

LAKE ELSINORE WALMART SUPERCENTER

Final Environmental Impact Report

Prepared for
City of Lake Elsinore

October, 2015



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Appendix A

Market Opportunity Brief

CHAPTER 1

Introduction

This Final Environmental Impact Report (Final SEIR) was prepared pursuant to the California Environmental Quality Act (CEQA) of 1970 (as amended) (California Public Resources Code 21000 et seq.) and in accordance with the State Guidelines for the California Environmental Quality Act (CEQA Guidelines). The City of Lake Elsinore is the CEQA lead agency for this EIR.

The proposed project addressed in this report is the Lake Elsinore Walmart Supercenter project located south of Highway 74/Cambern Avenue and north of 3rd street. The proposed project would consist of a retail center anchored by a Walmart Supercenter and including an additional three freestanding retail/restaurant tenants (outlots) on the undeveloped 17.66-acre site that is zoned for C-2 (General Commercial) and CMU (Commercial Mixed Use). The proposed retail anchor Walmart Supercenter would be approximately 154,487 square feet (SF), including a 3,090-SF seasonal outdoor garden center.

Development of the outlots along Central Avenue will consist of two alternative develop scenarios, with individual land use configurations. Option A would be developed as a gas station with 16 fueling stations, an approximately 3,100 SF convenience store, and a drive-through car wash and two other buildings which would be developed as separate drive-thru restaurants (3,700 SF and 3,100 SF). The total building area for Options A is 164,387 square feet. Option B would consist of one outlot being developed with approximately 9,310 SF of retail and/or restaurant space situated within two buildings, while the other two outlots will be developed with drive-thru restaurant uses similar to the proposed development under Option A. The total building area for Options B is 170,487 square feet. Each of these outlot options are evaluated in this Draft EIR as part of the proposed project, and the worst case development intensity for the outlots has been incorporated into the impact assessment.

1.1 Background

The environmental analysis of the proposed project was initiated by the City with the preparation of an Initial Study. Through the preparation of the Initial Study, the City determined that the project may have a significant impact on the environment, and that an EIR was necessary to analyze potentially significant impacts associated with the proposed project. A Notice of Preparation (NOP) was prepared and distributed with the Initial Study for a 30-day public review period, which commenced on May 27, 2014 and ended on June 27, 2014. Copies of the Initial Study, NOP and distribution list, and comments received in response to the NOP/Initial Study were included as Appendix A in the Draft EIR.

In addition to distribution of the NOP/Initial Study, a public scoping meeting was held at the City of Lake Elsinore Cultural Center located at 183 N. Main Street on Wednesday, June 18, 2014 from 6:00 p.m. to 7:00 p.m. to introduce the proposed Project to the community, and to provide an opportunity for the public to submit verbal and written comments and recommendations regarding the issues to be addressed in the EIR. Notification of the meeting included a direct mailing of the notice to public agencies and the surrounding community.

The Final SEIR is an informational document that must be considered by decision makers before approving or denying the proposed Major Modification. The Draft SEIR and Response to Comments constitute the Final EIR for the proposed project. As specified in Section 15132 of the *CEQA Guidelines*, this Final EIR consists of:

- a) The Draft EIR or a revision of the draft.
- b) Comments and recommendations received on the Draft SEIR either verbatim or in summary.
- c) A list of persons, organizations, and public agencies commenting on the Draft SEIR.
- d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- e) Any other information added by the lead agency.

CEQA Guidelines Section 15004 states that before the approval of any project subject to CEQA,¹ the lead agency must consider the final environmental document, which in this case, prior to approval of the proposed Major Modification the City must consider the Final EIR.

1.2 Use of the Final EIR and the CEQA Process

The Final EIR allows the public an opportunity to review any revisions to the Draft EIR, the response to comments, and other components of the EIR, prior to approval of the Major Modification. After completing the Final EIR and before approving the project, the lead agency must make the following three certifications, as required by Section 15090 of the *CEQA Guidelines*:

- The Final EIR has been completed in compliance with CEQA;
- The Final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information in the Final EIR prior to approving the project; and
- The Final SEIR reflects the Lead Agency's independent judgment and analysis.

As required by Section 15091(a) of the *CEQA Guidelines*, no public agency shall approve or carry out a project for which an EIR (including an SEIR) has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written

¹ The word "approval" is defined by Section 15352 of the CEQA Guidelines to mean "the decision by a public agency which commits the agency to a definite course of action in regard to a project intended to be carried out by any person..." In addition, the CEQA Guidelines state that "[w]ith private projects, approval occurs upon the earliest commitment to issue or the issuance by the public agency of a discretionary contract, grant, subsidy, loan, or other form of financial assistance, lease, permit, license, certificate, or other entitlement for use of the project."

findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale for each finding supported by substantial evidence in the record. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

These certifications and the Findings of Fact are included in a separate Findings document.

1.3 Method of Organization

This Final EIR for the proposed Lake Elsinore Walmart Supercenter contains information in response to concerns raised by written comments sent to the City of Lake Elsinore. The Final EIR is organized into the following chapters:

- Chapter 1, *Introduction*, consists of a summary of the background of the proposed project, information about the certification of the Final EIR, and a brief discussion of the intended uses of the Final EIR. Chapter 1 also contains the final Summary Table of Impacts and Mitigation Measures.
- Chapter 2, *Response to Comments*, contains a matrix of agencies and individuals that submitted written comments on the Draft EIR. This matrix identifies the issue areas addressed by those comments. Chapter 2 also includes a copy of each written comment letter, and a written response to each comment.

1.4 Focus of Comments

Section 15200 of the *CEQA Guidelines* establishes the purpose of public review of a draft environmental document, which include:

- (a) Sharing expertise,
- (b) Disclosing agency analyses,
- (c) Checking for accuracy,
- (d) Detecting omissions,
- (e) Discovering public concerns, and
- (f) Soliciting counter proposals.

Sections 15204(a) and 15204(c) of the *CEQA Guidelines* further state:

- (a) In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.
- (c) Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Section 15204(f) of the *CEQA Guidelines* establishes the rule that a responsible or trustee agency may submit proposed mitigation measures, limited to the resources subject to the statutory authority of that agency. These measures must include complete and detailed performance objectives for the measures or refer the lead agency to the appropriate guidelines or reference materials.

1.5 Environmental Impacts and Mitigation Measures

A detailed discussion of existing environmental conditions, environmental impacts and recommended mitigation measures is included in the Draft EIR, *Environmental Setting, Impacts and Mitigation Measures*, sections. Project impacts, recommended mitigation measures, and level of significance after mitigation were identified in the Draft EIR.

CHAPTER 2

Errata

This section contains revisions to the Draft EIR. The following corrections and changes are made to the Draft EIR, and are incorporated herein as part of the Final EIR. Revised language or new language is underlined. Deleted language is indicated by strikethrough text.

The changes below were made to the Draft EIR in response to comments received and errata discovered after the Draft EIR was circulated. These corrections and clarifications represent additional information or revisions that do not significantly alter the proposed project, change the Draft EIR's significance conclusions, or result in a conclusion that significantly more severe environmental impacts will result from the proposed project. Instead, the errata made to the Draft EIR below merely "clarifies or amplifies or makes insignificant modifications" in the already adequate Draft EIR, as is permitted by CEQA Guidelines Section 15088.5(b).

The following revisions to the text of the Draft EIR are made:

Executive Summary

Mitigation measure CULT-1 in page 1-8 of the Draft EIR Executive Summary has been revised as follows:

CULT-1: Prior to earth moving activities, a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior 2008) or a County of Riverside qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The project proponent shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. Prior to issuance of grading permit(s) for the project, the project proponent shall retain an archaeological monitor to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation. At least 30 days prior to seeking a grading permit, the project proponent shall contact the appropriate Tribe to notify that Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of

any cultural resources, sacred sites, and human remains discovered on the site. Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in this measure, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and ground breaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archeologist. The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate tribe for proper treatment and disposition.

Air Quality

The web address referenced in footnote 11 on page 4.2-35 of the Draft EIR has been changed to: <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper-appendix.pdf?sfvrsn=4>

Cultural Resources

Mitigation Measure CULT-1 will be amended to read as follows (underlined text is new):

CULT-1: Prior to earth moving activities, a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior 2008) or a County of Riverside qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The project proponent shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. Prior to issuance of grading permit(s) for the project, the project proponent shall retain an archaeological monitor to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation. At least 30 days prior to seeking a grading permit, the project proponent shall contact the appropriate Tribe to notify that Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the

agreement required in this measure, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and ground breaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archeologist. The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate tribe for proper treatment and disposition.

Hydrology and Water Quality

The reference to Figure 4.8-4 on page 4.7-15 of the Drat EIR is incorrect. The correct figure number is Figure 4.7-4. The reference to Figure 4.7.4 should be 4.7-4.

CHAPTER 3

Response to Comments

As stated in *CEQA Guidelines*, Sections 15132 and 15362, the Final EIR must contain information summarizing the comments received on the Draft EIR, either verbatim or in summary; a list of persons commenting; and the response of the lead agency to the comments received. Twelve comment letters/emails were received by the City in response to the Draft EIR. This chapter provides copies of each letter received and the responses to these comments. A summary of the comments is provided below in **Table 3-1**.

**TABLE 3-1
LIST OF COMMENTS RECEIVED**

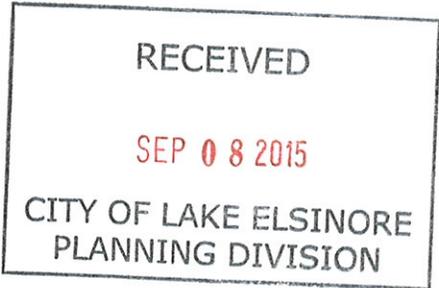
Letter Alpha	Agency/Commenter	Date of Letter	Date Received by City	Environmental Issues
A	SAF Oil, Inc. (DBA Arco am/pm)	September 3, 2015	September 8, 2015	• No Environmental Issues
B	Rudy Lacayo	September 21, 2015	September 22, 2015	• Hydrology
C	Pala Tribal Historic Preservation Office	September 8, 2015	September 8, 2015	• Cultural Resources – No Comments
D	Pauma Band of Mission Indians	September 8, 2015	September 15, 2015	• Cultural Resources
E	Riverside County Flood Control and Water Conservation District	September 22, 2015	September 28, 2015	• Hydrology – No Comments
F	Angela Dutchen	September 28, 2015	October 1, 2015	• Air Quality, Noise, Traffic
G	d'Amileau Baulk	October 8, 2015	October 8, 2015	• Urban Decay
H	Rincon Band of Luiseño Indians	September 29, 2015	October 8, 2015	• Cultural Resources
I	SoCal Environmental Justice Alliance	October 8, 2015	October 8, 2015	• Air Quality Noise Traffic
J	John O'Doherty, P.E.	October 13, 2015	October 13, 2015	• Hydrology
K	Southern California Edison	October 8, 2015	October 14, 2015	• Public Utilities
L	California State Clearinghouse	October 13, 2015	October 15, 2015	• General

The responses to comments to the letters received are provided below. These responses do not alter the proposed project, change the Draft EIR's significance conclusions, or result in a conclusion such that significantly more severe environmental impacts would result. Instead, the

information presented in the responses to comments “merely clarifies or amplifies or makes insignificant modifications” in the Draft SEIR, as is permitted by *CEQA Guidelines* Section 15088.5(b).

Regarding recirculation of the Draft EIR, *CEQA Guidelines* Section 15088.5, requires the lead agency to recirculate an EIR only when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review. New information added to an EIR is not significant unless the EIR has changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse, environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project’s proponent’s have declined to implement (*CEQA Guidelines*, Section 15088.5). In summary, significant new information consists of: (1) disclosure of a new significant impact; (2) disclosure of a substantial increase in the severity of an environmental impact; (3) disclosure of a feasible project alternative or mitigation measure considerably different from the others previously analyzed that would clearly lessen environmental impacts of the project but the project proponent declines to adopt it; and/or (4) the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (*CEQA Guidelines*, Section 15088.5). Recirculation is not required where, as stated above, the new information provided in response to the comments received to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate SEIR (*CEQA Guidelines*, Section 15088.5).

Ayman Mika
SAF Oil, Inc. (DBA Arco am/pm)
29355 Central Avenue
Lake Elsinore, CA 92532-2212



September 3, 2015

Richard J. MacHott
LEED Green Associate, Planning Manager
Community Development Department -- Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Dear Mr. MacHott:

Re: Walmart Supercenter Project

We have read with interest the "Notice of Availability/Notice of Completion of a Draft Environmental Impact Report" dated August 28, 2015 for the Lake Elsinore Walmart Supercenter Project. Thank you for bringing it to our attention as the project is near the site of our business and will impact us greatly. We are excited to have a big project like this coming so near to our business. Certainly, more shoppers and more traffic can have a positive impact on us.

A-1

Option A, however, would be devastating. To open another gas station with 16 fueling stations and 3,100 sq. ft. of retail space would be in direct competition to our business. We already compete with Chevron, Mobil, and Costco in terms of providing gasoline and fast food options. Both the freeway exit before ours and the one after ours have gas stations. Our gasoline sales volume is already not that strong. Another large gas station close by and competing directly for limited business could make it hard for us to stay in business in the future. Are you aware that Mobil is planning to expand? Why open another gas station that affects everyone when there is not enough business to go around already?

A-2

Certainly, the four gas stations that already exist are closer to the freeway. This is more convenient for people getting on or off the freeway.

We have to note that cars are becoming very efficient, and gas consumption per car is much less than it was ten years ago. This trend will continue in the future as car manufacturers comply with government regulations. Also, we all have to

A-3

wonder about the long term future of the gasoline business in general because of the growing popularity of electric cars. It seems short-sighted to build another large gas station when the future of the industry is by no means certain.

↑
A-3
cont.

We are very excited about having Walmart as our neighbor, and Option B with even more shops and dining options can only be good for us and the other gas stations that already exist. We certainly hope that others share our opinion.

↑
A-4

Please be sure to send me details about the public hearing dates when they are set. I will follow this issue with great interest. Thank you very much.

Sincerely,

Ayman Mika

Response to Letter A: SAF Oil, Inc. (DBA Arco am/pm)

- A-1** The comment references the DEIR and unspecified impacts. No additional response is required.
- A-2** The comment references the Option A portion of the Project description, and indicates that the implementation of Option A would create additional competition for the commenter's business (Arco am/pm) and references the existing gasoline stations in the vicinity of the Project site. The DEIR evaluated the potential for Urban Decay in the Lake Elsinore Trade Area in Section 4.12. Urban decay is defined as a substantial physical deterioration, due to business closures and long term vacancies in existing shopping centers, that impairs the health, safety and welfare of the surrounding communities. The DEIR documented a total of 32,763 SF of gasoline station land uses within the trade area. (DEIR, Table 4.12-4.) Table 4.12-5 in the DEIR documents the potential demand for gasoline in the trade area through 2027 and concludes that the demand for gasoline will continue to increase, and will be more than sufficient to support the proposed gas station component of the Project and would not have a significant competitive impact on the existing gas stations within the trade area. Sales impacts to existing gasoline stations are expected to be less than significant with respect to Urban Decay.

To the extent that the commenter is concerned about competition and demand, the comment does not relate to impacts to the environment. “[S]ocial, economic and business competition concerns are not relevant to CEQA analysis unless it is demonstrated that those concerns will have a significant effect on the physical environment.” (Maintain Our Desert Environment v. Town of Apple Valley (2004) 124 Cal.App.4th 430, 446). CEQA is not a fair competition statutory scheme for fostering, protecting or otherwise affecting economic competition among commercial enterprises. (Waste Management of Alameda County, Inc. v. County of Alameda (2000) 79 Cal.App.4th 1223, 1235, disapproved on other grounds by, Save the Plastic Bag Coalition v. City of Manhattan Beach (2011) 52 Cal.App.4th 155). Therefore, no response to these comments is necessary for CEQA purposes. Nonetheless, please see the Market Opportunity Brief prepared by Development Management Group, Inc., dated October 7, 2015, which is included in Appendix A. That brief outlines the market growth and demand growth for fuel and convenience stores in the vicinity of the proposed project.

Regarding the comment that the Mobil station plans to expand, we assume that the comment is referring to the Circle K located at 29300 Central Ave. In 2014, the City approved a remodel of the station that included adding one gas pump and increasing the size of the store by 2,600 square feet.

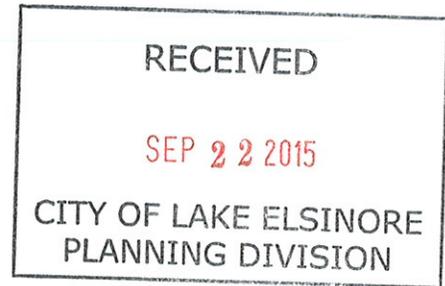
The comment suggests that other gas stations may be more convenient than the gas station proposed in Option A of the Proposed Project for persons getting on and off the freeway. This comment is noted. No additional response is needed.

- A-3** The comment references the growing consumer demand for electric vehicles and the future demand for gasoline stations. No specific comment relative to the DEIR is stated and no additional response is required. See also the Response to Comment A-2.
- A-4** The comment indicates support for the Option B project description alternative and requests public hearing date information. The City of Lake Elsinore will provide the commenter with the responses to the comments and public hearing notification.

Mr. Robert J. MacHott, Planning Manager
Community Development Dept. Planning Division
City of Lake Elsinore
130 South Main St.
Lake Elsinore, Calif 92530

Sep. 21, 2015

CC. Mr. Grant Taylor, Community Development Director
Mr. Grant Yates, City Manager
Mr. Steve Manos & Lake Elsinore City Council Members



Honorable Sirs,

In reviewing the EIR, Appendix H (Hydrology) for the Walmart Superstore proposed for Lake Elsinore, I have encountered several serious concerns, and these are centered on the drainage issues for the proposed project. From what I can determine all drainage of water in the Cambern & Third St. areas will flow towards the southern boundary of the Walmart parcels , then head westerly towards Dexter Ave and the 1-15 freeway either by means of an open channel or a culvert. Once this flow reaches Dexter Ave and crosses over, is what I am concerned about. As per the maps showing in Part 2 Hydrology Report, the water will flow along Third St. towards the 1-15 Frwy, and also southeasterly along Dexter Ave to what is referred to as "the Dexter Ave Dip" , but I don't find any resolution from this point forward. Our family owns (6) parcels on the southeast side of Third St., along Dexter Ave for approximately 670 ft. AP #377-080-061, 062, 063 and AP# 377-080-048, 049, 051. Now if you look at the maps that I mentioned under Part 2 and a parcel map for our parcels, you can see how all drainage flows onto our parcels.

B-1
B-2
B-3

Our concerns and questions are ; Does the City have a plan once the water crosses Dexter Ave, or are you going to allow everything to flow onto our properties, and now it is our problem ? Does the City of Lake Elsinore have a drainage master plan for this particular area, or will you take each separate proposed development plan and address the issues separately ? Will we be left with a massive problem on our parcels as a result of this Walmart Development plan, or will our issues be addressed as part of an overall plan, with some kind of direction and assistance from the City of Lake Elsinore ?

B-4
B-5
B-6

I respectfully request that you address our concerns with some kind of definitive answers.

Sincerely,

Rudy Lacayo
Po Box 1096
Lake Elsinore, Calif 92531
Rudy.Lacayo@Century21.Com
951-471-6522

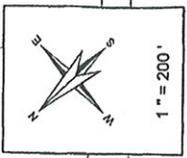
377-08
18-21

TRA 005-018
005-023
005-058
005-062

POR. SEC. 31 T.5S R.4W
CITY OF LAKE ELSINORE

NO WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY
WED TO BE HELD FOR ANY OF THE DATA SHOWN. ASSESSOR'S PARCEL
T COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

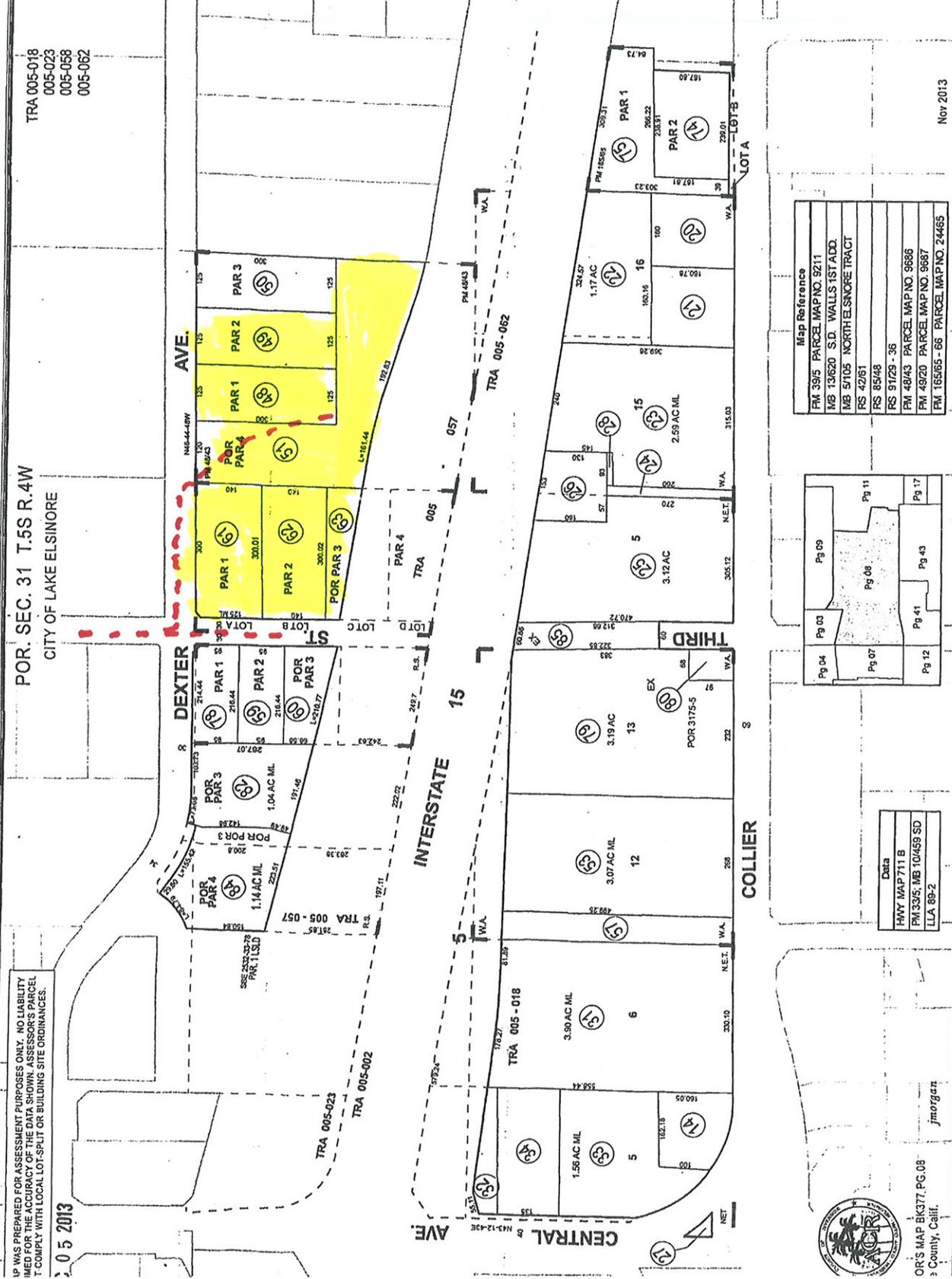
05 2013



Legend

- - - - - Lvl Lines
- - - - - Right-Of-Way
- - - - - Old Lot Lines
- - - - - Reference R.O.W
- - - - - Other Easements
- - - - - Lease Area
- - - - - Subdivision Tie Mark

Date	Old Number	New Number
12/17/17	17	20,30
2/17/17	4,3	31,33
4/17/17	4,3	39
4/17/17	39	35,39
5/17/17	16	43,ST
5/17/17	30	ST
5/17/17	42,36	41,42
5/17/17	43	ST
12/17/17	3	44,1,52
12/17/17	29	44,47
12/17/17	6	53,ST
12/17/17	18	54,ST
2/17/17	815	55
5/17/17	3	54,1,ST
5/17/17	3	51,ST
8/17/17	54	63,11
10/17/17	35	63,ST
12/17/17	41	63,ST
12/17/17	45	63,ST
12/17/17	46	63,ST
12/17/17	47	63,ST
8/17/17	1	ST
9/17/17	55	64,ST
12/17/17	64	65,48
8/17/17	ADD ASMT.	69
8/17/17	ADD ASMT.	70
5/17/17	70	71,19,7
8/17/17	65,66,68	19,48
8/17/17	19	72
8/17/17	ST.	73
10/17/17	73,63,60	03,72
11/17/17	72	74,75
2/17/17	41,56,58	76,78
2/17/17	52	79,80
10/17/17	67,69,71	81,82
12/17/17	76	81,82
12/17/17	77,81	83
5/6/2008	83	84,85
11/17/2013	ADD ASMT	85



Map Reference

FM 3915	PARCEL MAP NO. 9211
MB 13620	S.D. WALLS 1ST ADD.
MB 5705	NORTH ELSNORE TRACT
RS 42/61	
RS 85/48	
RS 91/29	- 36
FM 48/43	PARCEL MAP NO. 9686
FM 49/20	PARCEL MAP NO. 9687
FM 16565-66	PARCEL MAP NO. 24465

Pg 03	Pg 09
Pg 04	Pg 11
Pg 07	Pg 08
Pg 12	Pg 41
Pg 17	Pg 43

DRAWN BY

HARY MAP 711 B
FM 3395; MB 10459 SD
LLA 89-2



OR'S MAP BK377, PG.08
3 County, Calif.
jmorogan

Nov 2013

Response to Letter B: Rudy Lacayo

B-1 The comment generally describes the drainage patterns in the area. However, as explained in the DEIR on page 4.7-15, there are two potential drainage scenarios: one is based upon the assumption that the City Area Drainage Plan, depicted in Figure 4.7-4 has been installed, and the second is based upon the assumption that the City Area Drainage Plan has not been installed.

B-2 This comment appears to relate to the second scenario described in Response to Lacayo Comment B-1. The DEIR (Section 4.7) contains a thorough discussion of hydrology and drainage impacts associated with the Proposed Project. The Proposed Project design would accommodate flows on the southern boundary of the Walmart Supercenter site. Stormwater flows would be conveyed from Cambern Avenue through a storm drain structure with varying widths into an on-site 73-foot-wide stormwater detention basin/open channel, which would be located along the boundary of the Project site adjacent to 3rd Street. At capacity, the channel would overtop, and water would be directed via spillways and flow onto 3rd Street. Within Appendix H, the Preliminary Hydrology Report, Appendix D, Sheet DM2 contains a detailed depiction of drainage patterns in the post-development condition, assuming that the City Area Drainage Plan (described further below) has not been implemented. Sheet DM1 contains the drainage patterns in the area that currently exist. As discussed in the DEIR, and as demonstrated in detail in Appendix H, the drainage flows in the vicinity of the commenter's property are not increased as a result of the Project. In both instances, the flows closest to the commenter's property are identified as "Q16." The amount of the flow at this location is unchanged as a result of the Proposed Project. The predevelopment flow at this location is 1248 cfs in the 100-year storm setting. The post-development flow at this location is 1248 cfs in a 100-year storm at this location. If the City does not proceed with the implementation of the City Area Drainage Plan prior to the implementation of the Proposed Project and the drainage improvements are installed on the Project site along 3rd Street, the movement of approximately 755 cfs of drainage flows would be slowed down as those flows pass through the 73-foot-wide open channel/detention basin before flowing southeast toward the commenter's property.

As previously described in the DEIR, the City is in the process of preparing an area hydrology plan (Area Hydrology Plan) for the 3rd Street area in consultation with the Riverside County Flood Control District and Water Conservation District and Caltrans. The Area Hydrology Plan would include drainage and flood control facilities that will encompass the Project site and surrounding area. The drainage improvement plans based on 35% plans are depicted in Figure 4.7-4 in the DEIR. Under the Plan, stormwater would be conveyed from the existing earthen channel located at Cambern Avenue and directed south on Cambern Avenue, and then west on 3rd Street, under I-15, and into an earthen/rip-

rap channel, which would connect to the existing 3rd Street channel and into the Temescal Wash. The proposed Area Hydrology Plan would include installation of a permanent drainage system (including an inlet structure, storm drains, curbs and gutters, catch basins, and an open channel) to capture and direct run-off from the Project area. Storm drain sizes will range from an 84-inch reinforced concrete pipe (RCP) in Cambern Avenue and 72- and 48-inch RCPs in 3rd Street. A steel-jacketed 108-inch pipe with an 84-inch RCP will be jack and bored under I-15 and connected to the proposed 378-foot-long, 70-foot-wide earthen/rip-rap trapezoidal channel. The proposed area drainage plan will also capture off-site drainage that currently flows onto the Project site and convey it into the proposed area-wide drainage system. These improvements would greatly decrease the stormwater flows onto the commenter's property in a 100-year storm event.

The diagrams in the hydrology report the commenter may be referring to did not include the City's proposed drainage improvement. However, it is important to note that the Proposed Project would not increase the volume or intensity of stormwater flows, as discussed above, onto the commenter's property, even if the City's Area Hydrology Plan is not implemented.

If the Area Hydrology Plan is not adopted and installed by the City prior to construction of the Proposed Project, then the Proposed Project design would be implemented to accommodate flows on the southern boundary of the Walmart Supercenter site. The storm drainage design would include conveyance of stormwater flows from Cambern Avenue through a storm drain structure with varying widths into an on-site 73-foot-wide stormwater detention basin/open channel, which would be located along the southern boundary of the Project site adjacent to 3rd Street. If required, this interim facility will detain/retain stormwater onsite and add no net increase of stormwater to downstream properties, until such time as the permanent City drainage solution is constructed.

- B-3** The information regarding the ownership of the referenced parcels is noted. Regarding the drainage flows, please refer to response B-2.
- B-4** Regarding the City's Area Hydrology Plan, please see response B-2. In addition, as described above and in the DEIR, the Proposed Project does not increase or intensify the stormwater reaching the commenter's property in the 100-year storm event.
- B-5** Regarding the City's Area Hydrology Plan, please see response B-2. As described above and in the DEIR, the City is in the process of developing its Plan. In the interim, in order to be conservative, the drainage analysis for the Proposed Project has been prepared to cover either scenario – either integrating with the City's Area Drainage Plan or installing site-specific improvements that capture and redirect off-site stormwater flows in a manner that does not increase or intensify the flows.
- B-6** Please refer to response B-2. As explained above and in the DEIR, the Proposed Project will not change the drainage patterns at the commenter's property. However, the

implementation of the City's Area Drainage Plan, which is not part of the Proposed Project, would improve the drainage in that area.

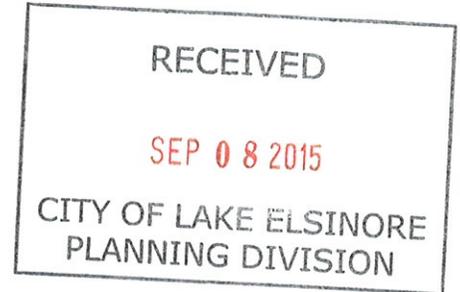
**PALA TRIBAL HISTORIC
PRESERVATION OFFICE**

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



September 8, 2015

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



Re: Lake Elsinore Walmart Supercenter Project

Dear Mr. 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

C-1

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.

Response to Letter C: Pala Tribal Historic Preservation Office

- C-1** The City acknowledges the letter submitted by the Pala Band of Mission Indians indicating that the Proposed Project site is not within the boundaries of the recognized Pala Indian Reservation and that the Pala Band of Mission Indians defers to Tribes in closer proximity to the project area. No further response is necessary.



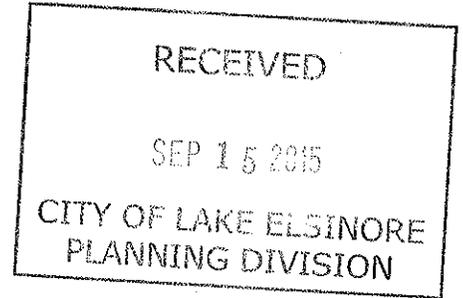
Pauma Band of Mission Indians

P.O. Box 369 • Pauma Valley, CA 92061 • (760) 742-1289 • Fax (760) 742-3422

Established 1893

September 8, 2015

Mr. Richard MacHott
Community Development Department – Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA. 92530



Re: Lake Elsinore Walmart Supercenter Project

Dear Mr. MacHott,

The Pauma Band of Luiseno Indians has received your August 28 notice on the completion of a Draft Environmental Impact Report for the Lake Elsinore Walmart Supercenter Project. Thank you for providing the Cultural Study in your mailing.

D-1

After reviewing the information provided, we have concerns with the archaeologist's recommendations. The proposed project does lie within the ancestral territory of the Luiseno people. Providing a sensitivity training to the construction staff does not provide assurances to the Pauma Band that possible buried cultural resources will not be disturbed. Our recommendation would be to have all ground disturbing activities monitored by an archaeologist and Native monitor.

D-2

If there are any questions, please contact us.

Sincerely,

Mr. Temet Aguilar
Chairman
Pauma Band of Luiseno Indians

Response to Letter D: Pauma Band of Mission Indians

- D-1** The City acknowledges Pauma Band of Luiseño Mission Indians gratitude for providing a draft of the Cultural Impact Study prepared for the project. This comment does not raise any environmental issues and therefore, no further response is required.
- D-2** The commenter expresses concern with the archeologist's recommendations included in the draft Cultural Impact Study and recommends that all ground disturbing activities be monitored by an archeologist and a native monitor. Potential impacts to cultural resources, including Native American cultural artifacts, are analyzed in depth in Section 4.4 of the DEIR prepared for the Proposed Project, and the supporting Phase I Cultural Resource Study included in Appendix D to the DEIR. The Phase I Cultural Resource Study for the Proposed Project included a record search for a one mile radius surrounding the Project site, a Sacred Lands File search at the California Native American Historical Commission ("NAHC"), and follow-up correspondence with all individuals and groups indicated by the NAHC as having affiliation with the Project site. The records search indicated that a total of 18 cultural resources have been previously recorded within one mile of the Project site but that none are located within the boundaries of the Project site. (DEIR, page 4.4-10) Moreover, a Sacred Lands File search for the Project site failed to indicate the presence of Native American cultural resources within the Project site. A cultural resource survey of the Project site was conducted on March 7, 2014. That survey revealed that no cultural resources on the project site. This confirms the results of a prior cultural resource study of the Project site conducted in June of 2007. (DEIR, page 4.4-9) Furthermore, the Project site has been heavily disturbed by non-historic residential development and grading activities which makes it highly unlikely that any archeological and cultural resources exist on the Project site. (DEIR, page 4.4-12) Regardless, the DEIR recommends several mitigation measures to protect against the inadvertent discovery of unknown cultural resources during project grading and construction activities.

Mitigation Measures CULT-1 requires that prior to any earth movement activity, a qualified archeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology or a County of Riverside qualified archaeologist must conduct cultural resources sensitivity training for all construction personnel. The personnel will be provided with information regarding the types of archeological resources that might be encountered, and what the proper protocol is if such an encounter is made. Mitigation Measure CULT-2 requires Project construction activities to halt if unknown cultural resources are encountered during grading and excavation activities, until a qualified archeologist is retained to examine the find. If the find is determined to be significant or potentially significant, the archeologist shall prepare a treatment plan and shall contact the appropriate Native American tribal representatives, as identified by the Native American Heritage Commission. The City will thereafter consult with the appropriate Tribe, if

requested, on the discovery and disposition. Based on the assessed likelihood of inadvertently finding unknown culturally significant resources during construction activity and the City's commitment to consult with tribes, should any culturally significant find be made, the City has concluded that the existing mitigation measures are sufficient to mitigate impacts to less than significant levels.

Nonetheless, pursuant to the commenter's suggestions, Mitigation Measure CULT-1 will be amended to read as follows (underlined text is new):

CULT-1: Prior to earth moving activities, a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior 2008) or a County of Riverside qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel shall be informed of the types of archaeological resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The project proponent shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. Prior to issuance of grading permit(s) for the project, the project proponent shall retain an archaeological monitor to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation. At least 30 days prior to seeking a grading permit, the project proponent shall contact the appropriate Tribe to notify that Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in this measure, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and ground breaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archeologist. The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate tribe for proper treatment and disposition.

WARREN D. WILLIAMS
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

172570

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

September 22, 2015

City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Attention: Richard J. MacHott

Ladies and Gentlemen:

Re: Lake Elsinore Walmart Super Center

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

E-1

The District has not reviewed the proposed project in detail and the following comment does not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

- 1. This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

E-2

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

E-3

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

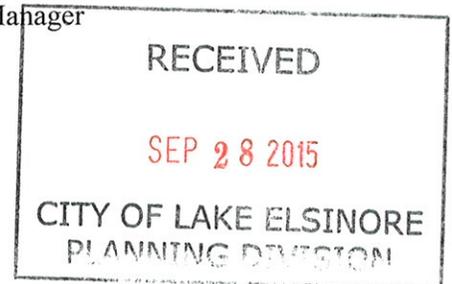
E-4

Very truly yours,

HENRY OLIVO
Engineering Project Manager

c: Riverside County Planning Department
Attn: Kristi Lovelady

SMK:blm



Response to Letter E: Riverside County Flood Control and Water Conservation District

- E-1** The comment indicates that the Proposed Project will not impact any District Master Plan Drainage facilities. No additional Response is required.
- E-2** The Project applicant and City of Lake Elsinore will comply with all State Water Resources Control Board (Santa Ana Region) National Pollutant Discharge Elimination System permit requirements for the Proposed Project.
- E-3** The Project site is not located within a FEMA mapped floodplain.
- E-4** There are no federal or state jurisdictional water located on the project site and as such, a U.S. Army Corps of Engineers Clean Water Act Section 404 permit, a California Department of Fish and Wildlife 1602 permit and /or a Regional Water Quality Control Board Clean Water Act Section 401 water quality certification is not required.

September 28, 2015

City of Lake Elsinore City Hall
Attn: Richard MacHott
Planning Manager
130 South Main Street
Lake Elsinore, CA 92530

VIA U.S. POSTAL SERVICE AND EMAIL

RE: Response to the Notice of Availability/Notice of Completion of a Draft Environmental Impact Report Regarding the Issues with the Proposed Walmart Supercenter Site on Central Avenue

Dear Mr. MacHott:

I am writing in response to the Notice of Availability/Notice of Completion of a Draft Environmental Impact Report ("DEIR") which was delivered via Fedex to my home in late August.

Per the findings stated in the DEIR it appears there is nothing that will mitigate the long term negative effects on the air, noise and traffic pollution which will be caused by the proposed Walmart Supercenter Store based on either options. As my home is located at the corner of Central Avenue and Conard, the increased air, noise and traffic pollution will directly affect my family. There are several studies linking elevated noise level with issues such as hearing loss, cardiovascular health problems, and elevated stress levels. In addition, elevated noise levels have been found to negatively affect the cognitive and physical development of children and school performance. This makes elevated noise levels not only a quality of life issue but a health and learning issue. The increased traffic on Central Avenue will no doubt bring elevated noise levels which will directly affect my family and home.

F-1

What the DEIR did not address is that with the increased traffic will also come increased traffic accidents and an increase in foot traffic. There have been numerous accidents already to the outer brick wall, but due to this wall which lines Central Avenue, minimal damage has been experienced by the home owner.

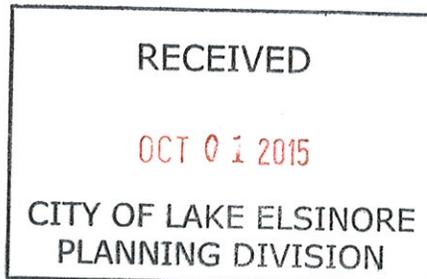
As previously requested in my original letter, I am requesting a brick wall be built on the side of my property if either Option A or B is approved, which will not only keep my children safer in their own backyard with the increase of foot traffic, but will also absorb damage from potential crashes and keep my property safe. A brick wall as noted above would also lessen the affects of the noise pollution and the increased traffic noise from ~~for~~ both vehicle and foot traffic for not only my family but for the entire neighborhood.

F-2

I thank you for your time and consideration of my concerns. Please ensure that I am added to the notification list so that I will be able to review the Environmental Impact Report once it is made available to the public.

Sincerely,

Angela Dutchen
29123 Allan Street, Lake Elsinore, CA 92532



Response to Letter F: Angela Dutchen

F-1 The DEIR includes detailed noise and air quality studies (Technical Studies) that analyze both short-term and long-term impacts the proposed project would have on the environment. Based on those studies, the DEIR recommends mitigation measures that will be incorporated into the project to decrease impacts to both local and regional air quality and noise from the project. The commenter's property is located approximately 1,500 feet from the project site, separated by existing residential properties, Central Avenue and Conard Avenue. Given the distance between the Commenter's property and the Project site, and the analysis included in the Technical Studies, there will be no significant impacts to the Commenter's property from the Project.

A Traffic Impact Assessment ("TIA") was prepared for the project and the TIA analyzed the increase in traffic volume at the intersection of Central Avenue and Conard Avenue ("Intersection"). The Intersection is currently signalized and the TIA concluded that the additional traffic from the Project would not result in the Intersection operating at an unacceptable level of service. The CEQA Guidelines do not require the TIA or DEIR to analyze traffic accidents at an intersection, provided the intersection is designed and operates within an acceptable level of service. To that end, the City of Lake Elsinore makes every effort to ensure intersections and traffic signals operate in a manner that protects public health and safety. The Intersection, as constructed today, does not have any known defects or traffic hazards.

F-2 The Commenter has requested installation of a block wall along the edge of their property. There exists a block wall along Central Avenue, the rear of the commenter's property and a chain link fence along Conard Avenue, side yard. As stated previously, the Project site is approximately 1,500 feet away from the Commenter's property and the Project will not have any significant impacts, or result in significant increase in noise at the commenter's property and the installation of a block wall along Conard Avenue is not required by law. See Response to Comment F-1. In addition, the subject property is private and neither the applicant nor the City has the legal authority to construct physical improvements on private property.

Richard J. MacHott, LEED Green Assoc.

From: d baulk <damileau2003@yahoo.com>
Sent: Thursday, October 08, 2015 5:46 PM
To: Richard J. MacHott, LEED Green Assoc.
Subject: New Walmart business concerns

Mr. Machott

My concerns that Walmart needs to address.

1st

The current location must be addressed. Walmart has a history of leaving buildings empty across the nation. We only need to look at Hemet for local examples.

A COA should include language that guarantees they will retain new occupants in the old location within 1 year of location change. If they do not, the city should have the right of condition to use at a discounted amount. We do not need another Kmart/Trevi building left for the citizens to have to look at.

G-1

2nd

Deceptive literature sent by Walmart to residents. It claims current employees number 215 and will hire an additional 85 permanent. It also goes on to state their prevailing wage for full time employees is \$13.32 an hour. The way the article is written is to imply many new full time positions maybe on the way. However they do not say that. They do not say how many of the current staff are full time, nor do they mention how many of the new positions will be full time.

G-2

As we all know, Walmart is notorious for keeping employees below the full time level so as not to have to pay the Full time wage nor benefits. The city needs to get a clarification and determination about the level of employees and a commitment to bring full time full benefit positions or there is little benefit to the working community.

3rd

Many communities have demanded that Walmart exteriors be updated and appealing to the community. This is important for a variety of reasons. Other cities have required pleasing structures with friendly pedestrian areas, so The City of Lake Elsinore planning department must demand no less for submitted proposals.

G-3

Best

d'Amileau Baulk
cell 415.572.6146

"It's not what you gather, but what you scatter that tells what kind of life you have lived."

-Helen Walton

Response to Letter G: d'Amileau Baulk

G-1 The commenter expresses concern regarding the existing Walmart store in Lake Elsinore and whether it will be repurposed. DEIR contained an analysis of this issue at pages 4.12-12 to 4.12-13. Table 4.12-6 in the DEIR shows that by 2017, there is more than sufficient demand to support some type of retail reuse of the existing store. Moreover, a condition of approval will be imposed on the Proposed Project that will insure that the property owner will keep the existing Walmart building and property in good repair pending its reuse.

The comment suggests that the City impose a requirement that if the reuse of the building does not occur within one-year of the opening of the new store, the City should have the right to use the building at a discounted amount. Imposing such a requirement is beyond the City's legal authority. In imposing conditions of approval, a public agency may only exercise powers provided by legal authority. (Pub. Res. Code § 21004.) The City does not have the authority to impose such a requirement. However, the City possess police powers, including code enforcement powers, to ensure that the existing Walmart building and site is well maintained pending reuse.

G-2 The commenter expresses concern about Walmart's wages and literature relating to those wages. This comment does not relate to an environmental impact or to the content of the DEIR. Therefore, no further response is necessary. The comment will be provided to the decision makers for their consideration.

G-3 The comment relates to the exterior design of the proposed Walmart building. This comment does not relate to an environmental impact or to the content of the DEIR. Therefore, not further response is necessary. The comment will be provided to the decision makers for their consideration.

RINCON BAND OF LUISEÑO INDIANS

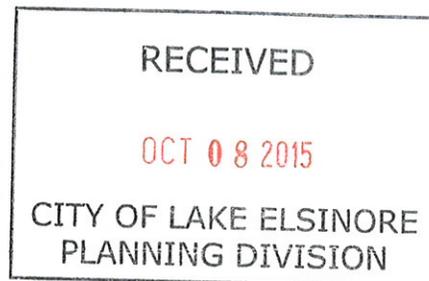
Culture Committee

1 W. Tribal Road · Valley Center, California 92082 ·
(760) 297-2621 or (760) 297-2622 & Fax:(760) 749-8901



September 29, 2015

Richard Machott
City of Lake Elsinore
Community Development Department
Planning Division
130 South Main Street
Lake Elsinore, CA 92530



Re: Lake Elsinore Walmart Supercenter Project

Dear Mr. Machott:

This letter is written on behalf of Rincon Band of Luiseño Indians. We have received your notification regarding the Lake Elsinore Walmart Supercenter Project and we thank you for the SB18/AB52 continued consultation notification. The location you have identified is within the Territory of the Luiseño people.

Embedded in the Luiseño Territory are Rincon's history, culture and identity. The project is within the Territory of the Luiseño people but, is not within Rincon's Historic Boundaries. We do not have any additional information regarding this project but, we defer to the Pechanga Band of Luiseño Indians or Soboba Band of Luiseño Indians who are closer to your project area.

H-1

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

Sincerely,

Jim McPherson
Manager
Rincon Cultural Resources Department

Response to Letter H: Rincon Band of Luiseño Indians

H-1 The City acknowledges the letter submitted by the Rincon Band of Luiseño Indians indicating that the proposed project site is not within The Territory of Rincon Band of Luiseño Indians and that they defer to Tribes in closer proximity to the project area. No further response is necessary.



October 8th, 2015

VIA US MAIL AND EMAIL

City Planning Commission & City Council
 City of Lake Elsinore
 130 S. Main Street
 Lake Elsinore, CA 92530

Richard J. MacHott, LEED Green Associate, Planning Manager
 Community Development Department – Planning Division
 rmachott@lake-elsinore.org

Diana Girón
 Acting City Clerk
 dgiron@lake-elsinore.org

SUBJECT: COMMENTS ON WALMART SUPERCENTER PROJECT

To whom it may concern:

Thank you for the opportunity to comment on the Environmental Impact Report for the proposed Walmart Supercenter Project. Please accept and consider these comments on behalf of SoCal Environmental Justice Alliance.

Project Description:

The proposed project involves the constructions and operation of a retail center including a Walmart Supercenter and three freestanding retail/restaurant buildings on an undeveloped 17.66- acre site that is zoned for C-2 (General Commercial) and CMU (Commercial Mixed Use). The proposed retail Walmart Supercenter would be approximately 154,487 square feet (SF). The outlet development planned for the parcels fronting Central Avenue would consist of one of two site configurations. Option A would consist of a gas station with 16 fueling stations, an approximately 3,100 SF convenience store, and a drive-through car wash and two other buildings which would be developed as separate drive-thru restaurants (3,700 SF and 3,100 SF). The total building area for Option A is 164,387 square feet. Option B consists of one outlet being developed with approximately 9,200 SF of retail and/or restaurant space situated within two buildings while the other two outlots will be developed with drive-thru restaurant uses similar to



I-1

the proposed development under Option A. The total building area for Option B is 170,487 square feet.

↑ I-1
cont.

Comments

The Draft EIR is inadequate and a supplemental EIR is required to be prepared and recirculated for public comment. In particular, the EIR suffers from the following significant errors and omissions, among others:

I-2

Air Quality Impact 4.2-1: Significant and Unavoidable after Mitigation

The General Plan Land Use designations for the project are C-2 (General Commercial) and CMU (Commercial Mixed Use), the zoning designations for the project are General Commercial and Commercial Mixed Use. Although the project is generally consistent with the land use and zoning designation, it is anticipated that the project will result in a more intense land use (e.g., would generate more trips than what would otherwise occur under the existing land use and zoning designations) and would consequently result in greater emissions than what would have been “accounted for” in the AQMP based on the existing land use and zoning designations.

The project promotes a suburban center setting that increases the diversity of land use. The project design includes: the relocation of the existing bus stop that along Central Avenue, providing a bus turnout accessible to the project; 57 parking spaces reserved for clean air vehicles, and 36 bicycle racks. These project design features would reduce vehicle miles traveled associated with the project, however, this would not offset the emissions increase anticipated by the more intensive land use proposed by the project. As such, the project would not be consistent with the AQMP since it would result in the development of a more intense land use. Therefore, the project would conflict with, or obstruct, implementation of the AQMP and this impact would be significant.

I-3

This DEIR acknowledges that this is a Significant and Unavoidable Impact, even after mitigation. The DEIR fails to analyze the specifics of both options for development. The increased square footage of Option B requires further and unique study. The proposed gas station with 16 fueling stations in Option A will have a significant impact and altered effect on the air quality. The DEIR must evaluate and analyze the specifics of both options for development in all areas, especially air quality.

Air Quality Impact 4.2-2: Significant and Unavoidable after Mitigation during Operations

The DEIR acknowledges that implementation of the project would result in long-term regional emissions of criteria air pollutants and ozone precursors associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products, in addition to operational mobile emissions. The distinct uses under Options A and B with respect to the gas station vs additional retail/restaurant use would result in distinctly different daily emissions levels.

I-4
↓

Option A

Under Option A, the proposed project would include the development of a 154,487 SF Walmart Supercenter (which includes a 3,090 SF Garden Center), two fast-food restaurants with drive-thru windows totaling 6,800 SF, and a gas station/convenience store/car wash with sixteen fuel stations. Option A is anticipated to exceed the thresholds of significance established by the SCAQMD for emissions of VOCs and NOx. The incorporation of Mitigation Measures AQ-2 and AQ-3 will reduce emissions of VOC and NOx; however, they will not be reduced below significance levels. Option A would result in a significant impact for VOCs and NOx for project-related regional operational emissions.

The DEIR fails to adequately mitigate for operational emissions of VOCs and NOx, even after some mitigation measures are implemented. The significance of this impact must be reduced even further to ensure it is in compliance with SCAQMD regional thresholds of significance. The violations of existing federal and state ozone standards must be corrected. There must be adequate mitigation for operational emissions of VOCs, NOx, CO, and PM10 that remain above regional significance thresholds. The DEIR fails to acknowledge any adequate mitigation measures for the long-term air quality and pollutant impacts. The DEIR must be substantially supplemented, amended, and recirculated to adequately mitigate these significant long-term impacts.

I-4
cont.

Option B

Option B for the proposed project would include the Walmart store and Garden Center along with approximately 4,600 SF of specialty retail shops, 4,600 SF of fast-food restaurants without drive-thru ability, and two fast-food restaurants with drive-thru windows, totaling 6,800 SF.

Their daily operational emissions of Option B are anticipated to exceed the thresholds of significance established by the SCAQMD for emissions of VOCs and NOx. The incorporation of Mitigation Measures AQ-2 and AQ-3 will reduce emissions of VOC and NOx; however, they will not be reduced to below significance levels. Option B would also result in a significant impact for VOCs and NOx for project-related regional operational emissions.

The DEIR fails to adequately mitigate for operational emissions of VOCs and NOx, even after some mitigation measures are implemented. The significance of this impact must be reduced even further to ensure it is in compliance with SCAQMD regional thresholds of significance. The violations of existing federal and state ozone standards must be corrected. There must be adequate mitigation for operational emissions of VOCs, NOx, CO, and PM10 that remain above regional significance thresholds. The DEIR fails to acknowledge any adequate mitigation measures for the long-term air quality and pollutant impacts. The DEIR must be substantially supplemented, amended, and recirculated to adequately mitigate these significant long-term impacts.

I-5

Air Quality Impact 4.2-3: CO Emissions

Under Option A, daily project activities would result in 9,543 trips on weekdays and 1,092 trips on Saturdays. Under Option B, daily project activities would result in 11,723 trips on

I-6

weekdays and 1,204 trips on Saturdays. Because the potential for CO hotspots in the Basin is relatively low based as discussed under the methodology section above, the analysis of CO hotspots bases the analysis for both Options A and B on the traffic generated by Option B (the worst case scenario/highest trips). The DEIR must report and analyze the CO emissions from the project potential to expose sensitive receptors to substantial pollutant concentrations separately for each development option. The unique and different uses in each option indicate that separate analysis is required to determine the true impact of each option. The DEIR must evaluate and analyze the specifics of both options for development in all areas, especially air quality.

I-6
cont.

Air Quality Impact 4.2-9: Significant and Unavoidable for Cumulatively Considerable Criteria

Options A and B are discussed either together or separate for cumulative impacts as they were discussed in the project impact analysis above. The DEIR must report and analyze the cumulatively considerable net increase of criteria pollutants separately for each development option. The unique and different uses in each option indicate that separate analysis is required to determine the true impact of each option. The DEIR must evaluate and analyze the specifics of both options for development in all areas, especially air quality.

I-7

Operational emissions associated with the proposed project, as shown in Tables 4.2-8 through 4.2-11 would exceed the SCAQMD’s thresholds of significance for VOC and NOx even with the implementation of Mitigation Measures AQ-2 and AQ-3. The proposed project could conflict with SCAQMD’s air quality planning efforts for nonattainment pollutants and would result in a cumulatively considerable net increase in nonattainment pollutants during operations, specifically for ozone precursors VOC and NOx. Therefore, cumulative impacts associated with operational emissions would be significant and unavoidable.

Because the existing conditions plus cumulative projects would generate a cancer risk greater than 10 in a million, the cumulative health risk is significant. Additionally, while there will be ambient growth in the project vicinity, it is anticipated that any increase in emissions (and thereby cancer risk) resulting from the ambient growth would be offset by decreases in future risk estimates due to the natural turnover of older fleets and equipment being replaced by more efficient, less polluting engines and additional regulatory actions being phased in. The DEIR fails to acknowledge any adequate mitigation measures for the long-term air quality and CO emission impacts. The DEIR must be substantially supplemented, amended, and recirculated to adequately mitigate these significant long-term impacts.

I-8

Noise Impact 4.9-1: Significant and Unavoidable During Construction

The peak construction noise levels from mobile equipment are expected to range from 62.3 to 69.9 dBA L_{max} with the attenuation from the temporary construction noise barriers at all the receiver locations (R1 through R6). Despite the implementation of Mitigation Measure NOI-1, the noise levels generated from mobile construction equipment would continue to exceed the City’s 60 dBA L_{max} noise standard at all of the receiver locations. Noise impacts from the use of mobile equipment would be significant and unavoidable. Because the use of mobile

I-9

construction equipment at the project site would, despite implementation of mitigation, result in noise levels that exceed the City’s noise standard of 60 dBA L_{max} at single-family residential uses for construction activities occurring for more than 10 days, construction noise impacts of the project would be significant and unavoidable. The DEIR fails to acknowledge any any adequate mitigation measures for the construction period of development. The mitigation measures in place do not adequately mitigate the noise from construction. The DEIR must be substantially supplemented, amended, and recirculated to adequately mitigate these significant long-term impacts.

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I-9
cont.

Transportation and Traffic Impact 4.11-2: Significant and Unavoidable Until Improvements are Made

The addition of project-generated traffic would contribute to unacceptable LOS E conditions at Lakeshore Drive / Riverside Drive (SR 74) (Intersection #1) during the PM and Saturday mid-day peak hours. The improvements described in Mitigation Measure TRA-7 would reduce impacts to less-than-significant. The mitigation measure requires the project applicant to fund its fair share of the improvements. The proposed additional westbound through lane is currently not identified in the TIF. The City plans to add the lane to the TIF in the next TIF update. It will take time to assemble the necessary funds to construct the lane. In addition, because Caltrans has jurisdiction over the intersection, the City cannot guarantee that the improvement will be made. Thus, even though the applicant will help to fund these improvements, this Draft EIR assumes that the significant impact will occur until such time as the improvements are completed.

I-10

The addition of project-generated traffic would contribute to unacceptable LOS F conditions at East Lakeshore Drive / Diamond Drive (Intersection #3) during the AM, PM and Saturday mid- day peak hours. The improvements described in Mitigation Measure TRA-8 (in addition to Mitigation Measure TRA-1) would reduce impacts to less-than-significant. The mitigation measure requires the project applicant to fund its fair share of the improvements. The subject intersection is currently identified for improvement in the TIF. The applicant will also pay the TIF. It will take time to assemble the necessary funds to install the lane improvements and signal modification. Thus, even though the applicant will help to fund these improvements, this Draft EIR assumes that the significant impact will occur until such time as the improvements are completed.

I-11

The addition of project-generated traffic would contribute to unacceptable LOS E conditions at Gunnerson Street / Riverside Drive (SR 74) (Intersection #4) to increase during the AM peak hour, and to unacceptable LOS F conditions during the PM and Saturday mid-day peak hours. The improvements described in Mitigation Measure TRA-9 (in addition to Mitigation Measure TRA-2) would reduce impacts to less-than-significant. The mitigation measures require the project applicant to fund its fair share of the improvements. A portion of the improvements are currently identified in the TUMF. The applicant will also pay the TUMF. It will take time to assemble the necessary funds to install the traffic signal (Mitigation Measure TRA-2). In addition, because Caltrans has jurisdiction over the intersection, the City cannot guarantee that the improvement will be made. Thus, even though the applicant will help to fund these

I-12
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improvements, this Draft EIR assumes that the significant impact will occur until such time as the improvements are completed.

I-12
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cont.

The addition of project-generated traffic would contribute to unacceptable LOS E conditions at I-15 Northbound Ramps / Nichols Road (Intersection #12) during the AM peak hour. The improvements described in Mitigation Measure TRA-4 would reduce impacts to less-than-significant. The mitigation measure requires the project applicant to fund its fair share of the improvements. The intersection is currently identified in the TIF. The applicant will pay the TIF. It will take time to assemble the necessary funds to install the traffic signal. In addition, because Caltrans has jurisdiction over the intersection, the City cannot guarantee that the improvement will be made. Thus, even though the applicant will help to fund these improvements, this Draft EIR assumes that the significant impact will occur until such time as the improvements are completed.

I-13
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The addition of project-generated traffic would contribute to unacceptable LOS F conditions at I-15 Northbound Ramps / North Main Street (Intersection #14) during the AM and PM peak hours. The improvements described in Mitigation Measure TRA-5 would reduce impacts to less-than-significant. The mitigation measure requires the project applicant to fund its fair share of the improvements. The proposed traffic signal is currently not identified in the TIF. The City plans to add the traffic signal to the TIF in the next TIF update. It will take time to assemble the necessary funds to install the traffic signal. In addition, because Caltrans has jurisdiction over the intersection, the City cannot guarantee that the improvement will be made. Thus, even though the applicant will help to fund these improvements, this Draft EIR assumes that the significant impact will occur until such time as the improvements are completed.

I-14
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The addition of project-generated traffic would contribute to unacceptable LOS E conditions at I-15 Northbound Ramps / Railroad Canyon Road (Intersection #15). The improvements described in Mitigation Measure TRA-10 would reduce impacts to less-than-significant. The same intersection improvements are currently identified in the TIF for improvement. The applicant will pay the required TIF. In addition, the mitigation measure requires the project applicant to fund its fair share of the improvements. It may take time to assemble the necessary funds to install the traffic signal. In addition, because Caltrans has jurisdiction over the intersection, the City cannot guarantee that the improvement will be made. Thus, even though the applicant will help to fund these improvements, this Draft EIR assumes that the significant impact will occur until such time as the improvements are completed.

I-15
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The addition of project-generated traffic would contribute to unacceptable LOS F conditions at Summerhill Drive / Railroad Canyon Road (Intersection #23) during the AM, PM and Saturday mid-day peak hours. The improvements described in Mitigation Measure TRA-6 would reduce impacts to less-than-significant. The intersection is currently identified in the TIF for improvement. The applicant will pay the required TIF. However, it will take time to assemble the necessary funds to implement the improvement. Thus, even though the applicant will help to fund these improvements, this Draft EIR assumes that the significant impact will occur until such time as the improvements are completed.

I-16
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The DEIR acknowledges the significant and unavoidable cumulatively considerable impact regarding level of service deficiencies at intersections number 1, 3, 4, 12, 14, 15, and 23.

I-17
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Development fees for improvements to these areas would be paid as mitigation. However, these improvements may not be paid or the improvements not finished at the start of the Project's operations. Further, street improvements can cause more traffic themselves. The impact regarding improvements at 7 intersections while the Project is under construction or in full operation must be studied to determine the complete impact of deficiencies in level of service. This analysis must occur separately for each project Option A and B to determine the true impact of each development option.

I-17
cont.

Transportation and Traffic Impact 4.11-3: Significant and Unavoidable Until Improvements are Made

Level of service calculations were conducted for the study intersections to evaluate their operations under Long-Term Cumulative (General Plan Buildout Post-2035) without and with Project conditions with existing roadway and intersection geometrics. The intersection analysis results are shown on Figure 4.11-3b and summarized in Table 4.11-16, which indicates that 25 of the 32 study area intersections would experience unacceptable LOS (i.e., LOS E or LOS F) during one or more of the peak hours under With Project conditions. While the addition of project traffic would not result in changes to the 2035 Without Project intersection LOS, the proposed project would contribute to significant cumulative impacts.

The mitigation measures identified would reduce the project's impacts to less-than-significant levels. However, the timing of construction of the improvements in many cases is uncertain as it will take time to accumulative the funding necessary for the improvements. In addition, some of the improvements would be within the jurisdiction of other public agencies which the City does not control. Thus, significant impact could exist even though the applicant for this particular project has made a contribution towards the improvement and satisfied its obligation with regard to the measures. For those reasons, without successful implementation of improvements identified in the mitigation measures, the proposed project could result in exceedances of the Thresholds of Significance.

I-18

The DEIR acknowledges the significant and unavoidable cumulatively considerable impact regarding level of service deficiencies at 28 intersections. Development fees for improvements to these areas would be paid as mitigation. However, these improvements may not be paid or the improvements not finished at the start of the Project's operations. Further, street improvements can cause more traffic themselves. The impact regarding improvements at 28 intersections while the Project is under construction or in full operation must be studied to determine the complete impact of deficiencies in level of service. This analysis must occur separately for each project Option A and B to determine the true impact of each development option.

Transportation and Traffic Impact 4.11-4: Significant and Unavoidable Until Improvements are Made

Interstate 15 and State Route 74 (Central Avenue) are recognized as key transportation facilities within the study area that are designated as part of the Riverside County Congestion Management Program (CMP). The Riverside County Transportation Commission (RCTC) has

I-19

adopted LOS E as the minimum standard for intersections and segments along the CMP system of Highways and Roadways. However, for the purposes of this traffic impact analysis, LOS D is considered to be the limit of acceptable traffic operations for the I-15 Freeway mainline segments and ramp junctions and for intersections along Central Avenue (SR 74). The proposed project's impacts (conflicts with the RCTC's CMP) are described under Impact 4.11-2 (Baseline and Near-Term Cumulative conditions) and Impact 4.11-3 (Long-Term Cumulative conditions) as significant. Mitigation measures are identified that would reduce those impacts to less-than-significant levels if implemented.

I-19
cont.

While mitigation will be imposed, and the identified improvement can reduce the impacts to less than significant, it is unknown when all of the required funding for the improvements outlined above will be completed. In addition, with many of the subject improvements, Caltrans would be required to issue permits and approvals. Therefore, the City cannot control the completion and timing of the measures. The Draft EIR assumes that the impacts will remain significant unless and until the improvements outlined above are completed.

The DEIR acknowledges the significant and unavoidable cumulatively considerable impact regarding level of service deficiencies at the I-15 Freeway mainline segments and ramp junctions and for intersections along Central Avenue (SR 74). Development fees for improvements to these areas would be paid as mitigation. However, these improvements may not be paid or the improvements not finished at the start of the Project's operations. Further, street improvements can cause more traffic themselves. The impact regarding improvements at the I-15 Freeway mainline segments and ramp junctions and for intersections along Central Avenue (SR 74). while the Project is under construction or in full operation must be studied to determine the complete impact of deficiencies in level of service. This analysis must occur separately for each project Option A and B to determine the true impact of each development option.

I-20

For these reasons, SCEJA respectfully requests the need for this Project's EIR to be substantially supplemented, amended, and recirculated and the City's denial to certify this EIR. SoCal Environmental Justice Alliance requests to be notified via email at socaleja@gmail.com regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. SoCal Environmental Justice Alliance requests a minimum 14 days advance notice of all public hearings.

I-21

Sincerely,

Joe Bourgeois
Chairman of the Board
SoCal Environmental Justice Alliance

Response to Letter I: SoCal Environmental Justice Alliance

- I-1** The comment reiterates the description of the Proposed Project. No further response is required to this comment.
- I-2** The DEIR is adequate and complies with CEQA. A supplemental EIR is not required. The responses to the specific comments are set forth below.
- I-3** The commenter correctly states that the Project has the potential to conflict with, or obstruct implementation of the applicable Air Quality Management Plan (AQMP). The DEIR explicitly states that this impact is significant and unavoidable (see Impact 4.2-1 as discussed on Pages 4.2-20 through 4.2-22). More specifically, the DEIR does in fact evaluate both Option A and Option B equally. On Page 4.2-26, Tables 4.2-8 and 4.2-9 summarize the unmitigated and mitigated operational emissions for Option A. On Page 4.2-27, Tables 4.2-10 and 4.2-11 summarize the unmitigated and mitigated operational emissions for Option B. As such, air quality emissions for both Option A and Option B are identified and disclosed in the DEIR and no further analysis is needed.
- I-4** The commenter correctly states that the Project for both Option A and Option B would result in a significant and unavoidable impact for operational activity. The DEIR identifies applicable feasible mitigation measures and has determined that even after implementation of the applicable mitigation measures, the Project will result in a significant and unavoidable impact and that there are no additional feasible mitigation measures exist that would substantially lessen or avoid the potential impacts. The commenter generically states that additional mitigation should be implemented, but does not offer any proposed mitigation measures that should be included in the DEIR.

The commenter is incorrect in stating that mitigation is also required for emissions of CO and PM10. The DEIR does not identify a significant CO or PM10 impact during operational activity for either Option A or Option B that would necessitate additional mitigation. In fact, CO and PM10 emissions during operational activity are less than the applicable SCAQMD thresholds for both Option A and Option B.

The commenter notes that additional mitigation should be implemented, but does not offer any proposed mitigation measures that should be included in the DEIR.

In *Santa Clarita Organization for Planning the Environment v. City of Santa Clarita* (“SCOPE”) (2011) 197 Cal.App.4th 1042, opponents challenged an EIR, which concluded that the increased GHG emissions associated with project vehicles and transportation sources would be significant, and that there were no feasible mitigation measures to reduce the impact to a less-than-significant level. The opponents challenged this latter claim,

citing a comprehensive list of suggested mitigation measures for GHG emissions prepared by the California Attorney General's office.

In response, the Court ruled that the city was not required to address the feasibility of each of the numerous measures recommended by the Attorney General, distinguishing cases where courts faulted an agency for not considering specific, potentially feasible measures (see, e.g., 197 Cal.App.4th at 1055 (“Considering the large number of possible mitigation measures . . . as well as the [opponent’s admission] that not all measures would be appropriate for every project, it is unreasonable to impose on the city an obligation to explore each and every one.”)). Furthermore, the Court noted that emissions from vehicle exhaust are controlled by the state and federal government, and were therefore outside the control of the project.

The Court’s holding in SCOPE is analogous to the Project at issue, where the new Walmart building would be constructed to maximize building efficiency, in accordance with Walmart’s building practices as well as California Code of Regulations Title 24. However, the greatest emissions associated with the Proposed Project are generated by motor vehicles. As a commercial project, only about two percent of the vehicle trips are generated by employees and delivery vehicles. The remaining trips would be generated by customers. There are no feasible measures to reduce or restrict the number of customer vehicles traveling to and from the site to a level where the net increase in operational emissions would not exceed the thresholds of significance recommended by the SCAQMD for NOx. Any such measures would be beyond the control of the City and the Project. Tailpipe emissions are regulated by CARB and the EPA, beyond the control or purview of the City and the Project applicant.

In sum, this comment does not identify any substantive inadequacy within the DEIR, and merely suggests that “something more could be done” to reduce emissions. CEQA does not require that the lead agency analyze and impose every conceivable mitigation measure. Instead, an EIR should focus on those measures that are feasible, practical and effective. All feasible mitigation measures to reduce operational emissions were adequately addressed within the DEIR, and no further response is necessary.

I-5 See Response I-4.

I-6 For CO hotspots, the DEIR has evaluated the worst-case scenario. As discussed on Page 4.2-28 of the DEIR, the analysis for CO hotspots bases the analysis for both Option A and Option B on the traffic generated by Option B (the worst-case scenario with the highest amount of trips). As such any impacts under Option A would be equal to or less than what would occur under Option B which has already been identified and disclosed in the DEIR. As such, no additional or further analysis for Option A is required.

I-7 As previously noted the DEIR did in fact evaluate and analyze the specifics of both Option A and Option B (see Response to I-3). Furthermore, the commenter correctly states that operational emissions associated with the Project would exceed the SCAQMD’s

significance thresholds for VOC and NOx emissions even with mitigation and thus a significant and unavoidable cumulative impact would occur as identified on Page 4.2-36 of the DEIR.

- I-8** Table 4.2-19 on Page 4.2-38 of the DEIR identifies the cumulative cancer risk from Project Options A and B. Because the existing conditions plus cumulative projects would generate a cancer risk greater than 10 in a million, the cumulative health risk is significant. However, because the Project's contribution is less than 10 in one million, and the Project plus cumulative projects is less than 10 in a million, the Project is not considered to have a cumulatively considerable impact based on SCAQMD methodology. Additionally, while there will be ambient growth in the Project vicinity, it is anticipated that any increase in emissions (and thereby cancer risk) resulting from the ambient growth would be offset by decreases in future risk estimates due to the natural turnover of older fleets and equipment being replaced by more efficient, less polluting engines and additional regulatory actions being phased in.

The commenter generically states that additional mitigation should be implemented, but does not offer any proposed mitigation measures that should be included in the DEIR. Lastly, the commenter is incorrect in stating that mitigation is also required for emissions of CO. The DEIR does not identify a significant CO impact during operational activity for either Option A or Option B that would necessitate additional mitigation. In fact, CO and PM10 emissions during operational activity are less than the applicable SCAQMD thresholds for both Option A and Option B. See Response I-4.

- I-9** The Noise Impact Analysis identifies 10 dBA of temporary noise barrier attenuation to reduce the construction noise level impacts at the nearby sensitive receiver locations. With the recommended temporary noise barriers (MM NOI-1), the noise level impacts due to mobile equipment activity will still exceed the 60 dBA Lmax noise level threshold for construction activity with a duration of 10 days or more at nearby single-family residential homes, and therefore, represents a significant and unavoidable noise impact.

As stated in the Noise Impact Analysis, while noise attenuation of greater than 10 dBA may be considered attainable, a reduction of 15 dBA is very difficult and a 20 dBA reduction is nearly impossible according to the FHWA *Highway Traffic Noise Analysis and Abatement Policy and Guidance* (June 1995). Therefore, an attainable attenuation of 10 dBA through the use of temporary construction noise barriers is recommended by the Noise Impact Analysis (MM NOI-1).

It is also important to note that the construction noise analysis assumes that all pieces of construction equipment are operating simultaneously at a single point. Due to the transitory short-term nature of mobile equipment activities, and the variation of each piece of equipment's intensity of use during construction, the noise levels from mobile equipment are not expected to represent a continuous noise impact and will vary throughout the duration of Project construction. Therefore, the noise levels provided in the Noise Impact Analysis describe a worst-case condition with the simultaneous operation of all equipment

during each phase of construction. In order to reduce the construction noise levels at the nearby receiver locations, the *attainable* 10 dBA temporary noise barrier attenuation (MM NOI-1) is identified.

The commenter generically states that additional mitigation should be implemented but does not offer any proposed mitigation measures that should be included in the DEIR. See Response I-4.

- I-10** The Project applicant would pay the Project's proportional share to the intersection through payment of TIF, TUMF, or on a fair share basis. In addition, the DEIR also recognizes that the City does not have jurisdiction over the intersection, and therefore, the Project on its own cannot guarantee the implementation of these improvements before construction and occupancy of the proposed Project. As such, the DEIR identifies significant and unavoidable impacts at the subject intersection.
- I-11** The Project applicant would pay the Project's proportional share to the intersection through payment of TIF, TUMF, or on a fair share basis. However, the Project on its own cannot guarantee the implementation of these improvements before construction and occupancy of the proposed Project. As such, the DEIR identifies significant and unavoidable impacts at the subject intersection.
- I-12** See Response I-10.
- I-13** See Response I-10.
- I-14** See Response I-10.
- I-15** See Response I-10.
- I-16** See Response I-11.
- I-17** The comment acknowledges that the DEIR states the impacts are cumulatively significant and the recommended mitigation measures. The Project applicant will pay the Project's proportional share to address its cumulative contribution towards each of the cumulatively impacted intersections, however, it is not reasonable for this Project to assess potential short term traffic impacts associated with future individual construction projects to be undertaken by the lead agency.

The DEIR presents the trip generation for two land use alternatives for the Proposed Project (i.e., Option A and Option B). Of the two options presented, the most conservative was evaluated for the purposes of identifying potential impacts. Option B (e.g., gas station alternative) was not evaluated as the impacts associated with Option B would be the same or less than those identified for Option A. Option A (e.g., retail alternative) would generate more trips and was evaluated in an effort to conduct a conservative analysis.

- I-18** See Response I-17.

I-19 Although RCTC's CMP allows for LOS E as the minimum standard for the intersections and roadway segments along the CMP System of Highways and Roadways (e.g., I-15 Freeway), the minimum LOS standard for Caltrans has been utilized, which is LOS D, in an effort to conduct a more conservative analysis.

The Project applicant would pay the Project's proportional share to the impacts along the I-15 Freeway and ramp-to-arterial junctions through payment of TIF, TUMF, or on a fair share basis. In addition, the DEIR also recognizes that the City does not have jurisdiction over these facilities as they are controlled by Caltrans, and therefore, the Project on its own cannot guarantee the implementation of these improvements before construction and occupancy of the proposed Project. As such, the DEIR identifies significant and unavoidable impacts for the I-15 Freeway.

I-20 Central Avenue (SR-74) was widened over the I-15 Freeway in 2010. Based on discussions with Caltrans District 8 staff and information obtained from the City of Lake Elsinore, the City is in the process of securing funds to conduct the Project Approval and Environmental Document (PA&ED) phase of the I-15/Central Avenue (SR-74) interchange project, which includes ramp modifications and additional access restrictions to Dexter Avenue. The City estimates a cost of \$2 million for the PA&ED phase, which would evaluate interchange alternatives and assess potential impacts for each alternative evaluated. As the PA&ED phase of the project has not yet been initiated, it is unlikely that the interchange improvements would be in place prior to the Project's Opening Year. The DEIR evaluates the potential near-term impacts and necessary improvements to the I-15 Freeway/Central Avenue (SR-74) interchange to accommodate acceptable peak hour intersection operations before the completion of the interchange project. Lastly, in an effort to conduct a conservative analysis, the option with the highest trip generation has been evaluated to determine the potential impacts.

I-21 For the reasons stated above, the DEIR for the Proposed Project does not need to be modified or recirculated. The City will provide its standard notice to SoCal Environmental Justice Alliance at the e-mail address provided.

Richard J. MacHott, LEED Green Assoc.

From: John O'Doherty <jod@pettit-ea.com>
Sent: Tuesday, October 13, 2015 4:46 PM
To: Richard J. MacHott, LEED Green Assoc.
Subject: Walmart Draft EIR - Comments

Good afternoon Mr. MacHott,

I believe I did not notice your request at the bottom of your email requesting that I confirm my mailing address – and my apologies for that oversight. In any event, the mailing address is correct and while I have not received any mail to that address I have received a copy of the Walmart EIR by email.

J-1

Just to confirm, I am the owner of the piece of property (approx. 3.5 acres) immediately south of 3rd Street between the 15 FWY and Collier.

For almost 10 years, I was in eminent domain litigation with Elsinore Valley Municipal Water District in regard to the ‘illegal’ construction of the 3rd Street Pump Station. This pump station was illegally built in this flood plain area without any mitigation measures having been taken and with the full knowledge of all parties directly involved.

J-2

In a nutshell, the pump station was built illegally in a flood plain (because no flood mitigation measures were taken) in the full knowledge of the EVMWD and all the consulting engineers involved. The former City of Lake Elsinore City Engineer was aware of what was going on but he ‘conveniently’ left the City before the City was fully appraised of the transgression being perpetrated. Ray O’Donnell’s successor Ken Seumalo, not being fully familiarized with what was going on was pressured or coerced into giving false evidence at the eminent domain court hearing, which led to the judge making an about face and ruling against the undersigned stating that no damage to my property had occurred. What was done on 3rd Street, i.e the building of the pump station in a flood plain without flood mitigation measures being taken, is in absolute contravention of FEMA regulations to which the City of Lake Elsinore is signatory. The result being that in the event of a natural flood disaster, exacerbated by the concentrating of flood flows by the pump station, the Federal Government could refuse federal aid.

J-3

The reason I mention all of the above is that I notice from reading the draft Walmart EIR that Hunsaker and Associates has been retained to do Hydrologic Reports and in that report they casually assume that all storm water flows will again be directed to the culvert under the 15 FWY discharging onto my property – as if all is forgotten about the travesty that they were complicit in 10 years ago.

J-4

Section 4.7 of the Walmart Draft EIR is the portion of the EIR that concerns me greatest. I have no problem with the project otherwise but once again I am concerned that my rights and property may be trampled upon just to accommodate the big corporations just like what happened 10 years ago with Centex Homes and Lowes etc.

J-5

It seem that what is happening downstream of the proposed Walmart project in regard to storm water flow is still a “black box”. The Walmart report continues to mention that the City is in the process of developing a drainage plan for downstream of the Walmart project but nobody seems to know what is in it, though the consulting contract has been awarded now for some months.

J-6

I have been aware for over ten years and have documentation indicating that there is a plan to extend the 3rd Street Channel from Collier straight up to the 15 FWY on the present alignment (on the north side of 3rd Street) but nobody seems to ever be able to produce said plan. Pursuant to the construction of the pump station on 3rd Street there is no alternative to the drainage of flood waters from the east side of the 15 FWY to the 3rd Street Channel except by extending the channel to the 15 FWY or turning my property into a flood channel.

J-7

I appreciate that there is now a completely new team of people in City of Lake Elsinore government and management with much greater concert for the wellbeing of all citizens not just the monied few and would hope that this Walmart project not be dealt with in isolation, as has been the case, with big projects, in the past, but rather that the downstream impacts – in every regard – but in my particular case, storm water flow in the 3rd Street Catchment area.

J-6

While I understand that Walmart may have the money and the wherewithal to move projects along more quickly than the City, I would respectfully request that I be given an expeditious update on where the consultants are with the 3rd Street Drainage Study/Plan, (2) that I be invited to review and have input to this study to the extent that it concerns my property and (3) that the referenced drainage study be reviewed in conjunction with Walmarts proposed storm water design.

J-7

I would like to be kept fully informed of the drainage design development as it progresses and be invited to all meetings in regard to same – I had assumed that I would be invited to the kick-off meeting with the drainage consultant but have not heard anything so far.

J-8

I am available to discuss above at your convenience.

I would appreciate a reply indicating that you have received this communication.

Best regards,

*John O'Doherty P.E.
Pettit Engineers & Architects
1787 Pomona Road, Suite D-E
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(F) (951) 736-9879
(C) (951) 712-3770*

From: Richard J. MacHott, LEED Green Assoc. [mailto:rmachott@Lake-Elsinore.org]
Sent: Thursday, June 19, 2014 11:12 AM
To: John O'Doherty
Subject: Walmart EIR Scoping Session

Mr. O'Doherty,

Thank you for your attendance at last evening's Scoping Meeting regarding the preparation of an Environmental Impact Report for the proposed Walmart Retail Center project. I will be adding you to our distribution list for future noticing regarding this project.

I would like to confirm your mailing address. I have:

Mr. John O'Doherty
19025 Grovewood Drive
Corona, CA 92881

Is this correct?

Richard J. MacHott, LEED Green Assoc.
Planning Manager
City of Lake Elsinore
PH:(951) 674-3124 Ext. 209
FX: (951) 471-1419

Response to Letter J: John O'Doherty, P.E.

- J-1** The commenter confirms his mailing address and confirms that he received the DEIR by e-mail. No further response is necessary. The comment will be provided to the decision makers for their consideration.
- J-2** The comment relates to a different project (a pump station) by a different public agency (the Elsinore Valley Municipal Water District). The comment does not relate to the Proposed Project or the DEIR. Therefore, no further response is necessary. The comment will be provided to the decision makers for their consideration.
- J-3** The comment is correct that Hunsaker & Associates has prepared preliminary drainage analysis for the Proposed Project. That analysis is included in Appendix H of the DEIR. Currently, stormwater in the Third Street area drains into culverts that extend under the I-15. This is unaffected by the Proposed Project. However, if the City Area Drainage Plan is implemented, an 84-inch pipe would be jacked/bored under the I-15 basically along the Third Street alignment. This will improve drainage in the area. It is anticipated that some of the culverts in that area would no longer be necessary.
- J-4** As explained in Section 4.7 of the DEIR and in Appendix H, the Proposed Project will not increase the volume or intensity of the stormwater flowing through this area. The Proposed Project will not increase the flow volume downstream, but it would decrease the velocity of the flow. The Proposed Project does not worsen the downstream flooding condition. Separate and apart from the Proposed Project, the City is undertaking the City Area Drainage Plan. The implementation of that project would improve drainage in this vicinity. See Response B-2, above.
- J-5** The comment does not relate to the Proposed Project or the DEIR. Therefore, no further response is necessary. The comment will be provided to the decision makers for their consideration.
- J-6** The first portion of the comment reflects the commenter's opinions regarding the public officials in Lake Elsinore. That portion of the comment does not relate to the Proposed Project or the DEIR. Therefore, no further response is necessary. The comment will be provided to the decision makers for their consideration. The remaining portion of the comment relates to the downstream impacts of the Project. As explained in the DEIR, in Appendix H, and in Response B-2 above, the Proposed Project does not worsen the downstream flooding condition. Independent of the Proposed Project, the City is undertaking the City Area Drainage Plan. The implementation of that project would improve drainage in this vicinity.

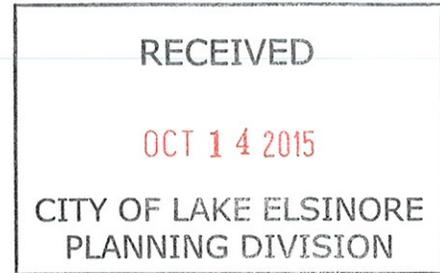
- J-7** The comment does not relate to the Proposed Project or the DEIR. Therefore, no further response is necessary. The comment will be provided to the decision makers for their consideration. In addition, the commenter may wish to review the Memorandum dated May 22, 2015, prepared by Albert A. Webb & Associates regarding the status of the Master Plan of Drainage, and the 35%-complete design plans submitted by Otte Berkeley Group, Inc. Those documents are contained in Appendix H to the DEIR, beginning at page 374. In addition, City staff would be pleased to schedule a meeting with the commenter to address any additional questions or comments the commenter may have regarding the Area Drainage Plan. The commenter may contact the Ken Rukavina, Interim City Engineer to schedule such a conference.
- J-8** The comment does not relate to the Proposed Project or the DEIR. Therefore, no further response is necessary. The City will be sure to add the commenter to the interested persons list for the Area Drainage Plan, and will be notified of all public meetings involving the Plan.



Jeremy Goldman
Local Public Affairs
24487 Prielipp Drive
Wildomar, CA 92595

October 8, 2015

Richard J. MacHott, Planning Manager
Community Development Department
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530
rmachott@lake-elsinore.org



Re: Lake Elsinore Walmart Retail Center Project

Dear Mr. MacHott:

Southern California Edison (SCE) appreciates the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the Lake Elsinore Walmart Retail Center Project. The proposed project would develop a commercial retail shopping center that would include a Walmart store and three outer lots for other retail uses. The Walmart store would be a maximum of 154,487 square feet, including a 3,090 square foot outdoor seasonal garden center. Two different options are considered for the corner parcel--Option A and Option B. The remaining two parcels would be improved with drive-through restaurants of approximately 3,700 square feet and 3,100 square feet. Development of the project would also include circulation improvements to Central Avenue, Cambern Avenue, Third Street, Crane Street and Allan Street.

K-1

Impacts to SCE's Facilities

The proposed circulation improvements to Third Street may impact SCE's approved Valley-Ivyglen Subtransmission Line Project¹, which would construct a 115 kilovolt (kV) subtransmission line. The attached map illustrates the location of the Valley-Ivyglen Subtransmission Line Project. Additional information about the project is available at www.sce.com/ivyglen/.

K-2

The DEIR Table 3-3 Cumulative Project List does not include the SCE's Valley-Ivyglen Subtransmission Line Project. SCE requests that the Lake Elsinore Walmart DEIR consider inclusion of SCE's Valley-Ivyglen project in the cumulative analysis.

Review of Site Plans

The proposed development should not impose constraints on SCE's ability to access, maintain, and operate its current 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 right-of-way constraints and rights. The impacts will need to be consented to and addressed by SCE prior to finalizing the plan of development. Please forward five (5) sets of plans depicting SCE's facilities and associated land rights to the following location:

K-3

Real Properties Department
Southern California Edison Company
2131 Walnut Grove Avenue, G.O.3 – Second Floor
Rosemead, CA 91770

¹ The California Public Utilities Commission (CPUC) approved the Valley-Ivyglen Subtransmission Line Project in 2010.



Jeremy Goldman
Local Public Affairs
24487 Prielipp Drive
Wildomar, CA 92595

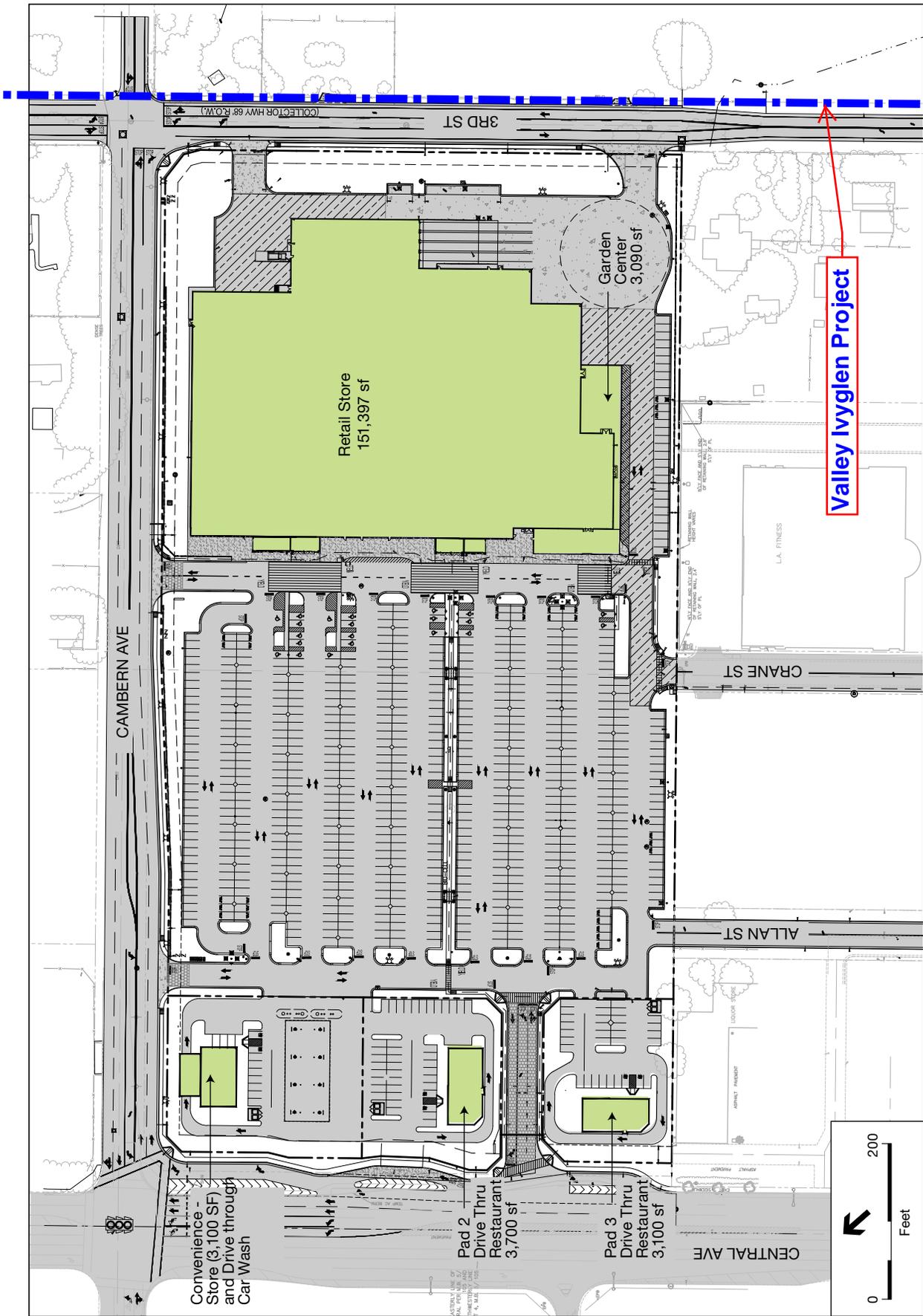
SCE is requesting a meeting with the City and project developer to discuss the proposed circulation improvements in the project area. We look forward to working with you on the proposed project. If you have any questions regarding this letter, please do not hesitate to contact me at Jeremy.Goldman@sce.com or (951) 249-8466.

K-4

Regards,

A handwritten signature in black ink, appearing to read "Jeremy Goldman", with a long horizontal flourish extending to the right.

Jeremy Goldman
Local Public Affairs Region Manager
Southern California Edison Company



Lake Eisnora Walmart Supercenter Project EIR . 130767

Figure 3-5a
Option A Site Plan

SOURCE: GreenbergFarrow

Response to Letter K: Southern California Edison

- K-1** The comment reiterates the description of the Proposed Project. No further response is required.
- K-2** The comment relates to SCE's Valley Ivyglen project. Information regarding the project is available at the web link provided in the comment. According to that reference, the project details are as follows:
- Subtransmission lines: Construction of approximately 25 miles of new 115 kilovolt subtransmission lines between SCE's Valley Substation in Menifee and Ivyglen Substation in unincorporated Riverside County.
 - Substation upgrades: New electrical facilities at the existing Fogarty Substation, which will allow the substation to be fully operational.
 - Telecommunications: Installation of approximately 25 miles of fiber optic telecommunication lines between Valley Substation and Ivyglen Substation.

According to the web link information, the project would involve the installation of 25 miles of electric and telecommunication lines. A portion of lines would be located to the southeast of the project site (along the south side of Third Street). A Notice of Preparation was issued by the CPUC for the project on May 6, 2015. The DEIR for that project is currently being prepared. Based upon the project information available on the SCE and the CPUC websites, it is likely that the construction of this project would occur after the anticipated construction of the Proposed Project if it is approved (2016). Based upon the nature of the project, its location, and anticipating timing, the City has determined that it is not anticipated that the project would create any cumulative impacts when considered in conjunction with the Proposed Project.

- K-3** The Proposed Project is not anticipated to impose any constraints on SCE's ability to access, maintain, or operate its current or future facilities. The City and the applicant will follow the normal protocols for the coordination of all construction work with utility operators. The City will require the plans to be transmitted to SCE as requested.
- K-4** The comment requests a meeting with the City and the applicant. The City will coordinate such a meeting prior to the commencement of any construction activities for the Proposed Project if it is approved.



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

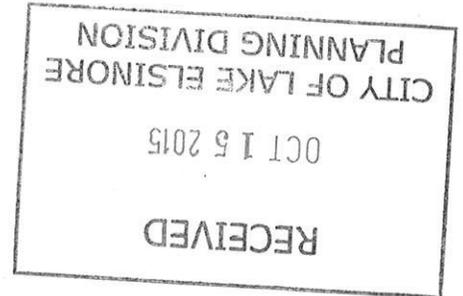


Ken Alex
Director

October 13, 2015

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

Subject: Lake Elsinore Walmart Retail Center Project
SCH#: 2014051093



Dear Richard J. MacHott:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on October 12, 2015, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

L-1

Document Details Report
State Clearinghouse Data Base

Comment Letter L - SCH

SCH# 2014051093
Project Title Lake Elsinore Walmart Retail Center Project
Lead Agency Lake Elsinore, City of

Type EIR Draft EIR
Description The construction and operation of an approx. 154,487 sf Walmart Supercenter store including a 3,090 SF seasonal outdoor garden center and three freestanding retail/restaurant mix-use buildings on an undeveloped 17.66-acre site. The outlot development planned for the parcels for fronting Central Avenue would consist of one of two site configurations. Options A would consist of a gas station with 16 fueling stations, an approx. 3,100 sf convenience store, and a drive-through car wash and two other buildings which would be developed as separate drive-thru restaurants (3,700 sf and 3,100 sf). Option B consists of one parcel being developed with approx. 9,200 sf of retail/restaurant mix-used space situated within two buildings while the other two parcels would be developed with drive-thru restaurant uses similar to that proposed under Option A.

Lead Agency Contact

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

Project Location

County Riverside
City Lake Elsinore
Region
Lat / Long 33° 41' 36.79" N / 117° 19' 59.13" W
Cross Streets Central Avenue (Highway 74) and Third Street; Third Street and Cambern Avenue
Parcel No. 377-030-015, 377-030-076, 377-090-009, 377-090-029, 377-090-031, 032
Township 5S **Range** 4W **Section** 31 **Base** SBB&M

Proximity to:

Highways I-15, SR 74
Airports
Railways
Waterways
Schools 3 LEUSD
Land Use LU: Undeveloped vacant
Z: General Commercial (C-2) and Commercial Mixed Use (CMU)
GP: General Commercial and Commercial Mixed Use

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Noise; Public Services; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 6; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Caltrans, Division of Transportation Planning; Air Resources Board; Regional Water Quality Control Board, Region 9; Native American Heritage Commission

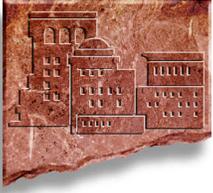
Date Received 08/28/2015 **Start of Review** 08/28/2015 **End of Review** 10/12/2015

Response to Letter L: California State Clearinghouse

L-1 The comment is noted.

APPENDIX A

Market Opportunity Brief



Development Management Group, Inc.

economic development ■ fiscal & economic analysis ■ development management

October 7, 2015

Mr. Richard MacHott, LEED Green Associate, Planning Manager
City of Lake Elsinore, CA
130 South Main Street
Lake Elsinore, CA 92530

**RE: ECONOMIST OPINION/RESPONSE TO DRAFT ENVIRONMENTAL IMPACT REPORT PUBLIC COMMENT:
ECONOMIC/MARKET OPPORTUNITY FOR FUEL/CONVENIENCE STORES LAKE ELSINORE, CA**

Dear Mr. MacHott:

The purpose of this letter is to provide a response to the public comment received by the City of Lake Elsinore as a result of the Draft Environmental Impact Report for a proposed Wal-Mart in Lake Elsinore, CA. The letter, dated September 3, 2015 is from Mika Ayman. The topic centers around the concern for market conditions to support additional fuel retailers if the Wal-Mart project were to include a fuel service facility.

Data Sources:

City of Lake Elsinore, CA
DMG, Inc. (Internal Calculations)
Elsinore Valley Municipal Water District
International Council of Shopping Centers (ICSC)
National Association for Convenience and Fuel Retailing (NACS)
Nielsen/Site Reports (Data Service)

Current Status:

At current, there are 79,507 persons living within a 5-mile radius of the ARCO located at the corner of Highway 74 (Central) and Dexter. Additionally, the Average Daily Traffic on Interstate 15 is approximately 121,000 vehicles. Together they generate a market (actual sales) of approximately \$114.31mm annually in gasoline and convenience store purchases. What is considered to be the "native market" which counts the average demand from consumers within the 5-mile radius is about \$107.57mm annually. The balance is considered to come from the additional traffic as a result of Interstate 15. This means that actual sales generally outperform native demand by about 6%. In total, gasoline and convenience store sales total about \$1,352.96 per person (native demand) and \$1,437.75 per person (total demand (dividing total sales by number of persons in the market area)).

41-625 Eclectic Street, Suite D-2 ■ Palm Desert, CA 92260
Office: (760) 346-8820 ■ Mobile: (760) 272-9136 ■ Fax: (760) 346-8887
michael@dmgeconomics.com ■ www.dmgeconomics.com

Market Growth:

The Lake Elsinore market continues to grow. In fact at current there are approximately 23,249 homes that have been approved through Specific Plans or Tentative Maps. Based on the recent growth history (last 39 months) the community has grown by an average of 47 homes per month (about 559 per year), the City has about 41 years of approved (to be built) housing stock in the pipeline.

Demand Growth:

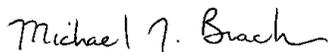
The addition of 559 homes each year will generate approximately 1,884 new residents (3.37 persons per home). The market demand for gasoline will then increase by \$2.55 million each year for the foreseeable future. Using the same market adjustment to account of Interstate-15 traffic, it is estimated that the average annual increase in sales (market growth driven) will be \$2.70 million. The National Association of Convenience and Fuel Retailing reports that the average fuel/convenience store facility does about \$4.64 million annually in gross sales. This translates to approximately one (1) new service station within the market area every twenty (20) months.

Conclusion:

Based on current market conditions, adjusted for I-15 traffic, entitled (to be built) homes, current growth rate (from 7/1/12 to 10/1/15), there is stabilized demand for fuel and convenience store operations and a demand for new facilities that may equate to approximately 1 outlet every 20 months. DMG Economics therefore concludes that a combination of existing and growth oriented demand will justify not only the proposed Wal-Mart gasoline facility but likely others at a rate of approximately one (1) every twenty (20) months.

Certification:

I certify that my engagement to prepare this report was not contingent upon developing or reporting predetermined results. The statements of fact contained herein and the substance of this report are based on public records, data provided by the City of Lake Elsinore, California and other sources as described in the reference section of this report. This report reflects my personal, unbiased professional analyses, opinions and conclusions. If any of the underlying assumptions related to this report change after the date of this report (October 7, 2015), then the undersigned reserves the professional privilege to modify the contents and/or conclusions of this report.



Michael J. Bracken, Managing Partner
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