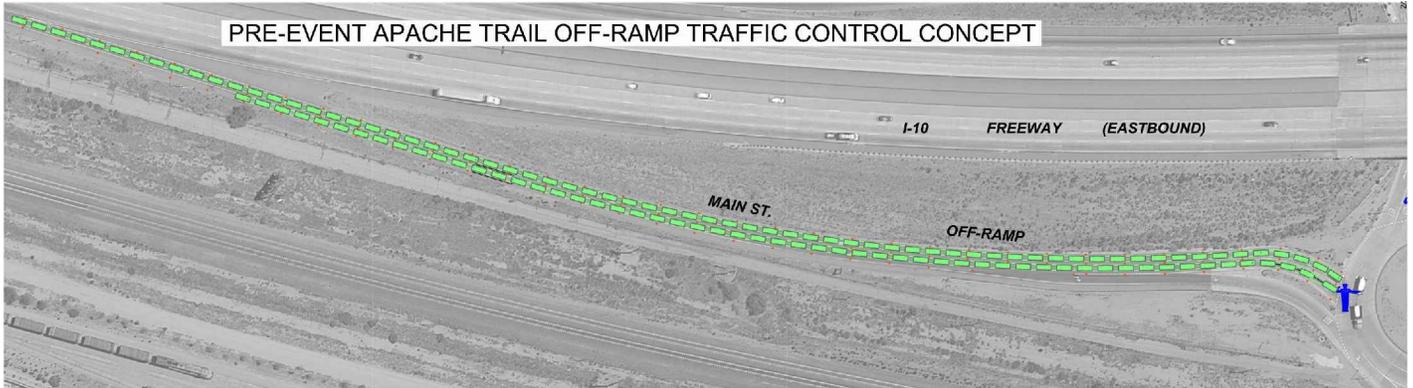


12/7/2012

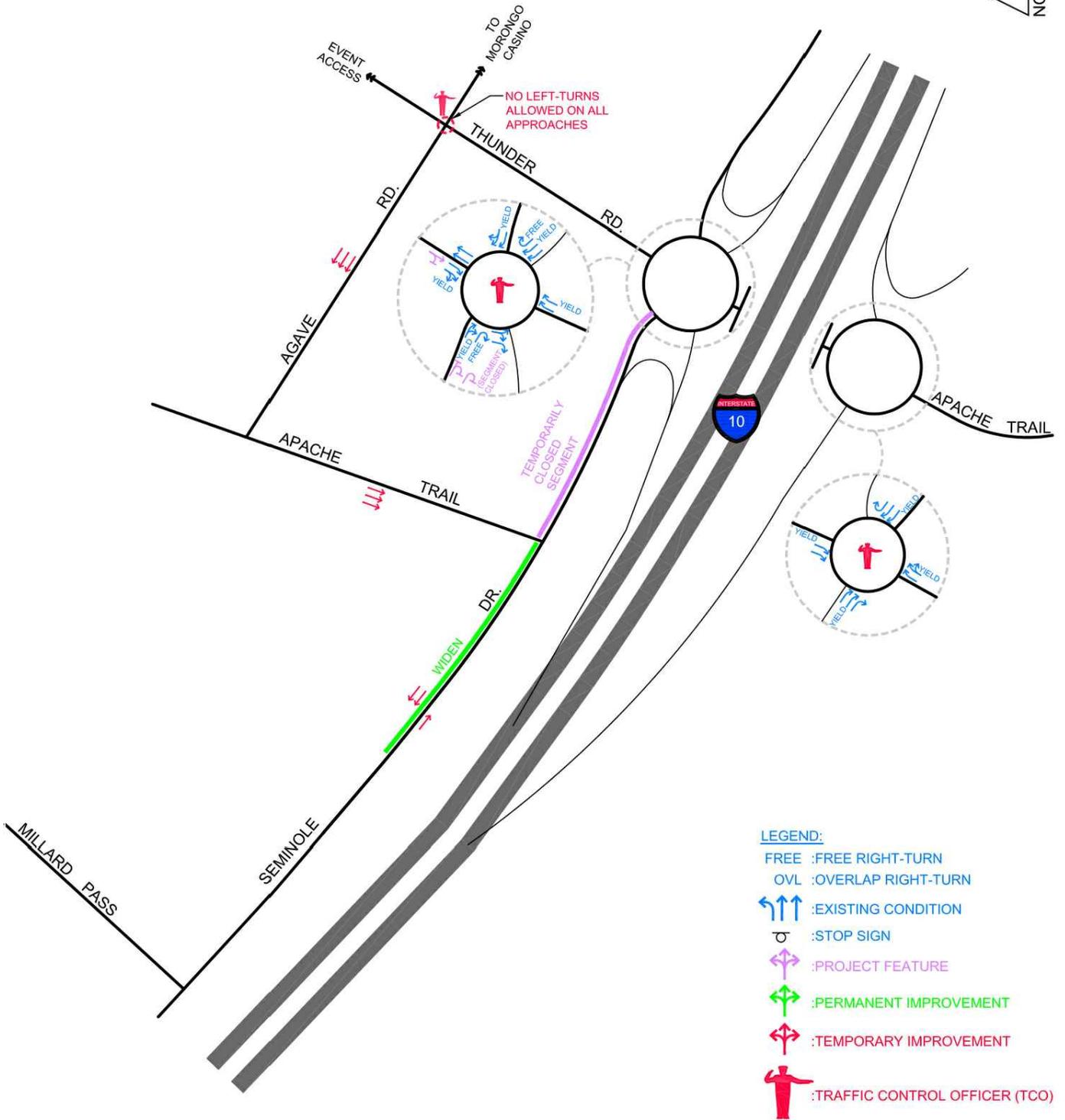


LEGEND

- ↑ TEMPORARY SIGN
- ♀ TCO's
- DELINEATORS



- LEGEND**
- ↓ TEMPORARY SIGN
 - ♣ TCO's
 - DELINEATORS



LEGEND:

- FREE :FREE RIGHT-TURN
- OVL :OVERLAP RIGHT-TURN
- EXISTING CONDITION
- STOP SIGN
- PROJECT FEATURE
- PERMANENT IMPROVEMENT
- TEMPORARY IMPROVEMENT
- TRAFFIC CONTROL OFFICER (TCO)

5/28/2013

5.0 CONSULTATION

The following resources were consulted with the preparation of this document:

Karen Woodard, Administrator
Realty, Planning, Construction Service & Facilities
Morongo Band of Mission Indians
12700 Pumarra Road
Banning, CA 92220

Dana Devries, Environmental Supervisor
Morongo Band of Mission Indians
12700 Pumarra Road
Banning, CA 92220

Lonnie Rodriguez, Environmental Specialist
Morongo Band of Mission Indians
12700 Pumarra Road
Banning, CA 92220

Liz Bogdanski, Environmental Director
Morongo Band of Mission Indians
12700 Pumarra Road
Banning, CA 92220

John Covington, Water Department Manager
Morongo Water & Wastewater Department
Morongo Band of Mission Indians
12700 Pumarra Road
Banning, CA 92220

Jim Cornett
JWC Ecological Consultants
PO Box 846
Palm Springs, CA 92262

Michael Hogan
CRM Tech
1016 E. Cooley Drive, Suite A/B
Colton, CA 92324

B. Tom Tang
CRM Tech
1016 E. Cooley Drive, Suite A/B
Colton, CA 92324
Lisa Battiato

Geocon West, Inc.
41571 Coming Place, Suite 101
Murrieta, CA 92562

Fred Greve
Mestre Greve & Associates
27812 El Lazo
Laguna Niguel, CA 92677

Greg Endo
Endo Engineering
28811 Woodcock Drive
Laguna Niguel, CA 92667

George Rhyner, Senior Transportation Engineer
Crain & Associates
300 Corporate Pointe, Suite 470
Culver City, CA 90230

Diana Skidmore, Managing Director
Crain & Associates
300 Corporate Pointe, Suite 470
Culver City, CA 90230

6.0 LIST OF CONTRIBUTORS

Michelle D. Witherspoon
Director of Environmental Services
MSA Consulting, Inc.
34200 Bob Hope Drive
Rancho Mirage, CA 92270

Marvin Roos
Director of Design Development
MSA Consulting, Inc.
34200 Bob Hope Drive
Rancho Mirage, CA 92270

Jesus Herrera-Cortes
Environmental Planner
MSA Consulting, Inc.
34200 Bob Hope Drive
Rancho Mirage, CA 92270

Nicole Vann
Assistant Planner
MSA Consulting, Inc.
34200 Bob Hope Drive
Rancho Mirage, CA 92270

7.0 APPENDICES