

Appendix F

Final Mitigated Negative Declaration No. 2007-01

**WASSON WEST
RAMSGATE SPECIFIC PLAN NO. 89-1, REVISION NO. 6
TENTATIVE TRACT NO. 32537
TENTATIVE TRACT NO. 35422
ANNEXATION NO. 79
ZONE CHANGE NO. 2007-01
GENERAL PLAN AMENDMENT NO. 2007-01**

**INITIAL STUDY & MITIGATION MONITORING PROGRAM
FOR
MITIGATED NEGATIVE DECLARATION NO. 2007-01**

Prepared By:

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April-June 2007

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PREFACE TO THE FINAL MND

The Draft Mitigated Negative Declaration (MND) for the proposed Wasson West project (proposed project) was circulated for public review from April 16, 2007 to May 15, 2007. Interested persons, organizations and public agencies had an opportunity to submit written comments on the Draft MND to the City of Lake Elsinore (City) during this period. Comments were received and have been addressed in Section 3 of this Final MND in side-by-side format, as required by California Environmental Quality Act (CEQA) Section 15088. As necessary, the text of the Draft MND has been updated to address comments received during public review and to correct typos. These modifications are indicated in strikeout/underline format. No significant new information, as defined by CEQA Section 15088.5, has been added. None of the current changes to the Draft MND represent substantial changes in the project, nor do they result in any new environmental impacts. Mitigation is included to reduce all significant environmental impacts to below a level of significance. A Mitigation Monitoring and Reporting Program has been provided in Section 2 of this Final MND in accordance with CEQA Section 15097.

In compliance with criteria, standards and procedures of CEQA (California Public Resources Code, Sections 15000, et seq.), the Final MND is comprised of the following:

- Revised Draft MND;
- Mitigation Monitoring and Reporting Program;
- List of persons, organizations and public agencies that commented on the Draft MND;
- Comments received during public review and responses; and
- Final MND Appendices [including Draft MND appendices and Phase II Cultural Resources Evaluation Report (Appendix D.3)].

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Appendix A is provided at the end of the Mitigated Negative Declaration document. Appendices B through K are provided on CD at the back of this document and are available for review at the City of Lake Elsinore Community Development Department, Planning Division.

<u>APPENDIX A</u>	<u>Notice Of Intent To Adopt – Mitigated Negative Declaration, City Of Lake Elsinore</u>
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SECTION 1

INITIAL STUDY FOR FINAL MITIGATED
NEGATIVE DECLARATION NO. 2007-01

SECTION 1

INITIAL STUDY FOR FINAL MITIGATED
NEGATIVE DECLARATION NO. 2007-01

I. INTRODUCTION

A. PURPOSE

This document is an Initial Study (IS) for evaluation of environmental impacts resulting from implementation of proposed land use applications related to the Wasson West project (Ramsgate Specific Plan, Revision No. 6; Tentative Tract No: 32537 and Tentative Tract No. 35422) and the General Plan Amendment, pre-zoning and annexation of the 74.6-acre tentative tract properties into the City of Lake Elsinore (the City), as requested by Wasson West, LP. For purposes of this document, these applications will be called the "proposed project".

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As defined by Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration (ND) or Mitigated Negative Declaration (MND) would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

The City of Lake Elsinore is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency, which has the principal responsibility for carrying out or approving a project, which may have significant effects upon the environment.

According to CEQA Guidelines Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade the quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects, which are individually limited, but cumulatively considerable.
- The proposal could cause substantial direct or indirect adverse effects on human beings.

According to Section 21080(c) (1) of CEQA and Section 15070(A) of the CEQA Guidelines, a **Negative Declaration** can be adopted if it can be determined that the project will not have a significant effect on the environment.

According to Section 21080(c)(2) of CEQA and Section 15070(b) of the CEQA Guidelines, a **Mitigated Negative Declaration** can be adopted if it is determined that although the **Initial Study** identifies that the project may have potentially significant effects on the environment, revisions in the project plans and/or mitigation measures, which would avoid or mitigate the effects to below a level of significance, have been made or agreed to by the applicant.

This Initial Study (IS) has determined that the proposed project may result in potentially significant environmental effects, but that said effects can be reduced to below a level of significance through the implementation of mitigation measures and, therefore, a Mitigated Negative Declaration is deemed the appropriate document to provide the necessary environmental evaluations and clearance.

This IS and ~~proposed~~-MND document is prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 *et seq.*); the State Guidelines for Implementation of the California Environmental Quality Act ("CEQA Guidelines"), as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, *et seq.*); applicable requirements of the City of Lake Elsinore; and the regulations, requirements, and procedures of any other responsible public agency or agency with jurisdiction by law.

C. INTENDED USES OF INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

This IS and ~~proposed~~-MND are informational documents intended to inform the City of Lake Elsinore decision-makers, other responsible or interested agencies and the general public of the potential environmental effects of the proposed project. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible agencies must balance adverse environmental effects against other public objectives, including economic and social goals (CEQA Guidelines Section 15021)

The City of Lake Elsinore, as the Lead Agency, has determined that environmental clearance for the proposed project can be provided with a Mitigate Negative Declaration. The IS and Notice of Availability and Intent to Adopt prepared for the MND will be circulated for a period of 30 days for public and agency review. Comments received on the document will be considered by the Lead Agency before it acts on the proposed project.

D. CONTENTS OF INITIAL STUDY

This IS and ~~proposed~~-MND document is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed project.

- I. **INTRODUCTION** presents an introduction to the entire report. This section identifies City of Lake Elsinore contact persons involved in the process, the scope of environmental review, environmental procedures, and documents incorporated by reference.
- II. **PROJECT DESCRIPTION** describes the proposed project. A description of discretionary approvals and permits required for project implementation is also included.
- III. **ENVIRONMENTAL CHECKLIST FORM** contains the City's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed project and those areas that would either have a potentially significant impact, a less than significant impact with mitigation incorporated, a less than significant impact, or no impact.

- IV. **ENVIRONMENTAL ANALYSIS** provides the background analysis supporting each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation. In this section, mitigation measures are also set forth, as appropriate, that would reduce potentially significant adverse impacts to below a level of significance.
- V. **MANDATORY FINDINGS** present the background analysis supporting each response provided in the environmental checklist form for the Mandatory Findings of Significance set forth in Section 210830(b) of CEQA and Section 15065 of the CEQA Guidelines.
- VI. **PERSONS AND ORGANIZATIONS CONSULTED** identifies those individuals consulted and involved in the preparation of this IS and ~~proposed~~ MND.

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is stated and responses are provided according to the analysis undertaken as part of the IS. All responses will take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Project impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A "No Impact" response is adequately supported if the referenced sources show that the impact simply does not apply to the proposed project.
2. **Less Than Significant Impact:** Development associated with project implementation will have the potential to impact the environment. These impacts, however, will be less than the levels of thresholds that are considered significant and no additional analysis is required.
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from a "Potentially Significant Impact" to a "Less Than Significant Impact". The Lead Agency must describe the mitigation measures and explain how the measures reduce the effect to a less than significant level.
4. **Potentially Significant Impact:** Future implementation will have impacts that are considered significant and additional analysis and possibly an EIR are required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. TIERED DOCUMENTS, INCORPORATION BY REFERENCE AND TECHNICAL STUDIES

1. Tiered Documents

As permitted in Section 15152 (a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

“Tiering refers to using the analysis of general matters contained in the broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by referencing the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.”

For this document, the “Lake Elsinore General Plan Final EIR” (prepared in 1990) serves as the broader document, since it analyzes the entire City sphere area, which includes the proposed project site. However, as discussed, site-specific impacts, which the broader document cannot adequately address, may occur for certain issue areas. This document, therefore, evaluates each environmental issue alone and relies upon the analysis contained within the Lake Elsinore General Plan Final EIR with respect to remaining issue areas.

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

“Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy, or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration.”

Further, Section 15152(d) of the CEQA Guidelines states:

“Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions or other means.”

2. Incorporation by Reference

Incorporation by reference is a procedure for reducing the size of EIRs and is most appropriate for including long, descriptive or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference the document from which it is tiered, the Lake Elsinore General Plan

Final Environmental Impact Report, published in 1990. This document will be referred to as the "General Plan EIR".

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA) Guidelines Section 15150[a]). The General Plan EIR is available at the City of Lake Elsinore, Community Development Department, 130 South Main Street, Lake Elsinore, CA 92530, telephone (951) 674-3124.
- The incorporated document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). The General Plan EIR is available at the City of Lake Elsinore, Community Development Department, 130 South Main Street, Lake Elsinore, CA 92530, telephone (951) 674-3124.
- This document must summarize the portion of the General Plan EIR being incorporated by reference or briefly describe the information that cannot be summarized. Furthermore, this document must describe the relationship between the incorporated information and the analysis in the General Plan EIR (CEQA Guidelines Section 15150[c]). As discussed above, the General Plan EIR addresses the entire City of Lake Elsinore and provides background, inventory information and data that apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- This document must include the State identification number of the incorporated document (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the General Plan EIR is SCH 91122065.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]).

3. Technical Studies

- "Air Quality Study", prepared by Urban Crossroads, January 2007 (see Appendix B).
- "Biological Technical Report for Wasson West", prepared by Helix Environmental Planning, April 2007 (see Appendix C.1).
- "Determination of Biologically Equivalent or Superior Preservation Report", prepared by Helix Environmental Planning, April 2007 (see Appendix C.2).
- "Phase I Historic Properties Identification Survey within the Proposed Wasson West Project Area (TT 32537), Riverside County, California", prepared by Pacific West Archaeology, Inc., January 2007 (see Appendix D.1).
- "Preliminary (Letter) Report for Phase II Excavation and Analysis of a Historic Trash Scatter (WW-01) and Architectural Feature (WW-02) Located on the Wasson West Property, City of

- Lake Elsinore, California”, prepared by Pacific West Archaeology, Inc., April 2007 (see Appendix D.2).
- “Preliminary Geotechnical Investigation”, prepared by EEI, August 2005 (see Appendix E).
 - “Phase I Environmental Site Assessment”, APNs: 377-100-006, 347-360-002 and 347-360-001, prepared by EEI, July 2005 (see Appendix F.1).
 - “Phase II Cultural Resources Evaluation Report for the Proposed Wasson West Project Area (TT 32537), Riverside County, California”, prepared by Pacific West Archaeology, Inc., June 2007 (see Appendix D.3).
 - “Report of Findings, Phase I Environmental Site Assessment, 28+/- Acres, Phase II of Ramsgate/TMP Project, Assessors Parcel Numbers (APNs) 347-330-(001, 002, 014, 020, 021, 022 and 023), Near the intersection of Sassy Lane and 3rd Street, Lake Elsinore, California”, prepared by R M Environmental Inc., June 2004 (see Appendix F.2).
 - “Preliminary Drainage Report, Wasson II North Development, City of Lake Elsinore, CA”, prepared by Project Design Consultants, October 2006 (see Appendix G.1).
 - “Preliminary Drainage Report, Wasson II South Development, City of Lake Elsinore, CA”, prepared by Project Design Consultants, November 2006 (see Appendix G.2).
 - “Preliminary Water Quality Management Plan, Wasson II North Development”, prepared by Project Design Consultants, January 2007 (see Appendix H.1).
 - “Preliminary Water Quality Management Plan, Wasson II South Development” prepared by Project Design Consultants, January 2007 (see Appendix H.2).
 - “Noise Study”, prepared by Urban Crossroads, January 2007 (see Appendix I).
 - “Traffic Impact Study”, prepared by Urban Crossroads, revised April 2007 (see Appendix J).

II. PROJECT DESCRIPTION

A. PROJECT LOCATION AND SETTING

The proposed project is located in a sparsely developed area east of the intersection of Interstate (I-) 15/State Route (SR-) 74 (Central Avenue) and west of Rosetta Canyon in Riverside County (Township 5 South, Range 4 West, Sections 31 and 32 of the U.S.G.S. 7.5-minute Elsinore Quadrangle, San Bernardino Base Meridian) (Figures 1 and 2). The proposed project would be accessed via Welch Drive, Third Street, Waterford Street and Cambern Avenue. Third Street would divide the 74.6-acre site into two areas: Wasson West North (TTM 32537) and Wasson West South (TTM 35422) (Figure 3). The site ranges from approximately 1,300 feet above mean sea level (AMSL) in the southwest portion of the property to 1,446 feet AMSL in the northeast corner. The western portion of the site ranges from relatively flat to gently rolling terrain, while the eastern portion of the site contains east/west-trending ridges and intervening drainages.

The southern portion of the site contains a mobile home, dirt trails, dumped trash, and vacant land. The central portion of the site contains a single family home, a detention basin and vacant land. The northern portion of the site contains an informal dirt bike track made with tires, a single-family home and active agricultural land.

The areas surrounding the proposed project site are primarily developed residential land to the west, vacant land undergoing development to the north and east, and vacant land to the south. The City of Lake Elsinore forms the northern, eastern and southwestern boundary of the property. The Ramsgate Specific Plan is currently under construction to the east and north of the proposed project site. Planning Area (PA) 1 (TTM 25479) is located directly to the north and PA 2 (TTM 25478) is located past vacant land currently under construction by Lennar Homes to the east. PA 1 will contain medium to medium-high density residential use, a small commercial area north of SR-74, a 32.9-acre community park and community center, and a fire station. PA 2 will contain medium-low density residential use, open space and an elementary school. The area located to the south of the proposed project contains vacant land. Large lot residences are located west of the site.

B. PROJECT DESCRIPTION

As detailed below, the proposed Wasson West project has two components: the 19.54-acre Wasson West North Tentative Tract Map (TTM) 32537 (Figure 4), and the 55.06-acre Wasson West South TTM 35422 (Figure 5). The two components would be completed in two phases; Phase 1 includes TTM 32537 to be completed by 2009 and Phase two consists of TTM 35422 to be completed by 2012. The proposed project also includes a pre-annexation zone change, annexation into the City, an amendment to the City's General Plan, and an amendment to the Ramsgate Specific Plan.

1. Wasson West North (TTM 32537)

Wasson West North (Figure 4) proposes to include 73 residential lots (including one existing residence) on 15.39 acres, a 0.27-acre detention basin, 0.36 acre of open space, and 3.52 acres of roadways, and associated utilities. The existing residence would be retained.

The minimum residential lot size would be 6,000 square feet (SF), and the proposed lots would range from 6,105 (Lot 49) to 35,284 (Lot 2) gross SF. The existing home would be located on Lot 2. A Homeowners Association (HOA) would be established to maintain major slopes, open space, private drainage facilities, fire breaks, habitat areas, road access easements, and common areas. The architecture of the proposed residences would follow the Ramsgate Specific Plan guidelines and standards (available at the City office).

A 0.27-acre detention basin (Lot A) would be located in the western portion of the proposed project, between Lot 21 and Welch Drive. This basin is included as a part of the proposed project in order to maintain water quality and regulate the flow of water. In addition, this basin would serve as a grassy passive park.

Lots B, C, D, and E (0.36 acre) would be retained as open space. Lot B is located on the slope adjacent to the western site boundary. Lot C is located to the south of Lots 30 to 33 and to the west of Lot 30. Lot D is located between Lot 52 and "B" Street. Lot E is located between Lot 61 and Third Street.

Grading for Wasson West North would consist of approximately 160,870 cubic yards (cy) of cut and 78,022 cy of fill; approximately 33,479 cy of soil would be exported to Wasson West South. These grading quantities would leave approximately 49,369 cy of soil unaccounted for. The grading quantities, however, are based on preliminary geometric numbers that do not take into account soil shrinkage and swelling or spoils. Bulking of the onsite bedrock (increasing with depth of cut) is expected to range between 12 and 20 percent. The final remedial grading plan would be balanced onsite. The finished grade would range in elevation from approximately 1,344 feet AMSL in the southwest corner of the tentative map to 1,408 feet AMSL near the northeast corner. Manufactured slopes would range from approximately 2 to 39 feet in height. Manufactured slopes would have a 2:1 slope ratio and would be landscaped. Three-foot-wide concrete brow ditches along the bottom of slopes would be provided. A total of 25 retaining walls are proposed onsite ranging from 1.5 feet to 5 feet tall, and 60 to 138 feet long (see Figure 4).

Utilities (sewer, water, storm drain, gas, and electricity) would be provided through connection to existing lines located adjacent to the project site. The existing storm drain structures located west of the site next to Welch Drive would be regraded and removed with the 48-inch storm drain abandoned in place. The existing storm drain in Welch Drive would be extended through "A" Street.

The Wasson West North component of the proposed project would be accessed via Welch Drive from the west, Third Street from the south and a realigned Sassy Lane. TTM 32537 proposes to extend Welch Drive through the proposed project ("A" Street) as a 40-foot-wide roadway with curb and sidewalk within a 60-foot right-of-way (row). "B" Street would be constructed as a 40-foot-wide roadway with curb and sidewalk within a 60-foot row connecting to Third Street and ending in a cul-de-sac. The proposed project would move the existing Sassy Lane further to the east and improve it to be a 36-foot-wide roadway with curb and sidewalk within a 50-foot row ending in a cul-de-sac.

Several easements exist within TTM 32537, some of which would be vacated or quitclaimed in order to complete the proposed project.

Landscaping would follow the Ramsgate Specific Plan guidelines and standards. Drought tolerant trees to be used include *Acacia* (excluding *Acacia melanoxylon*), *Albizia*, *Casuarina*, *Cedrus deodara*, *Deratonia siliqua*, *Geijara parvifolia*, *Ginkobiloba* (male), *Grevillea robusta*, *Jacaranda arbutifolia*, *Koelreuteria bipinnata*, *Koelreuteria paniculata*, *Quercus*, *Quercus rubra*, and *Rhus lancea*. Other acceptable trees include *Cinnamomum camphora*, *Fraxinus velutina*, *Gleditsia triacanthos*, *Lagerstroemia indica*, *Liquidamber styraciflua*, *Pistacia chinensis*, *Platanus acerifolia* and *Platanus racemosa*. Drought tolerant shrubs to be used onsite include *Acacia* (excluding *Acacia melanoxylon*), *Arbutus unedo*, *Callistemo citrinus*, *Ceanothus*, *Cistus*, *Mahonia*, *Melaleuca*, *Nerium oleander*, *Photinia fraseri*, *Pittosporum*, *Rhamnus alaternus*, *Rhamnus alaternus*, *Rhamnus californica*, *Rhamnus crocea*, *Rhus ovata*, *Ribes*, *Heteromeles arbutifolia*, and *Raphiolepis indica*. Fire retardant shrubs to be used includes the following: *Baccharis pilularis*, *Callistemon citrinus*, *Cistus villosus*, *Heteromeles arbutifolia*, *Nerium oleander*, *Prunus lyonii*, *Rhamnus alaternus*, *Rhamnus californica*, *Rhamnus crocea*, and *Rhus ovata*. Other acceptable shrubs include *Abelia grandiflora*, *Oleander "petite Pink"*, and *Viburnum*. Vines used onsite would include *Bougainvillea sp.*, *Doxantha unguis-cati*, *Antigonon leptopus*, *Clematis*, *Gelsemium Jasminum*, *Lonicera japonica "Halliana"* and *Wisteria sp.*

2. Wasson West South (TTM 35422)

Wasson West South (Figure 5) is proposes to include 199 residential lots on 36.98 acres, 2.83 acres of open space, three detention basins totaling 5.36 acres, a 2.18-acre electric power easement, 7.71 acres of streets, and associated utilities. The existing single-family residence would be donated to the California Department of Forestry and Fire (CDF) for practice fire drills and burns and then demolished prior to grading activities. The existing mobile home would be demolished.

The minimum residential lot size would be 4,500 SF and the proposed lots would range from 4,500 (Lots 23 and 24) to 17,445 (Lot 179) gross SF. The proposed HOA would maintain major slopes, open space, private drainage facilities, fire breaks, habitat areas, road access easements, and common areas. The architecture of the proposed residences would follow the Ramsgate Specific Plan guidelines and standards.

The three detention basins would be located in Lots Q and T and would total 5.36 acres. Lot Q would be located in the central area of the southern half of the site. Lot T, located between "K" Street and the southern boundary of the site, adjacent to Cambern Avenue, would contain two detention basins. These basins are included as a part of the proposed project in order to maintain water quality and regulate the flow of water. In addition, Lot T would serve as a grassy passive park and Lot Q would be an active park.

Eighteen lots (Lots A-J, N-P, R, S, and U-W), generally located around the perimeter of the residential lots and totaling 2.83 acres, and would be retained as open space.

Grading for Wasson West South would consist of approximately 384,845 cy of cut and 418,324 cy of fill; approximately 33,479 cy of soil would be imported from Wasson West North. The finished grade would range in elevation from approximately 1,309 feet AMSL in the southwestern portion of the tentative map to 1,383 feet AMSL near the west-central boundary adjacent to Waterford Street. Manufactured slopes would range from approximately 1.5 to 40 feet in height. Manufactured slopes would have a 2:1 slope ratio and would be landscaped. Three-foot-wide concrete brow ditches would be created along portions of the western and

southern site perimeter. Two retaining walls would be constructed along Lot W located in the southwestern area of the site (see Figure 5).

Utilities (sewer, water, storm drain, gas, and electricity) would be provided through connection to existing lines located adjacent to the project site.

The Wasson West South component of the proposed project would be accessed via Waterford Street from the east and Cambern Avenue from the south. TTM 35422 proposes to construct Waterford Street along the project's eastern boundary as a 40-foot-wide roadway with curb and sidewalk within a 60-foot row. Cambern Avenue would be extended along the project's southwestern boundary and partial improvements would be constructed, including a 32-foot-wide roadway with curb and sidewalk on the one side within a 60-foot row. Proposed interior streets ("D"- "K" Streets) would be constructed as 40-foot-wide roadways with curb and sidewalk within 60-foot-wide rows. "N" Street, located along the project's western boundary, would be constructed as a 30-foot-wide roadway with curb and sidewalk within a 50-foot row.

Several easements exist within TTM 35422, some of which would be vacated or quitclaimed in order to complete the proposed project. A 50-foot wide Southern California Edison easement and a Southern Sierra Power Company easement of undisclosed width (Lots K, L and M), totaling 2.18 acres, would remain.

Landscaping would follow the Ramsgate Specific Plan guidelines and standards. Plants proposed to be used in TTM 35422 are identical to TTM 32537. Please refer to the list above.

3. Discretionary Actions

The proposed project includes the following discretionary actions for both TTMs 35422 and 32537:

- General Plan Amendment,
- Zone Change,
- Specific Plan Amendment,
- Tentative Tract Maps, and
- Annexation.

The project proposes a General Plan Amendment to redesignate the property from County Very Low Density Residential (1 acre minimum lot size), City Sphere Low Medium Density Residential (6 dwelling units (du)/acre) and City Sphere Freeway Business to City Ramsgate Specific Plan. A few of the parcels included in the tentative tract maps were involved in a previous lot line adjustment recorded on March 18, 2005, which moved portions of their eastern boundaries into existing city limits. For these areas, the project proposes a General Plan Amendment from City Low Medium Density Residential (6 du/acre) to City Ramsgate Specific Plan.

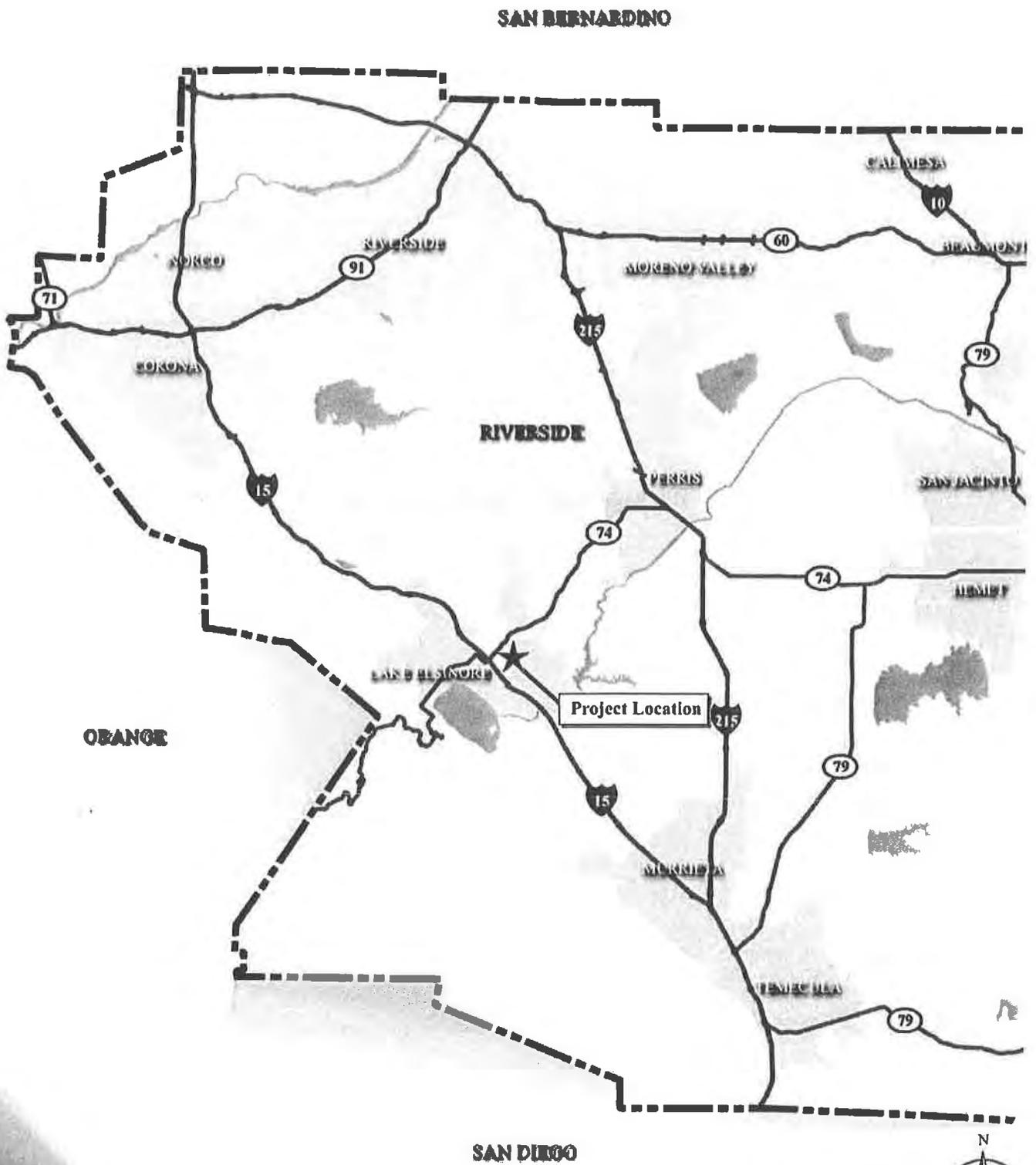
The project proposes a Pre-Annexation Zone Change from County Residential Agriculture (20,000 SF minimum lot size) and County Rural Residential (0.5 acre minimum lot size) to City Ramsgate Specific Plan (Medium Low Density 3.6-5.0 du/acre). For the parcels that were involved in the March 18, 2005 lot line adjustment, the project proposes a Zone Change from

City R1 – Single-Family Residential (6 du/acre) to City Ramsgate Specific Plan (Medium Low Density 3.6-5.0 du/acre).

The project also proposes an amendment to the Ramsgate Specific Plan to include Tentative Tract Maps 32537 and 35422, adding approximately 74.6 acres of residential development to the southwestern portion of the Specific Plan area.

In order to develop within the City, the proposed project would need to be annexed. This landowner-initiated annexation would be conditioned upon the approval of the larger City initiated Third Street Annexation, which includes land located south and west of the project site. The City will be submitting an application for the Third Street Annexation (Figure 6) to the Riverside County Local Agency Formation Commission (LAFCO) following the approval of the City's General Plan Update. Construction of the proposed single-family development within the Wasson West project site will not be able to occur until the Third Street Annexation is approved and finalized.

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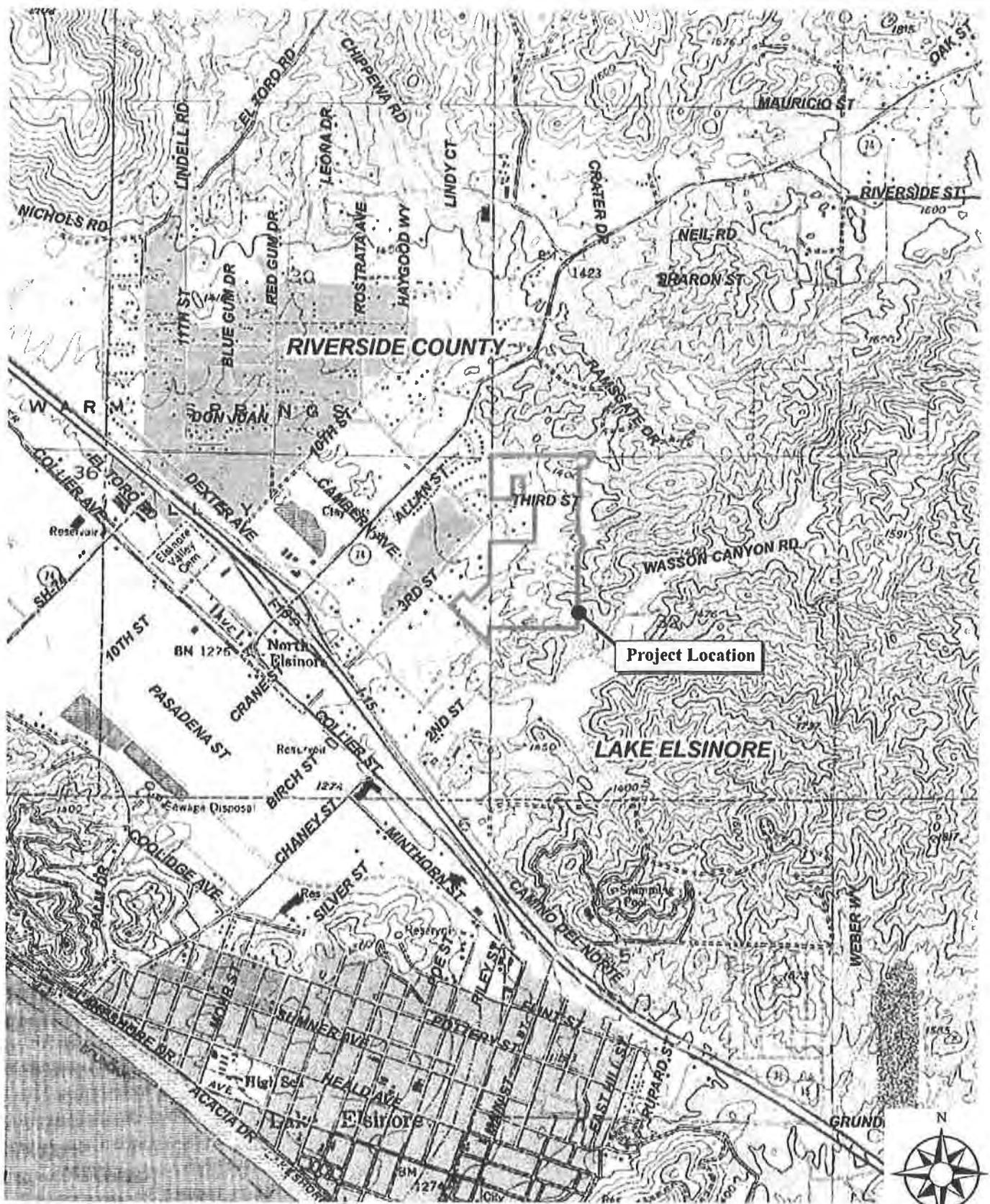
1 inch = 30000 feet

Source: Project Design Consultants, 2007

Regional Map

Figure 1

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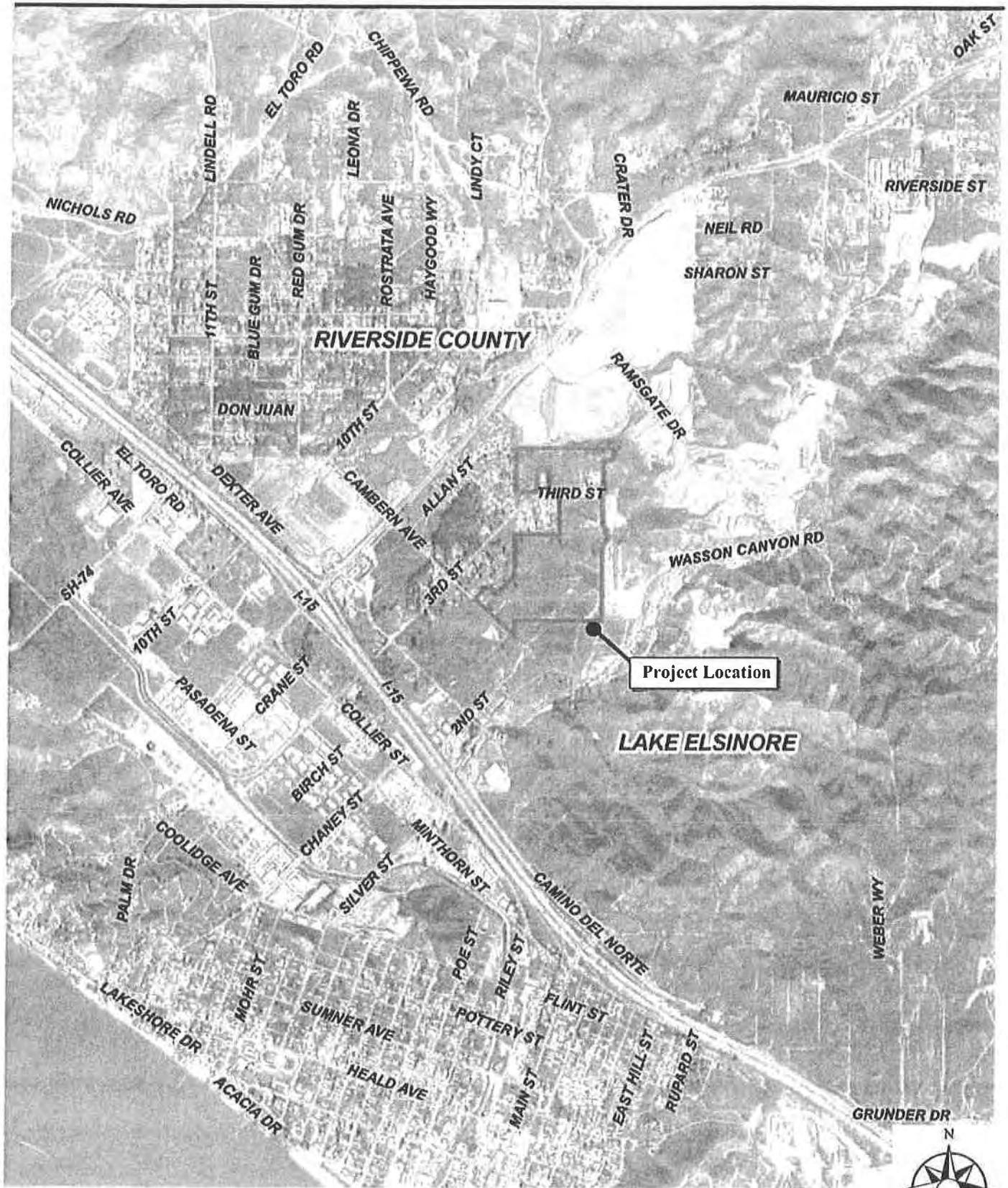
Source: U.S.G.S. 7.5 Minute Series Map, Elsinore Quadrangle

1 inch = 2000 feet

Vicinity Map

Figure 2

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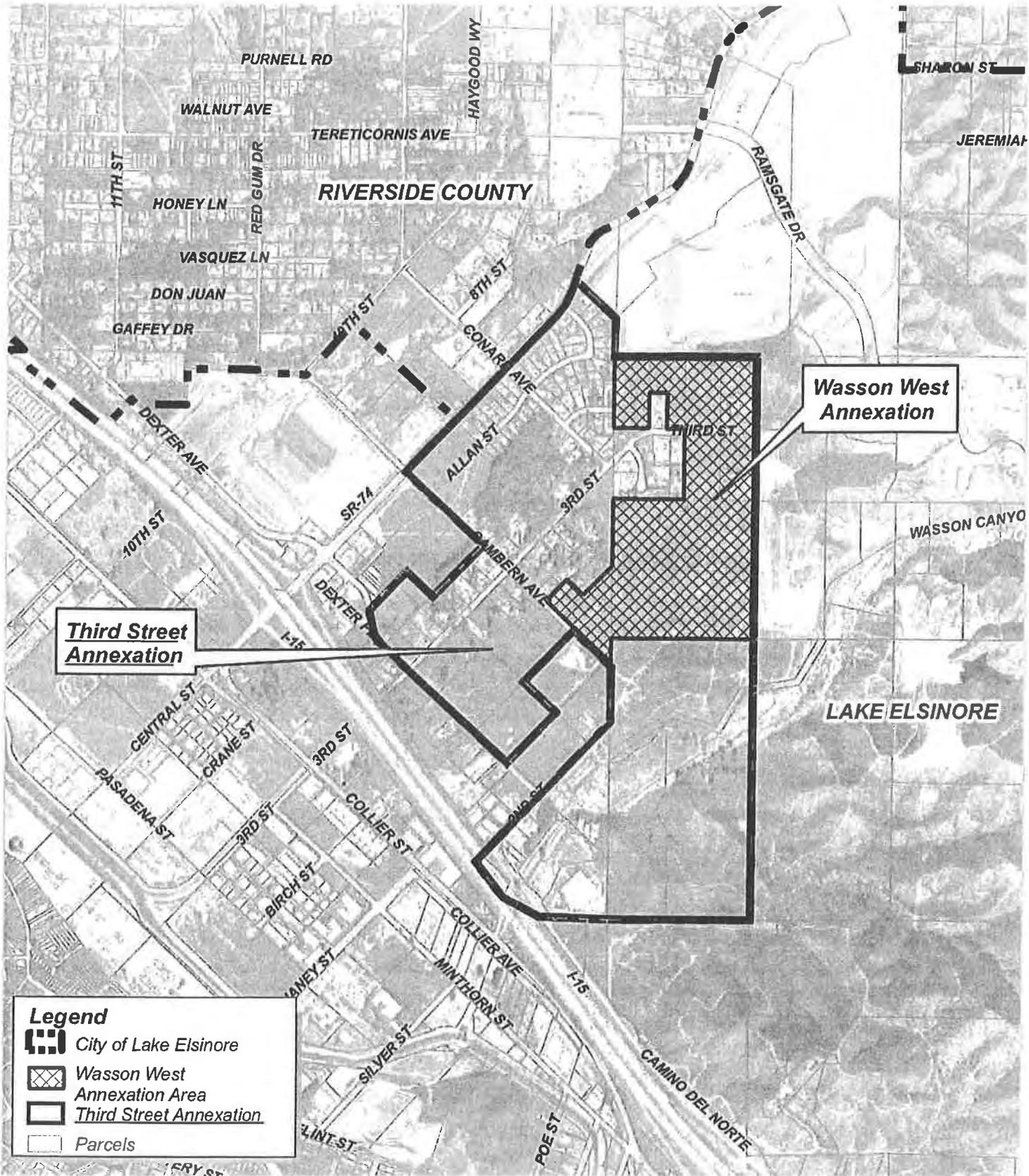
Source: Aerial - AirPhotoUSA2005, GIS Data - Riverside County GIS

1 inch = 2000 feet

Aerial Map

Figure 3

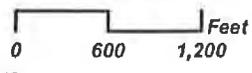
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Third Street and Wasson West Annexations

Figure 6

City of Lake Elsinore
 File Name: n:\3201\MXD\3201_annex08a_lp.mxd
 Date: 5/31/07
 Source: Aerial - AirPhotoUSA2006, GIS Data - Riverside County GIS



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GIS exhibits may be composed from various sources with different levels of accuracy. For details on accuracy of this exhibit please refer to Meta Data provided.

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III. ENVIRONMENTAL CHECKLIST FORM

A. BACKGROUND

1. Project Title: Wasson West
2. Lead Agency Name and Address:
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530
3. Contact Person and Phone Number:
Wendy Worthey
Principal Environmental Planner
(951) 674-3124 ext 288
4. Project Location:
The proposed project is located east of the intersection of I-15/SR-74 (Central Avenue) and west of Waterford Street in Riverside County (Township 5 South, Range 4 West, Sections 31 and 32 of the USGS Elsinore Quadrangle, San Bernardino Base Meridian). The proposed project would be accessed via Welch Drive, Third Street, Waterford Street and Cambern Avenue. Third Street would divide the 74.6-acre site into two areas: 19.54-acre Wasson West North (TTM 32537) and 55.06-acre Wasson West South (TTM 35422).
5. Project Sponsor's Name and Address:
Wasson West, L.P.
8951 Research Drive
Irvine, CA 92618
6. General Plan Designation:
City of Lake Elsinore Designations:
City Sphere: Low-Medium Density Residential
(6 d.u./acre)
City Sphere: Freeway Business
Existing Riverside County Designations:
Very Low Density Residential (1 acre minimum lot size)
7. Zoning:
City of Lake Elsinore Zoning:
NA
Existing Riverside County:
R-A-20000 (Residential Agriculture)
R-R (Rural Residential)
8. Description of Project (describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation; attach additional sheets if necessary):
The proposed Wasson West project has two components: 19.54-acre Wasson West North (TTM 32537) and 55.06-acre Wasson West South (TTM 35422). TTM 32537 would include 73 residential lots (including the existing residence) on 15.39 acres, a 0.27-acre detention basin, 0.36 acres of open space, 3.52 acres of roadways, and associated utilities. The existing residence would be retained. TTM 35422 would include 199 residential lots on 36.98 acres, 2.83 acres of open space, three detention basins totaling 5.36 acres, a 2.18-acre electric power easement, 7.71 acres of streets, and

associated utilities. The existing single-family residence and structures would be removed. The proposed project also includes a pre-annexation zone change to Ramsgate Specific Plan, annexation into the City of Lake Elsinore, a general plan amendment, and a specific plan amendment.

9. Surrounding Land Uses and Setting (briefly describe the project's surroundings):

The County designates the land to the west and south as Very Low Density Residential. The County zones the land to the west as Residential Agriculture (R-A-20000) and the land to the south as Rural Residential (R-R). The City designates the land to the north as high density residential, public/institutional and open space; the land to the east as low-medium residential; and the land to the southwest as freeway business.

The areas surrounding the proposed project site are primarily developed residential land to the west, vacant land undergoing development to the north and east, and vacant land to the south. The City of Lake Elsinore forms the northern, eastern and southwestern boundary of the property. The Ramsgate Specific Plan is currently under construction to the north and east of the proposed project site. The Ramsgate Specific Plan Planning Area (PA) 1 (TTM 25479) is located directly to the north and PA 2 (TTM 25478) is located past vacant land to the east. PA 1 will contain medium to medium-high density residential use, a commercial area, a 32.9-acre community park, and a fire station. PA 2 will contain medium-low density residential use, open space and potentially an elementary school. The area located to the south of the proposed project contains vacant land. Large lot residences are located west of the site.

10. Other Public Agencies Whose Approval Is Required (e.g., permits, financing approval, or participation agreement):

City of Lake Elsinore: Lake Elsinore Application Package (LEAP)

Determination of Biologically Equivalent or Superior Preservation

Riverside Local Agency Formation Commission (LAFCO): Annexation Approval

Santa Ana Regional Water Quality Control Board (RWQCB): National Pollutant Discharge Elimination System (NPDES) Construction Permit, Order No. 99-08-DWQ

Clean Water Act (CWA) Section 401 Water Quality Certification

State General Waste Discharge Requirements

California Department of Fish and Game (CDFG): Fish and Game Code Section 1602 Streambed Alteration Agreement

U.S. Army Corps of Engineers (Corps): CWA Section 404 Permit

U.S. Fish and Wildlife Service (USFWS): Section 7 Consultation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IV. BIOLOGICAL RESOURCES -- Would the project:

- | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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X. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XI. NOISE -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XII. POPULATION AND HOUSING --
Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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XIII. PUBLIC SERVICES

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

Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

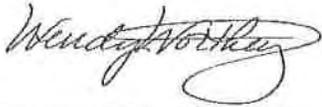
- | | | |
|-------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture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

C. DETERMINATION:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.



I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.



Signature

Wendy Worthey
Printed Name

April 13, 2007

Date

City of Lake Elsinore

For

IV. ENVIRONMENTAL ANALYSIS

This section provides an evaluation of the impact categories and questions contained in the Environmental Checklist. A complete list of the reference sources is contained in Section VII, References, of this document.

I. AESTHETICS

This section is based on a site visit completed on January 17, 2007 by Helix Environmental Planning. Site photographs were taken, and samples of the views are included in this report (Figure 7).

a) **Have a substantial adverse effect on a scenic vista? Less Than Significant Impact**

Public views of the project site are from surrounding roadways. The project site is visible from Cambern Avenue (Figure 8), Welch Drive (Figure 9), Third Avenue (Figure 10), I-15, Second Street, and Dexter Avenue (reverse views in Figure 11). The site is not visible from SR-74. The southern portion of the site is visible from I-15, Dexter Avenue, Cambern Avenue, and Second Street. The southern and northern portions of the site are visible from Third Avenue and Second Street. The northern portion of the site is visible from Welch Drive.

The proposed project site and surrounding areas are not considered a significant scenic vista. The southern portion of the site contains a mobile home, dirt trails, dumped trash, and native vegetation (Riversidean sage scrub). The central portion of the site contains a single-family home, a detention basin and native vegetation (Riversidean sage scrub). The northern portion of the site contains an unofficial dirt bike track, a single-family home and agricultural land. The western portion of the site consists of relatively flat to gently rolling terrain, while the eastern portion of the site contains east/west-trending ridges and intervening drainages. The project site rises from an elevation of 1,300 feet AMSL in the southwest portion of the site to 1,446 feet AMSL in the northeast corner. The areas to the east and north of the site are planned for residential use and a park, which are currently under construction. The area to the west contains existing single-family homes. The area to the south largely consists of vacant land with native vegetation. There are no scenic vistas exist onsite or in the immediate vicinity. Since the site is not considered a part of a scenic vista, the proposed project would have a less than significant impact on a scenic vista.

(Source: Site Visit)

b) **Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? Less Than Significant Impact**

I-15, from SR-76 near Fallbrook and Pala to SR-91 in Corona, and SR-74 within Riverside County are eligible for State Scenic Highway designation, however neither have been formally designated. The proposed project is partially visible from Interstate 15, but not from SR-74. No rock outcroppings or historic buildings exist onsite.

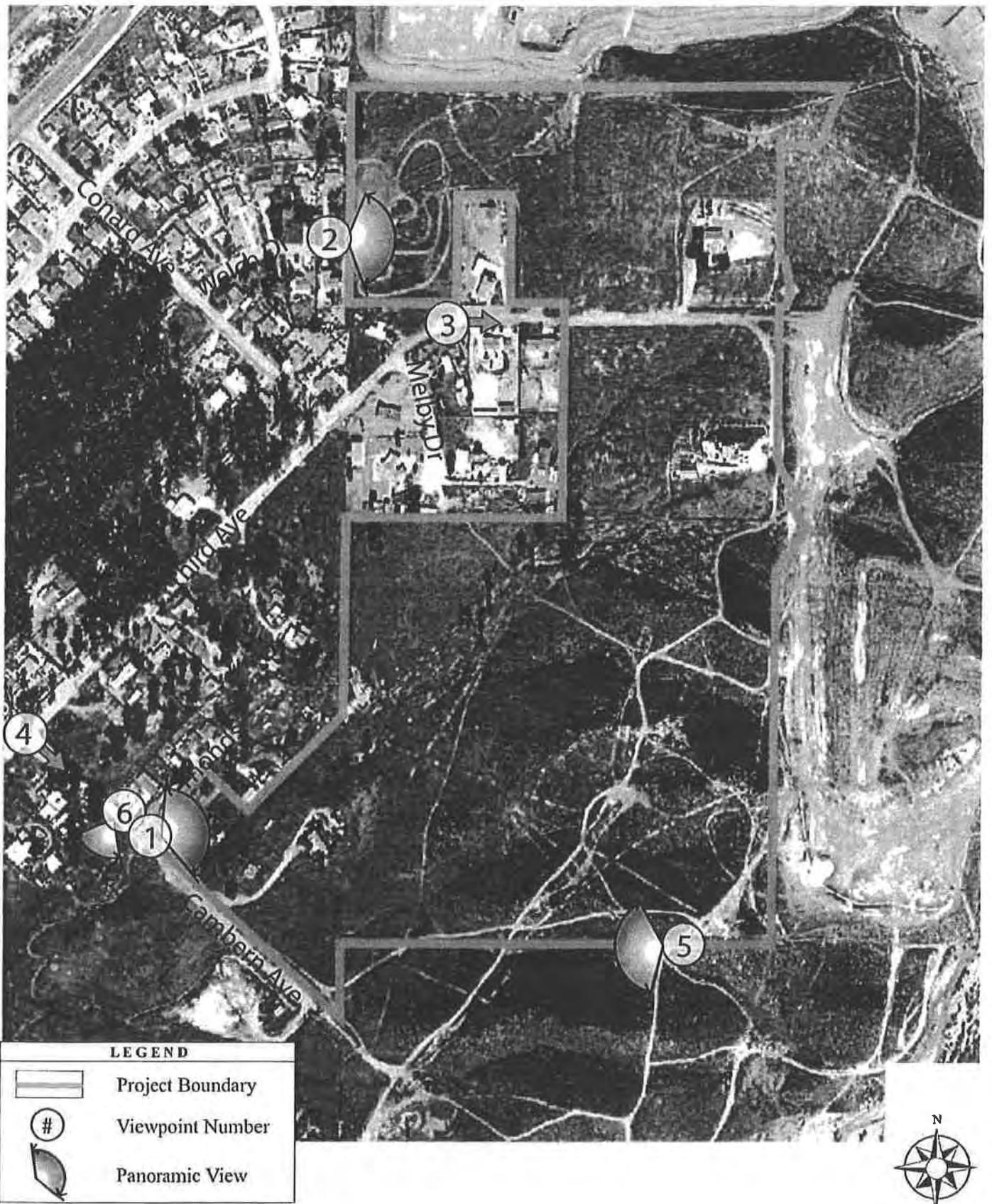
The City has in place a palm tree preservation program. The City recognizes the value of significant palm trees as natural aesthetic resources that help define its history and character. Canary Island date palm (*Phoenix canariensis*), California fan palm (*Washingtonia filifera*), windmill palm (*Trachycarpus* spp.), Mediterranean fan palm (*Chamaerops* spp.), Senegal date palm (*P. reclinata*), pindo palm (*Butia capitata*), and pygmy palm (*P. roebelinii*) that exceed five feet in height or Mexican fan palm (*W. robusta*) that exceeds 25 feet in height cannot be removed or relocated without a palm tree removal permit from the City, in accordance with City Ordinance 1044 (City 2000). No palm trees covered under the ordinance occur onsite. Several mature trees, however, are located onsite near the existing residences. The loss of mature trees onsite would be offset by proposed landscaping of the residential lots, streetscapes and common areas, as shown in the Ramsgate Specific Plan. No other significant scenic resources exist onsite. Therefore, the proposed project would have a less than significant impact on scenic resources located within a State scenic highway.

(Source: Site Visit; California Scenic Highway System, Ramsgate Specific Plan)

c) **Substantially degrade the existing visual character or quality of the site and its surroundings? Less Than Significant Impact**

The site currently includes two single-family homes with associated structures, one mobile home, several dirt roads, agricultural land, a detention basin, dumped trash, and undeveloped land. From a biological standpoint, the site consists of disturbed habitat (28.1 acres), non-native grassland (20.0 acres), Riversidean sage scrub (18.6 acres), developed land (7.4 acres), non-native vegetation (1.3 acres), seasonal ponds (0.09 acre), and disturbed wetlands (0.30 acre). Topography consists of gently rolling terrain in the west, with east/west-trending ridges and intervening drainages in the east. The site rises from an elevation of 1,300 feet AMSL in the southwestern portion of the site to 1,446 feet AMSL in the northeast corner. The proposed project would replace the rolling terrain, east-west-trending ridges and drainages with a relatively flat site rising from 1,309 feet AMSL in the southwestern portion of the site to 1,408 feet AMSL near the northeast corner with landscaping, manufactured slopes and medium-low density, single-family housing. Manufactured slopes would be landscaped and range from 1.5 to 40 feet in height with a 2:1 slope. The surrounding areas include single-family homes to the west, single-family and multi-family residences (under construction) to the north, a proposed park to the northeast, and vacant land to the south. The proposed project would follow the Ramsgate Specific Plan visual guidelines, which the developments to the north and east are also adhering to. The alteration of the site from disturbed habitat on rolling hills to a residential development is not considered a degradation of visual character or quality since the site is currently disturbed and the project characteristics would be consistent with the surrounding developments. Since the site currently is disturbed, contains single-family residences and the surrounding areas include residential developments, the impact of the proposed project on the visual character or quality of the site or its surroundings would not be significant.

(Source: Site Visit)

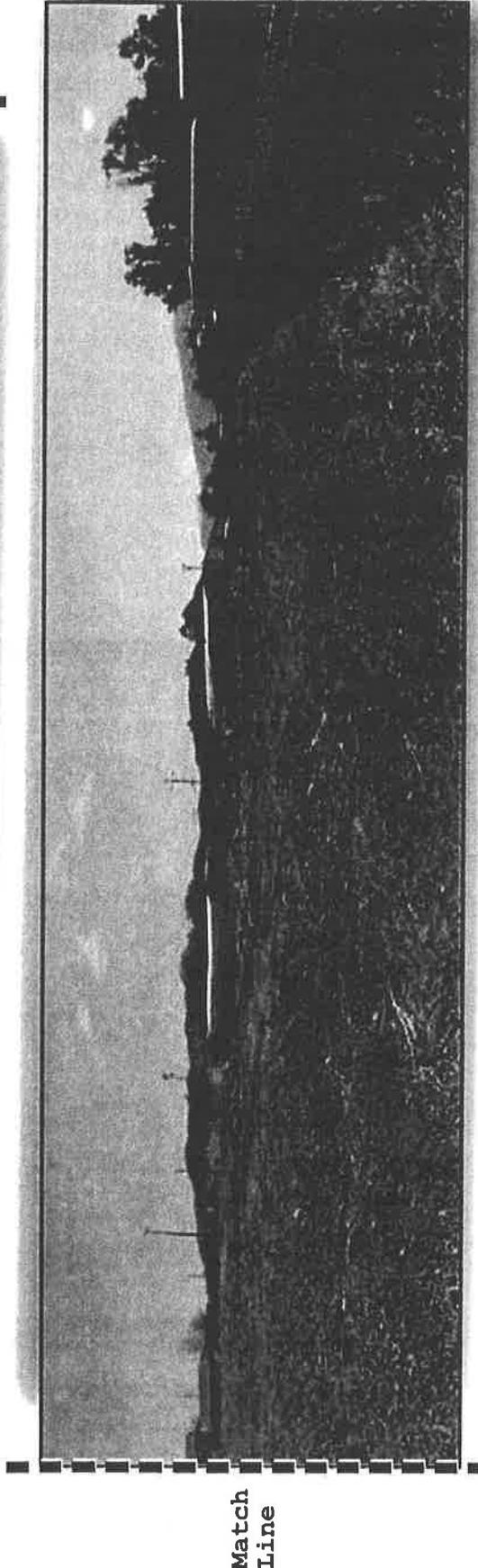
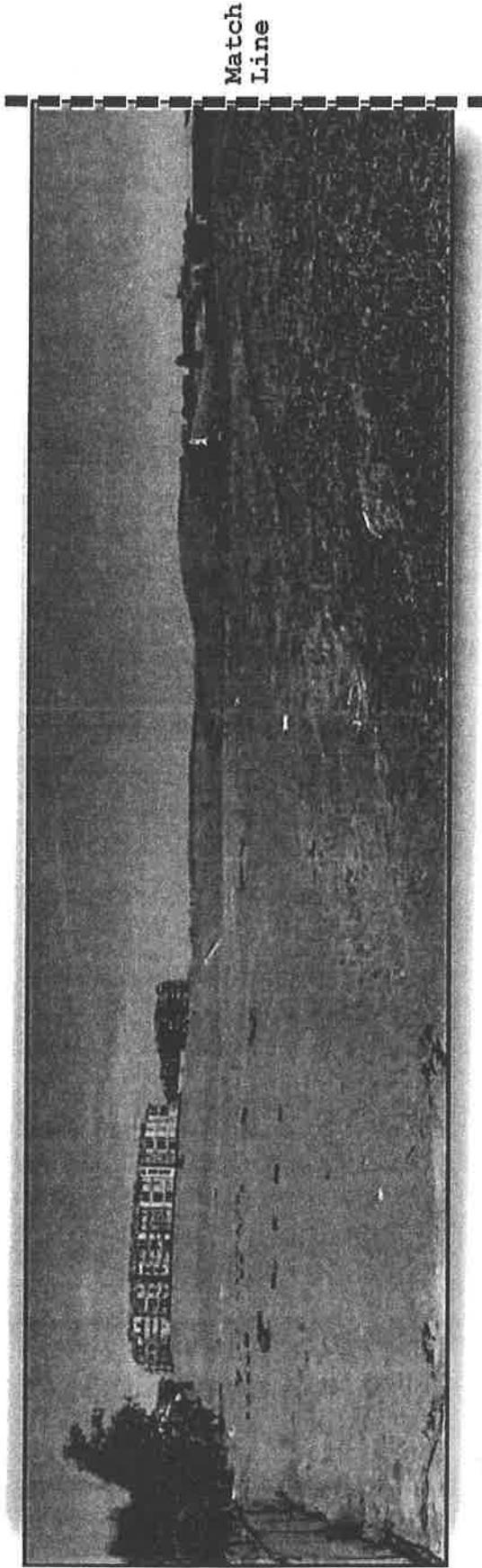


Source: Project Design Consultants, 1/2007

Photo Key Map

Figure 7

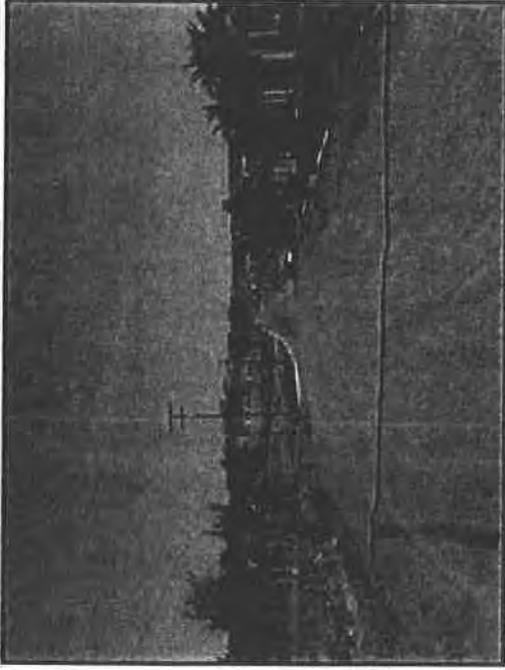
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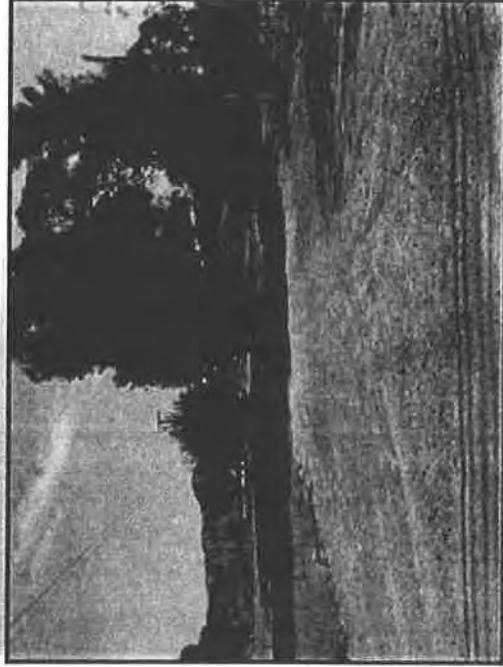
Viewpoint 2: Onsite near the terminus of Welch Drive looking North to South

Source: Project Design Consultants, 1/2007

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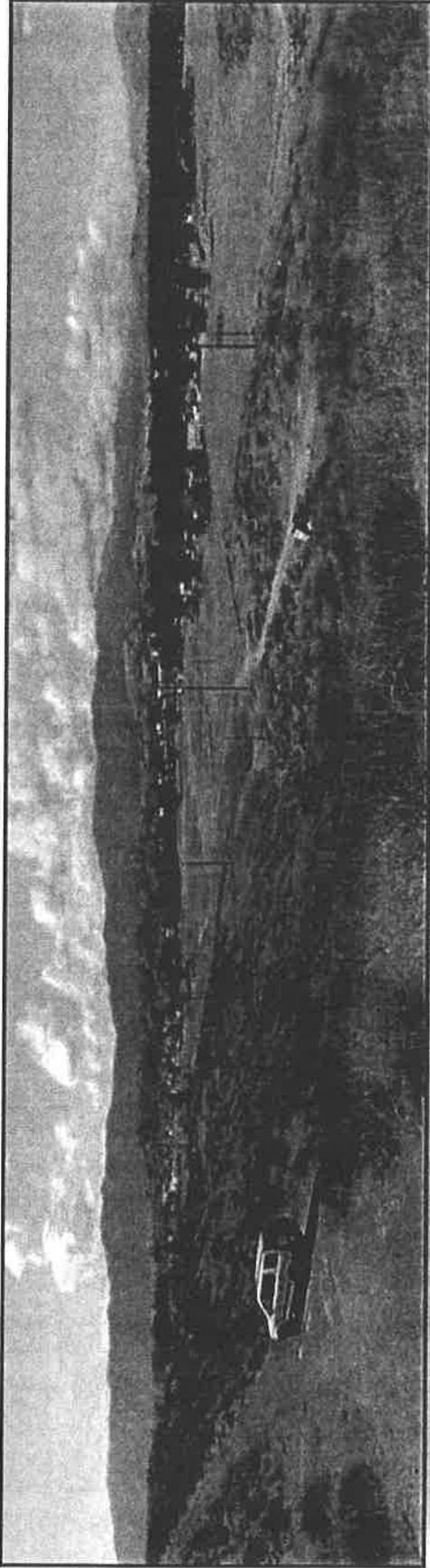
Viewpoint 3: On Third Avenue at the bend near Melby Drive looking East



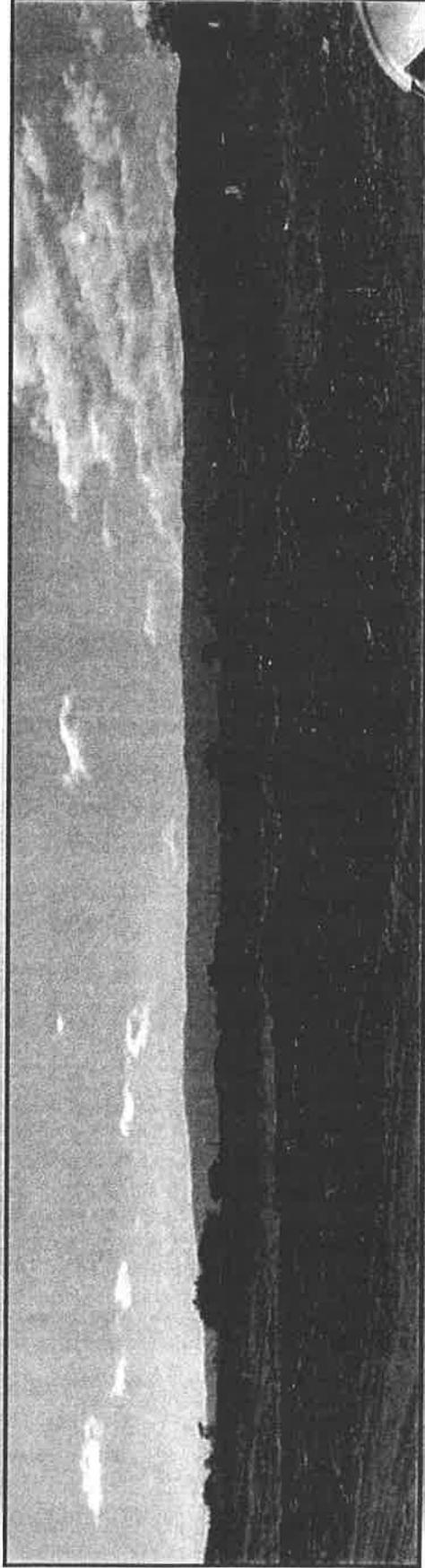
Viewpoint 4: Looking Southeast along Cambren Avenue from the intersection of Cambren Avenue and Third Avenue

Source: Project Design Consultants, 1/2007

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Viewpoint 5: Near the southeastern area of the site looking Southwest to Northwest



Viewpoint 6: Looking Southeast along Cambern Avenue from the intersection of Cambern Avenue and Third Avenue

Source: Project Design Consultants, 1/2007

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- d) **Create a new source of substantial light or glare, which would affect day or nighttime views in the area? Less Than Significant Impact with Mitigation**

The proposed project would introduce a new light source into an area that currently does not contain significant lighting. Additional light sources would include street lighting and exterior residential lighting. Light could potentially spill onto existing residences in the area. To reduce this impact to less than significant, mitigation in the form of uni-directional, shielded lighting to prevent light spillage is proposed (MM Aesthetics 1).

(Source: Elsinore Area Plan)

MITIGATION MEASURES

1. **MM Aesthetics 1:** All outdoor light fixtures, including streetlights, shall be uni-directional, shielded and situated so as to not cause glare or excessive light spillage on neighboring properties.

II. AGRICULTURAL RESOURCES

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and monitoring Program of the California Resources Agency, to non-agricultural use? No Impact**

No Prime Farmland, Unique Farmland or Farmland of Statewide Importance exists onsite (Figure 12). Therefore, the proposed project would not convert Prime Farmland Unique, Farmland or Farmland of Statewide Importance to non-agricultural use.

(Source: Farming Mapping and Monitoring Program)

- b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract? Less than Significant Impact**

The site is not designated an agricultural preserve, or Williamson Act contract land. The site is zoned rural residential (1/2 acre minimum lot size) and residential agriculture (20,000 SF minimum lot size) by the County, which allows light agricultural use and animal husbandry. With approval of the General Plan Amendment, Zone Change, Specific Plan Amendment, and Annexation, the proposed project site would be rezoned to Ramsgate Specific Plan (Medium-Low Density 3.6-5.0 du/acre). The conflict with existing zoning for agricultural would be less than significant.

(Source: Ramsgate Specific Plan)

- c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? **Less than Significant Impact**

Based on the field visit, the three parcels located in the northwestern portion of the site are currently in agricultural use and are not designated as Farmland of Local Importance (Figure 12). The three parcels south of Third Street are also in agricultural use. Less than 30 acres of the western portion of the site is mapped Farmland of Local Importance. The farmland onsite is not considered a significant agricultural resource due to its small size, location and isolation. In addition, the City does not consider the loss of Farmland of Local Importance significant and the property has been designated Freeway Business and Low-Medium Density Residential. No other farmland exists in the immediate vicinity. While the proposed project would convert farmland to single-family residences, this conversion is considered less than significant.

(Source: Site Visit; Farmland of Local Importance)

MITIGATION MEASURES

Impacts to agriculture are considered less than significant. None required.

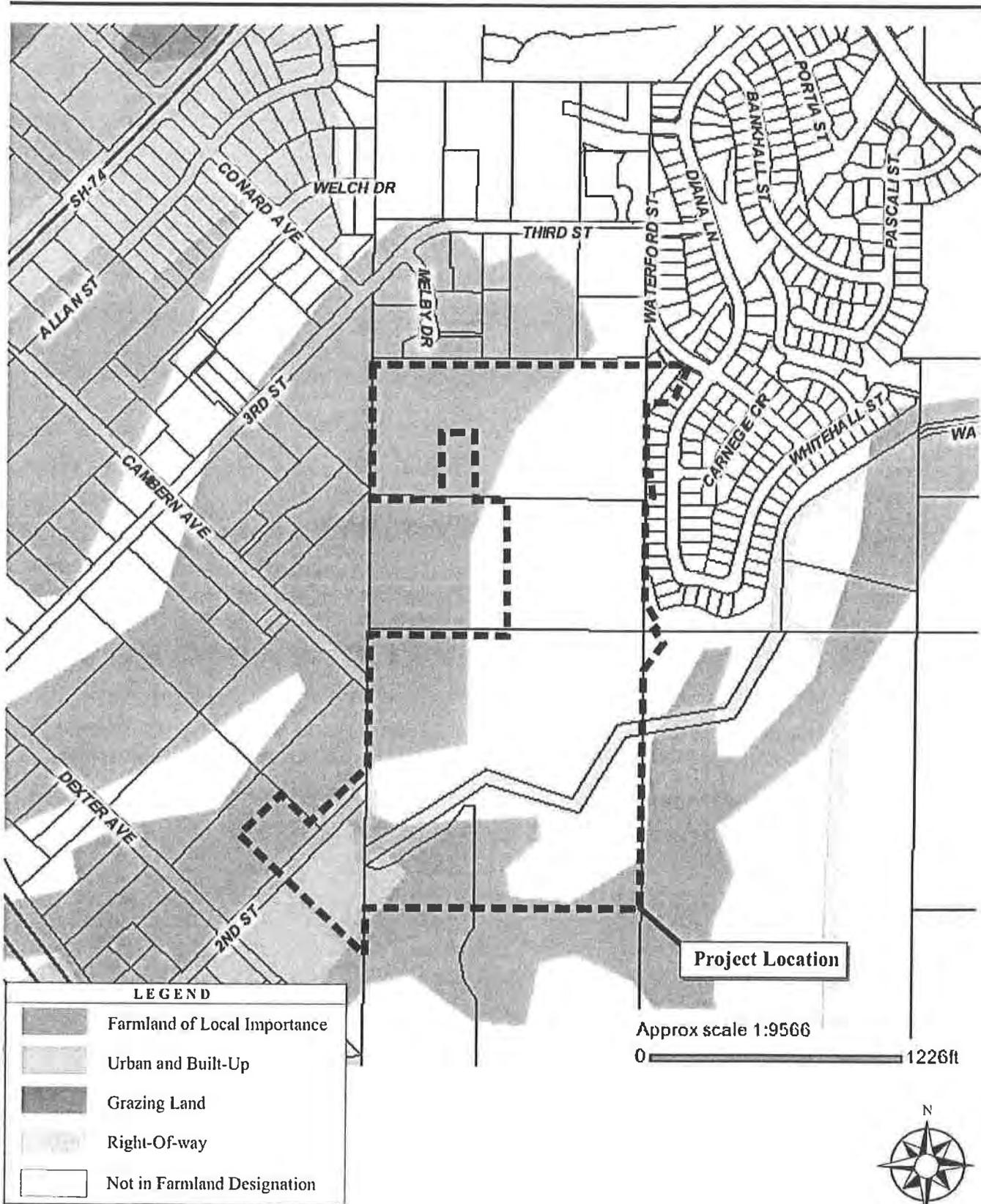
III. AIR QUALITY

This section is based on the air quality study prepared by Urban Crossroads (January 2007), included as Appendix B.

- a) Conflict with or obstruct implementation of the air quality plan? **No Impact**

The proposed project is located in the South Coast Air Basin (SCAB) and is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The proposed project would not result in a significant impact (based on regional and localized emissions thresholds) for short-term construction activity with the implementation of recommended emissions reduction measures. Since the project is not expected to exceed emissions thresholds during construction activity (see Tables 3 and 5), it is assumed that the project and other cumulative developments would not result in a cumulatively significant impact during short-term construction activity.

For long-term operational activity, the project would not have a significant air quality impact, as defined by regional and localized daily emissions thresholds set forth by the SCAQMD. Since the project is not expected to exceed the emissions thresholds set forth by the SCAQMD, it is assumed that the project and other cumulative developments would not result in a cumulatively significant impact during long-term operational activity. Additionally, Section 21100(e) of CEQA, which states that "previously approved land use documents including, but not limited to, general plans, specific plans, and local coastal plans, may be used in cumulative impact analysis", can also be considered as it relates to the subject project. The AQMP for the SCAB is the most appropriate document to use to evaluate cumulative impacts of the proposed project. This is because the AQMP evaluated air quality emissions for the entire region using a future



Source: Riverside County GIS, 1/2007



Not to Scale

Designated Farmland

Figure 12

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development scenario derived from land use, population and employment characteristics defined in consultation with local governments and sets forth a comprehensive program that would lead the region, including the project area, into compliance with all federal and state air quality standards. Therefore, the proposed project would not conflict with or obstruct implementation of the applicable Air Quality Management Plan (AQMP).

(Source: Air Quality Study)

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? Less than Significant with Mitigation Incorporated

The attainment status for the SCAB is shown in Table 1. SCAQMD daily thresholds are shown in Table 2.

TABLE 1
Attainment Status

Criteria Pollutant	Federal Designation	State Designation
Ozone- 8 hour Standard	Severe-17 Nonattainment	Not established
Ozone- 1 hour standard	Revoked June 2005	Extreme Nonattainment
Carbon Monoxide (CO)	Nonattainment	Attainment
PM ₁₀	Serious Nonattainment	Nonattainment
PM _{2.5}	Nonattainment	Nonattainment
Nitrogen Dioxide	Unclassified/Attainment	Attainment

TABLE 2
Max Daily Emissions Thresholds

Pollutant	Construction (lbs/day)	Operational (lbs/day)
NO _x	100	55
VOC	75	55
PM ₁₀	150	150
PM _{2.5}	55	55
SO _x	150	150
CO	550	550
Ambient Air Quality for Criteria Pollutants		
CO		
1-hour average		2.0 ppm
8-hour average		9.0 ppm

Source: Urban Crossroads, Inc., 2007.

The primary sources of air pollutants generated by the proposed project are emissions associated with grading and construction activities, and operational emissions associated with residential use. Rough grading, paving, building construction, architectural coatings, and construction worker commuting activities would result in carbon monoxide (CO), volatile organic compounds (VOCs), nitrogen oxides (N_x), sulfur oxides (S_x), and particulate matter (PM₁₀ and PM_{2.5}) emissions (Tables 3 and 4) that could impact regional and localized air quality. Impacts to regional and localized air quality could also occur through operational emissions from vehicle use, natural gas use, landscape maintenance, consumer products, and architectural coatings, including CO, VOCs, N_x, S_x, PM₁₀, and PM_{2.5} (Tables 5 and 6).

TABLE 3
Emissions Summary of Construction Activities (pounds per day)
(Without recommended emissions reduction measures)

Type of Construction	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
GRADING						
Grading Fugitive Dust	0	0	0	0	100.00	21.00
Grading Equipment	9.26	72.38	33.65	0.06	4.04	3.60
Water Trucks	0.40	3.74	3.06	0.02	0.02	0.02
Grading Work Trips	0.24	0.55	5.23	0	0.01	0.01
Peak Day Mass Emissions	9.90	76.67	41.94	0.08	104.07	24.62
SCAQMD Regional Threshold	75	100	550	150	150	55
Significant?	NO	NO	NO	NO	NO	NO
BUILDING CONSTRUCTION						
Building Equipment	8.35	57.27	25.73	0.05	3.56	3.17
Building Worker Trips	0.36	0.82	7.85	0.01	0.02	0.02
Architectural Coating Emissions	156.97	2.19	20.93	0.01	0.05	0.04
Peak Day Mass Emissions	165.68	60.28	54.51	0.07	3.63	3.23
SCAQMD Regional Threshold	75	100	550	150	150	55
Significant?	YES	NO	NO	NO	NO	NO
PAVING						
Paving Equipment	8.59	33.18	24.18	0.04	3.42	3.04
Paving Worker GTrips	0.24	0.55	5.23	0	0.01	0.01
Peak Day Mass Emissions	8.83	33.73	29.41	0.04	3.43	3.05
SCAQMD Regional Threshold	75	100	550	150	150	55
Significant?	NO	NO	NO	NO	NO	NO

Source: Urban Crossroads, Inc., 2007.

TABLE 4
Localized Significance Summary (Construction)
(Without recommended emissions reduction measures)

Air Pollutant	Average Time	Peak Day Localized Emissions	Background Concentration ³	Total Concentration	Threshold	Significant?
Carbon Monoxide (CO)	8 Hours	0.31	1.1	1.41	9.0 ppm	NO
	1 Hour	0.36	2.0	2.36	20.0 ppm	NO
Nitrogen Dioxide (NO ₂)	1 Hour	0.03	0.07	0.10	0.25 ppm	NO
Particulates (PM ₁₀) ²	24 Hours (Construction)	50.40			10.4 µg/m ³ ¹	YES
Particulates (PM _{2.5}) ²	24 Hours (Construction)	10.58			10.4 µg/m ³ ¹	YES

Source: Urban Crossroads, Inc., 2007.

¹ Threshold based on SCAQMD Rule 403.

² Since basin is in non-attainment for PM_{2.5} and PM₁₀, threshold is established as an "allowable change" in concentration therefore background/total is irrelevant.

³ Highest concentration from the last three years of available data.

Note: PM_{2.5} and PM₁₀ concentrations are expressed in µg/m³. All others are expressed in ppm.

TABLE 5
Summary of Peak Operational Emissions

Operational Activities	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
SUMMER						
Vehicle Emissions	20.16	21.2	234.09	0.18	26.60	6.97
Natural Gas Use	0.44	5.72	2.43	0	0.01	0
Landscape Maintenance Emissions	1.04	0.14	8.36	0.05	0.03	0.01
Architectural Coatings	9.33	0	0	0	0	0
Consumer Products	13.40	0	0	0	0	0
Operational Emissions	44.37	27.06	244.88	0.23	26.64	6.98
SCAQMD Regional Threshold	75	100	550	150	150	55
Significant?	NO	NO	NO	NO	NO	NO
WINTER						
Vehicle Emissions	18.50	30.66	221.65	0.14	26.60	7.11
Natural Gas Use	0.44	5.72	2.43	0	0.01	0
Consumer Products	13.40	0	0	0	0	0
Architectural Coatings	9.33	0	0	0	0	0
Fireplace Emissions	0.13	2.27	0.97	0.01	0.18	0.04
Operational Emissions	41.80	38.65	225.05	0.15	26.79	7.15
SCAQMD Regional Threshold	75	100	550	150	150	55
Significant?	NO	NO	NO	NO	NO	NO

Source: Urban Crossroads, Inc., 2007.

TABLE 6
Localized Significance Summary (Operations)

Air Pollutant	Average Time	Peak Day Localized Emissions	Background Concentration ³	Total Concentration	Threshold	Significant?
Carbon Monoxide (CO)	8 Hours	0.07	1.1	1.17	9.0 ppm	NO
	1 Hour	0.09	2.0	2.09	20.0 ppm	NO
Nitrogen Dioxide (NO ₂)	1 Hour	0.0001	0.07	0.070	0.25 ppm	NO
Particulates (PM ₁₀) ²	24 Hours (Operation)	0.392			2.5 µg/m ³ ¹	NO
Particulates (PM _{2.5}) ²	24 Hours (Operation)	0.364			2.5 µg/m ³ ¹	NO

Source: Urban Crossroads, Inc., 2007.

¹ Threshold based on SCAQMD Rule 1302.

² Since basin is in non-attainment for PM_{2.5} and PM₁₀, threshold is established as an "allowable change" in concentration therefore background/total is irrelevant.

³ Highest concentration from the last three years of available data.

Note: PM_{2.5} and PM₁₀ concentrations are expressed in µg/m³. All others are expressed in ppm.

The proposed project would significantly impact regional air quality though building construction VOC emissions, mainly from architectural coating emissions. In addition, localized PM₁₀ and PM_{2.5} construction emissions would be considered a significant air quality impact to adjacent sensitive receptors, including residences. The CO hot spot analysis for 2009, 2012 and build-out conditions revealed that no intersections of concern would experience CO concentrations over the allowable threshold (20 ppm) (Table 7).

The proposed project would contribute to global warming through the addition of heat trapping emissions, which includes CO₂, N₂O, methane (CH₄) and other greenhouse gasses. While this individual project cannot generate enough greenhouse gasses to influence global warming changes, the proposed project would incrementally contribute to global climate change. The significance of this impact cannot be addressed at this time since significance criteria have not been established.

No other emissions generated besides by the proposed project are considered significant.

Mitigation Measure (MM) Air Quality 1 would reduce VOCs, PM₁₀ and PM_{2.5} construction emissions to below a level of significance. With the implementation of this mitigation measure, the proposed project would not exceed emissions thresholds during construction. Other proposed developments would be held to the same standards and are not anticipated to significantly impact air quality. As described above in the response to item III.a., the proposed project is in compliance with the AQMP. Therefore, no cumulative impacts are anticipated. The significance of greenhouse gas emissions cannot be determined, as no threshold exists. Other long-term operational activity emissions would not have a significant impact on air quality and therefore the proposed project is not anticipated to contribute to a cumulative air quality impact.

(Source: Air Quality Study)

**TABLE 7
Carbon Monoxide (CO) Hot Spot Levels¹**

Intersection	CO Concentration in Parts per Million											
	At Edge			25 Feet			50 Feet			100 Feet		
	AM Peak	PM Peak	8-Hour	AM Peak	PM Peak	8-Hour	AM Peak	PM Peak	8-Hour	AM Peak	PM Peak	8-Hour
2009 WITH PROJECT CONDITIONS												
I-15 SB Ramps (NS) and Central Ave. (SR-74) (EW)	4.8	5.7	3.7	3.7	4.2	2.6	3.3	3.7	2.3	2.9	3.2	1.9
Dexter Ave. (NS) and Central Ave. (SR-74) (EW)	6.0	6.5	4.2	4.4	4.7	3.0	3.9	4.1	2.5	3.3	3.5	2.1
Cambern Ave. (NS) and Central Ave. (SR-74) (EW)	5.5	6.2	4.1	4.1	4.5	2.8	3.6	3.9	2.5	3.1	3.4	2.1
2012 WITH PROJECT CONDITIONS												
I-15 NB Ramps (NS) and Central Ave. (SR-74) (EW)	9.4	9.7	6.4	7.6	7.9	5.2	7.1	7.3	4.7	6.5	6.7	4.3
Dexter Ave. (NS) and Central Ave. (SR-74) (EW)	9.2	9.1	6.0	7.5	7.5	4.9	7.0	6.9	4.5	6.4	6.4	4.1
Rosetta Canyon Dr. (NS) and Central Ave. (SR-74) (EW)	8.1	8.6	5.6	6.9	7.2	4.6	6.5	6.7	4.3	6.1	6.2	4.0
GENERAL PLAN BUILDOUT WITH PROJECT CONDITIONS												
I-15 NB Ramps (NS) and Central Ave. (SR-74) (EW)	6.1	6.1	3.9	5.7	5.7	3.6	5.5	5.5	3.5	5.4	5.4	3.4
Camino Del Norte (NS) and Main St. (EW)	5.9	6.4	4.1	5.6	5.9	3.7	5.5	5.7	3.6	5.4	5.5	3.5
Dexter Ave. (NS) and Central Ave. (SR-74) (EW)	6.5	6.4	4.1	5.9	5.8	3.7	5.7	5.7	3.6	5.5	5.5	3.5
Cambern Ave. (NS) and Central Ave. (SR-74) (EW)	6.6	6.5	4.2	6.0	5.9	3.8	5.8	5.7	3.7	5.6	5.6	3.5
Rosetta Canyon Dr. (NS) and Central Ave. (SR-74) (EW)	6.2	6.3	4.1	5.7	5.8	3.7	5.6	5.7	3.6	5.4	5.5	3.5

Source: Urban Crossroads, Inc., 2007.

- c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? Less Than Significant with Mitigation Incorporation**

The portion of the SCAB within which the project is located is designated as a non-attainment area for ozone, PM₁₀ and PM_{2.5} under state standards, and as a non-attainment area for ozone, CO, PM₁₀, and PM_{2.5} under federal standards. The air quality study (Appendix B), as described above in the response to Item III.b. demonstrates that the project's projected emissions with implementation of MM Air Quality 1 would be below the applicable SCAQMD thresholds for all criteria air pollutants. Therefore, short-term construction and long-term operational emissions from the proposed project would not result in cumulative air quality impacts.

Additionally, Section 21100(e) of CEQA, which states that "previously approved land use documents including, but not limited to, general plans, specific plans, and local coastal plans, may be used in cumulative impact analysis", can also be considered as it relates to the subject project. The AQMP for the SCAB is the most appropriate document to use to evaluate cumulative impacts of the proposed project. This is because the AQMP evaluated air quality emissions for the entire region using a future development scenario derived from land use, population and employment characteristics defined in consultation with local governments and sets forth a comprehensive program that would lead the region, including the project area, into compliance with all federal and state air quality standards. As described above in the response to Item III.a., the project is in compliance with the AQMP. As stated previously, the proposed project would incrementally contribute to global climate change but the significance of this impact cannot be addressed due to a lack of a significance criterion. Since the proposed project is in conformance with the AQMP, it is appropriate to conclude that the project's incremental contribution of criteria pollutant emissions is not cumulatively considerable.

(Source: Air Quality Study)

- d) **Expose sensitive receptors to substantial pollutant concentrations? Less than Significant with Mitigation Incorporated**

As discussed in Section III.b above, localized VOCs, PM₁₀ and PM_{2.5} construction emissions would be considered a significant air quality impact to adjacent sensitive receptors, including residences. MM Air Quality 1 would mitigate this impact to below a level of significance.

(Source: Air Quality Study)

- e) **Create objectionable odors affecting a substantial number of people? Less than Significant**

The proposed project does not include land uses typically associated with emissions of objectionable odors. Any adverse odors generated during paving, landscaping or building construction would be temporary and cease upon completion of the phase of the project. Therefore, the impact from odors would be less than significant.

(Source: Air Quality Study)

MITIGATION MEASURES

1. **MM Air Quality 1:** The proposed project shall adhere to the following emission reduction measures to control construction VOCs, PM₁₀, and PM_{2.5}.

- To control fugitive dust, the proposed project shall adhere to best management practices (BMPs), which include the application of water on disturbed soils three times per day, covering haul vehicles, replanting disturbed areas as soon as practical, and restricting vehicle speeds on unpaved roads to 15 miles per hour (mph) or less.
- Construction equipment shall be properly maintained to ensure proper timing and tuning of engines. Equipment maintenance records and equipment design specification data sheets shall be kept onsite during construction activity.
- The contractor shall ensure the use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB)/SCAQMD Rule 431.2 (diesel fuel with sulfur content of 15 ppm by weight or less).
- The contractor shall utilize Zero-VOC paints (assumes no more than 100 grams/liter of VOC).

The following standard air quality measures shall also be included:

- Limit grading disturbance to 10 acres a day.
- Use low emissions mobile and stationary equipment whenever possible.
- Maintain equipment in tune as per manufacturers' specifications.
- Utilize catalytic converters on gasoline-powered equipment.
- Retard engine timing by two degrees.
- Use reformulated, low-emissions diesel fuel.
- Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
- Where applicable, equipment should not be left idling for prolonged periods.
- Curtail construction during periods of high ambient pollutant concentrations.
- Reduce daily operations by reducing the number of pieces of equipment and haul trucks. This can be accomplished by lengthening the time schedule.
- General contractors shall be required to develop a trip reductions plan to achieve 1.5 persons per vehicle for construction employees.
- Provide a flag person to guide traffic efficiently and ensure safety at construction sites.
- Develop a traffic plan to minimize traffic flow interference from construction activities. This plan may include such items as advance public notice of routing, use of public transportation and satellite parking areas with shuttle service.
- Schedule materials haul trips during off-peak hours.
- Minimize the obstruction of through lanes from haul trucks.
- Spread soil binders on the construction site, unpaved roads and parking areas morning and evening.
- Apply SCAQMD approved chemical soil stabilizers according to manufacturers' specification to all inactive construction areas (i.e., previously graded areas which are to remain inactive for 96 hours or more).

- Pave construction roads and sweep streets if silt is carried over to adjacent public thoroughfares.
- Wash off trucks leaving the site.
- Suspend all grading activities when wind speeds exceed 25 mph.
- Utilize energy efficient heating, air conditioning, water heaters, furnaces, boiler units, etc.
- Incorporate passive solar design and solar heaters.
- Utilize devices that minimize the combustion of fossil fuels.
- Capture waste heat and reuse where possible.
- Landscape with native drought-resistant species that reduces water consumption, provide passive solar benefits, and provide little maintenance.

In addition to the mitigation measures identified above, implementation of the following mitigation measures are required as a condition of project approval:

- Use construction equipment with low emission factors and high-energy efficiency where possible.
- Perform regularly scheduled engine maintenance to minimize equipment emissions.
- Provide site improvements such as street lighting, street furniture, route signs, and sidewalks or pedestrian paths.
- Build homes that exceed minimum statewide energy construction requirements beyond Title 24.

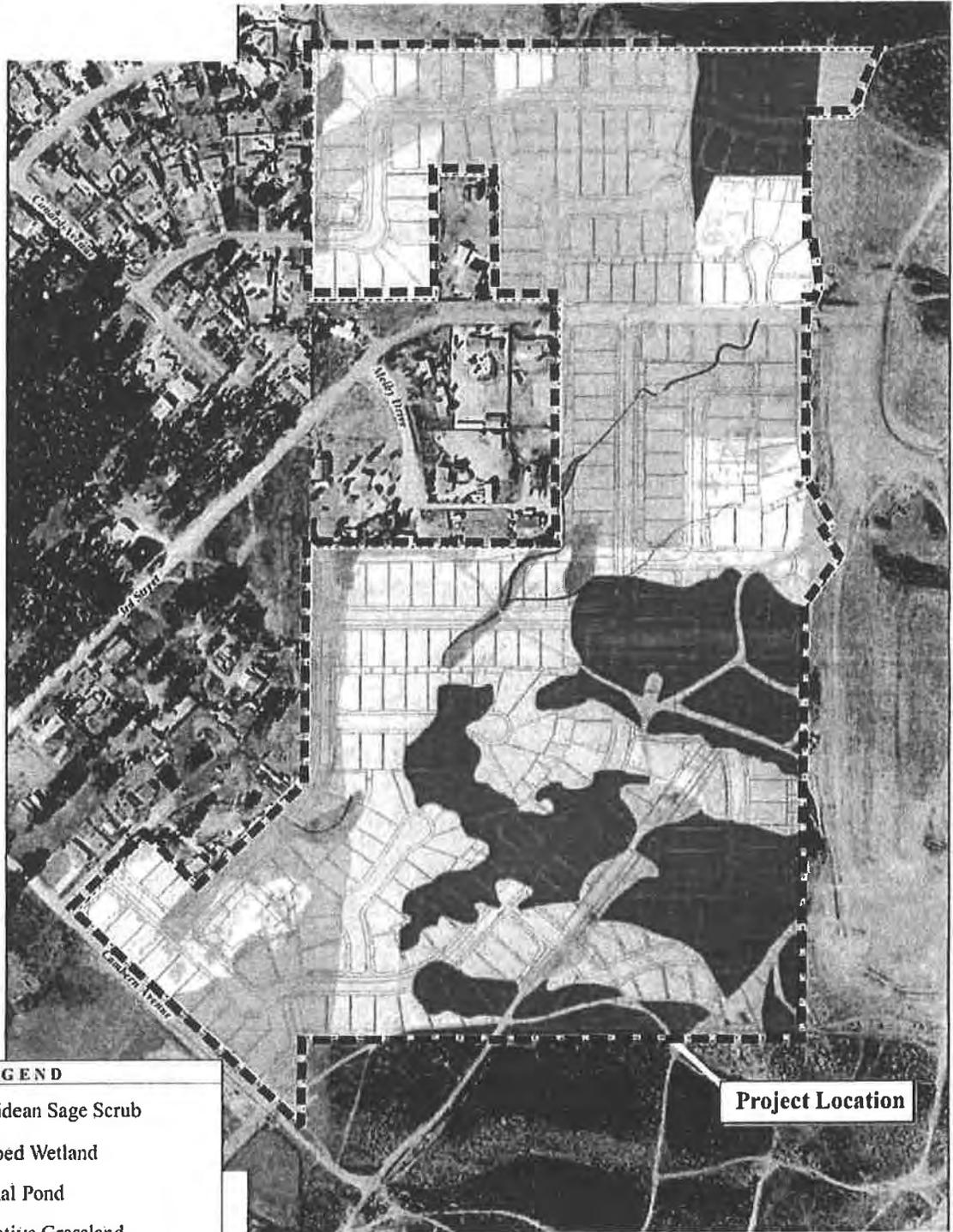
IV. BIOLOGICAL RESOURCES

This section is based on the biological report prepared by Helix Environmental Planning, Inc. (April 2007), included as Appendix C.1. In addition, a Determination of Biologically Equivalent or Superior Preservation (DBESP) report was completed by Helix (April 2007) and is included as Appendix C.2.

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Less than Significant with Mitigation Incorporated**

The City of Lake Elsinore is a participating entity or permittee of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) (see Section IV.f below for more information regarding the MSHCP). On June 22, 2004, take authorization for the MSHCP was granted by the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG). With the granting of take authorization, the City of Lake Elsinore is allowed to utilize their allotted authorized take for projects; and compliance with the MSHCP will provide adequate compensation for potential impacts to listed and non-listed species covered in the plan (see Section IV.f below for an evaluation of the project's compliance with the MSHCP).

Based on the biological report (Appendix C.1), the project site includes seven vegetation communities: disturbed wetland, seasonal ponds, Riversidean sage scrub, non-native grassland, non-native vegetation, disturbed habitat, and developed land (Figure 13).



LEGEND

	Riversidean Sage Scrub
	Disturbed Wetland
	Seasonal Pond
	Non-native Grassland
	Non-native Vegetation
	Disturbed Habitat
	Developed

Source: Helix Environmental, 1/2007



Not to Scale

Vegetation Map

Figure 13

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Impacts to Sensitive Plant Species

The project site is not designated by the Western Riverside MSHCP as needing focused surveys for narrow endemic plant species or critical area plant species. None the less, a series of rare plant surveys were completed by PCR Services Corporation (PCR) in Spring 2004 for half of the site. No threatened or endangered plant species were observed during the surveys; however, one sensitive plant species was observed: paniculate tarplant (*Deinandra paniculata*). Several thousand individuals of this species were observed throughout the northern portion of the site. Impacts to this sensitive plant species are not considered significant since the project site is not within the narrow endemic plant species survey area or critical area plant species survey area, and the sensitivity listing for this species is low.

Impacts to Sensitive Animal Species

Various animal surveys were completed onsite, including USFWS protocol Quino checkerspot butterfly (*Euphydryas editha quino*) surveys (PCR 2004), USFWS protocol coastal California gnatcatcher surveys (*Polioptila californica californica*) (PCR 2004 and 2005), USFWS protocol fairy shrimp surveys (PCR 2004 and 2005), and Riverside County protocol burrowing owl (*Athene cunicularia*) surveys (Helix 2006). Eight sensitive animal species were observed/detected during the various surveys completed onsite: coastal California gnatcatcher, southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), loggerhead shrike (*Lanius ludovicianus*), California horned lark (*Eremophila alpestris actia*), Vaux's swift (*Chaetura vauxi*), sharp-shinned hawk (*Accipiter striatus*), American white pelican (*Pelecanus erythrorhynchos*), and turkey vulture (*Cathartes aura*). The project site contains potential raptor nesting (large trees) and foraging areas (non-native grassland and agricultural land). Surveys for Quino checkerspot butterfly, fairy shrimp and burrowing owls were negative. While burrowing owl surveys were negative, a potential impact to burrowing owls could occur since burrowing owls are known to relocate to disturbed areas, suitable habitat exists onsite and the site is within the MSHCP burrowing owl survey area.

Impacts to coastal California gnatcatcher, southern California rufous-crowned sparrow, loggerhead shrike, California horned lark, sharp-shinned hawk, and turkey vulture are considered significant. The proposed project would also significantly impact raptor foraging habitat and could significantly impact nesting raptors if construction activity were to occur during the breeding season (January 15th to July 15th). Potential impacts to burrowing owls are also considered significant. Impacts to American white pelican and Vaux's swift would not be significant, because only nesting areas are protected and these species do not nest in southern California.

The proposed project site is covered by the Western Riverside County MSHCP and therefore the take of species covered by the plan can be mitigated through the payment of the MSHCP Local Development Mitigation fees (MM Biological Resources 1). The payment of these fees would secure habitat and reduce the impacts to identified species and raptor foraging to below a level of significance. While the coastal California gnatcatcher is covered by the MSHCP, a USFWS Section 7 consultation will be completed since one is required when there is a nexus between endangered species' (in this case, the gnatcatcher) use of the site and impacts to Corps jurisdictional areas. Potential raptor nesting and burrowing owl impacts would be reduced to below a level of significance through pre-construction raptor and burrowing owl surveys (MM Biological Resources 3).

The proposed project site also lies within the fee area of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP). Within this fee area, suitable habitat is assumed to be occupied and focused surveys are not required. The mitigation to reduce this impact to below a level of significance consists of payment of the SKR fee to secure habitat elsewhere (MM Biological Resources 2).

(Source: Biological Report)

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? Less than Significant with Mitigation Incorporated**

Onsite Vegetation Impacts

Development of the proposed project would affect the entire project site. As such, impacts to the following sensitive vegetation communities would occur: disturbed wetland, seasonal ponds, Riversidean sage scrub, and non-native grassland (see Table 8). These impacts would be considered significant. Impacts to non-native vegetation, disturbed habitat and developed land are not considered significant. Impacts to 0.29 acre of disturbed wetland and 0.06 acre of seasonal ponds would be mitigated to below a level of significance through the revegetation of the "Cloverleaf" site located in the southern end of Lake Elsinore or other offsite mitigation parcels acceptable to the City (MM Biological Resources 5). Riversidean sage scrub is considered high inventory priority by the CDFG Natural Diversity Database because of its limited distribution and potential to support several sensitive species. Development of the proposed project would result in the loss of Riversidean sage scrub habitat for the coastal California gnatcatcher. Non-native grassland is important for raptor foraging. Impacts to Riversidean sage scrub and non-native grassland would be mitigated to below a level of significant through payment of MSHCP Local Development Mitigation Fees (MM Biological Resources 1).

**TABLE 8
Vegetation Community Impacts**

Vegetation Community	Acres
Disturbed wetland	0.29
Seasonal ponds	0.06
Riversidean sage scrub	18.6
Non-native grassland	20.0
Non-native vegetation	1.3
Disturbed habitat	28.1
Developed land	7.4
TOTAL	75.8

Offsite Vegetation Impacts

Offsite vegetation communities could potentially be impacted by fugitive dust produced by grading and construction onsite, invasive plant species used in landscaping and proposed lighting. Fugitive dust has the potential to disperse onto vegetation in the vicinity, which may reduce the overall vigor of individual plants by reducing their photosynthetic capabilities and increasing their susceptibility to pests or disease. Because active construction areas and unpaved surfaces would be watered (MM Air Quality 1), impacts to biological resources from fugitive dust would be less than significant.

The use of non-native invasive plants could displace native vegetation. To prevent potentially significant impacts caused by non-native invasive species, exotic/invasive plant species included in the California Invasive Plant Inventory prepared by Cal-IPC (2006) would not be installed adjacent to undeveloped areas to the south (MM Biological Resources 4). No significant impacts relating to the introduction of non-native plant species are anticipated.

Lighting on native habitats can prevent nocturnal wildlife from using an area. Lighting could cause an increased loss in native wildlife that could be potentially significant unless mitigated. Lighting on native habitats can provide nocturnal predators with an unnatural advantage over their prey. Since lighting would be shielded (MM Aesthetics 1) and the project does not abut any MSHCP Conservation Areas, no significant impacts from lighting are anticipated.

(Source: Biological Report)

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? Less than Significant with Mitigation Incorporated**

The proposed project would impact 0.35 acre of habitat that is considered Waters of the U.S. under Section 404 of the Clean Water Act (see Table 9). This impact consists of 0.17 acre of disturbed wetlands, 0.06 acre of seasonal ponds, 0.05 acre of ephemeral drainage, and 0.07 acre of intermittent drainage. These vegetation impacts are considered significant. Mitigation to reduce this impact to below a level of significance includes the revegetation of 0.35 acre on property known as "Cloverleaf" located in the southern end of Lake Elsinore or other offsite mitigation parcels acceptable to the City and resource agencies (MM Biological Resources 5). The proposed project would also be required to obtain an Individual Permit from the Corps (over 300 linear feet of Waters of the U.S. would be impacted) and Water Quality Certification from the Regional Water Quality Control Board for impacts to Waters of the U.S.

A total of 0.54 acre of habitat onsite is considered under the jurisdiction of the CDFG under California Fish and Game Code Sections 1600 to 1616 (Table 9). This impact consists of 0.29 acre of disturbed wetlands, 0.06 acre of seasonal pond and 0.19 acre of streambed. This impact is considered significant and mitigation in the form of revegetation of 0.54 acre on property known as the "Cloverleaf" site located in the southern end of Lake Elsinore or other off site mitigation parcels acceptable to the City and resource agencies (MM Biological Resources 5). A 1602 Streambed Alteration Agreement for project effects to 0.54 acre of CDFG jurisdictional areas would also be required.

TABLE 9
Impacts to Corps and CDFG Jurisdictional Areas

Habitat	Corps	CDFG
Wetland		
Disturbed wetland	0.17	0.29
Subtotal	0.17	0.29
Non-wetland		
Seasonal ponds	0.06	0.06
Ephemeral drainage	0.05	--
Intermittent drainage/streambed	0.07	0.19
Subtotal	0.18	0.25
TOTAL	0.35	0.54

(Source: Biological Report; Clean Water Act Section 401 and 404; California Department of Fish and Game Code Section 1600 to 1616)

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? Less than Significant**

The proposed project is not located within a MSHCP Core or Linkage area, and the site is currently surrounded by development on three sides (east, north and west). Due to surrounding development, the project site does not have the potential to serve as a wildlife corridor between a permanent open space and other natural open space. Therefore, the movement of wildlife is not anticipated to be significantly impacted by development of the proposed project site.

(Source: Biological Report)

- e) **Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? No Impact**

As discussed in Section I.b above, the City has in place a palm tree preservation program. The City recognizes the value of significant palm trees as natural aesthetic resources that help define its history and character. No palm trees covered under City Ordinance 1044 occur onsite. The City has no other local policies or ordinances to protect biological resources of local concern; therefore, the proposed project would not conflict with any local City policies or ordinances protecting biological resources.

(Source: Biological Report)

f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? No Impact**

The Western Riverside County MSHCP is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on conservation of species and associated habitats in western Riverside County. The MSHCP serves as a HCP pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act of 1973, as amended, as well as a Natural Communities Conservation Plan (NCCP) under the NCCP Act of 2001. The MSHCP will result in a MSHCP Conservation Area in excess of 500,000 acres and focuses on conservation of 146 species.

On June 22, 2004, the USFWS approved the Section 10(a)(1)(B) permit and a Natural Community Conservation Planning permit was issued by the CDFG. These permits provide take authorization for those species listed as threatened or endangered and identified in the permits as "Covered Species Adequately Conserved". Take of habitat for bird species is also permitted. The City is a participating entity and permittee of the Western Riverside County MSHCP.

The MSHCP establishes "Criteria Area" boundaries in order to facilitate the process by which properties are evaluated for inclusion in the MSHCP Conservation Area. The Criteria Area is an area significantly larger than what may be needed for inclusion in the MSHCP Conservation Area, within which property will be evaluated using MSHCP Conservation Criteria. The Criteria Area is an analytical tool ~~which~~ that assists in determining which properties to evaluate for acquisition and conservation under the MSHCP.

The proposed project site is located within the Western Riverside County MSHCP area, however, the project site is not within any MSHCP Criteria Cell, Core or Linkage. The MSHCP focuses on Riparian/Riverine/Vernal Pool Species (MSHCP Section 6.1.2), Narrow Endemic Species (MSHCP Section 6.1.3), Urban/Wildlands Interface (MSHCP Section 6.1.4), and Additional Surveys (MSHCP Section 6.3.2). Below is a detailed discussion of those topics excerpted from the biological report (Appendix C.1). The proposed project will be processed through an MSHCP Consistency Determination. The proposed project would be consistent with the MSHCP; therefore no impact is anticipated.

MSHCP Section 6.1.2

MSHCP Section 6.1.2 focuses on protection of riparian/riverine areas and vernal pool habitat types. The disturbed wetland onsite is considered riparian/riverine, although none of the riparian/riverine covered species have any potential to occur onsite. Seasonal ponds also occur onsite, some of which possess indicators of all three wetland parameters (soils, vegetation and hydrology). Wet season surveys for sensitive fairy shrimp, however, were negative. A Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis report has been prepared to address impacts to disturbed wetland, which describes why avoidance of seasonal disturbed wetland is not feasible or preferable, quantifies unavoidable impacts, describes features and measures to reduce indirect effects, and makes findings that demonstrate that the project would be biologically equivalent or superior to an avoidance alternative.

Because the disturbed wetland onsite is of low quality, preservation of the disturbed wetland is not considered feasible or desirable. In order to avoid the disturbed wetland onsite, a minimum

of 10 percent of the housing units would need to be eliminated. The resulting preservation would leave small, isolated disturbed wetland areas surrounded by housing development that drain into existing residential development areas. This alternative is not considered feasible because a viable reserve cannot be reasonably implemented at this location, and superior mitigation options are available offsite that would provide for better long-term conservation of the resources being impacted on site.

Mitigation for impacts would include acquisition of 0.54 acre for restoration within the on property known as the "Cloverleaf" in the southern end of Lake Elsinore or other offsite mitigation parcels acceptable to the City and resource agencies. The riparian habitat restored within the "Cloverleaf" site will be of a much higher quality than the disturbed wetland habitat being impacted, and will contribute to long-term MSHCP conservation goals. The offsite acquisition meets the definition of a Biologically Equivalent Preservation Alternative consistent with Section 6.1.2.

Narrow Endemic Species

The project is not within a Narrow Endemic Plant Species Survey Area; therefore, the project is consistent with MSHCP Section 6.1.3.

Guidelines for Urban/Wildlands Interface

MSHCP Section 6.1.4 addresses potential indirect impacts to MSHCP preserve lands. The project is not located adjacent to Proposed Core 1 and an assessment of indirect impacts associated with the Urban/Wildlands Interface is not required.

Additional Surveys

The project site is outside of any Criteria Area Species Survey Area for plants, amphibians and mammals, and no Criteria Area Species Survey Area plant species were observed during site surveys. The project site occurs within the burrowing owl survey area. No owls were observed during surveys onsite; therefore, the project is consistent with MSHCP Section 6.3.2.

(Source: Biological Technical Report)

MITIGATION MEASURES

- 1. MM Biological Resources 1:** The project applicant shall pay MSHCP Local Development Mitigation fees, as determined by the City. The current fee is \$1,801 per du for residential uses with a density of less than 8.0 du/acre, \$1,153 per du for residential uses with a density between 8.1 and 14.0 du/acre, and \$937 per du for residential uses with a density of greater than 14.1 du/acre.
- 2. MM Biological Resources 2:** The project applicant shall pay the Stephens' Kangaroo Rat mitigation fee of \$500 per acre impacted within the Stephens' Kangaroo Rat Habitat Conservation Plan fee area boundary in accordance with County Ordinance 663.10.
- 3. MM Biological Resources 3:** If clearing or grading is to occur during the raptor breeding season, a pre-construction survey shall be conducted by a qualified biologist to determine if

breeding or nesting raptors species occur within the impact area. The pre-construction survey shall take place within 7 days prior to disturbance of the site. If a nest occurs in a tree to be affected, the tree shall not be removed while the nest is active (January 15 through July 15, or until nesting is completed). No clearing, grubbing, grading, or other construction activities shall occur within 500 feet of occupied tree-nesting raptor habitat during the raptor breeding season. If there are no raptors nesting (includes nest building or other breeding/nesting behavior) within this area, clearing or grading shall be allowed to proceed.

A qualified biologist shall conduct pre-construction burrowing owl surveys onsite. The pre-construction survey shall take place within 30 days prior to disturbance of the site. If burrowing owl is present, CDFG shall be consulted and a passive relocation effort shall be undertaken outside the nesting season. Burrowing owls shall be relocated passively to an area outside the impact zone and existing burrows shall be destroyed once they are vacated. No disturbance of active nests shall occur.

4. MM Biological Resources 4: To prevent potentially significant impacts caused by non-native invasive species, exotic/invasive plant species included in the California Invasive Plant Inventory prepared by Cal-IPC (2006) shall be excluded from plantings occurring adjacent to undeveloped areas to the south.

5. MM Biological Resources 5: Mitigation for impacts to 0.35 acres of Corps jurisdictional areas and 0.54 acres of CDFG jurisdictional areas shall occur at a 1:1 ratio. Mitigation for impacts shall include acquisition of 0.54 acre from the "Cloverleaf" property or other mitigation acceptable to the resource agencies as part of the wetland permitting process.

Prior to the issuance of a grading permit, the project applicant shall submit a Revegetation Plan for creation of 0.54 acre of riparian or marsh habitat. The Revegetation Plan shall include, but not be limited to, the following to ensure vegetation establishment: qualitative and quantitative performance standards, a map showing the revegetation areas, site preparation information including grading requirements, type of planting materials (e.g., species ratios, source, size material, etc.), planting program, success criteria including target functions and values, and detailed cost estimate. The cost estimate shall include all phases, including but not limited to planting, plant materials, irrigation, maintenance, monitoring, and report preparation. The report shall be prepared by a qualified restoration ecologist/biologist and subject to the approval of the Community Development Director.

The revegetation shall occur on property known as the "Cloverleaf" in the southern end of Lake Elsinore or other off site mitigation parcels acceptable to the City. If mitigation at the Cloverleaf property is not available, 0.54 acre of mitigation shall be provided at an alternate site or mitigation bank (the mitigation bank must have creation credits available), shall be approved by the Community Development Director, and shall meet the following criteria:

- The proposed mitigation site shall be part of a larger block of conserved habitat, or in an area that is targeted for conservation by the MSHCP. Specific locations could include Temescal Wash or MSHCP Proposed Core 1 and Core C, or other appropriate sites surrounding Lake Elsinore.

- Hydrology shall be appropriate to allow for fully functional wetland habitat for habitat restoration.
- For areas adjacent to Lake Elsinore, the pre-mitigation elevations shall be above 1,260 feet amsl for areas outside of the Back Basin levee, or above 1,246 feet amsl within the Back Basin levee to insure that the mitigation site is not considered jurisdictional habitat prior to implementation of the mitigation program.

Habitat created pursuant to the Revegetation Plan shall be placed within an open space easement dedicated to the City or transferred to the Regional Conservation Authority subject to a Donation Agreement prior to or immediately following the approval of the Revegetation Plan.

The applicant shall enter into a Secured Agreement with the City Planning Department consisting of a letter of credit, bond, or cash for implementation of the Revegetation Plan. The bond amount shall be based upon the actual estimate prepared as part of the site-specific revegetation plan.

Prior to issuance of a grading permit and prior to approval of the Final Map (or Parcel Map), the applicant shall provide the Community Development Director with a copy of a Clean Water Act Section 404 Permit issued by the Corps and a copy of a Streambed Alteration Agreement issued by CDFG (or evidence that no permit or agreement is required) for all project-related disturbances of any Corps or CDFG jurisdictional area.

V. CULTURAL

This section is based on the Phase I historic properties survey report prepared by Pacific West Archaeology, Inc. (January 2007), included as Appendix D.1, a Phase II excavation and analysis of two historic properties letter report (April 2007) included as Appendix D.2, and Phase II Cultural Resources Evaluation Report (June 2007) prepared by Pacific West Archaeology, Inc., included as Appendix Appendices D.1, D.2 and D.3; the geotechnical investigation prepared by EEI (August 2005), included as Appendix E; and correspondence with the Native American Heritage Commission and appropriate tribes and individuals, included as Appendix K.

- a) **Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? Less than Significant with Mitigation Incorporated**

Pacific West Archaeology conducted a Phase I survey of the project site in January 2007. Prior to the survey, a cultural resources records search was conducted by the Eastern Information Center of the University of California, Riverside. The results of the records search indicated that no cultural resources have been previously identified within the project site.

The pedestrian survey identified two historic archaeological sites onsite: a circa 1940-1950 household trash deposit (WW-01) and a possible cistern of similar age (WW-02). No prehistoric or Native American resources were identified onsite. Site WW-01 contains a disturbed concentration of household debris dating from circa 1940-1950. The concentration measures approximately 15 feet in diameter and contains ceramics, glass and cans. Site WW-02 is a buried structure, probably a cistern, with an associated channel for water collection. Located

about 100 feet west of WW-01, the visible portion of the feature consists of a 6-inch-wide concrete wall forming a 12-foot by 15-foot rectangle of unknown depth. A Phase II excavation and analysis of WW-01 and WW-02 was also conducted. Limited surface collection and excavation of a 1 meter by 1 meter unit to a depth of 50 centimeters at WW-01 revealed a single, relatively short-term deposit of domestic and personal materials, with minor amounts of architectural materials. These materials included an ammunition cartridge, buttons, a buckle, a cold cream jar, a hair curler, a perfume bottle, beverage cans and bottles, pull tabs, a medicine bottle, canning jars, condiment/spice jars, iron/tin cans, a milk bottle, lantern glass, a light bulb, dining ceramics (plates, mugs, teacups, ect.), a vase, window glass, and a hexnut and bolt. Artifacts are indicative of daily living and consumption patterns, dating largely to the 1940s and 1950s. Detailed examination of WW-02 resulted in a refinement of the dimensions of the buried feature.

Although the WW-01 deposit is indicative of the rural lifestyle of the period represented, the materials do not rise to a level of significance whereby their analysis and interpretation "Involves important research questions that historical research has shown can be answered only with archaeological methods" and therefore has failed to meet the criteria necessary for California Register of Historical Resources eligibility. This period of rural Riverside County and Lake Elsinore area is sufficiently documented. Furthermore, any research questions of relevance that could be addressed by these data, has been realized as a result of the evaluation program included in the Phase II report. The deposit is, therefore, not considered significant. Loss of this cultural resource does not constitute an adverse effect as defined in CEQA.

Feature WW-02 is likely a cistern, but the exact function remains elusive. The age and function of this feature within the context of the historic landscape cannot be fully realized given the limited information at hand. The feature is not, therefore, considered a significant cultural resource. As such, no further action is recommended and archaeological monitoring is not warranted.

~~The Phase II study concludes that the two historic archeological sites do not constitute significant cultural resources and archaeological monitoring is not warranted. Therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource under Section 15064.5 of the State CEQA Guidelines.~~

Even though no additional cultural resources were identified during the survey, there is the potential for significant buried historical resources to exist onsite. Therefore, project grading could impact unidentified historic and prehistoric resources. In order to ensure that no significant impact would occur to unidentified historical resources, archaeological and tribal monitoring during grading is required. MM Cultural/Paleontological Resources 1, 3 and 7 would reduce project impacts to unidentified historical resources to below a level of significance.

The proposed project could also impact Native American cultural resources, including sacred lands, buried archaeological sites and/or burials. A Sacred Lands File (SLF) record search, dated January 22, 2007, was conducted by the Native American Heritage Commission (NAHC). The SLF search identified no Native American cultural resources in the immediate project area. However, the NAHC identified tribal individuals that might have knowledge of the project area and recommended additional consultation. The NAHC also stated that buried archeological resources may be present onsite and recommended that provisions for accidentally discovered archeological resources or human remains should be implemented during grading. Letters requesting information and/or concerns about Native American resources were sent to Mark

Macarro (Pechanga Band of Mission Indians), Paul Macarro (Pechanga Band of Mission Indians), Laura Miranda (Pechanga Band of Mission Indians), Robert J. Salgado, Sr. (Soboba Band of Mission Indians), Harold Arres (Soboba Band of Luiseño Indians), Bennae Calac (Soboba Band of Luiseño Indians), and Willie Pink on February 20, 2007. The letters were followed up with a telephone call within 30 days. Responses were received from Laura Miranda on behalf of the Pechanga Band of Mission Indians and from Erica Helms on behalf of the Soboba Band of Luiseño Indians. The Pechanga Band requested consultation with the City; notification of public notices, public hearings and scheduled approvals for the project; and receipt of public circulation documents, including environmental review documents. The Soboba Band requested additional consultation, copies of archaeological and/or cultural resource documentation, and inclusion of cultural resource monitors during any ground disturbance. Archaeological and Native American monitoring during grading and other protective measures (MM Cultural/Paleontological Resources 2 through 7) would reduce project impacts to Native American resources to less than significant.

Finally, the proposed general plan amendment and specific plan amendment require Tribal Consultation pursuant to SB 18 (Government Code Section 65352.3) in order to protect and/or mitigate impacts to Native American cultural places. A SB 18 consultation list was provided by the NAHC. On February 22, 2007, the City sent letters to Mark Macarro (Pechanga Band of Mission Indians), Robert J. Salgado, Sr. (Soboba Band of Mission Indians) and Shasta Gaughen (Pala Band of Mission Indians). The City has begun formal consultation with the Pechanga Band of Mission Indians and the Soboba Band of Luiseño Indians. The Pala Band of Mission Indians deferred to the wishes of Tribes in closer proximity to the project area. This consultation is currently in process and will further ensure that no significant impacts to Native American resources would occur.

(Source: Historic Properties Reports; Native American Heritage Commission)

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? Less than Significant with Mitigation Incorporated

As discussed in Section V.a above, two historic archaeological sites were identified onsite (WW-01 and WW-02). No Native American resources were located onsite. The historic sites are not considered significant archeological resources. Therefore, the proposed project would not cause a substantial adverse change in the significance of an archaeological resource under Section 15064.5 of the State CEQA Guidelines.

Significant unidentified archaeological resources (per Section 15064.5 of the California Code of Regulations), however, could exist onsite. Grading could impact unidentified archaeological resources. Archaeological monitoring during grading (MM Cultural/Paleontological Resources 1, 3 and 7) would reduce impacts to buried archeological resources to less than significant.

As also discussed in Section V.a above, the proposed project could potentially impact Native American cultural resources, including sacred lands, buried archaeological resources and burials. Although the NAHC did not identify recorded sacred lands onsite, additional consultation with knowledgeable tribal individuals was recommended. Letters requesting information and/or concerns about Native American Resources were sent to Mark Macarro (Pechanga Band of Mission Indians), Robert J. Salgado, Sr. (Soboba Band of Mission Indians), Harold Arres (Soboba Band of Luiseño Indians), Bennae Calac (Soboba Band of Luiseño Indians), and Willie Pink on February 20, 2007. The letters were followed up with a telephone call within 30 days.

Responses were received from Laura Miranda on behalf of the Pechanga Band of Mission Indians and from Erica Helms on behalf of the Soboba Band of Luiseño Indians. The Pechanga Band requested consultation with the City; notification of public notices, public hearings and scheduled approvals for the project; and receipt of public circulation documents, including environmental review documents. The Soboba Band requested additional consultation, copies of archaeological and/or cultural resource documentation, and inclusion of cultural resource monitors during any ground disturbance. In addition, the City has undertaken formal consultation with the Pechanga Band of Mission Indians and Soboba Band of Luiseño Indians, pursuant to SB 18. The Pala Band of Mission Indians deferred to the wishes of Tribes in closer proximity to the project area. Finally, the NAHC stated that buried archeological resources may be present onsite and that provisions for accidentally discovered archeological resources or human remains should be implemented during grading. Archaeological and Native American monitoring during grading and other protective measures (MM Cultural/Paleontological Resources 2 through 7) would reduce project impacts to Native American resources to less than significant.

(Source: Historic Properties Reports; Native American Heritage Commission)

- c) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? Less than Significant with Mitigation Incorporated**

The site is underlain by surficial soils, alluvium and Jurassic-age Bedford Canyon Formation according to the geotechnical report (Appendix E). Alluvial soils and the Bedford Canyon Formation have a very low potential to contain paleontological resources. However, should paleontological resources be accidentally discovered during grading of the project site MM Cultural/Paleontological Resources 8 would reduce potential impacts to below a level of significance. Mitigation consists of halting grading and construction activities until a qualified paleontologist evaluates the significance of the find and determines the appropriate course of action.

(Source: Geotechnical Investigation)

- d) **Disturb any human remains, including those interred outside of formal cemeteries? Less than Significant with Mitigation Incorporated**

Although no human remains (including Native American remains) are known to exist onsite, it is possible that the accidental discovery of human remains may occur during grading activities. Archaeological and Native American monitoring during grading (MM Cultural/Paleontological Resources 4 and 5) would reduce this potential impact to below a level of significance.

(Source: Historic Properties Reports; Native American Heritage Commission)

MITIGATION MEASURES

1. **MM Cultural/Paleontological Resources 1:** Prior to issuance of grading permit(s) for the project, the project applicant shall retain an archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.

2. **MM Cultural/Paleontological Resources 2:** At least 30 days prior to seeking a grading permit, the project applicant shall contact the aAppropriate Tribe¹ to notify ~~the~~ that Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

3. **MM Cultural/Paleontological Resources 3:** Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in MM Cultural/Paleontological Resources 2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the aAppropriate Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

4. **MM Cultural/Paleontological Resources 4:** If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

5. **MM Cultural/Paleontological Resources 5:** The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the aAppropriate Tribe for proper treatment and disposition.

6. **MM Cultural/Paleontological Resources 6:** All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

7. **MM Cultural/Paleontological Resources 7:** If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project

¹ "Appropriate Tribe" – It is anticipated that the Pechanga Tribe will be the "aAppropriate" Tribe due to their-its prior and extensive coordination with the City and project applicant in determining potentially significant impacts and appropriate mitigation measures, and due to demonstrated cultural affiliation with the Lake Elsinore area. All subsequent uses of the term Appropriate Tribe herein shall take on the definition set forth in this footnote.

archaeologist, and the aAppropriate Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs and practices of the aAppropriate Tribe. Notwithstanding any other rights available under the law, the decision of the CDD shall be appealable to the City of Lake Elsinore.

8. **MM Cultural/Paleontological Resources 8:** If paleontological resources are located onsite, work in the area of discovery shall be halted until a qualified paleontologist has been consulted, the resource has been evaluated and the appropriate action has been taken. If the find is determined to be significant, avoidance, data collection or other appropriate measures shall be implemented to ensure that impacts are minimized.

VI. GEOLOGY AND SOILS

This section is based on the geotechnical study prepared by EEI (August 2005), included as Appendix E.

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving?**
- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. Less than Significant**

The site is located in Seismic Zone 4, a region that contains active and potentially active faults. The nearest faults are the Wildomar Section of the Elsinore Fault (1.8 miles away), the Glen Ivy Section of the Elsinore fault (6 miles away), the Casa Loma Section of the San Jacinto Valley Fault (19.2 miles away), the Whittier Fault (26.4 miles away), the San Bernardino Segment of the San Andreas Fault (32.4 miles away), and the Newport-Inglewood Fault (38.4 miles away). No earthquake fault ruptures have occurred onsite. Therefore, the potential for a rupture of a known earthquake fault impacting the proposed project site is less than significant.

(Source: Geotechnical Investigation)

- ii) **Strong seismic ground shaking? Less Than Significant with Mitigation Incorporated.**

As with most of the Southern California Region, the site may be subject to strong seismic ground shaking. As detailed above, six known active faults are located within 40 miles of the proposed project site. The Peak Ground Acceleration (PGA), considering a 10% probability in 50 years, was interpolated as 0.58g. Proper engineering in accordance with the Uniform Building Code (UBC), and the City's Municipal Code (MM Geology 1 and 2) would reduce this risk to below a level of significance.

(Source: Geotechnical Investigation)

iii) Seismic-related ground failure, including liquefaction? Less than Significant with Mitigation Incorporated.

The shallow ground water depths (5 to 30-feet below the ground surface), soft alluvial soils located in the western half of the site and potential seismic activity in the vicinity may lead to liquefaction. The risk of liquefaction would be reduced to less than significant through incorporation of remedial earthwork mitigation (MM Geology 3). Remedial earthwork mitigation would include compaction of all loose surficial alluvial soils, compaction of all fill to a minimum of 90 percent relative compaction, and inclusion of sub-drains for drainage channels.

Due to the geography, topography and site-specific geotechnical conditions, the risk of Surface Fault Rupture and Ground Lurching or Shallow Ground Rupture are considered negligible or non-existent. Conditions that are conducive to lateral spreading do not exist onsite.

(Source: Geotechnical Investigation)

iv) Landslides? Less than Significant with Mitigation Incorporated.

Soils and geology onsite consist of fill materials (loose and dry clayey gravels), surficial soils (sandy silts, silty sands, clayey sands, and sandy clays), alluvium (clayey gravels, gravelly clays with sand, and sands with gravel), and Bedford Canyon Formation (bedrock). The site ranges from 1,300 feet to 1,440 AMSL. The site generally slopes westerly with drainage flowing in a southwesterly direction. While surface and subsurface expressions of landsliding, slumps, creep, or other surficial failures were not observed onsite, landslides could potentially occur. Adherence to the UBC and the City's Municipal Code (MM Geology 1) would reduce this potential impact to below a level of significance.

(Source: Geotechnical Investigation)

b) Result in substantial soil erosion or the loss of topsoil? Less than Significant with Mitigation Incorporated.

The surficial soils and alluvium onsite may be susceptible to erosion due to the looseness of the soils and lack of soil cohesion. Compliance with the current standards of the City of Lake Elsinore Community Development Department, the Construction Storm Water Permit and the Water Quality Management Plan (MM Geology 1 and 2) would reduce this potential impact to below a level of significance.

(Source: Geotechnical Investigation; Water Quality Reports)

- c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? Less than Significant with Mitigation Incorporated.**

As previously discussed, the potential for landslides and liquefaction exists. Adherence to the UBC and the City's Municipal Code (MM Geology 1) would reduce this potential impact to below a level of significance. Lateral spreading is not anticipated.

(Source: Geotechnical Investigation)

- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? Less than Significant with Mitigation Incorporated**

Onsite soils are somewhat clayey and therefore have a potential for expansive or shrink-swell behavior. Adherence to the UBC and the City's Municipal Code (MM Geology 1 and 2) would reduce this potential impact to below a level of significance.

(Source: Geotechnical Investigation)

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? No Impact**

The proposed project would connect to the existing sewer system and therefore would not require an alternative wastewater disposal system. No impact would occur.

(Source: Project Description)

MITIGATION MEASURES

1. **MM Geology 1:** Prior to the issuance of a grading permit, the applicant shall prepare and submit the following to the City Engineer for review and approval:

- Final Grading Plan. All grading activities shall follow the UBC and all applicable governmental agency requirements (including the City's Municipal Code).
- Erosion Control Plan. Erosion control measures shall be implemented to meet all applicable governmental agency requirements.
- Final Geologic and Geotechnical Report. The final report shall further evaluate site conditions and define project-specific mitigation.

2. **MM Geology 2:** Building foundations, footings, structures, retaining walls, sub-drains, pavement, trenching, and grading shall follow the recommendations of the preliminary geotechnical report, final geotechnical report, grading plan, UBC, the City of Lake Elsinore Municipal Code, the Construction Storm Water Permit, and the Water Quality Management Plan.

3. **MM Geology 3:** Remedial earthwork shall include the removal of all undocumented fill materials, surficial soils, loose and porous alluvial soils, and highly weathered/decomposed bedrock existing onsite and processing prior to placement of additional fill within the site boundary. All topsoil, slopewash, and the upper 5 to 7 feet of alluvial material shall be removed, moisture conditioned to at least optimum moisture content, and compacted within the property boundary. Once removals are completed, the exposed bottom shall be reprocessed via cross ripping, moisture conditioned to at least optimum moisture content, and recompacted prior to placement of additional fill soils. The geotechnical engineer of record shall approve removals prior to placement of fill.

Rock fragments less than six inches can be placed in the top three feet of finished elevation. Rock fragments between 6 and 12 inches can be placed within 3 to 10 feet of the finished grade. The project soils engineer shall supervise placement of rocks exceeding 12 inches. All structural fill materials, including import soils (if any), shall be free of organic matter, have very low to medium expansion potential, and be non-plastic (if possible). The geotechnical engineer of record shall evaluate any import soils used.

Sub-drains shall be placed within the existing drainages that are planned to be filled. Drains shall be within 10 feet of the proposed finished grade and shall be tied to the stormdrain system (with backflow preventers) or other suitable outlets. The sub-drain locations will be determined by the project civil engineer.

VII. HAZARDS AND HAZARDOUS MATERIALS

This section is based on the Phase I Environmental Site Assessments (ESAs) prepared by EEI (July 2005) and R M Environmental, Inc. (June 2004), included as Appendixes F.1 and F.2.

- a) **Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? Less Than Significant with Mitigation Incorporated**

The proposed project would involve the use and/or generation of materials including (gasoline and diesel), equipment fluids (oils, and antifreeze), concrete, cleaning solutions, solvents, adhesives, human waste, and chemical toilets within the construction site on an as-needed basis. In addition, workers would commute to the project site via private vehicles, and would operate construction vehicles/equipment on both public and private streets. While the potential exists for direct impacts to human health and biological resources from accidental spills of small amounts of hazardous materials since residences and a proposed park are in the vicinity of the site, the proposed project would follow existing federal and state standards that regulate the handling, storage and transport of these materials and therefore no significant impact would occur.

Two structures onsite have asbestos containing material (ACM) and one structure has lead based paint (LBP). The removal and disposal of the structures containing ACM and LBP does pose a potential risk to human health and biological resources through the transport and disposal of ACM and LBP. In order to reduce this potential impact to less than significant, mitigation in the form of proper removal and disposal of materials containing asbestos and/or lead based paint is proposed (MM Hazards 1).

(Source: Project Description)

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Less than Significant with Mitigation Incorporated**

The proposed project is located adjacent to existing residences and a proposed park that could be impacted by a hazardous material spill or release during project construction, creating a potential hazard to people and the environment. As discussed below in Section VIII.a, however, the proposed project would comply with state and local National Pollutant Discharge Elimination System (NPDES) regulations, which would ensure that necessary best management practices and best available technology would be developed and implemented to reduce or eliminate this potential hazard. MM Hazards 2 would reduce potential impacts from the potential accidental release of hazardous materials to below a level of significance.

(Source: Project Description)

- c) **Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? Less than Significant with Mitigation Incorporated**

The proposed project consists of residential development located about a quarter mile away from an elementary school proposed by the Ramsgate Specific Plan. Although during construction there is a potential for accidental release of petroleum products in sufficient quantity to pose a significant hazard to people and the environment, the proposed project would follow state and local NPDES regulations. MM Hazards 2 would reduce potential impacts from the potential accidental release of hazardous materials below a level of significance. The traffic study determined that no intersections would create CO hotspots. Therefore additional traffic emissions created by the proposed project are not anticipated to cause a significant emissions impact.

(Source: Project Location; Traffic Study)

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? Less than Significant**

According to the Phase I ESAs records searches by R M Environmental and EEI (Appendices F.1 and F.2), the project site is not located on a list of hazardous materials sites. The completed records search did reveal one site in the vicinity that was listed in the database (Emergency Response Notification System) for a small 140-gallon spill of motor oil. Since this spill site is located down gradient from the proposed project site and the spill was a one-time occurrence, this potential impact is considered less than significant.

(Source: Phase 1 ESAs)

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? No Impact

The proposed project is not located within an airport land use plan or within two miles of a public airport. The nearest airport is the Skylark Airport, located approximately four miles away.

(Source: Riverside County Land Information System)

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? No Impact

The proposed project is not located in the vicinity of a private airstrip.

(Source: Riverside County Land Information System)

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? No Impact

The proposed project would not physically interfere with or impair implementation of the City's adopted Emergency Operations Plan.

(Source: City of Lake Elsinore General Plan, Public Safety and Urban Services Element)

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildland areas are adjacent to urbanized areas or where residences are intermixed with wildland? Less than Significant with Mitigation Incorporated

According to the County of Riverside's Elsinore Area Plan, the project site is outside a high fire hazard area, and is categorized as low and very low wildfire susceptibility. The surrounding areas adjacent to the site to south support coastal shrub and chamise redshank chaparral. These are prime fuel sources for wildfire, and the wildfire susceptibility in this area is defined as moderately high. The steep terrain in these areas also contributes to rapid spread of wildfire, when one occurs. Development of adjacent property with residential, commercial or light industrial uses, however, would eliminate the natural areas adjacent to the proposed project in those areas. The proposed project includes a primary fire access at Third Street via Tract 31792 and secondary access from Third Street via Conard Avenue. Until such time as the surrounding areas are developed, MM Hazards 3 would reduce impacts from potential fire hazards, as identified in the City of Lake Elsinore General Plan, to less than significant.

(Source: Riverside County Land Information System; TTMs 32537 and 35422)

MITIGATION MEASURES

1. **MM Hazards 1:** ACMs shall be removed by a registered and licensed asbestos contractor prior to demolition. LBP materials shall be removed prior to demolition by properly trained personnel. Additional soil sampling around the structure containing LBP shall be completed prior to demolition and after demolition to determine if the soils were also contaminated. If the soils are significantly contaminated, than proper removal, replacement and disposal of soil shall occur by trained personnel.

2. **MM Hazards 2:** All spills or leakage of petroleum products during construction activities shall immediately be contained, the hazardous material identified, and the material remediated in compliance with applicable state and local regulation regarding cleanup and disposal of the contaminant released. The contaminated waste shall be collected and disposed of at an appropriately licensed disposal or treatment facility.

3. **MM Hazards 3:** Prior to the issuance of building permits, the applicant shall comply with the following:

- The Applicant shall participate in the Development Impact Fee program, as adopted by the City of Lake Elsinore, to the extent applicable, ~~pursuant to the provision of the executed Development Agreement and the executed Operating Memorandums of Understanding between the project applicant and the City of Lake Elsinore.~~
- All water mains and fire hydrants shall be constructed in accordance with Riverside County Ordinance No. 460 and/or No. 787.1
- The project shall provide an alternate or secondary access. Before combustible materials are brought to the site, the applicant shall provide two points of access acceptable to the Riverside County Fire Department.

VIII. HYDROLOGY AND WATER QUALITY

This section is based on the drainage reports prepared by Project Design Consultants (October 2006 and November 2006), included as Appendixes G.1 and G.2, and the water quality management plan reports prepared by Project Design Consultants (January 2007), included as Appendixes H.1 and H.2.

a) **Violate any water quality standards or waste discharge requirements? Less than Significant Impact**

The proposed project site is located within the Terra Cotta Hydrologic Subarea of the Lake Mathews Hydrologic Area in the Santa Ana River Hydrologic Unit (801.35). The site currently is largely vacant and divided into five major drainages areas that generally flow from northeast to southwest. Section 303(d) of the Federal Clean Water Act (33 USC 1250, *et seq.*, at 1313(d)) requires States to identify and list waters that do not meet water quality standards after applying certain required technology-based effluent limits (impaired water bodies). The list is known as the Section 303(d) list of impaired waters. The proposed project is an indirect tributary to 303(d) listed water bodies. Site runoff flows from the onsite storm drain system into Wasson Canyon

Creek, which is tributary to Temescal Creek, and eventually discharges into the Santa Ana River at Reach 3. Reach 3 of the Santa Ana River is 303(d) listed for pathogens from dairies in the region. Beneficial uses are indicated in Table 10.

The proposed project would be subject to the State's General Permit for Storm Water Discharges Associated with Construction Activities and would be required to comply with conditions for new development that are identified through the City of Lake Elsinore and the Riverside County Flood Control District's implementation of their Municipal Separate Stormwater Sewer System (MS4) Permit. A Stormwater Pollution Prevention Plan (SWPPP) that includes construction Best Management Practices (BMPs) would be prepared prior to construction in order to ensure that no significant impacts to water quality would occur during construction. Two conceptual Water Quality Management Plans have been prepared for the TTMs that detail how the proposed project would comply with these regulations during operation. Post-construction BMPs are included for compliance with the state and local regulations, as detailed below.

The pollutants of concern for the proposed project are sediment, nutrients, trash and debris, oxygen demanding substances, bacteria and viruses, oil and grease, and pesticides. Since one of the waterways that the project would contribute to, Santa Ana River Reach 3, is on the 303(d) list for pathogens, bacteria and viruses are of highest concern. Site design BMPs to increase natural filtration and reduction of the proposed impervious area include landscape buffer strips along sidewalks, minimization of impervious surfaces, using low-water use and drought tolerant plant species for landscaping, drainage directed towards pervious areas, and flared driveway access to allow access from a single lane. The following source control BMPs would be used to address these potential pollutants: water quality education, activity restrictions (car washing and maintenance prohibited onsite), irrigation system and landscape maintenance and design, common area litter control, street sweeping, drainage facility inspection and maintenance, MS4 stenciling and signage, and protection of slopes and channels (revegetation). Treatment control BMPs include extended detention basins with underground filtration devices. The Wasson HOA would fund and maintain the BMPs. Construction and post-construction BMPs that are developed and implemented by the project in compliance with state and local regulations would effectively reduce any adverse impacts to water quality to levels that are considered to be less than significant. Therefore the potential impacts to beneficial uses indicated in Table 10 would also be less than significant.

(Source: Drainage Reports; Water Quality Reports)

**Table 10
Receiving Waters for Urban Runoff from Site**

Receiving Waters	303(d) List Impairments	Designated Beneficial Uses
1 st : Wasson Canyon Creek (HSA 801.35)	None	None
2 nd : Temescal Creek (Reach 6) (HSA 801.35)	None	Intermittent Beneficial Uses: GWR, REC1, REC2, WARM, WILD
3 rd : Temescal Creek (Reach 5) (HSA 801.35)	None	Present or Potential Beneficial Uses: AGR, GWR, REC1, REC2, WARM, WILD, RARE
4 th : Temescal Creek (Reach 4) (HSA 801.34)	None	Intermittent Beneficial Uses: AGR, GWR, REC1, REC2, WARM, WILD Present or Potential Beneficial Uses: RARE
5 th : Temescal Creek (Reach 3) (HSA 801.34)	None	Present or Potential Beneficial Uses: AGR, IND, GWR, REC1, REC2, WARM, WILD
6 th : Temescal Creek (Reach 2) (HSAs 801.32 and 801.25)	None	Intermittent Beneficial Uses: AGR, IND, GWR, REC1, REC2, WARM, WILD
7 th : Temescal Creek (Reach 1B) (HSA 801.25)	None	Present or Potential Beneficial Uses: REC1, REC2, LWRM, WILD
8 th : Temescal Creek (Reach 1A) (HSA 801.25)	None	Present or Potential Beneficial Uses: AGR, IND, GWR, REC1, REC2, WARM, WILD, RARE, SPWN
9 th : Santa Ana River (Reach 3) (HSA 801.21)	Pathogens	Present or Potential Beneficial Uses: AGR, GWR, REC1, REC2, WARM, WILD, RARE
10 th : Santa Ana River (Reach 2) (HSA 801.11)	None	Present or Potential Beneficial Uses: AGR, GWR, REC1, REC2, WARM, WILD, RARE
11 th : Santa Ana River (Reach 1) (HSA 801.11)	None	Intermittent Beneficial Uses: WARM, WILD Present or Potential Beneficial Uses: REC1, REC2

AGR - Agricultural Supply
IND - Industrial Services Supply
REC1 - Contact Recreation
REC2 - Non-Contact Recreation
WARM - Warm Freshwater Habitat
LWRM - Limited Warm Freshwater Habitat
WILD - Wildlife Habitat
RARE - Rare, Threatened, or Endangered Species
SPWN - Spawning, Reproduction, and/or Early Development

(Source: Water Quality Studies, PDC 2007)

- b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Less than Significant Impact**

The two principal aquifers that exist in the Elsinore Valley are the lake floodplains and Pauba Formation. The Pauba Formation contains the largest aquifer. Runoff down canyons and the Elsinore Mountains infiltrates the upper reaches of the alluvial fans on the west side of the lake. Inflow originates from Leach McVicker and Rice Canyon along the north side of the lake. Subsurface inflow in the remainder of the valley does not exist except from the San Jacinto River.

The proposed project site is underlain by Bedford Canyon Formation and is not located within either of these areas. According to the Riverside County Land Information System, there are wells located in the vicinity of the proposed project. While the proposed project would reduce the permeability of the site through residential and roadway development, and thus reduce the groundwater recharge, the proposed retention basins would allow for additional groundwater recharge. The proposed project does not include the construction of wells or other activities that would deplete groundwater supplies. Therefore impacts to groundwater are considered less than significant.

(Source: Riverside County Land Information System; Drainage Reports; Water Quality Reports)

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on or offsite? Less than Significant Impact**

The project site contains five drainage areas onsite, over 300 linear feet of which are subject to Corps and/or CDFG jurisdiction. The discharge points would remain the same pre- and post-project. The drainage systems would be designed so that the post-project discharge rates are the same or less than the existing levels, as required in the water quality reports. The recommendations contained in the water quality reports would be implemented to ensure that no impact to water quality through erosion or siltation would occur on or offsite. Please refer to the discussion of BMPs in Section VIII.a above. As required by the State, a SWPPP would also be prepared to ensure no significant construction impacts, including erosion and siltation, occur during construction. Due to the fact that a SWPPP would be prepared and a WQMP has been prepared with BMPs that address erosion or siltation, substantial erosion or siltation onsite or offsite is not expected.

(Source: Biology Report; Drainage Reports; Water Quality Reports)

- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite?** Less than Significant Impact

The discharge points would remain the same pre- and post-project. In order to keep the pre- and post-project discharge rates similar, retention/detention basins are required. The existing Wasson West North flow rates for two- and ten-year storm events are 2.6 cubic feet per second (cfs) and 4.9 cfs, respectively. Wasson West North would require one 0.55-acre-foot detention basin to reduce the two- and ten-year peak flows from the northern portion of the site to the predevelopment rates, while passing the 100-year peak flow and controlling downstream velocities. The 0.59-acre-foot detention basin (Lot A) proposed for Wasson West North would reduce the two- and ten-year flows to 2.7 cfs and 5.5 cfs, respectively. The existing Wasson West South flow rates for two- and ten-year storm events are 21.88 cfs and 49.63 cfs, respectively. Wasson West South would require three detention basins; one that holds 165,368 cubic feet (Lot Q), one that holds 8,345 cubic feet and one that holds 3,655 cubic feet (Lot T). The proposed detention basins Wasson West South the two- and ten-year flows would be 23.62 cfs and 49.34 cfs, respectively. Basins have been sized in accordance with Riverside County Flood Control and Water Conservation District criteria and Hydrology Manual. Therefore, the potential for on or offsite flooding would not be significant.

(Source: Project Design; Drainage Reports)

- e) **Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?** Less than Significant Impact

As discussed in Section VIII.d above, the proposed stormdrain system has been designed to adequately capture, convey, and discharge the existing runoff flow rates and volumes. Through the implementation of the recommendations in the drainage reports, the pre-development runoff rates and volumes would be similar to the existing rates and volumes. Therefore, the impact of runoff water from the proposed project on the existing or planned storm drain system would not be significant.

Implementation of the proposed project, however, would create an additional source of polluted runoff. Compliance with state and local NPDES regulations, as detailed in Section VIII a above, would ensure that appropriate BMPs would be included to reduce or eliminate pollutant discharges from the site. The potential impacts from polluted runoff would be reduced to below a level of significance.

(Source: Project Design; Drainage Reports; Water Quality Reports)

- f) **Otherwise substantially degrade water quality?** No Impact

A SWPPP would be prepared for construction activities to ensure no degradation to water quality would occur during construction. Water quality managements plan have been prepared and would be implemented to ensure that no impact to water quality would occur during the operation of the proposed project. No impact is anticipated.

(Source: Water Quality Reports)

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? No Impact

The site is not located within a 100-year floodplain. No housing would be placed within a 100-year flood zone; therefore, no impact would occur.

(Source: Riverside County Land Information System)

- h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? No Impact

The site is not located within a 100-year floodplain. Therefore no impact from a 100-year flood hazard to structures would occur.

(Source: Riverside County Land Information System)

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? No Impact

The site is not located down stream from a levee or a dam. Therefore, no impact from a levee or dam failure is expected.

(Source: Riverside County Land Information System)

- j) Inundation by seiche, tsunami, or mudflow? No Impact

Lake Elsinore is located about 1.6 miles away from the proposed project. A seiche in Lake Elsinore could occur during an earthquake, causing the lake level to rise by ten inches to 20 feet. The lake shoreline, and areas around the Temescal Outflow channel, could be impacted severely. However, the site is located in an inland area, at an elevation higher than 20 feet above lake elevation. In addition, no large slopes experiencing significant erosion exist in the area. Therefore, no risk of inundation by seiche, tsunami or mudflow is anticipated.

(Source: Riverside County Land Information System)

MITIGATION MEASURES

Impacts to hydrology and water quality are considered less than significant. None Required.

IX. LAND USE AND PLANNING

- a) Physically divide an established community? No Impact

The proposed project is an amendment of the Ramsgate Specific Plan to add 74.6 acres consisting of the proposed TTMs 32537 and 35422, which are located directly south of the existing specific plan boundaries, in an undeveloped area on either side of Third Street. The proposed project is effectively occurring at the edge of developed property to the west, and not in

the middle of existing development. To the north and east the proposed project is surrounded by residential land currently undergoing development. The land to the south contains sparse single-family homes and vacant land. The proposed project would not alter the alignment of Third Street; the land to the east and the west would still be connected. In addition, the proposed extension of Welch Drive (proposed "A" Street), and the addition of a connection from Cambren Avenue to Waterford Street (through proposed "K", "D" and "F" Streets) would further connect the adjacent residential areas. Therefore the proposed project would not physically divide an established community, either existing or proposed.

(Source: Project Location)

- b) **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? No Impact**

The project site is designated Very Low Density Residential (one acre minimum lot size) in the County General Plan and zoned Residential Agriculture (20,000 SF minimum lot size) and Rural Residential (0.5 acre minimum lot size). It is designated Low-Medium Density Residential (6 du/acre) and Freeway Business in the City's General Plan. The project proposes a General Plan Amendment to redesignate the property to Ramsgate Specific Plan, a Pre-Annexation Zone Change to Ramsgate Specific Plan (Medium Low Density 3.6-5.0 du/acre), a Ramsgate Specific Plan Amendment to include TTMs 32537 and 35422, and Annexation into the City Lake Elsinore. The proposed project would not conflict with any applicable land use plan, policy or regulation of the City of Lake Elsinore.

(Source: Riverside County General Plan; City of Lake Elsinore General Plan; City of Lake Elsinore Zoning Code)

- c) **Conflict with any applicable habitat conservation plan or natural community conservation plan? No Impact**

A MSHCP Consistency Determination document has been prepared by Helix Environmental Planning (April 2007). The approval of this document by Riverside County is required and would ensure compliance with the MSHCP. As detailed in Section IV.F above, the proposed project would comply with the Western Riverside County MSHCP.

(Source: Biological Report, MSHCP Consistency Determination)

MITIGATION MEASURES

There are no impacts to land use and planning. No mitigation is required.

X. MINERAL RESOURCES

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? No Impact**

The project site does not contain any known mineral resource and is not located within an area that has been classified or designated as a mineral resource area by the State Board of Mining and Geology. The City's General Plan does not designate the project site as a significant mineral resource site. There are no known operating mines on or near the project site. Therefore, no impact to mineral resources would result from implementation of the project.

(Sources: City of Lake Elsinore General Plan)

- b) **Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? No Impact**

The City's General Plan indicates that regionally significant construction aggregate deposits are located within McVicker Canyon and Rice Canyon; and clay resources are located in the Alberhill area. The proposed project site is not located within these locally-important mineral resource areas. No impacts to locally-important mineral resources would result from implementation of the project.

(Sources: City of Lake Elsinore General Plan)

MITIGATION MEASURES

No mitigation is required, as the proposed project would have no impacts to mineral resources.

XI. NOISE

This section is based on the noise study prepared by Urban Crossroads (January 2007), included as Appendix I.

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Less than Significant with Mitigation Incorporated**

Construction Noise

Chapter 17.78 of the City's Zoning Code regulates construction noise generation. The City's short-term (less than 10 days) construction noise standards for multi-family residences are 80 dBA maximum from 7 a.m. to 7 p.m. and 65 dBA maximum from 7 p.m. to 7 a.m. Long-term construction noise (10 days or more) standards for multi-family are 65 dBA maximum from 7 a.m. to 7 p.m. and 55 dBA maximum from 7 p.m. to 7 a.m. The short-term construction noise standards for single-family residences are 75 dBA maximum from 7 a.m. to 7 p.m. and 60 dBA maximum from 7 p.m. to 7 a.m. Long-term construction noise standards for single-family homes are 60 dBA maximum from 7 a.m. to 7 p.m. and 50 dBA maximum from 7 p.m. to 7 a.m. Construction is not allowed on Sundays or holidays.

Sensitive noise receptors exist onsite and in the vicinity of the proposed project. The proposed project site contains one single-family home that will remain. The area to the west of the proposed project contains single-family residences, the area to the north is proposed for medium and medium high density apartments, the area to the northeast is a proposed park and the area to the east is proposed for medium low density residences. The proposed onsite residences would be considered a sensitive noise receptor as well.

The proposed grading activities include the operation of trucks, graders, bulldozers, concrete mixers, and portable generators. These temporary noise generators could potentially impact sensitive noise receptors adjacent to the proposed project site. The proposed grading worst-case scenario would cause grading noise to be 89 dBA at 50 feet, 83 dBA at 100 feet and 77 dBA at 200 feet. Therefore mitigation is required in order to adhere to the City's construction noise standards. The placement of staging areas as far from sensitive noise receptors as possible, limitation of construction activities that produce high noise levels, and the appropriate scheduling and routes of haul truck would reduce this potential impact to below a level of significance (MM Noise 1).

Operational Noise

The proposed residential units are not considered significant noise generators themselves, however, the traffic generated by the proposed project could potentially impact surrounding residences. In addition, the proposed project could be impacted by noise generated from the traffic on the roadways. Traffic noise is controlled by the City noise element. The City's noise element adopted a standard for maximum residential outdoor noise levels of 60 dBA_{Ldn}. Residential development is discouraged in areas where noise levels exceed 65 dBA_{Ldn} unless proper mitigation is included. Interior noise levels should be less than 45 dBA_{Ldn}.

The existing, 2009 (with and without project), 2012 (with and without project) and long-term (with and without project) roadway noise contours were calculated using the Federal Highway Administration (FHWA) Traffic Noise Prediction Model. The model determined that the maximum increase in noise levels that the proposed project would cause for all roadway segments for 2009, 2012 and long range General Plan conditions is 2.7 dBA_{Ldn} (Conard Avenue east of Central Avenue) in the Year 2012. This impact to offsite residences is considered less than significant since the increase is less than 3 dBA (the minimum noise level increase detectable by human hearing), and since the increase would not cause the noise level to exceed the City's noise element standard of 65 dBA_{Ldn} for residential uses.

The existing exterior noise was measured at five locations in the vicinity of the site and ranged from 54.8 to 60.1 dBA_{Leq}. When converted to Ldn, noise ranged from 54.9 to 60.2 dBA_{Ldn}, which is compatible with residential development. The future exterior noise levels were estimated by the FHWA traffic noise prediction model. Exterior noise levels were found to range from 59.0 to 62.8 dBA_{Ldn}. In order to reduce exterior noises levels to below 60 dBA_{Ldn}, noise walls would be required (MM Noise 2). Specifically, four-foot noise barriers between Wasson West TTM 32537 Lots 25, 26, 61, and 70 and Third Street; TTM 35422 Lots 9 to 17 and Third Street; and TTM 35422 Lots 77 to 87 and Cambern Avenue are proposed. The inclusion of these noise walls would reduce exterior noise to between 51.1 to 59.7 dBA_{Ldn} and therefore noise impacts would be reduced to below a level of significance.

The interior noise level standard for the City is 45 dBA_{Ldn}. The noise levels were calculated for both the first and second floors of the proposed development in windows open and windows closed conditions. While the maximum noise level with windows closed was below the 45 dBA_{Ldn} threshold (41.2 dBA_{Ldn}), the windows open scenario experienced noise levels up to 49.2 dBA_{Ldn}. To meet the 45 dBA_{Ldn} threshold, noise level reduction can be completed with the windows closed condition (MM Noise 3). This condition will require mechanical ventilation and standard dual glazed windows with a minimum Sound Transmission Class rating of 26.

(Sources: City of Lake Elsinore Municipal Code, City of Lake Elsinore General Plan; Noise Study)

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? Less than Significant Impact

The proposed construction could cause infrequent groundborne vibrations during grading and construction. However, this type of noise would be temporary and infrequent and is not expected to occur during project operation. Impacts are not considered significant since the proposed project would comply with appropriate noise attenuation measures described in the City's Noise Ordinance. No mitigation is required.

(Sources: Noise Study)

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? Less than Significant Impact

As described in response to Section XI.a above, the proposed project operation would not cause a substantial increase in permanent ambient noise levels with the implementation of mitigation measures.

(Source: City of Lake Elsinore Municipal Code, City of Lake Elsinore General Plan; Noise Study)

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? Less than Significant with Mitigation Incorporated

As described in response to Section XI.a above, the proposed project construction phase would temporarily cause periodic increases in the ambient noise levels. Sensitive noise receptors in the vicinity could be significantly impacted by this increase in noise. MM Noise 1 would reduce this potential impact to below a level of significance. Operation-generated noise would not significantly increase ambient noise levels.

(Source: City of Lake Elsinore Municipal Code, City of Lake Elsinore General Plan; Noise Study)

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? No Impact

The proposed project is not located within an airport land use plan or within two miles of a public airport. The nearest airport is the Skylark Airport, located approximately four miles away. There would be no impact.

(Source: Riverside County Land Information System)

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? No Impact

The proposed project is not located in the vicinity of a private airstrip. There would be no impact.

(Source: Riverside County Land Information System)

MITIGATION MEASURES

1. **Mitigation Measure Noise 1:** The construction contractor shall complete the following to reduce construction noise:

- During all project site excavation and grading onsite, the construction contractors shall equip all construction equipment (fixed or mobile) with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction.
- The construction contractor shall limit all construction-related activities that would result in high noise levels according to the construction hours to be determined by City staff. The construction contractor shall limit all construction-related activities that would result in high noise levels between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays or public holidays.
- The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.

2. **Mitigation Measure Noise 2:** Four-foot noise barriers between Wasson West TTM 32537 Lots 25, 26, 61, and 70 and Third Street; TTM 35422 Lots 9 to 17 and Third Street; and TTM 35422 Lots 77 to 87 and Cambern Avenue shall be constructed at the property line, between the adjacent roadways and exterior living areas, at the top of the slope, above pad or roadway

elevation, whichever is greater. Where applicable, the barriers shall wrap around the ends of the dwelling units to prevent flanking of noise into the site.

3. **Mitigation Measure Noise 3:** Since residents of TTM 32537 Lots 22 to 26 and 61 to 69, and TTM 35422 Lots 9 to 17 and 77 to 87 will be required to shut their windows to reduce noise to the appropriate levels, these residences must be provided with mechanical ventilation and standard dual glazed windows with a minimum Sound Transmission Class rating of 26.

XII. POPULATION AND HOUSING

a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? Less than Significant Impact**

The current population of the City is approximately 41,000. The proposed project would subdivide 74.6 gross acres of largely vacant land, adding approximately 272 residential units to the existing housing supply in the City. Assuming 3.27 people per residential unit (2000 Census), the proposed project would add approximately 890 residents to the City. The project would extend roads from beyond the project, back into the project so that proposed residents can enter and exit the property. These roads would not provide a thoroughfare connection to locations beyond the Ramsgate Specific Plan borders. Although the proposed project would introduce more population into the area, this increase would represent an increase of only two percent. This increase in population is not considered substantial.

(Source: 2000 Census)

b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Less Than Significant Impact**

Two residences exist onsite. The proposed project would preserve the residence located within TTM 32537 and would remove the residence in TTM 35422. The project's displacement of one residence is not considered significant because the proposed project includes housing and the construction of replacement housing offsite would not be required.

(Source: Project Description)

c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? Less Than Significant Impact**

As described in Section XII.b above, the project's displacement of one residence (approximately 3-4 people) would not require construction of replacement housing offsite. The impact is not considered substantial.

(Source: Project Description)

MITIGATION MEASURES

Impact to population and housing are considered less than significant. No mitigation is required.

XIII. PUBLIC SERVICES

The public services discussion below is based on correspondence with the applicable public service agencies (Appendix K), the City's General Plan and the County's General Plan.

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

a) Fire Protection? Less Than Significant with Mitigation Incorporated

The Riverside County Fire Department currently provides and would continue to provide fire service to the proposed project. Four Fire Stations serve the City and the proposed project area; Stations 10, 60, 85, and 94. The closest City fire station to the project site is Station 10, located at 410 West Graham Avenue. The equipment and personnel for each of these stations are listed in Table 11 below. Please note that the personnel indicated below are per shift, and shifts are 3 days each with overlap and relief personnel. The City is estimated to have three shifts worth of fire fighters, and therefore about 45 fire personnel. The Ramsgate Specific Plan also incorporates a new fire station (Rosetta Canyon Station) in the 32.9-acre community park in Planning Area 1.

**TABLE 11
Fire Stations and Equipment Serving the City of Lake Elsinore**

STATION	EQUIPMENT	PERSONNEL
Station 10 410 Graham Avenue	1 engine	1 fire captain 1 fire apparatus engineers 2 firefighters (paramedics)
Station 85 29405 Grand Avenue	1 engine	1 fire captain 1 fire apparatus engineers 2 firefighters (paramedics)
Station 94 21775 Railroad Canyon Road, east of the I-15	1 engine	1 fire captain 1 fire apparatus engineers 2 firefighters (paramedics)
Station 60 28730 Vacation Drive, Canyon Lake	1 engine 1 rescue squad	1 fire captain or fire apparatus engineer 2 firefighters (paramedics)

Source: Riverside County Fire, Appendix K

The City's current fire service goals are one firefighter per 1,000 persons (General Plan Policy 1.1.1), and a response time of five minutes for urban areas and six minutes for rural areas (General Plan Public Safety and Urban Services Element). Therefore, the City's existing goal is 41 firefighters. As detailed above, the City currently meets that personnel goal. The response time in an urban setting, where the proposed project would be located, is seven minutes for the four stations overall and five minutes for Station 10 (Riverside County Fire; Appendix K). Therefore, the City currently meets its fire service goals for the proposed project area. The project applicant, however, would be required to construct their fair share of infrastructure in

order to provide fire-fighting capabilities to the proposed project. The project is located within the boundaries of Community Facilities district No. 2003-01, which provides for the operation and maintenance of public services, including fire protection services, from funds generated through annual fees assessed on property.

Assuming a population of 3.27 persons per household based on 2000 Census data, the proposed project would add approximately 890 residents to the County's Fire District. Therefore the proposed project would cause the City to need approximately one additional firefighter. If additional fire personnel are required to service the project, the special tax levied for the Public Safety Community Facilities District No. 2003-01 would be use to fund addition services, in addition to money from the City's General fund. MM Public Services 1 would reduce impacts to fire services to less than significant.

(Sources: Riverside County Fire; City of Lake Elsinore General Plan; 2000 Census; Ramsgate Specific Plan).

b) Police Protection? Less Than Significant with Mitigation Incorporated

Currently, the Riverside County Sheriff's Department provides law enforcement services for the unincorporated areas of Riverside County. Upon annexation, the City of Lake Elsinore, through a contract with the Riverside County Sheriff's Department, will provide police protection for the proposed project. The closest City Police Department/Sheriff's Station is located at 333 Limited Avenue in Lake Elsinore. The California Highway Patrol provides traffic enforcement to the County of Riverside with additional support from the local County Sheriff's Department.

Since the County has separated service areas into Zones and assigned officers to those Zones, the response time for all emergency calls (Priorities 1, 2, 3, and 4) has been less than five minutes. There is no goal for response times (Personal Communication, Vince Scarpino, Lake Elsinore Police & Sheriff Station; Appendix K). The City's police personnel goal (General Plan Policy 1.1.1) is 1.5 police officers per 1,000 persons for police protection, or 62 police officers. There are currently 123 sworn officers and 26 non-sworn personnel at the Lake Elsinore station. The proposed project complies with applicable law enforcement requirements and standards to ensure adequate law enforcement protection is available to the future residents of the proposed project. The project site is located within the boundaries of Community Facilities district No. 2003-01, which provides for the operation and maintenance of public services, including police protection services, from funds generated through annual fees assessed on property.

Assuming a population of 3.27 persons per household based on 2000 Census data, the proposed project would add approximately 890 residents to the City. Therefore the proposed project would cause the City to need approximately two additional police officers. If additional police personnel are required to service the project, the special tax levied for the Public Safety Community Facilities District No. 2003-01 would be use to fund addition services, in addition to money from the City's General fund. No unique unforeseen law enforcement problems would be caused by the proposed project (personal communication, Louis Fetherolf, Lake Elsinore Police & Sheriff Station). MM Public Services 2 would reduce impacts to police services to less than significant.

(Sources: Lake Elsinore Police Department/Sheriff's Station; City of Lake Elsinore General Plan; 2000 Census).

c) Schools? Less Than Significant with Mitigation Incorporated

The site is located within the Lake Elsinore Unified School District (LEUSD). LEUSD is composed of 22 schools, including 13 elementary, four middle, two comprehensive high schools, a continuation school, an alternative education center, and an adult education program. There are plans to expand and upgrade/modernize existing facilities and build new elementary, middle and high schools to accommodate future growth. In addition, the Ramsgate Specific Plan is anticipated to include an elementary school.

According to the Ramsgate Specific Plan, each residential unit would generate 0.42 elementary school students, 0.18 middle school students and 0.16 high school students. Therefore a total of 115 elementary school students, 49 middle school students and 44 high school students would be generated by the proposed project. Students generated by the proposed project would attend Tuscany Hills Elementary School, Elsinore Middle School and Temescal Canyon High School. The proposed project would cause the schools to need additional portable classrooms. To offset impacts, required school development fees would be collected prior to the issuance of building permits. MM Public Services 2 would reduce project impacts to schools to less than significant.

(Sources: Ramsgate Specific Plan; Lake Elsinore Unified School District)

d) Parks? Less Than Significant with Mitigation Incorporated

Upon annexation of the proposed project, park and recreation services for this area will transfer from the County of Riverside to the City of Lake Elsinore. The City's parkland goal is 5 acres of parkland per 1,000 residents. According to the City, the current population is approximately 41,000; therefore 204.9 acres of parkland are required. The City currently owns and maintains 12 parks in the City (Table 12) that total 156.75 acres. Therefore the City does not currently meet its parkland goal.

The proposed project will increase the population and associated burdens on recreational facilities, but the proposed project would provide neighborhood parks and public open and recreational space to future populations, lessening any substantial physical deterioration to existing recreation facilities in the area. The proposed project is anticipated to add 890 residents to the City of Lake Elsinore. Therefore, the proposed project would add 4.45 acres of parkland to the City's parkland goal. The proposed project includes 5.63 acres of passive and active parks; TTM 35422 Lot Q would contain an active park, while TTM 32537 Lot A and TTM 35422 Lot T would contain passive grassy parks. Therefore, the proposed project would provide enough parkland to offset the additional demand created.

To further offset any impact, the TTMs 32537 and 35422 developments, as part of the Ramsgate Specific Plan, would be required to pay a Developer ~~Agreement Impact Fee pursuant to the provisions of an executed Development Agreement and executed Operating Memorandums of Understanding~~. These fees would be used to construct a Community Park within the Ramsgate Specific Plan, which would meet the recreational needs of the project. MM Public Services 2 would reduce project impacts to parks to less than significant.

TABLE 12
City of Lake Elsinore Parks and Recreational Facilities

PARK FACILITY	ACREAGE
Lake Elsinore City Park 243 S. Main Street	4
Lake Community Center 310 W. Graham	0.25
Swick & Matich Park 402 Limited Street	7
Lake Elsinore Cultural Center 183 N. Main Street	0.25
Yarborough Park 419 N. Poe Street	3
Summerhill Park 31613 Canyon Estates Drive	5
Lakepoint Park 420 E. Lakeshore	12.5
Lake Elsinore Senior Center 420 E. Lakeshore	
Public Beach 700 Block Lakeshore	0.25
Machado Park 15150 Joy Street	5
Summerlake Park 900 W. Broadway	5
Oak Tree Park	16
McVicker Canyon Park and McVicker Skate Park 29355 Grand Ave.	26
Creekside Park 32000 Lost Road	7
Canyon Estates Linear Park 31717 Canyon Estates Drive	1
Rosetta Canyon Park (Ramsgate Specific Plan)	32
Neighborhood Parks (Ramsgate Specific Plan)	2
Canyon Hills Community Park	24
Little Valley Parks (Ramsgate Specific Plan)	5.5
TOTAL	156.75

e) **Other public services/facilities? Less Than Significant with Mitigation Incorporated**

Library

The proposed project would be serviced by the Riverside County Library System. The County of Riverside operates a system of 35 libraries and 2 book mobiles to serve unincorporated populations. The library system manages the library catalog of the 1.3 million items in the library system and the annual checkout of over 3.5 million books/audios/videos. Riverside County's goal is 0.5 square foot of library space and 2.5 volumes per capita (Riverside County General Plan EIR). According to the 2000 Census, Riverside County has 1,545,387 residents. Therefore 772,694 square feet of library and 3,863,468 volumes are required.

The proposed project would potentially impact the County's library system through the addition of 890 residents. The closest libraries are located on West Graham Avenue, Riverside Drive and on Railroad Canyon Drive. All branches of the county library system are supported by volunteer nonprofit "Friends of the Library" organizations and fundraising activities. To offset impacts to library facilities and services, the City requires residential developers to pay a fee for capital library facilities of \$150 per unit to fund a city operated library facility. MM Public Services 2 would reduce impacts to library facilities and services to less than significant.

Lighting and Landscaping

The proposed project would be annexed into the City of Lake Elsinore Lighting and Landscaping Maintenance District (LLMD). The proposed project would be required to pay the citywide LLMD fee (\$24.90 per Equivalent Dwelling Unit) and the local new development assessment fee (approximately \$200 per residential unit) every year. The responsibility for providing street lights in the annexation area would be assumed by property developers at no cost to the City as development occurs. MM Public Services 3 would reduce impacts to lighting and landscaping to less than significant.

(Source: Riverside County General Plan EIR)

MITIGATION MEASURES

1. **MM Public Services 1:** Prior to the issuance of building permits, the applicant shall comply with the following fire mitigation measures:

- The Applicant shall participate in the Development Impact Fee program as adopted by the City of Lake Elsinore to the extent applicable, ~~pursuant to the provisions of the executed Development Agreement and the executed Operating Memorandums of Understanding between the Project applicant and the City of Lake Elsinore.~~
- All water mains and fire hydrants shall be constructed in accordance with Riverside County Ordinance No. 460 and/or No. 787.1.
- The project shall provide an alternate or secondary access.

2. **MM Public Services 2:** Prior to issuance of building permits, the applicant shall be required to pay appropriate developer impact fees for impacts to police, schools, parks, and library services.

3. **MM Public Services 3:** Prior to issuance of building permits, the applicant shall be required to pay the Lighting and Landscaping Maintenance District fee and appropriate development assessment fee for impacts to lighting and landscaping.

XIV. RECREATION

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? Less Than Significant with Mitigation Incorporated**

Since the project proposes additional residences, the proposed project would increase the population and the demand for recreational facilities in the area. As detailed in Section XIII.d above, the proposed project would add 4.5 acres of parkland demand within the City and provide 5.69 acres of passive and active parks (TTM 32537 Lot A; TTM 35422 Lots Q and T). Therefore the proposed project would not cause a significant deterioration of parkland facilities. To further offset any impact to recreational facilities, the proposed project would provide payment of developer impact fees. MM Recreation 1 would reduce impacts to less than significant.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? Less Than Significant with Mitigation Incorporated**

The proposed project would construct four detention basins that would also provide parkland for the proposed project. Impact to the environment from the proposed parkland has already been addressed by this environmental document. Mitigation measures have been incorporated as appropriate. MM Recreation 1 would reduce impacts to less than significant.

MITIGATION MEASURES

1. **MM Recreation 1:** Prior to issuance of building permits, the Applicant shall be required to pay appropriate developer impact fees for impacts to parks.

XV. TRANSPORTATION/TRAFFIC

The transportation/traffic discussion below is based on the 2007 traffic study prepared by Urban Crossroads (Appendix J).

- a) **Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? Less than Significant with Mitigation Incorporated**

The City of Lake Elsinore requires intersections to operate at Level of Service (LOS) D or better. The County of Riverside requires County-maintained roads and conventional highways to operate at LOS C. LOS D is allowed for community development areas at intersections of Secondary Highways, Major Highways, Arterials, Urban Arterials, Expressways, conventional State Highways, or freeway ramp intersections. LOS E is allowed in pedestrian oriented community centers. LOS D with a less than 45-second delay per vehicle is acceptable to CalTrans at signalized intersections along CalTrans facilities. The addition of more than 50 peak hour trips is considered a significant contribution to traffic.

The traffic study analysis prepared by Urban Crossroads 2007 (Appendix J) includes the LOS intersections for the existing conditions, Year 2009 with and without the proposed project, Year 2012 with and without the proposed project and the General Plan Build-out with and without the proposed project (Table 13).

TABLE 13
Level of Service for Existing, Year 2009, Year 2012 and General Plan Build-Out

Intersection	Existing	Year 2009		Year 2012		General Plan	
		Without Project	With Project	Without Project	With Project	Without Project	With Project
		AM/PM	AM/PM	AM/PM	AM/PM	AM/PM	AM/PM
1-15 Fwy. SB Ramps (NS) at: Central Av. (SB-74) (EW) -Without Improvements -With Improvements	C/C	D/F D/D	D/F D/D				
1-15 Fwy. NB Ramps (NS) at: Central Av. (SR-74) (EW) -Without Improvements -With Improvements	C/C	C/F C/C	C/F C/C				
1-15 Fwy. (NS) at: Central Av. (SR-74) (EW) -With Funded Improvements				D/D	D/D	D/D	D/D
Camino Del Norte (NS) at: Main St. (EW) -Without Improvements -With Improvements	A/A	F/F C/C	F/F C/C	F/F B/C	F/F B/C	F/F C/D	F/F C/D
Dexter Av. (NS) at: Central Av. (SR-74) (EW) -Without Improvements -With Improvements -With Funded Improvements	D/C	F/D D/D	F/D D/D		D/C	D/C	C/C
3 rd St. (EW) -Without Improvements -With Improvements	B/B	B/B	B/B	B/B	B/B	D/F C/D	D/F C/D
2 nd St. (EW) -Without Improvements -With Improvements	A/A	A/A	A/A	A/B	A/B	A/C C/C	A/C C/C
Cambern Av. (NS) at: Central Av. (SR-74) (EW) -Without Improvements -With Improvements -With Funded Improvements	C/C	D/D C/C	D/E D/C		C/C	C/C	D/D
3 rd St. (EW) -Without Improvements -With Improvements	A/A	A/A	A/A	A/A	A/A	B/F C/C	B/F C/C
Conard Av. (NS) at: Central Av. (SR-74) (EW) -Without Improvements -With Improvements	F/F	F/F C/C	F/F C/C	F/F C/C	F/F C/C	F/F C/C	F/F C/C
Rosetta Canyon Dr. (NS) at: Central Av. (SR-74) (EW) -Without Improvements -With Improvements	B/B	C/C	C/C	D/C	D/D	D/F D/C	D/F D/D

Source: Urban Crossroads, Inc. 2007

The proposed project would incrementally increase the overall traffic volume on local roadways. Using the trip generation rates from the Institute of Transportation Engineers, TTM 32527 would generate 699 daily trips (55 a.m. peak hour trips and 74 p.m. peak hour trips) and TTM 35422 would generate 1,924 daily trips (151 a.m. peak hour trips and 203 p.m. peak hour trips).

In 2009, Interstate 15 southbound and northbound ramps at Central Avenue, Camino Del Norte at Main Street, Dexter Avenue at Central Avenue, Cambern Avenue at Central Avenue, and Conard Avenue at Central Avenue would operate at unacceptable levels of service (LOS) without the proposed project. Traffic signals at Camino Del Norte at Main Street and Conard Avenue at Central Avenue are needed under the existing conditions. In 2009 with the proposed project, the same intersections would operate below acceptable levels. The addition of the proposed project traffic would cause one intersection, Cambern Avenue at Central Avenue, level of service would be reduced from LOS D to LOS E. The proposed project would contribute more than 50 peak hour trips to the intersection of Conard Avenue at Central Avenue and therefore this impact is considered significant. No additional intersections would experience significant deficient operations, compared to 2009 without project conditions.

In 2012, Camino Del Norte at Main Street and Conard Avenue at Central Avenue would operate at unacceptable LOS without the proposed project. The number of failing intersections drops from six to two because of planned funded improvements, as indicated in Table 13. In 2012 with the proposed project, the same intersections would operate below acceptable LOS. One intersection, Rosetta Canyon Drive at Central Avenue, level of service would be reduced from LOS C to LOS D. This impact is not considered significant as LOS D is an acceptable level of service.

In the Long Range General Plan without the proposed project, Camino Del Norte at Main Street, Dexter Avenue at Third Street, Cambern Avenue at Third Street, Conard Avenue at Central Avenue, and Rosetta Canyon Drive at Central Avenue would operate at unacceptable LOS. Traffic signals at Dexter Avenue at Third Street, Dexter Avenue at Second Street and Cambern Avenue at Third Street would be needed under the Long Range General Plan without the proposed project. Under the Long Range General Plan with the proposed project, the same intersections would operate below acceptable levels and traffic signals would still be required for the intersections to operate at acceptable LOS. This impact is not considered significant.

The proposed project would cause a cumulative impact to intersections through the addition of traffic to intersections operating at unacceptable levels. These intersections include the following: Interstate 15 at Central Avenue, Camino Del Norte at Main Street, Dexter Avenue at Central Avenue, Dexter Avenue at Third Street, Cambern Avenue at Central Avenue, Cambern Avenue at Third Street, Conard Avenue at Central Avenue, and Rosetta Canyon Drive at Central Avenue. In order to mitigate this impact to below a level of significance, the proposed project would provide payment of fees and fair-share contributions to roadway improvements (Figures 14 through 16) that would bring these intersections up to operating standards (MM Traffic-1 through 4). Specifically, all improvements are included in the City's Traffic Impact Fee (TIF) program except Dexter Avenue at Third Street and Second Street, Cambern Avenue at Third Street, and Conard Avenue at Central Avenue. MM Traffic 4 proposes fair-share funding by the proposed project for these intersections in order to reduce the potential impact to below a level of significance.

(Source: Traffic Study)

- b) **Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? Less than Significant with Mitigation Incorporated**

As discussed in Section XV.a above, the proposed project would not directly impact the standard level of service except Cambern Avenue at Central Avenue in 2009. The proposed project would cause a cumulative impact to intersections through the addition of traffic to intersections operating at unacceptable levels. These intersections include the following: Interstate 15 at Central Avenue, Camino Del Norte at Main Street, Dexter Avenue at Central Avenue, Dexter Avenue at Third Street, Cambern Avenue at Central Avenue, Cambern Avenue at Third Street, Conard Avenue at Central Avenue, and Rosetta Canyon Drive at Central Avenue. In order to mitigate this impact to below a level of significance, the proposed project would provide payment of fees and fair-share contributions to roadway improvements that would bring these intersections up to operating standards (MM Traffic 1 through 4).

(Source: Traffic Study)

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? No Impact**

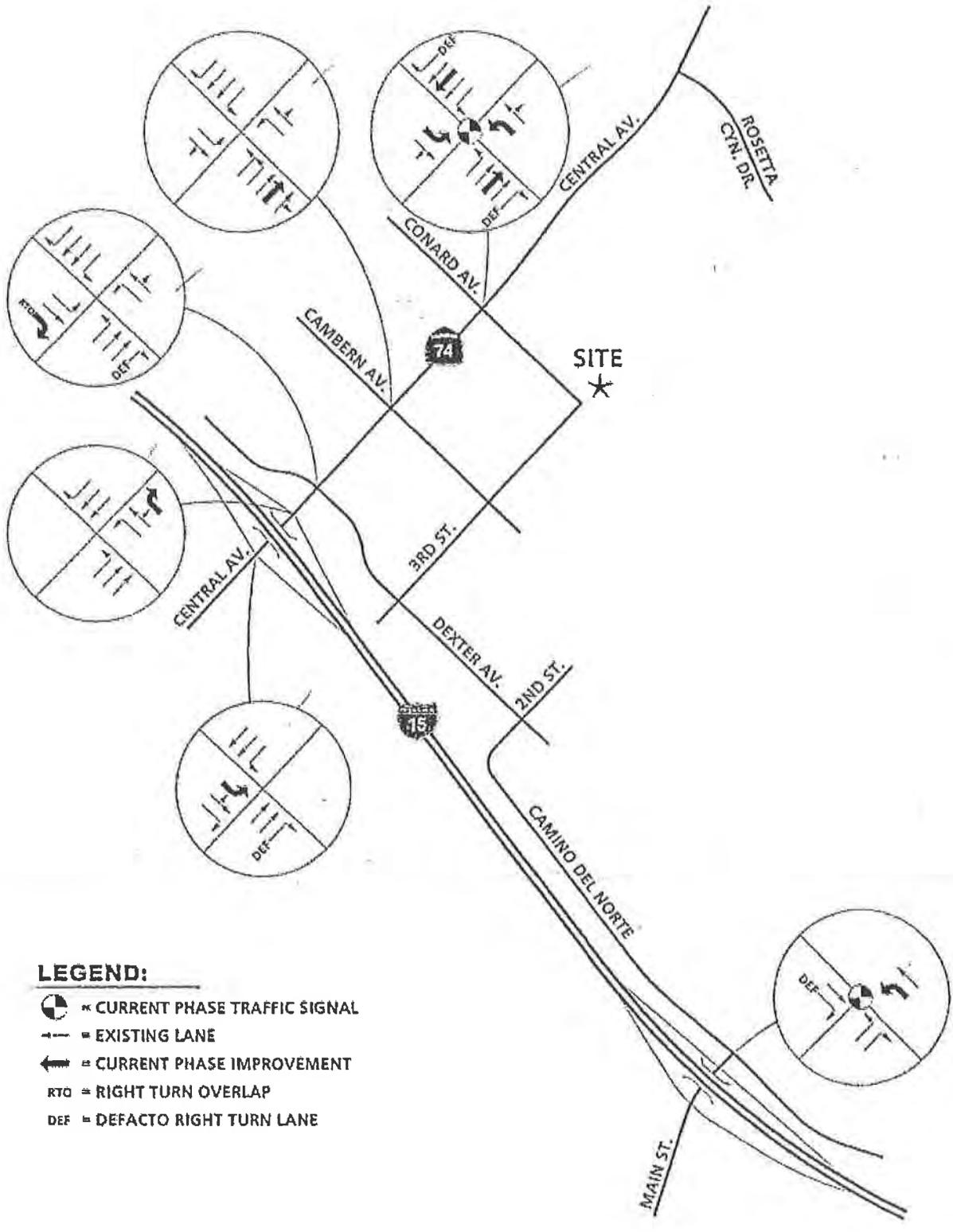
The proposed project would not change air traffic patterns. No impact is expected.

(Source: Project Location)

- d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? No Impact**

The proposed project is compatible with surrounding uses and roadway usage. The proposed circulation system has been reviewed by a traffic engineer (Urban Crossroads 2007) and no safety issues were identified. TTMs 32537 and 35422 do not propose a dangerous design feature, nor do the proposed roadways connect to existing roadways that pose a danger to increased traffic. Onsite circulation recommendations from the traffic engineer (Exhibit 6-D of the Traffic Study) will be followed. The proposed project would be reviewed with respect to standard CalTrans and City of Lake Elsinore Standards, including sight distance standards, at the time of final engineering, landscaping and street improvements. No impact is expected.

(Source: Traffic Study)



LEGEND:

-  = CURRENT PHASE TRAFFIC SIGNAL
-  = EXISTING LANE
-  = CURRENT PHASE IMPROVEMENT
-  = RIGHT TURN OVERLAP
-  = DEFACTO RIGHT TURN LANE

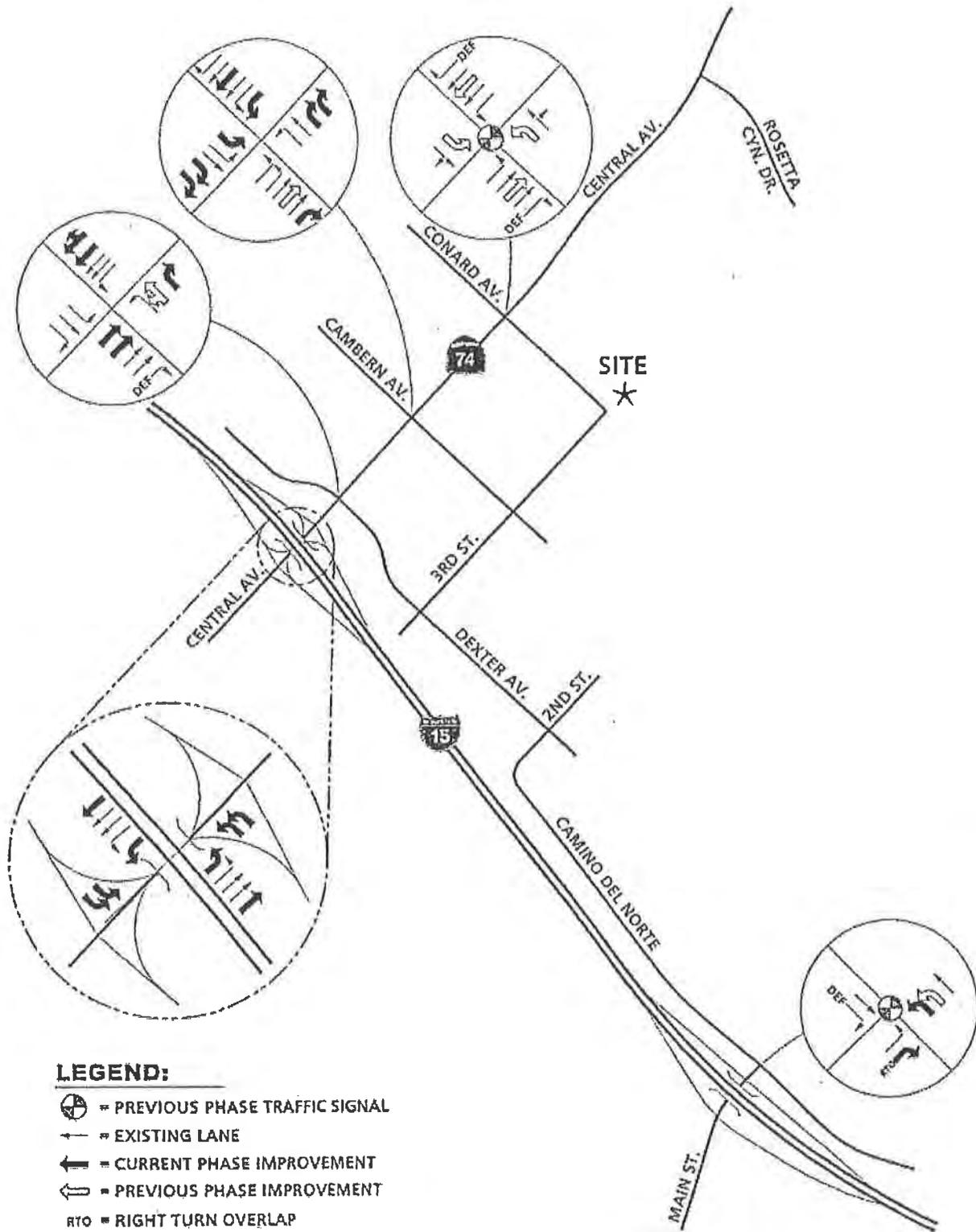
Source: Urban Crossroads, 1/2007

Improvements for 2009 Without Project and With Project Conditions



Not to Scale

Figure 14



LEGEND:

-  = PREVIOUS PHASE TRAFFIC SIGNAL
-  = EXISTING LANE
-  = CURRENT PHASE IMPROVEMENT
-  = PREVIOUS PHASE IMPROVEMENT
- RTO = RIGHT TURN OVERLAP
- DEF = DEFACTO RIGHT TURN LANE

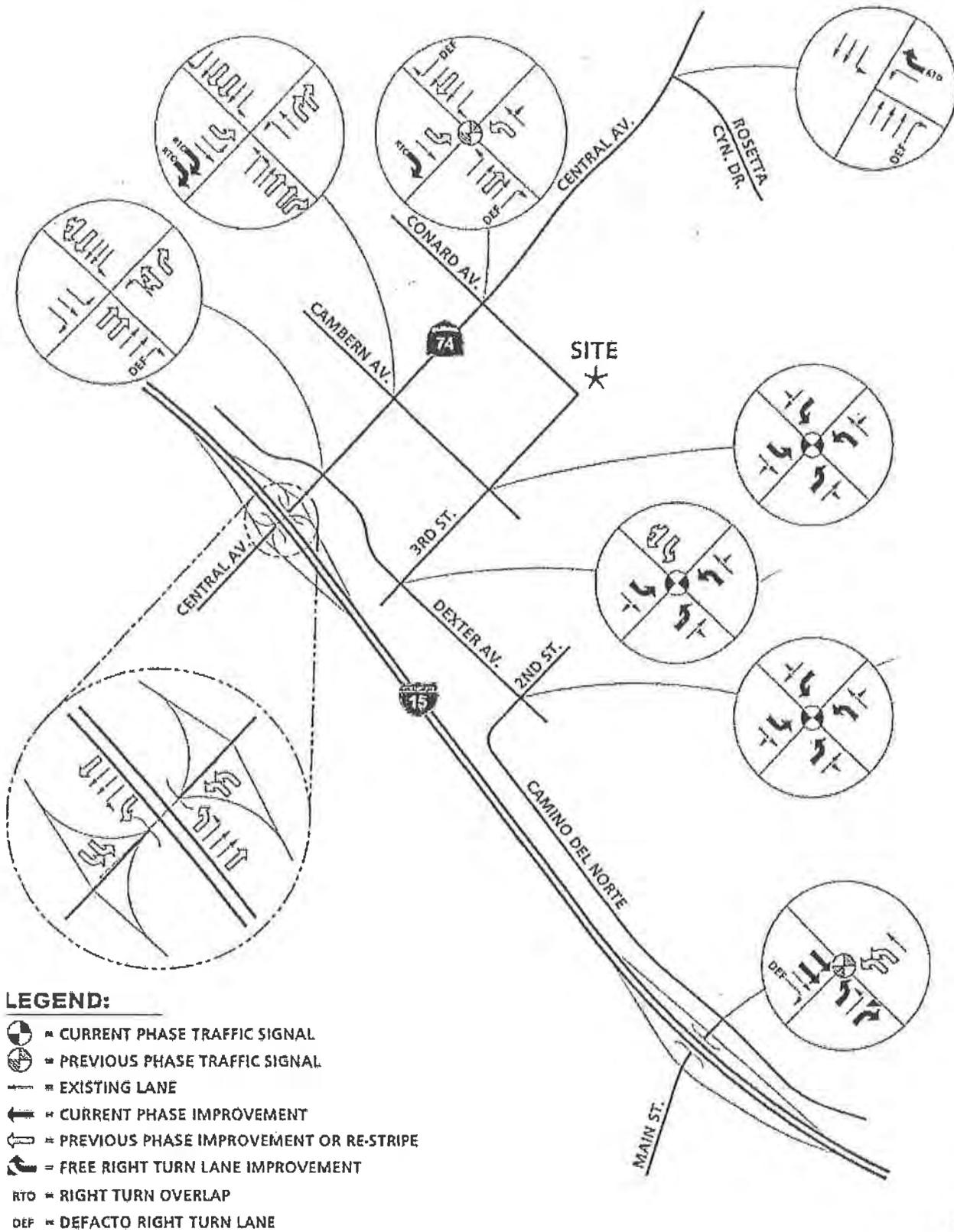


Not to Scale

Source: Urban Crossroads, 1/2007

Improvements for 2012 Without
Project and With Project Conditions

Figure 15



Source: Urban Crossroads, 1/2007

Improvements for Long Range General Plan Without Project and With Project Conditions

Figure 16



e) **Result in inadequate emergency access? No Impact**

The proposed project would provide two emergency access routes; Third Street Via Tract 31792 and Third Street via Conard Avenue. These two access routes have been deemed sufficient by the City of Lake Elsinore Fire and Police Departments. No impact is expected.

(Source: City of Lake Elsinore General Plan)

f) **Result in inadequate parking capacity? No Impact**

Compliance with the City of Lake Elsinore Zoning Code, Chapter 17.66 for single-family residences would ensure that adequate parking is provided. No impact is expected.

(Source: City of Lake Elsinore Zoning Code)

g) **Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? No Impact**

The Riverside Transit Agency (RTA) provides bus service to the City. The RTA currently has five bus routes (Routes 7, 8, 22, 40, and 206) serving the City. The site is serviced by RTA Route 22 that runs along Central Avenue to Perris, Mead Valley, Woodcrest, and Riverside. There are no specific changes proposed in the General Plan Amendment that would conflict with this route. The General Plan's Background Circulation Summary Report does not identify any bike trails, lanes or routes within the proposed project site. The proposed project does not include commercial or industrial uses for which bike racks would be required. Therefore, the project would not conflict with any adopted policies, plans or programs supporting alternative transportation.

(Source: Project Design; City of Lake Elsinore General Plan)

MITIGATION MEASURES

1. **_MM Traffic 1:** Prior to approval of the final map, the Applicant shall pay applicable City of Lake Elsinore fees, including Developer Impact Fees and the Traffic Impact Fee.

2. **_MM Traffic 2:** Prior to approval of the final map, the Applicant shall pay Western Riverside County Transportation Uniform Mitigation Fees (TUMF) for any portions of the Ramsgate Specific Plan not subject to its Development agreement and the executed Operating Memorandums of Understanding between the Project applicant and the City of Lake Elsinore. TUMF fees shall be paid for building permits issued within the balance of the Ramsgate Specific Plan after June 27, 2010, the date that its Development Agreement and the executed Operating Memorandums of Understanding terminates with the City.

3. **_MM Traffic 3:** Prior to approval of the final map, the Applicant shall make fair-share contributions to assessment district and/or community facilities district financing.

4. **_MM Traffic 4:** Prior to approval of the final map, the Applicant shall participate in funding its fair-share of offsite improvements identified in Figures 14-16 needed to serve cumulative

future conditions under appropriate fee credit agreements. The proposed project shall make a fair share contribution towards improvements to the following intersections:

- Dexter Avenue at Third Street: towards first northbound, southbound and eastbound left-turn lanes, the associated restriping, and a traffic signal.
- Dexter Avenue at Second Street: towards first northbound, southbound, eastbound and westbound left-turn lanes, and a traffic signal.
- Cambern Avenue at Third Street: towards first northbound, southbound, eastbound and westbound left-turn lanes, and a traffic signal.
- Conard Avenue at Central Avenue: towards first southbound through lane, a southbound right-turn overlap to existing right turn lane, third eastbound through travel lane, third westbound through travel lane, westbound turn lanes, the associated restriping, and a traffic signal.

XVI. UTILITIES AND SERVICE SYSTEMS

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Less than Significant Impact

The Elsinore Valley Municipal Water District (EVMWD) would provide sewer service to the proposed project site (Appendix J). The proposed project construction activities could become a source of typical urban pollutants, as indicated in Section VIII.a. Since these pollutants are not expected to be released into the sewer system, no significant impact to a wastewater treatment plant is anticipated. No significant impact to wastewater treatment is anticipated.

(Sources: EVMWD, Preliminary Water Quality Technical Reports, EVMWD Correspondence)

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects? Less than Significant Impact

As indicated in the will-serve letter (Appendix K), the proposed project water and sewer service would be provided by the EVMWD. The proposed 272 single-family residences would pose a less than significant adverse impact regarding demand for existing water and sewer treatment facilities. EVMWD is anticipated to have the capacity to service the proposed project.

EVMWD would also provide water service to the proposed project (Appendix K). The project proposes internal eight-inch wide sewer and water pipelines. These pipelines would connect to the existing lines within Welch Drive, Third Street and Cambern Avenue. The proposed connections will occur per City of Lake Elsinore and EVMWD standards and BMPs such that impacts would be below the level of significance. No additional facilities or upgrades are anticipated.

(Source: EVMWD, EVMWD Correspondence)

- c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Less than Significant Impact**

The existing stormwater treatment facilities for the proposed project site include a detention basin and a storm drain inlet. The proposed project site currently contains a detention basin located at the southwest corner of Third Avenue and Waterford Street intersection. This detention basin stores runoff from the Ramsgate Specific Plan. An existing 48" storm drain to the north of Welch Drive currently collects runoff from the site. The proposed project would replace these existing storm drain features. As shown on Figures 4 and 5, the proposed project includes 5.63 acres of detention/retention basins. In addition, the 48" storm drain would be abandoned and replaced with 60" storm drain that would run through Welch Drive to the existing headwall. Internal storm drains would range from 18 to 60 inches. These storm water drainage improvements are included within the project's design. No other storm water drainage facility improvements are anticipated. Therefore impacts associated with these improvements are considered less than significant.

(Sources: TTMs 325377 and 35422; Preliminary Drainage Reports)

- d) **Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed? Less than Significant Impact**

EVMWD has the capacity to provide service to the proposed project without any additional expended entitlements. The proposed internal water pipelines, connections to the existing water mains located in Welch Drive, Third Avenue and Cambern Avenue, and connections to each house would occur per the City of Lake Elsinore and EVMWD standards and BMPs so that impacts would be reduced to below a level of significance. A less than significant impact to water supply is anticipated.

(Source: Lake Elsinore General Plan Environmental Impact Report)

- e) **Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? Less than Significant Impact**

The Regional Reclamation Facility operated by EVMWD would service the proposed project site. The proposed project impact to this facility is considered less than significant due to the proposed project's size and service needs.

(Source: Lake Elsinore General Plan Environmental Impact Report)

- f) **Be served by a landfill system with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Less than Significant Impact**

The City of Lake Elsinore has a franchise agreement with CR&R Disposal, Inc. to provide solid waste services within the City. The solid waste that is collected within the City is hauled to the El Sobrante Sanitary Landfill, Arvin Sanitary Landfill, Badlands Disposal Site, Colton Refuse Disposal Site, Frank R. Bowerman Sanitary Landfill, and Lamb Canyon Disposal Site, which are operated by various waste management departments. These facilities are Class III landfills that

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Less than Significant

The proposed project is not anticipated to pose a significant substantial effect to humans.

VI. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to the preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. CITY OF LAKE ELSINORE

- Wendy Worthey, City of Lake Elsinore Principal Planner, 130 S. Main Street, Lake Elsinore, CA 92530.
- Carole Donahoe, City of Lake Elsinore Project Planner, 130 S. Main Street, Lake Elsinore, CA 92530.
- Community Development Department
- Community Services Department

B. ENVIRONMENTAL CONSULTANTS

- Seán Cárdenas, Helix Environmental Planning,
- Dawna Marshall, Helix Environmental Planning

C. OTHER AGENCIES/COMPANIES CONTACTED

- Native American Heritage Commission
- Riverside County Library System
- Riverside County Fire
- Lake Elsinore Police and Sheriff Station (County)
- Sempra Energy Utilities
- Southern California Edison
- Elsinore Valley Municipal Water District
- USA Waste Services of California, Inc.
- Lake Elsinore Unified School District

VII. REFERENCES

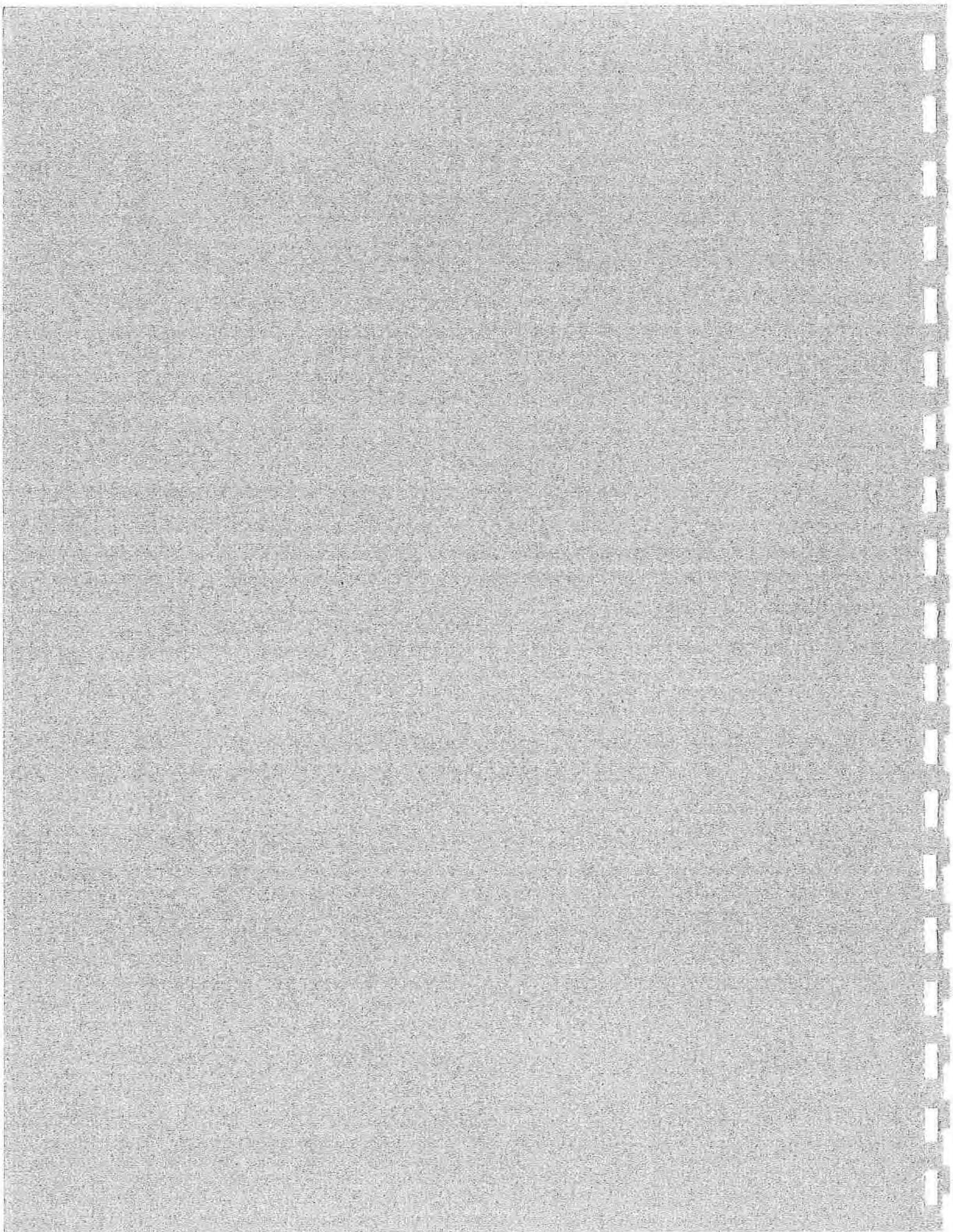
The following documents were used as information sources during preparation of this document. Except as noted, they are available for public review at the City of Lake Elsinore, Community Development Department, 130 South Main Street, Lake Elsinore, CA 92530, ph. (951) 674-3124.

- “2000 Census”, prepared by U.S. Department of Commerce Bureau of the Census, 2000
- “Biological Technical Report for Wasson West”, prepared by Helix Environmental Planning (Helix), April 2007.
- “California Scenic Highway Mapping System, Scenic Route”, Caltrans (available at http://www.dot.ca.gov/hq/LandArch/scenic_highways/)
- “City of Lake Elsinore General Plan”, prepared by PBR, approved November 1990.
- “City of Lake Elsinore General Plan Environmental Impact Report”, City of Lake Elsinore, November 1990
- “Determination of Biologically Equivalent or Superior Preservation Report”, prepared by Helix Environmental Planning, April 2007.
- “Elsinore Area Plan”, Riverside County, adopted October 2003 (available at Riverside County Planning or at <http://www.rcip.org>).
- “Facility/Site Summary Details for El Sobrante Landfill”, “Solid Waste Information System (<http://www.ciwmb.ca.gov/SWIS/Search.asp>)
- Farming Mapping and Monitoring Program, California Division of Land Resource Protection (<http://www.consrv.ca.gov/dlrp/FMMP/index.htm>)
- Lake Elsinore Unified School District, Lake Elsinore Unified School District website (<http://www.leusd.k12.ca.us/>)
- “MSHCP Consistency Determination”, prepared by Helix Environmental Planning, April 2007.
- “Phase I Environmental Site Assessment”, APNs: 377-100-006, 347-360-002 and 347-360-001, prepared by EEI, July 2005.
- “Phase I Environmental Site Assessment, 28+/- Acres, Phase II of Ramsgate/TMP Project, Assessors Parcel Numbers (APNs) 347-330-(001, 002, 014, 020, 021, 022 and 023), Near the intersection of Sassy Lane and 3rd Street, Lake Elsinore, California”, prepared by R M Environmental Inc., June 2004.
- “Phase I Historic Properties Identification Survey within the Proposed Wasson West Project Area (TT 32537), Riverside County, California”, prepared by Pacific West Archaeology, Inc., January 2007.
- “Preliminary (Letter) Report for Phase II Excavation and Analysis of a Historic Trash Scatter (WW-01) and Architectural Feature (WW-02) Located on the Wasson West Property, City of Lake Elsinore, California”, prepared by Pacific West Archaeology, Inc., April 2007.
- “Phase II Cultural Resources Evaluation Report for the Proposed Wasson West Project Area (TT 32537), Riverside County, California”, prepared by Pacific West Archaeology, Inc., June 2007.
- “Preliminary Drainage Report, Wasson II North Development, City of Lake Elsinore, CA”, prepared by Project Design Consultants, October 2006.
- “Preliminary Drainage Report, Wasson II South Development, City of Lake Elsinore, CA”, prepared by Project Design Consultants, November 2006.
- “Preliminary Geotechnical Investigation”, prepared by EEI, August 2005.

- "Preliminary Water Quality Management Plan, Wasson II North Development" prepared by Project Design Consultants, January 2007.
- "Preliminary Water Quality Management Plan, Wasson II South Development" prepared by Project Design Consultants, January 2007.
- "Ramsgate Specific Plan, Fifth Revision", prepared by Albert A. Webb Associates, June 2006.
- "Riverside County Land Information System", County of Riverside, website (<http://www3.tlma.co.riverside.ca.us/pa/rclis/index.html>)
- Riverside County Library System, County of Riverside, website (<http://www.riverside.lib.ca.us/Riverside/rivlib.shtml>)
- "Riverside County General Plan Final EIR Volume I, State Clearinghouse No. 2002051143", County of Riverside Transportation and Land Management Agency Planning Department (<http://www.rctlma.org/generalplan/eir/volume1.html#1.0>)
- "Wasson West Residential Development, Air Quality Impact Analysis, City of Lake Elsinore, California", prepared by Urban Crossroads, January 2007.
- "Wasson West Residential Development, Noise Analysis, City of Lake Elsinore, California", prepared by Urban Crossroads, January 2007.
- "Wasson West Residential Development, Traffic Impact Analysis, City of Lake Elsinore, California", prepared by Urban Crossroads, revised April 2007.

SECTION 3

RESPONSE TO COMMENTS



RESPONSE TO COMMENTS

FOR

WASSON WEST

RAMSGATE SPECIFIC PLAN NO. 89-1, REVISION NO. 6

The Draft MND for the proposed project was originally circulated for public review and comment between April 16, 2007 and May 15, 2007. During the public review period, the City received comments from public agencies, organizations and interested individuals concerning the document. A copy of each comment letter received by the City, along with corresponding responses, is included in this section. The individual comments and the corresponding responses have each been given an Alpha-numeric reference.

The following is a list of public agencies, organizations and other interested parties that submitted comments on the Draft MND during the review period for the Draft MND.

As always, the City appreciates the public and agencies for their review and consideration of proposed development projects.

<u>Letter From</u>	<u>Response Numbers</u>
<u>Public Review Period of April 16, 2007 to May 15, 2007</u>	
A. Pala Band of Mission Indians, Joseph M. Nixon, Cultural Resource Coordinator, Dated April 19, 2006	A.1-A.2
B. Riverside Local Agency Formation Commission, Wayne Fowler, Senior LGA, Dated April 20, 2007	B.1-B.3
C. Native American Heritage Commission, Dave Singleton, Program Analyst, Dated April 24, 2007	C.1-C.6
D. Soboba Band of Luiseño Indians, Erica Helms, Soboba Cultural Resource Department, Dated April 30, 2007	D.1-D.4
E. Riverside County Flood Control and Water Conservation District, Teresa Tung, Senior Civil Engineer, Dated May 1, 2007.	E.1
F. California Regional Water Quality Control Board, Santa Ana Region, Mark G. Adelson, Chief, Regional Planning Programs Section, Dated May 2, 2007	F.1-F.10
G. South Coast Air Quality Management District, Steve Smith, Program Supervisor, CEQA Section, Dated May 3, 2007	G.1-G.3

Letter From	Response Numbers
H. Southern California Association of Governments, Sheryll Dl Rosario, Associate Planner, Dated May 9, 2007	H.1
I. Pechanga Indian Reservation, Temecula Band of Luiseño Mission Indians, Laura Miranda, Deputy General Counsel, Dated May 15, 2007	I.1-I.16
J. California State Clearinghouse, Terry Roberts, Director, Dated May 16, 2007	J.1-J3



April 19, 2007

City of Lake Elsinore
Community Development Department
130 South Main Street
Lake Elsinore, California 92530
ATTN: Wendy Worthey

Re: Consultation, Wasson West Project, Riverside County, California

Ms. Worthey,

The Pala Band of Mission Indians recently established a tribally recognized Tribal Historic Preservation Office to address consultation issues surrounding historic preservation. We have received your notification of the project as above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and have determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. It also is beyond the boundaries of territory that the Tribe considers its Traditional Use Area. Therefore, we have no objection to continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area. However, if the project boundaries are modified to extend beyond the currently proposed limits, we do request updated information and the opportunity to respond to your changes.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact Joseph M. Nixon at 1 (760) 881-3592 or at e-mail jnixon@pala-tribe.com.

Cordially,


Joseph M. Nixon, Ph. D., RPA
Cultural Resource Coordinator
Pala Band of Mission Indians

C:\Users\jpnixon\Documents\WassonWest_Jul0707\elshire_4_19_07.doc

35008 Pala Temecula Road
PMB 445
Pala, CA 92059

760-742-1590 [phone]
760-742-4533 [fax]

A.1
A.2

A.1 Comment noted.

A.2 Comment noted. If the project boundaries are changed to extend beyond the currently proposed limits, the Pala Band of Mission Indians will be provided with updated information and given the opportunity to respond to changes.



April 20, 2007

Wendy Worthey
Principal Environmental Planner
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

RE: Wasson West

Dear Ms. Worthey,

Thank you for the opportunity to provide comments on the Wasson West Initial Study. The following comments are submitted on behalf of the Riverside Local Agency Formation Commission (LAFCO).

The boundaries of the proposed project, if brought forward as an annexation proposal would create an island of unincorporated territory south of the project. LAFCO by statute cannot approve a reorganization to a city which would create an island, per Government Code Section 56744 Corfese Knox Heitzberg Local Government Reorganization Act of 2000, amended 2006. The statute reads in part "...territory shall not be incorporated into, or annexed to a city pursuant to this division if, as a result of that incorporation or annexation, unincorporated territory is completely surrounded by that city..."

The boundaries as proposed would create an inefficient pattern of service provision within this area. Inefficient service provision can increase cost of providing services as well as degrading the quality and frequency of service provision by the agency, in this case the County.

B.1

B.2

B.1 The City acknowledges that the Riverside Local Agency Formation Commission (LAFCO) cannot approve the landowner-initiated annexation of the project site into the City of Lake Elsinore at this time. As stated on page 11 of the Initial Study (Section 1) of the MND, the Wasson West annexation will be conditioned upon approval, as it must follow the larger City-initiated Third Street Annexation that includes the land located to the south and west of the project site. Figure 6 on page 23 of the Initial Study (Section 1) of the MND has been revised to illustrate the proposed Third Street Annexation. The City will submit an application for the Third Street Annexation to the Riverside LAFCO, following approval of the City's General Plan Update. However, the City intends to complete the local approval process for the Wasson West project prior to the City's General Plan Update.

B.2 See Response to Comment B.1 above. Construction of the proposed single-family development within the Wasson West project site would not occur until the Third Street Annexation is approved and finalized. As discussed in Section XIII of the Initial Study (Section 1) of the MND the Riverside County Fire Department would continue to provide fire service to the proposed project. The City of Lake Elsinore, through a contract with the Riverside County Sheriff's Department, would provide police protection. Schools would be provided by the Lake Elsinore Unified School District. Park and recreation services for the area would transfer to the City. The Riverside County Library System would continue to provide library services. And the proposed project would be annexed into the City Lighting and Landscaping Maintenance District. As discussed in Section XVI of the Initial Study (Section 1) of the MND, utilities (sewer, water, storm drain, gas, and electricity) would be provided through connection to existing lines located adjacent to the project site. The City would provide solid waste services.

COMMENTS

RESPONSES

B.3

LAFCO policies encourage the inclusion of unincorporated areas (inhabited and uninhabited) which are substantially surrounded by a city. In this case, LAFCO would encourage the inclusion of the adjacent areas to the south and west out to State Highway 74 with the Wasson West project when it is brought before LAFCO as a potential annexation to the City of Lake Elsinore.

We appreciate the opportunity to provide comments, and please feel free to contact me with any comment or questions you may have in regards to this project and LAFCO policies and statutes.

Thank you very much.



Wayne Fowler
Sr. LGA

B.3 See Response to Comment B.1 above. The Wasson West annexation would be conditioned upon approval to follow the larger City-initiated Third Street Annexation (Figure 6).

COMMENTS

RESPONSES

C.5
cont.

- * CEQA Guidelines, Section 15094.5(f) requires the lead agency to work with the Native Americans identified by the Commission if the Initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NANC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave items.
- Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. 15064.5 (f) of the CEQA Guidelines require that a site be followed in the event of an accidental discovery of any human remains in a location other than a designated cemetery.
- Lead agencies should expedite avoidance, as defined in § 15070 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 853-6251 if you have any questions.

Sincerely,

 Dave Singleton
 Program Analyst

Cc: Steve Chastings
 Attachment: List of Native American Contacts

C.5 As discussed in Section V of the Initial Study (Section 1) of the Initial Study (Section 1) of the MND, MM Cultural/Paleontological Resources 2 provides for development of a Cultural Resources Treatment and Monitoring Agreement prior to grading. MM Cultural/Paleontological Resources 4 ensures the appropriate and dignified treatment of Native American human remains, unmarked cemeteries or associated grave items discovered during ground-disturbing activities.

C.6 See Response to Comment C.5 above. MM Cultural/Paleontological Resources 4 ensures compliance with Health and Safety Code § 7050.5, Public Resources Code § 5097.98 and CEQA Guidelines § 15064.5(d).

C.7 As discussed in Section V of the Initial Study (Section 1) of the MND, MM Cultural/Paleontological Resources 6 provides for preservation through avoidance as the preferred mitigation for sacred sites discovered during ground-disturbing activities.

COMMENTS

RESPONSES

Native American Contacts
Riverside County
April 24, 2007

Cahuilla Band of Indians
Anthony Madrigal, Jr., Interim-Chairperson
P.O. Box 391760
Anza, CA 92539
tribalcouncil@cahuilla.net
(951) 763-2631
(951) 763-2632 Fax

Los Coyotes Band of Mission Indians
Katherine Saubel, Spokesperson
P.O. Box 189
Warner, CA 92086
loscoyotes@earthlink.net
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(760) 782-2701 - FAX

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resource Center
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(951) 308-9295 Ext 8106
(951) 876-2768
(951) 506-9491 Fax

Ramona Band of Mission Indians
Joseph Hamilton, Vice chairman
P.O. Box 391670
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(951) 763-4105
(951) 763-4325 Fax

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Hemet, CA 92546
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Soboba Band of Luiseno Indians
Bennae Calac, Cultural Resource Director
P.O. Box 487
San Jacinto, CA 92581
(951) 663-8392
(951) 654-4198 - FAX

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
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tbrown@pechanga-nsn.gov
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(951) 695-1778 Fax

Willie Pink
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wipink@hotmail.com
(909) 936-1216
Prefers e-mail contact

This list is current only as of the date of this document.
Distribution of this list does not relieve any person of statutory responsibility as defined in Section 70202.5 of the Health and Safety Code, Section 8097.34 of the Public Resource Code and Section 5007.56 of the Public Resource Code.
This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH207041663 CEQA Notice of Completion; Negative Declaration for Wason West Project; City of Lake Elsinore; Riverside County, California.

COMMENTS

RESPONSES

Native American Contacts
Riverside County
April 24, 2007

Soboba Band of Luiseno Indians
Harold Arras, Cultural Resources Manager
P.O. Box 487
Luiseno
San Jacinto, CA 92581
harras@soboba-nsn.gov
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FAX: (951) 654-4198

Cahuilla Band of Indians
Maurice Chacon, Cultural Resources
P.O. Box 391760
Cahuilla
Anza, CA 92539
cbandindian@aol.com
(951) 763-2631
(951) 763-2632 Fax

This list is current only as of the date of this document.
Distribution of this list does not relieve any person of liability, responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5007.34 of the Public Resources Code and Section 5007.30 of the Public Resources Code.
This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH/50070106; CSDA Natives or Compatriot; Negative Declaration for Yessan West Project City of Lake Elsinore, Riverside County, California.



Mission:

Educate and communicate the rich heritage of Soboba peoples; Lead and assist individuals, organizations and communities in understanding the needs and concerns of Native American monitoring of traditional sites; Advocate Native American participation in state agencies and boards; Advocate legislation and enforcement of laws affecting Native American peoples and protecting historical and archaeological resources.

April 30, 2007

Attn: Wendy Worthy
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Re: Initial Study for the Wasson West Project

The Soboba Band of Luiseno Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that although this site is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas.

At this time the Soboba Band does see a direct need for Native American Monitoring and consultation. The Tribe requests a Native American Monitor be present during any and all ground disturbing activities. Soboba requests this, until deemed unnecessary by both Archaeological and Native American Monitors. Also the Tribe requests to be involved in any and all consultation throughout the project. If you have any questions or concerns, please do not hesitate to contact the Cultural Resource Department.

SPECIAL NOTE (for projects other than cell towers): If this project is associated with a city or county specific plan or general plan action it is subject to the provisions of SHIP-Traditional Tribal Cultural Places (see became effective January 1, 2005) and will require the city or county to participate in formal, government-to-government consultation with the Tribe. If the city or county are your client, you may wish to make them aware of this requirement. If not, they are required to contact the Tribe.

Signature of Wendy Worthy
Wendy Worthy
Cultural Resource Department

Soboba Cultural Resource Department
Cell (951) 663-8333
Phone (951) 487-8268
eltheins@soboba-nsn.gov

D.1

Comment noted.

D.2

Sec Response to Comment C.4 above. All ground-disturbing activities will be monitored by a Native American Monitor.

D.3

The Soboba Band of Luiseno Indians will continue to receive updated information and to be consulted regarding cultural resources during the Wasson West project.

D.4

As discussed in Section V of the Initial Study (Section 1) of the MND, a Senate Bill (SB-) 18 Tribal Consultation List Request was sent to the NAHC on January 17, 2007. On January 23, 2007, the NAHC identified three Tribes with traditional lands or cultural places located within the Project Potential Area of Effect (APE). On February 22, 2007, the City sent letters to Mark Macarro, Chairperson (Pechanga Band of Luiseno Indians), Robert J. Salgado, Sr., Chairperson (Soboba Band of Luiseno Indians) and Shasta Gaughen, Assistant Director (Cupa Cultural Center, Pala Band of Mission Indians). The City has begun formal consultation with the Pechanga Band of Luiseno Indians and the Soboba Band of Luiseno Indians. The Pala Band of Mission Indians deferred to the wishes of Tribes in closer proximity to the project area. This consultation is currently in process.

WARREN D. WILLIAMS
General Manager - Chief Engineer



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

May 1, 2007

Ms. Wendy Worthey
Principal Environmental Planner
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA. 92530

Dear Ms. Worthey:

Re: Notice of Intent to Adopt a Mitigated
Negative Declaration for the Wasson
West Project

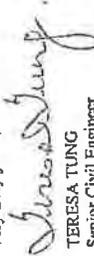


This letter is written in response to the Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Wasson West Project. The proposed project will include residential lots, detention basins, open space, road improvements and associated utilities. The proposed project also includes an amendment to the City's General Plan and an amendment to the Ramisgate Specific Plan. The proposed project is generally located to the northeast of Conrad Avenue, Welch Drive and Cumbern Avenue, south of Ardenwood Way, north of Wasson Canyon Road and west of Waterford Street in unincorporated Riverside County.

The Riverside County Flood Control and Water Conservation District has no comments at this time.

Thank you for the opportunity to review the MND. Please forward any subsequent environmental documents regarding the project to my attention at this office. Any further questions concerning this letter may be referred to Jason Swanson at 951.955.8082 or me at 951.955.1233.

Very truly yours,


TERESA TUNG
Senior Civil Engineer

c: TLMA
Att: David Mares

IDS:mey
P83113780

E.1

E.1 Comment noted.

05/02/2007 17:07 9517815268

RM2CB

PAGE 02/04



California Regional Water Quality Control Board
Santa Ana Region

Linda S. Adams
Secretary for
Environmental Programs

7777 Main Street, Suite 302, Riverside, California 92501-0348
Phone: (951) 783-1150 • FAX: (951) 781-4088 • TDD: (951) 782-2321
www.waterboards.ca.gov/santarana



Arnold Schwaninger
Governor

May 2, 2007

Wendy Worthey
Principal Environmental Planner
City of Lake Elsinore Community Development
130 S. Main Street
Lake Elsinore, CA 92530

**NOTICE OF INTENT TO ADOPT A PROPOSED MITIGATED NEGATIVE
DECLARATION NO. 2007-01, WASSON WEST PROJECT, CITY OF LAKE
ELSINORE, NO SCH#**

Dear Ms. Worthey:

Regional Board staff have reviewed the Initial Study and Mitigation Monitoring Program for Mitigated Negative Declaration (MND) No. 2007-01, for the proposed Wasson West residential project (Project), located among two tracts that are intended to be annexed into the City of Lake Elsinore (City). The tracts are located, respectively, north and south of 3rd Street (at Waterford Street), all northeast of the Interstate 15 junction with State Route 74.

The proposed Wasson West North tract (Tentative Tract Map No. 32537) would consist of 73 residences on 19.54 ac, along with one storm water detention basin. The proposed Wasson West South tract (Tentative Tract Map No. 35422) would consist of 189 residences on 55.06 ac, along with three storm water detention basins totaling 5.36 ac. Both Wasson West tracts include open space, roads, and utilities.

The following comments explain our basis, all related to impacts on water quality standards (as contained in the Water Quality Control Plan for the Santa Ana River Basin, or Basin Plan), for why we believe that an Environmental Impact Report (EIR) should be processed for the Project instead of a MND:

1. The Project would amend the existing Ramsgate Specific Plan, completed for an adjacent project to the north, in order to amend both tracts (p. 89). However, the MND is not tiered (p. 4) from the CEQA document submitted for the Ramsgate Specific Plan, but directly from the much earlier 1990 Lake Elsinore General Plan Final EIR, which we do not find to be an acceptable use of the California Environmental Quality Act (CEQA) Guidelines (CCR, Title 14, Division 6, Chapter 3, Section 15152). We believe that the Project, and others like it that may be similarly tiered from the General Plan, may cause cumulatively considerable effects not adequately anticipated by the 1990 General Plan EIR. We find the practice of using an older CEQA document for conceptually tiering documents for any large construction project (as with Wasson West) to be questionable.

California Environmental Protection Agency



F.1

F.1 The MND is tiered from the General Plan EIR, certified in 1993, because the General Plan EIR analyzes the entire City sphere area, which includes the proposed project site. However, site-specific impacts, which the General Plan EIR does not completely address, are completely evaluated within the MND, as if the MND were not a tiered document. This approach complies with CEQA Guidelines §15152. The MND includes a completely accurate and updated project description, including a thorough discussion of the current project location and setting. Therefore, the MND is properly tiered from the General Plan EIR, because it is within the City's sphere of influence. The 1989 Ramsgate Specific Plan EIR did not cover the proposed project site. Consequently, the MND cannot be tiered from the CEQA document certified for that project.

COMMENTS

RESPONSES

Ms. Wendy Worthey July 2, 2007

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We are well aware of the City's use of EIRs for certain projects without any citation of lifting from the General Plan EIR, as well as the more appropriate use of NDs and MNDs for minor fill and other projects that do not pose significant environmental nor cumulative impacts. We do not believe that an MND is appropriate for this Project, which will cause 272 houses to be built upon natural drainages.

The MND cites a number of significant environmental impacts (p. 89 and elsewhere) that we do not believe are lowered to an insignificant level by sufficient mitigation, thereby permitting the City's use of a Mitigated Negative Declaration pursuant to Public Resources Code Section 21054.5 (CEQA statute). The text of "substantial evidence, in light of the whole record" (Section 21080(d)(9)), which warrants the need for an EIR, is met within this submitted MND. Therefore, an EIR should be generated as a stand-alone document. Further, we are extremely concerned that this MND constitutes the most recent example of what we have noted to be the City's frequent use of MNDs or Negative Declarations (ND) for what appears to be the piecemeal development of considerably sized residential and commercial projects. The cumulative impacts alone of such projects necessitate the preparation of EIRs and analysis of cumulative impacts within the EIRs (CEQA Guidelines Section 15085(c)). We note that City CEQA documents tend to dismiss a project's cumulative impacts, growth-inducing impacts, and irreversible significant impacts despite each project's contribution to the City's rapid growth. An EIR, with a thorough environmental analysis and a corresponding longer review period than MNDs (or responsible agencies such as ours, can evaluate impacts and address them with adequate mitigation.

Five drainages (tributary to Temescal Creek) extend across the Project site's rolling terrain, including a large swale crossing the central portion from the northeast to the southwest. The project would significantly impact 0.29 acres (ac) of disturbed wetland, 0.06 ac of seasonal ponds, and 0.18 ac of intermittent drainage/streambed that is jurisdictional to the California Department of Fish and Game (p.66-70, Table 9). Of that 0.54 total acreage, 0.35 ac is considered to be waters of the U.S. and therefore jurisdictional to the U.S. Army Corps of Engineers (Corps) (0.17 ac of disturbed wetlands, 0.06 ac of seasonal ponds, 0.05 ac of ephemeral drainage, and 0.07 ac of intermittent drainage). A minimum of 300 linear ft of the drainages is subject to Corps and/or CDFG jurisdiction, and these delineations should be included as an appendix in an EIR. The MND states that the Project will follow the permitting process pursuant to Clean Water Act (CWA) Sections 404/401, owing to the proposed impacts to the drainages and riparian vegetation. Wet season surveys of the seasonal ponds have found no fairy shrimp. An EIR should recognize the proposed loss of on-site water quality standards (water quality objectives, beneficial uses, and anti-degradation policy) particularly the likely loss of Intermittent Warm Freshwater Habitat, Wildlife Habitat, and Non-Contact Recreation. Furthermore, avoidance of these resources has not been fully evaluated through an alternatives analysis.

California Environmental Protection Agency Regional Permit

F.2 Comment noted. Based on the project description and Initial Study, the City reasonably concluded that there was no substantial evidence to support a fair argument that, with implementation of the identified mitigation measures, the proposed project would result in individually significant effects. The mitigation measures set forth in the MND are fully enforceable, as required by CEQA. These mitigation measures must be implemented as conditions of development. Therefore, the City also reasonably concluded that the effects of the project would not be cumulatively considerable, and determined to prepare an MND on that basis.

F.3 Comment noted. See Response to Comment F.2 above.

F.4 Comment noted. See Response to Comment F.2 above. There is no substantial evidence to support a fair argument that the project will have any individually potentially significant effects after mitigation. Therefore, the City reasonably concluded that the effects of the project would not be cumulatively considerable. The MND did evaluate the incremental traffic effects of the project, establishing that these would be less than significant after mitigation. The mere existence of significant cumulative impacts caused by other projects alone does not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable [CEQA Guidelines §15064(h)(4)]. A project's incremental contribution, if any, may also be rendered less than significant through project-specific mitigation measures [CEQA Guidelines §15064(h)(2)]. Analysis of cumulative impacts in a MND is different than in an EIR [CEQA Guidelines §15064(h)(4)]. CEQA also does not require an analysis of growth-inducing impacts or irreversible significant impacts in a MND [CEQA Guidelines §15126].

F.5 The Regional Water Quality Control Board (RWQCB) accurately restates the proposed project's effect on habitat jurisdictional to the California Department of Fish and Game (CDFG) and the U.S. Army Corps of Engineers (Corps). The jurisdictional delineations are provided in Figures 4 and 5 of the Biological Technical Report and the Determination of Biologically Equivalent or Superior Preservation (DBESP) Report, which are incorporated as part of the MND by reference as Appendix C.1 and C.2.

F.6 HELIX Environmental Planning, Inc., on behalf of Wasson West, conducted a jurisdictional delineation as well as a Riparian/Riverine and vernal pool assessment of five drainages located onsite on October 10, 2005. This is in addition to the 13 fairy shrimp sampling visits conducted between November 2004 and April 2005. The site is highly disturbed and has very low habitat value. No species targeted for conservation in Section 6.1.2 of the Multiple Species Habitat Conservation Plan are known or expected to occur within the vernal pool areas being impacted. The unvegetated drainages and seasonal ponds onsite are not considered Riparian/Riverine habitat, and the disturbed wetlands onsite are considered of low quality (see Figures 7 through 11).

Runoff flows onto the site from existing development and exits the site towards other existing development. This was shown to RWQCB staff during a site visit of the Villages of Wasson Canyon project immediately east of the Wasson West project on February 3, 2005. The proposed loss of onsite water quality standards associated with the five drainages located onsite would total 0.54 acre. Four detention basins proposed onsite totaling 5.63 acres would replace this loss. Best Management Practices (BMPs) in addition to these detention basins would maintain water quality and regulate the flow of water, as described in Section VIII of the Initial Study (Section 1) of the MND. Three of the detention basins would serve as grassy passive park areas; the largest detention basin would be an active park. The detention basins would ensure that the proposed project would not have a significant direct effect on water quality. Consequently, no water quality standards or waste discharge requirements would be violated; no substantial onsite or offsite erosion, siltation or flooding would result; there would be no creation or contribution of runoff water exceeding the capacity of existing or planned storm water drainage systems or substantial additional sources of polluted runoff; and there would be no other substantial degradation of water quality. These and other MND findings establish that the project is consistent with all applicable water quality objectives, will not interfere with beneficial uses, and complies with the agency's anti-degradation policy, including consideration of intermittent warm freshwater habitat, wildlife habitat and non-contact recreation.

F.7 CEQA does not require that a MND contain an alternatives analysis such as that required for an EIR (CEQA Guidelines § 15126.6). However, the City conducted an alternatives analysis in the DBESP Report, which is incorporated as part of the MND by reference as Appendix C.2. The MND and DBESP Report considered avoidance as a project alternative and established that the disturbed wetlands onsite were of such low quality that their preservation was neither feasible nor preferred. Preservation would leave small, isolated disturbed wetland areas surrounded by housing development that would drain into existing residential development areas. Preservation would be infeasible because a viable reserve could not be reasonably implemented onsite and superior off-site mitigation options would provide for better long-term conservation. Further drainage avoidance alternative analysis will be completed during the wetland permitting process, as a Clean Water Act Section 404 Individual Permit is required for the proposed project.

COMMENTS

RESPONSES

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Ms. Wendy Worthey May 2, 2007

- 3 -

F.8

4. The drainages discussed in Comment #3 above are not contemplated for avoidance because at least 10 percent of the housing units would have to be left out. That is not a sufficient reason for the complete filling of the drainages in question. A more thorough analysis of project alternatives needs to be presented. As discussed in Item #7 of our January 3, 2006 letter to Robert Brady (enclosed) regarding the City's General Plan update, consultation with permitting agencies must determine appropriate mitigation where simple avoidance of drainages is not feasible. The MND states that mitigation would be accomplished at the offsite "Cloverleaf" location at the southern end of Lake Elsinore at a 1:1 ratio (p. 73), and that the applicant will submit a Revegetation Plan for creation of 0.54 ac of riparian or marsh habitat. It is not apparent that this mitigation concept has been prepared in consultation with the appropriate agencies. We believe that a greater, n-kind ratio for the loss of these water bodies must be determined in consultations between all permitting agencies, certainly as part of our CWA Section 401 Water Quality Certification process. This mitigation determination process must be combined with the Project's pending Consistency Determination for the Western Riverside County Multiple Species Habitat Conservation Plan, which accounts for such riparian and seasonal pool habitat types (p. 71). Again, we believe that an EIR is most appropriate for this discussion, and project alternatives, including alternative designs, must be analyzed.

F.9

F.10

F.8 See Response to Comment F.7 above. As discussed in Section IV of the Initial Study (Section 1) of the MND and in the DBESP Report, the five drainages onsite are not proposed for avoidance because these disturbed wetland areas are of such low quality that their preservation is neither feasible nor preferred. Off-site mitigation would be biologically superior because the existing disturbed wetlands are of very low quality (containing no sensitive resources); the on-site hydrology would be difficult to maintain; the off-site mitigation would be part of an area targeted for conservation; and the riparian habitat resulting from mitigation would be of a much higher quality than the disturbed wetland habitat being impacted and would contribute to long-term conservation goals, such as those contained in the Western Riverside County MSHCP.

F.9 As stated in Section IV of the Initial Study (Section 1) of the MND, the project proposes to mitigate impacts to 0.54 acre of jurisdictional wetlands at a 1:1 ratio through acquisition and creation of 0.54 acre of riparian or marsh habitat on the "Cloverleaf" property at the southern end of Lake Elsinore, or other mitigation acceptable to the resource agencies as part of the wetland permitting process. MM Biological Resources 5 commits the project applicant to further consultation with the appropriate agencies and submittal to the City, prior to issuance of a grading permit and prior to approval of the Final Map (or Parcel Map), of a Clean Water Act Section 404 Permit issued by the Corps, a Streambed Alteration Agreement issued by the CDFG and a Clean Water Act Section 401 Water Quality Certification issued by the RWQCB, as a condition of project approval. Compliance with environmental regulations is a common and reasonable mitigation measure. Furthermore, mitigation measures may specify performance standards which would mitigate a significant effect of a project and which may be accomplished in more than one specified way [CEQA Guidelines § 15126.4(a)(1)(B)]. Future permit approvals will be subject to a host of performance standards as set forth in the applicable statutes and regulations. The MND addresses all potential regulatory contingencies, including acquisition by the project applicant from the Cloverleaf property or other mitigation acceptable to the resource agencies as part of the wetland permitting process.

F.10 Comment noted. See Response to Comment F.7 above. As discussed in Section IV of the Initial Study (Section 1) of the MND, the proposed project site is located within the Western Riverside County MSHCP area; however, the project site is not within any MSHCP Criteria Cell, Core or Linkage. The proposed project is being processed through an MSHCP Consistency Determination.

If you have any questions, please call Glenn Robertson at (951) 782-3259, or me at (951) 782-3234.

Sincerely,

Glenn Robertson, for

Mark G. Adelson, Chief
Regional Planning Programs Section

Enclosure

Cc: wendi
State Clearinghouse - Scott Morgan
U.S. Army Corps of Engineers, Los Angeles - Jason Lambert
California Department of Fish and Game, Ontario - Jeff Brandt
U.S. Fish and Wildlife Service, Carlsbad - Kathleen Pollitt
Riverside County Planning Department, Riverside

X:\Credits on Magnolia\Drain\CEQA\CEQA Responses\ Nrg Dwd\MBN\NrgDwd - City of Lake Elsinore - Western West
Roadsters.doc

California Environmental Protection Agency





California Regional Water Quality Control Board
Santa Ana Region

Arnold Schwarzenegger
Governor

3177 Main Street, Suite 500, Riverside, California 92503-3348
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<http://www.waterboards.ca.gov/santana>



Alta C. Lloyd, Ph.D.
Agency Secretary

January 31, 2006

Robert A. Brady, City Manager
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Enclosure

NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT, CITY OF LAKE ELSINORE GENERAL PLAN UPDATE, RIVERSIDE COUNTY, STATE CLEARINGHOUSE NUMBER #2005121019

Dear Mr. Brady:

Staff of the Regional Water Quality Control Board, Santa Ana Region (RWQCB), have reviewed the City's Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for an update of the City of Lake Elsinore's 1990 General Plan. The updated document will guide implementation of development, including use of open space, throughout the City corporate area (38 square miles) and a designated Sphere of Influence (SOI; 78 square miles). The following comments should be considered for incorporation into the DEIR:

1. The expansion of a city carries incremental effects that are cumulatively considerable and pose a "potentially significant impact" on the environment. There is widespread experience that an increase of disturbed, developed, and paved areas has the tendency to substantially impact and impair the beneficial uses of waters of the United States and the state. Aside from the legally required "no project alternative," several project alternatives, including varying levels of City build-out throughout its boundaries and SOI, should be included in the DEIR along with large-scale maps of the areas to be built upon. These alternatives should be discussed in terms of how they will minimize impact and protect water quality standards, i.e., water quality objectives and beneficial uses expressed in the RWQCB's Water Quality Control Plan for the Santa Ana River Basin (Basin Plan), as well as anti-degradation policies such as the State Water Resources Control Board's (SWRCS) Resolution No. 68-16 and the federal anti-degradation policy (40 CFR 131.12).
- We contend that potential extensive construction, as has occurred in recent years prior to this General Plan update, would unquestionably engender the creation of more projects, thus creating additional paved areas with impacts to water quality standards. Therefore, a discussion of cumulative impacts in the DEIR, as required by CEQA, should cite a general decrease of groundwater recharge posed by the project's increments of impermeable surfaces. Project impacts to both groundwater supply and quality should also be addressed in the discussion of the Elsinore Valley Municipal Water District's Groundwater Management Plan (NOP p. 4).

2. An increase in impermeable surfaces will potentially increase stormwater runoff and its impacts to the beneficial uses of Lake Elsinore, Temescal Creek, and tributary channels.

California Environmental Protection Agency
Record Paper

Robert A. Brady

2 -

January 3, 2006

The City must incorporate the requirements of Riverside County Area-wide Urban Runoff Waste Discharge Requirements (RWQCB Order No. R3-2002-0011, NPDES No. CAS 618033), also known as the Riverside County Municipal Separate Storm Sewer Systems (MS4) Permit, into the General Plan to the extent necessary to ensure consistent implementation of the MS4 permit within the City and its SOI. The City is a co-permittee in this permit. (please see our web site at http://www.waterboards.ca.gov/sanjoaquin/html/riverside_permit.html).

3. In accordance with Clean Water Act (CWA) Section 303(d), Lake Elsinore, to which Canyon Lake is tributary, is 303(d) listed as impaired for nutrients, low dissolved oxygen, sediment, and unknown toxicity. The DEIR should fully reflect that implementation of the MS4 controls on urban runoff will be a crucial part of the City's participation in local municipal compliance with the Regional Board's existing Total Maximum Daily Loads (TMDLs) for nutrients (phosphorus, nitrogen, and dissolved oxygen) to Lake Elsinore, and pathogens (bacteria) to Canyon Lake (both adopted by the Environmental Protection Agency on September 30, 2005). A TMDL for unknown toxicity to Lake Elsinore is pending.
4. Appropriate Best Management Practices (BMPs) must be developed and implemented to control the discharge of point source and non-point source pollutants both during construction and for the life of development projects. Post-construction BMPs must address all pollutant loads carried by dry weather runoff and first-flush storm water runoff from an entire project. The DEIR should reflect that the Water Quality Management Plan required by the Riverside County MS4 permit is now in effect and that all development must conform to the Plan's provisions. No waste material may be discharged to any drainage areas, channels, streambeds, or streams. Spoil sites must not be located within any streams or where spoil material could be washed into a waterbody. BMPs must be deployed around spoils at all times.
5. The DEIR should encourage BMPs that utilize the principles of low impact development (LID) as part of a comprehensive, community-wide system for protecting water quality standards. LID makes use of project-level features to manage urban runoff quantity and quality, while conserving water. LID is among the Ahwahnee Water Principles for Resource Efficient Land Use, adopted in 2005 by the Local Government Commission to incorporate management of stormwater and other non-point source runoff from compact urban developments into general plans. These "community" and "implementation" principles are intended to lead to reversal of the trend of increasingly paved and constructed areas that alter the rate and volumes of surface water runoff and groundwater recharge (see www.lgc.org). SWRCB management has expressed support of the Ahwahnee principles and LID as useful to address all major goals and objectives of the Water Board.
6. The DEIR must include provisions to advise the City's development, construction and business communities of the need to comply with several other permit programs, including:
 - a. The State Water Resources Control Board's Water Quality Order No. 99-08-DWQ, "General Permit for Storm Water Discharges Associated with Construction Activity," also known as the General Construction Activity Storm Water Runoff Permit, for individual projects occurring on an area of one or more acres. A Notice of Intent (NOI) with the appropriate fees for coverage of the project under this Permit must be

Robert A. Brady

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January 3, 2006

submitted to the SWRCB at least 30 days prior to the initiation of construction activity at the site. Information about this permit program can be found at <http://www.swrcb.ca.gov/visitor/mfr/construction.html>.

- b. **A National Pollutant Discharge Elimination System (NPDES) permit** (waste discharge requirements) for projects that will have dewatering or other wastewater discharges to surface waters of the state. RWQCB Order No. R8-2003-0051, NPDES No. CAG990001, a regional general *de minimus* permit, is available for most such discharges. Order No. R8-2003-0051 may be reviewed under the Adopted Orders link for 2003 permits at the Region 3 website. Waste discharge requirements may also be required for discharge of wastes to land. Further information can be obtained by contacting the RWQCB Permitting Section staff at (951) 782-4130.

- c. **A Clean Water Act Section 401 Water Quality Standards Certification (Certification)** from the Regional Board for any project that causes material to be dredged from or filled into waters of the United States, i.e., surface waters or tributaries thereof, where these waters fall under the jurisdiction of the United States Army Corps of Engineers (ACOE) and a CWA Section 404 permit is required. Early consultation with Regional Board staff concerning potential Section 401 certification issues is strongly suggested. Information concerning Section 401 certification can be found at the Regional Board's website, www.swrcb.ca.gov/wqsd/401.html. Where the ACOE rules that a water body does not fall under their jurisdiction, as with potential cases of vernal pools or other isolated wetlands in the Lake Elsinore area, the Regional Board may still determine that waste discharge requirements are necessary for protection of waters of the State. Projects that propose to fill isolated waters must account for the potential loss of beneficial uses, including WILD, WARM and possibly RARE, through the CEQA process because loss of beneficial uses is a significant impact. A Streambed Alteration Agreement from the California Department of Fish and Game may be necessary as well.

Projects that appear to result in excavation of ("dredging") and/or placement of fill into "waters of the United States," which include wetlands and riparian channels, should be conditioned to have the applicant conduct the studies necessary to establish whether or not the project (or any part of the project) falls under ACOE jurisdiction. The project should be further conditioned such that if it does fall within ACOE jurisdiction, the applicant is advised to promptly apply for a Certification from the Regional Board that construction and operation of the project will not adversely affect water quality standards (water quality objectives and beneficial uses). Certifications are required before a Section 404 permit can be issued.

If a Section 404 permit is not required, then the criteria for water quality permitting of the construction of the proposed facility will be those criteria required by the statewide Water Quality Order No. 99-08-DWO and the Water Quality Management Plan requirement of the MS4 permit. If Section 404/401 permitting is required, however, then Best Management Practices (BMP) utilized on projects receiving a Certification must meet Best Available Technology (BAT) standards that may go beyond BMPs typically needed under the SWRCB Water Quality Order No. 99-08-DWO and the Riverside County MS4 permit.



Robert A. Brady

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January 3, 2006

7. The DEIR should emphasize an underlying, guiding premise that all future development must follow: Impacts to water quality standards of all surface waters, including channels, ephemeral drainages, and other drainages, must first and foremost be avoided whenever possible. Where that is not practicable, impacts to these waters should be minimized. Such disturbance requires generous mitigation (beyond simply the acquisition of permits) that, at a minimum, replaces the full function and value of water quality standards, i.e., beneficial uses and water quality objectives, of the impacted water body that existed prior to the impacts. Acceptable mitigation for unavoidable direct and cumulative impacts on water quality beneficial uses must be determined through consultation with the responsible agencies that likely will be issuing permits for the project, including ACOE (Section 404 permit), the Regional Board (Section 401 Certification or waste discharge requirements), and/or the California Department of Fish and Game (Fish and Game Code Section 1600 Streambed Alteration Agreement). The Lead Agency for a project should not finalize its CEQA process until mitigation agreed to between the project proponent and all Responsible Agencies can be incorporated into the final CEQA document.
8. The DEIR should consider how the General Plan could include guidelines or requirements for holding ponds and/or conserved wetlands to capture and naturally treat dry weather urban runoff and the first flush of rainfall runoff, either on a regional scale (preferred) or during project-by-project development. To provide maximum water quality benefits, these basins should be designed to detain runoff for a minimum time (e.g., 24 hours) in order to settle suspended solids and associated pollutants.
9. The DEIR should address how projects conducted under the General Plan will prevent hydromodification in natural or naturalized surface drainages. Unintended and destructive hydromodification frequently accompanies land development that has not been required to evaluate and address its effect on local hydrology in a comprehensive manner. The DEIR should also direct projects toward mechanisms that will mitigate for and reverse hydromodifications that have already led to loss of beneficial uses and impaired receiving waters. Examples of these mechanisms might include creation of storm water retention and metering facilities and use of existing drainages, in lieu of "improving" drainages with concrete and riprap. Armor should be removed from streambanks where possible in order to create streambed and embankment restoration opportunities.
10. Post-development storm water runoff flow rates (Q) must not substantially differ from the pre-development Q. Changes in Q, either in a positive or negative manner, can lead to erosion on site and/or sedimentation impacts downstream from the project site.
11. The DEIR should recommend that projects preserve and protect areas of native vegetation to the maximum extent possible and that clearing of native vegetation should be strictly limited. Among other water quality and environmental benefits, native vegetation assemblages are effective at reducing slope erosion, filtering runoff, and providing habitat for native animal species, thereby supporting water quality beneficial uses. Established native riparian vegetation buffers along and within broad floodplains and drainage systems will modulate storm flow, lessen erosion and subsequent sedimentation, and as a result, protect water quality standards. The DEIR should encourage the proactive replanting and hydroseeding of native vegetation in most operations.

Robert A. Brady

5 -



January 3, 2006

12. The DEIR should reflect that the preservation of natural and naturalized drainage systems, water bodies, and undisturbed slopes reduces impacts to water quality and may lessen development's impact on water quality standards. Projects should be directed to avoid impeding wildlife movement and affecting the WILD water quality beneficial use, by calling for roadways or pipelines to be carried over ravines, arroyos, washes, and other drainages by bridges or wide, arched culverts. A policy of including riparian wildlife corridors into large-scale planning processes should be supported by measures that require generous mitigation for construction impacts to natural drainages and other surface waters of the state and of the United States. By facilitating wildlife movement through riparian corridors, the Basin Plan's wildlife habitat beneficial uses are served. This policy support may lead to streamlining the issuance of Certifications and waste discharge requirements, as well as aid compliance with habitat conservation plans. The DEIR should encourage projects to seek opportunities to restore beneficial uses to previously impacted water bodies through the creation of mitigation banks.

The DEIR should consider whether to recommend that the City adopt an arroyo protection ordinance similar to that of the City of Riverside, whereby arroyo segments providing beneficial uses are delineated on aerial photographs and used as a planning tool.

If you have any questions, please contact me at (951) 782-3234, or Glenn Robertson of my staff at (951) 782-3259.

Sincerely,

Glenn Robertson, for

Mark G. Adelson, Chief
Regional Planning Programs Section

cc: Scott Morgan - State Clearinghouse




**South Coast
Air Quality Management District**
 21665 Copley Drive, Diamond Bar, CA 91765-4178
 (909) 396-2000 • www.aqmd.gov

FAXED: May 3, 2007

Wendy Wortley
 Principle Environmental Planner
 City of Lake Elsinore
 130 South Main Street
 Lake Elsinore, CA 92530

Dear Ms. Wortley:

Draft Mitigated Negative Declaration (DMND)
Wassen West Project

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated in the Final Mitigated Negative Declaration.

Please provide the SCAQMD with written responses to all comments contained herein prior to the certification of the Mitigated Negative Declaration. The SCAQMD would be available to work with the Lead Agency to address these issues and any other questions that may arise. Please contact James Kozumt, Air Quality Specialist – CEQA Section, at (909) 396-3234 if you have any questions regarding these comments.

Sincerely

Steve Smith

Steve Smith, Ph.D.
 Program Supervisor, CEQA Section
 Planning, Rule Development & Area Sources

Attachment

SS: JK

RC0241610
 Control Number

G.1

G.1 Comment noted. The South Coast Air Quality Management District (SCAQMD) will receive the Final MND, including Responses to Comments, prior to certification of the MND.

COMMENTS

RESPONSES

Ms. Worthey

-1-

May 2, 2007

Draft Mitigated Negative Declaration (DMND)
Wassten West Project

G.2

Air Quality Technical Documentation

- Emission calculations and documentations, Appendix A of the Air Quality Analysis, was not sent with the Draft MND to the SCAQMD. In future submittals, air quality calculations and documentation that support CEQA documents should be submitted to the SCAQMD with the CEQA documents at the beginning of the public review period.

G.2 Comment noted. Appendices A, B, C, and D of the Air Quality Impact Analysis were inadvertently left out of Appendix B of the Draft MND. They are included in Appendix B of the Final MND.

G.3

Mitigation Measures

- The project consists of a 19.54-acre parcel and a 55.06-acre parcel. The construction air dispersion scenarios are limited to 10 acres of disturbance per day. A mitigation measure should be included that limits construction to 10 acres of disturbance per day or the air dispersion scenarios should be redone. If the air dispersion analysis is redone the significance evaluation should be based on the new analysis.

G.3 Comment noted. MM Air Quality 1 has been revised in the Final MND to include a limit on grading disturbance of 10 acres a day.



SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS Main Office 818 West Seventh Street 12th Floor Los Angeles, California 90017-3435

May 9, 2007 Ms. Wendy Worthey Principal Environmental Planner City of Lake Elsinore 130 S. Main Street Lake Elsinore, CA 92530

RE: SCAG Clearinghouse No. I 20070216 Wasson West Project

Dear Ms. Worthey

Thank you for submitting the Wasson West Project for review and comment. As a statewide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the Wasson West Project, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's April 16-30, 2007 Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1856. Thank you.

Sincerely,

[Signature]

SHERYLL DEL ROSARIO Associate Planner Intergovernmental Review

Doc #135189

H.1



PECHANGA INDIAN RESERVATION
Temechula Band of Luiseño Mission Indians

OFFICE OF THE GENERAL COUNSEL
Post Office Box 1477 • Temechula, CA 92583
Telephone (951) 576-2768 Ext. 2138 Fax (951) 567-8182

General Counsel
John L. Macarro

Deputy General Counsel
James E. Cohen
Laura Y. Miranda

May 15, 2007

Submitted via Email and Facsimile

Ms. Wendy Worthy
Environmental Planner
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Re: Comments on Wasson West (Ramsgate Specific Plan Amendment No. 89-1, Revision 6); Tentative Tract No. 32537; Tentative Tract No. 35422; Annexation No. 79; Zone Change No. 2007-01; General Plan Amendment No. 2007-01

Dear Ms. Worthy:

This comment letter is submitted by the Pechanga Band of Luiseño Indians (hereinafter, "Pechanga Tribe"), a federally recognized Indian tribe and sovereign government. We request that all our comments, including this letter, be part of the record for the approval of this Project.

REQUESTED NOTICE AND INVOLVEMENT PURSUANT TO CEQA

The Pechanga Tribe is formally requesting, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"), including adding the Tribe to your distribution list(s) for public notices and public circulation of all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project.

THE LEAD AGENCY MUST INCLUDE AND CONSULT WITH THE TRIBE IN ITS REVIEW PROCESS

It has been the intent of the Federal Government¹ and the State of California² that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments such as approval of Specific Plans and EIRs. In this case, it is undisputed that the project lies

¹ See Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments and Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments.

² See California Public Resource Code §5197.9 et seq and Cal. Govt. C. §§ 65351, 65352, 65352.3 and 65352.4.

I.1

I.2

I.3

I.1 Comment noted. The comment letter from the Pechanga Band of Luiseño Indians is included in the Final MND.

I.2 Comment noted. The Pechanga Band of Luiseño Indians will continue to be notified and involved in the CEQA environmental review process for the Wasson West project.

I.3 Comment noted. See Response to Comment C.3 above. Letters requesting information and/or concerns about Native American cultural resources were sent to Mark Macarro, Paul Macarro and Laura Miranda (Pechanga Band of Luiseño Indians). A response was received from Laura Miranda, on behalf of the Pechanga Band of Luiseño Indians.

Pechanga Tribe comments on Wascon West (Ramsgate Specific Plan Amendment No. 89-1, Revision 6); Tentative Tract No. 32537; Tentative Tract No. 35422; Annexation No. 79; Zone Change No. 2007-01; General Plan Amendment No. 2007-01
Page 4

an area extending from Rawson Canyon on the east, over to Lake Mathews on the northwest, down Temescal Canyon, and back to the Temecula area, which includes Lake Elsinore in its boundaries.

Thus, our songs and stories, as well as academic works, demonstrate that Luisiño people who occupied what we know today as Temecula, Lake Elsinore, and the areas in between (*Piayachi, Nivávuana, Páta, PáaSubva, Píiy, Pimay, We'áeva, Wina, and Temeku*) are ancestors of the present-day Pechanga Band of Luisiño Indians, and as such, Pechanga is the appropriate culturally affiliated tribe for projects that impact this geographic area.

In addition, the Pechanga Tribe has a long modern day history of involvement with Projects in the area known as Lake Elsinore. Not only has the Pechanga Tribe been involved, but it has been given the designation of the consulting tribe or affiliated tribe on projects located in the Lake Elsinore vicinity, such as Cottonwood Hills, Liberty Serenity, North Peak, Temescal Canyon, Lakeview Villas, County Sheriff's Station, Spy Glass Ranch, Meadowbrook, Oak Springs, Canyon Hills, and Glen Ivy. Moreover, the Pechanga Tribe has been the only tribe that we know of to assume the role of MLD in the Lake Elsinore area. NAHC records confirm that no other tribe has been named MLD in the Lake Elsinore area.

If necessary, the Tribe can more fully explain this position in the SB 18 consultation.

PROJECT IMPACTS TO CULTURAL RESOURCES

The Pechanga Tribe is not opposed to this development project. The Pechanga Tribe's primary concerns stem from the Project's likely impacts on Native American cultural resources. The Pechanga Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Luisiño sites and archaeological items which would be displaced by ground-disturbing work on the project, and on the proper and lawful treatment of cultural items. Native American human remains and sacred items likely to be discovered in the course of the work.

Although no recorded archaeological sites are known to exist on the Project property, the Pechanga Tribe contends that the Project area has the demonstrated potential to contain subsurface cultural resources that will be exposed during any ground-disturbing activities, including grading, grubbing, stockpile work, or any staging activities. There are approximately five cultural resources sites recorded within a 1-mile radius, some of which comprise occupation and habitation areas on to the north and to the southeast of the Project area. Furthermore, the topography of the area in addition to the natural plant and animal resources in the area indicate that occupation of this area by Indian people occurred. Given all of this information, the Pechanga Tribe is in agreement with the conclusions of the Initial Study, the NAHC and the 2007 Pacific West Survey, that there is a likelihood of locating sub-surface cultural resources during ground disturbing activities, and that appropriate mitigation measures should be adopted to address this fact.

PECHANGA INDIAN RESERVATION
Temecula Band of Luisiño Mission Indians

1.5
cont.

1.6

I.6 Comment noted. The Pechanga Band of Luisiño Indians has been working in cooperation with City staff to develop the mitigation measures reflected in MM Cultural/ Paleontological Resources 1 through 7. These measures should address the concerns raised in this comment.

COMMENTS

RESPONSES

Pechanga Tribe comments on Wasson West (Ramsgate Specific Plan Amendment No. 89-1, Revision 6); Tentative Tract No. 35257; Tentative Tract No. 35422; Annexation No. 79; Zone Change No. 2007-01; General Plan Amendment No. 2007-01
Page 5

1.6
cont.

Given that cultural resources will likely be affected by the Project and that the Pechanga Tribe is the most closely affiliated with such resources, the Tribe must be allowed to be involved and participate with the Lead Agency and the Project Applicant in developing all monitoring and mitigation plans for the duration of the Project. Further, given the potential for archaeological resources within the Project area, it is the position of the Pechanga Tribe that Pechanga tribal monitors should be required to be present during all ground-disturbing activities conducted in connection with the project, including any archaeological testing performed.

1.7

1.7 Comment noted. See Response to Comment I.5 above.

1.8

The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines 15064.5). In addition, the NAHC also stated in its correspondence on this Project that buried archaeological resources may be present onsite and recommended that provisions for accidentally discovered archaeological resources and/or human remains be implemented during grading. As such, it is the position of the Pechanga Tribe that an agreement specifying appropriate treatment of inadvertent discoveries of cultural resources be executed between the Project Applicant/developer and the Pechanga Tribe.

1.8 Comment noted. See Response to Comment C.5 and I.5 above. MM Cultural/Paleontological Resources 2 will ensure the development of a Cultural Resources Treatment and Monitoring Agreement with the Appropriate Tribe prior to ground disturbance.

1.9

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a "most likely descendant," who shall be consulted as to the appropriate disposition of the remains. Given the Project's location in Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this project.

1.9 Comment noted. See Response to Comment C.6, I.5 and I.6 above. The determination of "most likely descendant" is the responsibility of the NAHC, pursuant to California Public Resources Code § 5097.98(b).

1.10

Also, surveys and grading may reveal significant archaeological resources and sites which may be eligible for inclusion in the historic site register, and may contain human remains or sacred items. Therefore, we request that the Lead Agency commit to evaluating Project environmental impacts to any cultural sites that are discovered during archaeological testing and grading, and to adopt appropriate mitigation for such sites, in consultation with the Pechanga Tribe.

1.10 Comment noted. See Response to Comment C.4 and C.5 above. MM Cultural/Paleontological Resources 1, 3 and 7 will ensure that any subsurface archaeological/cultural resources discovered during archaeological testing and grading will be evaluated and mitigated, as appropriate.

It appears as though all of the Tribe's above mitigation requests have been generally met by the proposed mitigation measures, and we thank the City for inclusion of such measures. We do have some minor changes to the proposed measures for purposes of clarification purposes.

REQUESTED MITIGATION

For the reasons explained above, the Pechanga Tribe requests the following changes and additions to the proposed mitigation measures in the DEIR (deletions are noted by strikeouts and additions by underlines):

MM Cultural/Paleontological Resources 1: Prior to issuance of grading permit(s) for the project, the project applicant shall retain an archaeological monitor to monitor all

PECHANGA INDIAN RESERVATION
Territory of the Pechanga Tribe

Pecharanga Tribe comments on Wasnon West (Ramsgate Specific Plan Amendment No. 89-1, Revision 6); Tentative Tract No. 32537; Tentative Tract No. 35422; Annexation No. 79; Zone Change No. 2007-01; General Plan Amendment No. 2007-01
Page 6

ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.

MM Cultural/Paleontological Resources 2: At least 30 days prior to seeking a grading permit, the project applicant shall contact the appropriate Tribe³ to notify the Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling, terms of compensation, and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

MM Cultural/Paleontological Resources 3: Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in MM Cultural/Paleontological Resources 2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

MM Cultural/Paleontological Resources 4: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and

³ It is anticipated that the Pecharanga Tribe will be the "appropriate" Tribe due to their historical and extensive coordination with the City and project applicant in determining potentially significant impacts and appropriate mitigation measures, and due to its demonstrated cultural affiliation with the Project area.

PECHARANGA INDIAN RESERVATION
Yemecua Band of Luiseño Mission Indians

I.11

I.11 See Response to Comment I.5 above. The term "Appropriate Tribe" is defined in Footnote 1 on page 78 of Section IV of the Initial Study (Section 1) and page 6 of the MMRP (Section 2) of the MND. Consequently, reference to "Appropriate Tribe" has been retained.

I.12

I.12 Footnote 1 on page 78 of Section IV of the Initial Study (Section 1) and page 6 of the MMRP (Section 2) of the MND has been revised accordingly.

COMMENTS

RESPONSES

Pechanga Tribe comments on Wasson West (Ramsgate Specific Plan, Amendment No. 89-1, Revision 6); Tentative Tract No. 32537; Tentative Tract No. 35422; Annexation No. 79; Zone Change No. 2007-01; General Plan Amendment No. 2007-01
Page 7

engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

MM Cultural/Paleontological Resources 5: The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate-Tribe for proper treatment and disposition.

I.13

I.13 See Response to Comment I.11.

MM Cultural/Paleontological Resources 6: All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

MM Cultural/Paleontological Resources 7: If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the appropriate-Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate-Tribe. Notwithstanding any other rights available under the law, the decision of the CDD shall be applicable to the City of Lake Elsinore.

I.14
I.15

I.14 MM Cultural/Paleontological Resources 7 has been revised accordingly on page 78 of the Initial Study (Section 1) and page 7 of the MMRP (Section 2) of the MND.

I.15 See Response to Comment I.11.

I.16

I.16 See Response to Comment I.11.

The Pechanga Tribe looks forward to working together with the City, the Project Applicant and other interested agencies in protecting the invaluable Luisefo cultural resources found in the Project area. If you have any questions, please do not hesitate to contact me at (951) 676-2768, Ext. 2137.

Sincerely,



Laura Miranda
Deputy General Counsel

Cc: Alisha Samana, City Attorney
Pechanga Cultural Resources Department
Brenda Tomaras, Tomaras & Ogas, LLP

PECHANGA INDIAN RESERVATION
Teneccia Banda of Luiseno Mission Indians

COMMENTS

RESPONSES



STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

Ashlie S. SCHWABENBERGER
Governor

Cynthia BOYNT
Director

RECEIVED
MAY 21 2007
CITY OF LAKE ELSINORE
PLANNING DIVISION

May 16, 2007

Wendy Wortley
City of Lake Elsinore
130 S. Main Street
Lake Elsinore, CA 92530

Subject: Waston West
SCH#: 2007041063

Dear Wendy Wortley:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Detail Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 15, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Robeas
Terry Robeas
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street, P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 312-3038 www.oprc.ca.gov

J.1 Comment noted.

J.2 Comment noted.

J.3 Comment noted.

Document Details Report
State Clearinghouse Data Base

SCH# 2007041063
Project Title Wascon West
Lead Agency Lake Elsinore, City of

Type Negative Declaration

Description The proposed Wascon West consists of 16.54 acre Wascon West North (TTM 32537) and 55.06 acre Wascon West South (TTM 35622). The project proposed 272 residential lots (52.37 acres), four detention basins (5.63 acres), 3.19 acres of open space, 11.23 acres of roadways, 2.18 acre electric power easement and associated utilities.

Lead Agency Contact
Name Wendy Worthey
Agency City of Lake Elsinore
Phone (951) 674-3124 ext. 288 Fax
email
Address 130 S. Main Street State CA Zip 92530
City Lake Elsinore

Project Location
County Riverside
City Lake Elsinore
Region
Cross Streets North/ South of Third St. between Comard Rd. and Waterford St.
Parcel No.
Township SS Range 4W Section 31,32 Base SBM

Proximity to:
Highways I-15, SR 74
Airports
Railways Abbeville Creek, San Jacinto River, Lake Elsinore
Waterways Castle Lake, Tennessee Canyon HS, Elsinore HS, Elsinore HS
Schools Existing Riverside County: RA-20000 (Rural/Industrial Agriculture) and R-R (Rural Residential).
Land Use

Project Issues
Aesthetic/Visual; Agricultural Land; Air Quality; Archeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geological/Seismic; Noise; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Landuse; Cumulative Effects

Reviewing Agencies
Resource Agency; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 6; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 04/16/2007 Start of Review 04/16/2007 End of Review 05/15/2007

Note: Blanks in data fields result from insufficient information provided by lead agency.

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APPENDIX A

NOTICE OF INTENT TO ADOPT - MITIGATED
NEGATIVE DECLARATION,
CITY OF LAKE ELSINOR NO. 2007-01



**NOTICE OF INTENT TO ADOPT –
MITIGATED NEGATIVE DECLARATION
CITY OF LAKE ELSINORE**

TO:

«JobTitle»
«Company»
«Address1»
«Address2»
«City», «State» «PostalCode»

**SUBJECT: NOTICE OF COMPLETION AND INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION FOR THE WASSON
WEST PROJECT**

Lead Agency:

City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530
Contact: Wendy Worthey, Principal Environmental Planner

The City of Lake Elsinore will be the Lead Agency and has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the above-referenced project. We are requesting input from your agency regarding information, which is germane to your agency's statutory responsibilities in connection with the proposed project. As applicable, agencies will need to use the IS/MND prepared when considering permits or other approvals for the project. The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the IS/MND is available at the City of Lake Elsinore.

A 20-day review and comment period for this IS/MND is provided under state law. Please send your comments to Ms. Wendy Worthey, Principal Environmental Planner at the address shown above, **and they must be received by May 2, 2007**. In your response, please provide the name for a contact person in your agency.

Project Title: Wasson West

Project Location:

The Proposed Project is located in southwestern Riverside County east of Interstate (I-) 15/State Route (SR-) 74 (Central Avenue) intersection and west of Waterford Street in

Riverside County, California. The site is located entirely within the County of Riverside, and is proposed to be annexed into the City of Lake Elsinore. Third Street would divide the 74.6-acre site into two areas: Wasson West North (TTM 32537) and Wasson West South (TTM 35422). The site is generally located to the northeast of Conard Avenue, Welch Drive and Cambern Avenue south of Ardenwood Way, north of Wasson Canyon Road, and west of Waterford Street. The proposed project would be accessed via Welch Drive, Third Street, Waterford Street, and Cambern Avenue.

Project Description:

The proposed Wasson West project has two components: 19.54-acre Wasson West North (TTM 32537) and 55.06-acre Wasson West South (TTM 35422). TTM 32537 would include 73 residential lots (including the existing residence) on 15.39 acres, a 0.27-acre detention basin, 0.36 acre of open space, 3.52 acres of roadways, and associated utilities. The existing residence would be retained. TTM 35422 would include 199 residential lots on 36.98 acres, 2.83 acres of open space, three detention basins totaling 5.36 acres, a 2.18-acre electric power easement, 7.71 acres of streets, and associated utilities. The existing single-family residence and structures would be removed. The project proposed includes associated utilities and water quality control improvements. The proposed project also includes a pre-annexation zone change to Ramsgate Specific Plan; annexation into the City of Lake Elsinore, a general plan amendment, and a specific plan amendment.

We look forward to receiving your comments.



Signature: _____

Name: Wendy Worthey
Title: Principal Environmental Planner
Date: April 13, 2007
Telephone: (951) 674-3124 ext 288

CITY OF LAKE ELSINORE
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
MASTER DISTRIBUTION LIST
April 13, 2007

State Clearinghouse
Governor's Office of Planning and Research
1400 Tenth Street, Room 212
Sacramento, CA 95814
(916) 445-0613

South Coast Air Quality Management Dist.
Attn: Steve Smith
21865 E. Copley Drive
Diamond Bar, CA 91765-4182
(909) 396-2000

U. S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Service
Attn: Karen A. Goebel, Asst. Field Supervisor
6010 Hidden Valley Road
Carlsbad, CA 92011
(760) 431-9440

County of Riverside Planning Department
Attn: Robert C. Johnson, Planning Director
4080 Lemon Street, 9th Floor
Riverside, CA 92502
(951) 955-3265

Elsinore-Murrieta-Anza Resource Cons.
Dist.
Attn: Robert Wheeler
29071 Calle Del Buho
Murrieta, CA 92563-5661
(951) 696-8223

Mr. Paul Macarro
Pechanga Band of Mission Indians Cultural
Resource Center
12705 Pechanga Rd.
Temecula CA 92592
(951-308-9295)
(951-676-2768)

Riverside Co. Transportation Commission
4080 Lemon Street, 3rd Floor
Riverside, CA 92502-2208
(951) 787-7141

Soboba Band of Mission Indians
Attn: Harold Arres
Cultural Resources Manager
23904 Soboba Road
San Jacinto, CA 92583
(951) 487-8268

Riverside Local Agency Formation
Commission
Attn: George J. Spiliotis, Executive Officer
3850 Vine Street, Suite 110
Riverside, CA 92507-4277
(951) 369-0631

Riverside County Clerk
Attention: M. Meyer
2724 Gateway Drive
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7018

California RWQCB – Santa Ana Region
Attention: Mark Adelson
3737 Main Street, Suite 500
Riverside, CA 92501-3348
(951) 782-4130

U.S. Army Corps of Engineers
Los Angeles District - Regulatory Branch
Attention: Robert Smith
911 Wilshire Blvd.
Los Angeles, CA 90017
(213) 452-3289

Elsinore Valley Municipal Water District
Attn: Phillip M. Miller, District Engineer
31315 Chaney Street
Lake Elsinore, CA 92530
(951) 674-3146

Celeste Cantu, General Manager
Santa Ana Watershed Project Authority
11615 Sterling Avenue
Riverside, CA 92503

Riverside County Waste Management
Attn: Sungkey Ma
14310 Frederick Street
Moreno Valley, CA 92553

Riverside County Transportation Department
Attn: Juan Perez
4080 Lemon Street, 8th Floor
Riverside, CA 92502-1090
(951) 955-6800

Ms. Laura Miranda, Deputy General Counsel
Pechanga Tribal Gov't
12705 Pechanga Road
Temecula, CA 92593

Lake Elsinore & San Jacinto Watersheds
Authority
11516 Sterling Avenue
Riverside, CA 92503
(951) 354-4220

CALTRANS District #8
Office of Forecasting/IGR/CEQA Review
Attention: Mr. Daniel Kopulsky, Chief
464 W. Fourth Street, 6th Floor MS 725
San Bernardino, CA 92401-1400
(909) 383-4557

California Department of Fish and Game
Eastern Sierra – Inland Deserts Region
Attention: Leslie MacNair
3602 Inland Empire Blvd., Ste C-220
Ontario, CA 91764
(909) 484-0459

Lake Elsinore Unified School District
Attn: Mark Sattley, Facilities Services Dir.
545 Chaney Street, Unit B
Lake Elsinore, CA 92530
(909) 253-7015

Riverside County Flood Control and Water
Conservation District
Attn: Dusty Williams, General Manager
1995 Market Street
Riverside, CA 92501
(951) 955-1250

Southern California Edison Company
Attn: Robert Lopez, Region Manager
26100 Menifce Road
Romoland, CA 92585-9752
(951) 928-8208

Lake Elsinore Library
600 W. Graham Avenue
Lake Elsinore, CA 92530
(951) 674-4517

Southern California Association of
Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017
(213) 236-1800

Riverside Co. Habitat Conservation Agency
Attn: Carolyn Syms Luna, Director
4080 Lemon Street, 7th Floor
Riverside, CA 92502
(951) 955-6625

CALTRANS District #8
Attention: Rosa Clark
464 W. Fourth Street, 6th Floor MS 726
San Bernardino, CA 92401-1400
(909) 383-6327

**CITY OF LAKE ELSINORE
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
MASTER DISTRIBUTION LIST
April 13, 2007**

Notice of Availability Only

City of Canyon Lake Planning Department
31516 Railroad Canyon Road
Canyon Lake, CA 92587
(951) 244-2955

City of Murrieta Planning Department
26442 Beckman Court
Murrieta, CA 92562
(951) 304-2489

Morongo Band of Mission Indians
Attn: Maurice Lyons, Chairperson
245 N. Murray Street, Ste. C
Banning, CA 92220

Mission Trail Library
34303 Mission Trail
Wildomar, CA 92595-8436
(951) 471-3855

Canyon Lake Library
31516 Railroad Canyon Road
Canyon Lake, CA 92587-9400
(951) 244-9181

Western Riverside Council of Governments
Attn: Rick Bishop, AICP, Executive Director
4080 Lemon Street, 3rd Floor
Riverside, CA 92501-3679
(951) 955-7985

Sun City Branch Library
26982 Cherry Hills Boulevard
Sun City, CA 92586
951-679-3534

Western Riverside Co. Regional
Conservation Authority
Attn: Thomas B. Mullen, Executive Director
4080 Lemon Street, 12th Floor
Riverside, CA 92501
(951) 955-9700

Pechanga Band of Luiseno Mission Indians
Attn: Stephanie Gordin
45000 Pechanga Park Way
Temecula, CA 92592
(951) 308-9295

Mr. Patrick Kudell
Pechanga Tribal Gov't
12705 Pechanga Road
Temecula, CA 92593

Southern California Gas Co.
Attn: District Project Manager
1981 Lugonia Avenue
Redlands, CA 92374-9720
(909) 335-7674

Riverside County Office of Education
Attn: Dave Long, Superintendent of Schools
3939 13th Street
Riverside, CA 92502-0868
(951) 826-6530

San Bernardino County Museum
Attn: Kathleen B. Springer, Sr. Curator of
Geologic Science
2024 Orange Tree Lane
Redlands, CA 92374
(909) 307-2669, Ext. 242

Mr Robert J. Salgado, Senior Chairperson
Soboba Band of Mission Indians
23904 Soboba Rd.
San Jacinto, CA 92581
(951-654-2765)

Shasta Gaughen, Assistant Director
Cupa Cultural Center (Pala Band)
35008 Pala Temecula Road
PMB Box 445
Pala, CA 92059
(760-742-1590)

Mr. Mark Macarro, Chairperson
Pechanga Band of Mission Indians
12705 Pechanga Rd.
Temecula CA 92592
(951) 676-2768

Robert Smith, Tribal Chairman
Pala Band of Mission Indians
12196 Pala Mission Road
Pala, CA 92059
(760) 891-3500

Bennae Calac, Director of Cultural Resources
Soboba Band of Luiseno Indians
23904 Soboba Rd.
San Jacinto, CA 92581
(951) 663-8332

Appendix G

Mitigation Monitoring Program

SECTION 2

MITIGATION MONITORING PROGRAM FOR
FINAL MITIGATED NEGATIVE DECLARATION
NO. 2007-01

MITIGATION MONITORING PROGRAM CITY OF LAKE ELSINORE

The California Environmental Quality Act (CEQA), Public Resources Code Section 21081.6, requires that a Mitigation Monitoring and Reporting Program (MMRP) be established upon completing findings. CEQA stipulates that “the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This MMRP has been developed in compliance with Section 21081.6 of CEQA. The City of Lake Elsinore is the Lead Agency for the project under CEQA and will administer and implement the MMRP. The mitigation measures in this MMRP are derived from the Final Mitigated Negative Declaration for the Wasson West project (proposed project) dated June 2007.

AESTHETICS

1. **MM Aesthetics 1:** All outdoor light fixtures, including streetlights, shall be uni-directional, shielded and situated so as to not cause glare or excessive light spillage on neighboring properties.
 - **Responsible Party:** Applicant
 - **Completion Date:** Prior to issuance of building permits
 - **Monitoring Method:** Plan review
 - **Monitoring Agency:** City Building Division

AIR QUALITY

1. **MM Air Quality 1:** The proposed project shall adhere to the following emission reduction measures to control construction VOCs, PM₁₀, and PM_{2.5}.
 - To control fugitive dust, the proposed project shall adhere to best management practices (BMPs), which include the application of water on disturbed soils three times per day, covering haul vehicles, replanting disturbed areas as soon as practical, and restricting vehicle speeds on unpaved roads to 15 miles per hour (mph) or less.
 - Construction equipment shall be properly maintained to ensure proper timing and tuning of engines. Equipment maintenance records and equipment design specification data sheets shall be kept onsite during construction activity.
 - The contractor shall ensure the use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB)/SCAQMD Rule 431.2 (diesel fuel with sulfur content of 15 ppm by weight or less).
 - The contractor shall utilize Zero-VOC paints (assumes no more than 100 grams/liter of VOC).

The following standard air quality measures shall also be included:

- Limit grading disturbance to 10 acres a day.
- Use low emissions mobile and stationary equipment whenever possible.
- Maintain equipment in tune as per manufacturers' specifications.
- Utilize catalytic converters on gasoline-powered equipment.
- Retard engine timing by two degrees.
- Use reformulated, low-emissions diesel fuel.
- Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
- Where applicable, equipment should not be left idling for prolonged periods.
- Curtail construction during periods of high ambient pollutant concentrations.
- Reduce daily operations by reducing the number of pieces of equipment and haul trucks. This can be accomplished by lengthening the time schedule.
- General contractors shall be required to develop a trip reductions plan to achieve 1.5 persons per vehicle for construction employees.
- Provide a flag person to guide traffic efficiently and ensure safety at construction sites.
- Develop a traffic plan to minimize traffic flow interference from construction activities. This plan may include such items as advance public notice of routing, use of public transportation and satellite parking areas with shuttle service.
- Schedule materials haul trips during off-peak hours.
- Minimize the obstruction of through lanes from haul trucks.
- Spread soil binders on the construction site, unpaved roads and parking areas morning and evening.
- Apply SCAQMD approved chemical soil stabilizers according to manufacturers' specification to all inactive construction areas (i.e., previously graded areas which are to remain inactive for 96 hours or more).
- Pave construction roads and sweep streets if silt is carried over to adjacent public thoroughfares.
- Wash off trucks leaving the site.
- Suspend all grading activities when wind speeds exceed 25 mph.
- Utilize energy efficient heating, air conditioning, water heaters, furnaces, boiler units, etc.
- Incorporate passive solar design and solar heaters.
- Utilize devices that minimize the combustion of fossil fuels.
- Capture waste heat and reuse where possible.
- Landscape with native drought-resistant species that reduces water consumption, provide passive solar benefits, and provide little maintenance.

In addition to the mitigation measures identified above, implementation of the following mitigation measures are required as a condition of project approval:

- Use construction equipment with low emission factors and high-energy efficiency where possible.
- Perform regularly scheduled engine maintenance to minimize equipment emissions.
- Provide site improvements such as street lighting, street furniture, route signs, and sidewalks or pedestrian paths.

- Build homes that exceed minimum statewide energy construction requirements beyond Title 24.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of grading permits and building permits
- **Monitoring Method:** Site inspections
- **Monitoring Agency:** City Engineering and Building Divisions

BIOLOGICAL RESOURCES

1. **MM Biological Resources 1:** The project applicant shall pay MSHCP Local Development Mitigation fees, as determined by the City. The current fee is \$1,801 per du for residential uses with a density of less than 8.0 du/acre, \$1,153 per du for residential uses with a density between 8.1 and 14.0 du/acre, and \$937 per du for residential uses with a density of greater than 14.1 du/acre.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of grading permits
- **Monitoring Method:** The Applicant shall pay appropriate MSHCP fees
- **Monitoring Agency:** City Planning and Building Divisions

2. **MM Biological Resources 2:** The project applicant shall pay the Stephens' Kangaroo Rat mitigation fee of \$500 per acre impacted within the Stephens' Kangaroo Rat Habitat Conservation Plan fee area boundary in accordance with County Ordinance 663.10.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of grading permits
- **Monitoring Method:** The Applicant shall pay appropriate Stephens' Kangaroo Rat fees
- **Monitoring Agency:** City Planning and Building Divisions

3. **MM Biological Resources 3:** If clearing or grading is to occur during the raptor breeding season, a pre-construction survey shall be conducted by a qualified biologist to determine if breeding or nesting raptors species occur within the impact area. The pre-construction survey shall take place within 7 days prior to disturbance of the site. If a nest occurs in a tree to be affected, the tree shall not be removed while the nest is active (January 15 through July 15, or until nesting is completed). No clearing, grubbing, grading, or other construction activities shall occur within 500 feet of occupied tree-nesting raptor habitat during the raptor breeding season. If there are no raptors nesting (includes nest building or other breeding/nesting behavior) within this area, clearing or grading shall be allowed to proceed.

A qualified biologist shall conduct pre-construction burrowing owl surveys onsite. The pre-construction survey shall take place within 30 days prior to disturbance of the site. If burrowing owl is present, CDFG shall be consulted and a passive relocation effort shall be undertaken outside the nesting season. Burrowing owls shall be relocated passively to an area outside the impact zone and existing burrows shall be destroyed once they are vacated. No disturbance of active nests shall occur.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to disturbance of the site
- **Monitoring Method:** Surveys, site inspections and relocation
- **Monitoring Agency:** City Planning Division

4. **MM Biological Resources 4:** To prevent potentially significant impacts caused by non-native invasive species, exotic/invasive plant species included in the California Invasive Plant Inventory prepared by Cal-IPC (2006) shall be excluded from plantings occurring adjacent to undeveloped areas to the south.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of building permits and occupancy permits
- **Monitoring Method:** Review of building plans and C, C & Rs, and site inspections to ensure compliance
- **Monitoring Agency:** City Planning and Building Divisions

5. **MM Biological Resources 5:** Mitigation for impacts to 0.35 acres of Corps jurisdictional areas and 0.54 acres of CDFG jurisdictional areas shall occur at a 1:1 ratio. Mitigation for impacts shall include acquisition of 0.54 acre from the "Cloverleaf" property or other mitigation acceptable to the resource agencies as part of the wetland permitting process.

Prior to the issuance of a grading permit, the project applicant shall submit a Revegetation Plan for creation of 0.54 acre of riparian or marsh habitat. The Revegetation Plan shall include, but not be limited to, the following to ensure vegetation establishment: qualitative and quantitative performance standards, a map showing the revegetation areas, site preparation information including grading requirements, type of planting materials (e.g., species ratios, source, size material, etc.), planting program, success criteria including target functions and values, and detailed cost estimate. The cost estimate shall include all phases, including but not limited to planting, plant materials, irrigation, maintenance, monitoring, and report preparation. The report shall be prepared by a qualified restoration ecologist/biologist and subject to the approval of the Community Development Director.

The revegetation shall occur on property known as the "Cloverleaf" in the southern end of Lake Elsinore or other off site mitigation parcels acceptable to the City. If mitigation at the Cloverleaf property is not available, 0.54 acre of mitigation shall be provided at an alternate site or mitigation bank (the mitigation bank must have creation credits available), shall be approved by the Community Development Director, and shall meet the following criteria:

- The proposed mitigation site shall be part of a larger block of conserved habitat, or in an area that is targeted for conservation by the MSHCP. Specific locations could include Temescal Wash or MSHCP Proposed Core 1 and Core C, or other appropriate sites surrounding Lake Elsinore.
- Hydrology shall be appropriate to allow for fully functional wetland habitat for habitat restoration.

- For areas adjacent to Lake Elsinore, the pre-mitigation elevations shall be above 1,260 feet amsl for areas outside of the Back Basin levee, or above 1,246 feet amsl within the Back Basin levee to insure that the mitigation site is not considered jurisdictional habitat prior to implementation of the mitigation program.

Habitat created pursuant to the Revegetation Plan shall be placed within an open space easement dedicated to the City or transferred to the Regional Conservation Authority subject to a Donation Agreement prior to or immediately following the approval of the Revegetation Plan.

The applicant shall enter into a Secured Agreement with the City Planning Department consisting of a letter of credit, bond, or cash for implementation of the Revegetation Plan. The bond amount shall be based upon the actual estimate prepared as part of the site-specific revegetation plan.

Prior to issuance of a grading permit and prior to approval of the Final Map (or Parcel Map), the applicant shall provide the Community Development Director with a copy of a Clean Water Act Section 404 Permit issued by the Corps and a copy of a Streambed Alteration Agreement issued by CDFG (or evidence that no permit or agreement is required) for all project-related disturbances of any Corps or CDFG jurisdictional area.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to the issuance of a grading permits
- **Monitoring Method:** The Applicant provide documentation that the appropriate Corps, RWQCB and CDFG permits have been granted.
- **Monitoring Agency:** City Planning and Building Divisions

CULTURAL

1. **MM Cultural/Paleontological Resources 1:** Prior to issuance of grading permit(s) for the project, the project applicant shall retain an archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to the issuance of a grading permits and throughout grading activities
- **Monitoring Method:** Site inspections
- **Monitoring Agency:** City Planning and Engineering Divisions

2. **MM Cultural/Paleontological Resources 2:** At least 30 days prior to seeking a grading permit, the project applicant shall contact the Appropriate Tribe¹ to notify that Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to the issuance of a grading permits
- **Monitoring Method:** The Applicant provide documentation of appropriate Cultural Resources Treatment and Monitoring Agreement
- **Monitoring Agency:** City Planning and Engineering Divisions

3. **MM Cultural/Paleontological Resources 3:** Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in MM Cultural/Paleontological Resources 2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Appropriate Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to the issuance of a grading permits and throughout grading activities
- **Monitoring Method:** Site inspections
- **Monitoring Agency:** City Planning and Engineering Divisions

4. **MM Cultural/Paleontological Resources 4:** If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most

¹ "Appropriate Tribe" – It is anticipated that the Pechanga Tribe will be the Appropriate Tribe due to its prior and extensive coordination with the City in determining potentially significant impacts and appropriate mitigation measures, and due to demonstrated cultural affiliation with the Lake Elsinore area. All subsequent uses of the term Appropriate Tribe herein shall take on the definition set forth in this footnote.

likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

- **Responsible Party:** Applicant
- **Completion Date:** Throughout grading activities
- **Monitoring Method:** Site inspections
- **Monitoring Agency:** City Planning and Engineering Divisions

5. **MM Cultural/Paleontological Resources 5:** The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the Appropriate Tribe for proper treatment and disposition.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of occupancy permits
- **Monitoring Method:** The Applicant provide documentation of transfer of ownership of all cultural resources to the Appropriate Tribe
- **Monitoring Agency:** City Planning and Engineering Divisions

6. **MM Cultural/Paleontological Resources 6:** All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

- **Responsible Party:** Applicant
- **Completion Date:** Throughout grading activities
- **Monitoring Method:** Site inspections
- **Monitoring Agency:** City Planning and Engineering Divisions

7. **MM Cultural/Paleontological Resources 7:** If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the Appropriate Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs and practices of the Appropriate Tribe. Notwithstanding any other rights available under the law, the decision of the CDD shall be appealable to the City of Lake Elsinore.

- **Responsible Party:** Applicant
- **Completion Date:** Throughout grading activities
- **Monitoring Method:** Site inspections
- **Monitoring Agency:** City Planning and Engineering Divisions

8. **MM Cultural/Paleontological Resources 8:** If paleontological resources are located onsite, work in the area of discovery shall be halted until a qualified paleontologist has been consulted, the resource has been evaluated and the appropriate action has been taken. If the find is determined to be significant, avoidance, data collection or other appropriate measures shall be implemented to ensure that impacts are minimized.

- **Responsible Party:** Applicant
- **Completion Date:** Throughout grading activities
- **Monitoring Method:** Site inspections
- **Monitoring Agency:** City Planning and Engineering Divisions

GEOLOGY AND SOILS

1. **MM Geology 1:** Prior to the issuance of a grading permit, the applicant shall prepare and submit the following to the City Engineer for review and approval:

- **Final Grading Plan.** All grading activities shall follow the UBC and all applicable governmental agency requirements (including the City's Municipal Code).
- **Erosion Control Plan.** Erosion control measures shall be implemented to meet all applicable governmental agency requirements.
- **Final Geologic and Geotechnical Report.** The final report shall further evaluate site conditions and define project-specific mitigation.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of a grading permits
- **Monitoring Method:** Review of submitted plans
- **Monitoring Agency:** City Engineering Division

2. **MM Geology 2:** Building foundations, footings, structures, retaining walls, sub-drains, pavement, trenching, and grading shall follow the recommendations of the preliminary geotechnical report, final geotechnical report, grading plan, UBC, the City of Lake Elsinore Municipal Code, the Construction Storm Water Permit, and the Water Quality Management Plan.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of a building permits
- **Monitoring Method:** Plan check of building plans to ensure compliance
- **Monitoring Agency:** City Building Division

3. **MM Geology 3:** Remedial earthwork shall include the removal of all undocumented fill materials, surficial soils, loose and porous alluvial soils, and highly weathered/decomposed bedrock existing onsite and processing prior to placement of additional fill within the site boundary. All topsoil, slopewash, and the upper 5 to 7 feet of alluvial material shall be removed, moisture conditioned to at least optimum moisture content, and compacted within the property boundary. Once removals are completed, the exposed bottom shall be reprocessed via cross ripping, moisture conditioned to at least optimum moisture content, and recompacted prior to placement of additional fill soils. The geotechnical engineer of record shall approve removals prior to placement of fill.

Rock fragments less than six inches can be placed in the top three feet of finished elevation. Rock fragments between 6 and 12 inches can be placed within 3 to 10 feet of the finished grade. The project soils engineer shall supervise placement of rocks exceeding 12 inches. All structural

fill materials, including import soils (if any), shall be free of organic matter, have very low to medium expansion potential, and be non-plastic (if possible). The geotechnical engineer of record shall evaluate any import soils used.

Sub-drains shall be placed within the existing drainages that are planned to be filled. Drains shall be within 10 feet of the proposed finished grade and shall be tied to the stormdrain system (with backflow preventers) or other suitable outlets. The sub-drain locations will be determined by the project civil engineer.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of a grading permits
- **Monitoring Method:** Review of submitted plans
- **Monitoring Agency:** City Engineering Division

HAZARDS AND HAZARDOUS MATERIALS

1. **MM Hazards 1:** ACMs shall be removed by a registered and licensed asbestos contractor prior to demolition. LBP materials shall be removed prior to demolition by properly trained personnel. Additional soil sampling around the structure containing LBP shall be completed prior to demolition and after demolition to determine if the soils were also contaminated. If the soils are significantly contaminated, than proper removal, replacement and disposal of soil shall occur by trained personnel.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to demolition
- **Monitoring Method:** The Applicant provide documentation of removal of ACMs and LBP materials
- **Monitoring Agency:** City Planning, Building and Fire Divisions

2. **MM Hazards 2:** All spills or leakage of petroleum products during construction activities shall immediately be contained, the hazardous material identified, and the material remediated in compliance with applicable state and local regulation regarding cleanup and disposal of the contaminant released. The contaminated waste shall be collected and disposed of at an appropriately licensed disposal or treatment facility.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of building permits
- **Monitoring Method:** Review of building plans and required documents to ensure compliance
- **Monitoring Agency:** City Planning, Building and Fire Divisions

3. **MM Hazards 3:** Prior to the issuance of building permits, the applicant shall comply with the following:

- The Applicant shall participate in the Development Impact Fee program, as adopted by the City of Lake Elsinore, to the extent applicable.

- All water mains and fire hydrants shall be constructed in accordance with Riverside County Ordinance No. 460 and/or No. 787.1
- The project shall provide an alternate or secondary access. Before combustible materials are brought to the site, the applicant shall provide two points of access acceptable to the Riverside County Fire Department.
 - **Responsible Party:** Applicant
 - **Completion Date:** Prior to issuance of building permits
 - **Monitoring Method:** Review of building plans and required documents to ensure compliance
 - **Monitoring Agency:** City Planning, Building and Fire Divisions

NOISE

1. **Mitigation Measure Noise 1:** The construction contractor shall complete the following to reduce construction noise:

- During all project site excavation and grading onsite, the construction contractors shall equip all construction equipment (fixed or mobile) with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction.
- The construction contractor shall limit all construction-related activities that would result in high noise levels according to the construction hours to be determined by City staff. The construction contractor shall limit all construction-related activities that would result in high noise levels between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays or public holidays.
- The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
 - **Responsible Party:** Applicant
 - **Completion Date:** Throughout grading and construction activities
 - **Monitoring Method:** Site inspections
 - **Monitoring Agency:** City Planning, Engineering and Building Divisions

2. **Mitigation Measure Noise 2:** Four-foot noise barriers between Wasson West TTM 32537 Lots 25, 26, 61, and 70 and Third Street; TTM 35422 Lots 9 to 17 and Third Street; and TTM 35422 Lots 77 to 87 and Cambern Avenue shall be constructed at the property line, between the adjacent roadways and exterior living areas, at the top of the slope, above pad or roadway

elevation, whichever is greater. Where applicable, the barriers shall wrap around the ends of the dwelling units to prevent flanking of noise into the site.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of occupancy permits
- **Monitoring Method:** Site inspections
- **Monitoring Agency:** City Planning Division

3. **Mitigation Measure Noise 3:** Since residents of TTM 32537 Lots 22 to 26 and 61 to 69, and TTM 35422 Lots 9 to 17 and 77 to 87 will be required to shut their windows to reduce noise to the appropriate levels, these residences must be provided with mechanical ventilation and standard dual glazed windows with a minimum Sound Transmission Class rating of 26.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of occupancy permits
- **Monitoring Method:** Site inspections
- **Monitoring Agency:** City Planning and Building Divisions

PUBLIC SERVICES

1. **MM Public Services 1:** Prior to the issuance of building permits, the applicant shall comply with the following fire mitigation measures:

- The Applicant shall participate in the Development Impact Fee program, as adopted by the City of Lake Elsinore, to the extent applicable.
- All water mains and fire hydrants shall be constructed in accordance with Riverside County Ordinance No. 460 and/or No. 787.1.
- The project shall provide an alternate or secondary access.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of building permits
- **Monitoring Method:** Applicant pays appropriate fees
- **Monitoring Agency:** City Building Division

2. **MM Public Services 2:** Prior to issuance of building permits, the applicant shall be required to pay appropriate developer impact fees for impacts to police, schools, parks, and library services.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of building permits
- **Monitoring Method:** Applicant pays appropriate fees
- **Monitoring Agency:** City Building Division

3. **MM Public Services 3:** Prior to issuance of building permits, the applicant shall be required to pay the Lighting and Landscaping Maintenance District fee and appropriate development assessment fee for impacts to lighting and landscaping.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of building permits
- **Monitoring Method:** Applicant pays appropriate fees
- **Monitoring Agency:** City Building Division

RECREATION

1. **MM Recreation 1:** Prior to issuance of building permits, the Applicant shall be required to pay appropriate developer impact fees for impacts to parks.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of building permits
- **Monitoring Method:** Applicant pays appropriate park fees
- **Monitoring Agency:** City Building Division

TRANSPORTATION/TRAFFIC

1. **MM Traffic 1:** Prior to approval of the final map, the Applicant shall pay applicable City of Lake Elsinore fees, including Developer Impact Fees and the Traffic Impact Fee.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of building permits
- **Monitoring Method:** Applicant pays traffic mitigation fees
- **Monitoring Agency:** City Engineering and Building Divisions

2. **MM Traffic 2:** Prior to approval of the final map, the Applicant shall pay Western Riverside County Transportation Uniform Mitigation Fees (TUMF) for any portions of the Ramsgate Specific Plan not subject to its Development Agreement and the executed Operating Memorandums of Understanding between the Project applicant and the City of Lake Elsinore. TUMF fees shall be paid for building permits issued within the balance of the Ramsgate Specific Plan after June 27, 2010, the date that its Development Agreement and the executed Operating Memorandums of Understanding terminates with the City.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to issuance of final maps
- **Monitoring Method:** Applicant pays appropriate TUMF fees
- **Monitoring Agency:** City Engineering and Building Divisions

3. **MM Traffic 3:** Prior to approval of the final map, the Applicant shall make fair-share contributions to assessment district and/or community facilities district financing.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to approval of final maps
- **Monitoring Method:** Applicant makes fair-share contributions
- **Monitoring Agency:** City Engineering and Building Division

4. **MM Traffic 4:** Prior to approval of the final map, the Applicant shall participate in funding its fair-share of offsite improvements identified in Figures 14-16 needed to serve cumulative future conditions under appropriate fee credit agreements. The proposed project shall make a fair share contribution towards improvements to the following intersections:

- Dexter Avenue at Third Street: towards first northbound, southbound and eastbound left-turn lanes, the associated restriping, and a traffic signal.
- Dexter Avenue at Second Street: towards first northbound, southbound, eastbound and westbound left-turn lanes, and a traffic signal.
- Cambern Avenue at Third Street: towards first northbound, southbound, eastbound and westbound left-turn lanes, and a traffic signal.
- Conard Avenue at Central Avenue: towards first southbound through lane, a southbound right-turn overlap to existing right turn lane, third eastbound through travel lane, third westbound through travel lane, westbound turn lanes, the associated restriping, and a traffic signal.

- **Responsible Party:** Applicant
- **Completion Date:** Prior to approval of final maps
- **Monitoring Method:** Applicant makes fair-share contributions
- **Monitoring Agency:** City Engineering and Building Division

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