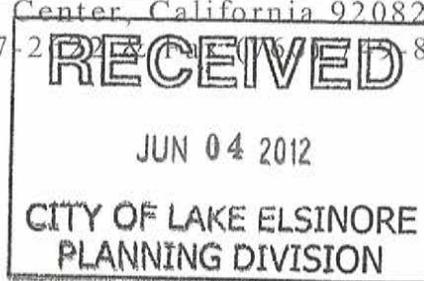


RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, California 92082
(760) 297-2621 or (760) 297-2622



May 29, 2012

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

Re: Alberhill Villages Specific Plan and the related General Plan Amendment, Zone Change, Tentative Tract Map and Environmental Impact Report

Dear Mr. Richard J. MacHott,

Thank you for inviting us to submit comments on the Alberhill Villages Specific Plan and the related General Plan Amendment, Zone Change, Tentative Tract Map and Environmental Impact Report. This letter is written on behalf of the Rincon Band of Luiseño Indians. Rincon is submitting these comments concerning your Project's potential impact on Luiseño cultural resources.

The Rincon Band has concerns for impacts to historic and cultural resources and findings of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is within the Aboriginal Territory of the Luiseno people, but is not within the Rincon Historic boundaries.

We refer you to Soboba Band of Luiseño Indians or Pechanga Band of Luiseño Indians who are closer to your project area, please contact the Native American Heritage commission and they will assist with a referral. If for some reason you are unable to locate an interested tribe please notify us and we will be happy to assist you in the matter. We also request you update your contact information for Rincon and request you include in any future letters and correspondence the Rincon Tribal Chairman and the Tribal Historic Preservation Office in the Cultural Resource Department, Post Office Box 68, Valley Center, Ca 92082 (760) 297 2621.

Thank you for this opportunity to protect and preserve our cultural assets.

Sincerely,

Rose Duro
Rincon Culture Committee Chairman

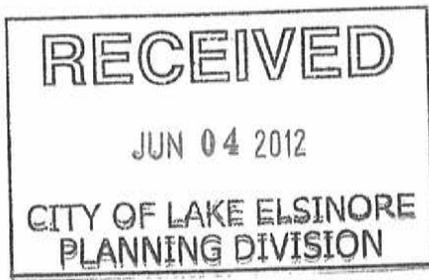
Bo Mazzetti
Tribal Chairman

Stephanie Spencer
Vice Chairwoman

Charlie Kolb
Council Member

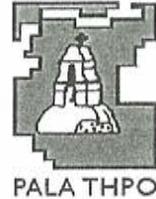
Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member



**PALA TRIBAL HISTORIC
PRESERVATION OFFICE**

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax



May 30, 2012

Rishard MacHott
City of Lake Elsinore
130 S. Main Street
Lake Elsinore, CA 92530

Re: Alberhill Villages, Zone change

Dear Mr. ~~Maxon~~, *MacHott*,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

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 me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO SHASTA C. GAUGHEN AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

June 14, 2012

Attn: Richard J. MacHott, Environmental Planning Consultant
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530



Re: Notice of Preparation of a Draft EIR for the Alberhill Villages Specific Plan (SP 2010-02) and Related General Plan Amendment No. 2012-01 and Zone Change No. 2012-02

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

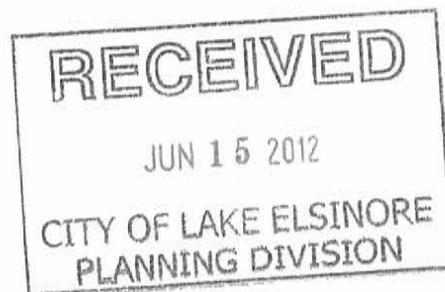
Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.
2. Soboba Band of Luiseño Indians continues to act as a consulting tribal entity for this project.
3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that a Native American monitoring component be included as a mitigation measure for the Environmental Impact Report. The Tribe is requesting that a Treatment and Dispositions Agreement between the developer and the Soboba Band be provided to the City of Lake Elsinore prior to the issuance of a grading permit and before conducting any additional archaeological fieldwork.
4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between the City of Lake Elsinore and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov



Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. When appropriate and agreed upon in advance, the Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains.

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.



EDMUND G. BROWN JR.
GOVERNOR

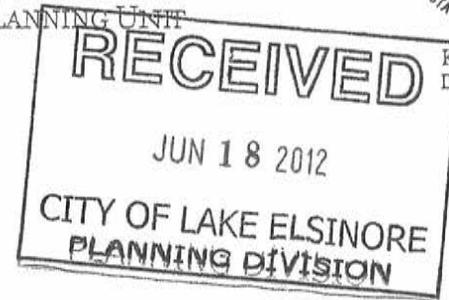
STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

Notice of Preparation

June 14, 2012



To: Reviewing Agencies

Re: Alberhill Villages Specific Plan (SP 2010-02), General Plan Amend. No. 2012-01 and Zone Change No. 2012-02

SCH# 2012061046

Attached for your review and comment is the Notice of Preparation (NOP) for the Alberhill Villages Specific Plan (SP 2010-02), General Plan Amend. No. 2012-01 and Zone Change No. 2012-02 draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Richard J. MacHott
City of Lake Elsinore
130 S. Main Street
Lake Elsinore, CA 92530

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012061046
Project Title Alberhill Villages Specific Plan (SP 2010-02), General Plan Amend. No. 2012-01 and Zone Change No. 2012-02
Lead Agency Lake Elsinore, City of

Type NOP Notice of Preparation
Description Located on approximately 1,400 acres, the AVSP proposes 8,244 dwelling units; 2,507,000 sf of non-residential uses including civic/institutional, commercial/retail, professional office/medical and entertainment uses; development of a university campus or similar educational institution to serve up to 6,000 students; and supporting uses including schools, parks, worship centers, and green belt paseos. The GPA proposes that the proposed Project site's land use designation be changed to "Specific Plan". The proposed GPA also proposes changes to the General Plan's Circulation Element.

Lead Agency Contact

Name Richard J. MacHott
Agency City of Lake Elsinore
Phone (951) 674-3124 x209
email
Address 130 S. Main Street
City Lake Elsinore
State CA **Zip** 92530
Fax

Project Location

County Riverside
City Lake Elsinore
Region
Cross Streets
Lat / Long 33° 43' 15.4" N / 117° 23' 52.7" W
Parcel No.
Township 5S **Range** 5W **Section** 15/16 **Base** SBB&M

Proximity to:

Highways Hwy 74, I-15
Airports
Railways
Waterways Temescal Wash
Schools Lake Elsinore Unified
Land Use

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Fiscal Impacts; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Fish and Game, Region 6; Office of Emergency Management Agency, California; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 8; Air Resources Board, Transportation Projects; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 8

Date Received 06/14/2012 **Start of Review** 06/14/2012 **End of Review** 07/13/2012

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

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # **2012061046**

Project Title: Alberhill Villages Specific Plan (SP 2010-02), General Plan Amend. No. 2012-01 and Zone Change No. 2012-02

Lead Agency: City of Lake Elsinore Contact Person: Richard J. MacHott
 Mailing Address: 130 South Main Street Phone: 951.674.3124, Extension 209
 City: Lake Elsinore Zip: 92530 County: Riverside

Project Location: County: Riverside City/Nearest Community: City of Lake Elsinore

Cross Streets: N/A Zip Code: 92530

Longitude/Latitude (degrees, minutes and seconds): 33 ° 43 ' 15.4 " N / 117 ° 23 ' 52.7 " W Total Acres: 1,400

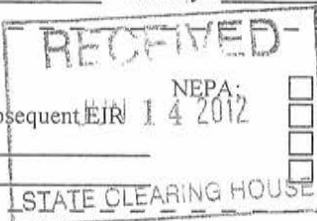
Assessor's Parcel No.: See Attached List Section: 15, 16 Twp.: 5S Range: 5W Base: SBB&M

Within 2 Miles: State Hwy #: 74, Interstate 15 Waterways: Temescal Wash

Airports: N/A Railways: N/A Schools: Lake Elsinore Unified

Document Type:

- | | | | |
|---|--|------------------------------------|--|
| CEQA: <input checked="" type="checkbox"/> NOP | <input type="checkbox"/> Draft EIR | NEPA: <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons | <input type="checkbox"/> Supplement/Subsequent EIR | <input type="checkbox"/> EA | <input type="checkbox"/> Final Document |
| <input type="checkbox"/> Neg Dec | (Prior SCH No.) | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Mit Neg Dec | Other: _____ | <input type="checkbox"/> FONSI | |



Local Action Type:

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> General Plan Update | <input checked="" type="checkbox"/> Specific Plan | <input checked="" type="checkbox"/> Rezone | <input type="checkbox"/> Annexation |
| <input checked="" type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan | <input type="checkbox"/> Prezone | <input type="checkbox"/> Redevelopment |
| <input type="checkbox"/> General Plan Element | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Use Permit | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> Community Plan | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Land Division (Subdivision, etc.) | <input type="checkbox"/> Other: _____ |

Development Type:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Residential: Units <u>8,244</u> Acres <u>743.5</u> | <input type="checkbox"/> Transportation: Type _____ |
| <input checked="" type="checkbox"/> Office: Sq.ft. <u>10 mil</u> Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____ |
| <input checked="" type="checkbox"/> Commercial: Sq.ft. <u>1.7 mil.</u> Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____ |
| <input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____ |
| <input checked="" type="checkbox"/> Educational: <u>Elementary & Middle Schools, University Campus</u> | <input type="checkbox"/> Hazardous Waste: Type _____ |
| <input checked="" type="checkbox"/> Recreational: <u>Parks and Open Space</u> | <input type="checkbox"/> Other: <u>Mixed Use</u> |
| <input type="checkbox"/> Water Facilities: Type _____ MGD _____ | |

Project Issues Discussed in Document:

- | | | | |
|--|--|---|--|
| <input checked="" type="checkbox"/> Aesthetic/Visual | <input checked="" type="checkbox"/> Fiscal | <input checked="" type="checkbox"/> Recreation/Parks | <input checked="" type="checkbox"/> Vegetation |
| <input type="checkbox"/> Agricultural Land | <input checked="" type="checkbox"/> Flood Plain/Flooding | <input checked="" type="checkbox"/> Schools/Universities | <input checked="" type="checkbox"/> Water Quality |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Forest Land/Fire Hazard | <input type="checkbox"/> Septic Systems | <input checked="" type="checkbox"/> Water Supply/Groundwater |
| <input checked="" type="checkbox"/> Archeological/Historical | <input checked="" type="checkbox"/> Geologic/Seismic | <input checked="" type="checkbox"/> Sewer Capacity | <input type="checkbox"/> Wetland/Riparian |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Minerals | <input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading | <input checked="" type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Coastal Zone | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Land Use |
| <input checked="" type="checkbox"/> Drainage/Absorption | <input type="checkbox"/> Population/Housing Balance | <input checked="" type="checkbox"/> Toxic/Hazardous | <input checked="" type="checkbox"/> Cumulative Effects |
| <input type="checkbox"/> Economic/Jobs | <input checked="" type="checkbox"/> Public Services/Facilities | <input checked="" type="checkbox"/> Traffic/Circulation | <input type="checkbox"/> Other: _____ |

Present Land Use/Zoning/General Plan Designation:

See Attached.

Project Description: (please use a separate page if necessary)

See Attached.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

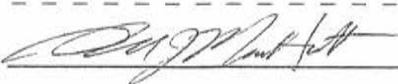
- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input checked="" type="checkbox"/> Caltrans District # <u>8</u> | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input checked="" type="checkbox"/> Regional WQCB # <u>8</u> |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input checked="" type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Quality |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>6</u> | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | |
| <input checked="" type="checkbox"/> Housing & Community Development | Other: _____ |
| <input type="checkbox"/> Integrated Waste Management Board | Other: _____ |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date June 14, 2012 Ending Date July 16, 2012

Lead Agency (Complete if applicable):

Consulting Firm: <u>The Planning Associates</u>	Applicant: <u>City of Lake Elsinore</u>
Address: <u>3151 Airway Avenue, Suite R-1</u>	Address: <u>130 South Main Street</u>
City/State/Zip: <u>Costa Mesa, CA 92626</u>	City/State/Zip: <u>Lake Elsinore, CA 92530</u>
Contact: <u>Hardy M. Strozier</u>	Phone: <u>951.674.3124, Extension 209</u>
Phone: <u>(714) 556-5200</u>	

Signature of Lead Agency Representative:  Date: 6/12/12

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

NOTICE OF COMPLETION & ENVIRONMENTAL DOCUMENT TRANSMITTAL

SCH # _____
Page 2

PROJECT TITLE:

Alberhill Villages Specific Plan (SP 2010-02) and related General Plan Amendment No. 2012-01 and Zone Change No. 2012-02

ASSESSOR'S PARCEL NOS.

389-020-063	390-130-006	390-130-015	390-130-016
390-130-017	390-130-020	390-130-021	390-130-024
390-160-001	390-160-002	390-160-011	390-160-012
390-170-001	391-170-005	391-170-007	390-190-011
390-190-019	391-200-003	391-200-004	391-200-007
391-200-010	391-200-011	391-200-012	391-230-002
391-230-003	391-230-004	391-230-005	391-230-007
391-230-009	391-230-010	391-240-001	391-800-011

PRESENT LAND USE/ZONING/GENERAL PLAN DESIGNATION

Present Land Use: Rolling terrain and a series of stock piles of mined raw and finished material interspersed with various depressions, including mining washout areas and various locations of mining and manufacturing operations. Two ephemeral drainages exist on the project site.

Zoning: M-3 (Mineral Resources and Related Manufacturing District)

General Plan Designation: Hillside Residential, Low Density Residential, Medium Density Residential, High Density Residential, Residential Mixed Use, Commercial Mixed Use, General Commercial, Public Institutional, Recreational, and Open Space

PROJECT DESCRIPTION

The City of Lake Elsinore is processing the Alberhill Villages Specific Plan (AVSP) and the related General Plan Amendment, Zone Change, Tentative Tract Map and Environmental Impact Report.

Located on approximately 1,400 acres, the AVSP proposes 8,244 dwelling units; 2,507,000 square feet of non-residential uses including civic/institutional, commercial/retail, professional office/medical and entertainment uses; development of a university campus or similar educational institution to serve up to 6,000 students; and supporting uses including schools, parks, worship centers, and green belt paseos. The GPA proposes that the proposed Project site's land use designation be changed to "Specific Plan". The proposed GPA also proposes changes to the General Plan's Circulation Element.

Resources Agency
Nadell Gayou

Dept. of Boating & Waterways
Nicole Wong

California Coastal Commission
Elizabeth A. Fuchs

Colorado River Board
Gerald R. Zimmermann

Dept. of Conservation
Elizabeth Carpenter

California Energy Commission
Eric Knight

Cal Fire
Dan Foster

Central Valley Flood Protection Board
James Herota

Office of Historic Preservation
Ron Parsons

Dept of Parks & Recreation Environmental Stewardship Section

California Department of Resources, Recycling & Recovery
Sue O'Leary

S.F. Bay Conservation & Dev'L Comm.
Steve McAdam

Dept. of Water Resources Agency
Nadell Gayou

Fish & Game Region 1E
Laurie Harnsberger

Fish & Game Region 2
Jeff Drongesen

Fish & Game Region 3
Charles Armor

Fish & Game Region 4
Julie Vance

Fish & Game Region 5
Leslie Newton-Reed

Habitat Conservation Program

Fish & Game Region 6
Gabrina Gatchel

Habitat Conservation Program

Fish & Game Region 6 I/M
Brad Henderson

Inyo/Mono, Habitat Conservation Program

Dept. of Fish & Game M
George Isaac

Marine Region

Other Departments

Food & Agriculture
Sandra Schubert

Dept. of Food and Agriculture

Dept. of General Services
Public School Construction

Dept. of General Services
Anna Garbelf

Environmental Services Section

Dept. of Public Health
Bridgette Binning

Dept. of Health/Drinking Water

Delta Stewardship Council
Kevan Samsam

Independent Commissions, Boards

Delta Protection Commission
Michael Machado

Cal EMA (Emergency Management Agency)
Dennis Castrillo

Native America Heritage Comm.
Debbie Treadway

Public Utilities Commission
Leo Wong

Santa Monica Bay Restoration
Guangyu Wang

State Lands Commission
Jennifer Deleong

Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

Caltrans - Division of Aeronautics
Philip Crimmins

Caltrans - Planning
Terri Pencovic

California Highway Patrol
Suzann Ikeuchi

Office of Special Projects

Housing & Community Development
CEQA Coordinator

Housing Policy Division

Dept. of Transportation

Caltrans, District 1
Rex Jackman

Caltrans, District 2
Marcelino Gonzalez

Caltrans, District 3
Bruce de Terra

Caltrans, District 4
Lisa Carboni

Caltrans, District 5
David Murray

Caltrans, District 6
Michael Navarro

Caltrans, District 7
Dianna Watson

Caltrans, District 8
Dan Kopulsky

Caltrans, District 9
Gayle Rosander

Caltrans, District 10
Tom Dumas

Caltrans, District 11
Jacob Armstrong

Caltrans, District 12
Marlon Regisford

Cal EPA

Air Resources Board

Airport/Energy Projects
Jim Lerner

Transportation Projects
Douglas Ito

Industrial Projects
Mike Tollstrup

State Water Resources Control Board
Regional Programs Unit

Division of Financial Assistance

State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit

Division of Water Quality

State Water Resources Control Board
Phil Crader

Division of Water Rights

Dept. of Toxic Substances Control
CEQA Tracking Center

Department of Pesticide Regulation
CEQA Coordinator

RWQCB 1
Cathleen Hudson

North Coast Region (1)

RWQCB 2
Environmental Document Coordinator

San Francisco Bay Region (2)

RWQCB 3
Central Coast Region (3)

RWQCB 4
Teresa Rodgers

Los Angeles Region (4)

RWQCB 5S
Central Valley Region (5)

RWQCB 5F
Central Valley Region (5)
Fresno Branch Office

RWQCB 5R
Central Valley Region (5)
Redding Branch Office

RWQCB 6
Lahontan Region (6)

RWQCB 6V
Lahontan Region (6)
Victorville Branch Office

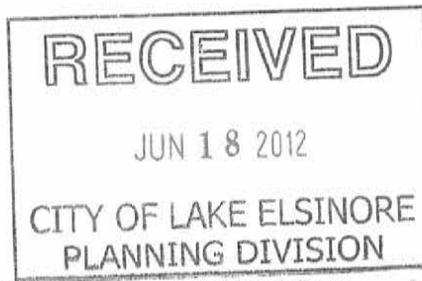
RWQCB 7
Colorado River Basin Region (7)

RWQCB 8
Santa Ana Region (8)

RWQCB 9
San Diego Region (9)

Other _____

Conservancy _____



Securing Your Water Supply

John V. Rossi
General Manager

Charles D. Field
Division 1

Thomas P. Evans
Division 2

Brenda Dennstedt
Division 3

Donald D. Galleano
Division 4

S.R. "Al" Lopez
Division 5

June 14, 2012

Richard J. MacHott
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT – ALBERHILL VILLAGES SPECIFIC PLAN (SP 2010-02) AND RELATED GENERAL PLAN AMENDMENT NO. 2012-01 AND ZONE CHANGE 2012-02

Western Municipal Water District (Western or District) received and reviewed the above referenced document. It notes that the Elsinore Valley Municipal Water District (EVMWD) will be providing water and sewer services to the proposed project (ref. Section XVII Utilities and Service Systems).

Western provides wholesale supplemental water to EVMWD. Supplemental water supply for the proposed project originates in northern California and is transported to the region via the State Water Supply Project. It is then treated for domestic service at the Metropolitan Water District of Southern California's (MWD) Henry J. Mills Water Treatment Plant. Western purchases the treated water from MWD and provides supplemental wholesale water to EVMWD and other retail agencies.

The proposed project's impacts regarding water supplies are referenced as "Potentially Significant", and suggest that a Water Supply Assessment as stipulated in California Water Code §10910 *et. seq.*, will be required. This document should be prepared by EVMWD.

Richard J. MacHott
6/14/2012
Page 2 of 2

Western appreciates the opportunity to review the referenced document and requests that any future CEQA or (wholesale) water supply-related documentation be forwarded to the District for review.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph J. Bernosky".

JOSEPH J. BERNOSKY, P.E.
Director of Engineering
Western Municipal Water District

JJB:sc

Richard MacHott

From: Dan Silver [dsilverla@me.com]
Sent: Tuesday, June 19, 2012 7:20 AM
To: Richard MacHott
Subject: Alberhill Villages Specific Plan and GPA

Dear Mr MacHott:

The Endangered Habitats League (EHL) is in receipt of the NOP for this proposed project. We request to be placed on mailing and distribution lists for the project, including CEQA documents and public hearings.

Sincerely,

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org



COUNTY OF RIVERSIDE

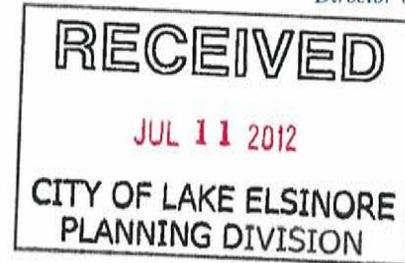
TRANSPORTATION AND LAND MANAGEMENT AGENCY



Transportation Department

Juan C. Perez, P.E., T.E.
Director of Transportation

July 10, 2011



Mr. Richard J. MacHott
Environmental Planning Consultant
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Subject: Notice of Preparation (NOP) of an Environmental Impact Report (EIR)
Alberhill Villages Specific Plan (SP 2010-02) and Related General Plan Amendment No.
2012-01 and Zone Change No. 2012-02
City of Lake Elsinore

Dear Mr. MacHott:

Thank you for the opportunity to review the NOP of an EIR for the Alberhill Villages Specific Plan (SP 2010-02) and related General Plan Amendment and Change of Zone in the City of Lake Elsinore. The applicant proposes a Specific Plan development on 1,400 acres that is proposed to include 8,244 residential units; approximately 2,507,000 square feet of non-residential uses including civic/institutional, commercial/retail, professional office/medical, and entertainment uses; a 6,000 student university campus or similar educational institution; and supporting uses including schools, parks, worship centers, and green belt paseos to be located on property that is south of Interstate 15 and west of Lake Street within the city of Lake Elsinore. We offer the following comments.

The Riverside County Transportation Department (RCTD) requests that the traffic study for the proposed development address potential impacts and mitigation measures on any Riverside County roadways in the area included in the Riverside County General Plan. In addition, intersections where the proposed project would add 50 or more peak hourly trips shall be analyzed. Necessary improvements to mitigate project impacts shall be identified, and responsibility for the needed improvements shall be designated. The County requests that any changes to the City's Circulation Element that extend to the City/County boundary and that differ from the County's designations be coordinated with County staff.

RCTD requests that Riverside County Traffic Study Guidelines be followed for the impact analysis for facilities within Riverside County. The most recent Traffic Study Guidelines can be found on the RCTD website (http://www.rctlma.org/trans/gen_info_pamphlets.html).

Mr. Richard J. MacHott
July 10, 2012
Page 2

The cumulative analysis shall include all approved and pending development projects within the County of Riverside and the City of Lake Elsinore that are located within one mile of the proposed development. Kevin Tsang in the Transportation Department should be contacted for information regarding cumulative projects in Riverside County (ktsang@rctlma.org).

Thank you again for the opportunity to review the NOP. We look forward to receiving the Draft EIR and the traffic impact analysis for the development. Please send the Draft EIR to my attention at the following address:

Riverside County Administrative Center
Attn: Farah Khorashadi, Engineering Division Manager
4080 Lemon Street, 8th Floor
Riverside, CA 92502

Sincerely,



Farah Khorashadi, P.E.
Engineering Division Manager

RF:FK:rg

cc: Juan C. Perez, Director of Transportation and Land Management
Patricia Romo, Deputy Director of Transportation



RIVERSIDE COUNTY FIRE DEPARTMENT
IN COOPERATION WITH
THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

John R. Hawkins ~ Fire Chief
210 West San Jacinto Avenue ~ Perris, CA 92570
(951) 940-6900 ~ www.rvcfire.org

PROUDLY SERVING THE UNINCORPORATED AREAS OF RIVERSIDE COUNTY AND THE CITIES OF:

- BANNING
BEAUMONT
CALIMESA
CANYON LAKE
COACHELLA
DESERT HOT SPRINGS
EASTVALE
INDIAN WELLS
INDIO
LAKE ELSINORE
LA QUINTA
MENIFEE
DRENO VALLEY
PALM DESERT
PERRIS
RANCHO MIRAGE
RUBIDOUX CSD
SAN JACINTO
TEMECULA
WILDOMAR

BOARD OF SUPERVISORS

- BOB BUSTER DISTRICT 1
JOHN TAVAGLIONE DISTRICT 2
JEFF STONE DISTRICT 3
JOHN BENOIT DISTRICT 4
MARION ASHLEY DISTRICT 5

March 5, 2012

Mr. Richard J. MacHott
Environmental Planning Consultant
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Re: Review and RCFD Comment of the Environmental Initial Study for SP No. 2010-02 (Alberhill Villages) and Related GPA No. 2012-01 and Zone Change No. 2012-02

Mr. MacHott,

Below are comments and concerns of RCFD's Strategic Planning Bureau as it relates to the above referenced Project per a recent request for comment from your department.

RCFD's Strategic Planning Bureau agrees with the findings of "Potentially Significant Impacts" for fire protection; the Project will significantly increase demand for services. The applicant's participation in the City's Development Impact Fee ordinance for fire and EMS impact offset, akin to County Ordinance 659 (Development Impact Fees), is required. Should it be determined that any station facility improvement is necessary, any participation for costs on the part of the applicant will be considered against DIF requirements.

RCFD has no concern regarding the GPA or Zone Change intended to accommodate the project and its proposed amendment.

The project and its surrounding land uses qualify as an "urban" land use category per the 1986 RCFD Master Plan and therefore recommend a 10 minute response time. The following vicinity stations are able to meet that response time, in order of first responding:

- Fire Station (FS) 64 (Sycamore Creek) 25310 Campbell Ranch Rd; Corona, CA 92883
• FS 85 (McVicker Park) 29405 Grand Avenue; Lake Elsinore, CA 92530
• FS 10 (Elsinore) 410 W. Graham Avenue; Lake Elsinore, CA 92530

The project's proposed scale is large enough to warrant a meeting with the applicant and RCFD staff to review impacts and mitigation at the time of EIR circulation and review. The applicant may contact me directly to discuss then.

If I can be of further assistance, please contact me at 951.571.8178 or ben.johnson@fire.ca.gov

Thank you

Ben R. Johnson, AICP
Planning & Development Supervisor
Strategic Planning Bureau



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

July 12, 2012

Email: Rmachott@lak-elsinore.org

Richard J. MacHott
Environmental Planning Consultant
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Notice of Preparation of a CEQA Document for the Alberhill Villages Specific Plan

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft CEQA document. Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. The lead agency may wish to consider using land use emissions estimating software such as the recently released CalEEMod. This model is available on the SCAQMD Website at: <http://www.aqmd.gov/ceqa/models.html>.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM_{2.5} emissions from construction and operational activities and processes. In connection with developing PM_{2.5} calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM_{2.5} emissions and compare the results to the recommended PM_{2.5} significance thresholds. Guidance for calculating PM_{2.5} emissions and PM_{2.5} significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (<http://www.aqmd.gov>).

The SCAQMD staff is available to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. If you have any questions regarding this letter, please call Ian MacMillan, Program Supervisor, CEQA Section, at (909) 396-3244.

Sincerely,



Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

IM
RVC120615-02
Control Number

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Final –Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds

October 2006

Executive Officer

Barry R. Wallerstein, D. Env.

Deputy Executive Officer

Planning, Rule Development and Area Sources

Elaine Chang, DrPH

Assistant Deputy Executive Officer

Planning, Rule Development and Area Sources

Laki Tisopulos, Ph.D., P.E.

Planning and Rules Manager

Planning, Rule Development and Area Sources

Susan Nakamura

Authors: Mike Krause Air Quality Specialist
Steve Smith, Ph.D. Program Supervisor

Technical Assistance: James Koizumi Air Quality Specialist
Tom Chico Program Supervisor
Robert Wu Air Quality Specialist
Xinqiu Zhang Air Quality Specialist
Joe Cassmassi Planning Manager
Julia Lester, Ph.D.

**SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD**

CHAIRMAN: WILLIAM A. BURKE, Ed.D.
Speaker of the Assembly Appointee

VICE CHAIRMAN: S. ROY WILSON, Ed.D.
Supervisor, Fourth District
Riverside County Representative

MEMBERS:

MICHAEL D. ANTONOVICH
Supervisor, Fifth District
Los Angeles County Representative

JANE W. CARNEY
Senate Rules Committee Appointee

RONALD O. LOVERIDGE
Mayor, City of Riverside
Cities Representative, Riverside County

GARY OVITT
Supervisor, Fourth District
San Bernardino County Representative

JAN PERRY
Councilmember, Ninth District, City of Los Angeles
Cities Representative, Los Angeles County, Western Region

MIGUEL A. PULIDO
Mayor, City of Santa Ana
Cities Representative, Orange County

TONIA REYES URANGA
Councilmember, Seventh District, City of Long Beach
Cities Representative, Los Angeles County, Eastern Region

JAMES SILVA
Supervisor, Second District
Orange County Representative

CYNTHIA VERDUGO-PERALTA
Governor's Appointee

DENNIS YATES
Mayor, City of Chino
Cities Representative, San Bernardino County

EXECUTIVE OFFICER:
BARRY R. WALLERSTEIN, D.Env.

TABLE OF CONTENTS

CHAPTER 1 - PROJECT DESCRIPTION	
Introduction	1
Background	1
Methodology to Calculate PM2.5	2
Localized Significance Threshold for PM2.5 Emissions.....	4
Regional Emissions Threshold of Significance for PM2.5.....	7
Conclusion	8
Tables	
Table 1 Federal Standards for Particulate Matter	1
Table 2 California Standards for Particulate Matter	2
Table 3 Total Stationary Source Fuel Combustion Inventory (Tons/Day)	6
Table 4 Total Fugitive PM Inventory (Tons/Day).....	6
Table 5 Combustion PM Inventory from Off-Road Equipment (Tons/Day)	7
Table 6 Regional Air Quality Significance Thresholds.....	7
APPENDIX A - UPDATED CEIDARS TABLE LIST WITH PM2.5 FRACTIONS	
APPENDIX B – PM2.5 LOCALIZED SIGNIFICANCE THRESHOLD LOOK-UP TABLES	

Introduction

In the last few years, both California and the federal governments have established ambient air quality standards for fine particulate matter (PM) less than or equal to 2.5 microns in diameter (PM2.5). As a result, there is a need to establish a methodology for calculating PM2.5 and appropriate PM2.5 significance thresholds for the purpose of analyzing local and regional PM2.5 air quality impacts in California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) air quality analyses. This document provides a methodology for calculating PM2.5 and recommendations for localized and regional PM2.5 significance thresholds.

Background

PM larger than 2.5 microns and less than 10 microns, often referred to as the coarse PM fraction (or PM10), is mostly produced by mechanical processes. These include automobile tire wear, industrial processes such as cutting and grinding, and re-suspension of particles from the ground or road surfaces by wind and human activities such as construction or agriculture. In contrast, PM less than or equal to PM2.5 is mostly derived from combustion sources, such as automobiles, trucks, and other vehicle exhaust, as well as from stationary combustion sources. The particles are either directly emitted or are formed in the atmosphere from the combustion of gases, such as NO_x and SO_x combining with ammonia. PM2.5 components from material in the earth's crust, such as dust, are also present, with the amount varying in different locations. Staff's recommendation for calculating PM2.5 focuses only on directly emitted PM2.5.

In 1997, U.S. EPA established an annual and a 24-hour standard for the finest fraction of particulates, PM2.5, to complement the existing PM10 standards. However, U.S. EPA recently modified the 24-hr PM2.5 standard and revoked the annual PM10 standard. (Table 1). The annual component of the standard was established to provide protection against typical day-to-day exposures as well as longer-term exposures, while the daily component protects against more extreme short-term events.

TABLE 1

Federal Standards for Particulate Matter

Federal Standards	PM 10	PM 2.5
Annual	Revoked ^a	15 µg/m ³
24-Hour	150 µg/m ³	35 µg/m ³ ^b

In June 2002, the California Air Resources Board (CARB) adopted new, stricter standards for particulate matter that would affect both the coarse as well as fine particulate fraction (Table 2). CARB delayed action on the proposed 24-hour PM2.5 standard in light of the

^a U.S. EPA final rulemaking for CFR 40 Part 50.7 National Primary and Secondary Ambient Air Quality Standards at http://epa.gov/pm/pdfs/20060921_rule.pdf

^b U.S. EPA final rulemaking for CFR 40 Part 50.13 National Primary and Secondary Ambient Air Quality Standards at http://epa.gov/pm/pdfs/20060921_rule.pdf

findings related to statistical issues in several key short-term exposure health effects studies.

TABLE 2

California Standards for Particulate Matter

California Standards	PM 10	PM 2.5
Annual	20 $\mu\text{g}/\text{m}^3$	12 $\mu\text{g}/\text{m}^3$
24-Hour	50 $\mu\text{g}/\text{m}^3$	n/a

Methodology to Calculate PM 2.5

Because there are currently few or no PM2.5 emission factors for mechanical or combustion processes, staff is recommending an indirect approach to calculating PM2.5 emissions until such time as PM2.5 factors are developed. Since PM2.5 is a subset of PM10, the current methodology for calculating PM10 from fugitive dust sources (grading, demolition, unpaved roads, open storage piles, etc.) and combustion sources (stationary combustion sources, vehicle exhaust) will continue to be used to calculate PM10 and can also be used to calculate PM2.5. Total suspended PM (TSP) emissions typically contain specific fractions of PM10 and PM2.5 that can be measured. In general, PM from fugitive dust generating sources is primarily composed of PM10 with a relatively small fraction of the fugitive PM consisting of PM2.5. Alternatively, PM from combustion sources is primarily composed of PM2.5 with a small fraction consisting of PM10.

To calculate both PM10 and PM2.5, existing PM10 calculation methodologies for both fugitive dust PM10 and combustion PM10 can be used. To determine the PM2.5 fractions of the PM10 emission results, staff is recommending that the PM10 emissions be calculated using standard PM10 calculation methodologies. The PM10 emission results for each emission source or operation would then be multiplied by the applicable PM2.5 fraction, derived by emissions source, using PM profiles in the California Emission Inventory Data and Reporting System (CEIDARS) developed by the California Air Resources Board (CARB). The CEIDARS PM profiles are used to develop emission inventories for a variety of sources and operations in the Air Quality Management Plan (AQMP). The CEIDARS PM profiles have been streamlined to be used for most types of processes that would be encountered in a CEQA or NEPA document. In addition, AQMD staff has identified the PM2.5 fraction of PM10. The streamlined CEIDARS PM profiles can be found in Appendix A. The CEIDARS PM profiles may be updated as necessary to reflect updates prepared by CARB.

If the project being evaluated is not listed among the categories in Appendix A, then the closest related type of operation/process should be used. For example in analyzing construction activities, e.g., grading, earth moving, etc., if the specific activity is not located in the tables the CEQA practitioner can use the following default factors derived from the 2003 AQMP annual inventories (see Tables 3 and 4 below under the "Localized Significance Thresholds for PM2.5 Emissions" discussion). For mechanical dust generating sources, e.g., construction, the PM2.5 fraction of PM10 is 21 percent and for combustion sources the PM2.5 fraction of PM10 is 99 percent. For off-road combustions

sources, the PM2.5 fraction default would be 89 percent (Table 5). Other publicly available and peer reviewed sources of PM10 and PM2.5 emission factors can also be used if they more closely match the type of emission source than the sources identified in Appendix A. In addition, site-specific or project-specific information can be used.

Once the PM10 fractions from all emissions sources are calculated, these are summed and compared to the appropriate PM10 significance thresholds to determine whether or not a project is significant. Similarly, once the PM2.5 fractions from all emissions sources have been calculated, these are also summed (separate from the PM10 fractions) and compared to the appropriate PM2.5 significance threshold (see following discussion) to determine project significance.

The PM2.5 fraction of PM10 can be easily calculated as follows.

Step 1: Calculate PM10 emissions for each emissions source category.

Step 2: Look up the PM2.5 fraction of PM10 for the applicable source category by year that construction will occur or operation of the project will begin (Appendix A, column 6 of the appropriate table).

Step 3: Multiply the PM2.5 fraction by the PM10 emissions for each source category (PM2.5 emissions = PM10 emissions x [PM2.5 fraction])

Step 4: Sum the PM2.5 emissions from each emissions source.

Step 5: Compare PM2.5 emissions to the appropriate significance threshold.

Example:

A project is estimated to generate 8 pounds per day of PM10 from one piece of construction equipment. The PM2.5 emissions are as follows:

PM2.5 emissions = 8 pounds of PM10 per day x 0.89 = 7.12 pounds of PM2.5 per day.

In conjunction with establishing a methodology for calculating PM2.5, staff has developed the following recommended PM2.5 significance thresholds for both localized and regional significance for both construction and operation.

Localized Significance Thresholds for PM 2.5 Emissions

Localized significance thresholds (LSTs) were developed in response to the SCAQMD Governing Board's environmental justice (EJ) initiatives (EJ initiative I-4) in recognition of the fact that criteria pollutants, carbon monoxide (CO), oxides of nitrogen (NOx), and PM10 in particular, can have local impacts as well as regional impacts. The LST proposal went through extensive public outreach and was adopted by the Governing Board in October 2003. At the time the LST was adopted by the Governing Board, staff had not yet developed proposed LSTs for PM2.5.

Determining localized air quality impacts requires dispersion modeling. Because local lead agencies may not have the expertise or resources to perform dispersion modeling, SCAQMD created a series of look-up tables for CO, NO_x, and PM₁₀ in which staff back-calculated the mass emissions necessary to equal or exceed the construction or operation LST. The look-up tables were created for projects one to five acres in size and take into consideration location (source receptor area) and distance to the sensitive receptor. To use the look-up tables, the lead agency calculates daily emission as it normally would and then compares the results to the emissions in the applicable look-up table.

In general, the LSTs will apply primarily to construction because emissions from construction equipment occur at a fixed location compared to operation, which, for most land use projects, consists of emissions from vehicles traveling over the roadways, which, therefore, do not create impacts to a single location. To further assist lead agencies with calculating construction emissions, the SCAQMD conducted construction site surveys for each phase of construction to develop standard construction scenarios relative to construction equipment and hours of operation. Spreadsheets were developed to calculate emissions for the construction scenarios in an effort to create scenarios that would not exceed any applicable LSTs. When preparing a CEQA analysis, lead agencies could use the sample construction projects for their construction analyses, use the spreadsheets to tailor the analysis to their individual projects, or use a combination of the two.

The following subsections describe the proposed PM_{2.5} LSTs for both operation and construction.

Establishing LSTs

To determine the effects of PM_{2.5} on local (nearby) receptors, such as residents, hospitals, schools, etc., a PM_{2.5} localized significance threshold (LST) needs to be established. Since the Basin exceeds one or more of the state or federal ambient air quality standards for PM_{2.5}, the process used to determine significance for attainment pollutants, i.e., NO₂ and CO, developed for the LST program cannot be used^c. Under the LST program, since PM₁₀ is a nonattainment pollutant, the LST methodology uses a different process for determining whether localized PM₁₀ air quality impacts are significant. To determine localized PM₁₀ air quality impacts during operation, the LST methodology uses as a significance threshold the allowable change in concentration threshold for PM₁₀ listed in Rule 1303, Table A-2, which is 2.5 micrograms per cubic meter (µg/m³). The allowable change in concentration threshold is a modeled concentration that cannot be exceeded at the sensitive receptor, and determines whether or not a permit applicant will receive a permit from the SCAQMD. For the LST program staff used a dispersion model (ISCST3) to convert the 2.5 µg/m³ concentration into mass daily PM₁₀ emissions numbers based on the size of the project, location of the project, and distance to the sensitive receptor. The

^c Under the LST program, to determine significance for attainment pollutants, the emissions contribution from the project expressed as a concentration is added to the highest local ambient concentration from the last three years where data are available. If the sum is equal to or greater than any applicable state or federal ambient air quality standard, the project is considered to have significant localized air quality impacts for that pollutant. More information on the LST program can be found at the following URL:
<http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

results were then incorporated into an LST look-up table. If the mass emissions from a project exceed the applicable LST look-up tables' mass emission numbers (which are based on the $2.5 \mu\text{g}/\text{m}^3$ concentration), then localized PM10 air quality impacts are considered to be significant.

Operational Localized Significance Thresholds

To establish operational PM2.5 localized significance thresholds, staff first reviewed the PM inventories in Appendix III of the 2003 AQMP. In particular, staff evaluated the composition of PM10 and PM2.5 from combustion processes in the 2003 AQMP to establish a general ratio of PM2.5 to PM10. Combustion processes were evaluated because, for most land use projects, mobile source combustion emissions comprise the majority of emissions. Table 3 shows the total PM10 and PM2.5 inventories for total fuel combustion process for the years 2005 through 2010. As can be seen in Table 3, over the five-year timeframe considered, the fraction of combustion PM10 that consists of PM2.5 is consistently 99 percent. Since combustion PM10 and PM2.5 fractions are essentially equivalent, staff is recommending that the operational localized significance threshold for PM2.5 be the same as the current operational localized significance threshold for PM10, i.e., $2.5 \mu\text{g}/\text{m}^3$.

TABLE 3

Total Stationary Source Fuel Combustion Inventory (Tons/Day)

Year	PM 10	PM 2.5	Percent of PM 10 which is PM 2.5
2005	8.13	8.01	99
2006	8.21	8.10	99
2007	8.30	8.18	99
2008	8.38	8.26	99
2010	8.54	8.42	99

Source: Appendix III, 2003 AQMP, Annual Average Emission Inventory

Construction Localized Significance Thresholds

Similarly, to develop a PM2.5 construction significance threshold for localized impacts, staff considered the PM2.5 contribution from fugitive sources and the PM2.5 contribution from combustion sources (construction equipment). As discussed in more detail in the following paragraphs, combustion emissions from the construction equipment contribute a larger portion of the total PM2.5 emissions from construction operations than fugitive sources.

Staff then reviewed the 2003 AQMP, Appendix III fugitive PM inventory for construction and demolition to obtain the PM10 and PM2.5 compositions. Table 4 shows the total PM10 and PM2.5 inventories for construction activities for the years 2005 through 2010. As can be seen in Table 4, over the five-year timeframe, the fraction of PM10 that consists of PM2.5 is consistently 21 percent. Multiplying the fugitive PM2.5 percent fraction of

PM10 by the existing construction PM10 LST, $10.4 \mu\text{g}/\text{m}^3$, produces a result of approximately $2.2 \mu\text{g}/\text{m}^3$.

TABLE 4

Total Fugitive PM Inventory (Tons/Day)

Year	PM 10	PM 2.5	Percent of PM 10 which is PM 2.5
2005	42.7	8.91	21
2006	43.66	9.11	21
2007	44.6	9.3	21
2008	45.54	9.5	21
2010	47.44	9.9	21

Source: Appendix III, 2003 AQMP, Annual Average Emission Inventory

Off-road construction equipment, however, also contributes combustion PM as well as fugitive PM. To determine the contribution of PM2.5 from construction equipment combustion emissions, staff performed dispersion modeling using the ISCST3 dispersion model for one-, two-, and five-acre construction scenarios. The construction scenarios were developed from construction site surveys conducted in connection with staff's original LST proposal. Combustion sources were modeled as adjacent five-meter volume sources and fugitive sources were modeled as adjacent one-meter area sources. Worst-case meteorological data from the West Los Angeles source receptor area were used and receptors were placed at 25, 50, 100, 200, and 500 meter distances from the construction site. Using CARB speciation data, it was assumed that 21 percent of fugitive dust PM10 is comprised of PM2.5 and 89 percent of off-road equipment combustion PM10 emissions are comprised of PM2.5 (based 2003 AQMP inventories, see Table 5).

TABLE 5

Combustion PM Inventory from Off-Road Equipment (Tons/Day)

Year	PM 10	PM 2.5	Percent of PM 10 which is PM 2.5
2005	11.95	10.64	89
2006	11.61	10.33	89
2007	11.2	9.97	89
2008	10.93	9.71	89
2010	10.26	9.09	89

Source: Appendix III, 2003 AQMP, Annual Average Emission Inventory

The modeling results showed that combustion PM2.5 from off-road equipment comprise approximately 75 to 100 percent of the total PM2.5 emissions from construction activities. Further, the PM2.5 contribution from fugitive sources is dependant on the construction phase. For example, the modeling showed that the demolition and site preparation phases have the highest fugitive PM2.5 contribution to the overall results, whereas, the building and asphalt paving phases contribute the most combustion PM2.5 to the overall results.

The modeling results indicate that the contribution of off-road combustion PM2.5 emissions can be three to four times higher than the contribution of PM2.5 from fugitive sources. Based on this result, staff recommends that the PM2.5 fugitive dust component be adjusted upward by approximately four times to account for the PM2.5 emissions from the construction equipment. As a result, staff is recommending a PM2.5 construction LST of $10.4 \mu\text{g}/\text{m}^3$, the same as the construction LST for PM10. Finally, an exceedance of either the PM10 construction LST or the PM2.5 construction LST is a significant adverse localized air quality impact.

Regional Emission Threshold of Significance for PM 2.5

Emissions that exceed the regional significance thresholds are mass daily emissions that may have significant adverse regional effects and are the air quality significance thresholds with which most CEQA practitioners are familiar.

Table 6
Regional Air Quality Significance Thresholds

<i>Mass Daily Thresholds^a</i>		
Pollutant	Construction^b	Operation^c
NOx	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
SOx	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day

The following subsection describes the proposed PM2.5 regional significance thresholds for both operation and construction.

Establishing Regional Significance Thresholds

PM emissions also affect air quality on a regional basis. When fugitive dust enters the atmosphere, the larger particles of dust typically fall quickly to the ground, but smaller particles less than 10 microns in diameter may remain suspended for longer periods, giving the particles time to travel across a regional area and affecting receptors at some distance from the original emissions source. Fine PM2.5 particles have even longer atmospheric residency times. Staff is recommending a PM2.5 regional significance threshold based on a recent EPA proposal, as explained in the following paragraphs.

On September 8, 2005, EPA published in the Federal Register "Proposed Rule to Implement the Fine Particle National Ambient Air Quality Standards," which proposed a significant emission rate for PM2.5 of 10 tons per year. Staff is proposing to use EPA's

significant emission rate for PM2.5 to develop the daily mass emission regional significance threshold for PM2.5. Converting the annual rate, 10 tons, into a daily rate produces a daily rate of approximately 55 pounds per day. A similar approach was used to derive the operational regional significance thresholds for NO2 and VOC. NO2 and VOC operational regional significance thresholds were derived by using the NOx/VOC emission rate that defined a major source in the South Coast Air Basin, 10 tons per year. Converting the annual emissions rate into a daily rate resulted in a regional operational significance threshold of 55 pounds per day for each pollutant. Similar to the regional significance threshold for PM10 of 150 pounds per day, the proposed PM2.5 regional significance threshold of 55 pounds per day would apply to both construction and operation.

Conclusion

In this document staff identified a methodology to indirectly calculate PM2.5 emissions for a CEQA or NEPA air quality analysis, to be used until such time as PM2.5 emission factors are available, which will allow the CEQA practitioner to calculate PM2.5 emissions directly. In addition, PM2.5 construction and operation LSTs have been identified to address localized impacts. The PM2.5 LSTs will be used to develop look-up tables for projects five acres in size or smaller, similar to those prepared for PM10, nitrogen dioxide (NO2), and carbon monoxide (CO). As with the other pollutants, the PM2.5 look-up tables can be used as a screening procedure to determine whether or not small projects (less than or equal to five acres) will generate significant adverse localized air quality impacts. Screening procedures are by design conservative, that is, the predicted impacts tend to overestimate the actual impacts. If the predicted impacts are acceptable using the LST look-up tables, then a more detailed evaluation is not necessary. However, if the predicted impacts are significant, then the project proponent may wish to perform a more detailed emission and/or modeling analysis before concluding that the impacts are significant. Project proponents are not required to use this LST procedure; and may complete site specific modeling instead. Site-specific modeling is required for projects larger than five acres.

APPENDIX A

Updated CEIDARS Table with PM2.5 Fractions

Appendix A – Updated CEIDARS List with PM2.5 Fractions

Table A - Updated CEIDARS Table with PM2.5 Fractions

SCC MAIN CATEGORY	SCC SUBCATEGORY	PM2.5 FRACTION OF TOTAL PM	PM10 FRACTION OF TOTAL PM	PM2.5 FRACTION OF PM10
ASBESTOS REMOVAL		0.500	0.500	1.000
ASPHALT PAVING / ROOFING	FUGITIVE EMISSIONS	0.925	0.960	0.964
	MANUFACTURING	0.945	0.980	0.964
BURNING	AGRICULTURE/FIELD CROPS, WEED ABATEMENT	0.938	0.984	0.954
	FOREST MANAGEMENT, TIMBER AND BRUSH FIRE	0.854	0.961	0.889
	ORCHARD PRUNINGS	0.925	0.981	0.943
	RANGE MANAGEMENT, WASTE BURNING	0.932	0.983	0.948
	UNPLANNED STRUCTURAL FIRES	0.914	0.980	0.933
CEMENT MANUFACTURING		0.620	0.920	0.674
CHEMICAL MANUFACTURING	FERTILIZER-UREA	0.950	0.960	0.990
	ORGANIC AND INORGANIC CHEMICALS	0.890	0.900	0.989
COATINGS, SOLVENTS, INKS AND DYES	SOLVENT BASED	0.925	0.960	0.964
	WATER-BASED COATING	0.620	0.680	0.912
CONSUMER PRODUCTS		0.925	0.960	0.964
COOKING	BAKING, CHARBROILING, DEEP FAT FRYING	0.420	0.700	0.600
COOLING TOWER		0.420	0.700	0.600
DRY CLEANING		0.925	0.960	0.964
ELECTROPLATING	HEXAVALENT CHROME, CADMIUM	1.000	1.000	1.000
	ZINC AND COPPER	0.925	0.960	0.964
EXTERNAL COMBUSTION	COAL, COKE, LIGNITE	0.150	0.400	0.375
	GASEOUS FUEL-EXCEPT PETROLEUM AND INDUSTRIAL PROCESS HEATERS	1.000	1.000	1.000
	GASEOUS FUEL-PETROLEUM AND INDUSTRIAL PROCESS HEATER ONLY	0.930	0.950	0.979
	LIQUID FUEL-EXCEPT RESIDUAL OIL	0.967	0.976	0.991
	RESIDUAL OIL-EXCEPT UTILITY BOILERS	0.760	0.870	0.874
	RESIDUAL OIL-UTILITY BOILERS ONLY	0.953	0.970	0.982
	STEEL FURNACE	0.930	0.980	0.949
	WOOD/BARK WASTE	0.927	0.997	0.930
FABRICATED METALS	ABRASIVE BLASTING	0.790	0.860	0.919
	ARC WELDING, OXY FUEL, COPPER, ZINC, BATH	0.925	0.960	0.964
FOOD AND AGRICULTURE	COFFEE ROASTING	0.610	0.620	0.984
	FERMENTATION, RENDERING, FISH AND NUT PROCESSING	0.420	0.700	0.600
	GRAIN ELEVATORS	0.010	0.290	0.034
	GRAIN MILLING, DRYING	0.400	0.540	0.741
	LIVESTOCK WASTE	0.420	0.700	0.600
FUGITIVE DUST	AGRICULTURAL TILLING DUST	0.101	0.454	0.222
	CONSTRUCTION AND DEMOLITION	0.102	0.489	0.208
	LANDFILL DUST	0.102	0.489	0.208
	LIVESTOCK DUST	0.055	0.482	0.114
	PAVED ROAD DUST	0.077	0.457	0.169
	UNPAVED ROAD DUST	0.126	0.594	0.212
FUGITIVE EMISSIONS - ORGANIC AND INORGANIC	LIQUID FUEL STORAGE/HANDLING, LOADING, UNLOADING DISPENSING	0.925	0.960	0.964
	NATURAL GAS PRODUCTION, CRUDE OIL PRODUCTION, PETROLEUM REFINING	0.555	0.610	0.910
	ORGANIC AND INORGANIC CHEMICALS	0.925	0.960	0.964
	PROCESSING	0.925	0.960	0.964
	WELL CELLARS, PUMPS, VALVES, FLANGES, SEALS	0.925	0.960	0.964

Table A - Updated CEIDARS Table with PM2.5 Fractions (Continued)

SCC MAIN CATAGORY	SCC SUBCATAGORY	PM2.5 Fraction of Total PM	PM10 Fraction of Total PM	PM2.5 Fraction of PM10
HEALTH CARE, LABS	STERILIZATION	0.420	0.700	0.600
INCINERATOR, AFTERBURNER, FLARES	GASEOUS FUEL	1.000	1.000	1.000
	LIQUID FUEL	0.967	0.976	0.991
	SOLID FUEL	0.200	0.300	0.667
INTERNAL COMBUSTION	DISTILLATE AND DIESEL-ELECTRIC GENERATION	0.937	0.960	0.976
	DISTILLATE AND DIESEL-EXCEPT ELECTRIC GENERATION	0.967	0.976	0.991
	GASEOUS FUEL	0.992	0.994	0.998
	GASOLINE	0.992	0.994	0.998
	JET FUEL	0.967	0.976	0.991
	SOLID PROPELLANT	0.927	0.997	0.930
MINERAL PROCESS LOSS	BRICK, CEMENT, FIBERGLASS, GLASS MFG.	0.146	0.500	0.292
	COAL CLEANING, SURFACE COAL MINE, NONMETALLIC MINERAL	0.146	0.500	0.292
	GRINDING, CRUSHING, SURFACE BLASTING	0.146	0.500	0.292
	LOADING AND UNLOADING BULK MATERIALS	0.146	0.500	0.292
MINERAL PRODUCTS	CLAY AND RELATED PRODUCTS GRINDING OPERATIONS	0.513	0.560	0.916
	CRUSHING, SCREENING, BLASTING, LOADING AND UNLOADING	0.030	0.100	0.300
	FIBERGLASS MANUFACTURING	0.992	0.994	0.998
	GLASS MELTING FURNACE	0.963	0.980	0.983
	GYPSUM MANUFACTURING	0.495	0.880	0.563
	LIME MANUFACTURING	0.117	0.300	0.390
	STONE QUARRYING	0.146	0.500	0.292
OFF-ROAD EQUIPMENT	DIESEL	0.920	1.000	0.920
	GASEOUS FUEL	0.992	0.994	0.998
	GASOLINE	0.680	0.900	0.756
ON-ROAD VEHICLES	BRAKE WEAR	0.420	0.980	0.429
	DIESEL	0.920	1.000	0.920
	GASOLINE-CATALYST	0.900	0.970	0.928
	GASOLINE-NO CATALYST	0.680	0.900	0.756
	HEAVY, MEDIUM, LIGHT DUTY TRUCKS AND VEHICLES, MOTORHOMES, BUSES, MOTORCYCLES	0.925	0.960	0.964
	TIRE WEAR	0.250	1.000	0.250
PETROLEUM INDTRY	ASPHALT CONCRETE	0.333	0.400	0.833
PRIMARY AND SECONDARY METALS	ELECTRO REDUCTION, FURNACE, FLUXING, STORAGE, PROCESSING	0.903	0.950	0.951
	IRON & STEEL, FOUNDRY, HEAT TREATING	0.860	0.960	0.896
	STEEL FURNACE	0.600	0.830	0.723
RESIDENTIAL FIREPLACES AND WOOD COMBUSTION		0.900	0.935	0.963
SHIPS	DIESEL	0.920	1.000	0.920
	LIQUID FUEL	0.937	0.960	0.976
TRAINS	HAULING, SWITCHING	0.920	1.000	0.920
WASTEWATER, SEWAGE TREATMENT, DIGESTER		0.925	0.960	0.964
WOOD PRODUCTS	SANDING	0.885	0.920	0.962
	SAWING	0.283	0.400	0.708

APPENDIX B

PM2.5 Localized Significance Threshold Look-up Tables

Table B-1. PM2.5 Emission Thresholds for Construction

SRA No.	Source Receptor Area	Significance Threshold of 10.4 ug/m ³ Allowable emissions (lbs/day) as a function of receptor distance (meters) from boundary of site									
		1 Acre					2 Acre				
		25	50	100	200	500	25	50	100	200	500
1	Central LA	3	5	10	24	102	5	7	12	28	110
2	Northwest Coastal LA County	3	4	8	18	77	4	5	10	21	82
3	Southwest Coastal LA County	3	5	9	21	75	5	7	12	25	81
4	South Coastal LA County	3	5	10	26	93	5	7	13	30	101
5	Southeast LA County	3	4	8	19	86	4	6	10	22	92
6	West San Fernando Valley	3	4	7	18	79	4	5	9	21	84
7	East San Fernando Valley	3	4	8	18	68	4	6	10	21	73
8	West San Gabriel Valley	3	4	7	18	77	4	5	9	21	82
9	East San Gabriel Valley	3	5	9	22	94	5	7	12	26	100
10	Pomona/Walnut Valley	3	4	7	18	75	4	6	10	21	80
11	South San Gabriel Valley	4	5	9	20	83	5	8	12	24	89
12	South Central LA County	3	4	7	17	70	4	6	9	19	74
13	Santa Clarita Valley	3	4	7	18	74	4	5	9	20	80
15	San Gabriel Mountains	3	4	7	18	74	4	5	9	20	80
16	North Orange County	3	4	9	20	74	4	6	11	24	79
17	Central Orange County	3	4	9	22	85	4	6	11	25	92
18	North Coastal Orange County	3	5	9	22	76	5	7	12	26	83
19	Saddleback Valley	3	4	8	19	68	4	6	10	22	74
20	Central Orange County Coastal	3	5	9	22	76	5	7	12	26	83
21	Capistrano Valley	3	4	8	19	68	4	6	10	22	74
22	Norco/Corona	3	5	9	22	92	5	7	12	25	98
23	Metropolitan Riverside County	3	4	8	20	86	4	6	10	23	91
24	Perris Valley	3	4	8	20	86	4	6	10	23	91
25	Lake Elsinore	3	4	8	20	86	4	6	10	23	91
26	Temecula Valley	3	4	8	20	86	4	6	10	23	91
27	Anza Area	3	4	8	20	86	4	6	10	23	91
28	Hemet/San Jacinto Valley	3	4	8	20	86	4	6	10	23	91
29	Banning Airport	4	7	14	36	156	6	9	17	41	166
30	Coachella Valley	3	5	10	24	105	5	7	12	28	112
31	East Riverside County	3	5	10	24	105	5	7	12	28	112
32	Northwest San Bernardino Valley	4	6	12	32	141	5	8	14	36	150
33	Southwest San Bernardino Valley	4	6	12	32	141	5	8	14	36	150
34	Central San Bernardino Valley	3	5	9	23	98	4	6	12	26	104
35	East San Bernardino Valley	4	5	10	26	112	5	7	13	30	120
36	Central San Bernardino Mountains	4	6	12	32	141	5	8	14	36	150
37	West San Bernardino Valley	3	5	9	23	98	4	6	12	26	104
38	East San Bernardino Mountains	4	5	10	26	112	5	7	13	30	120

Table B-1. PM2.5 Emission Thresholds for Construction (Continued)

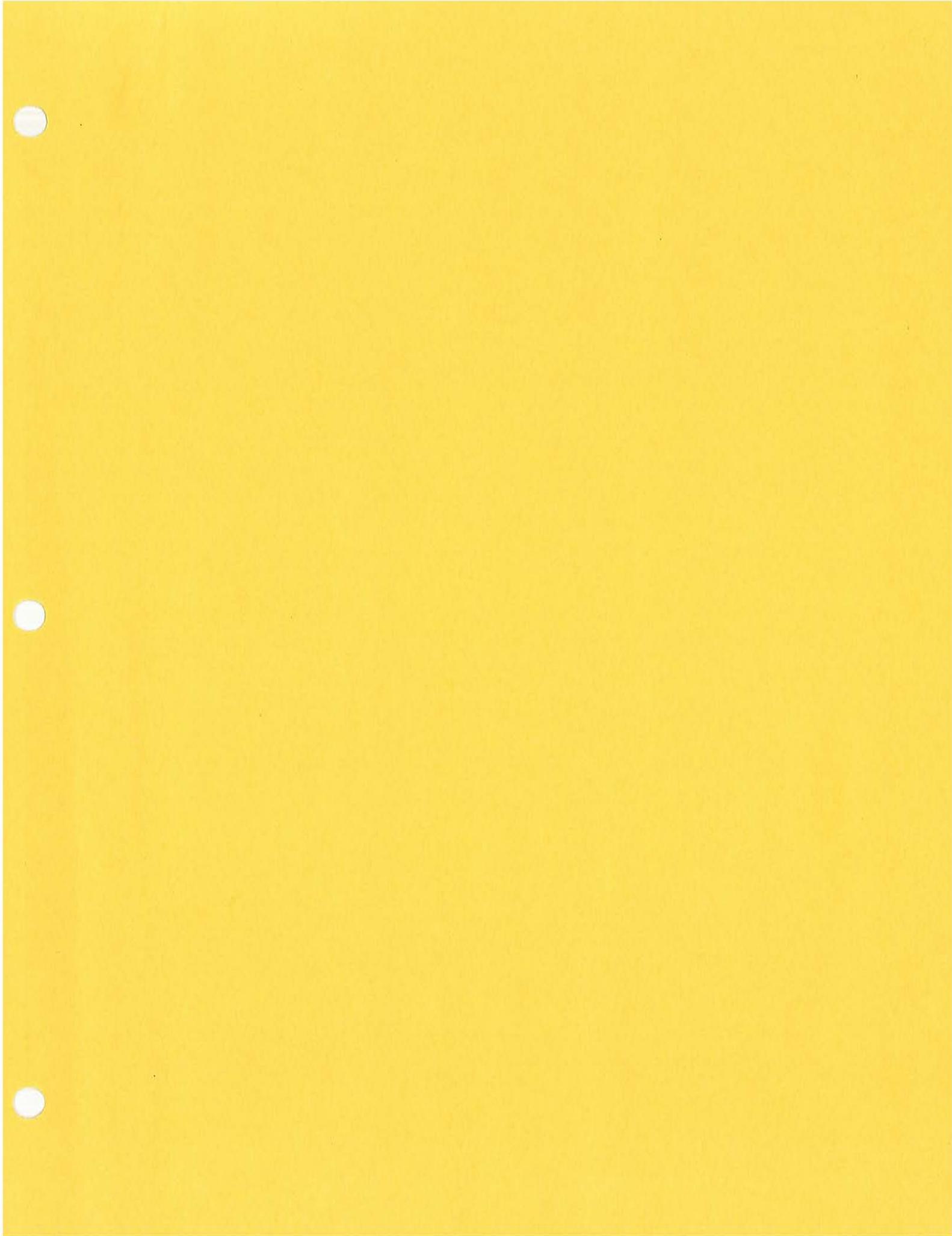
SRA No.	Source Receptor Area	Significance Threshold of 10.4 ug/m ³ Allowable emissions (lbs/day) as a function of receptor distance (meters) from boundary of site				
		5 Acre				
		25	50	100	200	500
1	Central LA	8	11	18	36	126
2	Northwest Coastal LA County	6	8	14	29	95
3	Southwest Coastal LA County	8	11	19	35	96
4	South Coastal LA County	8	10	18	39	120
5	Southeast LA County	7	10	15	30	103
6	West San Fernando Valley	6	8	13	26	96
7	East San Fernando Valley	8	10	15	28	86
8	West San Gabriel Valley	7	9	14	27	93
9	East San Gabriel Valley	8	11	17	35	116
10	Pomona/Walnut Valley	7	9	15	28	93
11	South San Gabriel Valley	9	12	19	34	104
12	South Central LA County	7	10	15	27	86
13	Santa Clarita Valley	6	8	13	26	95
15	San Gabriel Mountains	6	8	13	26	95
16	North Orange County	6	9	15	34	95
17	Central Orange County	7	9	15	32	109
18	North Coastal Orange County	9	11	18	35	101
19	Saddleback Valley	8	11	16	30	90
20	Central Orange County Coastal	9	11	18	35	101
21	Capistrano Valley	8	11	16	30	90
22	Norco/Corona	8	11	18	34	113
23	Metropolitan Riverside County	8	10	16	31	105
24	Perris Valley	8	10	16	31	105
25	Lake Elsinore	8	10	16	31	105
26	Temecula Valley	8	10	16	31	105
27	Anza Area	8	10	16	31	105
28	Hemet/San Jacinto Valley	8	10	16	31	105
29	Banning Airport	11	14	25	55	189
30	Coachella Valley	8	11	19	37	128
31	East Riverside County	8	11	19	37	128
32	Northwest San Bernardino Valley	9	12	21	45	170
33	Southwest San Bernardino Valley	9	12	21	45	170
34	Central San Bernardino Valley	8	10	17	35	120
35	East San Bernardino Valley	9	12	20	40	140
36	Central San Bernardino Mountains	9	12	21	45	170
37	West San Bernardino Valley	8	10	17	35	120
38	East San Bernardino Mountains	9	12	20	40	140

Table B-2. PM2.5 Emission Thresholds for Operation

SRA No.	Source Receptor Area	Significance Threshold of 2.5 ug/m ³ Allowable emissions (lbs/day) as a function of receptor distance (meters) from boundary of site									
		1 Acre					2 Acre				
		25	50	100	200	500	25	50	100	200	500
1	Central LA	1	2	3	6	25	2	2	3	7	27
2	Northwest Coastal LA County	1	1	2	5	19	1	2	3	6	20
3	Southwest Coastal LA County	1	2	3	5	18	1	2	3	6	20
4	South Coastal LA County	1	2	3	7	23	1	2	4	8	25
5	Southeast LA County	1	1	2	5	21	1	2	3	6	22
6	West San Fernando Valley	1	1	2	5	19	1	2	2	5	21
7	East San Fernando Valley	1	1	2	5	17	1	2	3	5	18
8	West San Gabriel Valley	1	1	2	5	19	1	2	3	5	20
9	East San Gabriel Valley	1	2	3	6	23	2	2	3	7	25
10	Pomona/Walnut Valley	1	1	2	5	18	1	2	3	5	20
11	South San Gabriel Valley	1	2	3	5	20	2	2	3	6	22
12	South Central LA County	1	1	2	4	17	1	2	3	5	18
13	Santa Clarita Valley	1	1	2	5	18	1	2	2	5	20
15	San Gabriel Mountains	1	1	2	5	18	1	2	2	5	20
16	North Orange County	1	1	3	5	18	1	2	3	6	19
17	Central Orange County	1	1	2	6	21	1	2	3	6	22
18	North Coastal Orange County	1	2	3	6	19	2	2	3	7	20
19	Saddleback Valley	1	1	2	5	17	1	2	3	6	18
20	Central Orange County Coastal	1	2	3	6	19	2	2	3	7	20
21	Capistrano Valley	1	1	2	5	17	1	2	3	6	18
22	Norco/Corona	1	2	3	6	23	2	2	3	6	24
23	Metropolitan Riverside County	1	1	2	5	21	1	2	3	6	22
24	Perris Valley	1	1	2	5	21	1	2	3	6	22
25	Lake Elsinore	1	1	2	5	21	1	2	3	6	22
26	Temecula Valley	1	1	2	5	21	1	2	3	6	22
27	Anza Area	1	1	2	5	21	1	2	3	6	22
28	Hemet/San Jacinto Valley	1	1	2	5	21	1	2	3	6	22
29	Banning Airport	1	2	4	9	38	2	3	5	10	40
30	Coachella Valley	1	2	3	6	26	2	2	3	7	27
31	East Riverside County	1	2	3	6	26	2	2	3	7	27
32	Northwest San Bernardino Valley	1	2	3	8	34	2	2	4	9	36
33	Southwest San Bernardino Valley	1	2	3	8	34	2	2	4	9	36
34	Central San Bernardino Valley	1	2	3	6	24	1	2	3	7	25
35	East San Bernardino Valley	1	2	3	7	27	2	2	4	8	29
36	Central San Bernardino Mountains	1	2	3	8	34	2	2	4	9	36
37	West San Bernardino Valley	1	2	3	6	24	1	2	3	7	25
38	East San Bernardino Mountains	1	2	3	7	27	2	2	4	8	29

Table B-2. PM2.5 Emission Thresholds for Operation (Continued)

SRA No.	Source Receptor Area	Significance Threshold of 2.5 ug/m3 Allowable emissions (lbs/day) as a function of receptor distance (meters) from boundary of site				
		5 Acre				
		25	50	100	200	500
1	Central LA	2	3	5	9	31
2	Northwest Coastal LA County	2	2	4	7	23
3	Southwest Coastal LA County	2	3	5	9	24
4	South Coastal LA County	2	3	5	10	29
5	Southeast LA County	2	3	4	8	25
6	West San Fernando Valley	2	2	3	7	23
7	East San Fernando Valley	2	3	4	7	21
8	West San Gabriel Valley	2	3	4	7	23
9	East San Gabriel Valley	2	3	5	9	28
10	Pomona/Walnut Valley	2	3	4	7	23
11	South San Gabriel Valley	2	3	5	9	25
12	South Central LA County	2	3	4	7	21
13	Santa Clarita Valley	2	2	3	7	23
15	San Gabriel Mountains	2	2	3	7	23
16	North Orange County	2	3	4	8	23
17	Central Orange County	2	3	4	8	27
18	North Coastal Orange County	2	3	5	9	25
19	Saddleback Valley	2	3	4	8	22
20	Central Orange County Coastal	2	3	5	9	25
21	Capistrano Valley	2	3	4	8	22
22	Norco/Corona	2	3	5	9	28
23	Metropolitan Riverside County	2	3	4	8	26
24	Perris Valley	2	3	4	8	26
25	Lake Elsinore	2	3	4	8	26
26	Temecula Valley	2	3	4	8	26
27	Anza Area	2	3	4	8	26
28	Hemet/San Jacinto Valley	2	3	4	8	26
29	Banning Airport	3	4	6	14	46
30	Coachella Valley	2	3	5	9	31
31	East Riverside County	2	3	5	9	31
32	Northwest San Bernardino Valley	2	3	5	11	41
33	Southwest San Bernardino Valley	2	3	5	11	41
34	Central San Bernardino Valley	2	3	5	9	29
35	East San Bernardino Valley	3	3	5	10	34
36	Central San Bernardino Mountains	2	3	5	11	41
37	West San Bernardino Valley	2	3	5	9	29
38	East San Bernardino Mountains	3	3	5	10	34



FW: Alberhill Villages Specific Plan Comment Letter

From: **Richard MacHott** (rmachott@Lake-Elsinore.org)
Sent: Fri 7/13/12 6:20 PM
To: Hardy Strozier (hardyesq@aol.com); 'Pat Potts' (patpotts@tpaoc.com); kateattpa@hotmail.com (kateattpa@hotmail.com)
1 attachment
NOPalberhill.pdf (163.1 KB)

Here are SCAQMD's NOP comments.

Richard J. MacHott, LEED Green Associate

Environmental Planning Consultant

City of Lake Elsinore

130 S. Main Street

Lake Elsinore, CA 92530

951.674.3124 Ext. 209

From: Angela Kim [mailto:akim@aqmd.gov]
Sent: Thursday, July 12, 2012 3:01 PM
To: Richard MacHott
Cc: Ian MacMillan; Daniel Garcia
Subject: Alberhill Villages Specific Plan Comment Letter

The South Coast Air Quality Management District's comments are provided in the attached letter.

Please be advised that you will also receive this letter by U.S. Mail.

FW: Alberhill Villages Specific Plan NOP Comment Letter - SCAQMD

From: **Kate Radcliffe-Lang** (kateattpa@hotmail.com)
Sent: Fri 7/13/12 6:48 PM
To: Steve Miles (smiles@mileslawgroup.com); Tom Tomlinson Alberhill Ranch (ttomlinson@alberhillranch.com); Tom Tomlinson Castle & Cooke (ttomlinson@castlecooke.com); Ken KWC Crawford (ken.crawford@kwcengineers.com)
Cc: Hardy Strozier (hardyesq@aol.com)
1 attachment
NOPalberhill.pdf (163.1 KB)

To All:

We just received this NOP letter response from the City (MacHott) forwarded by the South Coast Air Quality Management District (SCAQMD letter dated 7.12.12).

Hardy has asked that you all please read 'carefully' the attached SCAQMD response letter, and if any questions please call.

Very truly yours,
Kate Radcliffe-Lang

The Planning Associates
3151 Airway Ave., Ste. R-1
Costa Mesa, Ca 92626
714-556-5200
Fax: 714-556-3905

From: rmachott@Lake-Elsinore.org
To: hardyesq@aol.com; patpotts@tpaoc.com; kateattpa@hotmail.com
Date: Fri, 13 Jul 2012 11:20:21 -0700
Subject: FW: Alberhill Villages Specific Plan Comment Letter

Here are SCAQMD's NOP comments.

Richard J. MacHott, LEED Green Associate

Environmental Planning Consultant

City of Lake Elsinore

130 S. Main Street

Lake Elsinore, CA 92530

951.674.3124 Ext. 209

From: Angela Kim [mailto:akim@aqmd.gov]
Sent: Thursday, July 12, 2012 3:01 PM
To: Richard MacHott
Cc: Ian MacMillan; Daniel Garcia
Subject: Alberhill Villages Specific Plan Comment Letter

The South Coast Air Quality Management District's comments are provided in the attached letter.

Please be advised that you will also receive this letter by U.S. Mail.

RE: Alberhill Villages Specific Plan NOP Comment Letter - SCAQMD

From: **Stephen Miles** (smiles@mileslawgroup.com)
Sent: Fri 7/13/12 7:16 PM
To: 'Kate Radcliffe-Lang' (kateattpa@hotmail.com); 'Tom Tomlinson Alberhill Ranch' (ttomlinson@alberhillranch.com); 'Tom Tomlinson Castle & Cooke' (ttomlinson@castlecooke.com); 'Ken KWC Crawford' (ken.crawford@kwcengineers.com)
Cc: 'Hardy Strozier' (hardyesq@aol.com)

Everyone,

Responsible agencies are supposed to review the analysis of the lead agency and determine if is satisfactorily done. This usually doesn't amount to an independent analysis of all source data. If SCAQMD wants to go to such a detailed level of review, they may need more time to comment but they have up until the public hearing to submit comments. Ultimately, responsible agencies must weigh the analysis and determine if their concern is sufficient enough that they will assume the role of lead agency and prepare their own EIR – this rarely happens.

Section 4.7 of the AVSP EIR provides the following: "Evaluation of the most current data on the health effects of inhalation of fine particulate matter prompted the California Air Resources Board (ARB) to recommend adoption of the statewide PM-2.5 standard that is more stringent than the federal standard. This standard was adopted in 2002. The State PM-2.5 standard is more of a goal in that it does not have specific attainment planning requirements like a federal clean air standard, but only requires continued progress towards attainment."

This appears to be outdated in light of the following from SCAQMD's website:

"On October 6, 2006, the SCAQMD Governing Board unanimously adopted the following methodology to calculate PM2.5 and PM2.5 significance thresholds. As part of AQMD intergovernmental review (IGR) commenting responsibilities, AQMD staff began submitting comments relative to the PM2.5 proposal on CEQA documents beginning January 2007.

Final Documents

- Final Methodology to Calculate PM2.5 and PM2.5 Significance Thresholds (October 2006) (119 KB, doc file)
 - Appendix A - Updated CEIDARS Table with PM2.5 Fractions (139 KB, doc file)

- [Appendix B - PM2.5 Localized Significance Threshold Look-Up Tables](#) (414 KB, doc file)

Past Meeting Information

Public Hearing for Governing Board to Consider Implementing Methodology to Calculate PM2.5 and PM2.5 Significance Thresholds - October 6, 2006"

Appendix B has Lake Elsinore listed as SRA #25. There are 1, 2, and 5 acre PM 2.5 levels established. I haven't tried to make sense out of them yet – but it does appear that Section 4.7 refers to federal and revised federal standards for PM 2.5 and not localized thresholds of significance. Lake Elsinore has the discretion to adopt a PM 2.5 threshold so can someone tell me in layperson terms how different the localized thresholds may be from what was used in Section 4.7?

--Steve

From: Kate Radcliffe-Lang [mailto:kateattpa@hotmail.com]
Sent: Friday, July 13, 2012 11:48 AM
To: Steve Miles; Tom Tomlinson Alberhill Ranch; Tom Tomlinson Castle & Cooke; Ken KWC Crawford
Cc: Hardy Strozier
Subject: FW: Alberhill Villages Specific Plan NOP Comment Letter - SCAQMD

To All:

We just received this NOP letter response from the City (MacHott) forwarded by the South Coast Air Quality Management District (SCAQMD letter dated 7.12.12).

Hardy has asked that you all please read 'carefully' the attached SCAQMD response letter, and if any questions please call.

Very truly yours,
Kate Radcliffe-Lang

The Planning Associates
3151 Airway Ave., Ste. R-1
Costa Mesa, Ca 92626
714-556-5200
Fax: 714-556-3905

From: rmachott@Lake-Elsinore.org
To: hardyesq@aol.com; patpotts@tpaoc.com; kateattpa@hotmail.com

Date: Fri, 13 Jul 2012 11:20:21 -0700

Subject: FW: Alberhill Villages Specific Plan Comment Letter

Here are SCAQMD's NOP comments.

Richard J. MacHott, LEED Green Associate

Environmental Planning Consultant

City of Lake Elsinore

130 S. Main Street

Lake Elsinore, CA 92530

951.674.3124 Ext. 209

From: Angela Kim [<mailto:akim@aqmd.gov>]

Sent: Thursday, July 12, 2012 3:01 PM

To: Richard MacHott

Cc: Ian MacMillan; Daniel Garcia

Subject: Alberhill Villages Specific Plan Comment Letter

The South Coast Air Quality Management District's comments are provided in the attached letter.

Please be advised that you will also receive this letter by U.S. Mail.



State of California - The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 484-0459
<http://www.dfg.ca.gov>

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



July 13, 2012

Richard J. MacHott
Environmental Planning Consultant
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Re: Notice of Preparation of a Program Environmental Impact Report for the Alberhill Villages Specific Plan (SP 2010-02), General Plan Amendment No. 2012-01 and Zone Change No. 2012-02 -- City of Lake Elsinore, County of Riverside

Dear Mr. MacHott:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Notice of Preparation (NOP) for the Draft Program Environmental Impact Report for the Alberhill Villages Specific Plan (SP 2010-02), General Plan Amendment No. 2012-01 and Zone Change No. 2012-02. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code Sections 711.7 and 1802 and the California Environmental Quality Act (CEQA) Guidelines Section 15386], and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as a Lake or Streambed Alteration Agreement (Fish and Game Code Sections 1600 *et seq.*), or a California Endangered Species Act (CESA) Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1).

Project Location and Description

The Project includes an area of 1,400 acres located in northwest Lake Elsinore. The Project is bound by Interstate 15 to the north, Lake Street to the east, the Murdock Alberhill Ranch Specific Plan to the southeast, and the Horsethief Canyon Ranch development to the west. The Project involves the construction of 8,244 residential units, 2,507,000 square feet of non-residential mixed use development, and schools for 8,450 students. Single-family residential development currently occurs to the north, northwest, southeast and southwest of the Project site and undeveloped land (Cleveland National Forest, and other conservation lands) occurs to the southwest, east, and northeast.

Potential Biological Impacts

The Initial Study section on Biological Resources states that the project would have potentially significant impacts on categories a, b, c, d, and e. Habitats determined to be onsite, according to the Initial Study, include: Riversidean Sage Scrub (RSS), Southern Mixed Chaparral (SMC), Southern Willow Scrub (SWS), Southern Coastal Freshwater Marsh (SCFM), Alluvial Fan Scrub (AFS), Coast Live Oak Woodland (CLOW), Disturbed Annual Grassland (AG), Disturbed Lands/Clay Mine activities and Eucalyptus Woodland. The Initial Study states that significant losses could occur to RSS, AFS, SWS, CLOW, and SCFM.

The Initial Study also states that the project will likely impact onsite populations of northern red-diamond rattlesnakes, San Diego horned lizard, San Diego desert woodrat, red-shouldered hawks, and coastal California gnatcatcher.

The MSHCP planning species for Alberhill include: Bell's sage sparrow, cactus wren, coastal California gnatcatcher, Cooper's hawk, downy woodpecker, least Bell's vireo, southwestern willow flycatcher, tree swallow, tricolored blackbird, white-tailed kite, yellow-breasted chat, yellow warbler, Quino checkerspot butterfly, Riverside fairy shrimp, bobcat, mountain lion, Stephen's kangaroo rat, Coulter's goldfields, many-stemmed dudleya, Munz's onion, San Diego ambrosia, and vernal barley. The biological issues for this area include: providing core areas for the Coastal California gnatcatcher (CAGN); conserving alkali soils for sensitive plants such as San Diego ambrosia, vernal barley, and Coulter's goldfields; conserving clay soils supporting Munz's onion, many-stemmed dudleya, small-flowered morning glory, and Palmer's grapplinghook; conserving wetlands; maintaining upland habitats in Alberhill; conserving foraging habitat for raptors with a sage scrub-grassland ecotone; and maintaining a core and linkage for bobcat and mountain lion.

The DPEIR should include up-to-date biological surveys for flora and fauna, and an analysis of the potential for the presence of sensitive species. Focused protocol level surveys need to be completed, where available, and should include surveys for burrowing owl, southwestern willow flycatcher, least Bell's vireo, coastal California gnatcatcher, Riverside fairy shrimp, Quino checkerspot butterfly, and Stephen's kangaroo rat. Plant surveys should be conducted following the Department's 2009 "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities."

The DPEIR should also include an assessment and analysis of the Project site for the presence of vernal pools, including the flora and fauna associated with these habitats. Vernal pools are found where there is a seasonally perched watertable and the soils are composed of alluvial materials weathered with clay subsoils. Vernal pools support a unique biota. In 1987 the Fish and Wildlife Service published a document entitled: "The Ecology of Southern California Vernal Pools: A Community Profile." In reference to vernal pools in San Diego County, the authors report that important vernal pool plants do not disappear (all things being equal) and that species appearing at sites where they previously were not found is due to translocation. The document also notes that seeds can persist in the soils for more than a year and that the absence of flowering plants is not evidence that the plants do not exist on a site. Because of this, single-year surveys may be unsuccessful in documenting the presence of vernal pool flora, particularly in low rainfall years, and especially where surveys concentrate only on the presence of flowering plants. Where likely vernal pools exist, the site should be examined for vernal pool plant seeds. If the seeds are found and the hydrology is maintained, it is likely that the plants will re-appear. The document also postulates that vernal pool plants can grow outside of vernal pools if there is no competition from grassland and shrub-land species.

Multiple Species Habitat Conservation Plan (MSHCP)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources, including rare, threatened, and endangered plant and animal species, pursuant to the CESA, and administers the Natural Community Conservation Planning Program (NCCP Program). On June 22, 2004, the Department issued NCCP approval and take Authorization for the Western Riverside County MSHCP per Section 3800 *et seq.* of the Fish and Game Code. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat

loss and the incidental take of covered species in association with activities covered under the permit.

In order to be considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement.

The City of Lake Elsinore is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. The proposed Project occurs within the MSHCP and is subject to the provisions and policies of the MSHCP. The Project is located in Subunit 2 (Alberhill) of the Elsinore Area Plan of the MSHCP. Any surveys should be conducted prior to submittal of the DEIR and the results included in the DEIR, along with biological studies.

The Initial Study states that the proposed project will not conflict with the MSHCP due to a previous agreement with the County. However, no documents supporting this statement were included with the NOP. The Department requests that the DPEIR include all supporting documentation. Furthermore, because CEQA is an informational document, the DPEIR should include an assessment of the projects impacts on biological resources and how the project affects the general configuration of the MSHCP.

Should the applicant choose not to process the Project through the MSHCP for covered species, the Project shall be subject to the Federal Endangered Species Act (FESA) and/or the CESA for rare, threatened and endangered species. A CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the Project. The Department's CESA ITPs state that a project must fully minimize and mitigate impacts to State-listed resources.

Department Concerns

The Department has the following concerns about the Project:

1. The NOP sent to the Department was not circulated through the State Clearinghouse and therefore should be transmitted to the State Clearinghouse for circulation with new review time limits in accordance with the CEQA statute;
2. The DPEIR document should quantify impacts on habitats and species as per the informational requirements of CEQA, regardless of the Project's status under the MSHCP;
3. The DPEIR document should include a Jurisdictional Delineation of State Waters, an impact analysis, and mitigation measures for the loss of streambed and riparian habitat;
4. The DPEIR document should include all the pertinent documents relating to the court case and settlement, as well as a history of the project site, and a statement from the Regional Conservation Authority (RCA) as to the history and status of the acquisition of this site;
5. The analysis in the DPEIR should satisfy the requirements of the Department's 1600 Lake and Streambed Alteration Program and CESA (if deemed necessary);
6. The Project applicant, the RCA, the City, and the Wildlife Agencies should meet to resolve any questions relating to the Project's status under the MSHCP and/or CESA;
7. An up-to-date biological survey for fauna and surveys for flora, particularly for threatened and endangered wildlife, as well as California Native Plant Society 1B listings (in

- accordance with the 2009 Department Guidelines [see below, Section 2(a)] need to be conducted and included in the DPEIR;
8. The DPEIR should include focused protocol surveys for Munz's onion, coastal California gnatcatcher, least Bell's vireo, burrowing owl, Riverside fairy shrimp, southwestern willow flycatcher, Quino checkerspot butterfly, Stephen's kangaroo rat, San Diego ambrosia, clay endemics and vernal pool plants, and an analysis of the hydrology necessary to support existing vernal pools;
 9. A CESA permit for impacts to State-listed Endangered, Threatened, or Candidate species;
 10. An assessment and analysis of onsite soils (clay and vernal pool soils) that host threatened, endangered, rare or 1B plants, and an assessment and analysis of all undisturbed and disturbed areas that contain, or have the potential to contain, a native seed bank; and
 11. An analysis of the potential impacts of the Project on conserved land adjacent to the Project including, human impacts (off-road vehicles, use of fencing, domestic animals, informational signage, dumping, spread/introduction of nonnative species, risk of fire, artificial lighting, and use of unauthorized trails), and appropriate buffers.

Additional Department Concerns

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA Section 15125(d) of the Guidelines. The implementation of CEQA requires that an environmental impact report (EIR) discuss any inconsistencies between a proposed project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans (NCCP). A finding of consistency should be included with the CEQA document.

The Department is concerned about the continuing loss of jurisdictional waters of the State and the encroachment of development into areas with native habitat values. The CEQA document should contain sufficient, specific, and current biological information on the existing habitat and species at the Project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna, and State waters. If the Project site contains Federally- or State-listed species, the CEQA document should include measures to avoid and minimize impacts to these species, and mitigation measures to compensate for the loss of biological resources. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.

This particular Project has the potential to have significant environmental impacts on sensitive flora and fauna resources. Therefore, the CEQA document should include an alternatives analysis which focuses on environmental resources and ways to avoid or minimize impacts to those resources.

To enable Department staff to adequately review and comment on the proposed Project, we suggest that updated biological studies be conducted prior to any environmental or discretionary approvals. The following information should be included in any focused biological report or supplemental environmental report:

1. Please provide a summary of the structure, purpose, and obligations of the Lead Agency under the MSHCP, and an analysis of the Project in relation to the Area Plan and

Criteria Cell biological goals and objectives. (Note: this analysis should only be conducted if the Project applicant opts to become a Participating Special Entity of the MSHCP).

- a. Reserve Assembly. The Project is located within the MSHCP Criteria Area and is subject to the conservation requirements for reserve assembly. A discussion of the applicable Area Plan and whether the Project includes Criteria Cells should be addressed. Documents processed through the Resource Conservation Agency (RCA) of the MSHCP should be included in the CEQA document.
 - b. Goals and Objectives. A discussion of the Area Plan biological goals and objectives for species and habitats and an analysis of the Project's species and habitats in relation to those goals and objectives.
 - c. MSHCP Policies. A discussion of the applicability of MSHCP policies and procedures, including: the additional survey requirements (MSHCP Section 6.3.2); Fuels Management (MSHCP Section 6.4), and the Guidelines Pertaining to the Urban/Wildlands Interface (MSHCP Section 6.1.4).
 - d. Special Survey Areas. A discussion of what the survey requirements are of the Project site and the results of general and focused surveys. Surveys should be conducted within one year of submittal of the CEQA document. Survey requirements and results should be included in the CEQA document.
 - e. Biological Resources. A list of the biological resources found on the site and an analysis of how the Project implementation would impact those resources.
 - f. Mitigation Measures. A list of proposed mitigation measures required by the MSHCP to offset impacts to species and habitats, including payment of fees or other measures.
2. Please provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.
- a. A thorough assessment of rare plants and rare natural communities, following the Department's November 2009 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The guidance document can be found at the following link:
[http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols for Surveying and Evaluating Impacts.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols%20for%20Surveying%20and%20Evaluating%20Impacts.pdf)
 - b. A thorough assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the Project area should be considered. Focused species-specific surveys, conducted at the appropriate time of year and time of day when sensitive species are active or otherwise identifiable, are

- required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.
- c. The Department's California Natural Diversity Database in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the California Fish and Game Code.
3. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts.
- a. CEQA Guidelines, 15125(a), directs that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - b. Project impacts should be analyzed relative to their effects on off-site habitats. Specifically, the analysis should encompass adjacent public lands, open space, adjacent natural habitats, and riparian ecosystems. In addition, impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided.
 - c. The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.
 - d. A cumulative effects analysis should be developed as described under CEQA Guidelines, 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.
 - e. The document should include an analysis of the effect that the Project may have on the Western Riverside Multiple Species Habitat Conservation Plan or on other regional and/or subregional conservation programs in San Diego or Orange Counties. Under Sections 2800-2835 of the California Fish and Game Code, the Department, through the Natural Communities Conservation Planning (NCCP) program is coordinating with local jurisdictions, landowners, and the Federal Government to preserve local and regional biological diversity.
4. A range of alternatives should be analyzed to ensure that alternatives to the proposed Project are fully considered and evaluated (CEQA Guidelines 15126.6). A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.
- a. Mitigation measures for Project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid and/or

- otherwise minimize Project impacts. Off-site compensation for unavoidable impacts through acquisition and protection of high-quality habitat should be addressed.
- b. The Department considers Rare Natural Communities as threatened habitats having both local and regional significance. Thus, these communities should be fully avoided and otherwise protected from Project-related impacts.
 - c. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.
5. A CESA ITP must be obtained if there are impacts to State listed species and the applicant chooses not to process the Project through the Resource Conservation Agency of the MSHCP.
- a. If the Project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the Project, a CESA ITP must be obtained. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed Project and mitigation measures may be required in order to obtain a CESA ITP. Revisions to the California Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA ITP unless the Project CEQA document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:
 - Biological mitigation, monitoring, and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
 - A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
6. Although the proposed Project is within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and could be subject to Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, a Notification of Lake or Streambed Alteration is still required by the Department should the site contain jurisdictional waters. The Department's criteria for determining the presence of jurisdictional waters are generally more comprehensive than the MSHCP criteria in Section 6.1.2. The CEQA document should include a jurisdictional delineation if there are impacts to riparian vegetation or State waters.

The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, must be retained or mitigated for and provided with substantial setbacks which preserve the riparian and aquatic values and

maintain their value to on-site and off-site wildlife populations.

- a. Under Section 1600 *et seq.* of the California Fish and Game Code, the Department requires the Project applicant to notify the Department of any activity that will divert, obstruct or change the natural flow or the bed, channel or bank (which includes associated riparian resources) of a river, stream, or lake, or use material from a streambed prior to the applicant's commencement of the activity. Streams include, but are not limited to, intermittent and ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams, and watercourses with subsurface flow. The Department's issuance of a Lake and Streambed Alteration Agreement for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department, as a responsible agency under CEQA, may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the Project. However, if the CEQA document does not fully identify potential impacts to lakes, streams, and associated resources (including, but not limited to riparian and alluvial fan sage scrub habitat) and provide adequate avoidance, minimization, mitigation, monitoring, and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Streambed Alteration Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a lake or stream, as well as avoidance, minimization, and mitigation measures need to be discussed within this CEQA document. The Department recommends the following measures to avoid subsequent CEQA documentation and project delays:
 - (i) Incorporate all information regarding impacts to lakes, streams, and associated habitat within the DEIR. Information that should be included within this document includes: (a) a delineation of lakes, streams, and associated habitat that will be directly or indirectly impacted by the proposed Project; (b) details on the biological resources (flora and fauna) associated with the lakes and/or streams; (c) identification of the presence or absence of sensitive plants, animals, or natural communities; (d) a discussion of environmental alternatives; (e) a discussion of avoidance and minimization measures to reduce Project impacts, (f) a discussion of potential mitigation measures required to reduce the Project impacts to a level of insignificance; and (g) an analysis of impacts to habitat caused by a change in the flow of water across the site. The applicant and lead agency should keep in mind that the State also has a policy of no net loss of wetlands.
 - (ii) The Department recommends that the Project applicant and/or lead agency consult with the Department to discuss potential Project impacts and avoidance, minimization, and mitigation measures. Early consultation with the Department is recommended since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Notification of Lake or Streambed Alteration package, please visit our website at: <http://www.dfg.ca.gov/habcon/1600.html>.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Brandt', written over the printed name.

Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse, Sacramento



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

July 18, 2012

VIA E-MAIL and USPS

Mr. Richard J. MacHott
Environmental Planning Consultant
City of Lake Elsinore
Community Development Dept - Planning
130 South Main Street
Corona, CA 92530

Re: Pechanga Tribe Comments on the Notice of Preparation for a Draft Program Environmental Impact Report on the Alberhill Villages Specific Plan (SP2010-02) and Related General Plan Amendment No. 2012-01 and Zone Change No. 2012-02

Dear Mr. MacHott:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government in response to a Notice of Preparation (NOP) for the Draft Program Environmental Impact Report (DPEIR) dated June 12, 2012 and received in our office June 21, 2012. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, technical appendices and all documents pertaining to this Project.

The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project. Please note that this letter is not being submitted in lieu of formal government-government consultation under SB 18, which will be required for this Project as it appears to necessitate a General Plan Amendment as well as development of a Specific Plan. As of the date of this letter, we have not received a notice from the City inviting us to consult pursuant to SB 18.

The Tribe submits these early comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the City in preparing an adequate environmental assessment of the impacts to cultural resources and

Chairperson:
Germaine Arenas

Vice Chairperson:
Mary Bear Magee

Committee Members:
Evic Gerber
Darlene Miranda
Bridgett Barcello Maxwell
Aurelia Marruffo
Richard B. Scarce, III

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover



other related issues and to assist in the development of appropriate avoidance and preservation standards for the culturally significant area that will be impacted by the Project.

The Tribe informs the City that the Project area is within a highly sensitive Luiseño cultural landscape which includes Luiseño place names, *tóota yixélval* (rock art, pictographs, and petroglyphs), Village Complexes, a TCP, sacred places and other tangible and intangible tribal heritage resources. Please understand that the above information may not be exhaustive of all the cultural resources that may be impacted by this Project. Based upon our oral tradition, ethnographic studies and historic documents, the Project lies within an area where important events occurred that are essential to the Luiseño creation account and of which only the Tribe has a complete knowledge.

The Tribe requests to meet with the City to provide additional information and to conduct a site visit in order to better determine our concerns regarding the proposed Project. Early consultation with the Tribe is crucial in order to adequately preserve and protect the cultural resources that may be impacted as a result of this Project. Further, as this is a long range planning document, it is important to address the auditory and visual impacts, cumulative impacts and the growth-related or long-term impacts that the Project will have on cultural resources in this area. These issues should be adequately addressed in the DPEIR. Additionally, as the Project progresses and we are provided additional documentation concerning the proposed development, the Tribe may also recommend more specific and detailed planning and preservation efforts regarding biological resources, water quality, air quality, mineral resources, traffic, lighting, aesthetics, geology, etc.

**THE CITY OF LAKE ELSINORE MUST INCLUDE INVOLVEMENT OF AND
CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL
REVIEW PROCESS**

It has been the intent of the Federal Government¹ and the State of California² that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City of Lake Elsinore consult with the Tribe in order to guarantee an adequate knowledge base for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures, including avoidance.

¹See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.

² See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

**LEAD AGENCY CONSULTATION WITH THE PECHANGA TRIBE REQUIRED
PURSUANT TO CAL. GOVT. C. §§ 65351, 65352, 65352.3, AND 65352.4
(SENATE BILL 18 – TRADITIONAL TRIBAL CULTURAL PLACES LAW)**

This Project requires both a General Plan Amendment and a Specific Plan. The City of Lake Elsinore is required to consult with the Pechanga Tribe pursuant to a State law entitled Traditional Tribal Cultural Places (also known as SB 18; Cal. Govt. C. § 65352.3). The purpose of consultation is to identify any Native American sacred places and any geographical areas which could potentially yield sacred places, identify proper means of treatment and management of such places, and to ensure the protection and preservation of such places through agreed upon mitigation (Cal. Govt. C. 65352.3; SB18, Chapter 905, Section 1(4)(b)(3)). Consultation must be government-to-government, meaning directly between the Tribe and the Lead Agency, seeking agreement where feasible (Cal. Govt. C. § 65352.4; SB18, Chapter 905, Section 1(4)(b)(3)). Any information conveyed to the Lead Agency concerning Native American sacred places shall be confidential in terms of the specific identity, location, character and use of those places and associated features and objects. This information is not subject to public disclosure pursuant the California Public Records Act (Cal. Govt. C. 6254(r)). The Tribe requests that the City please send an SB18 notification letter to the Tribe as soon as possible so we may begin our formal consultation.

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs), Village Complexes, a TCP and an extensive Luiseño artifact record in the vicinity of the Project. This property also is specifically named in the Luiseño Origin Stories and plays a vital role in the Tribe's culture and religion. This culturally sensitive area is specifically affiliated with the Pechanga Band of Luiseño Indians because a portion of the Tribe's reservation lies along the borders of the City of Lake Elsinore, thereby making it the closest Indian reservation to the Project. Moreover, the Tribe maintains cultural ties to this area and has an extensive history with the City of Lake Elsinore and projects within its boundaries and sphere of influence.

The Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Of the many anthropologists and historians who have presented boundaries of the Luiseño traditional territory, none have excluded the Lake Elsinore area from their descriptions (Sparkman 1908; Kroeber 1925; White 1963; Harvey 1974; Oxendine 1983; Smith and Freers 1994). More importantly, such territory descriptions correspond almost identically with what was communicated to the Pechanga People by our elders.

There is a connection between the Temecula and Lake Elsinore areas that stems from the beginning of time for Pechanga people. Luiseño history originates with the Creation of all things at *'éxva Teméeku*, known today as the City of Temecula, and dispersing out to all corners of Creation (what we call today Luiseño territory). The name *éxva* can be translated as a "place of sand" and *Teméeku* means "sun place." Temecula derives its etymology from this place, where the Murrieta and Temecula Creeks converge to form the Santa Margarita River which flows onto the Pacific Ocean. This location is integral to Luiseño cultural history and heritage.

In many of the Creation songs, Temecula and Elsinore are mentioned interchangeably, intimating a relationship between Temecula and Elsinore, including the entire area in between. It was at Temecula that the first human, *Wuyóot*, lived, fed and taught the people and here that he became sick. Several of our traditional songs relate the account of the people taking the dying *Wuyóot* to various hot springs, which included *Churúkuniknu Sákiwuna* (sliding place where hot water bubbles)--Murrieta Hot Springs and *'ítengvu Wumówmu*--Lake Elsinore, where he died. As he journeyed to these various springs, *Wuyóot* also named the increments of time that had passed, which became the months of the Luiseño calendar. During this time, he taught the First People all of his knowledge (Dubois 1908; Roberts 1933, 6-7). It is the Luiseño Creation account that connects Elsinore to Temecula, and thus to the Temecula people who were evicted and moved to the Pechanga Reservation, and are now known as the Pechanga Band of Luiseño Mission Indians (the Pechanga Tribe).

The area known as Lake Elsinore is also the location for noteworthy events in Luiseño culture. For example, it is the place where two of the *Káamalam* (first people), *Qáwqaw* and *Chixéemal*, had their first menses, which is the subject of one of the girls' coming-of-age songs (DuBois 1908). Another song recounts the travels of the people to Elsinore after a great flood (DuBois 1908). From here, they again spread out to the north, south, east and west. Three songs, called *Moníivol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110). Another account involves a Temecula village leader killing the evil *Táakwish* (the Luiseño evil spirit) at Elsinore, followed by his cremation in Temescal Canyon (Kroeber 1906).

The last hot spring *Wuyóot* visited in his attempt to be cured was *'ítengvu Wumowmo*, now known as Lake Elsinore hot springs. From there he traveled a short distance north to *PáayaxtSi Nivé'wuna* (Alberhill) where he died.

The name *Páayaxchi Nivé'wuna* literally means "Lake Elsinore, down in", however in historical references it pertains to Alberhill and the surrounding area. John Harrington, an ethnographer who interviewed several Luiseño people during the early 1930s, recorded four different consultants recounting the importance of Alberhill in relation to the Creation account.

Whether or not they agreed on particulars of the account, they all state this was a sacred place because *Wuyóot* died at this location.³

Tóota yixélval (rock art) is also an important element in the determination of Luiseño territorial boundaries. *Tóota yixélval* can consist of petroglyphs (incised) elements, or pictographs (painted) elements. The science of archaeology tells us that places can be described through these elements. Riverside and Northern San Diego Counties are home to red-pigmented pictograph panels. Archaeologists have adopted the name for these pictograph-versions, as defined by Ken Hedges of the Museum of Man, as the San Luis Rey style. The San Luis Rey style incorporates elements which include chevrons, zig-zags, dot patterns, sunbursts, handprints, net/chain, anthropomorphic (human-like) and zoomorphic (animal-like) designs. Tribal historians and photographs inform us that some design elements are reminiscent of Luiseño ground paintings. A few of these design elements, particularly the flower motifs, the net/chain and zig-zags, were sometimes depicted in Luiseño basket designs and can be observed in remaining baskets and textiles today.

An additional type of *tóota yixélval*, identified by archaeologists also as rock art or petroglyphs, are cupules. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small pecked and ground indentations, or cupules. Many of these cupule boulders have been identified within a few miles of the Project. Additionally, according to historian Constance DuBois:

When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (1908:158).

Thus, our songs and stories, as well as academic works, demonstrate that the Luiseño people who occupied what we know today as Temecula, Lake Elsinore and the areas in between (*Páyaxchi*, *Nivé'wuna*, *Páa'a*, *Páa\$ukwa*, *Pii'iv*, *Pívmay*, *We'éeva*, *Wiina* and *Temeeku*) are ancestors of the present-day Pechanga Band of Luiseño Indians, and as such, Pechanga is the appropriate culturally affiliated tribe for projects that impact this geographic area.

³ John P. Harrington. 1933. *Chinigchinich*. Malki Museum Press, Banning, CA; John P. Harrington. 1986. *The Field Notes of J. P. Harrington at the Smithsonian Institution*, Microfilm edition, Volume 3, Reel 119; and Constance DuBois. 1908. *The Religion of the Luiseño Indians of Southern California*. University of California Publications in American Archaeology and Ethnology 8(3).

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 City of Lake Elsinore and its sphere of influence, such as Cottonwood Hills/Canyon Hills, Liberty Serenity, North Peak, Temescal Canyon, Lakeview Villas, County Sheriff's Station, Spy Glass Ranch, Meadowbrook, Oak Springs, Canyon Hills, Wasson West, Greenwald Property, Lake Street Marketplace and Glen Ivy. In addition, Pechanga was the consulting tribe on projects which have been developed within the overarching East Lake/Liberty Specific Plan such as the Laing/Summerly, Waterbury and the Marina District Specific Plan. Moreover, the Pechanga Tribe has been the only tribe to assume the role of MLD in the Lake Elsinore area and Native American Heritage Commission (NAHC) records confirm this.

The Tribe respectfully requests to meet with the City to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction.

PROJECT IMPACTS TO CULTURAL RESOURCES AND TRIBAL INVOLVEMENT: INTIAL PECHANGA COMMENTS

The proposed Project is located in a highly sensitive region of Luiseño territory as demonstrated above. The Tribe has received the 2012 draft Initial Study and NOP; however, we have not received any other documentation for the Project. We request that any other available documentation be forwarded to the Pechanga Cultural Resources Department as soon as possible so that we may review the information prior to the meetings requested above. Further, we expressly reserve our right to provide additional comments on those documents once they have been provided. While Pechanga awaits additional information on the proposal, it does have some initial comments on the Project.

First, given the cultural significance of the area as outlined above, Pechanga requests that an ethnography be conducted by qualified consultants and paid for by applicant. The scope of this study can be discussed at our meeting. This study, in draft form, will be subject to review by the Tribe in a timeframe agreed upon by the City and the Tribe. It could also help ensure that tribal cultural resources, not just archaeological resources, are analyzed in the PEIR.

Second, given that the NOP states that the PEIS will be used as the "primary reference document" in the formation and implementation of a mitigation and monitoring program for the project (NOP, page 3), the Tribe requests that the PEIR contain sufficient project level environmental analyses and mitigation. This must include an adequate analysis of cumulative impacts to all categories of cultural resources.

In conclusion, the Tribe reserves the right to fully participate in the environmental review and SB 18 processes, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. The Pechanga Tribe looks forward to

Pechanga Comment Letter to the City of Lake Elsinore
Re: Pechanga Tribe Comments on the NOP for the Alberhill Villages SP
July 18, 2012
Page 7

working together with the City of Lake Elsinore in protecting the invaluable Pechanga cultural resources found in the Project area.

Please contact me at 951-770-8104 or at ahoover@pechanga-nsn.gov once you have had a chance to review these comments so that we can schedule a meeting. Thank you.

Sincerely,



Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel
Courtney Coyle, Attorney for the Pechanga Tribe
Laura Miranda, Attorney for the Pechanga Tribe
Dave Singelton, NAHC



Viet N. Tran
Region Manager

July 18, 2012

Richard J. MacHott
Environmental Planning Consultant
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Re: The Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Alberhill Villages Specific Plan (SP 2010-02) and related applications

Dear Mr. MacHott:

Southern California Edison (SCE) appreciates the opportunity to provide comment on the NOP for the Alberhill Villages Specific Plan. The project is described as a proposal to approve a mixed-use specific plan of development that will allow for a total of 8,244 dwelling units, 2,507,000 square feet of commercial land uses, a university village with an anticipated student population of 6,000, and the construction of an elementary and middle school with a combined student capacity of 2,450. In addition, the project will provide for a phased elimination of the mining and related manufacturing activities on the subject site, and provide for the restoration of approximately 1,000-acres of brownfield land area. The project is stated to be located on approximately 1,400 acres just south of Interstate 15, adjacent to Lake Street. It includes property formerly in the original Alberhill Ranch Specific Plan that was approved in 1989.

SCE has two active capital projects in the vicinity of the Alberhill Villages Specific Plan area that are potentially impacted by the proposed project and should be evaluated in the proposed project DEIR: The Alberhill System Project and the Valley-Ivyglen 115 kV Subtransmission Line Project.

The Alberhill System Project includes the construction of a new 500/115 kilovolt (kV) substation, two new 500kV transmission line segments, a new 115kV subtransmission line, and modifications to existing subtransmission lines. In the fall of 2009, SCE filed a project application to construct the Alberhill System Project with the California Public Utilities Commission (Commission). Within the City of Lake Elsinore, the project, as proposed by SCE, consists of modifications to existing transmission lines, including some new construction. Additional information about the proposed Project description and route are provided in the Proponent's Environmental Assessment (PEA), available on the Commission's website at: http://www.cpuc.ca.gov/Environment/info/ene/alberhill/CPCN_Application_Amendment_0315

24487 Prielipp Drive
Wildomar, CA 92595
(951) 249-8466
Fax: (951) 249-8655
viet.tran@sce.com

10.pdf. At this time, the Draft Environmental Impact Report (Draft EIR) for the Project has not been issued; the Draft EIR is expected to be released during this summer.

SCE proposed the Valley-Ivyglen Project to the Commission on January 16, 2007, (Application 07-01-031). The Valley-Ivyglen 115 kV Subtransmission Line Project would be located in the southwestern Riverside County and would primarily consist of the construction, operation, and maintenance of a new approximately 25-mile 115 kV subtransmission line to connect the existing Valley and Ivyglen Substations. The proposed subtransmission line would traverse portions of the City of Perris, City of Lake Elsinore, and the Glen Ivy/Corona Lake area. In addition, SCE would be installing new fiber optic cable to the new subtransmission poles. The Valley-Ivyglen 115 kV Subtransmission Line Project was approved by the Commission on August 12, 2010, and SCE is in possession of a Commission Permit to Construct (PTC) for the noted facilities. Additional information about the project can be found at the Commission's website at <http://www.cpuc.ca.gov/Environment/info/ene/ivyglen/ivyglen.html>.

As part of the Valley-Ivyglen 115 kV Subtransmission Line Project, SCE will be installing power poles along Lake Street. Subsequent to this installation, the Alberhill System Project will be adding additional power lines (conductors) to the Valley-Ivyglen poles. SCE recommends the project proponent work upfront with SCE regarding street improvement plans and construction schedules along Lake Street to avoid any potential costly relocation work associated with SCE facilities (to accommodate the final layout of the specific plan project area). Please forward any proposed Alberhill Villages Specific Plan street improvement plans (six (6) sets of plans along with a disk with PDF type files) depicting SCE's facilities, associated land rights, and the proposed uses of affected properties, in detail, to the following location:

SCE Transmission Project Management
Southern California Edison Company
300 North Pepper Avenue, Bldg. 'C'
Rialto, CA 92376
Attention: James Lee
(909) 820-5679

In addition to the above, SCE may need to work closely with the project proponents regarding the construction schedules between the Alberhill Villages Specific Plan and SCE system projects. Please include in the DEIR a phasing schedule for the proposed project illustrating anticipated construction timelines. Additionally, please include in the DEIR analysis the following items:

- Project electrical demands by phasing plan and at full build-out, including expected dates & time frames for service.
- Detailed plans on proposed land uses contiguous to SCE rights-of-way (ROW) (including any passive/active parks or recreational uses, bike lanes, parking facilities, etc., and any potential encroachments into SCE ROW).

Developers often seek SCE transmission corridors for use as active trails and parks. Please note that SCE transmission corridors may not be compatible with some types of recreational activities. SCE Company rights-of-way (ROWs) and fee-owned properties are purchased for the exclusive use of SCE to operate and maintain its present and future facilities. Any proposed use will be reviewed on a case-by-case basis by SCE. Approvals or denials will be in writing based upon review of the maps provided and compatibility with SCE ROW constraints and rights. Please forward one set of plans (along with a disk with PDF type files) depicting SCE's facilities, associated land rights, and the proposed uses of affected properties, in detail, to the following location:

Real Properties Department
Southern California Edison Company
9500 Cleveland Avenue, Suite 100
Rancho Cucamonga, CA 91730
Attention: Joseph Schaefer, Right-of-Way Agent
(909) 944-4413

The proposed project may impact SCE's fee-owned property, easement property and/or access rights. Therefore, extensive review of detailed plans is required by SCE. Pursuant to the Subdivision Map Act of 1984, you are required to contact SCE directly for this formal review. In addition, at no time may any portion of SCE's property or easements be used for mitigation purposes OF ANY TYPE, including, but not limited to, environmental, storm water, etc.

Please be advised if development plans result in the need to build new or relocate existing SCE electrical facilities that operate at or above 50 kV, related construction activities may have environmental impacts subject to CEQA review.

Once again, SCE appreciates the opportunity to comment on the NOP for the Alberhill Villages Specific Plan and looks forward to commenting on the Draft EIR when it becomes available. Please place SCE on your routing list for all future planning and environmental notices pertaining to this project. If you have any questions regarding this letter, please do not hesitate to contact me at (951) 249-8466.

Sincerely,



Viet Tran
Local Public Affairs Region Manager
Southern California Edison Company



City of Temecula

Community Development

41000 Main Street ■ Temecula, CA 92590

Mailing Address: P.O. Box 9033 ■ Temecula, CA 92589-9033

Phone (951) 694-6400 ■ Fax (951) 694-6477 ■ www.cityoftemecula.org

July 16, 2012

Mr. Richard MacHott
Environmental Planning Consultant
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

SUBJECT: Response to Notice of Preparation of a Draft Program Environmental Impact Report for the Alberhill Villages Specific Plan (SP 2010-02, GP Amendment No. 2012-01 and ZC No. 2012-02)

Dear Mr. MacHott:

The City of Temecula has reviewed the Notice of Preparation of a Draft Program EIR for the Alberhill Villages Specific Plan. While the City of Temecula has no comments at this time, we respectfully request to be notified when the draft Program Environmental Impact Report is available for review and comment.

Thank you for the opportunity to comment on the above referenced project.

Sincerely,

Patrick Richardson
Director of Development Services

cc Mayor Chuck Washington
Mayor Pro Tem Mike Naggar
Council Member Jeff Comerchero
Council Member Maryann Edwards
Council Member Ron Roberts
Robert Johnson, City Manager



Matthew Rodriguez
Secretary for
Environmental Protection

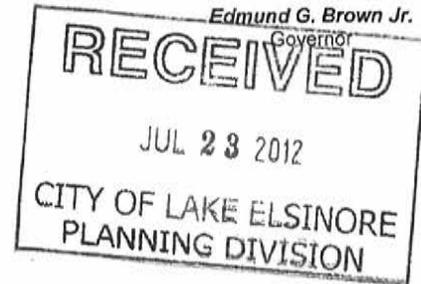


Department of Toxic Substances Control

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor



July 12, 2012

Mr. Richard J. MacHott
City of Lake Elsinore Planning Department
130 S. Main Street
Lake Elsinore, California 92530

NOTICE OF PREPARATION (NOP) FOR ALBERHILL VILLAGES SPECIFIC PLAN

Dear Mr. MacHott:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation Report for the above-mentioned project. The following project description is stated in your document: "Located on approximately 1,400 acres, the AVSP proposes 8,244 dwelling units; 2,507,000 sf of non-residential uses including civic/institutional, commercial/retail, professional office/medical and entertainment uses; development of a university campus or similar educational institution to serve up to 6,000 students; and supporting uses including schools, parks, worship centers, and green belt paseos. The GPA proposes that the proposed Project site's land use designation be changed to "Specific Plan". The proposed GPA also proposes changes to the General Plan's Circulation Element".

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.

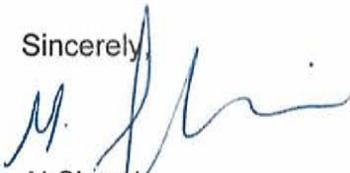
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
 - 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.
 - 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
 - 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed

and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact me at ashami@dtsc.ca.gov, or by phone at (714) 484-5472.

Sincerely,



Al Shami
Project Manager
Brownfields and Environmental Restoration Program

Mr. Richard J. MacHott
July 12, 2012
Page 4

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
nritter@dtsc.ca.gov

CEQA # 3593

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING

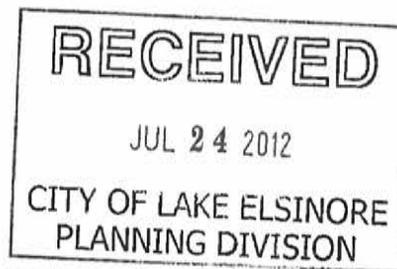
464 WEST 4th STREET, 6th Floor MS 725

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-5936

TTY (909) 383-6300

*Flex your power!
Be energy efficient!*

July 23, 2012

Richard J. MacHott
Environmental Planning Consultant
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Alberhill Villages Specific Plan (SP 2010-02) General Plan Amendment No. 2012-01 and Zone Change No. 2012-02

Mr. MacHott,

We have completed our review for the above mentioned project located on approximately 1,400 acres, the AVSP proposes 8,244 dwelling units; 2,507,000 square feet of non-residential uses including civic/institutional, commercial/retail, professional office/medical and entertainment uses.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Lake Elsinore due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

We recommend the following to be provided:

Traffic Study

- Per the Environmental Checklist, the proposed AVSP would create potentially significant impact to transportation in relation to existing traffic load and capacity of the street system. A Traffic Impact Study is need that will include in particular any impacts of the plan to the I-15 and Lake Street interchange.
- The study must include any appropriate measures necessary to mitigate any significant impact to the State Highway System. In cooperation with the City of Lake Elsinore, any mitigation identified should be programmed or appropriate project share is contributed for future projects brought about by other projects in the area.

Mr. MacHott
July 23, 2012
Page 2

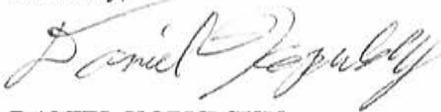
Hydraulics

- Mention should be made of the FEMA Flood Plains in the area as shown on FIRM Maps 06065C2006G and 0605C2007G. Caltrans should have opportunity to review construction drawings, as well as the overall Drainage Study, at permit submittal.

The California Department of Transportation reserves the right to comment on any future revisions to this project.

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,



DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

August 24, 2012

VIA E-MAIL and USPS

Mr. Richard MacHott
Environmental Planning Consultant
City of Lake Elsinore
Community Development Department
130 S. Main Street
Lake Elsinore, CA 92530

Re: Pechanga Tribe Request for Consultation Pursuant to SB 18 for the Alberhill Villages Specific Plan and the Related General Plan Amendment, Zone Change, Tentative Tract Map and EIR

Dear Mr. MacHott:

This letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government in response to the SB 18 notice provided by the City of Lake Elsinore, dated May 21, 2012. This letter serves as the Tribe's formal request for consultation under SB 18 for this Project. The Tribe hereby invokes its right to consult with the City of Lake Elsinore under SB 18. We request that a face-to-face meeting with representatives of the City be scheduled as soon as possible so that we can begin discussing our concerns regarding the significance of the area, presence of cultural resources in the area and the proposed Project's impact to such resources.

Further, the Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño named places, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area as well as extensive history with

Chairperson:
Germaine Arenas

Vice Chairperson:
Mary Bear Magee

Committee Members:
Evie Gerber
Darlene Miranda
Bridgett Barcello Maxwell
Aurelia Marruffo
Richard B. Scearce, III

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover

Pechanga Comment Letter to the City of Lake Elsinore
Re: Pechanga Tribe Request for SB 18 Consultation RE the Alberhill Villages SP
August 24, 2012
Page 2

both this Project and other projects within the area. We have previously submitted cultural affiliation information to the City however, during our consultation we will provide more specific, confidential information on the resources located on and near this Project.

The Tribe has not received any environmental documentation for this Project. Please provide us copies of all available archaeological studies, geotechnical reports, proposed grading plans, previously approved EIR's and any other applicable CEQA studies as soon as possible so that we may review them prior to our initial SB 18 meeting.

As you know, the SB 18 consultation process is ongoing and continues for the duration of the Project. As such, under both CEQA and SB 18 we look forward to working closely with the City on ensuring that a full, comprehensive environmental review of the Project's impacts is completed. Further, we hope to assist the City with ensuring that the Project is designed to avoid impacts to cultural resources, as mandated by CEQA, in addition to developing mitigation measures addressing the culturally appropriate and respectful treatment of human remains, cultural resources and inadvertent discoveries.

In addition to those rights granted to the Tribe under SB 18, the Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts.

The Pechanga Tribe looks forward to working together with the City of Lake Elsinore in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahover@pechanga-nsn.gov once you have had a chance to review these comments so that we might address the issues concerning the mitigation language. Thank you.

Sincerely,



Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need