

Comment Letter L Endangered Habitats League

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



December 24, 2015

VIA ELECTRONIC MAIL

Mr. Roy F. Stephenson, PE, Land Use Engineer
City of Lake Elsinore
c/o HR Green
1100 Town & Country Road, Suite 1025
Orange, CA 92868
E-mail: rstephenson@hrgreen.com

RE: DEIR for Alberhill Villages Specific Plan

Dear Mr. Stephenson:

Endangered Habitats League (EHL) appreciates the opportunity to comment on this project and its environmental documentation.

Biological impacts

Regarding the California gnatcatcher, a 500-ft radius of no direct impact does not achieve avoidance of impacts. *Indirect* impacts from development, such as Argentine ants from irrigated plantings, extend hundreds of feet. The DEIR conveniently ignores such edge effects. Also, isolation of habitat and the creation of islands via habitat fragmentation must also be analyzed as an impact to gnatcatcher.

The 1:1 ratio proposed for unavoidable impacts to the gnatcatcher is grossly insufficient, and would result in a reduction by half of the original habitat. On or offsite mitigation should be at a minimum ratio of 3:1.

Regarding coastal sage scrub, "disturbed" coastal sage scrub is still sensitive under CEQA. Such classification is standard practice in EIRs. Disturbed coastal sage scrub retains substantial habitat value and is in a state of recovery. These areas require avoidance or mitigation.

Regarding sensitive plants, the document contradicts itself. It first says, "Four special-status plant species, Parry's spineflower, paniculate tarplant, graceful tarplant and Coulter's matilija poppy, were observed within the Alberhill Villages Specific Plan area." It then says, "However, focused special status plant surveys were conducted during the 2008 growing season and again in 2014. Based on these surveys, no sensitive plant species were observed on the Project site. *Therefore, impacts are less than significant.*"

The applicant cannot cherry pick the data to reduce impacts. Sensitive plants were found and these species require avoidance or mitigation.

L-1

Identification of, and mitigation for, impacts to riparian and wetland habitats are inappropriately deferred to state and federal permitting in BIO-4 and BIO-5. For example, the DEIR states that 28.44 acres of alluvial fan scrub, 4.19 acres of riparian scrub and 12.05 acres of riparian woodland will not be avoided completely. (We also note the DEIR's false and self-serving categorization of these impacts as "small.>"). Measures BIO-4 only mentions "replacement" on or off-site rather than the primary steps in mitigation, which are avoidance and minimization.

L-2

The DEIR utterly fails to address impacts to *regional wildlife movement corridors* on site. Such corridors are identified in the MSHCP as MSCHP Linkages 1 and 6. Whether or not the site is subject to the MSHCP is irrelevant to the biological values of the corridors. Indeed, the DEIR inaccurately discounts the importance of the site, and would preserve wildlife movement only via "steppingstones" for birds and urban-adapted animals. Highway undercrossings vital for regional connectivity would terminate in channels closely lined with development, absent adequate buffers and setbacks. A graphic in the DEIR depicts such narrow channels and minimal buffers, when the standard of practice for a significant riparian corridor would be a minimum of 200-ft setback from each bank. No evidence is presented to justify findings of insignificant impacts after mitigation.

Large mammals and other species may use these corridors. For example, Linkage 1 is designated by the MSHCP for use by Cooper's hawk, coastal California gnatcatcher, bobcat, and mountain lion. The DEIR should choose this or another representative species list, analyze the on-site requirements to maintain biological function, disclose impacts, and avoid impacts through robust setbacks, revegetation, fencing, lighting, and other measures.

L-3

Linkage 6 along Temescal Wash leads directly into MSCHP preserve land and is important for large and medium sized mammals. The MSHCP calls out the need for preserving high quality riparian habitat for Cooper's hawk, yellow warbler, white-tailed kite, yellow-breasted chat and least Bell's vireo, which have key populations located in or along the wash. The project proposes impacts to Temecula Wash that would destroy much of its present biological and connectivity functions. The existing wash would be graded and realigned, and converted into a trapezoidal earthen channel, altering the current hydrologic regime to lower flood heights. Such wholesale alteration would facilitate a commercial center and road widening. This grading is proposed in order to circumvent prohibitions against development in the 100-year floodplain.

A species list should be identified for Temescal Wash, the on-site requirements for biological function analyzed, potential impacts disclosed, and avoided through robust setbacks, revegetation, fencing, lighting, etc. Through an alternatives analysis, grading and channelization of the wash should be entirely avoided, and development set back outside of the 100-year floodplain. Once again, the biological functions of this corridor, both for live-in and migrating species, must be addressed.

The City must exploit the flexibility inherent within this very large, 1400-acre site in order to feasibly protect critical biological resources such as connectivity. The DEIR is inadequate in failing to provide alternatives that respect the floodplain, its inherent hazards, and its value as wildlife corridor.

In addition, the DEIR should analyze impacts to the surrounding MSHCP Criteria Cells and reserve lands. The DEIR may *wish* that “the AVSP Project will not conflict with the County or City of Lake Elsinore policies, a Habitat Conservation Plan, and will have a less than significant impact, and no mitigation measures are required.” However, *on the ground*, the development will physically compromise wildlife movement and cause edge effects on MSHCP reserves. These effects must be identified and analyzed in the EIR.

L-3
Cont.

Western Riverside County MSHCP

The following assertion is *false* as it pertains to the MSHCP:

Impact 4.11-6 Threshold: Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? The General Plan establishes City policies that encourage development while remaining sensitive to biological resources concerns. The Project is not subject to the City's MSHCP review, but is required to be reviewed by the required agencies and policies of the General Plan.

While the *majority* of the AVSP site was indeed subject to a legal settlement in 2004 between Riverside County and Pacific Clay Products that removed property from the MSHCP program, this exclusion does *not* apply to the *entire* site. Specifically, the portion of Village 1 bounded by I-15, Temescal Wash, and Lake Street is *not* excluded from the MSCHP. This is clear from the description of the settlement area in the recitals section of the 2004 settlement agreement (enclosed). The EIR must disclose and compare the boundaries of the AVSP as proposed with the property descriptions in the settlement agreement. Previously, a project for the non-excluded parcel had gone through RCA Joint Project Review and was deemed inconsistent with the MSHCP. It is unclear how this presumably innocent error was incorporated into the DEIR, but it must be remedied.

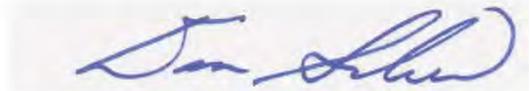
L-4

In light of the City of Lake Elsinore’s acknowledged obligations under the MSCHP, the non-excluded area must either be removed from the project or go through MSHCP consistency review per the City’s standard MSHCP process. Project modification, on-site set aside, and/or off-site mitigation may be needed for MSHCP compliance. Until that time, impacts under CEQA for the project as a whole cannot be considered adequately analyzed or mitigated.

L-5

Thank you for considering our views.

Yours truly,



Dan Silver
Executive Director

Enclosure

County of Riverside-Pacific Clay Products Settlement Agreement

cc: County Counsel, County of Riverside
Regional Conservation Authority
US Fish and Wildlife Service
US Army Corps of Engineers
California Dept. of Fish and Wildlife
Interested parties

Response to Comment Letter L **Endangered Habitats League**

The Endangered Habitats League provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated December 24, 2015. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Endangered Habitats League Comment L-1

Regarding potential impacts to California gnatcatcher, see above Response to Comment B-33. Regarding coastal sage scrub, see above Response to Comment D-14. Regarding special-status plants species, see Response the above Response to Comment D-12 and Response to Comment G-10.

Response to Endangered Habitats League Comment L-2

See the above Response to Comment B-34 and Response to Comment D-8 regarding riparian and wetland habitat.

Response to Endangered Habitats League Comment L-3

Please see the above Response to Comment B-26, Response to Comment D-3, Response to Comment D-5 and Response to Comment D-6 regarding previous discussions regarding MSHCP Proposed Linkages and Temescal Canyon Creek.

Response to Endangered Habitats League Comment L-4

Please see above Response to Comment D-2 and Response to Comment D-3 regarding the applicability of the MSCHP to the project site.

Response to Endangered Habitats League Comment L-5

See the above Response to Comment D-5 regarding the removal of that portion of the project site that is subject to the MSHCP (“non-excluded area”) from the project.

Comment Letter M

Regional Conservation Authority



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Chuck Washington
County of Riverside

Executive Staff

Charles Landry
Executive Director

2403 10th Street, Suite 320
Riverside, California 92501

P.O. Box 1667
Riverside, California 92502-1667

Phone: (951) 955-9700
Fax: (951) 955-8873

www.wrc-ra.org

December 22, 2015

Mr. Roy F. Stephenson, PE, Land Use Engineer
City of Lake Elsinore
c/o HR Green
1100 Town & Country Road, Suite 1025
Orange, CA 92868

**RE: ALBERHILL VILLAGES SPECIFIC PLAN (SP 2010-02)
DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT**

Dear Mr. Stephenson:

The Regional Conservation Authority (RCA) has reviewed the Draft Program Environmental Impact Report (EIR) for the Alberhill Villages Specific Plan. The RCA is submitting these comments on the Project EIR pertaining to the implementation and consistency of the project with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The City of Lake Elsinore is a Permittee under the MSHCP and pursuant to the Implementing Agreement is responsible for ensuring all project approvals are consistent with the MSHCP goals and policies.

Based on multiple references and figures in the EIR, the parcel immediately north of Temescal Canyon Road and west of Lake Street (APN 390-130-017) is included in the Alberhill Villages for development in the University Town Center planning area. Please note that the parcel in question was not excluded from the MSHCP as part of the Castle and Cook settlement agreement and is therefore still subject to MSHCP requirements. Further, a LEAPS was submitted in 2005 which resulted in Joint Project Review (JPR 05-08-15-02) findings that the proposed conservation on site was inconsistent with reserve assembly function and goals. The Meet and Confer and Ad Hoc Committee dispute resolution processes also concluded that development of the parcel as proposed was inconsistent with the MSHCP. Approval of development on this parcel as part of Alberhill Village would also be inconsistent with the MSHCP and the City's obligations under the Implementing Agreement.

We also note that the Table 2.0-1 indicates LEAPS are required for any right of way outside Pacific Clay settlement and MOU for Alberhill Ridge. Construction of any MSHCP Covered Road such as Lake Street, Nichols Road or Temescal Canyon Road, are subject to MSHCP requirements as public facilities regardless of the location of the right of way.

Sincerely,

Charles V. Landry
Executive Director

cc: Grant Taylor, City of Lake Elsinore

M-1

M-2

Response to Comment Letter M
Western Riverside County Regional Conservation Authority

The Western Riverside County Regional Conservation Authority (RCA) provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in their letter dated December 22, 2015. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Western Riverside County Conservation Authority Comment M-1

See the above Response to Comment B-26 and Response to Comment D-5 regarding the removal of that portion of the project site (APN 390-130-017) that is subject to the MSHCP (“non-excluded area”) from the project.

Response to Western Riverside County Conservation Authority Comment M-2

See the above Response to Comment D-4.

Comment Letter N
Pala Tribal Historic Preservation Office

**PALA TRIBAL HISTORIC
PRESERVATION OFFICE**

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



December 21, 2015

Roy F. Stephenson
City of Lake Elsinore
1100 Town & Country Road, Suite 1025
Orange, CA 92868

Re: Alberhill Villages Specific Plan (SP 2010-02)

Dear Mrs. Stephenson

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

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

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

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

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

Response to Comment Letter N **Pala Band of Mission Indians**

The Pala Band of Mission Indians provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in their letter dated December 21, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Pala Band of Mission Indians Comment N-1

The Pala Band of Mission Indians states that the project area is not located within the boundaries of the Pala Indian Reservation and is also beyond the boundaries of the territory that the Tribe considers its traditional use area. The City of Lake Elsinore acknowledges that the Tribe states that it has no objection to the continuation of the proposed project and that the Tribe defers to the wishes of Tribes in closer proximity to the project area. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Comment Letter O
Linda and Martin Ridenour

December 16, 2015
From: Linda and Martin Ridenour
33628 Brand St.
Lake Elsinore, Ca 92530-5741
To: City of Lake Elsinore
City Hall: 130 South Main St.
Lake Elsinore, Ca 92530

Re: CEQA Documents Alberhill Villages
#2012061046

*Att Grant Yates to
hand Roy Stephenson*

Attention: Mr. Roy F. Stephenson, PE,
Land Use Engineer, City of Lake Elsinore

Pursuant to the California Public Records Act, I am herewith requesting documents, writings, e-mails, comments made by any elected or appointed member of the Lake Elsinore city council and Planning Commission, Facebook page, etc., that pertains or refers the CEQA documents for the Alberhill Specific Plan. I would like to use my First Amendment rights to express myself through protected speech. Enclosed are my comments to this project and I look forward to a speedy reply. Please make this letter and all documents referred to in the letter a part of the Administrative Record for this project.

O-1

Environment:

The homes in Alberhill District, Terra Cotta, have not been completed. There was to be improvements on Lake Street, as well as other mitigated measures. These should be completed before this new project is approved. Castle and Cook does not have a good record on mitigation. For example, they dug up native oaks and box them and put them on the side of the road. When I called they said there were no orders to plant them and consequently the oaks died. We need to preserve the oak woodland habitat. Glenn Lakes Associates did not list Coastal live Oak as a state protected tree. In 2004, Congress named the Oak as the official tree of the United States. Oak trees and the environment around them need to be conserved and protected. Here in Lake Elsinore where Castle and Cook have worked before, I am certain that they not only killed our official tree of the United States but also destroyed the environment around it. The habitat of the Coast horned lizard and other native species and plants such as Munz's onion, a rare vegetation that needs to be protected, has been destroyed. This year, the arroyo toad was not seen due to lack of suitable habitat. They usually inhabit the oak woodlands but since the woodlands were destroyed by the construction, their habitat is gone.

O-2

Also, there has not been a discussion of the "Blue Stream." This focused survey on the lands was not specific enough; therefore, a new survey needs to be conducted to discuss the habitat quality. All of this land destruction should not go unpunished. The property owners should be fined for destruction of special-status plants. In this case, Castle and Cook would be responsible for the endangerment of the habitat and animal that resided there. However, instead of accepting fault, the company has avoided responsibility, even going as far as claiming they did nothing wrong. Castle and Cook repeatedly state that "Due to the high level of disturbance at the site, minimal habitat occurs on site for special-status animals that were not observed during surveys," claiming there were no special-status animals or plants in the area.

Transportation:

I find it inconceivable that 32 key roadway segments are at "unacceptable levels of service." Lake Street, near the location of the new project by Castle and Cook, is already seeing maximum levels of traffic. A trip from Grand Avenue through Lake Street to get to the I-15, a route taken by thousands of Lakeland Village residents daily, is always significantly impacted, making a run to the doctors office or grocery stores a longer commute than necessary. Before any construction is done to add houses

O-3

along this route, the roadway infrastructure must be improved to lessen the effects of an increase in population. I would like to see the data for the Traffic General Forecast. If the last data was collected before 2010 when there were less homes and traffic was lighter, then new data must be collected to update today's current traffic information. This would force the city to realize that an additional home village cannot be constructed until the roads are improved. I would like to see the project impacts and how they would be mitigated.

O-3
Cont.

Historical Impact:

Around 1883, coal was extracted from Alberhill, a mining town. This is a historical site that is over 150 years old. It must be protected.

The Alberhill School was started in 1912 and was in use until 1964. This building *must* be protected. It is a cultural and historical resource. Before any homes are built, this important structure, with all of its cultural heritage, should have a specific place in the CEQA plan. The impact to historic and cultural resources is significant. The Luiseno people have an Aboriginal Territory here, which means the territory must be preserved.

O-4

Air Quality and Greenhouse Gases:

I do not have a copy of the CEQA Air Quality Handbook, but I must ask if the data is current! I heard on the news that we will be wearing masks outside our home soon. With 8,000 plus homes and 4 vehicles per household, we will not be able to breathe clean air with additional homes being built in the area. This will adversely affect my health and the health of thousands of residents. The news report expressed concern over the greenhouse gas emissions. I would like to know how many cars, trucks, and vehicles were used per home. "The project either directly or indirectly will generate greenhouse gas emissions that may have a significant impact on the environment." Governor Brown issued an executive order requiring California to reduce greenhouse gas emissions targets by 40% below 1990 levels. How will this be addressed with the construction of more homes in Lake Elsinore? The Alberhill project needs to address the methane levels that will be caused by the introduction of new homes in the area. According to the Press-Enterprise on November 28, 2015, "the report, which concludes there would be significant unavoidable effects of Traffic and air quality."

O-5

MSHCP Area:

Natural wildlife and open space connection to the Cleveland National Forest must be maintained. This Project is in the MSHCP. Where are the Multi-purpose trails? I am the vice-president of the Butterfield Trails yet I cannot find the location of the multi-purpose trails. Please send me all information related to this issue.

There must be a buffer along the Temescal Creek, home to many native trees. In order to protect these trees and prevent their removal, a buffer is essential. The vegetation which contained eucalyptus woodland was disturbed, causing the loss of the Least Bell's Vireo, a native bird. A more detailed study is needed to state for certain that there are no more of these birds there. Mr. Hardy Strozier needs to send me data on the specific location, times, etc that he has visited this area. The Least Bell's Vireo is a Federal and State endangered bird. More studies are required before CEQA approves this project, which would potentially harm an endangered species. I am concerned that Mr. Strozier did not focus on this special-status bird, rendering an incorrect conclusion of data.

O-6

The Elsinore Valley Municipal Water District stated that they will provide water for the project. How is it possible that we are in a state of drought, yet offering to provide water for such an enormous project? Please provide the data to show that MWD can provide this water and they also provide data to show they approve this project.

The property must be restored to its natural state after years of mining. This project could cause the loss of many protected species. Habitat destruction can not continue. The City of Lake Elsinore must Establish permanent safe heaven for the species listed in this report.

O-7

Response to Comment Letter O **Linda and Martin Ridenour**

Linda and Martin Ridenour provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in their letter dated December 16, 2015. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Linda and Martin Ridenour Comment O-1

The City acknowledges the right of the commenters to submit comments regarding the DEIR. With respect to written notification of future actions, the City will provide notification to the Linda and Martin Ridenour pursuant to Public Resources Code Sections 21092 and 21092.2.

Response to Linda and Martin Ridenour Comment O-2

Pursuant to CEQA Guidelines Section 15204 (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.” This comment expresses opinions regarding Castle and Cooke’s performance on other development proposals within the subject area. Such comments are acknowledged. To the extent that this comment does not raise new environmental issues; no additional mitigation measures and no modification of the DEIR are required.

There is a projected 30-year development period for the AVSP, construction of implementing development projects will occur at individual project locations and at unknown times during the 30-year period. It would be speculative to identify the timing of future traffic levels at each phase of the future development of the AVSP. As noted on Pages 2.0-6 through 2.0-8 of the DEIR, the AVSP proposed development will be regulated by Phased Development Plans and Design Review applications which will set forth precise design proposals for all or a portion of a particular area within the AVSP. As Phased Development Plans, Design Review, or Subdivision Map applications are proposed, more timely and accurate traffic impact analysis and determination of required improvements can be determined.

In order to assure the completion of appropriate and timely road improvements to serve the AVSP project area, new Project-wide Development Standards have been added to the AVSP which require:

- All road improvements within the Alberhill Villages Specific Plan (AVSP) shall be constructed to ultimate City standards and consistent with the General Plan, unless

otherwise identified and approved, as a requirement of the implementing development projects (including but not limited to subdivisions, design review applications and conditional use permits) subject to approval by the City Engineer. The AVSP “Enhanced” and “Modified” cross-sections are subject to the submittal and review of design drawings, at the time implementing development projects are submitted.

- Site-specific Traffic Impact Analyses (traffic studies) shall be required for each Phased Development Plan (PDP) and for all subsequent implementing development projects in accordance with the City’s Traffic Impact Analysis Preparation Guide requirements in effect at the time of Traffic Impact Analysis preparation.

See the above response to Comment D-15 regarding the potential impacts to oak trees and the required mitigation measure.

See the above Response to Comment B-34, Response to Comment D-8 and Response to Comment G-8 regarding riparian/riverine habitat and associated wildlife and jurisdictional waters (“blue line streams”).

Response to Linda and Martin Ridenour Comment O-3

The Roadway circulation system as shown within AVSP is consistent with the City’s 2011 General Plan Update Circulation Element and the AVSP General Plan Amendment. The Roadway Infrastructure takes into account the AVSP Traffic Impact Analysis (TIA) report, which provides for a program-level analysis for the General Plan Buildout traffic condition consistent with the City’s General Plan and identifies the recommended traffic improvements, accordingly, to achieve acceptable service levels (LOS) within the study area. The data regarding existing and forecast traffic is located in Appendices A through D of the Traffic Impact Analysis located in Appendix D of the DEIR.

Response to Linda and Martin Ridenour Comment O-4

Please see above Response to Comment B-36 and Response to Comment J-4 regarding the Alberhill School.

Response to Linda and Martin Ridenour Comment O-5

The commenter references the “CEQA Air Quality Handbook”. On their website SCAQMD notes that:

“SCAQMD is in the process of developing an "Air Quality Analysis Guidance Handbook" (Handbook) to replace the CEQA Air Quality Handbook approved by the AQMD Governing Board in 1993. The 1993 CEQA Air Quality Handbook is still available but not online. To obtain a hardcopy of the 1993 Handbook, contact

SCAQMD's Subscription Services at (909) 396-3720. In addition, there are sections of the 1993 Handbook that are obsolete. A description of the obsolete sections can be obtained from CEQA Air Quality Handbook.”

The potential Air Quality and Greenhouse Gas (GHG) impacts of the proposed project were addressed in Section 4.8 of the DEIR. This section of the DEIR incorporates the results of the Air Quality Impact Analyses that were prepared by Giroux and Associates using the most recent air quality modeling software (CalEEMod), as required by the South Coast Air Quality Management District (SCAQMD). Use of the CalEEMod computer model results in more current data than through use of SCAQMD's 1993 CEQA Air Quality Handbook.

The commenter refers to an executive order Governor Edmund G. Brown Jr. issued to establish a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030. This is Executive Order B-30-15 which was issued on April 29, 2015. It should be noted however that this target has not been formally enacted by the Legislature or even by the California Air Resources Board. As such, the Executive Order does not appear to constitute a new regulation or requirement adopted to implement a statewide, regional, or local plan for the reduction of GHG emissions within the context of CEQA. Furthermore, the City of Lake Elsinore has an adopted CAP that governs specific GHG reduction targets for new development within the City. At this time, no further analysis is necessary or required by CEQA as it pertains to Executive Order B-30-15. However, in response to this comment Section 4.8.8.2 (State Regulations – Greenhouse Gases) on Page 4.82-51 of the DEIR has been amended to add the following description of “Executive Order B-30-15” after the subsection titled “Senate Bill (Million Solar Roofs)”:

Executive Order B-30-15

On April 29, 2015, Governor Jerry Brown issued Executive Order B-30-15 which identified an interim GHG reduction target in support of targets previously identified under S-3-05 and AB 32. This Executive Order set an interim target goal of reducing GHG emissions to 40% below 1990 levels by 2030 as one way to keep California on a trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in S-3-05. To facilitate achievement of this goal, B-30-15 calls for an update to CARB's Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent. The Executive Order also calls for state agencies to continue to develop and implement GHG emission reduction programs in support of the reduction targets. The Executive Order does not require local agencies to take any action to meet the new interim GHG reduction threshold. It is important to note that Executive Order B-30-15 was not adopted by a public agency through a public review process that requires analysis pursuant to CEQA Guidelines section 15064.4, has not been subsequently validated by a statute by the State Legislature or by the California Air Resources Board as an official GHG reduction target of the State of California. The Executive Order itself states it is “not intended to create, and does not, create any rights or benefits, whether substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers employees, or any other person.”

Methane is discussed in the DEIR on page 4.8-12 as a greenhouse gas. Analysis of the proposed project GHG impacts (including methane) is found in Section 4.8 of the DEIR. The DEIR does identify significant and unavoidable impacts related to Air Quality. If the City of Lake Elsinore determines that the benefits of the proposed project outweigh unmitigated significant environmental effects, it will prepare a Statement of Overriding Considerations addressing each significant and unavoidable environmental effect identified in the DEIR

Response to Linda and Martin Ridenour Comment O-6

Please see Figure 4-9 of the AVSP in Appendix J for an illustration of multi-use trails.

Regarding special-status plants species, see the above Response to Comment D-12 and Response to Comment G-10. Please see the above Response to Comment B-26, Response to Comment D-3, Response to Comment D-5 and Response to Comment D-6 regarding previous discussions regarding MSHCP Proposed Linkages and Temescal Canyon Creek. See the above Response to Comment B-34 and Response to Comment D-8 regarding riparian and wetland habitat.

Response to Linda and Martin Ridenour Comment O-7

Please see above Response to Comment B-68 and Response to Comment B-69. See also the below Response to Comment U-2.

Comment Letter P
South Coast Air Quality Management District



**South Coast
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • www.aqmd.gov

SENT VIA USPS AND E-MAIL:
rstephenson@hrgreen.com

December 2, 2015

Mr. Roy F. Stephenson, PE, Land Use Engineer
City of Lake Elsinore
C/O HR Green
1100 Town & Country Road, Suite 1025
Orange, CA 92868

Draft Program Environmental Impact Report (Draft PEIR)
for the Proposed Alberhill Villages Specific Plan (AVSP) (SP 2010-02)
(SCH No. 2012061046)

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

The Lead Agency proposes construction of a master planned, mixed-use community with single- and multi-family homes along with a core commercial center and an entry highway commercial center near the Interstate 15 (I-15) Freeway. The proposed project will occupy a total of approximately 1,400 acres and involve Six Development Villages, with each village containing its own planning areas. The AVSP development will include approximately 8,244 dwelling units and 4,007,000 square feet of civic/institutional, commercial/retail, professional office/medical and schools to serve a total enrollment of approximately 8,050 students. The schools would include a 6,000 student university; two private schools serving a total of approximately 1,200 students; and a public elementary school built for 850 students. The AVSP will also include worship centers, various parks, lakes, trails, green belt areas; streets, public facilities and infrastructure.

P-1

The SCAQMD staff has concerns with some of the assumptions in the air quality analysis. Specifically, the analysis should be based on peak daily emission estimates instead of averaging. Further, overlapping construction and operational emission estimates should be included in the Final PEIR and shown throughout the 20-30 year project period. These estimates should then be compared to the SCAQMD operational significance thresholds. Next, the potential localized and health risk impacts to sensitive to sensitive receptors were deferred and not estimated in the Draft PEIR. Because future residents would be exposed to potential localized construction and operational impacts during project development, as well as adverse health affect impacts from both the on-going mining operations and vehicles operating on the I-15 freeway, future potential

P-2

Mr. Roy F. Stephenson, PE
Land Use Engineer

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December 2, 2015

localized and health risk impacts should be analyzed according to CEQA Guidelines §15168.

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Cont.

Further, the SCAQMD staff reiterates the CARB Land Use Policy to not site sensitive receptors within 500 feet of a large volume freeway.

In addition, the Lead Agency should include how compliance with SCAQMD Rule 403 – Fugitive Dust for Large Operations Notification will occur in the Final PEIR. Finally, the SCAQMD staff recommends that all feasible mitigation pursuant to Section 15126.4 of the CEQA Guidelines be incorporated into the project description and related air quality analyses in order to reduce significant project impacts. Further details are included in the attachment.

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Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the Lead Agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final PEIR. The SCAQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Gordon Mize, Air Quality Specialist CEQA Section, at (909) 396-3302, if you have any questions regarding the enclosed comments.

P-4

Sincerely,

Jillian Wong

Jillian Wong, Ph.D.
Program Supervisor
Planning, Rule Development & Area Sources

Attachment

JW:HH:GM

RVC151105-02
Control Number

Air Quality Analysis

Peak Daily Emission Estimates

1. In Table 4.8-7, Construction Activity Emissions, construction emissions were estimated for each phase but averaged over each phase's five year period, which lowers the peak daily emission estimates for each criteria pollutant during construction. Because the SCAQMD significance thresholds are based on maximum daily emissions, averaging project emissions likely underestimates project impacts compared with each emission's peak daily significance threshold. Therefore, the air quality analysis should be revised in the Final PEIR using the worst-case peak daily construction emission scenario including any overlapping construction phases. These estimates should then be compared with the SCAQMD operational thresholds of significance (see comment #2) due to the length of construction phases to determine if project impacts are significant. If significant, mitigation measures should be incorporated into the project description and air quality analysis to reduce significant impacts.

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Cumulative Overlapping Phase Construction and Operations Estimates

2. In addition, the lead Agency estimated construction and operational impacts¹ separately for each developmental phase covering the thirty-year total development period in the Draft PEIR. These separate estimates were then compared with their respective SCAQMD recommended construction and operational thresholds of significance. As the Lead Agency discussed on page 4.8-30, the length of construction combined with the overlapping operational phases cause the estimated construction emissions to be more like long-term operational impacts for regional purposes. Although the Lead Agency discussed this potential overlapping of construction and operational emissions for regional purposes and further determined that combined construction and operational ROG, NOx, CO, and PM10 emission impacts were significant and unavoidable, these determinations were not substantiated with actual emission estimates in the Draft PEIR. The Draft PEIR makes a qualitative evaluation² of these combined emissions but does not include actual combined estimates throughout the thirty-year project.

P-6

The Final PEIR should therefore be revised to include combined construction and operation emission estimates as each development phase overlaps, e.g., Ph-2 construction emissions with Phase 1 operational emissions; Ph-3 construction emissions with Phases 1 & 2 operational emissions; ...etc., up through Year 2046

¹ Draft PEIR, Table 4.8-7 Construction Activity Emissions and Table 4.8-8 – Project Related Operational Emissions, AQ & GHG Analysis.

² Ibid, AQ & GHG Analysis, Page 4.8-30. The conclusion that ... "regional air quality impacts are identified as significant from the completion of Phase 1 forward, inclusion of 30 years of construction activity emissions will further 'exacerbate' the degree of excess emissions."

project buildout. These overlapping construction and operational emissions should then be compared with the SCAQMD operational thresholds of significance.

P-6
Cont.

Deferring Localized Significance Thresholds & Cancer Risks

3. In the Draft PEIR, building construction and operational activities from the proposed project will occur within proximity of sensitive receptors throughout the project areas during the six phases of development³. The Lead Agency did not analyze localized impacts stating that project specific level (siting) information was not available and that localized analyses would be conducted sometime in the future prior to implementing project approval. Further, sensitive receptors would be exposed to toxic air contaminants from the on-going mining operations and from diesel fueled vehicles operating on the I-15 Freeway. Again, the Lead Agency deferred its analysis of potential cancer risks due to a lack of project specific information concerning the siting of sensitive receptors to the nearby freeway.

P-7

Based on CEQA Guidelines §15168, further analysis through CEQA should be conducted prior to subsequent project approvals. Analyses for potential localized significance threshold impacts and health risks should be included in a subsequent CEQA document when project specific information is available to ensure that nearby sensitive receptors are not adversely affected by activities that are occurring in close proximity, e.g., by construction and operation activities, toxic air contaminants from the mining operations occurring within the project areas, or from vehicles operating nearby on the I-15 Freeway.

CARB Land Use Guidance for Sensitive Receptors Located Near Freeways

4. The Lead Agency mentions the 500 foot buffer recommended by the California Air Resources Board's (CARB) Land Use and Air Quality Handbook (CARB Handbook) that offers guidance for siting sensitive receptors near sources of air toxics. Although this recommended guidance is discussed, the Draft PEIR shows that potential sensitive receptor land uses including age-restricted housing, student housing, live/work lofts and residential condominiums would tentatively be sited within the recommended 500-foot buffer⁴.

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The Lead Agency notes in the Draft PEIR that the proposed residences will be sited near the I-15 Freeway that has an average daily traffic volume of 120,000 vehicles including approximately 12,600 of these vehicles that will be diesel trucks. As a result, future residents will be exposed to a significant source of toxic emissions. The SCAQMD staff therefore reiterates (see also comment #3) that prior to subsequent project approvals, a Health Risk Assessment should be prepared to determine cancer risks to future sensitive receptors from potential toxic air contaminant emissions from the freeway as well as any applicable mining activities in close proximity. Numerous past health studies have demonstrated the potential adverse health effects of living

³ Draft PEIR, Section 4.8 AQ & GHG Analysis, Pages 4.8-31 and 4.8-32.

⁴Ibid, Project Description, Page 2.0-12.

near a freeway or highly travelled roads. Since the time of that study, additional research has continued to build the case that the near roadway environment also contains elevated levels of many pollutants that adversely affect human health, including some pollutants that are unregulated (e.g., ultrafine particles) and whose potential health effects are still emerging.

While the health science behind recommendations against placing new homes close to freeways is clear, SCAQMD staff recognizes the many factors lead agencies must consider when siting new housing. Further, many mitigation measures have been proposed for other projects to reduce exposure, including building filtration systems, sound walls, vegetation barriers, etc. However, because potential adverse health risks might be involved, it is critical that any proposed mitigation must be carefully evaluated prior to determining if those health risks would be brought below recognized significance thresholds.

P-8
Cont.

SCAQMD Rule 403 Large Operation Notification

5. On page 4.8-20 in the Air Quality and Greenhouse Gas Analysis, the Lead Agency describes compliance with SCAQMD Rule 403 – Fugitive Dust based on soil disturbance activities that would include approximately 11,969,000 cubic yards of fill. Should project soil disturbance activities meet the requirements of Rule 403 – Fugitive Dust for Large Operations, the Lead Agency should submit to the SCAQMD Form 403N (Large Operation Notification Form) and revise the FPEIR to include this approval requirement in Table 2.0-1 (Permit Approvals). Questions concerning compliance with Rule 403 Large Operation should be directed to SCAQMD Engineering & Compliance staff at (909) 396-2372.

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Construction Mitigation Measures

Mitigation Measures for Construction Air Quality Impacts

6. Based on a review of the Draft PEIR, the Lead Agency determined that the proposed project will result in substantially significant air quality impacts during construction. Specifically, the air quality analysis demonstrated that the proposed project will exceed the SCAQMD's regional construction significance thresholds for CO, NO_x, ROG, PM10 and PM2.5 (see also comments #1-2). Therefore, the SCAQMD staff recommends the following additional measures be incorporated into the proposed project and Final PEIR to reduce significant project impacts in addition to the measures included in the Draft PEIR starting on page 4.8-36.

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Recommended Additions:

- Consistent with measures that other lead agencies in the region (including Port of Los Angeles, Port of Long Beach, Metro and City of Los Angeles)⁵

⁵ For example see the Metro Green Construction Policy at:
http://www.metro.net/projects_studies/sustainability/images/Green_Construction_Policy.pdf

have enacted, require all on-site construction equipment to meet EPA Tier 3 or higher emissions standards according to the following:

- All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements.
- A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Encourage construction contractors to apply for SCAQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program provides funds to accelerate clean-up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website:
<http://www.aqmd.gov/home/programs/business/business-detail?title=vehicle-engine-upgrades>

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Cont.

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:

<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies> .

Operation Mitigation Measures

Mitigation Measures for Operational Air Quality Impacts (Other)

7. In addition to the mobile source mitigation measures identified above, the SCAQMD staff recommends the following on-site area source mitigation measures below to reduce the project's regional air quality impacts from ROG, CO, NOx, PM10 and PM2.5 emissions during operation. These mitigation measure should be incorporated pursuant to CEQA Guidelines §15126.4.

P-11

- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility, as applicable.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Install light colored “cool” roofs and cool pavements.
- Limit the use of outdoor lighting to only that needed for safety and security purposes.
- Require use of electric or alternatively fueled sweepers with HEPA filters.
- Use of water-based or low VOC cleaning products.

P-11
Cont.

Transportation

- Make a commitment to install electric car charging stations (not just wiring infrastructure) for both non-residential and residential uses at the project site.
- Create local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.

Energy

- Make a commitment that the project site will include a solar photovoltaic or an alternate system with means of generating renewable electricity.

Other

- Provide outlets for electric and propane barbecues in residential areas.

Response to Comment Letter P **South Coast Air Quality Management District**

The South Coast Air Quality Management District provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated December 2, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to South Coast Air Quality Management District Comment P-1

This comment summarizes the project description information contained within the DEIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to South Coast Air Quality Management District Comment P-2

At a specific plan program level of detail, the peak daily construction scenario up to 30 years hence is too speculative to calculate emissions with any meaningful accuracy. The cumulative impact analysis has been revised to include overlapping construction and operational activities, including the effects of anticipated changes in vehicular emission factors over the next 30 years.

Given the programmatic nature of the DEIR, specific impacts resulting from individual projects are not identified or known at this time. Inasmuch as development project-related air quality impacts cannot be quantified without knowing the specifics regarding individual development projects in terms of their scale, duration and proximity to sensitive receptors, construction-related air quality impacts at any point in the future would be speculative and cannot be accurately determined as part of this DEIR. As required by mitigation measure Mitigation Measure AQ-5, future implementing development projects will be evaluated for their potential impacts upon sensitive receptors due to proximity to Interstate 15 and on-going mining operation. Where project-specific air quality analyses determine that there are potentially significant impacts; appropriate mitigation measures will be required.

In response to this comment and as set forth in the above Response to Comment B-24, Mitigation Measure AQ-5 will be revised as follows:

Prior to the future approval of a Phased Development Plan, Subdivision Map, or Design Review application by the City’s decision-making authority, applicants for any proposed new development ~~with sensitive receptors or in close proximity to sensitive receptors~~ which will result in sensitive receptors being located within 1,000 feet of mining operations, Interstate 215, or any other potential Toxic Air Contaminant (TAC) source

shall conduct an evaluation of human health risks (Health Risk Assessment) and/or Localized Significance Threshold (LST) analysis to identify and reduce any potential health risks from construction and/or operation impacts to sensitive receptors. The HRA and LST analysis shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD). Sensitive receptors include residential, schools, day care facilities, congregate care facilities, hospitals, or other places of long-term residency. The thresholds to determine exposure to substantial pollution concentrations are: A Maximum Individual Cancer Risk (MICR) of greater than ten (10) in one million. For non-cancer risks, the threshold is a hazard index value greater than one (1). LST thresholds shall be those recommended by SCAQMD. If the Health Risk Assessment or LST analysis shows that the incremental cancer risk exceeds these standards, the HRA and/or LST analysis shall be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level. Measures to reduce risk may include but are not limited to:

- All off-road diesel-powered construction equipment greater than 50 hp shall meet the United States Environmental Protection Agency (US EPA)-Certified Tier 3 emissions standards for off-road diesel-powered construction equipment greater than 50 horsepower; until equipment that meets Tier 4 emission standards are available.
- All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available.
- All construction equipment shall be outfitted with BACT devices certified by CARB. Any emission control device used by the contractor shall achieve emission reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB regulations.
- Use 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if 2010 model year or newer diesel trucks cannot be obtained, the developer shall use trucks that meet EPA 2007 model year NOx emission requirements.
- Air intakes located away from high volume roadways and/or truck loading zones.
- Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters.

Mitigation measures identified in the HRA and LST analysis shall be identified as mitigation measures in the implementing development project's environmental document and/or incorporated into the site development plan as a component of the proposed future project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City of Lake Elsinore Community Development Department.

Response to South Coast Air Quality Management District Comment P-3

See the below Response to Comment P-9.

Response to South Coast Air Quality Management District Comment P-4

In this comment, the SCAQMD requests that the City provide it with written responses to all comments contained within their comment letter. The City of Lake Elsinore will provide a written proposed response to each commenting public agency no less than 10 days prior to certifying the EIR in compliance with the provisions set forth in Public Resources Code Section 21092.5(a) which states that “At least 10 days prior to certifying an environmental impact report, the lead agency shall provide a written proposed response to a public agency on comments made by that agency which conform with the requirements of this division.”

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to South Coast Air Quality Management District Comment P-5

There is a projected 30-year development period for the AVSP. Although six development phases have been identified for that 30-year period; construction will occur at individual project locations and not concurrently throughout each phase. The peak daily construction activity rate that would allow for emissions calculations relative to the peak daily significance threshold is speculative for an anticipated 30-year construction scenario. As described in the comment, the average phase construction emissions have been combined with the accumulated per-phase operational emissions to develop a better cumulative emissions estimate. (See the below Response to Comment P-6.) Because of the plan scope, the combination of operational and construction activity emissions does not alter the conclusion that the DEIR determined that air quality impacts will be significant over the life of the project. Mitigation Measures AQ-1 through AQ-5, as revised in this Final EIR will reduce significant impacts.

Response to South Coast Air Quality Management District Comment P-6

A table of overlapping construction and operational emissions has been prepared. (Table A). Phase 2 construction has been assumed to overlap with the full occupancy of Phase 1, etc. Operational emissions have also been estimated on a cumulative basis based upon the ratio of individual phase Vehicle Miles Traveled (VMT) to total VMT of all completed phases to that point as the driving factor in estimating total operational at the conclusion of each phase as shown in Table A. Conclusions regarding impact significance are unaffected by this clarification. The degree that certain cumulative pollutants exceed the recommended SCAQMD CEQA significance threshold for a number of pollutants is increased. As seen in Table A, the superposition of emissions associated with the current planned phase, those from completed operational phases, and construction of the next planned phase ultimately cause every pollutant to exceed the recommended SCAQMD CEQA significance thresholds, including a ten-fold excess for ROG and NO_x as the primary ozone precursor emissions.

**Table A
Cumulative Air Quality Impact Analysis (lb/day)**

	ROG	NOx	CO	SO₂	PM-10	PM-2.5	CO₂
Phase 1							
Operational	259.4	289.6	1,307.7	2.9	320.5	23.5	309,550
Construction	26.0	33.8	49.7	0.2	12.8	2.7	14,210
Total	285.4	323.4	1,357.4	3.1	333.3	26.2	323,759
Phase 2							
Operational	372.5	387.2	1,778.4	4.7	510.7	37.5	496,854.6
Construction	4.3	27.4	32.0	0.1	4.0	2.0	9,022.9
Total	376.8	414.5	1,810.4	4.8	514.6	39.5	505,877.6
Phase 3							
Operational	371.7	349.0	1,587.0	0.2	516.8	42.8	511,049.5
Construction	31.8	24.0	44.5	0.2	13.3	2.1	15,080.4
Total	403.5	373.0	1,631.5	0.4	530.1	44.9	526,130.0
Phase 4							
Operational	469.9	460.5	1,926.0	6.0	629.2	49.7	658,819.1
Construction	12.1	13.7	30.0	0.1	5.2	1.5	8,488.3
Total	482.1	474.3	1,956.1	6.1	634.5	51.2	667,307.4
Phase 5							
Operational	498.8	518.7	2,045.3	7.6	721.2	55.9	743,349.2
Construction	19.7	14.2	31.9	0.1	6.3	1.5	9,931.5
Total	518.4	532.9	2,077.2	7.7	727.5	57.5	753,280.7
Phase 6							
Operational	555.6	616.3	2,266.0	7.7	799.3	61.1	808,054.7
SCAQMD Threshold	55	55	550	150	150	55	-

Response to South Coast Air Quality Management District Comment P-7

See the above Response to Comment P-2.

Response to South Coast Air Quality Management District Comment P-8

The referenced “Air Quality and Land Use Handbook” is a joint publication of the California Environmental Protection Agency and the California Air Resources Board published in April 2005. This publication suggests that set-backs be considered when citing sensitive land uses near particular uses, such as freeways and distribution centers. (Table 1-1 on page 4 of the Air Quality and Land Use Handbook) This document also states that setbacks are merely “recommended” and not required, and the Environmental Protection Agency and Air Resources Board point out that: “These recommendations are advisory. Land use agencies have to balance other

considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.” (Note to Table 1-1 on page 4 of the Handbook)

Mitigation Measure AQ-5, as described in the above Response to Comment P-2 requires that prior to future approval of an implementing development project (Phased Development Plan, Subdivision Map or Design Review) application that will result in sensitive receptors being located within 1,000 feet of mining operations, Interstate 215, or any other potential Toxic Air Contaminant (TAC) source; that a Health Risk Assessment and LST analysis be completed to determine whether air quality emissions will adversely affect sensitive receptors.

Where project-specific analysis determines that air quality emissions will adversely affect sensitive receptors, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable.” Implementation of this mitigation measure will enable the City to evaluate each future development project for the potential air quality impacts upon sensitive receptors and pursuant to the requirements of CEQA and the State CEQA Guidelines to require mitigation measures that will reduce potential impacts to less-than-significant levels.

Response to South Coast Air Quality Management District Comment P-9

This comment advises that should soil disturbance activities meet the requirements of SCAQMD’s Rule 403; Form 403N should be submitted to the SCAQMD. The comment also provides a contact at SCAQMD for questions regarding Rule 403. The commenter also asks that this process be included in DEIR Table 2.0-1. Table 2.0-1 on page 2.0-8 of the DEIR will be revised to add an additional permit approval after the “LEAPS Process” regarding the compliance with SCAQMD Rule 403 as follows:

SCAQMD Form 403N (Large Operation Notification Form)	SCAQMD	Compliance with SCAQMD Rule 403
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Response to South Coast Air Quality Management District Comment P-10

In response to this comment and other comments received, Mitigation Measure AQ-1 will be revised as follows:

Construction activities may cause NOx, ROG, PM-10 and PM-2.5 emissions to substantially exceed SCAQMD CEQA thresholds if multiple activities/phases overlap or are compressed into shorter time-frames. Reasonable and feasible mitigation cannot likely reduce impacts to a less-than-significant level. Mitigation during construction is required to achieve a reduced level of impact includes; the contractor shall implement the following measures:

Dust Control:

- Apply soil stabilizers according to manufacturers’ specifications to inactive areas (previously graded areas inactive for ten days or more).

- Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds (as instantaneous gusts) exceed 25 mph.
- Stabilize previously disturbed areas if subsequent construction is delayed.
- Water actively graded surfaces 3 times per day.
- Cover all stock piles with tarps if left undisturbed for more than 72 hours.
- Replace ground cover in disturbed areas as soon as feasible.
- Provide water spray during loading and unloading of earthen materials.
- Install wheel washers, shaker plates and gravel where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip.
- All streets shall be swept at least once a day using SCAQMD Rule 1186 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).
- All trucks hauling dirt, sand, soil or other loose materials are to be covered.
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
- Diesel exhaust particulates and NOx emissions may have a significant impact during construction because of the size scope of the project. Measures to reduce exhaust emissions include:

Exhaust Emissions:

- Require 90-day low-NOx tune-ups for off-road equipment.
- Limit allowable idling to 5 minutes for trucks and heavy equipment.
- Utilize equipment whose engines are equipped with diesel oxidation catalysts ~~if available~~ or equivalent technology.
- Utilize diesel particulate filters or equivalent technology on heavy equipment ~~where feasible~~.
- All off-road diesel-powered construction equipment greater than 50 hp shall meet the United States Environmental Protection Agency (US EPA)-Certified Tier 3 emissions standards for off-road diesel-powered construction equipment greater than 50 horsepower; until equipment that meets Tier 4 emission standards are available.
- All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available.
- All construction equipment shall be outfitted with BACT devices certified by CARB. Any emission control device used by the contractor shall achieve emission reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB regulations.
- Use 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if 2010 model year or newer diesel trucks cannot be obtained, the developer shall use trucks that meet EPA 2007 model year NOx emission requirements.
- A copy of each unit's certification shall be provided at the time of mobilization and a placard or other identification shall be affixed to approved equipment and haul trucks,

- Contractors using equipment rated at less than Tier 4 shall be provided with information on the SCAQMD “SOON” program of financial assistance for accelerated equipment clean-up.
- ~~If Tier 4 off-road construction equipment is not available, require alternative fueled off-road equipment.~~
- Configure construction parking to minimize traffic interference.
- Use electricity from power poles rather than temporary diesel or gasoline power generators over 49HP. If generators are over 49HP, they will have to comply with the Air Quality Management District rules.
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hours ~~to the extent practicable.~~
- Reroute construction trucks away from congested streets or sensitive receptor areas.
- Provide dedicated turn lanes for movement of construction trucks and equipment on-site and off-site.

Response to South Coast Air Quality Management District Comment P-11

See the above Response to Comment B-19 regarding outdoor lighting. In response to this comment and other comments received, Mitigation Measure AQ-3 will be revised as follows:

AQ-3 Prior to issuance of building permit(s), the applicant shall demonstrate that the following measures to conserve energy have been incorporated into building design

- Submit plans demonstrating that ~~the new residential~~ buildings, including but not limited to residential, commercial, and educational buildings, shall exceed those California Title 24 energy efficiency requirements in effect at the time of building permit issuance as required by the Climate Action Plan in effect at the time.
- Submit plans demonstrating that the new commercial buildings shall include the following green building design features:
 - Utilize Low-E and ENERGY STAR windows where feasible;
 - Install high-efficiency lighting systems and incorporate advanced lighting controls, such as auto shut-offs, timers, and motion sensors;
 - Install high R-value wall and ceiling insulation; and,
 - Incorporate use of ~~low-pressure sodium~~ LED and/or fluorescent lighting, ~~where practicable.~~
 - Install electric car charging stations as preferred parking spaces.
 - Use light colored “cool” roofs and cool pavements.

- ~~Require acquisition of new~~ the use of only ENERGY STAR qualified heating, cooling, and lighting devices and appliances and equipment.
- Implement passive solar design strategies in new construction. Examples of passive solar strategies include orienting building to enhance sun access, designing narrow structures, and incorporating skylights and atria.
- ~~Where appropriate as determined by the City Engineering Division and Building and Safety Division,~~ s Structures shall be designed to support the added loads of rooftop solar systems and be provided with appropriate utility connections for solar panels, even if installation of panels is not planned during initial construction.
- All residential projects shall incorporate the following features:
 - A minimum of one (1) model home within each phase of project development shall be include an electric car charging station. Electric car charging stations shall be offered as an available option to the initial purchaser(s) of each single-family dwelling unit.
 - All multiple-family residential projects shall incorporate the installation of electric car charging stations for the use of their residents.

Comment Letter Q
Rincon Band of Luiseño Indians

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



November 10, 2015

Roy Stephenson
City of Lake Elsinore
c/o HR Green
1100 Town & Country Road, Suite 25
Orange, CA 92868

Re: Alberhill Villages Specific Plan

Dear Mr. Stephenson:

This letter is written on behalf of Rincon Band of Luiseño Indians. We have received your notification regarding the Alberhill Villages Specific Plan 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.

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

Sincerely,

Jim McPherson
Manager
Rincon Cultural Resources Department

Q-1

Bo Mazzetti Tribal Chairman	Stephanie Spencer Vice Chairwoman	Steve Stallings Council Member	Laurie E. Gonzalez Council Member	Alfonso Kolb Council Member
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Response to Comment Letter Q **Rincon Band of Luiseño Indians**

The Rincon Band of Luiseño Indians provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated November 10, 2015. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Rincon Band of Luiseño Indians Comment Q-1

The Rincon Band of Luiseño Indians states that it has not additional information regarding the proposed Project and defers to Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required. See also the Response to Comments for Letter H (Pechanga Band of Luiseño Indians) and Letter R (Soboba Band of Luiseño Indians).

Comment Letter R Soboba Band of Luiseño Indians

December 21, 2015

Attn: Mr. Roy F. Stephenson, PE, Land Use Engineer
City of Lake Elsinore
c/o HR Green
1100 Town & Country Road, Suite 1025
Orange, CA 92868



RE: Draft Environmental Impact Report; Alberhill Villages Specific Plan (SP 2010-02)

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The Draft Environmental Impact Report that was provided to us on said project has been reviewed and assessed through our Cultural Resource Department. The following is our proposed amended language for CR-2:

CR-2 Prior to the issuance of a grading permit, the developer shall provide evidence of monitoring agreements from **both** the Soboba Band and the Pechanga Band. The agreement shall address duties of tribal monitors, scope of work, authority to halt work, duties and terms of compensation for tribal monitoring. The Project Applicant shall contact **both** the Soboba Band and the Pechanga Band to notify them of planned ground disturbing activities, including testing, fencing, clearing, grubbing, grading and excavation a minimum of 15 days prior to commencement.

R-1

Prior to the issuance of a grading permit, the developer shall provide evidence of a curation agreement with the Western Science Center, an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers and tribal representatives for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation.

R-2

Please feel free to contact me with any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "JOE", with a long horizontal line extending to the right.

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

Confidentiality: The entirety of the contents of this letter shall remain confidential between Soboba and the City of Lake Elsinore as well as hired consultant (Roy F. Stephenson). No part of the contents of this letter may be shared, copied, or utilized in any way with any other individual, entity, municipality, or tribe, whatsoever, without the expressed written permission of the Soboba Band of Luiseño Indians.

Response to Comment Letter R **Soboba Band of Luiseño Indians**

The Soboba Band of Luiseño Indians provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in their letter dated December 21, 2015. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Soboba Band of Luiseño Indians Comment R-1

Mitigation Measure CR-1 will be revised as follows:

CR-1 Prior to the issuance of grading permit(s) and any earthmoving activities for the Project, or off site project improvement areas, the implementing development Project applicant shall retain ~~an archaeological~~ a qualified professional archaeologist and a qualified Luiseño Native American monitor from either the Pechanga Band or the Soboba Band 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.

Mitigation Measure CR-2 will be revised as follows:

CR-2 At least 30 days prior to seeking a grading permit, the Project applicant shall contact the ~~appropriate Indian tribe~~ both the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians to notify ~~that those Tribes~~ those Tribes of grading, excavation and the monitoring program, and to coordinate ~~with the City of Lake Elsinore and the both Tribes~~ with the City of Lake Elsinore and the both Tribes 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.

Response to Soboba Band of Luiseño Indians Comment R-2

Mitigation Measure CR-4 will be revised as follows:

CR-4 All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the Project proponent and Project archaeologist shall notify the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians. A designated Native American observer from either the Pechanga Band of Luiseño Indians or the Soboba Band of Luiseño Indians shall be retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.

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. Native American artifacts that cannot be avoided or relocated at the Project site shall be prepared in a manner for curation and the archaeological consultant shall deliver the materials to a federally-accredited curation facility such as University of California, Riverside Archaeological Research Unit (UCR-ARU), or the Western Center for Archaeology and Paleontology, within a reasonable amount of time.

Comment Letter S Inland Empire Biking Alliance



20 December 2015

Mr. Roy F. Stephenson, PE, Land Use Engineer
City of Lake Elsinore
c/o HR Green
1100 Town & Country Road, Suite 1025
Orange, CA 92868

Inland Empire Biking Alliance
PO Box 9266
Redlands, CA 92375

Dear Mr. Stephenson,

We are writing you today on behalf of the Inland Empire Biking Alliance (IEBA), a 501(c)(3) nonprofit organization that represents the interests of bicyclists in the Inland Empire region of Southern California. IEBA's mission is to help bicyclists of all types have an easier and safer ride, not an easy task in the region of the state with the worst safety record for vulnerable users and one of the worst in the nation overall. We are also the regional affiliates of the California Bicycle Coalition, who's stated mission to triple bicycling in California by 2020 has also been adopted by Caltrans.

S-1

This letter is to provide comments on the Draft Environmental Report for the Alberhill Villages Specific Plan that has been prepared and is available for review on the Lake Elsinore website. After closely inspecting several of the documents and analyses, we have several suggestions to further improve the proposal for bicyclists, and many of these benefits will extend to all users in general as well. We also have several questions that we hope can also be addressed. Our areas of concern are on two main areas of the plans: the Alberhill Villages SP and the Traffic Impact Analysis that was performed based on the plans.

Alberhill Villages Specific Plan

As described in Section 1.1 of the Executive Summary of the Specific Plan, a grand vision of a "sustainable community" is presented. However, this same Section is the beginning of a Plan that continues a status quo approach that largely considers bicycles as chiefly recreational and while references are made to a grid-like street network and a pedestrian-oriented design, the word "bicycle" does not even appear in the first Section at all. This is a significant problem for any plan about a "sustainable" community because while even the very SP under review here acknowledges that transportation-related emissions are the biggest source of emissions in the city, not taking the time to consider and plan for bicycles to an actual and viable mode of transportation will result in everything that is not pedestrian-oriented being auto-centric. This is confirmed by numerous elements of the SP as

S-2

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well as the Traffic Impact Analysis, where even though it is acknowledged that there in the future will be a transit hub in the projects, plans still call for four- and six-lane arterials to dice the community into segments while relying on freeway-sized arterial roads to serve the project from the actual freeway.

S-2
Cont.

This approach flies in the face of the well-documented effect of induced demand on traffic volumes, whereby an increase in roadway capacity results in an increase in traffic counts (Handy, 2015). In that regard, Goal 2 as described in Section 3.1 Vision, Goals, and Objectives of Chapter 3 Development Plan shows a fundamental incompatibility with itself by stating that there is a goal to both “provide adequate capacity for the automobile” and simultaneously “reduce the length and number of vehicular trips”. The incompatibility exists because attempting to build roads that provide “adequate capacity for the automobile” results in an environment where the marginal cost of driving, primarily in regards to time, makes the automobile the easiest, fastest, and most convenient manner to travel. Thus, in direct conflict with the stated Goal, attempting building “adequate capacity” for automobiles will mean a continuation of the regional status quo which encourages, not reduces vehicular trips.

S-3

Reducing vehicular trips requires the adoption and use of measures that raise the marginal cost of a vehicular trip, particularly in terms of travel time. When that happens, people make a choice about which mode of transportation will make the most sense at any given time. But for that choice to even be worth calling a true choice, it requires more than just creating street networks that are “inviting to use by pedestrians, bicyclists, and various other modes of transportation such as bus and automobile” that Objective 2-3 calls for. It requires that the design of the community make travel by foot, bicycle, and transit the easiest, especially for intra-district and short trips. However, as currently envisioned and planned, that simply would not be true. Getting in a car and making a vehicular trip would remain the most appealing option for the vast majority of residents, visitors, and employees in the community to travel.

The results of the incompatibility have also manifested themselves in the Traffic Impact Analysis. The first sign of trouble is the usage of the ITE *Trip Generation* manual to obtain figures on which the rest of the entire analysis is based. While ITE has certainly sought improve their estimates over the years, review and analysis of the long-term effects has found that TGM figures still greatly overstate the actual trips taken, with some being more than double the actual and the Inland Empire region as a whole showing an average inflation of greater than 30% higher (Millard-Ball, 2015). As a result, the figures used to conduct the analysis are almost certainly overstated. An analysis using revised figures that are more in line with documented actual usage should be undertaken.

S-4

The problems of using the inflated traffic figures are magnified by the traffic impact analysis itself being based on LOS. In 2013, the California Legislature recognized the inherent problems with basing planning decisions solely on how fast and how many cars could move through an intersection at a time when they passed Senate Bill 743, which Governor Brown signed into law. Pursuant to SB 743, the Governor’s Office of Planning and Research was tasked with finding a replacement to more accurately and truly

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meet goals of mitigating traffic impacts, reducing emissions, and limiting the destruction of cities in the name of cars. In the intervening months, they have settled on and are finalizing rules for using VMT instead of LOS as the metric of significance.

Though those rules have not yet gone into effect, it is incomprehensible as to why planning for a project that is expected to take decades to be completed, to be “sustainable”, and to break the mold of sprawl that has permeated much of Southern California, particularly the sprawling Inland Empire, for the last few decades, has taken no effort to use, or at the very least, provide comparative scenarios with alternative methods of analysis that are not based solely on shuffling cars. This project provides a great opportunity to pioneer the use of VMT and obtain a real-world case study in its ability to create a model community of New Urbanism best practices, but cementing the transportation mistakes of the last century at the heart of the planning process misses the mark and will also hamper the resultant community itself with an infrastructural environment that much like the rest of the Inland Empire (ASCE, 2005; ASCE, 2010), the City will be unable to maintain, leaving it stuck in the midst of the 20th Century.

Although VMT-based analysis would promote the use of the modified grid network that is proposed, relying solely on shortening the length of driven trips does not address the issue and there should also further measures to limit short distance driving. Commuting data shows that a staggering 15% of driven trips are for destinations within half a mile, the target distance of TOD, and as many as 50% are to destinations within five miles. Many of those trips can and will be taken by alternative modes of transportation, but only if the community is not built to make driving the easiest way to do them. There must be a greater focus on taking active measures to discourage driven trips, especially for short distances. Doing so would greatly reduce the requirement for roadway space throughout the project, saving millions of dollars in construction costs and ongoing maintenance, opening up more land for development, and providing residents with a true choice in travel options.

One of the more effective ways to facilitate that outcome is to develop a ring network around the community to serve the majority of vehicular trips. The plans show that the Alberhill Villages will be favorably situated to accomplish this with the outer four roads, Lake Street, Temescal Road, Nichols Road, and Lincoln Street. They should be configured to form a ring network around the majority of the development. Additionally, internal connections for vehicle travel should be discouraged with several road closures that force motor vehicle trips to reach other areas to occur on the ring road (with possible exceptions for emergency, transit, and taxi services), as well as a much greater use of turn restrictions to right in/out only at more intersections along the four streets forming the ring to provide a smoother traffic flow on those facilities.

Additionally, though the potential for a transit hub at Lake St. is mentioned in the report, actually developing it as part of the project is not mentioned at all. Yet, building and clustering office space and commercial uses around the station area is one of the most effective ways to reduce what is typically the longest vehicular trip that people make. Integrating a station into the development and it as part of

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S-4
Cont.

S-5



Phase I would bolster the case for RCTC to seriously pursue one of the most feasible Metrolink extensions identified in their 2008 Commuter Rail Feasibility Study. This location should also serve as a regional bus hub and coordination with RCTC's planning of the managed lanes on I-15 should occur to include a direct ramp to the lanes from the transit hub.

An analysis focused on limiting short vehicular trips would also seek ways to facilitate and grow bicycling as an alternative. While the project currently references the accessibility by foot, the planners have missed the potential of the bicycle. The entire project should be designed so that someone at any point in the development can reach the transit hub, parks, and university by bike or foot without having to go through a stop sign or traffic signal. When properly planned, designed, and built for, bicycles are one of the best modes of transportation to meet the goals of any community, but especially one intending to promote New Urbanism and a paradigm shift from the status quo. This is perhaps best exemplified by the Dutch city of Houten (Foleta, 2010), where biking is the primary mode of transportation for shorter trips. Though the overwhelming majority of Americans are willing to use bicycles more often (Breakaway Research Group, 2015) and a short biking trip being about as fast driving despite requiring vastly less space, nearly two-thirds of them are unwilling to make those journeys in the current environment that permeates the Inland Empire and is set to be replicated in this project because it is hostile to biking. However, biking infrastructure that is safer and more comfortable to use leads to in many cases, triple digit increases in biking (Berkow, et al., 2014). While many cities across the region struggle to find funding and space to add protected infrastructure to their roads, this project makes it possible to do so as part of the general development and set a model for best practice.

While bicyclists are afforded all rights and duties of a driver under state law and are allowed to travel in the roadway if they so desire, the road network as proposed will also not always be efficient or sufficient for bicycle travel, especially for those who are younger, older, or female. Like any other traveler, bicyclists who are traveling for transportation want and must be able to make journeys in a way that is fast, efficient, and safe. That means bikeways that provide direct connections among destinations within the entire community and to the greater region as a whole, bikeways that are designed in a way that minimizes conflict points with other users and intersecting roadways, and bikeways that look, feel, and are safe to use from not just a traffic standpoint, but from the position of social safety and subjective safety as well.

This is the kind of information that would be identified and contained in a bike master plan prepared to accompany this project, but such a document is currently lacking. To address those deficiencies, we would recommend that one be completed for this project that will positively identify the aforementioned deficiencies. We have not missed that there are several trails planned that will cross the community, but further review makes it apparent that they are primarily recreationally focused, which in practice ends up leading to too many compromises in design and facilities that are not adequate for being considered for transportation.

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S-5
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S-6



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We would also recommend that regardless of if a bike master plan is prepared for this particular project (which we cannot understate or emphasize enough how important doing so is), that the final plans for this project use the following chart for determining the best and most appropriate use of each type of bikeway in the transportation system. See Table 1 for guidance.

Another important topic to cover will more in depth in a bike master plan will be bike parking. Though we are encouraged to see that mention has been made of including bike parking at various areas in the project, we would like to reiterate how important it is to provide high-quality bike parking and a lot of it, especially since mentions of bike parking are comparatively sparse in comparison to parking for cars. Multifamily developments should include bike rooms for residents which include at a minimum, tools and workstations installed.

Additionally, short-term parking for guests is equally as important and should also be provided in an area that is socially safe, which includes lighting and sighting. The transit hub, university, and intense commercial uses will also share the same requirements. However, mid-term parking must be provided at the transit hub to allow people to be able to more easily choose to combine modes in their commute, with a site that also provides bike sharing service also being desirable to integrate into the project.

Finally, the social safety of the network is extremely important. Typically, trails and paths in communities fall off spectacularly in that regard. That cannot be done in this project. All transportation bikeways must include lighting and at regular intervals. With modern technology, it is very possible to provide the lighting in such a way that it is not as intrusive to the environment and is also much cheaper to include and operate than ever before. Lighting features can also include tools to gather data, such as bike/ped counters that provide a display of the number of users that have passed a particular point at any given time.

S-6
Cont.



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Road classification (typical)	Speed limit (typical)	Motor traffic ADT	Part of bikeway network		
			Basic (bike commuter ADT < 400)	Priority bikeway (bike ADT 200 – 1000)	Bicycle "superhighway" (bike ADT >800/day)
Trail (e.g. SART, Pacific-Electric Trail)	N/A (30 MPH)	0 ¹	Class I bike path		
Alley	15 MPH	500	Yield street/bike boulevard, traffic diverters		
Local street	< 25 MPH	1,000 – 3,500	BMUFL/R4-11 preferred, W11-1/W16-1, yield street		Bike boulevard w/ 'sharrows', R4-11s, mini-roundabouts
Collector	< 35 MPH	One lane/direction	3,000 – 15,000	Buffered Class II bike lane preferred; 'sharrows', R4-11, W11-1/W16-1	
		Two lanes/direction	10,000 – 40,000	Buffered Class II bike lane preferred, Class II bike lane	Class IV cycletrack preferred, buffered Class II bike lane
Minor/Secondary Arterial	< 50 MPH		Class IV cycletrack preferred, buffered Class II bike lane		adjacent Class I bike path preferred, Class IV cycletrack
Major/Principal/Urban Arterial	30-55 MPH	Irrelevant	Class IV cycletrack	adjacent Class I bike path preferred; limited-access frontage road, Class IV cycletrack	
Expressway/Freeway	45-70 MPH	Irrelevant	adjacent Class I bike path		

Table 1. Recommended bikeways based on roadway network.

Traffic Impact Analysis

In addition to the general lack of vision in the Specific Plan as a whole, the Traffic Impact Analysis is also extremely problematic for bicyclists even as currently prepared. The planned overbuilding of the roadways has very real implications on safety as many of them include features that are patently unsafe even for motorists, but especially so for vulnerable users. With the Inland Empire already topping the list

¹ Neighborhood Electric Vehicles and small scooters (i.e. < 50 cc) could also be allowed on regionally-significant connections.

S-6
Cont.

S-7



of most dangerous areas of the state for vulnerable users, the addition of more features that are dangerous by design into the street environment is the last thing that we need. Additionally, many of the intersections will be extremely hostile to all users, but especially those who are not able to be encased in a car. They would be better served by allowing vulnerable users to bypass them completely, especially with a grade separation. If grade separations are employed, underpasses are preferable to overpasses that require climbing to reach. Also, despite the proven safety and even cost benefits provided by roundabouts, we are dismayed to see that more of them were not considered for use, especially for internal intersections. Thoroughfares such as Streets B, C, D, E, and F should be planned and designed to have a roundabout at every intersection along their length except for at the major thoroughfares of Lake Street, Lincoln Street, and Nichols Road. This enforces slower speeds and safer movement through those corridors that will otherwise become major barriers in the community.

S-7
Cont.

We were also not particularly impressed by any of the planned bike facilities. Class II bike lanes along roads which are being planned and designed for moving tens of thousands of vehicles per day at 50 MPH or more show a chronic and fundamental misunderstanding and disregard for bicyclists and their needs as well as a lack of vision that is completely out of touch with modern bicycle planning and bears little resemblance to anything sustainable. We would ask the planners and engineers to take a long, hard look at the proposals and answer truthfully if they would be comfortable letting elementary-aged children or elderly relatives use those facilities as constructed. If there is any hesitation in answering yes, they need to return to the drawing board and rethink the proposal. When done right, bikeways can be quite safe (Lusk, et al. 2013). Numerous publications with standards for designing more inclusive facilities exist and have been given the green light for use from Caltrans (Craggs, 2014), including the NACTO *Urban Streets Design Guide*, the Federal Highway Administration's *Separated Bike Lane Planning and Design Guide*, the rather progress MassDOT *Separated Bike Lane Planning & Design Guide*, *Record 25: Design manual for bicycle traffic* from CROW, and a forthcoming *Design Information Bulletin* on the topic from Caltrans. We cannot iterate enough the importance of the planners and designers of this project obtaining a copy to guide the development of this project.

S-8

More specific comments that relate to various features are included below.

Intersections

Intersections present the biggest problem to all road users and account for a disproportionate number of serious and fatal collisions. We want to make sure that only the very best practices are used in this project, with reams of research now available on the topic. However, the misplaced priorities exhibited thus far in the project have continued here. We have concerns for all of the intersections and would encourage measures be used to provide safer crossing points for all users. Roads in general should make far more use of roundabouts, which are proven to be both safer and have a higher capacity than virtually all other options (Bansen, et al., 2010).

S-9



Additionally, providing grade separation that allows non-motorized users to avoid big intersections entirely (such as pictured at right) is highly desirable, with the general preference being for underpasses. This is especially important for areas around parks, schools, or main corridors that will see high use and adding them as part of general grading operations means that the cost to provide them will be markedly lower than that of building them at a later date.

We do realize that grade separation might not always be feasible. In those instances, all of the arterial roads will need to include best practice in design of the intersections to ensure that safety of the bikeways is assured. At intersections with signals, this includes using the “protected intersection” design (Falbo, 2014), which per Section 4C.109(CA) of the CA MUTCD, would already be required to include bike signals and phasing. At intersections without signals, best design practice includes making the crossing a raised table, using bulb-outs and tight corner radii to keep speeds low, and the use of median refuge islands, especially at all locations where users will be crossing a roadway with two or more lanes per direction of travel, including dedicated turn lanes.

Horsethief Canyon Road at Temescal Canyon Road

This intersection is ideally suited for a roundabout, which would enforce low vehicle speeds through design. However, regardless of the intersection design ultimately chosen, a bikeway needs to be provided in a way that allows its users to bypass the signal. The preference is for a Class IV facility, but a transition for a Class II lane to bypass behind the signals could also work.

Lake Street at Temescal Canyon Road

As the main intersection between the areas projected to have the most intense uses, this intersection needs to be planned to facilitate a large number of *people*, not just cars, passing through it at a time. Ideally, this intersection should be built with a raised profile to provide an underpass for bicyclists and pedestrians to pass through without having to go through the signals at all. Doing so would also realize benefits for LOS as the absurd size of the two intersecting streets means that the time necessary for pedestrian clearance is significant.

Lake Street at Nichols Road

This intersection would benefit from a raised profile. While there is a pedestrian overpass planned for just south of this location, it is clearly focused on providing access to the park, not people moving about for transportation. Free right-turn lanes are extremely problematic for bicyclists and pedestrians. We are firmly against including these features in the road network as a whole and would encourage the engineers to seek other alternatives at this location. If there are truly no other options available, crosswalks across the slip lanes need to be constructed as raised tables to enforce slow speeds and yielding to nonmotorized users.

Terra Cota Road at Lakeshore Drive

A roundabout solution should be studied at this intersection to avoid adding lanes. The addition of lanes

S-9
Cont.



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creates a more dangerous and hostile environment to bicyclists and pedestrians, especially when speed limits are higher than 35 MPH.

Lincoln Street at Temescal Canyon Road

This intersection would benefit from a raised profile with underpass for bicyclists and pedestrians, similar to Temescal at Lake. That would realize similar benefits here as at that location while also providing the west side of the development with an ideal connection to the transit hub. It would also mitigate problems that otherwise exist with a flat intersection. If at grade, the planned free right-turn lanes are exceedingly problematic for people on a bicycle or foot and are definitely not a feature of New Urbanism. They should be avoided at all costs; the safety of vulnerable users cannot be sacrificed for LOS and doing so is completely out of line with promoting a pedestrian-oriented environment.

S-9
Cont.

Roadway Segments

Lake Street

Described as “a multi-functional corridor”, the reality of the current design proposal for Lake Street has only one function written all over it: moving lots of cars and moving them fast. To actually be “a multi-functional corridor”, the “meandering pedestrian and bicycle paths” are simply not enough for people to be able to safely and comfortably choose to travel by bike. Although it is stated that “bike lanes will be provided on both sides of the street”, due to the speed limit and projected volumes, Class II bike lanes are not a good fit in the current proposal. Bike facilities need to be usable by all road users and should at a minimum, be constructed as Class IV cycletrack facilities that provide physical separation from the traffic on the adjacent roadway. However, due to the proposed width of Lake Street, it is preferable for bidirectional Class I bike paths to be included on both sides of the street. That provides people with the ability to reach destinations without having to cross Lake Street unnecessarily. The use of separated bikeways also means that in accordance with Section 4C.109(CA) of the CA MUTCD, all traffic signals on Lake Street will require that bicycle-specific signals and phasing be included. The phasing should avoid conflicting movements between users of the separated bikeway and travel lanes.

S-10

Additionally, it is exceedingly poor practice and completely against any of the ideals of New Urbanism to build overly wide roads such as Lake St., especially in its eight-lane configuration, without *any* dedicated space for transit. Carrying forth that mistake will enshrine that the proclaimed “multi-functional corridor” is anything but. A bus turnout that requires buses to cut through the bike lane is not the answer. Failure to do so will greatly hinder the ability for the City of Temecula as well as the region to meet AB 32 targets and will be problematic as VMT becomes the standard for traffic impacts as the road will encourage driving. To avoid this issue, any parts of Lake St. where there are more than two lanes per direction must include dedicated transit lanes, with the center-running configuration having numerous advantages over a shared right-turn only/transit option. See Figure 1 for best practice recommendations, Figures 2, 3, and 4 for passable alternatives.

S-11

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Lincoln Street

The fact that Lincoln Street is being constructed as a 4-lane road means that Class II bike lanes are inadequate for use as bike facilities. Both traffic counts and speeds will be too high, so the lanes need to be replaced with at a minimum, Class IV cycletracks that provide a separated facility. This may be partially accomplished with the multi-purpose path on the western edge, but only as long as the minimum width is no less than 11 feet and Class I bike path standards are adhered to in its construction. Additionally, per Section 4C.109(CA) of the CA MUTCD, all signals are required to include bike signals and phasing. These adjustments need to be made to any existing and planned signals. At unsignalized intersections, the design needs to prioritize movement on the bikeway over the intersecting streets. If complete grade separation is not undertaken, then this is greatly facilitated by using a raised table design that *brings the level of the road up to meet the bikeway through the intersection*. The design should also place the intersecting path to be far enough away from the parallel roadway to provide turning vehicles and corner radii should be kept tight to enforce slow speeds. See Figures 5 and 6.

Nichols Road

The proposal for Nichols Road to have four lanes means that traffic counts and likely speeds will be too high for Class II bike lanes to adequately provide a place for all users to be able to ride. The Class II bike lanes should be replaced with Class IV bikeways. See Figures 7 and 8.

A Street

In Table 7-2 (CONTINUED): *General Plan Buildout Roadway Segment Daily Levels of Service Summary*, a conflicting picture emerges of this street. According to traffic projections, the daily volume at horizon year will be around either 5,000 or 36,000, an extremely disparate range. The result is a road that at buildout with Project, will encourage speeding and other unsafe driving behaviors as well as be a grossly inefficient use of space. There is zero engineering reason to build a four-lane divided highway for projected volumes that are barely one sixth of capacity and in addition to invoking unsafe driving, will be a large maintenance liability.

Furthermore, it is stated that A Street intended to invoke a small town central square feel. However, a town square that encourages people to congregate is *fundamentally incompatible* with a through road built with the capacity to handle nearly a quarter of the total projected trips for the entire project. Doing so amounts to the functional equivalent of putting a park in a freeway, the absurdity of which should be evident. Small town central squares can only be social gathering spaces when and because they are not overrun by cars. While motor vehicle access to any shops and residences might be necessary, allowing them to travel the entire way through on A Street means that cars will dominate the environment.

To best accomplish the goals of creating a desirable location for people modeled after a small town central square, A Street must actually be a small town central square. As such, it must **not** be a through street (except perhaps for emergency, municipal, and transit access, which can be controlled via photo enforcement). It can either function as one-way couplets that do not make through travel convenient or

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S-11
Cont.



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one half of the couplet needs to be reserved as solely as a route accessible by transit and active transportation. See Figures 9, 10, 11, and 12.

B Street

More care should be taken to ensure that B Street is not a traffic sewer through the center of the community. Access should be limited, with a high use of features such as chicanes, bulb-outs, choke points, and raised tables to keep speeds low throughout its entire length. See Figure 13.

C Street

While C Street will serve a sizable portion of the community, it must not be primarily about cars. The need to create an environment that is most comfortable for bicyclists and pedestrians must not be sacrificed in the name of LOS. Additionally, roundabouts should be the preferred intersection treatment for the entire street and turn restrictions should be used at more of its intersections, while using median islands to facilitate connectivity for bicyclists and pedestrians. See Figures 14 and 15.

D, E, and F Street

- These three streets are located in areas that primarily have relatively low-intensity land uses. The current profiles really deserve to be reevaluated as well, but making them much narrower is probably unlikely. However, roundabouts should be the preferred intersection treatment along them, especially in the area around parks and schools. Additionally, they should include chicanes, bulb-outs, speed tables/raised crosswalks, and other traffic calming measures along their length. Also, to promote walking and biking among the planning areas, more of their intersections need to be identified as right in/out only for motorists to both increase safety as well as lessen the advantage of driving. See Figures 16 and 17.

Internal Roadways

The thoroughfares internal to the project should also be built to ensure that they are friendly for all users and do not prioritize driving. These are the most important for reducing the extremely short trips and should be made to be as discontinuous for motorists as possible, including through the use of measures such as bollards, forced turns at intersections, and other measures that allow priority from alternative modes of travel.

Summary

In summary, the planners and engineers need to take this project's transportation plans back to the drawing board and completely redo it. "New Urbanism" is more than just putting up more multifamily and mixed-use developments. New Urban and sustainable land use depends on the transportation system in place for its area and as long as it continues to rely chiefly on providing "adequate capacity for

**S-11
Cont.**

S-12



INLAND EMPIRE
BIKING ALLIANCE

the automobile”, the result will hardly be a departure from what currently exists in the region today. The focus should be on moving people, not moving cars. Without such a shift, the Villages project ultimately will be hard-pressed to become more than just tall sprawl.

We would highly recommend that the planners, engineers, developers, and elected officials of Lake Elsinore take the time to travel to places like Houten and Almere in The Netherlands, both of which are recently-constructed communities that are world-famous for the sustainable design of their transportation systems. If there are any questions or concerns with the proposal being put forth, do not hesitate to contact us for clarification. We are more than happy to address anything that is unclear or questions that the planners and engineers may have and we maintain an extensive network of professional contacts that are also be willing to assist the efforts of creating a sustainable community that’s actually sustainable.

Sincerely,

Mark Friis, Executive Director

Marven E. Norman, President

**S-12
Cont.**

Appendix A: Figures

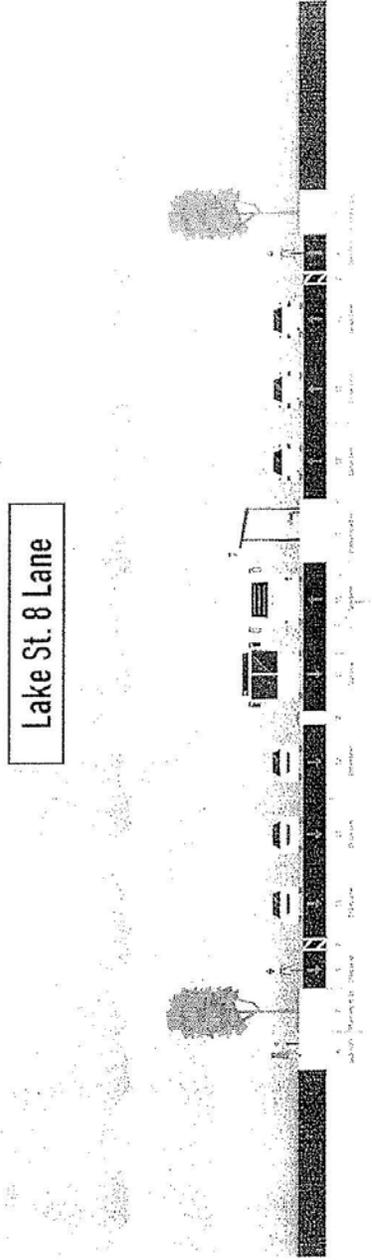


Figure 1. Lake Street 8-lane configuration with center priority for transit

Appendix A: Figures

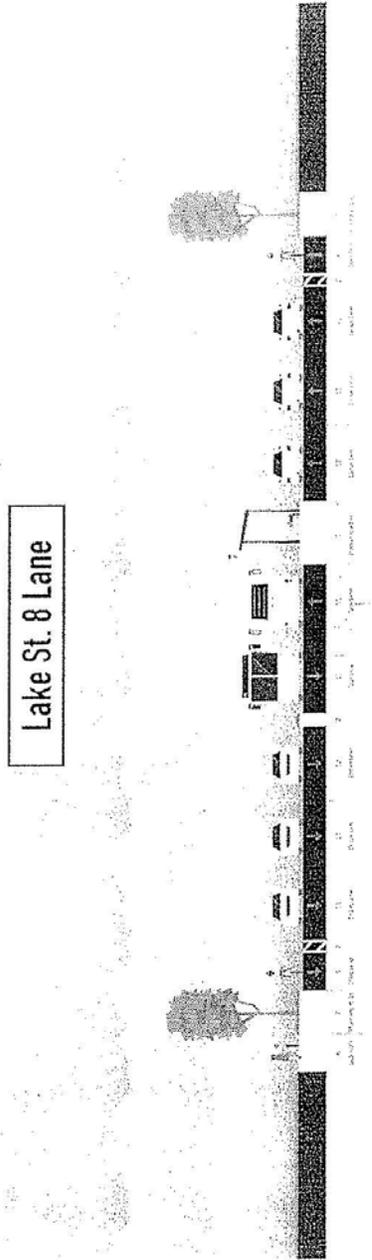


Figure 1. Lake Street 8-lane configuration with center priority for transit

Lake St. 6 Lane

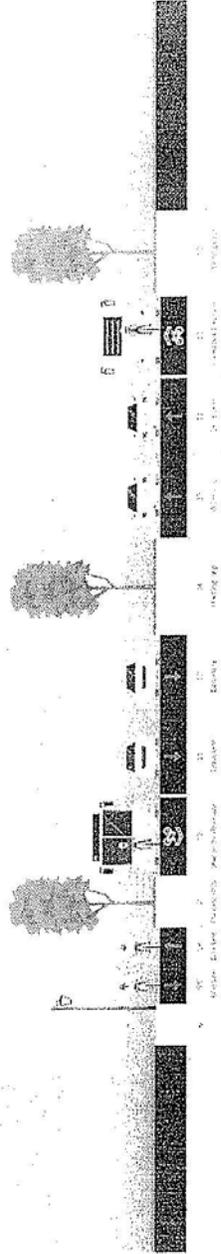


Figure 3. Lake Street 6 lane configuration.



Lake St. 6 Lane South of Nichols Road

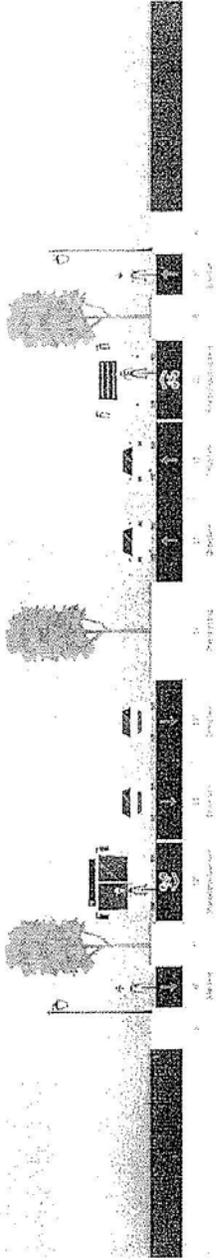


Figure 4. Lake Street 6 Lane south of Nichols Road transitions the bikeway to a one-way provision on either side of the street, a move that can be simplified by constructing a grade separation at the Lake St./Nichols Rd. intersection.

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Figure 10. Street A Condition 2 Option 2 provides a more efficient use of road space in the town square area, vastly improves transit access, and deals with the chronic overcapacity.



Figure 11. Street A Condition 3 Option 1 provides one half of Street A as a transit couplet. The transit couplet can be on either side of the town square, though the university side likely makes more sense.



Figure 12. Street A Condition 3 Option 2 is broadly similar to Condition 2 Option 2 and results in a nearly equivalent use of space and resources.

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Response to Comment Letter S Inland Empire Biking Alliance

Inland Empire Biking Alliance provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated December 20, 2015. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Inland Empire Biking Alliance Comment S-1

This comment describes the Inland Empire Biking Alliance’s status as a nonprofit organization that represents the interests of bicyclists and its mission. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Inland Empire Biking Alliance Comment S-2

Pursuant to CEQA Guidelines Section 15204 (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.”

The commenter expresses its concern regarding the design of the AVSP. This concern is acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Inland Empire Biking Alliance Comment S-3

See the above Response to Comment S-3.

Response to Inland Empire Biking Alliance Comment S-4

The Traffic Impact Analysis (TIA) utilizes the ITE Trip Generation rates and Level of Service (LOS) analysis pursuant to established TIA preparation procedures and in accordance with City of Lake Elsinore and County of Riverside Transportation Department requirements. It is acknowledged that pursuant to Senate Bill 743 that future TIA will be required to consider Vehicle Miles Traveled (VMT); however as noted by the commenter, these rules are not yet effective.

The commenter also offers suggestions regarding the design circulation system within the AVSP. This concern is acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Inland Empire Biking Alliance Comment S-5

See the below Response to Comment T-5.

Response to Inland Empire Biking Alliance Comment S-6

This comment describes the way that bicycling is a mode of transportation that promotes “New Urbanism and a paradigm shift from the status quo.” The comment also recommends that a bike master plan be included in the proposed AVSP and that all transportation bikeways include lighting at regular intervals. These comments are acknowledged but are regarding the design and content of the proposed AVSP. Pursuant to CEQA Guidelines Section 15204 (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.” No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Inland Empire Biking Alliance Comment S-7

This comment expresses concerns regarding the “planned overbuilding of the roadways.” All planned roadways within the proposed AVSP are designed to accommodate the anticipated traffic levels that will occur at project building in an estimated 30 years. The commenter suggests the use of roundabouts on thoroughfares such as Streets B, C, D, E and F at “every intersection along their length except for at the major thoroughfares of Lake Street, Lincoln Street, and Nichols Road. The proposed AVSP states that “a number of different traffic calming or speed reducing devices or designs shall be implemented in PDPs including roundabouts, neck-downs, cul-de-sacs, divided roadbeds, knuckles, pocket parks, and neighborhood focal points (refer to Appendix B, Sample Traffic Calming Devices). Similar devices may also be utilized as long as they meet the goals and intent of the circulation system for this Specific Plan.” No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Inland Empire Biking Alliance Comment S-8

See the below Response to Comment T-9.

Response to Inland Empire Biking Alliance Comment S-9

This comment includes recommendations regarding the design of a number of intersections throughout the proposed AVSP. These recommendations are acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

See also the above Response to Comment S-7.

Response to Inland Empire Biking Alliance Comment S-10

See the below Response to Comment T-10.

Response to Inland Empire Biking Alliance Comment S-11

The commenter expresses its concern regarding the design of the most of the principal streets with the proposed AVSP. This concern is acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

See the above Response to Comment S-2 and the below Response to Comment T-10.

Response to Inland Empire Biking Alliance Comment S-12

This comment summarizes the concerns expressed in the commenter's letter and recommends that the AVSP be "completely" redone. Pursuant to CEQA Guidelines Section 15204 (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."

Since the commenter expresses its concern regarding the design of the AVSP and raises no new environmental issues; therefore no additional mitigation measures and no modification of the DEIR are required.

Comment Letter T Caltrans District 8

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING (MS 722)

464 WEST 4th STREET, 6th Floor

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Mr. Roy Stephenson, PE, Land Use Engineer
City of Lake Elsinore
C/O HR Green
1100 Town & Country Road, Suite 1025
Orange, CA 92868

Draft Environmental Impact Report for the Alberhill Villages Specific Plan

Mr. Stephenson,

The California Department of Transportation (Caltrans) has completed its review of the Draft Environmental Impact Report for the Alberhill Villages Specific Plan. The project is bounded by I-15 to the north, the Horsethief Canyon Ranch development to the west, and Lake Street to the east. The project outlines the land use and transportation plan for 1,400 acres of land within the City of Lake Elsinore in six planning areas over a 30 year period. The Specific Plan states that the project will be a sustainable community featuring several town centers with retail and office space and include a University, multi-use trails, parks and lakes. The housing options include 2,675 single family residential homes, 4,370 apartments, and 1,200 condominiums for a total of 8,244 dwelling units. The University will meet the needs of 6,000 students, while two churches will each provide education opportunities to 600 students, and an elementary school for 850 students is planned. The plan also includes 1,621,000 square feet of commercial uses, 886,000 square feet of office space, and 56.3 acres of park space.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As a responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project, which may include traditional mitigation measures, in addition to multimodal transportation access, traffic safety modifications, and travel demand management strategies. Although the project is under the jurisdiction of the City of Lake Elsinore (City), due to the Project's potential impact to State facilities, it is also subject to the policies and regulations that govern the SHS.

We strongly encourage Cities to utilize the concepts of sustainability and urban and regional planning when envisioning their projects. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. We therefore commend the City of Lake Elsinore for attempting to include the needs

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T-1

T-2

T-3

of multi-modal transportation users and wildlife within the project scope, and for providing open space areas- all measures aimed at increasing community livability and environmental quality. However, we offer the following comments based on the Traffic Impact Analysis (TIA) methodology and offer recommendations for sustainable development based upon Specific Plan objectives and goals. Given these considerations, we offer the following comments:

T-3
Cont.

Sustainable Community Development and Multimodal Accessibility:

Caltrans acknowledges and encourages the City's efforts in planning mixed-use, dense and transit-accessible communities in the Alberhill Villages Specific Plan. It is apparent that the Specific Plan goals which include providing a jobs/housing balance, multi-modal circulation system, incorporating sustainable design concepts, and integrating open space are all visionary goals that Caltrans encourages. However, based upon sustainable community and complete streets research conducted by this office, it is apparent that this project, although aspirational, has several components which do not satisfy the requirements of a sustainable community. We will discuss overall themes and provide recommendations in three categories below: transit access; land use and housing; and street design.

T-4

Transit Access:

Case studies of sustainable communities developed around the world show that the provision of high quality transit to all residents is a primary focus for their development. It is therefore necessary to develop sustainable communities around a transit station that is integrated with other regional transit and provides an efficient option when compared to automobile travel. This ensures that a higher proportion of trips are taken utilizing public transit, walking and bicycling rather than automobiles. Although the Specific Plan suggests that a transit center may be developed at a later phase, we strongly encourage the City to work with the Riverside County Transportation Commission (RCTC) and Riverside Transit Agency (RTA) to ensure public transit options are provided to residents in the early phases of development. Referring to the I-15 Commuter Rail Feasibility Study released in 2008, rail service has been analyzed by RCTC; within the study, Alternative C1 shows an extension of Commuter rail service along I-15 and provides a Lake Street Station in Lake Elsinore. We encourage the City and RCTC pursue this project to ensure the viability of development of such a corridor in conjunction with the Specific Plan.

T-5

It is apparent that this area could be a potential transit priority area for the Riverside Transit Agency given its high proportion of mixed-use areas around a potential Lake Street Station. We would also recommend the implementation of bus-only lanes along Lake Street to connect to the future transit station and to minimize the trips generated from the project (more on this in the "Street Design" section below). Additionally, Caltrans suggests the applicant, City and RTA consider transit passes or subsidies to stimulate future residents to patronize the regional public transit system.

T-6

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Land use and Housing:

Referring to the TIA Figure 2-2, "Land Use Planning Area Map", it is apparent that the above-mentioned transit access opportunities would provide reasonable public transportation options to planning areas 1A, 1B, 1C, 2B, 4C via Commuter rail, and perhaps even 6A and 6B via a bus-rapid transit line connected to the Lake Street Station. However, the majority of the planning areas within the Specific Plan not mentioned above do not provide the density nor the transit-supportive grid network necessary to provide an efficient public transportation system to community residents. Although we commend the City for planning a series of mixed-use neighborhoods, walking and bike trails, and a range of housing options, a majority of the trips associated with the single family residential land use designations will likely be taken via the automobile.

Sustainable communities have utilized a range of housing options within a single planning area to counteract this outcome. This may include single-family attached and smaller single-family lots that do not have private yards in the same neighborhood as condominiums and apartments. This could help increase the density of the neighborhoods and reduce the community's carbon, water and ecological footprints. In addition, a majority of the single family residential land use lacks a mixed-use or commercial center within walking distance. We therefore recommend that the land use planning map include mixed-use areas along Street E in Planning areas 2 and 4, and along Lincoln Street in Planning areas 4 and 5. This would decrease the number of automobile trips taken to access goods and services. We also strongly encourage the City to pursue the development of office space and commercial uses in conjunction with housing options, in order to ensure residents have the opportunity to live within close proximity to employment opportunities from early stages of development, thereby reducing the project's impact on regional transportation systems. Finally, we strongly endorse applicants consult with environmental design certification programs to ensure the constructed buildings utilize the most updated criteria for meeting sustainability goals.

Street Design:

Ensuring that a multimodal transportation system is planned for the Alberhill Villages Specific Plan that serves the needs of pedestrians, cyclists, transit riders and car- / van-pooling will reduce congestion, vehicles miles traveled, greenhouse gas emissions, and our State's effect on climate change. We therefore support the language expressing the development of walkable and traffic-calming measures in mixed-use/commercial areas, the planned multi-use trails, and the inclusion of bike lanes on streets. However, it is apparent that the methods and designs utilized within the TIA assume a large proportion of automobile trips associated with the project and create transportation systems that may be unsafe for road users. To assist the City in reducing vehicle trips associated with the proposed development, we offer the following comments:

- The traffic generation methodology utilized within the TIA appear to be inconsistent with the goal of providing multi-modal transportation systems and sustainable community design. If

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T-7

T-8

the project truly aims to develop a sustainable, mixed-use community, then the traffic estimated may be too conservative when compared to sustainable community case studies. This has been demonstrated in "Getting Trip Generation Right"ⁱ which suggests that the ITE Handbook overestimates peak hour traffic by an average of 35% in such areas. The report suggests utilizing alternate methodology, such as those found in the EPA multiregional study and an NHCRP 684 study. In addition, with the passage of SB 743, we have encouraged project applicants to utilize vehicle miles traveled (VMT) as a method of analysis within transit priority areas, which are located within one half mile of high quality transit stations. As future developments within the Specific Plan will include their own TIA's, we suggest utilizing these methods within one half mile of Lake Street Station if Alternative C1 is pursued.

T-8
Cont.

- The DEIR cites the California Complete Streets Act (AB 1358), with its aims to reduce greenhouse gas emissions, utilize land efficiently, improve public health, reduce VMT, and shift short trips from the automobile to biking, walking and use of public transit. We are proponents of these measures, and strongly encourage the applicant and City conduct research utilizing both the NACTO Urban Streets Design Guide (<http://nacto.org/publication/urban-street-design-guide/>) and Caltrans' Main Street, California document (http://www.dot.ca.gov/hq/LandArch/mainstreet/main_street_3rd_edition.pdf) for solutions that create environments that stimulate greater active transportation travel. These solutions will help adequately "plan for a balanced, multi-modal transportation network that meets the needs of all users of the streets". These guides will provide information for traffic calming, landscaping aesthetics, and road space allocations.
- We strongly recommend the applicant reconsider the use of Class II Bike Lanes on a number of roadway segments within the study area, and instead implement Class IV Separated Bike Lanes utilizing existing right-of-way. Please review the recently released Caltrans Design Information Bulletin Number 89ⁱⁱ for design guidance. These infrastructure solutions have been found to reduce collisions for all road users, greatly increase the rate of cycling along streets, and have even benefited economic vitality along the corridors on which they are implemented. These facilities include 5-7 feet in width for the travel lane, and a 2-3 foot buffer space with some form of vertical separation placed within the buffer space. We also recommend placing green paint in conflict areas, such as driveways and intersections. Vertical separation is necessary to reduce roadways stress and collision rates, and is imperative when travel volumes exceed 40 MPH, as an estimated 85-90% of pedestrians and cyclists hit at such high speeds suffer fatalities. Such separation may include flexible delineators, bollards, planters, and curbs/dikes; placing the bike lane to the right of parked cars also provides a form of separation. Many of the additional right-of-way requested for bicycle travel can be accommodated by re-allocating right-of-way from either the median or parkways. We offer the following recommendations:

T-9

T-10

ⁱ <http://www.fehrandpeers.com/wp-content/uploads/2013/07/APA_PAS_May2013_GettingTripGenRight.pdf>

ⁱⁱ <<http://www.dot.ca.gov/hq/oppd/dib/dib89.pdf>>

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- Lake Street- I-15 to Street "A" Couplet: Placing a 6 foot bike lane next to four travel lanes does not provide a reasonable, safe or convenient environment for bicycle travel. Provide 8-10 feet for a Separated Bike Lane with vertical separation.
- Lake Street- Street "A" Couplet to Nichols: Provide 8-10 feet for a Separated Bike Lane.
- Lake Street- Nichols Road to 1000' North of Mountain: Provide 8-10 feet for a Separated Bike Lane.
- Lincoln Street- Temescal Canyon Road to Nichols Road and Nichols Road to South Project Boundary: Consider including a 2-3 foot buffer space and vertical separation to the left of the bicycle travel lane. We also recommend green paint in conflict areas.
- Street "A" Condition 1: Consider including a 2-3 foot buffer space (with no vertical separation) to the left of the bicycle travel lane. We also recommend green paint in conflict areas.
- Street "A" Condition 2: Consider 6 foot bike lanes or parking-protected Separated Bike Lanes to provide reasonable bicycle travel outside of the 'door zone'.
- Street "A" Condition 3: Consider 6 foot bike lanes or parking-protected Separated Bike Lanes to provide reasonable bicycle travel outside of the 'door zone'.
- Nichols Road- Lincoln Street to Lake Street and West End Condition: Consider including a 2-3 foot buffer space and vertical separation to the left of the bicycle travel lane. We also recommend green paint in conflict areas.
- Loop Roads: Stripe Class III Bike Route shared-lane markings within the travel lane at least 3 feet to the left of parked vehicles, with strategic placement of "Bikes May Use Full Lane" (R4-11) signs.

- As stated in the "Transit Accessibility" section above, we recommend the inclusion of Bus Rapid Transit lanes on Lake Street. This would aid the project in satisfying the goals of developing a sustainable community, balancing the needs of all transportation modes, reducing VMT, and providing a Complete Street. This is further suggested in the Traffic and Circulation Plan Policy AH 4.2, which identifies Lake Street as one of "the most significant roadways within the Alberhill District for transit". Please review the NACTO guide mentioned above for details on street design.

Traffic Operations and Forecasting:

The scope of the Project suggests the potential for significant impacts to State facilities, including I-15. Due to this, Caltrans' Operations and Forecasting units are tasked with analyzing the methodology and mitigation measures found within the TIA. We offer the following comments:

- The report is missing Trip Distribution and Trip Assignment analyses, which are necessary to evaluate traffic impacts from the proposed project. This is particularly important for intersections #2 and #3, Lake Street at I-15 Northbound (NB) and Southbound (SB) ramps, respectively. As indicated in the report, Lake Street off the I-15 will serve as the main

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T-10
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T-11

T-12

Mr. Stephenson
January 13, 2016
Page 6

entrance into Alberhill Villages, yet traffic volumes on the Lake Street ramps appear to be significantly lower than those expected for a major thoroughfare into a project of this intensity.

- Include existing lane geometry and conduct ramp merge/diverge analyses at the NB and SB directions of the I-15 and Nichols Road, and I-15 and Lake Street interchanges to determine the impacts of the development at these locations.
- Include exhibits that show AM/PM Existing Peak Hour volumes, AM/PM Project Peak Hour volumes, AM/PM Cumulative with Project Conditions, and Mitigated Cumulative with Project Conditions.
- The report is missing truck volume information. Please include these data in further analyses.
- The revised TIA should include local and regional transportation funding mechanisms and a discussion of project fair share contributions.

Thank you for providing us the opportunity to review the Draft Environmental Impact Report for the Alberhill Villages Specific Plan and for your consideration of these and future comments. These recommendations are preliminary and summarize our review of materials provided for our evaluation. If this proposal is revised in any way, please forward appropriate information to this office so that updated recommendations for impact mitigation may be provided. If you have questions concerning these comments, or would like to meet to discuss our concerns, please contact Dustin Foster (909) 806-3955 or myself at (909) 383-4557.

Sincerely,



MARK ROBERTS
Office Chief
Intergovernmental Review, Community and Regional Planning

T-12
Cont.

T-13

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Response to Comment Letter T **Caltrans District 8**

Caltrans District 8 provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated January 13, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Caltrans District 8 Comment T-1

This comment summarizes the project description information contained within the DEIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Caltrans District 8 Comment T-2

This comment describes Caltrans’ role as owner and operator of the State Highway System and as a “responsible agency” under CEQA. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Caltrans District 8 Comment T-3

This comment states that Caltrans encourages cities to utilize the concepts of sustainability and urban and regional planning when envisioning projects. The commenter also states the purpose of its comments and recommendations. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Caltrans District 8 Comment T-4

Pursuant to CEQA Guidelines Section 15204 (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.”

This comment acknowledges and encourages the City’s efforts in planning mixed-use, dense and transit-accessible communities in the Alberhill Villages Specific Plan. However, the commenter has reached a conclusion that it does not consider the project have satisfied the requirements for

a sustainable community. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Caltrans District 8 Comment T-5

The commenter suggests that the City should consider a Transit Station on Lake Street and work with the Riverside County Transportation Commission to implement such facility in an earlier phase of the AVSP. The commenter also notes that the Riverside County Transportation Commission (RCTC) analyzed extending commuter rail service along the I-15 freeway with a Lake Street Station. These suggestions regarding the design and provision of the AVSP are acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Caltrans District 8 Comment T-6

This comment suggests that the project area could be a potential transit priority area for the Riverside Transit Agency (RTA) and recommends that bus-only lanes be implemented along Lake Street connecting to a future transit station. These suggestions regarding the design and provision of the AVSP are acknowledged. The City's General Plan does not identify bus-only lanes and a future TIA would consider such bus-only lanes but the City is concerned such lanes may significantly alter general plan designated street design. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Caltrans District 8 Comment T-7

The commenter states that planning areas within the Specific Plan do not provide density or grid network to support a public transportation system. The City supports public transportation but is does not provide such services. This comment also acknowledges that the AVSP includes "a series of mixed-use neighborhoods, walking and biking trails, and a range of housing options." The commenter also suggests the inclusion of mixed-use areas along Street E in Planning Areas 2 and 4 and along Lincoln Street in Planning Areas 4 and 5. These suggestions regarding the design and provision of the AVSP are acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Caltrans District 8 Comment T-8

See the above Response to Comment B-64 and the above Responses to Comment B-65 and the above Response to Comment E-2.

Response to Caltrans District 8 Comment T-9

This comment suggests that the City “conduct research utilizing both the NACTO Urban Streets Design Guide and Caltrans Main Street, California document “for solutions that create environments that stimulate greater active transportation travel.” The commenter notes that these documents “will provide information for traffic calming, landscaping aesthetics, and road space allocations. These suggestions regarding the design and provision of the AVSP are acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Caltrans District 8 Comment T-10

The commenter recommends that the City uses Class IV Separated Bike Lanes rather than Class II Bike Lanes on a number of roadway segments. The City’s General Plan identifies classes I, II and II bike lanes and does not identify Class IV bike lanes. The City acknowledges the nine recommendations pertaining to bike lanes and has forwarded them to the City’s Traffic Engineer for consideration in the next update of the City’s General Plan. The inclusion of Class IV Separated Bike Lanes and the other Caltrans recommended bike lane designs within the AVSP along Lake Street, Lincoln Street, Street A, Nichols Road and the Loop Roads will also be considered during review of the future required Phased Development Plans.

These suggestions regarding the design and provision of bike lanes within the AVSP are acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Caltrans District 8 Comment T-11

See the above Response to Comment T-6 and the above Response to Comment T-9.

Response to Caltrans District 8 Comment T-12

See the above Response to Comment B-65, the above Response to Comment B-66, the above Response to Comment E-1 and the above Response to Comment E-3.

S

Comment Letter U
Elsinore Valley Municipal Water District

Board of Directors
Phil Williams, President
Harvey R. Ryan, Vice President
Andy Morris, Treasurer
George Cambero, Director
Nancy Horton, Director



General Manager
John D. Vega
District Secretary
Terese Quintanar
Legal Counsel
Best Best & Krieger

EVMWD will provide reliable, cost-effective, high quality water and wastewater services that are dedicated to the people we serve.

January 14, 2016

City of Lake Elsinore
Attn: Roy Stephenson – Contract Development Engineer
130 South Main Street
Lake Elsinore, CA 92530

**SUBJECT: ALBERHILL RANCH SPECIFIC PLAN
DRAFT ENVIRONMENTAL IMPACT REPORT – DISTRICT COMMENTS**

Dear Mr. Stephenson:

Recently the City circulated for comment the Draft Environmental Impact Report (DEIR) for the Alberhill Villages Specific Plan (AVSP). The Elsinore Valley Municipal Water District (EVMWD) has reviewed the DEIR and is providing to the City our comments on the DEIR. AVSP is within EVMWD's service area and EVMWD is the responsible agency for providing Sewer, Water and Recycled Water to the AVSP project. For the past several years EVMWD is aware of Castle & Cooke's (C&C) intent to develop the ±1400 AVSP project and has worked closely with C&C and their engineer, KWC Engineers (KWC), in reviewing the Sewer and Water infrastructure systems that will support AVSP and other C&C projects in the future.

U-1

In 2012 the City requested that EVMWD prepare a Water Supply Assessment (WSA) for the AVSP project area. The WSA was prepared by MWH Americas, Inc. for not only the ±1400 acre AVSP project area, but also included Castle & Cooke's Alberhill Ridge project, a ±400 acre combined residential and commercial project on the east side of Lake Street immediately adjacent to the AVSP project area. The EVMWD Board of Directors adopted the WSA in 2012 and the findings in the WSA, based upon EVMWD's 2010 Urban Water Management Plan, are still valid today. EVMWD's 2010 Urban Water Management Plan is based upon findings from the planning documents of regional water purveyors such as Western Municipal Water District and the Metropolitan Water District of Southern California. It should be noted that the 2015 Urban Water Management Plan is due to the California Department of Water Resources on July 1, 2016 and EVMWD along with the regional water purveyors is in the process of updating the plan.

U-2

With respect to the Water and the Sewer System facilities proposed within the AVSP project, EVMWD has worked and coordinated with KWC on developing the infrastructure facilities for the AVSP project. EVMWD periodically has met with KWC and reviewed their proposed infrastructure plan for the AVSP project and has found it to be substantially in conformance with our 2008 Water Distribution System Master Plan and Wastewater

U-3

Collection System Master Plan. EVMWD is also in the process of updating our Infrastructure Master Plans (Water, Sewer, and Recycled Water) and has incorporated the water distribution facilities proposed within the AVSP project as part of the Master Plan update process.

U-3
Cont.

In addition to the recent updates to our Water and Sewer Master Plans, EVMWD is also developing a comprehensive Recycled Water Master Plan (RWMP) for its service area. As part of the RWMP, EVMWD is considering strategies for the future of recycled water generated by new developments including C&C's AVSP project. EVMWD is evaluating the feasibility of conducting an Indirect Potable Reuse Study (partially funded by the United States Bureau of Reclamation) which will result in 100 percent reuse of the recycled water generated within EVMWD's service area. As part of this study, EVMWD plans to divert all sewer flows from the northern sewershed areas that include the AVSP project to its Regional Water Reclamation Facility.

U-4

EVMWD plans to finalize these documents for adoption by EVMWD's Board of Directors by the end of June 2016. EVMWD, as the Water, Sewer, and Recycled Water service provider to AVSP, has reviewed the AVSP DEIR and believes that the DEIR substantially conforms to EVMWD's Infrastructure Master Plans.

U-5

If you need further comments or clarifications, please contact Nemesiano Ochoa, EVMWD's Assistant General Manager, at 951-674-3146, ext. 8359.

Sincerely,



John Vega
General Manager

NO/gk

g:\admin\1-2016 correspondence\16004ea.docx

Response to Comment Letter U **Elsinore Valley Municipal Water District**

Elsinore Valley Municipal Water District provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated January 14, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Elsinore Valley Municipal Water District Comment U-1

In this comment, Elsinore Valley Municipal Water District (EVMWD) states it is the responsible agency for providing sewer, water and recycled water to the AVSP project. EVMWD states that it has worked closely with the project developer in reviewing the sewer and water infrastructure that will support the project. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Elsinore Valley Municipal Water District Comment U-2

EVMWD states that it adopted the Water Supply Assessment (WSA) in 2012 for the AVSP project area and that the findings in the WSA are still valid. EVMWD notes that its 2015 Urban Water Management Plan is due on July 1, 2016 and that it is in the process of updating the plan. These comments are acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Elsinore Valley Municipal Water District Comment U-3

EVMWD states that it has worked with the developer’s engineer in developing infrastructure facilities for the AVSP project and that it has found the project to be substantially in conformance with their 2008 Water Distribution System Master Plan and Water Collection Master Plan. EVMWD has also incorporated the water distribution facilities proposed by the AVSP project as part of the Master Plan update process. These comments are acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Elsinore Valley Municipal Water District Comment U-4

The commenter advises that in addition to recent updates to their Water and Sewer Master Plans, that it is also developing a Recycled Water Master Plan (RWMP) for its service area. As part of

the RWMP, the commenter states that it is considering strategies for the future of recycled water generated by the AVSP project. As part of this study, EVMWD plans to divert all sewer flows from the northern sewershed areas that include AVSP to its Regional Water Reclamation Facility. These comments are acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Elsinore Valley Municipal Water District Comment U-5

EVMWD states that it has reviewed the DEIR and believes that the DEIR substantially conforms to EVMWD's Infrastructure Master Plans. This comment is acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Comment Letter V
Santa Ana Watershed Project Authority



Santa Ana Watershed Project Authority

OVER 45 YEARS OF INNOVATION, VISION, AND WATERSHED LEADERSHIP

One Water One Watershed

AWRA INTEGRATED WATER RESOURCES MANAGEMENT AWARD
HARVARD KENNEDY SCHOOL'S TOP 25 INNOVATIONS IN AMERICAN GOVERNMENT



February 4, 2016

Thomas P. Evans
Commission
Chair

Mr. Roy Stephenson, P.E.
Land Use Engineer
City of Lake Elsinore c/o HR Green
5000 Birch Street, Suite 6000
Newport Beach, CA 92660

Celeste Cantú
General
Manager

Subject: Program Environmental Impact Report – Alberhill Villages Specific Plan

Orange
County
Water
District

Dear Mr. Stephenson:

The Santa Ana Watershed Project Authority (SAWPA) appreciates the opportunity to comment on the above referenced document. SAWPA owns and operates the Inland Empire Brine Line, a regional brine sewer. A section of the Brine Line is located along Lake Street, north of Nichols and then northwest on Temescal Canyon Road, adjacent to the proposed area for development.

Western
Municipal
Water District

SAWPA's comments to the Program EIR are as follows:

Eastern
Municipal
Water
District

1. Change reference to the Santa Ana Regional Interceptor (SARI) to Inland Empire Brine Line or Brine Line.
2. Consider discussing the Brine Line under the Public Utilities/Service Systems rather than under Hazards and Hazardous Materials; the Brine Line is considered a non-reclaimable sewer system permitted under the State of California Waste Discharge Requirements (WDR).
3. Finally, given that the roads (Lake Street and Temescal Canyon Road) where the Brine Line is currently located are likely to be relocated, SAWPA would like to ensure that access to the Brine Line is maintained for the purposes of repair and maintenance. SAWPA is requesting notification if there is an intention to vacate the existing public right-of-way and prior to any construction activity near the Brine Line.

V-1

V-2

V-3

San
Bernardino
Valley
Municipal
Water
District

Please do not hesitate to contact me at (951) 354-4240 or via e-mail at rhaller@sawpa.org if you have any questions or need additional information.

Inland
Empire
Utilities
Agency

Sincerely,

Richard E. Haller, P.E. ENV SP
Executive Manager of Engineering and Operations

C: Celeste Cantú, SAWPA
Richard MacHott, City of Lake Elsinore

11615 Sterling Avenue, Riverside, CA 92503 • 951.354.4220
www.sawpa.org • www.sawpa.org/OWOW



Response to Comment Letter V **Santa Ana Watershed Project Authority**

The Santa Ana Watershed Project Authority (“SAWPA”) provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated February 4, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Santa Ana Watershed Project Authority Comment V-1

The Commenter requests that the reference to the Santa Ana Receptor (SARI) be changed to Inland Empire Brine Line or Brine Line. The references to Santa Ana Receptor (SARI) are located on pages 3.0-44, 4.2-2, 4.2-9 and 4.2-13 of the DEIR. These references will be changed to “Inland Empire Brine Line” or “Brine Line”.

Response to Santa Ana Watershed Project Authority Comment V-2

The commenter has requested that the discussion of the Brine Line located in Section 4.2 (Hazards and Hazardous Materials) be relocated to Section 4.10 (Public Services and Utilities). This request is acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to Santa Ana Watershed Project Authority Comment V-3

The commenter has requested notification if there is intent to vacate the existing right-of-way and prior to any construction activity near the Brine Line. This requested is acknowledged and SAWPA will be noticed of any intention to vacate any public right-of-ways near the Brine Line.

Comment Letter W
**United States Fish and Wildlife Service and
California Department of Fish and Wildlife**

Grant Taylor

From: Cleary-Rose, Karin <karin_cleary-rose@fws.gov>
Sent: Tuesday, February 16, 2016 5:53 PM
To: Justin Kirk; Grant Taylor; Diana Girón; Shelly Jordan; Grant Yates; Barbara Leibold (barbara@ceqa.com)
Cc: James Thiede; Heather Pert
Subject: Comments on Planning Commission Public Hearing Item 3, ID # 16-068: Alberhill Villages Specific Plan (SP 2010-02), Draft Program Environmental Impact Report (SCH # 2012061046), General Plan Amendment No. 2012-01, and Zone Change No. 2012-02.

In Reply Refer To:

FWS/CDFW-WRIV-07B0064-16CPA0243

Dear Members of the Planning Commission,

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department) are writing to urge that the Planning Commission not to adopt recommendation 1, 2, or 3 for Item #3, ID # 16-068: Alberhill Villages Specific Plan (SP 2010-02), Draft Program Environmental Impact Report (SCH #2012061.

W-1

The Service and the Department, together the Wildlife Agencies, both commented previously on the on the DPEIR and hereby incorporate those comments by reference. In addition, please consider the following comments:

W-2

We request that the planing commission not recommend that the City Council of the City of Lake Elsinore Certify the Environmental Impact Report for the Alberhill Villages Specific Plan (SCH No. 2012061046) until it has been substantially revised for the reasons discussed in our letters.

We request that the planing commission not recommend that the City Council of the City of Lake Elsinore Adoption of Findings of Consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) for the 9.09 Acre Property Also Known as LEAP No. 2005-12 and Adoption of Findings of Exemption from the MSHCP for the Alberhill Villages Specific Plan. The 9.09-acre property was the subject of JPR 05-08-15-02. The Western Riverside County Regional Conservation Authority and the Wildlife Agencies both found the proposed project to be inconsistent with the the reserve assembly criteria. Consistent with MSHCP 6.6.2 E, the project was the subject of and MSHCP Meet and Confer meeting. No agreement was reached at the Meet and Confer meeting and the proposed project was referred to an Elected Officials Ad Hoc Committee. The Elected Officials Ad Hoc Committee also found that the proposed project was not consistent with the MSHCP.

W-3

Lake Elsinore City Council Resolution No. 2007-142 attempts to address MSHCP consistency for the proposed project, and although appropriate topics are identified, the resolution can not circumvent the prescribed MSHCP permit procedures. While Wildlife Agencies were unaware that the City of Lake Elsinore adopted Resolution No. 2007-142. As a reminder, the approval of a project inconsistent with the City's MSHCP permits is not a CEQA issue. The City of Lake Elsinore is obligated to implement the MSHCP under the terms of its permits for the duration of those permits.

Also please note:

1. Part of the 56.7-acre parcel in DEIR Appendix G – Part 1 (Temescal Creek Bridge sub-project of the AVSP) is subject to the MSHCP and the City is required to implement the MSHCP process there. The bridge project and this parcel have not gone through the MSHCP compliance process (JPR and LEAP).
2. JPR and LEAP is required for the AVSP's proposed expansion of Lake St, Nichols Rd, and Temescal Canyon Road, since these roads are City circulation element roads inside the MSHCP Criteria Area.

W-4

W-5

We appreciate the opportunity to comment and request a meeting with the City to discuss MSHCP implementation for the 9.09 acre parcel at the corner of Lake Street and Temescal Canyon Road.

W-6

Sincerely,

Karin Cleary-Rose
and

Heather A. Pert, PhD

Karin Cleary-Rose
Inland Division Chief
U.S. Fish and Wildlife Service
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92220
(760) 322 2070 ext 206

Heather Pert, PhD

Inland Deserts Region, R6

Senior Environmental Scientist

California Department of Fish & Wildlife

3602 Inland Empire Blvd, Suite C-220

Ontario, Ca 91764

858-395-9692 (mobile and only number)

Heather.Pert@wildlife.ca.gov

www.wildlife.ca.gov

Response to Comment Letter W
United States Fish and Wildlife Service and
California Department of Fish and Wildlife

The United States Fish and Wildlife Service (“USFWS”) and California Department of Fish and Wildlife (“CDFW”) provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in an e-mail dated February 16, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to USFWS and CDFW Comment W-1

The commenters have requested that the Planning Commission not adopt recommendations made in the Planning Commission Staff Report. The Planning Commission considered this recommendation at its public hearing on February 16, 2016 regarding the AVSP and related CEQA documents. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to USFWS and CDFW Comment W-2

See the above Responses to Comments for Letters D (United States Fish and Wildlife Service) and G (California Department of Fish and Wildlife).

Response to USFWS and CDFW Comment W-3

See the above Response to Comment B-26 and Response to Comment D-3.

Response to USFWS and CDFW Comment W-4

See the above Response to Comment D-3 and Response to Comment G-2.

Response to USFWS and CDFW Comment W-5

See the above Response to Comment D-4.

Response to USFWS and CDFW Comment W-6

The commenters requested a meeting to discuss MSHCP implementation for the 9.09-acre parcel located at the corner of Lake Street and Temescal Canyon Road. Subsequent to its receipt of this comment letter, the City met with representatives of USFWS and CDFW to discuss this matter. See the above Response to Comment B-26, the above Response to Comment D-3, and the above Response to Comment D-5 .

Comment Letter X
County of Riverside Transportation Department



Juan C. Perez, P.E., T.E.
*Director of Transportation and
Land Management*

COUNTY OF RIVERSIDE
**TRANSPORTATION AND
LAND MANAGEMENT AGENCY**

Transportation Department



Patricia Romo, P.E.
Assistant Director of Transportation

February 16, 2016

City of Lake Elsinore Planning Commission
183 N. Main Street
Lake Elsinore, CA 92530

**RE: Public Hearing Item ID# 16-068, Alberhill Villages Specific Plan (SP No. 2010-02), on the
February 16, 2016 Planning Commission Hearing**

Dear Commissioners:

As part of your considerations to take action on the Alberhill Villages Specific Plan (SP No. 2010-02), the County of Riverside Transportation Department (County) provides the following comments in addition to those provided in the County's December 31, 2015 letter.

The proposed project is located south of the I-15 freeway, west of Lake Street, and borders the unincorporated County. As illustrated in the SP No. 2010-02 and its Draft Environmental Impact Report, Temescal Canyon Road provides a connection to areas north and west of the project. It would be reasonable to assume that the project's proposed university and retail uses would attract trips from these areas. Although the I-15 freeway is available, trips from these areas would also utilize Temescal Canyon Road. Additionally, Temescal Canyon Road is the only parallel facility that operates as an alternate to the freeway which makes it a critical road during emergency closures on the freeway. The Riverside County Transportation Commission (RCTC) has plans to further improve the I-15 Freeway, however the timing of these improvements are unknown and would occur at some point in the distant future.

X-1

With the project estimated to generate over 150,000 daily trips, an emphasis should be placed to have the project improve Temescal Canyon Road. The County requests that the City require the project to develop a phasing plan to improve the Temescal Canyon Road corridor prior to approval of the Specific Plan. This phasing plan, with input from the City and County, will provide a clear plan of action to ensure improvements are constructed in a timely manner as the project develops.

X-2

The City and County utilize the same Traffic Impact Analysis Preparation Guidelines to determine the study area and intersection to be analyzed in a traffic study. One of the key criteria used to determine if an intersection should be studied is when a proposed project adds 50 or more peak hourly trips to it. Although the project's traffic study analyzed the intersection of Horsethief Canyon Road at Temescal

X-3

Canyon Road, it is reasonable to assume that the project would add more than 50 peak hourly trips to intersections on Temescal Canyon Road to the north and west. According to Caltrans' publication of traffic counts, in 2014 the annual daily average traffic on the I-15 freeway between Lake Street and Indian Truck Trail Road was 122,000. Given only six lanes exists on the freeway, a portion of the project's estimated 150,000 daily trips will likely use alternative routes to travel north, namely Temescal Canyon Road.

X-3
Cont.

The County views Temescal Canyon Road as a critical roadway for the area as it serves an emergency access route and provides relief as congestion develops on the freeway. We hope the City will see the benefit in requiring the project to develop a phasing plan to improve the Temescal Canyon Road corridor.

X-4

Sincerely,



Russell Williams
Development Review Manager

RUW:KKT

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

Response to Comment Letter X **County of Riverside Transportation Department**

The County of Riverside Transportation Department (“Caltrans”) provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated January 13, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to County of Riverside Transportation Department Comment X-1

The commenter describes how Temescal Canyon Road is the only parallel facility that operates as an alternative to the I-15 freeway, which makes it a “critical road during emergency closures on the freeway.” The commenter also notes that the Riverside County Transportation Department (RCTC) has plans to improve the I-15 freeway, but that the timing of these improvements are unknown “and would occur at some point in the distant future.” These comments are acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Response to County of Riverside Transportation Department Comment X-2

It is acknowledged that at AVSP build-out, the project is expected to generate over 150,000 daily trips. However, there is a projected 30-year development period for the AVSP, and construction of implementing development projects will occur at individual project locations and at unknown times during the 30-year period. It would be speculative to identify the timing of future traffic levels at each phase of the future development of the AVSP and when future off-site improvements to Temescal Canyon Road may be required. Additionally, the need to improve those portions of Temescal Canyon Road may result from currently unknown development projects located within unincorporated Riverside County and in the City of Corona.

As described above in the Response to Comment X-1, Temescal Canyon Road is the only parallel facility that operates as an alternative to the I-15 freeway, which makes it a “critical road during emergency closures on the freeway.” As such, Temescal Canyon Road serves a regional role and should be improved as a regional facility. Only a short stretch of Temescal Canyon Road is within the incorporated boundaries of the City of Lake Elsinore and the majority of Temescal Canyon Road is within unincorporated Riverside County. The City has no legal jurisdiction beyond its incorporated borders.

Please refer to the above Response to Comment B-65 and the above Response to Comment E-2.

The AVSP is required to comply with all regulatory requirements for payment of “fair share” fees for road improvements. These fees are payable at the times established by the regulations that establish such fees. Compliance with regulatory requirements do not need to be set forth as mitigation fees. Nevertheless, Mitigation Measure TC-2 provides:

“The project shall participate in the phased construction of the on-and off-site intersection improvements through payment of City of Lake Elsinore fees, and the participation in the Western Riverside County Transportation Uniform Mitigation Fees (TUMF) program.

“Where require, improvements are not covered by these programs; mitigation shall be implemented through fair-share contribution or as otherwise determined by the City Engineer.”

In order to reflect the requirement for payment of “fair share” road improvement fees, new Project-wide Development Standards have been added to the AVSP which require:

- The project proponent/developer(s) shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance of a building permit, pursuant to County Ordinance No. 824.
- The project proponent/developer(s) shall pay all applicable development impact fees and mitigation fees as required by the City of Lake Elsinore Municipal Code and other City-adopted fees.

Response to County of Riverside Transportation Department Comment X-3

It is acknowledged that both the City and County currently utilize the same Traffic Impact Analysis Preparation Guidelines. See the above Response to Comment E-1. As described above in the above Response to Comment X-1, it is acknowledged that Temescal Canyon Road will serve as an alternative to the I-15 freeway for travel north.

Response to County of Riverside Transportation Department Comment X-4

See the above Response to Comment X-2.

Comment Letter Y **Johnson & Sedlack**

Johnson & Sedlack

A T T O R N E Y S O F L A W

Raymond W. Johnson, Esq. AICP, LEED GA
Carl T. Sedlack, Esq. Retired
Abigail A. Smith, Esq.
Kimberly Foy, Esq.
Kendall Holbrook, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: Ray@SoCalCEQA.com

Abby@SoCalCEQA.com
Kim@SoCalCEQA.com
Kendall@SoCalCEQA.com
Telephone: (951) 506-9925
Facsimile: (951) 506-9725

February 16, 2016

Planning Commission
c/o City Clerk
City of Lake Elsinore
130 S. Main Street
Lake Elsinore, CA 92530
<dgiron@lake-elsinore.org>

Cc: Roy Stephenson, PE <rstephenson@hrgreen.com>
Justin Kirk, Principal Planner <jkirk@lake-elsinore.org>

VIA E-MAIL and U.S. MAIL

Re: Opposition to Planning Commission Public Hearing Item 3, ID # 16-068: Alberhill Villages Specific Plan (SP 2010-02), Draft Program Environmental Impact Report (SCH #2012061046), General Plan Amendment No. 2012-01, and Zone Change No. 2012-02.

Greetings:

On behalf of concerned area residents and Endangered Habitats League, I hereby submit these comments in opposition to the Alberhill Villages Specific Plan (Specific Plan No. 2010-02), Alberhill Villages Draft Program Environmental Impact (“DPEIR”) Report (SCH #2012061046), General Plan Amendment No. 2012-01, and Zone Change No. 2012-02 (jointly, the “Project”)¹. This firm previously submitted comments on the DPEIR, and hereby incorporates those comments by reference. In addition, please consider the following comments in opposition to this Project and the proposed certification of this particularly deficient PEIR.

I. THE DPEIR MUST BE REVISED AND RECIRCULATED

Various governmental agencies, environmental groups, and local residents submitted poignant comments critical of the DPEIR as utterly deficient, defective, and inadequate in its evaluation of the Project’s potential environmental effects and proposed mitigation measures.

¹ Please note that any citations herein are provided electronically, where available, in order to conserve paper. I ask that you please incorporate the documents cited electronically in your review of this letter as if they were attached. If for whatever reason an electronic link does not function properly, please contact Johnson & Sedlack and I will be happy to provide you with a hard copy of the document.

Y-1

While the Final PEIR is not completed and has not been made available prior to this hearing, it is clear immense changes and additions to the PEIR will be needed in order to generate an adequate informational document. The PEIR will need to be revised and recirculated.

Y-1
Cont.

CEQA requires an EIR be revised and recirculated prior to certification of an EIR when significant new information is added after availability of the draft EIR for public review and before certification. (CEQA Guidelines § 15088.5(a).) Significant new information includes, for example, new information showing a new or more severe environmental impact, or new information added to a draft EIR that was initially “so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.” (Guidelines § 15088.5(a), subs.(1)-(4).)

In this instance, comments from state and local agencies, environmental groups, and others indicate the DPEIR was so inadequate in its evaluation of impacts to biological resources, transportation/ traffic, hydrology/ water quality, and air quality impacts, among numerous other things, as to be effectively meaningless. Hence, before the Planning Commission makes any determination whether to recommend approval of this Project to the City Council, the DPEIR must be revised and recirculated to address the DPEIR’s critical failings in information and analysis. The public and decisionmakers must be provided a genuine disclosure of, and opportunity to meaningfully comment on, the Project’s potential adverse impacts to the environment.

Y-2

Alternatively, the Planning Commission may recommend immediate denial of the Project. (Guidelines § 15270) Given this Project’s potential to cause grave adverse impacts to the natural and human environment, a denial recommendation is justified.

A. THE DPEIR MUST BE REVISED AND RECIRCULATED TO ADEQUATELY EVALUATE, DISCLOSE, AND MITIGATE FOR PROJECT IMPACTS TO BIOLOGICAL RESOURCES

Scathing comments were submitted from the wildlife agencies, environmental groups, and others concerning the DPEIR’s consideration of impacts to biological resources. The DPEIR’s omission of needed information; reliance on erroneous and outdated information; conclusory statements and assumptions; and overall dismissal of impacts to biological resources or adoption of meaningful mitigation measures means significant revisions to the DPEIR and its biological technical reports are essential. Among other things, the PEIR be revised and recirculated to:

1. Address the Project’s potential conflicts with the MSHCP and its reserve assembly. This includes MSHCP review of the portions of the Alberhill Villages Specific Plan not included in the 2004 settlement (*i.e.*, the 9.09- acre parcel APN 390-130-017 and portion of the 56.7-acre parcel addressed with the Temescal Creek Bridge Project); LEAP review for MSHCP consistency for covered road activities; and CEQA review of the whole Project’s potential to conflict with the MSHCP (including reserve assembly, linkages, riparian/riverine habitat, Joint Project Review (JPR), etc.).

Y-3

- | | |
|---|------|
| 2. Address potential conflicts with the <i>Riverside County General Plan Amendment No. 960, Lake Elsinore Area Plan</i> and its policies. | Y-4 |
| 3. Address direct and indirect impacts to wildlife movement and wildlife corridors, including effects to MSHCP Proposed Linkage 1 and Proposed Constrained Linkage 6. The PEIR's contention that small, multi-purpose recreational trails through urban areas and adjacent to roads; or the "Lakeside Park" play/recreation/congregation area; will <i>also</i> act to provide sufficient wildlife corridors has been adamantly rejected by the wildlife agencies, especially for species not tolerant of human presence (e.g. mountain lion). Channelization of Temescal Creek must also be addressed where it would be detrimental to wildlife movement and fail to maintain Temescal Wash functions. Per CDFW guidance, the Project should be modified to provide wildlife corridors which are a minimum 300 meters and which do not include secondary or incompatible uses. | Y-5 |
| 4. Address impacts to jurisdictional waters and riparian/riverine habitat. This includes disclosing the details of the intended modifications to/channelization of Temescal Creek, and evaluation of biological impacts as a result of such modifications. Secondary impacts to Temescal Creek must also be evaluated. The PEIR must also evaluate, disclose, and mitigate for impacts to the other drainages onsite. | Y-6 |
| 5. Investigate and disclose vegetation associations and habitats onsite, and analyze impacts to such habitat. | Y-7 |
| 6. Investigate, disclose, and analyze impacts to sensitive vegetation communities, including Riversidean sage scrub and alluvial fan sage scrub. This should include using adopted methods and protocol to map and quantify the size of these communities. | Y-8 |
| 7. Complete accurate and up-to-date surveys of special status plant species onsite. Analyze, disclose, and mitigate for the loss of these plants, including at least Parry's spineflower, paniculate tarplant, graceful tarplant, and Coulter's Matilija poppy. | Y-9 |
| 8. Evaluate and mitigate for impacts to certain special- status wildlife species pursuant to accepted protocols, including regarding: least Bell's vireo, Quino checkerspot butterfly, burrowing owl, and coast horned lizard, among others. Impacts to raptors from loss of foraging and nesting habitat must also be evaluated. | Y-10 |
| 9. Identify appropriate mitigation measures that address the actual impacts of the Project once the PEIR has been revised in manner that evaluates and discloses Project impacts. Revise mitigation to mitigate impacts to <i>all</i> significantly affected rather than the current select few. | Y-11 |
| 10. Provide adequate, good faith evaluation of the cumulative impacts of this Project and others in the vicinity. | Y-12 |

11. Evaluate the effects of the Project's off-site improvements.

Y-13

The DPEIR's proposed findings are, at present, conclusory and entirely unsupported by evidence or evaluation. Mitigation is likewise inadequate to address Project impacts and fails to comply with accepted protocols. The DPEIR must be revised to address the very valid discrepancies and omissions cited by commenters, and then recirculated for further public and agency comment.

B. THE DPEIR MUST BE REVISED AND RECIRCULATED TO ADEQUATELY EVALUATE, DISCLOSE, AND MITIGATE FOR PROJECT IMPACTS TO TRANSPORTATION/ TRAFFIC

The DPEIR's evaluation of transportation/ traffic impacts is also so lacking in needed information and evaluation as to preclude meaningful review and disclosure. The PEIR must be revised and recirculated to address the following significant deficiencies noted by this firm and the County of Riverside Transportation Department, including among others:

1. The DPEIR's failure to evaluate impacts to County intersections where the Project would add 50 or more peak hour trips. Evaluation of effected roadways is far too narrow in scope.
2. The DPEIR's failure to evaluate the Project's individual traffic impacts to existing conditions.
3. The DPEIR's failure to evaluate impacts to I-15.
4. The DPEIR's failure to evaluate incremental impacts during the Project's 30-year construction timeframe.
5. The DPEIR's failure to show any evidence of the efficacy of the proposed mitigation measures, including improvements and fair-share fee payments. Where the Project relies on payment of fees into fair share programs, there is no evidence improvements will be either timely or adequate to address the Project's traffic impacts.
6. The improper evaluation of impacts to Temescal Canyon Road as a 6- lane Urban Arterial Highway where it is planned as 4-lanes.

Y-14

The PEIR must be revised and recirculated to accurately convey and mitigate for the Project's impacts to transportation and traffic.

C. THE DPEIR MUST BE REVISED AND RECIRCULATED TO ADEQUATELY EVALUATE, DISCLOSE, AND MITIGATE FOR PROJECT IMPACTS TO AIR QUALITY

The DPEIR's evaluation of air quality is likewise devoid of substantial needed information, and fails to provide accurate evaluation using apples-to-apples comparisons and accepted modeling and protocols. The PEIR must be revised to address and correct significant deficiencies by:

Y-15

1. Modifying construction modeling to assess peak daily emissions, not averaging, to provide apples-to-apples comparison against SCAQMD significance thresholds.
2. Evaluating Project impacts during the 30-year construction/ operation overlap period.
3. Evaluating localized and health risk impacts.
4. Disclosing and addressing impacts from siting sensitive land uses adjacent to I-15 and mining operations, especially where mining may be ongoing for an indeterminate amount of time.
5. Adopting all feasible mitigation for significant impacts to air quality and health risks.

Y-15
Cont.

Revision and recirculation of the DPEIR is needed to correct the air quality analysis and provide an adequate disclosure of the Project's air quality impacts.

D. THE DPEIR MUST BE REVISED AND RECIRCULATED TO PROVIDE AN ACCURATE AND CONSISTENT PROJECT DESCRIPTION AND DESCRIPTION OF THE EXISTING ENVIRONMENT

The description of the baseline, the Project, and evaluation of its effects is far from certain and permanent throughout the DPEIR. The DPEIR claims the site has been heavily disturbed by mining but, in fact, just 433 acres of the 1,400-acre site has been mined. (DPEIR p. 4.11-3.) The DPEIR thus inaccurately portrays the existing environment and existing state of the site with respect to mining operations.

Y-16

The DPEIR fails to provide any certain end date to mining activities, where mining may continue alongside Project uses in near perpetuity. The DPEIR fails to consistently consider and describe potential concurrent land uses.

Evaluation of the "Project" is far from complete, consistent, accurate, and clear throughout the DPEIR's consider of Project effects. The DPEIR omits needed detail about improvements necessary to develop the Project. The DPEIR must be recirculated to ensure a consistent and accurate description of the Project.

E. THE DPEIR MUST BE REVISED AND RECIRCULATED TO PROVIDE CURRENT ANALYSES CONCERNING THE PROJECT, ITS IMPACTS, AND THE EFFICACY OF MITIGATION MEASURES

As noted in our previous comment letter, the DPEIR for this Project repeatedly relies on outdated information, often prepared before publication of the NOP. The DPEIR also relies on studies not prepared to specifically address the impacts of *this Project*, and which are consequently limited in scope, analysis, and accuracy. The use of only partially relevant and old data and predictions renders the DPEIR inaccurate and uninformative, and calls into question the subsequent reliance on this document for later implementing projects. Revision and recirculation

Y-17

using up-to-date data and information, and to address the impacts of this Project, is needed to evince a “good faith effort at full disclosure” as required by CEQA. (Guidelines § 15151)

Furthermore, the DPEIR regularly concludes that the mitigation measures proposed will be sufficient to reduce significant impacts *below a level of significance* without providing any facts, reasoning, or study to support that conclusion. The DPEIR must be revised and recirculated to evidence the efficacy of proposed mitigation measures.

F. THE DPEIR MUST BE REVISED AND RECIRCULATED TO GENERALLY EVALUATE THE PROJECT’S INDIRECT, SECONDARY, OFF-SITE, AND CUMULATIVE IMPACTS.

As noted in our previous comment letter, the DPEIR regularly omits and defers evaluation of indirect, secondary, off-site, and cumulative impacts of the Project. Some examples include the DPEIR’s failure to evaluate the effects of modifying Temescal Canyon Wash (the Creek), effects of removing significant amounts of dirt and mine tailings upwards of 50 feet deep, construction of on- and off-site utilities, etc. The DPEIR must be revised and recirculated to evaluate, disclose, and mitigate for these Project impacts.

II. ADDITIONAL COMMENTS ON DRAFT PROGRAM EIR

Please consider the following additional comments on the DPEIR in addition to the comments previously provided by this firm.

A. AESTHETICS/ LIGHT & GLARE

The DPEIR states that only public views, not private views, must be considered. (DPEIR p. 4.5-24) This is false; views from adjacent private properties are properly considered under CEQA. As stated in *North Coast Rivers Alliance v. Marin Municipal Water Dist. Bd. of Directors* (2013) 216 Cal. App. 4th 614, 624, “aesthetic issues, such as public and private views, are properly studied in an EIR to assess the impacts of a project.” (See also, *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal. App. 4th 477, 492-495.) The DPEIR is deficient in its consideration of the Project’s aesthetic impact to adjacent private views.

The DPEIR inadequately considers the impacts to views from adjacent properties. The DPEIR also fails to consider the impact to views during Project construction.

The DPEIR states aesthetic construction impacts would be less than significant with mitigation measures AES-1 and -2 and because they would be “short-term and would cease upon Project completion...” Where the life of Project construction is anticipated to be 20-30 years, the argument impacts would be short term falls flat. AES-1 and -2 only provide some screening and setbacks; it is not clear aesthetic impacts will be reduced below a level of significance.

The DPEIR states that all outdoor lighting fixture would be oriented and shielded to direct illumination downward. Lighting figures in the Specific Plan, however, fail to show shielded fixtures. The Specific Plan should be modified to show acceptable lighting fixtures.

Y-17
Cont.

Y-18

Y-19

B. CULTURAL RESOURCES

The Pechanga Tribe commented that the Project is located in a highly sensitive region of the Payomkawichum territory and that the possibility of encountering subsurface cultural resources is high in areas that have been cut less than two feet by mining activities. As the DPEIR admits that just 433 of the 1,400 acres onsite have been disturbed by mining, this impact is likely significant. The DPEIR fails to show this impact to cultural resources has been adequately and effectively mitigated.

Y-20

Pechanga's comments also noted that impacts from development of improvements for the Project on and off-site have been inadequately disclosed and evaluated. This omission permeates the DPEIR, not just the evaluation of impacts to cultural resources. The DPEIR must be revised to detail planned Project improvements and mitigation measures (e.g. street buildout, channelization of Temescal Creek, etc.) and evaluate and mitigate/avoid the impacts from such improvements/ mitigation measures.

C. GREENHOUSE GASES

The evaluation of greenhouse gases should be revised to reflect the most recent state and federal laws and guidance.

Y-21

D. GEOLOGY/SOILS

The DPEIR impermissibly fails to investigate and/or defers investigation of the Project's impacts to geology/soils. For instance, the DPEIR states the site will likely require excavation and blasting of bedrock. (DPEIR p. 4.1-19) The site is also underlain with compressible/collapsible soils, stockpiles, etc. which will need to be excavated to depths unknown and not yet investigated. (DPEIR p. 4.1-19 through 4.1-20) Shallow groundwater is also present, but its depth, location, potential Project impact, and creation of mitigation measures have been generally deferred. (DPEIR p. 4.1-20 through -21) The DPEIR fails in its informational role by neglecting this analysis, disclosure, and the creation of mitigation with respect to these issues. What is the total geological effect of the Project; and the secondary impacts of making this site developable for the uses proposed? The public and decision-makers must be given a real evaluation of the Project's impacts.

Y-22

The DPEIR's treatment of impacts from seismicity and faulting is impermissibly conclusory and lacking in factual support. The DPEIR acknowledges that the presence of three major faults makes the Project's earthquake related impacts potentially significant. The DPEIR then contends subsidence has been minimized by compliance with the site's Reclamation Plan. There is, however, no evidence that the same standards apply to slope stability for reclamation purposes and open space are the same as for development of a master planned community on the site. In any event, there is no evidence that such compliance would reduce impacts *below a level of significance* for CEQA's purposes.

Liquification is stated to be a potential issue for which placement of fill is "desirable" to reduce such risks. First, no site- or project- specific investigation of liquefaction potential, and

the scope of such impacts, was undertaken. (DPEIR p. 4.1-18) Second, stating fill placement is “desirable” does not provide enforceable mitigation for this potentially significant impact.

**Y-22
Cont.**

The DPEIR’s consideration of impacts to/from landslides, slope stability, and soil stability is conclusory and fails to provide needed reasoning from evidence to conclusion. The site contains evidence of slope failures, large stockpiles of uncompacted and undocumented fill, and unstable soils, which have not been clearly reduced below significance with the mitigation proposed.

The DPEIR insinuates septic tanks may be allowed onsite because timing and construction of needed wastewater treatment facilities are not known at this time. (DPEIR p. 4.1-33 through -34) The Project should not be permitted to move forward without first ensuring these needed wastewater treatment facilities will be timely funded and developed. The DPEIR also fails as an information document by failing to evaluate and disclose the impacts of development of the Alberhill WWTP and master planned sewer where those improvements are essential to provide for disposal of Project wastewater. Omitting these improvements from DPEIR consideration means the DPEIR fails to evaluate the whole project as required by CEQA.

Y-23

The DPEIR states that impacts to the loss of mineral resources (Impact 4.1-6 and -7) would be mitigated by “a complete recovery of resources.” However, the Project fails to ensure such recovery. Instead, the EIR states mining activities and stockpiling will continue “to the extent they are economically feasible,” not until they are completely recovered. Further, no enforceable mitigation measure or condition to this effect is proposed. What is more, there is no standard for determining when stockpiling or mining ceases. Impacts to the loss of mineral resources should be deemed significant and unmitigated.

Y-24

With respect to cumulative construction impacts, the DPEIR states that “due to the short-term nature of grading and construction activities, cumulative impacts resulting from erosion and sedimentation are not anticipated to be significant.” (DPEIR p. 4.1-35) This conclusion is unsupported where this Project will require substantial over-excavation and grading work to a potential depth of upwards of 50 feet, and where construction is anticipated to occur over 20-30 years.

Y-25

G-5 requires structures be designed to resist 2/3 of peak acceleration. Given the Project’s locale and the presence of documented and observed active faults in the vicinity, Project structures should be designed to resist peak acceleration (0.7g).

Y-26

G-6 is uncertain and unenforceable with respect to whether systems such as sub-drains for dewatering will be installed to reduce potential impacts regarding subsidence and liquefaction. Impacts should be stated “potentially significant” absent the implementation of certain, enforceable mitigation to address subsidence and liquefaction.

Y-27

G-10 states that measures may be needed to reduce impacts from a potential rise in groundwater, but there are no measures to implement these reductions. What alternatives may be recommended to be taken, or to what performance standard? No actual mitigation is required by this measure.

Y-28

E. HAZARDS/ HAZARDOUS MATERIALS

The DPEIR concludes the Project will not create a significant hazard to the public as a result of hazardous materials (Impacts 4.2-1 through 4.2-2). The DPEIR's analysis of hazard impacts leaves much uninvestigated. First, there is no discussion of potential adverse impacts from hazardous soil materials, their excavation, grading, transport, etc., despite the Project site being substantially a Brownfield area. Second, there is no discussion of transport of explosives for blasting, as previously mentioned by his firm. Third, impacts from the SARI line are stated to be later *investigated* but there is no requirement they be mitigated or avoided. The conclusion hazardous materials impacts will be less than significant is unsupported by facts or evidence.

Y-29

The DPEIR inadequately considers potential impacts to emergency responses and emergency evacuation. The DPEIR provides no information about whether response times will be maintained for emergency response, or whether the Project will hinder emergency evacuation. As the Project proposes no emergency facilities, the answers to these questions are of particular importance.

Y-30

The DPEIR states at p. 2.0-40 that a fire station may be required within the AVSP area to "provide the necessary coverage" and that it may be located within the University Town Center (Village 1) or east of Lake Street in the Alberhill Ridge Specific Plan Area. The DPEIR should consider the impact to emergency responsiveness if this fire station is not developed to provide "necessary coverage," or if it is developed in one of the two proposed locations.

Mitigation measures for hazards are impermissibly vague, uncertain to occur, unenforceable, and defer mitigation where they just require compliance with General Plan policies without requiring the adoption of mitigation or compliance with certain alternatives or performance standards.

Y-31

All feasible mitigation has not been adopted to reduce significant impacts involving wildland fires and the urban/wildland interface. Mitigation measure HAZ-3 requiring subsequent projects demonstrate compliance with the General Plan policies is impermissibly vague and improperly defers the adoption of certain mitigation. No alternatives or performance standards are established to ensure that development in this "Very High" and "Moderate" fire hazard area will be reduced below significance.

Y-32

F. HYDROLOGY/ WATER QUALITY

More information is needed concerning the plans to channelize Temescal Canyon Wash. The secondary and off-site impacts of channelizing Temescal Canyon Wash must be evaluated in the DPEIR. Also, site hydraulics and hydraulics, and the effectiveness of mitigation, must be evaluated and disclosed *now* and not deferred until later phases of review or development.

Y-33

As discussed below, the maintenance of lakes for recreational use supported by additional spring water is untenable given California's ongoing drought. The impacts and mitigatory use of the "lake" area solely as detention basins should be evaluated in the DPEIR.

The DPEIR fails to consider whether the Project would result in significant impacts to water quality standards or waste discharge during construction. (Impact 4.3-1) The finding that the Project would not result in operational impacts to this threshold is conclusory and unsupported by facts, evidence, or reasoning.

Y-34

The DPEIR states impacts to erosion will be reduced because soils on graded slopes "must be strengthened by groundcover planting." Where is this requirement? What is the timing of planting?

Y-35

The DPEIR concludes impacts to drainage, runoff, and flooding will be less than significant on and off site (Impact 4.3-4). First, the DPEIR fails to consider the Project's potential construction impacts relative to this threshold. Second, the DPEIR omits needed information regarding proposed alterations to Temescal Canyon Wash (Creek) and their ability to mitigate for impacts to drainage flows, velocities, and off-site flooding. Instead, the DPEIR provides a lot of "shoulds" on what the alterations need to be designed to do, but no *certainties, mitigation, plans or other enforceable measures* that would support of finding of less than significant impacts with proposed mitigation.

Y-36

Third, the DPEIR cites to onsite detention basins, open space areas, the storm drain system, etc. as "opportunities" to reduce size and velocity of flows. Again, however, no data, research, analysis or certain, enforceable plans or mitigation measures are provided. There is no guarantee impacts will be less than significant absent this lack of information, evidence, and planning. There is also no certainty adequate drainage will be installed timely with Project phasing.

Y-37

Fourth, the DPEIR acknowledges the proposed improvements will result in a decrease in groundwater recharge due to increase in impervious surfaces, but fails to provide any mitigation for this potential effect. (DPEIR p. 4.3-31)

Y-38

The DPEIR finds impacts to water quality will be less than significant. This determination is unsupported by substantial evidence in the EIR.

Y-39

The DPEIR omits evaluation of potential construction impacts to runoff (Threshold 4.3-5), instead simply concluding that because state law requires pollutant discharges be "minimized" such impacts will be mitigated to a level less than significant. No facts, data, or analysis supports this finding. To the contrary, given onsite soils issues requiring substantial excavation and grading; potential blasting; and current lack of drainage, this finding is unsupported by evidence.

The DPEIR finds impacts from mudflows will be less than significant because of "existing basins" and the required SWPPP measures. There is inadequate evidence in the DPEIR to support this conclusion. The site includes substantial mining stockpiles, tailings, and other unstable soils. There is no evidence the SWPPP is sufficient to adequately address mudflow issues at this site, particularly where it only applies during construction. The finding is conclusory and unsupported by evidence in the record.

Y-40

The consideration of cumulative impacts to hydrology, drainage, and water quality is impermissibly vague, conclusory, and devoid of facts and information. The analysis also fails to consider the Project's potential cumulative effects with respect to the applicable significance thresholds.

Mitigation measure HY-3 is vague where it refers to "a" Master Plan of Drainage for the area, not "the Master Plan of Drainage as proposed in the EIR and proposed to be concurrently adopted." Any drainage plan could be adopted that may or may not adequately address runoff and drainage issues. HY-3 also only requires a drainage plan be designed, not necessarily implemented and constructed to meet the demands of the whole proposed Project. How will the drainage plan be implemented? Fair share payments?

Mitigation measure HY-4 is impermissibly vague and unenforceable. HY-4 provides an energy dissipating structure and/or erosion control devices shall "be provided" but fails to state by whom or at what stage of the Project. Also, the devices will only be provided "if necessary," such that no installation is certain to occur.

Mitigation Measure HY-6 fails to ensure all feasible mitigation is adopted where the mitigation lists "recommended practices." This mitigation measure also only applies to reduce pollutants to Temescal Canyon Wash, not to generally prevent the conveyance of pollutants offsite. While the Creek should properly be prioritized, BMPs should also be used during construction to generally stabilize the site and prevent runoff into storm drains and to adjacent properties.

Mitigation Measure HY-7 fails to ensure all feasible mitigation is adopted where it provides a list of recommended BMPs, but fails to actually require they be incorporated into any SWPPP.

Mitigation Measure HY-8 is impermissibly uncertain and unenforceable where it only requires Structural BMPs "be considered to be incorporated" but does not actually require that any structural BMPs be incorporated as mitigation for the Project.

The DPEIR fails to evaluate the potentially significant secondary impacts of grading to Project site to comply with HY-10. What impacts off-site, downstream, or within the floodway? The DPEIR is also inconsistent regarding when a CLOMR is needed. This mitigation measure requires the CLOMR only for slope revetment plans or street improvement plans. On the other hand, DPEIR p. 4.3-4 states a CLOMR will be prepared during the final engineering and construction phase of the development.

G. NOISE

Mitigation Measure NSE-3 requires that construction equipment and staging areas be located "as far as practical" from existing residences to "minimize" off-site noise impacts, but fails to require that noise be reduced below adopted thresholds and standards. There is no evidence construction noise impacts will be reduced below a level of significance with the

Y-41

Y-42

incorporation of this and the two other minimal mitigation measures relative to construction noise.

Mitigation measure NSE-7 requires that the Project incorporate measures to reduce operational noise levels to 60 dBA from 10 p.m. to 7 a.m. Given the City's zoning ordinance standard of 40 dB cited in NSE-8, it is impossible to determine noise levels will be reduced below the threshold of significance during operation with the incorporation of this measure.

Impacts from the Project to adjacent sensitive receptors have been inadequately addressed and mitigated where the majority of noise mitigation measures apply to reduce the impacts *to* the Project, not *from* the Project. Traffic noise impacts have been inadequately considered and mitigated.

Mitigation measure NSE-9 is vague, uncertain, and unenforceable where no performance standard or alternatives are provided. There is no evidence vibration levels will be reduced below a level of significance with the incorporation of this measure.

H. POPULATION/HOUSING

The DPEIR concludes the Project will not induce substantial population growth in an area. This conclusion is unsupported by the evidence where the Project would expand homes, utilities and other infrastructure and services to a currently undeveloped area.

I. PUBLIC UTILITIES/SERVICE SYSTEMS

The DPEIR generally lacks needed information concerning plans for new utilities, public facilities and the expansion of existing facilities and needed to service this Project. The DPEIR improperly defers the planning of such facilities needed to service the Project to a future date, despite the clear need for such planning to occur before development of aspects of the Project commences. For example, the siting of needed utilities should be nailed down now where the best locations can be selected.

The DPEIR concludes the Project will have sufficient water supplies available to serve the Project from existing entitlements. This determination is unsupported where the EIR has not been updated to address the current drought and Executive Orders mandating water cuts statewide.

With respect to whether the Project would result in construction of new water facilities or the expansion of facilities which could cause significant environmental effects (Impact 4.10-2), the EIR declares impacts would be less than significant while, in total contradiction with this conclusion, stating, "In instances where significant impacts have been identified" as a result of water improvements, "mitigation measures are recommended in each applicable section of this EIR." The EIR must thus conclude impacts for construction of new water facilities are significant before mitigation, and adopt all feasible mitigation to reduce such effects. The same goes for Impact 4-10.6, regarding storm drainage improvements, where the EIR acknowledges significant impacts for storm drainage improvements have been identified.

Y-42
Cont.

Y-43

Y-44

The DPEIR fails to show the Project will be served by a landfill with sufficient capacity. The DPEIR states El Sobrante Landfill is permitted to receive 4,000 tpd for refuse generated within Riverside County, but fails to show that it has capacity to take on this Project's additional 179 tpd or cumulative refuse generation. (DPEIR p. 4.10-54) The DPEIR also fails to state when the landfill is anticipated to reach capacity or otherwise close. The conclusion impacts would be less than significant is unsupported.

Y-45

Mitigation measure PU-1 requires the verification that adequate wastewater treatment facilities exist "before the issuance of building permits." There is no justification for deferring this needed inquiry to this future time.

Y-46

The EIR proposes a finding that the Project would have a less than significant impact from the construction of recreational facilities. This finding is unsupported by evidence where the EIR shows potential effects from development of the proposed recreational facilities, including the ponds, for this Project.

Y-47

III. THE PROJECT SHOULD BE SIGNIFANTLY MODIFIED TO REDUCE ITS ENVIRONMENTAL IMPACTS.

A. THE TWO RECREATIONAL LAKES SHOULD BE ELIMINATED

The Project proposes development of two large recreational lake facilities, totaling 39.6 acres, to "provide light water activities to both local residents and visitors." (DPEIR p. 2.0-20) Given California's severe ongoing drought, the creation and maintenance of these lakes for aesthetic and recreational purposes is untenable and wasteful.

Y-48

To the extent the lakes will be used to retain clarified storm flows, no other water should be allowed to be diverted from streams or spring water to "replenish and cleanse the Project's lake(s)." (DPEIR p. 2.0-39) Such a plan runs in opposition to the Governor's recent executive orders and mandatory water use reductions.

B. TEMESCAL CREEK SHOULD BE MAINTAINED IN A NATURAL STATE, NOT CHANNELIZED

Y-49

The Project proposes to channelize Temescal Creek to mitigate for hydrological impacts. Such an action, however, precludes important biological and water quality functions of the creek, and will compound and increase other environmental impacts. The PEIR should evaluate potential less harmful alternatives to creek channelization.

IV. MISCELLANEOUS ADDITIONAL COMMENTS

The comment letters provided with the Staff Report omit comments cited as "Letter F" received from the "Santa Margarita Group/ Sierra Club." The Planning Commission should ensure it has all relevant information before it prior to making any decision on this Project.

Y-50

V. CONCLUSION

For these reasons, and those previously stated by this firm and others, the evaluations and analyses in the DPEIR must be revised and recirculated for additional public and agency review and comment prior to PEIR certification and Project approval.

Thank you for your consideration of these additional comments.

Sincerely,



Raymond Johnson, Esq., AICP, LEED GA
JOHNSON & SEDLACK

Response to Comment Letter Y **Johnson & Sedlack**

Johnson & Sedlack provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated February 16, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Johnson & Sedlack Comment Y-1

See the above Response to Comment B-72.

Response to Johnson & Sedlack Comment Y-2

See the above Response to Comment B-72 and above Response to Comment W-1.

Response to Johnson & Sedlack Comment Y-3

See the above Response to Comment B-26, above Response to Comment D-3 and above Response to Comment G-2.

Response to Johnson & Sedlack Comment Y-4

See the above Response to Comment G-3.

Response to Johnson & Sedlack Comment Y-5

See the above Response to Comment B-26 and the above Response to Comment D-5.

Response to Johnson & Sedlack Comment Y-6

See the above Response to Comment B-34, the above Response to Comment G-8 and the above Response to Comment G-12.

Response to Johnson & Sedlack Comment Y-7

See the above Response to Comment B-16, the above Response to Comment D-14, and the above Response to Comment G-12.

Response to Johnson & Sedlack Comment Y-8

See the above Response to Comment D-14.

Response to Johnson & Sedlack Comment Y-9

See the above Response to Comment D-12 and the above Response to Comment G-10.

Response to Johnson & Sedlack Comment Y-10

See the above Response to Comment B-32, above Response to Comment D-8, above Response to Comment D-9, above Response to Comment D-10, and above Response to Comment G-11.

Response to Johnson & Sedlack Comment Y-11

All potential project-specific and cumulative impacts are identified and analyzed along with cumulative impacts. As discussed in the DEIR and in the responses to these and other comments, “feasible” mitigation measures that will avoid or reduce environmental impacts have been identified. The DEIR identifies significant and unavoidable impacts related to Air Quality, and Transportation and Circulation. If the City of Lake Elsinore determines that the benefits of the proposed project outweigh unmitigated significant environmental effects, it will prepare a Statement of Overriding Considerations addressing each significant and unavoidable environmental effect identified in the DEIR.

Response to Johnson & Sedlack Comment Y-12

See the above Response to Comment B-8.

Response to Johnson & Sedlack Comment Y-13

See the above Response to Comment B-2 and the above Response to Comment B-5.

Response to Johnson & Sedlack Comment Y-14

See the above Response to Comment B-24, the above Response to Comment B-64, the above Response to Comment B-65, the above Response to Comment B-66, the above Response to Comment E-1, and the above Response to Comment E-2.

Response to Johnson & Sedlack Comment Y-15

See the above Response to Comment B-24, the above Response to Comment P-2, the above Response to Comment P-5, and the above Response to Comment P-6.

Response to Johnson & Sedlack Comment Y-16

See the above Response to Comment B-4 and the above Response to Comment K-7.

Response to Johnson & Sedlack Comment Y-17

See the above Response to Comment B-7, the above Response to Comment B-13, the above Response to Comment B-24, the above Response to Comment B-51 and the above Response to Comment J-1.

Response to Johnson & Sedlack Comment Y-18

See the above Response to Comment B-72.

Response to Johnson & Sedlack Comment Y-19

See the above Response to Comment B-19 and the above Response to Comment J-11. Due to the projected 30-year development period associated with the AVSP, the types of light fixtures and available lighting technology at any point during that 30-year period would be speculative and therefore cannot be determined at this time. For this reason, examples of shielded lighting that would be required cannot be placed in the AVSP. Implementation of Mitigation Measure AES-9, as revised in Response to Comment B-19, will assure that shielded light fixtures will be used by future implementing development projects.

Response to Johnson & Sedlack Comment Y-20

See the above Responses to Letter H (Pechanga Band of Luiseño Indians) and Letter R (Soboba Band of Luiseño Indians).

Response to Johnson & Sedlack Comment Y-21

See the above Response to Comment B-25 and the above Response to Comment O-5.

Response to Johnson & Sedlack Comment Y-22

See the above Response to Comment B-7, the above Response to Comment B-38, the above Response to Comment B-41 and the above Response to Comment B-46.

Response to Johnson & Sedlack Comment Y-23

See the above Response to Comment A-1, the above Response to Comment B-70, the above Response to Comment U-4, and the above Response to Comment U-5.

Response to Johnson & Sedlack Comment Y-24

The mineral resource thresholds (Impact Threshold 4.1-6 and Impact Threshold 4.1-7) on pages 4.1-34 and 4.1.35 of the DEIR are concerned with the “loss of availability” of mineral resources. The purpose of these thresholds is to identify known mineral resources and locally-important resource recovery sites in order to analyze the impacts of development proposals that would prevent the excavation and use of the mineral resources. In the case of the proposed project, the DEIR identifies the applicable mineral resources and recognizes that the continued excavation and use of these mineral resources is planned; so that all such mineral resources will be excavated and utilized. Therefore, the proposed AVSP development will not result in a loss of available of the mineral resources on the project site, since all available mineral resources will be excavated and uses. Therefore, the impacts for the “loss of availability” of mineral resources is less than significant and no additional mitigation measures are required.

Response to Johnson & Sedlack Comment Y-25

See the above Response to Comment B-14, and above Response to Comment B-44.

Response to Johnson & Sedlack Comment Y-26

In response to this comment, Mitigation Measure G-1 will be revised as follows:

- G-1** Site specific geotechnical investigations conducted by a California-licensed geotechnical engineer, including subsurface fault studies, shall be completed prior to the approval of each implementing development proposal. All recommendations of the geotechnical study and of the geotechnical engineer shall

be incorporated into the design and construction specifications, and shall be implemented by the construction contractors, to reduce seismic hazards and hazards related to unstable soils.

In response to this comment, Mitigation Measure G-5 will be revised as follows:

- G-5** ~~All structures shall be designed to resist seismic acceleration of 0.47g (two thirds of peak acceleration of 0.7g)~~ structures shall be designed in accordance with the latest edition of the California Building Code for Seismic Zone 4 for a "Maximum Considered Earthquake," as adopted by the City of Lake Elsinore and with the appropriate site coefficients. This design resistance shall be demonstrated to the satisfaction of the City's Senior Building Division Inspector on the construction design plans prior to issuance of building permits.

Response to Johnson & Sedlack Comment Y-27

Due to the projected 30-year development period associated with the AVSP, and the continued mining of the site until different phases are transitioned into development areas, the geotechnical condition of implementing development project sites at any point during that 30-year period would be speculative and therefore cannot be determined at this time. However, Mitigation Measure G-1, as revised in response to the above Comment Y-26, requires site specific geotechnical investigations for each implementing development proposal. Mitigation Measure G-1 requires that all recommendations of the geotechnical study be incorporated into the design and construction specifications. Mitigation Measure G-1 in conjunction with Mitigation Measure G-6 adequately mitigates potential impacts for potential liquefaction and subsidence impacts.

Response to Johnson & Sedlack Comment Y-28

See the above Response to Comment B-44.

Response to Johnson & Sedlack Comment Y-29

See the above Response to Comment B-7 and above Response to Comment B-39. In the above Response to Comment V-1 the references to the "SARI line" in the DEIR have been changed to "Inland Empire Brine Line" or "Brine Line." In response to this and other comments, Mitigation Measure HAZ-2 will be revised as follows:

- HAZ-2** As part of the approval process for a Phased Development Plan, Subdivision, Map, or Design Review application, projects shall be required to demonstrate their avoidance of significant impacts associated with exposure to hazardous materials through implementation of ~~General Plan Policies 3.3 and 3.5 of the~~

~~Hazardous Materials section of the Public Safety and Welfare chapter.~~ The following:

- Encourage the safe disposal of hazardous materials with County agencies to protect the City against a hazardous materials incident.
- Evaluate new development on or adjacent to the Inland Empire Brine Line requiring extensive subsurface components or containing sensitive land uses such as schools on a project-by-project basis to determine impacts if an accident occurs.

~~Proposed development on or adjacent to the SARI line~~ Inland Empire Brine Line would shall be required to analyze risks specific to sensitive land uses and the extent of subsurface components involved with building in these locations. (Ref. General Plan EIR Mitigation Measure MM Hazards 2). avoid impacting the Brine Line, identify and implement implementing development project-specific measures that will mitigate any identified risk related to proximity to the Brine Line.

Response to Johnson & Sedlack Comment Y-30

Since the design of the proposed AVSP includes a circulation system that is sized to accommodate the traffic generated by the project, potential impacts related to emergency access have been addressed by the project's design. Currently, the Fire Department's service plan does not envision a fire station in the Alberhill area. The potential future need of a new fire station will be accommodated by the provision of potential sites in the project area, as described in the AVSP document. This is addressed by the DEIR on page 4.10-61 where it states that "eventually, as proposed, a new Fire Station will be constructed within the Project site." The DEIR also concludes that "With the proposed construction of the Fire Station within the Alberhill Villages Specific Plan and/or potential of payment of fees, the Alberhill Villages Specific Plan Project development would establish and meet the need for the Project's level of service goals." (DEIR, page 4.10-61)

In order to reflect the requirement for payment of "fair share" public safety fees, new Project-wide Development Standards has been added to the AVSP which requires:

- Annex into CFD 2015-1 (Safety) Law Enforcement, Fire and Paramedic Services CFD. Prior to approval of the Final Map, Parcel Map, Residential Design Review, or Conditional Use Permit (as applicable), the applicant shall annex into Community Facilities District No. 2015-1 (Safety) or such other Community Facilities District for Law Enforcement, Fire and Paramedic Services established at the time of such approval to offset the annual negative fiscal impacts of the project on public safety operations and maintenance issues in the City. Alternatively, the applicant may propose alternative financing mechanisms to fund the annual negative fiscal impacts of the project with respect to Public Safety services. Applicant shall make a seven thousand five hundred dollars (\$7,500) non-refundable deposit to cover the cost of the annexation, formation or

other mitigation process, as applicable. Contact the City of Lake Elsinore Administrative Services Department at 951.674.3124.

In order to reflect this project-wide development standard, the 1st sentence of the 2nd paragraph on page 4.10-61 of the DEIR will be revised as follows:

To accommodate for the increase demand created by further phases of the Project, the applicant would be required to contribute to the City's Community Facilities District ((CFD) No. ~~2003-1~~ 2015-01 (Safety) Law Enforcement, Fire, and Paramedic Services) and eventually, as proposed, a new Fire Station will be constructed within the Project site.

Additionally, all references to "CFD No. 2003-1" within the DEIR will be changed to "CFD No. 2015-01."

Response to Johnson & Sedlack Comment Y-31

See the above Response to Comment Y-29 and the below Response to Comment Y-32.

Response to Johnson & Sedlack Comment Y-32

Due to the projected 30-year development period associated with the AVSP, the specific impact associated to wildland fires for individual implementing development projects at any point during that 30-year period would be speculative and therefore cannot be determined at this time. However, compliance with General Plan policies 4.1 and 4.2, when applied to individual development projects will adequately mitigate any potential future wildland fire threat to the proposed project. However, in order to clarify that individual implementing development projects will be required to address the potential for wildland fire, Mitigation Measure HAZ-3 will be revised as follows:

HAZ-3 As part of the approval process for a implementing development projects including Phased Development Plan, Subdivision, Map, or Design Review application, each implementing development projects shall be required to demonstrate their avoidance of significant impacts associated with wildfire hazards through implementation of Policies 4.1 through 4.3 of the Wildfire Hazards section of the Public Safety and Welfare chapter of the General Plan. (Ref. General Plan EIR Mitigation Measure MM Hazards 5). the following requirements which will be implemented through the conditions of approval for each project:

- On-going brush clearance and establish low fuel landscaping policies to reduce combustible vegetation along the urban/wildland interface boundary shall be required.

- Fuel modification zones around development shall be established within high hazard areas by thinning or clearing combustible vegetation within a minimum of 100 feet of buildings and structures. The fuel modification zone size may be altered with the addition of fuel resistant building techniques. The fuel modification zone may be replanted with fire-resistant material for aesthetics and erosion control.

Response to Johnson & Sedlack Comment Y-33

See the above Response to Comment B-26, the above Response to Comment B-50 and the above Response to Comment K-12.

Response to Johnson & Sedlack Comment Y-34

See the below Response to Comment Y-40 and the below Response to Comment Y-41.

Response to Johnson & Sedlack Comment Y-35

Paragraph C of Section 15.72.040 of the Lake Elsinore Municipal Code requires:

Slopes exceeding three feet in height shall be provided with irrigation systems and sufficient permanent plants chosen from a list of plants suitable for hillside grading. Said slopes shall be provided with irrigation system and planted as soon as possible after grading and before the project receives final inspection and before any structures on the project are occupied

Response to Johnson & Sedlack Comment Y-36

See the above Response to Comment B-26, and the below Response to Comment Y-41.

Response to Johnson & Sedlack Comment Y-37

See the above Response to Comment B-11 regarding Phased Development Plans. Additionally, the description of required Phased Development Plans (PDPs) has been revised to specifically require that PDPs “circulation and infrastructure phasing milestones.”

Response to Johnson & Sedlack Comment Y-38

Impact 4.3-3 on DEIR Page 4-3-30 (Hydrology and Drainage) adequately analyzes groundwater recharge. Since the potential loss decrease in groundwater recharge was not determined to be potentially significant, mitigation measures are not required.

Response to Johnson & Sedlack Comment Y-39

See the below Response to Comment Y-40 and the below Response to Comment Y-41.

Response to Johnson & Sedlack Comment Y-40

Implementing development projects within the AVSP will be required to comply with all regulatory requirements, including NPDES requirements which include the preparation of a SWPPP. Mining on the project site is a pre-existing use of the AVSP property and will continue as an interim use until the phased development of the AVSP project area is begun. The existing mining operations on the project site will not be subject to the mitigation set forth in the DEIR, because it is not part of the proposed project. The mining operations are required to comply with all State and federal laws and regulations including but not limited to the NPDES and the California Surface Mining and Reclamation Act (SMARA). See the above Response to Comment J-2.

Response to Johnson & Sedlack Comment Y-41

See the above Response to Comment B-26 for revisions to Mitigation Measure HY-4. In response to this comment the following revisions to Mitigation Measures HY-3, HY-6, HY-7 and HY-8 will be made:

HY-3 Site specific drainage systems shall be designed, as each planning area or phase come on line. Each implementing development application shall be required to provide all drainage improvements necessary to serve the implementing development project. All phased drainage systems shall conform to a the adopted Master Drainage Plan of Drainage for the entire that covers the Alberhill Villages Specific Plan Project area. In the absence of an applicable adopted Master Drainage Plan, all drainage facilities shall comply with City of Lake Elsinore and Riverside County Flood Control District requirements.

HY-6 The Best Management Practices (BMPs) shall be specified in the Project Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) to reduce the level of pollutants ~~indicated above from~~ entering the Temescal Canyon Wash (Creek) and any other receiving waters to the maximum extent feasible. ~~Recommended practices during construction include site stabilization to limit sedimentation. Following is a list of recommended BMPs to be used during construction, in~~ In addition to the list of BMPs referenced within the required SWPPP prepared for each implementing development project, the BMP's may include (but shall not be limited to) the following:

- Site Stabilization to Limit Sedimentation;

- Preservation of Existing Vegetation;
- Seeding, Planting and Mulching of Disturbed Areas;
- Dust Control;
- Construction Road Stabilization;
- Stabilized Construction Entrance;
- Outlet Protection;
- Temporary Debris Basins; and,
- Sandbagging, Slit Fence, Straw Waddles.

The Final WQMP for each implementing development project shall specifically identify pollution prevention, site-design, source-control, and treatment-control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable

HY-7 The site's SWPPP and WQMP shall also specify BMPs for post construction. Post construction BMPs may be divided into two categories, structural and non-structural. In addition to the addition to the list referenced within the required SWPPP and required WQMP, ~~a list of recommended non-structural BMPs is provided below:~~ prepared for each implementing development project, the non-structural BMP's may include (but shall not be limited to) the following:

- Public Education/Involvement;
- Housekeeping Practices;
- Catch Basin Stenciling;
- Street Cleaning; and,
- Storm Drain System Cleaning.

HY-8 Structural BMPs shall be ~~considered to be~~ incorporated into the design of each Phased Development Plan so that the community that will improve water quality and potentially enhance wetland mitigation opportunities., ~~in~~ In addition to the list of BMP's referenced within the AVSP WQMP (Appendix C of the DEIR) the BMP's may include (but shall not be limited to) the following:

- Retention Basins;
- Grass-Lined Channels and Swales;
- Detention Basins;
- Infiltration Trenches;
- Water Quality Inlets; and,
- Water Quality Basins.

Response to Johnson & Sedlack Comment Y-42

See the above Response to Comment B-51, the above Response to Comment B-52, the above Response to Comment B-54, and the above Response to Comment B-55.

Response to Johnson & Sedlack Comment Y-43

The Growth-Inducing Impacts of the proposed project are discussed in Section 5.0.3 of the DEIR. The reasons that growth-inducing impacts are less than significant are based upon the project's consistency with existing City of Lake Elsinore General Plan land uses and projected growth, and that the project will not exceed Southern California Association of Governments (SCAG) growth projections. Additionally, since the project is near other approved Specific Plans (Alberhill Ranch, Horsethief Canyon Ranch); the project itself would not influence the rate and location of growth within the project vicinity beyond that already anticipated by local and regional plans.

Response to Johnson & Sedlack Comment Y-44

See the above Response to Comment B-68 and the above Response to Comment U-2.

Response to Johnson & Sedlack Comment Y-45

The DEIR states that:

“The El Sobrante Landfill is an active Class III (non-hazardous municipal solid waste), permitted landfill and accepts mixed municipal waste, construction/demolition waste, and tires. El Sobrante Landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc. It has a total acreage of 1,322 acres and disposal acreage of 645 acres. The landfill is currently permitted to receive 70,000 tons of refuse per 7-day week and *capped at 16,054 tons per day (tpd), of which 5,000 tpd* (based on the daily cap of 16,054 tons per day) *is reserved for refuse generated within Riverside County. The 2011 maximum daily average volume disposed was 7,110 tons (daily 2,263 tons in-County; 4,847 tons out-of-County).* The landfill had a total capacity of approximately 126 million tons, as of January 1, 2012, and has a remaining in-County disposal capacity of approximately 50.4 million tons. This capacity quantity does fluctuate year to year due to settlement, compaction, and calculation factors. *The landfill is projected to reach capacity by approximately 2045.*” (DEIR, page 4.10-8). [Emphasis added.]

Inasmuch as this discussion shows that the El Sobrante landfill is permitted to accept approximately 2,700 tons per day additional in-County refuse than it current accepts, there is adequate capacity to accept the estimated 179 tpd generated at AVSP build-out.

Response to Johnson & Sedlack Comment Y-46

See the above Response to Comment U-3 and the above Response to Comment U-4 regarding wastewater facilities.

Due to the projected 30-year development period associated with the AVSP, the available capacity of wastewater facilities may change many times over that period. For this reason, the precise availability of wastewater service for implementing development projects at any point during that 30-year period would be speculative and therefore cannot be determined at this time. However, the commenter is correct in advising that this determination should not be deferred to building permit issuance stage. Inasmuch as no implementing development applications can be approved unless a Phased Development Plan (PDP) is processed either prior to or concurrently with the development application. Additionally, the implementing development application must be approved prior to the issuance of building permits. Therefore, in response to this comment, Mitigation Measure PU-1 will be revised as follows:

PU-1 ~~Prior to the issuance of building permits~~Prior to approval of a Phased Development Plan (PDP) and prior to approval of implementing development projects for residential, commercial, mixed-use, or institutional development, the City shall require verification from the Elsinore Valley Municipal Water District that adequate wastewater treatment facilities and treatment capacity exists to serve the proposed development.

Response to Johnson & Sedlack Comment Y-47

The construction of recreational facilities is a component of the entire AVSP project. Construction-related impacts for those facilities are incorporated as part of the estimated construction-related impacts for the AVSP project. Construction-related mitigation measures are discussed throughout the DEIR.

Response to Johnson & Sedlack Comment Y-48

See the above Response to Comment K-12.

Response to Johnson & Sedlack Comment Y-49

See the above Response to Comment B-26.

Response to Johnson & Sedlack Comment Y-50

See the above responses to Letter F (Santa Margarita Group/Sierra Club).

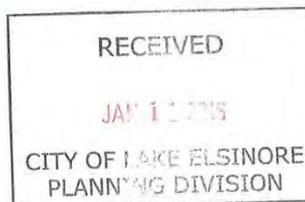
Response to Johnson & Sedlack Comment Y-51

See the above Response to Comment B-72.

Comment Letter Z
Eastern Municipal Water District



January 4, 2016



Board of Directors

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Randy A. Record

Vice President
David J. Swanson

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***Chairman of the Board,
The Metropolitan Water
District of So. Calif.***
Randy A. Record

Legal Counsel
Lemicux & O'Neill

City of Lake Elsinore
Community Development Department
130 South Main Street
Lake Elsinore, CA 92530

Attention: Roy F. Stephenson

Subject: Alberhill Viliages SP 2010-02
Location: Northwestern portion of City of Lake Elsinore
APNS: 389-020-032 ET AL

Upon review of the referenced project location, we determined that the project is located within *Elsinore Valley Municipal Water District* and not within EMWD's service area.

Please forward public notifications to the appropriate agency having jurisdiction in the project area.

If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Maroun El-Hage, M.S., P.E.
Senior Civil Engineer
New Business Development
(951) 928-3777 x4468
El-hagem@emwd.org

ME:emn

Attachment

Z-1

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet: www.emwd.org

Response to Comment Letter Z
Eastern Municipal Water District

Eastern Municipal Water District provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated January 4, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Response to Eastern Municipal Water District Comment Z-1

The commenter advises the City of Lake Elsinore that the proposed AVSP is not located within its service area and requests that public notifications regarding this project sent to the appropriate agency having jurisdiction in the project area. The appropriate agency is the Elsinore Valley Municipal Water District, which has received all notices regarding this project.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

Comment Letter AA
**Governor's Office of Planning and Research, State Clearinghouse and
Planning Unit**



Edmund G. Brown Jr.
Governor

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



Ken Alex
Director

January 4, 2016

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

Subject: Alberhill Villages Specific Plan (SP 2010-02)
SCH#: 2012061046

Dear Roy Stephenson:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 31, 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

AA-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012061046
Project Title Alberhill Villages Specific Plan (SP 2010-02)
Lead Agency Lake Elsinore, City of

Type EIR Draft EIR
Description Note: Extended Review

Specific Plan for 8,244 dwelling units; 2,507,000 sq. ft. of non-residential uses including civic/institutional, commercial/retail, professional office/medical, entertainment uses, and a university campus or similar educational uses to serve up to 6,000 students. Supporting uses include schools, parks, worship centers, and open space and green belt paseos. A General Plan Amendment is proposed to change the existing land use designations to "Specific Plan" and to amend the Circulation Element.

Lead Agency Contact

Name Roy Stephenson
Agency City of Lake Elsinore
Phone 951-674-3124 **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° 43' 15.4" N / 117° 23' 52.7" W
Cross Streets Lake Street and Temescal Canyon Rd.
Parcel No.
Township 5S **Range** 5W **Section** 21 **Base** SBB&M

Proximity to:

Highways Hwy 74, I-15
Airports
Railways
Waterways Temescal Creek
Schools Rice Cyn & Terra Cotta
Land Use

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

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

Date Received 11/05/2015 **Start of Review** 11/05/2015 **End of Review** 12/31/2015

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

Response to Comment Letter AA
**Governor’s Office of Planning and Research, State Clearinghouse and
Planning Unit**

Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit provided comments regarding the Draft Program Environmental Impact Report (“DEIR”) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan and related applications in its letter dated January 4, 2016. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the DEIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

**Response to Governor’s Office of Planning and Research, State Clearinghouse and
Planning Unit Comment AA-1**

This comment confirms that the State Clearinghouse received and distributed the DEIR as required by CEQA. This comment also confirms the completion of the 55-day DEIR comment period. This comment is acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the DEIR are required.

CHAPTER 3 - CORRECTIONS, ERRATA, AND CHANGES FROM DRAFT EIR TO FINAL EIR

3.1 Introduction

Corrections, errata and changes from the Draft EIR that are included in this Final EIR represent additional information or corrections that do not change the impacts of the proposed project and/or mitigation measures such that new or more severe environmental impacts result from the proposed project. Such items are sometimes added as a result of comments received from responsible agencies or are minor corrections or clarifications. These modifications and clarifications are not “significant new information” under Section 15088.5 of the State CEQA Guidelines because they represent minor modifications, clarifications or amplifications to the analysis and significance conclusions already clearly stated in the Draft EIR. Further, no new issues or additional environmental impacts will result from these changes. Finally, because these additions merely clarify and amplify the discussion in the Draft EIR, the Draft EIR has not been “changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the proposed project or a feasible way to mitigate or avoid such an effect. (State CEQA Guidelines Section 15088.5(a)). Accordingly, the responses to comments, corrections, errata and changes, and other material contained in this Final EIR do not require recirculation under CEQA (Section 15088.5(b) of the State CEQA Guidelines).

Any changes identified to the mitigation measures described below in Section 3.2 (Corrections/Errata and Changes) are not required to reduce significant impacts to a less than significant level, nor are they imposed due to the discovery of new significant impacts. Instead, the clarifications made to the mitigation measures included in the Draft EIR provide minor changes that make mitigation clearer and more specific. However, none of these clarified mitigation measures will result in any potentially significant impacts of their own. Accordingly, these clarifications do not require recirculation of the Draft EIR under CEQA. (See State CEQA Guidelines, Section 15088.5.)

The following discussion presents the location and types of changes or corrections made within the listed sections by this Final EIR since the Draft EIR was published. Those sections of the Draft EIR not listed below have not been modified. The revisions are presented in a strike-through/underline format, with underlines being additions and strike-through being deletions.

3.2 Corrections/Errata and Changes

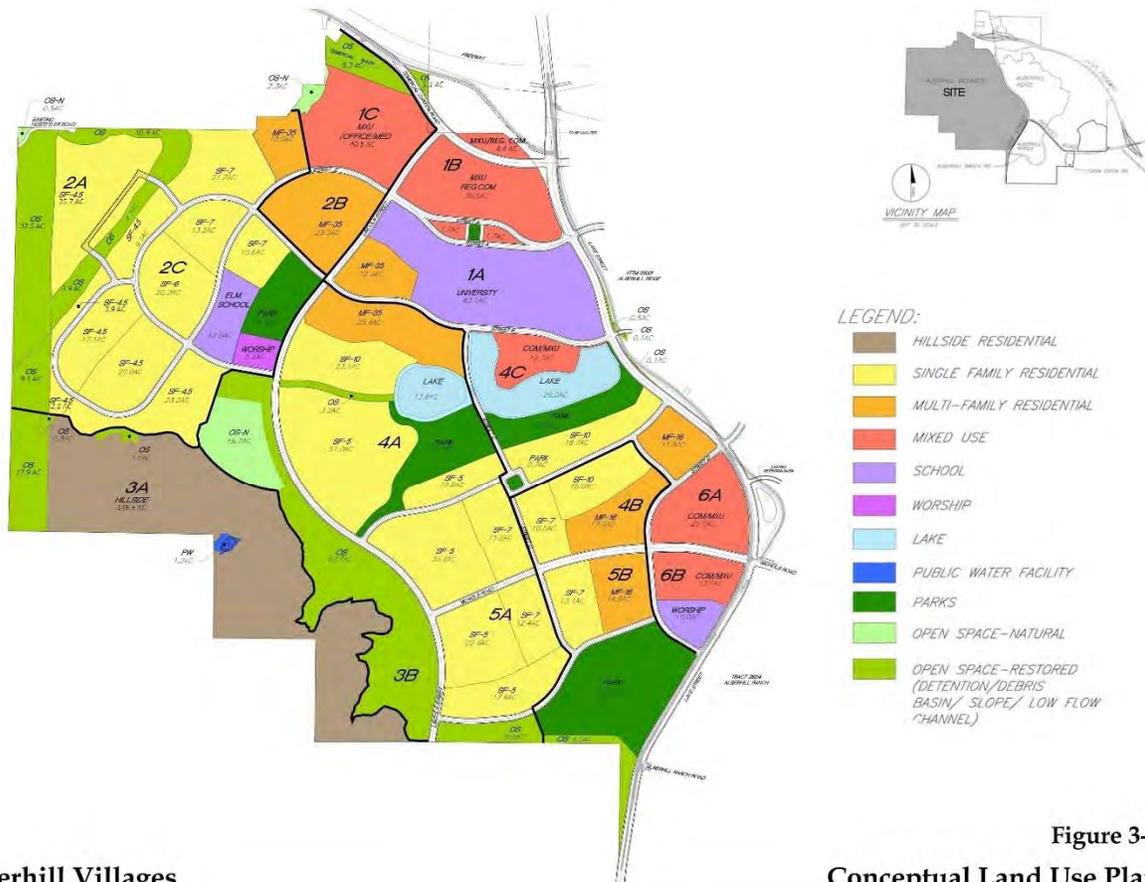
Table of Contents

Page number xii of the Table of Contents is revised as follows:

12.0	TECHNICAL APPENDICES.....	12.0-1
	(These Technical Appendices will be Found in Separate Attached Volumes)	
	Appendix A.1 Initial Study/NOP	
	Appendix A.2 Notice of Preparation Distribution List	
	Appendix A.3 Comments Regarding NOP/Received by City	
	Appendix B Geotechnical Investigation <u>Geotechnical Investigation and Reclamation Plan 112</u>	
	Appendix C Hydrology/ Drainage and WQMP	
	Appendix D Traffic Impact Study	
	Appendix E Air Quality Green House Gas Data	
	Appendix F Noise Data	
	Appendix G Biological Resources Studies	
	Appendix H Cultural Resources Study	
	Appendix I Public Utilities and Services Section	
	Appendix I.1 Preliminary Wastewater Facilities Plan	
	Appendix I.2 Preliminary Water Facilities Plan	
	Appendix I.3 Alberhill Villages – Existing Dry Utility Locations and Future Utility Requirements	
	Appendix J Alberhill Villages Specific Plan	
	Appendix K Alberhill Villages Phased Development Plan	
	Appendix L City of Lake Elsinore – Alberhill District (Section AH)	
	Appendix M Alberhill Villages Retail Impact Study and Fiscal Impact Report	
	Appendix N Correspondence	

Section ES - Executive Summary

Page ES-14 and Page 2.0-11 Conceptual Land Use Figures in the DEIR previously illustrated the Villages Plan and have now been replaced with the AVSP Land Use Plan, as shown below:



- LEGEND:**
- HILLSIDE RESIDENTIAL
 - SINGLE FAMILY RESIDENTIAL
 - MULTI-FAMILY RESIDENTIAL
 - MIXED USE
 - SCHOOL
 - WORSHIP
 - LAKE
 - PUBLIC WATER FACILITY
 - PARKS
 - OPEN SPACE-NATURAL
 - OPEN SPACE-RESTORED (DETENTION/DEBRIS BASIN/ SLOPE/ LOW FLOW CHANNEL)

Figure 3-1

**Alberhill Villages
Specific Plan**

Conceptual Land Use Plan



Section ES-3.1.2 on Page ES-68 and Section 6.0 Page 6.0-14 of the DEIR is revised as follows:

The 'Further Reduced Density' Alternative would not meet most of the basic objectives ~~would not meet the full objectives~~ of the Project applicant, even though this alternative would: 1) create a community with integrated land uses within the City of Lake Elsinore, and would offer a mix of residential, commercial, and recreational land uses located within the City of Lake Elsinore in the northern Alberhill District

Section ES-2.0 Environmental Impacts Summary on Page ES-20 and ES-34 and Section 7.0 on Page 7.0-3 and 7.0-9 of the DEIR are revised as follows to include new or revised Mitigation Measures:

<p>Aesthetics, Light, and Glare</p>	<p>AES-1: During Project construction of <u>implementing development projects</u>, the construction Project Manager shall ensure that the appropriate screening and visual buffers are provided (such as temporary fencing with opaque material), to screen on-going construction activities from residential land uses developed within</p>
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previous phases.

AES-4: All landscaping shall be installed, in accordance with Landscape and Irrigation standards that are part of the Specific Plan at the time of approval of each ~~Project area's~~ implementing project's Landscape Plan, and prior to issuance of occupancy permits for a particular phase or area.

AES-6: Concurrent with the submittal of any detailed Landscape Plan required pursuant to Mitigation Measure AES-3, above, the applicant/developer of the implementing development project shall submit a survey of the native vegetation community(ies) and associated plant species located within the region adjacent to the implementing development project and the AVSP that has been prepared by a State-licensed landscape architect, qualified biologist or other qualified specialist approved by the Community Development Director or designee. The survey shall include a list of native plant species that are compatible with the identified native vegetation community(ies). The required detailed Landscape Plan shall incorporate said identified native plant species in order that ~~Disturbed and un-landscaped areas shall be replanted with native plant materials that are compatible with the theme and that respond to the functional consideration~~ with the existing native vegetation of the region.

AES-7 ~~To the extent feasible, r~~Removal of existing native trees and vegetation along Temescal Canyon Wash (Creek) shall be prohibited during Project implementing project construction and grading except when necessary to construct required hydrology or road improvements. This ~~can~~ shall be accomplished by staking sensitive habitat at the limits of grading to avoid incidental disruption. The Project implementing project's grading plan shall clearly indicate permit limits and areas to remain and to be avoided. Tree removals shall be mitigated with a ratio of 3 to 1 replacement.

AES-8 ~~Under the Landscaping and Lighting Act of 1972 (part 2, Division 15 of the Streets and Highway Code) and the City of Lake Elsinore Municipal Code, a Landscaping and Lighting District, or other mechanism, may be formulated to set standards for maintenance of landscape and lighting installations. Prior to approval of the Final Map, Parcel Map, Design Review, or Conditional Use Permit or building permit (as applicable), the implementing development project's applicant/developer shall annex the implementing development project into Community Facilities District No. 2015-2 (Maintenance Services) or such other Community Facilities District~~

	<p><u>for Maintenance Services established at the time of such approval to fund the on-going operation and maintenance of the public right-of-way landscaped areas and parks to be maintained by the City and for street lights in the public right-of-way for which the City will pay for electricity and a maintenance fee to Southern California Edison, including parkways, open space and public storm drains constructed within the development and federal NPDES requirements to offset the annual negative fiscal impacts of the project.. Alternatively, the applicant/developer may propose alternative financing mechanisms to fund the Maintenance Services.</u></p> <p>AES-9 <u>Prior to the approval of each implementing commercial, multi-family and recreational development project, the applicant/developer shall submit photometric lighting plans that demonstrate that Any lights used to illuminate the parking areas, driveways, and other exterior or interior areas, shall be designed and located so that direct lighting is directed and confined to the subject property. The applicant/developer shall submit photometric lighting plans for commercial, multi family and recreational projects. All outdoor light fixtures, including but not limited to street lights and operational, signage, and landscape lighting sources shall be shielded and situated so as to not cause glare or light spillage into adjacent areas. Directional lighting should shall be of a minimum-maximum intensity (wattage) of one foot-candle (1 lumen per square foot), or as otherwise necessary for public safety.</u></p>
<p>Air Quality & Greenhouse Gas Analysis</p>	<p>AQ-1: Construction activities may cause NO_x, ROG, PM-10 and PM-2.5 emissions to substantially exceed SCAQMD CEQA thresholds if multiple activities/phases overlap or are compressed into shorter time-frames. Reasonable and feasible mitigation cannot likely reduce impacts to a less-than-significant level. Mitigation during construction is required to achieve a reduced level of impact includes; the contractor shall implement the following measures:</p> <p>Dust Control:</p> <ul style="list-style-type: none"> • Apply soil stabilizers according to manufacturers' specifications to inactive areas (previously graded areas inactive for ten days or more). • Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds (as instantaneous gusts) exceed 25 mph. • Stabilize previously disturbed areas if subsequent construction is delayed. • Water actively graded surfaces 3 times per day. • Cover all stock piles with tarps if left undisturbed for more than

72 hours.

- Replace ground cover in disturbed areas as soon as feasible.
- Provide water spray during loading and unloading of earthen materials.
- Install wheel washers, shaker plates and gravel where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip.
- All streets shall be swept at least once a day using SCAQMD Rule 1186 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).
- All trucks hauling dirt, sand, soil or other loose materials are to be covered.
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
- Diesel exhaust particulates and NOx emissions may have a significant impact during construction because of the size scope of the project. Measures to reduce exhaust emissions include:

Exhaust Emissions:

- Require 90-day low-NOx tune-ups for off-road equipment.
- Limit allowable idling to 5 minutes for trucks and heavy equipment.
- Utilize equipment whose engines are equipped with diesel oxidation catalysts if available or equivalent technology.
- Utilize diesel particulate filters or equivalent technology on heavy equipment ~~where feasible.~~
- All off-road diesel-powered construction equipment greater than 50 hp shall meet the United States Environmental Protection Agency (US EPA)-Certified Tier 3 emissions standards for off-road diesel-powered construction equipment greater than 50 horsepower; until equipment that meets Tier 4 emission standards are available.
- All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available.
- All construction equipment shall be outfitted with BACT devices certified by CARB. Any emission control device used by the contractor shall achieve emission reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB regulations.
- Use 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if 2010 model year or newer diesel trucks cannot be obtained, the developer shall use trucks

that meet EPA 2007 model year NOx emission requirements.

- A copy of each unit's certification shall be provided at the time of mobilization and a placard or other identification shall be affixed to approved equipment and haul trucks,
- Contractors using equipment rated at less than Tier 4 shall be provided with information on the SCAQMD "SOON" program of financial assistance for accelerated equipment clean-up.
- ~~If Tier 4 off road construction equipment is not available, require alternative fueled off road equipment.~~
- Configure construction parking to minimize traffic interference.
- Use electricity from power poles rather than temporary diesel or gasoline power generators over 49HP. If generators are over 49HP, they will have to comply with the Air Quality Management District rules.
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hours ~~to the extent practicable.~~
- Reroute construction trucks away from congested streets or sensitive receptor areas.
- Provide dedicated turn lanes for movement of construction trucks and equipment on-site and off-site.

AQ-3 Prior to issuance of building permit(s), the applicant shall demonstrate that the following measures to conserve energy have been incorporated into building design

- Submit plans demonstrating that ~~the new residential~~ buildings, including but not limited to residential, commercial, and educational buildings, shall exceed those California Title 24 energy efficiency requirements in effect at the time of building permit issuance as required by the Climate Action Plan in effect at the time.
- Submit plans demonstrating that the new commercial buildings shall include the following green building design features:
 - Utilize Low-E and ENERGY STAR windows where feasible;
 - Install high-efficiency lighting systems and incorporate advanced lighting controls, such as auto shut-offs, timers, and motion sensors;
 - Install high R-value wall and ceiling insulation; and,
 - Incorporate use of ~~low pressure sodium~~ LED and/or fluorescent lighting, ~~where practicable.~~

- Install electric car charging stations as preferred parking spaces.
- Use light colored “cool” roofs and cool pavements.
- Require ~~acquisition of new~~ the use of only ENERGY STAR qualified heating, cooling, and lighting devices and appliances and equipment.
- Implement passive solar design strategies in new construction. Examples of passive solar strategies include orienting building to enhance sun access, designing narrow structures, and incorporating skylights and atria.
 - ~~Where appropriate as determined by the City Engineering Division and Building and Safety Division,~~ s Structures shall be designed to support the added loads of rooftop solar systems and be provided with appropriate utility connections for solar panels, even if installation of panels is not planned during initial construction.
- All residential projects shall incorporate the following features:
 - A minimum of one (1) model home within each phase of project development shall be include an electric car charging station. Electric car charging stations shall be offered as an available option to the initial purchaser(s) of each single-family dwelling unit.
 - All multiple-family residential projects shall incorporate the installation of electric car charging stations for the use of their residents.

AQ-4 Prior to issuance of a building permit(s), the applicant shall demonstrate that the following water and energy conservation measures consistent with the City of Lake Elsinore Municipal Code have been incorporated into the landscape plan:

- Participate in green waste collection and recycling programs for landscape maintenance.
- ~~Require use of landscaping with low water requirements and fast growth.~~ Each implementing development project shall comply with the water-efficient landscaping and irrigation requirements set forth in the Lake Elsinore Municipal Code that are in effect at the time of the issuance of building permits for that implementing development project.
- Plant trees or vegetation to shade buildings and thus reduce

heating/cooling demand.

AQ-5 Prior to the future approval of a Phased Development Plan, Subdivision Map, or Design Review application by the City's decision-making authority, applicants for any proposed new development with sensitive receptors or in close proximity to sensitive receptors which will result in sensitive receptors being located within 1,000 feet of mining operations, Interstate 215, or any other potential Toxic Air Contaminant (TAC) source shall conduct an evaluation of human health risks (Health Risk Assessment) and/or Localized Significance Threshold (LST) analysis to identify and reduce any potential health risks from construction and/or operation impacts to sensitive receptors. The HRA and LST analysis shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD). Sensitive receptors include residential, schools, day care facilities, congregate care facilities, hospitals, or other places of long-term residency. The thresholds to determine exposure to substantial pollution concentrations are: A Maximum Individual Cancer Risk (MICR) of greater than ten (10) in one million. For non-cancer risks, the threshold is a hazard index value greater than one (1). LST thresholds shall be those recommended by SCAQMD. If the Health Risk Assessment or LST analysis shows that the incremental cancer risk exceeds these standards, the HRA and/or LST analysis shall be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level. Measures to reduce risk may include but are not limited to:

- All off-road diesel-powered construction equipment greater than 50 hp shall meet the United States Environmental Protection Agency (US EPA)-Certified Tier 3 emissions standards for off-road diesel-powered construction equipment greater than 50 horsepower; until equipment that meets Tier 4 emission standards are available.
- All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available.
- All construction equipment shall be outfitted with BACT devices certified by CARB. Any emission control device used by the contractor shall achieve emission reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB regulations.
- Use 2010 and newer diesel haul trucks (e.g., material delivery

	<p><u>trucks and soil import/export) and if 2010 model year or newer diesel trucks cannot be obtained, the developer shall use trucks that meet EPA 2007 model year NOx emission requirements.</u></p> <ul style="list-style-type: none"> • <u>Air intakes located away from high volume roadways and/or truck loading zones.</u> • <u>Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters.</u> <p><u>Mitigation measures identified in the HRA and LST analysis shall be identified as mitigation measures in the implementing development project's environmental document and/or incorporated into the site development plan as a component of the proposed future project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City of Lake Elsinore Community Development Department.</u></p>
<p>Biological Resources/ Jurisdictional Waters</p>	<p>BIO-1 A pre-construction survey for resident burrowing owls will be conducted by a qualified biologist within 30 days prior to commencement of grading and construction activities within those portions of the Project site containing suitable burrowing owl habitat. If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the preconstruction survey, the area shall be resurveyed for owls <u>during the 30 days preceding the revised ground-disturbance date.</u></p> <p>The pre-construction survey and any relocation activity will be conducted in accordance with the <u>2012 CDFW Staff Report on Burrowing Owl Mitigation, 1995.</u></p> <p>If active nests are identified on-site during the pre-construction survey, they shall be avoided or the owls actively or passively relocated. To adequately avoid active nests, no grading or heavy equipment activity shall take place within at least 100 meters (approximately 330 feet) of an active nest during the breeding season (February 1 through August 31), and 165 feet during the non-breeding season (September 1 through January 31).</p> <p>If burrowing owls occupy the site and cannot be avoided, passive relocation shall be used to exclude owls from their burrows. Relocation shall be conducted outside the breeding season or once the young are able to leave the nest and fly. Passive relocation is</p>

~~the exclusion of owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Alternative natural or artificial burrows that are beyond 50 meters from the impacted area shall be provided in a ratio of 1 to 1 in adjacent suitable habitat that is contiguous with the foraging habitat of the affected owls. The Project area shall be monitored daily for one week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.~~

If occupied burrowing owl tunnels are identified on-site during the pre-construction survey, construction may proceed if a 50-foot avoidance buffer can be established around the affected owl tunnel entrances (no ground disturbance, equipment laydown or storage, or parking inside the buffer). The owls and worker compliance with the buffer shall be monitored daily by a qualified biologist until construction and all other ground-disturbance activities in the vicinity have ceased.

If the Project cannot avoid an occupied burrow (resulting in the possibility of taking owls through entombing or crushing them in their burrows, or evicting them to be eaten by raptors or other predatory birds), relocation will be necessary to avoid unauthorized take of this declining species. The Project shall notify the Wildlife Agencies (CFWS and USFWS) within 3 business days of detecting the occupied burrow, and shall prepare a Burrowing Owl Relocation Plan for approval by the Wildlife Agencies.

BIO-3 Should construction of implementing development projects occur during the breeding season for the least Bell's vireo (LBV), ~~or~~ southwestern willow flycatcher (SWWF) or other riparian-obligate birds (March 15 through September 15), ~~presence/absence~~ protocol-level surveys shall be conducted prior to construction; or presence can be assumed. If surveys document the presence of LBV, ~~and~~ SWWF or other riparian-obligate birds, impacts to LBV, ~~and~~ SWWF or other riparian-obligate birds would be mitigated below the level of significance when occupied riparian forest/woodland/scrub is fenced and direct impacts are avoided and construction within 500 feet of occupied habitat occurs only between September 15th and March 15th to avoid

indirect impacts to nesting LBV riparian-obligate birds. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with CDFW and the USFWS. The noise barrier shall attenuate noise levels to 60 dBA or less, at the edge of breeding habitat. If surveys indicate that these species are not present, this measure will not be required. Additional or alternative measures to avoid or minimize adverse project effects to LBV, ~~and SWWF~~ or other riparian-obligate birds, as identified by the USFWS in Section 7 or Section 10 Consultation and CDFW, shall be implemented. However, if all avoidance measures cannot be implemented such that “take” of LBV and SWWF is avoided, Take Authorization from USFWS through Final Biological Opinion and Incidental Take Statement and from CDFW through issuance of a California Endangered Species Act Incidental Take Permit or compliance with Fish and Game Code Section 2080.1 will be obtained.

BIO-4 Individual environmental review conducted for future AVSP implementing development projects will be required to identify any impacts on riparian areas and wetlands and, in consultation with the appropriate resource agencies and applicable regional plans, must ensure incorporation of adequate mitigation to preserve the viability of these important biological resources.

Prior to issuance of a grading permit(s) for areas within the AVSP that contain riparian/riverine habitat, the applicant shall implement one or more of the following measures to mitigate for impact to riparian/riverine ~~at a 1:1 ratio~~ that individually or in combination will reduce potential impacts to below the level of significance, subject to regulatory agency (U.S. Army Corps of Engineers (ACOE), California Regional Water Control Board (CRWQCB) and California Department of Fish and Wildlife (CDFW)) approval:

- Avoidance of on-site riparian/riverine habitat;
- Enhancement of other AVSP on-site riparian/riverine habitat;
- Restoration of on-site riparian/riverine habitat following ground-disturbance activities; or,
- On-site or off-site ~~replacement of CDFW jurisdictional streambed and associated~~ mitigation of residual impacts to riparian/riverine habitat at no less than 1:1 replacement to impact ratio, or such other ratio as required by the regulatory agency, whichever is greater. Off-site replacement shall include

the purchase of mitigation credits at an agency-approved off-site mitigation bank or payment into an in-lieu fee agreement, such as the San Jacinto River invasive removal project through Santa Ana Watershed Authority.

BIO-8: The Applicant shall be responsible for implementing mitigation to reduce potential impacts to two species of native trees that were located on-site: the southern coast live oak riparian forest located in the northwest corner of the Site that includes coast live oak (*Quercus agrifolia*) and the arroyo willow (*Salix lasiolepis*). The oak trees and willows are large, mature, and in good health. If oak trees will be impacted, the developer shall mitigate the loss at a 3:1 12:1 replacement with ~~36"~~ 1-gallon trees, or shall relocate the native oak trees.

BIO-9: Prior to the future approval of a Phased Development Plan, Subdivision Map, or Design Review application by the City's decision-making authority, applicants for any proposed new implementing development shall submit a current site-specific biological survey prepared by a qualified biologist which evaluates the potential construction-related noise impacts upon wildlife. If biological survey determines that construction-related noise mitigation is necessary; prior to the commencement of construction activity, a temporary sound wall shall be erected adjacent to construction between the AVSP's implementing development's footprint and any Critical Habitat Areas impacted wildlife resources to ensure that wildlife are not subject to noise that would exceed residential noise standards (65 dBA) or ambient noise levels at 65 dBA (whichever is higher). Once construction is completed, the temporary sound wall shall be removed.

BIO-11: Prior to grading each phase of the development, a Quino Checkerspot Butterfly (QCB) habitat assessment, followed by presence/absence surveys in accordance with USFWS survey protocol, if habitat is present, as determined by a qualified biologist for areas where suitable habitat is identified shall be completed as follows:

At least one year prior to ground-disturbing activities, a habitat assessment for the QCB in the proposed grading area will be performed. If suitable habitat is identified, a presence/absence survey will be conducted in accordance with USFWS survey protocol. If QCB are not detected, no additional avoidance or minimization is required.

If surveys document the presence of QCB, impacts shall be mitigated to below a level of significance through onsite avoidance or through mitigation consisting of onsite or offsite preservation. If avoidance is not feasible, a Section 7 Consultation or Section 10 Incidental Take Permit shall be initiated by the applicant with USFWS and mitigation measures to avoid or minimize impacts will be implemented in coordination with the USFWS.

BIO-12: A pre-construction coast horned lizard survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities or vegetation removal, a coast horned lizard (CHL) shall be conducted by a qualified biologist to determine if the Coast Horned Lizard is present. If surveys document the presence of CHL, impacts shall be mitigated to below a level of significance through onsite avoidance or through mitigation

Implementation of one or more of the following measures that individually or in combination will reduce potential impacts to below the level of significance, subject to U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) approval:

- Avoidance of on-site CHL habitat;
- Preservation of other AVSP on-site CHL habitat and the relocation of CHL individuals from the impacted habitat to the preserved on-site habitat;
- The placement of an equivalent number of habitat acres occupied by CHL into permanent conservation.

If CHL are not detected, no additional avoidance or minimization is required.

BIO-13: During the biological surveys required by Mitigation Measure BIO-14, a qualified biologist shall survey the implementing development project site for Coulter's Matilija poppy. If Coulter's Matilija poppy is found on site, all native plant nurseries in southern California (Riverside, Los Angeles, Orange and San Diego Counties) will be notified by certified mail of the pending elimination of these plants by the Project and shall be given the opportunity to salvage the plants or seeds (on a first-come, first-served basis) prior to the commencement of vegetation clearing or other ground-disturbing activities.

BIO-14: Prior to the grading of each phase, an updated vegetation map will be prepared to determine the extent of the willow riparian, coast live oak riparian, coastal sage scrub and alluvial fan scrub within the subject phase; and the amount of these special-status habitats that will be removed as a result of implementing development projects. The extent and quality of coastal sage scrub and alluvial fan scrub will be determined by a qualified biologist. If the presence of said habitat is identified and will be removed as a result of implementing development projects, mitigation of the willow riparian, coast live oak riparian coastal sage scrub and/or alluvial fan scrub will be determined through a Section 7 Consultation or Section 10 Permit.

Implementation of one or more of the following measures that individually or in combination will reduce potential impacts to below the level of significance, subject to U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) approval:

- Avoidance of on-site willow riparian, coast live oak riparian coastal sage scrub and alluvial fan scrub habitat;
- Preservation of other AVSP on-site willow riparian, coast live oak riparian, coastal sage scrub and alluvial fan scrub habitat at no less than a 1:1 ratio, or such other ratio as required by the USFWS and CDFW, whichever is greater;
- The permanent preservation of off-site willow riparian, coast live oak riparian, coastal sage scrub and alluvial fan habitat at no less than a 1:1 ratio, or such other ratio as required by the USFWS and CDFW, whichever is greater.

BIO-15: During the biological surveys required by Mitigation Measure BIO-14, a qualified biologist shall survey the implementing development project site for Special Status Plants, including but not limited to, Parry’s spineflower, paniculate tarplant, and graceful tarplant. If Special-Status Plants are identified as being impacted by implementing development projects, those impacts shall be mitigated in accordance with the requirements and procedures set forth in Mitigation Measure BIO-14.

Cultural Resources

CR-1: Prior to the issuance of grading permit(s) and any earthmoving activities for the Project, or off site project improvement areas, the implementing development Project applicant shall retain an archaeological a qualified professional archaeologist and a qualified

Luiseno Native American monitor from either the Pechanga Band or the Soboba Band 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.

CR-2: At least 30 days prior to seeking a grading permit, the Project applicant shall contact the ~~appropriate Indian tribe~~ both the Pechanga Band of Luiseno Indians and the Soboba Band of Luiseno Indians to notify ~~that those Tribes~~ of grading, excavation and the monitoring program, and to coordinate ~~with the City of Lake Elsinore and the both Tribes~~ 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.

CR-3: Prior to issuance ~~to~~ 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 CR-1, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the ~~appropriate tribe~~ retained Luiseno Native American monitor(s) 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 archaeologist.

CR-4: All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the Project proponent and Project archaeologist shall notify the Pechanga Band of Luiseno Indians and the Soboba Band of Luiseno Indians. A designated Native American observer from either the Pechanga Band of Luiseno Indians or the Soboba Band of Luiseno Indians shall be retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred

items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.

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. Native American artifacts that cannot be avoided or relocated at the Project site shall be prepared in a manner for curation and the archaeological consultant shall deliver the materials to a federally-accredited curation facility such as University of California, Riverside Archaeological Research Unit (UCR-ARU), or the Western Center for Archaeology and Paleontology, within a reasonable amount of time.

CR-6a: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. Subsequently, the Native American Heritage Commission shall identify the person or persons it believes to be the “most likely descendant.” The most likely descendant may then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

CR-7: Prior to the approval of any implementing development Project or the issuance of any grading permit, that includes the Alberhill School site, the applicant shall provide to the City of Lake Elsinore an evaluation of the School House structure completed by a qualified architectural historian and a structural engineer to determine its historical significance and structural integrity. The report shall require the review and approval by the Community Development Department – Planning Division.

If the structure cannot be reasonably relocated because of its structural integrity, the structure will be closely replicated elsewhere on the project site to be used as a Home Owners Association/Community

meeting facility. The replicated structure shall be constructed with as many materials from the original structure that can be reused.

Prior to demolition of the original structure, the structure shall be fully documented following the HABS/HAER format. Site documentation includes archival quality large format, black and white photography, measured architectural drawings, and a detailed written historical and photographic log. These documents shall be housed at a suitable repository, determined by the City of Lake Elsinore.

CR-7a: Prior to obtaining the first certificate of occupancy, the Developer shall present informational materials (i.e. pamphlets, flyers, booklets, etc.) to educate prospective home buyers of the Historic Alberhill District to the Community Development Director or designee for review and approval. The materials shall include details of the past history and uses of the area including those other than mining, interesting photographs, and other information pertaining to the area. The Developer shall hire a qualified historian to professionally prepare the materials and shall consult with the local historic societies. Consultation with the Pechanga Tribe shall also occur prior to finalization of the materials to include available prehistoric information. Historic information shall also be included in trail signage and at least one of the following other sources: CC&R's, HOA notices, community flyers, park signage, and/or street names.

CR-8: Prior to the issuance of grading permits for each implementing development project, a qualified paleontologist shall be retained to prepare a Paleontological Resources Survey of the Project site to determine the site specific potential of finding paleontological resources within the Project site. If the approved Paleontological Resources Survey determines that it is unlikely that paleontological resources will be uncovered by earth-moving activities, grading and construction activities may proceed, subject to compliance with mitigation measures CR-1 through CR-7. However, if the approved Paleontological Resources Survey determines that it is likely that paleontological resources will be uncovered during earth-moving activities, a qualified paleontologist shall be retained to develop a Paleontological Resources Monitoring and Treatment Plan (PRMTP) for approval by the Community Development Director. Following Community Development Director approval of the PRMTP, grading and construction activities may proceed in compliance with the provisions of the approved PRMTP.

The PRMTP shall include the following measures:

- a. Identification of those locations within the Project site where paleontological resources are likely to be uncovered during grading.
- b. A monitoring program specifying the procedures for the monitoring of grading activities by a qualified paleontologist. ~~or qualified designee.~~
- c. If fossil remains large enough to be seen are uncovered by earth-moving activities, a qualified paleontologist or qualified designee shall temporarily divert earth-moving activities around the fossil site until the remains have been evaluated for significance and, if appropriate, have been recovered; and, the paleontologist or qualified designee allows earth-moving activities to proceed through the site. If potentially significant resources are encountered, a letter of notification shall be provided in a timely manner to the Community Development Director, in addition to the report (described below) that is filed at completion of grading.
- d. If a qualified paleontologist or qualified designee is not present when fossil remains are uncovered by earth-moving activities, these activities shall be stopped and a qualified paleontologist or qualified designee shall be called to the site immediately to evaluate the significance of the fossil remains.

- e. At a qualified paleontologist's or qualified designee's discretion and to reduce any construction delay, a construction worker shall assist in removing fossiliferous rock samples to an adjacent location for temporary stockpiling pending eventual transport to a laboratory facility for processing.
- f. A qualified paleontologist or qualified designee shall collect all significant identifiable fossil remains. All fossil sites shall be plotted on a topographic map of the Project site.
- g. If the qualified paleontologist or qualified designee determines that insufficient fossil remains have been found after fifty percent of earthmoving activities have been completed, monitoring can be reduced or discontinued.
- h. Any significant fossil remains recovered in the field as a result of monitoring or by processing rock samples shall be prepared, identified, catalogued, curated, and accessioned into the fossil collections of the San Bernardino County Museum, or another museum repository complying with the Society of Vertebrate Paleontology standard guidelines. Accompanying specimen and site data, notes, maps, and photographs also shall be archived at the repository.
- i. Within 6 months following completion of the above tasks or prior to the issuance of occupancy permits, whichever comes first, a qualified paleontologist or qualified designee shall prepare a final report summarizing the results of the mitigation program and presenting an inventory and describing the scientific significance of any fossil remains accessioned into the museum repository. The report shall be submitted to the Community Development Department – Planning Division and the museum repository. The report shall comply with the Society of Vertebrate Paleontology standard guidelines for assessing and mitigating impacts on paleontological resources

<p>Geology, Soils, Mineral Resources, and Seismicity</p>	<p>G-1: <u>Site specific geotechnical investigations conducted by a California-licensed geotechnical engineer, including subsurface fault studies, shall be completed prior to the approval of each implementing development proposal. All recommendations of the geotechnical study and of the geotechnical engineer shall be incorporated into the design and construction specifications, and shall be implemented by the construction contractors, to reduce seismic hazards and hazards related to unstable soils.</u></p>
	<p>G-5: <u>All structures shall be designed to resist seismic acceleration of 0.47g (two thirds of peak acceleration of 0.7g) structures shall be designed in accordance with the latest edition of the California Building Code for Seismic Zone 4 for a "Maximum Considered Earthquake," as adopted by the City of Lake Elsinore and with the appropriate site coefficients. This design resistance shall be demonstrated to the satisfaction of the City's Senior Building Division Inspector on the construction design plans prior to issuance of building permits.</u></p>
	<p>G-10: <u>To reduce the potential of the rise in the groundwater, due to the slow-down in mining dewatering activity, the recommendations of compliance with this measure contained in Mitigation Measures G-5 through G-9 shall be demonstrated on construction design plans for review and approval by the City Engineering Division, prior to issuance of grading permits.</u></p>
<p>Hazards and Hazardous Materials</p>	<p>HAZ-2 As part of the approval process for a Phased Development Plan, Subdivision, Map, or Design Review application, projects shall be required to demonstrate their avoidance of significant impacts associated with exposure to hazardous materials through implementation of General Plan Policies 3.3 and 3.5 of the Hazardous Materials section of the Public Safety and Welfare chapter. the following:</p> <ul style="list-style-type: none"> • <u>Encourage the safe disposal of hazardous materials with County agencies to protect the City against a hazardous materials incident.</u> • <u>Evaluate new development on or adjacent to the Inland Empire Brine Line requiring extensive subsurface components or containing sensitive land uses such as schools on a project-by-project basis to determine impacts if an accident occurs.</u> <p><u>Proposed development on or adjacent to the SARI line Inland Empire Brine Line would shall be required to analyze risks specific to sensitive land uses and the extent of subsurface components</u></p>

	<p>involved with building in these locations. (Ref. <i>General Plan EIR Mitigation Measure MM Hazards 2</i>): <u>avoid impacting the Brine Line, identify and implement implementing development project-specific measures that will mitigate any identified risk related to proximity to the Brine Line.</u></p>
	<p>HAZ-3 As part of the approval process for a <u>implementing development projects including Phased Development Plan, Subdivision, Map, or Design Review application, each implementing development projects shall be required to demonstrate their avoidance of significant impacts associated with wildfire hazards through implementation of Policies 4.1 through 4.3 of the Wildfire Hazards section of the Public Safety and Welfare chapter of the General Plan. (Ref. <i>General Plan EIR Mitigation Measure MM Hazards 5</i>); the following requirements which will be implemented through the conditions of approval for each project:</u></p> <ul style="list-style-type: none"> • <u>On-going brush clearance and establish low fuel landscaping policies to reduce combustible vegetation along the urban/wildland interface boundary shall be required.</u> • <u>Fuel modification zones around development shall be established within high hazard areas by thinning or clearing combustible vegetation within a minimum of 100 feet of buildings and structures. The fuel modification zone size may be altered with the addition of fuel resistant building techniques. The fuel modification zone may be replanted with fire-resistant material for aesthetics and erosion control.</u>
<p>Hydrology and Drainage</p>	<p>HY-3 Site specific drainage systems shall be designed, as each planning area or phase come on line. <u>Each implementing development application shall be required to provide all drainage improvements necessary to serve the implementing development project. All phased drainage systems shall conform to a the adopted Master Drainage Plan of Drainage for the entire that covers the Alberhill Villages Specific Plan Project area. In the absence of an applicable adopted Master Drainage Plan, all drainage facilities shall comply with City of Lake Elsinore and Riverside County Flood Control District requirements.</u></p> <p>HY-4 <u>Temescal Canyon Wash (Creek) shall be preserved in or restored to its natural condition retaining its current flood capacity and flow rate in order to maintain the drainage’s function as a wildlife corridor. In order to protect the existing streambed of the Temescal Canyon</u></p>

Wash (Creek), an energy dissipating structure shall be provided at the storm drain system discharge point, if necessary. Erosion control devices shall also be provided, if necessary. Consistent with Mitigation Measures BIO-4 and BIO-5, implementing development projects in the vicinity of Temescal Canyon Wash (Creek) shall be designed to locate development away from the Temescal Canyon Wash (Creek) riparian/wildlife corridor to allow sufficient wildlife movement and access and to preserve its other biological resources and habitat.

HY-6 The Best Management Practices (BMPs) shall be specified in the Project Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) to reduce the level of pollutants ~~indicated above from~~ entering the Temescal Canyon Wash (Creek) and any other receiving waters to the maximum extent feasible. ~~Recommended practices during construction include site stabilization to limit sedimentation. Following is a list of recommended BMPs to be used during construction, in~~ In addition to the list of BMPs referenced within the required SWPPP prepared for each implementing development project, the BMP's may include (but shall not be limited to) the following:

- Site Stabilization to Limit Sedimentation;
- Preservation of Existing Vegetation;
- Seeding, Planting and Mulching of Disturbed Areas;
- Dust Control;
- Construction Road Stabilization;
- Stabilized Construction Entrance;
- Outlet Protection;
- Temporary Debris Basins; and,
- Sandbagging, Slit Fence, Straw Waddles.

The Final WQMP for each implementing development project shall specifically identify pollution prevention, site-design, source-control, and treatment-control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable

HY-7 The site's SWPPP and WQMP shall also specify BMPs for post construction. Post construction BMPs may be divided into two categories, structural and non-structural. In addition to the addition to the list referenced within the required SWPPP and required WQMP, ~~a list of recommended non-structural BMPs is provided below:~~ prepared for each implementing development project, the non-structural BMP's may include (but shall not be limited to) the following:

- Public Education/Involvement;

	<ul style="list-style-type: none"> • Housekeeping Practices; • Catch Basin Stenciling; • Street Cleaning; and, • Storm Drain System Cleaning. <p>HY-8 Structural BMPs shall be considered to be incorporated into the design of each Phased Development Plan so that the community that will improve water quality and potentially enhance wetland mitigation opportunities. <u>In addition to the list of BMP's referenced within the AVSP WQMP (Appendix C of the DEIR) the BMP's may include (but shall not be limited to) the following:</u></p> <ul style="list-style-type: none"> • Retention Basins; • Grass-Lined Channels and Swales; • Detention Basins; • Infiltration Trenches; • Water Quality Inlets; and, • Water Quality Basins.
<p style="text-align: center;">Noise</p>	<p>NSE-0.5 <u>Prior to the future approval of a Phased Development Plan, Subdivision Map, or Design Review application by the City's decision-making authority, applicants for any proposed new development shall submit a project-specific noise impact analysis which evaluates potential construction-related noise impacts upon existing surrounding land uses and potential noise impacts from existing and projected surrounding land uses upon the proposed project.</u></p>
<p style="text-align: center;">Public Services and Utilities</p>	<p>PU-1 Prior to the issuance of building permits<u>Prior to approval of a Phased Development Plan (PDP) and prior to approval of implementing development projects for residential, commercial, mixed-use, or institutional development, the City shall require verification from the Elsinore Valley Municipal Water District that adequate wastewater treatment facilities and treatment capacity exists to serve the proposed development.</u></p>
<p style="text-align: center;">Transportation and Circulation</p>	<p>TC-0.5 <u>Prior to approval of the first Phased Development Plan (PDP), a TIA evaluating cumulative impacts of the AVSP on regional transportation facilities within the City's sphere of influence, including without limitation, Temescal Canyon Road to Indian Truck Trail, Lake Street, and Nichols Road shall be completed in consultation with the County of Riverside and WRCOG. To ensure that impacts of the AVSP on the regional road network are mitigated, a Phased Road Improvement Plan shall be prepared in</u></p>

	<p><u>conjunction with the first Phased Development Plan and, to the maximum extent allowable in accordance with the TUMF program, regional road improvements shall be constructed by the developer in exchange for TUMF fee credits.</u></p>
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Section 2.0 – Project Description

The first paragraph in Section 2.3.2, Discretionary Approvals, on page 2.0-6 is hereby amended as follows:

To administer the Specific Plan and control the build-out of residential units and commercial/office square footage ~~allocated to Pacific Clay Products through the General Plan Amendment, Development Agreement and Specific Plan zoning entitlements~~, a three-tier land use and development entitlement process will be followed for all development areas and projects within the AVSP area. The three-tier implementation process consists of: 1) adoption of the Specific Plan Zoning Ordinance; 2) adoption of Phased Development Plans (PDPs); and, 3) the more precise Design Review/Subdivision approval process (through a Major or Minor Design Review Process) that corresponds with actual development plans. The three-tier implementation approach ~~will reduce the need to amend the new Specific Plan in the future by postponing~~ postpones certain land use, development standards and design details that cannot be anticipated until economic, market, and trend development concepts become certain. Phased Development Plans (PDPs) must be processed in accordance with the provisions of the AVSP, as a Specific Plan Amendment, concurrent with or prior to the processing of subdivision maps and/or Design Review site plans. Tier II and Tier III entitlements will be subject to further CEQA review and opportunities for public participation.

Table 2.0-1 on page 2.0-8 of the DEIR regarding the purpose of the LEAP Process will be amended as follows:

~~For right-of-way within the MSHCP core areas outside of the development agreement for Pacific Clay and the MOU for Alberhill Ridge.~~ For the expansion of Lake Street, Nichols Road (Lincoln Street in AVSP) and Temescal Canyon Road, except where a MSHCP Joint Project Review for circulation element roads as “Covered Roads” under the MSCHP is not required due to the terms of the MSHCP Settlement Agreement.

Table 2.0-1 on page 2.0-8 of the DEIR will be revised to add an additional permit approval after the “LEAPS Process” regarding the compliance with SCAQMD Rule 403 as follows:

SCAQMD Form 403N (Large Operation Notification Form)	South Coast Air Quality District (SCAQMD)	Compliance with SCAQMD Rule 403
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Section 4.1 – Geology, Soils, and Seismicity

Mitigation Measure G-1 will be revised as follows:

- G-1** Site specific geotechnical investigations conducted by a California-licensed geotechnical engineer, including subsurface fault studies, shall be completed prior to the approval of each implementing development proposal. All recommendations of the geotechnical study and of the geotechnical engineer shall be incorporated into the design and construction specifications, and shall be implemented by the construction contractors, to reduce seismic hazards and hazards related to unstable soils.

Mitigation Measure G-5 will be revised as follows:

- G-5** ~~All structures shall be designed to resist seismic acceleration of 0.47g (two thirds of peak acceleration of 0.7g)~~ structures shall be designed in accordance with the latest edition of the California Building Code for Seismic Zone 4 for a "Maximum Considered Earthquake," as adopted by the City of Lake Elsinore and with the appropriate site coefficients. This design resistance shall be demonstrated to the satisfaction of the City's Senior Building Division Inspector on the construction design plans prior to issuance of building permits.

Mitigation Measure G-10 will be revised as follows:

- G-10** To reduce the potential of the rise in the groundwater, due to the slow-down in mining dewatering activity, the recommendations of compliance with this measure contained in Mitigation Measures G-5 through G-9 shall be demonstrated on construction design plans for review and approval by the City Engineering Division, prior to issuance of grading permits.

Section 4.2 – Hazards and Hazardous Materials

The fifth paragraph on page 3.0-44 of Section 3.0 (Environmental Setting) of the DEIR has been revised as follows:

- Sewer Service: Sewer service in the Project area is also provided by the EVMWD. There are currently no sanitary sewer lines located on-site. Master Planned facilities have been added by EVMWD in their 2008 Master Wastewater Plan. There is an existing 24" ~~SARI line~~ Inland Empire Brine Line – Temescal Valley Regional Interceptor Reach 5 that is within the Alberhill Service Area of EVMWD.

Section 4.2.1.2 (The Santa Ana Regional Interceptor (SARI) Line) on Page 4.2-2 of the DEIR has been revised as follows:

4.2.1.2 The ~~Santa Ana Regional Interceptor (SARI) Line~~ Inland Empire Brine Line (Brine Line)

The ~~Santa Ana Regional Interceptor (SARI) line~~ Inland Empire Brine Line (Brine Line) in adjacent the Project in Lake Street and extending northwesterly near the Project's northern boundary. The ~~SARI line~~ Brine Line is a regional brine line constructed to protect the Santa Ana watershed from various saline wastes. The ~~SARI line~~ Brine Line collects up to 30 million gallons per day (MGD) of non-reclaimable wastewater from the upper Santa Ana River basin; after treatment, it is discarded in the ocean.

The first paragraph on page 4.2-9 of the DEIR has been revised as follows:

Mitigation Measures HAZ-1 and HAZ-2 requires future implementing projects to demonstrate their avoidance of significant impacts associated with the use and storage of hazardous materials and disposal of hazardous materials through implementation of Policies 3.3 and 3.5 of the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter and that proposed development on or adjacent to the ~~SARI line~~ Brine Line would be required to analyze risks specific to sensitive land uses and the extent of subsurface components involved with building in these locations.

The discussion titled "Santa Ana Regional Interceptor (SARI) Line Impacts" starting on page 4.2-9 of the DEIR has been revised as follows:

~~Santa Ana Regional Interceptor (SARI) Line~~ Inland Empire Brine Line (Brine Line) Impacts

The ~~Santa Ana Regional Interceptor (SARI) line~~ Inland Empire Brine Line (Brine Line) in adjacent the Project in Lake Street and extending northeasterly near the Project boundary. As required by the Phased Development Plan (PDP) and Design Review (DR) process, and future development will evaluate potential impacts for projects requiring extensive subsurface components or containing sensitive land uses such as schools on a project-by-project basis to determine impacts if an accident occurs along the ~~SARI line~~ Brine Line.

The Project will implement General Plan Goal 3 and Policies 3.3 and 3.5.

Mitigation Measures HAZ-1 and HAZ-2 requires future implementing projects to demonstrate their avoidance of significant impacts associated with the use and storage of hazardous materials and disposal of hazardous materials through implementation of Policies 3.3 and 3.5 of the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter and that proposed development on or adjacent to the ~~SARI line~~

Brine Line would be required to analyze risks specific to sensitive land uses and the extent of subsurface components involved with building in these locations.

Based on the analysis above, with implementation of Mitigation Measure HAZ-1 and HAZ-2, impacts will be less than significant for construction impacts.

Mitigation Measure HAZ-2 will be revised as follows:

HAZ-2 As part of the approval process for a Phased Development Plan, Subdivision, Map, or Design Review application, projects shall be required to demonstrate their avoidance of significant impacts associated with exposure to hazardous materials through implementation of ~~General Plan Policies 3.3 and 3.5 of the Hazardous Materials section of the Public Safety and Welfare chapter.~~ The following:

- Encourage the safe disposal of hazardous materials with County agencies to protect the City against a hazardous materials incident.
- Evaluate new development on or adjacent to the Inland Empire Brine Line requiring extensive subsurface components or containing sensitive land uses such as schools on a project-by-project basis to determine impacts if an accident occurs.

~~Proposed development on or adjacent to the SARI line~~ Inland Empire Brine Line ~~would shall~~ be required to ~~analyze risks specific to sensitive land uses and the extent of subsurface components involved with building in these locations.~~ (Ref. ~~General Plan EIR Mitigation Measure MM Hazards 2).~~ avoid impacting the Brine Line, identify and implement implementing development project-specific measures that will mitigate any identified risk related to proximity to the Brine Line.

Mitigation Measure HAZ-3 will be revised as follows:

HAZ-3 As part of the approval process for a ~~implementing development projects including~~ Phased Development Plan, Subdivision, Map, or Design Review application, ~~each implementing development projects~~ shall be required to demonstrate their avoidance of significant impacts associated with wildfire hazards through ~~implementation of Policies 4.1 through 4.3 of the Wildfire Hazards section of the Public Safety and Welfare chapter of the General Plan.~~ (Ref. ~~General Plan EIR Mitigation Measure MM Hazards 5).~~ the following requirements which will be implemented through the conditions of approval for each project:

- On-going brush clearance and establish low fuel landscaping policies to reduce combustible vegetation along the urban/wildland interface boundary shall be required.

- Fuel modification zones around development shall be established within high hazard areas by thinning or clearing combustible vegetation within a minimum of 100 feet of buildings and structures. The fuel modification zone size may be altered with the addition of fuel resistant building techniques. The fuel modification zone may be replanted with fire-resistant material for aesthetics and erosion control.

Section 4.3 – Hydrology and Drainage

Mitigation Measure HY-3 will be revised as follows:

- HY-3** Site specific drainage systems shall be designed, as each planning area or phase come on line. Each implementing development application shall be required to provide all drainage improvements necessary to serve the implementing development project. All phased drainage systems shall conform to a the adopted Master Drainage Plan of Drainage for the entire that covers the Alberhill Villages Specific Plan Project area. In the absence of an applicable adopted Master Drainage Plan, all drainage facilities shall comply with City of Lake Elsinore and Riverside County Flood Control District requirements.

Mitigation Measure HY-4 will be revised as follows:

- HY-4** Temescal Canyon Wash (Creek) shall be preserved in or restored to its natural condition retaining its current flood capacity and flow rate in order to maintain the drainage's function as a wildlife corridor. In order to protect the existing streambed of the Temescal Canyon Wash (Creek), an energy dissipating structure shall be provided at the storm drain system discharge point, if necessary. Erosion control devices shall also be provided, if necessary. Consistent with Mitigation Measures BIO-4 and BIO-5, implementing development projects in the vicinity of Temescal Canyon Wash (Creek) shall be designed to locate development away from the Temescal Canyon Wash (Creek) riparian/wildlife corridor to allow sufficient wildlife movement and access and to preserve its other biological resources and habitat.

Mitigation Measure HY-6 will be revised as follows:

- HY-6** The Best Management Practices (BMPs) shall be specified in the Project Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) to reduce the level of pollutants indicated above from entering the Temescal Canyon Wash (Creek) and any other receiving waters to the maximum extent feasible. Recommended practices during construction include site

~~stabilization to limit sedimentation. Following is a list of recommended BMPs to be used during construction, in~~ In addition to the list of BMPs referenced within the required SWPPP prepared for each implementing development project, the BMP's may include (but shall not be limited to) the following:

- Site Stabilization to Limit Sedimentation;
- Preservation of Existing Vegetation;
- Seeding, Planting and Mulching of Disturbed Areas;
- Dust Control;
- Construction Road Stabilization;
- Stabilized Construction Entrance;
- Outlet Protection;
- Temporary Debris Basins; and,
- Sandbagging, Slit Fence, Straw Waddles.

The Final WQMP for each implementing development project shall specifically identify pollution prevention, site-design, source-control, and treatment-control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable

Mitigation Measure HY-7 will be revised as follows:

- HY-7** The site's SWPPP and WQMP shall also specify BMPs for post construction. Post construction BMPs may be divided into two categories, structural and non-structural. In addition to the addition to the list referenced within the required SWPPP and required WQMP, a list of recommended non-structural BMPs is provided below: prepared for each implementing development project, the non-structural BMP's may include (but shall not be limited to) the following:
- Public Education/Involvement;
 - Housekeeping Practices;
 - Catch Basin Stenciling;
 - Street Cleaning; and,
 - Storm Drain System Cleaning.

Mitigation Measure HY-8

- HY-8** Structural BMPs shall be ~~considered to be~~ incorporated into the design of each Phased Development Plan so that the community that will improve water quality and potentially enhance wetland mitigation opportunities, in In addition to the list of BMP's referenced within the AVSP WQMP (Appendix C of the DEIR) the BMP's may include (but shall not be limited to) the following:
- Retention Basins;
 - Grass-Lined Channels and Swales;
 - Detention Basins;

- Infiltration Trenches;
- Water Quality Inlets; and,
- Water Quality Basins.

Section 4.5 – Aesthetics/Light and Glare

Section 4.5– Aesthetics/Light and Glare, page 4.5-1/ 2nd bullet point of the DEIR has been revised as follows:

The Planning Associates, Inc. (TPA) in Association with Glenn Lukos and Associates. 2008, 2012 & 2014. Biological Assessment of Castle & Cooke, Inc. Biological Assessment of Castle & Cooke Pacific Clay Mine Site, Riverside County, California. October 2008 Report, updated May 2012 and also by Letter Update in May 25 14, 2014. (A copy of this report is found within Appendix G to this Program EIR Report.);

Mitigation Measure AES-1 will be revised as follows:

During ~~Project~~ construction of implementing development projects, the construction Project Manager shall ensure that the appropriate screening and visual buffers are provided (such as temporary fencing with opaque material), to screen on-going construction activities from residential land uses developed within previous phases.

Mitigation Measure AES-4 will be revised as follows:

All landscaping shall be installed, in accordance with Landscape and Irrigation standards that are part of the Specific Plan at the time of approval of each ~~Project-area's~~ implementing project's Landscape Plan, and prior to issuance of occupancy permits for a particular phase or area.

Mitigation Measure AES-6 will be revised as follows:

Concurrent with the submittal of any detailed Landscape Plan required pursuant to Mitigation Measure AES-3, above, the applicant/developer of the implementing development project shall submit a survey of the native vegetation community(ies) and associated plant species located within the region adjacent to the implementing development project and the AVSP that has been prepared by a State-licensed landscape architect, qualified biologist or other qualified specialist approved by the Community Development Director or designee. The survey shall include a list of native plant species that are compatible with the identified native vegetation community(ies). The required detailed Landscape Plan shall incorporate said identified native plant species in order that ~~D~~disturbed and un-landscaped areas shall be replanted with native plant materials that are compatible with the theme and that respond to the functional consideration with the existing native vegetation of the region.

Mitigation Measure AES-7 will be revised as follows:

~~To the extent practicable, r~~Removal of existing native trees and vegetation along Temescal Canyon Wash (Creek) shall be prohibited during ~~Project~~ implementing project construction and grading, except when necessary to construct required hydrology or road improvements. This ~~can~~ shall be accomplished by staking sensitive habitat at the limits of grading to avoid incidental disruption. The ~~Project~~ implementing project's grading plan shall clearly indicate permit limits and those areas to remain and to be avoided. Tree removals shall be mitigated with a ratio of 3 to 1 replacement.

Mitigation Measure AES-8 will be revised as follows:

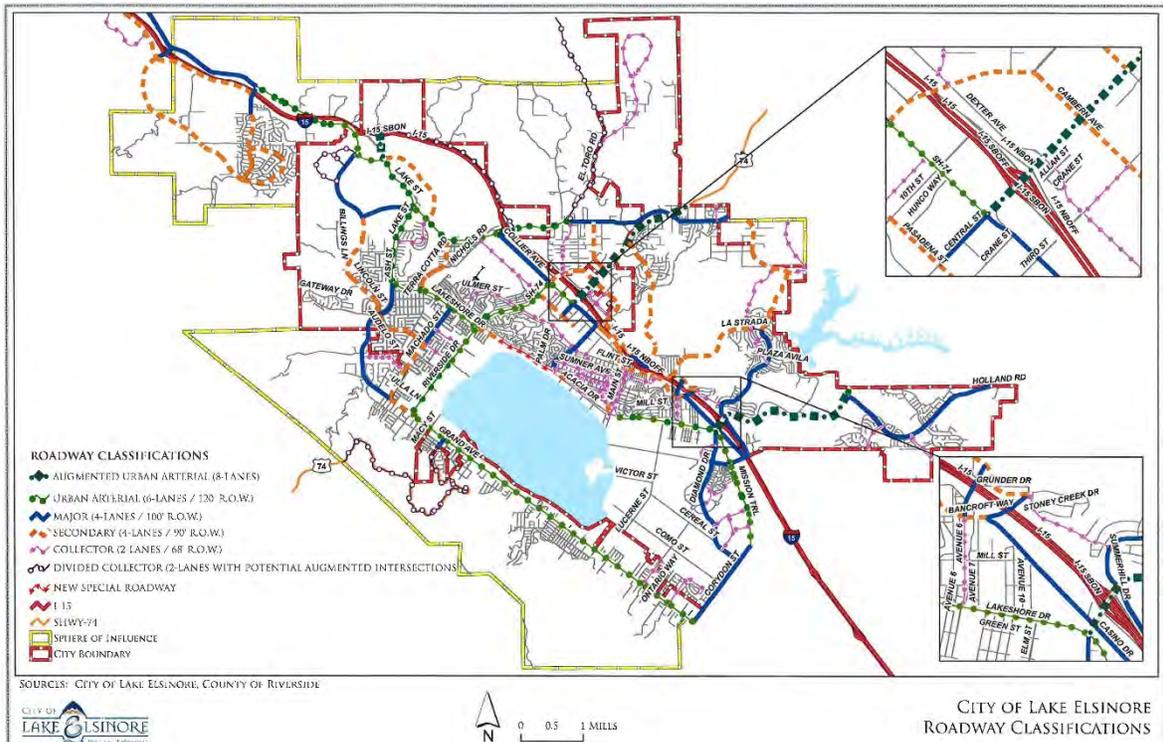
~~Under the Landscaping and Lighting Act of 1972 (part 2, Division 15 of the Streets and Highway Code) and the City of Lake Elsinore Municipal Code, a Landscaping and Lighting District, or other mechanism, may be formulated to set standards for maintenance of landscape and lighting installations. Prior to approval of the Final Map, Parcel Map, Design Review, or Conditional Use Permit or building permit (as applicable), the implementing development project's applicant/developer shall annex the implementing development project into Community Facilities District No. 2015-2 (Maintenance Services) or such other Community Facilities District for Maintenance Services established at the time of such approval to fund the on-going operation and maintenance of the public right-of-way landscaped areas and parks to be maintained by the City and for street lights in the public right-of-way for which the City will pay for electricity and a maintenance fee to Southern California Edison, including parkways, open space and public storm drains constructed within the development and federal NPDES requirements to offset the annual negative fiscal impacts of the project.. Alternatively, the applicant/developer may propose alternative financing mechanisms to fund the Maintenance Services.~~

Mitigation Measure AES-9 will be revised as follows:

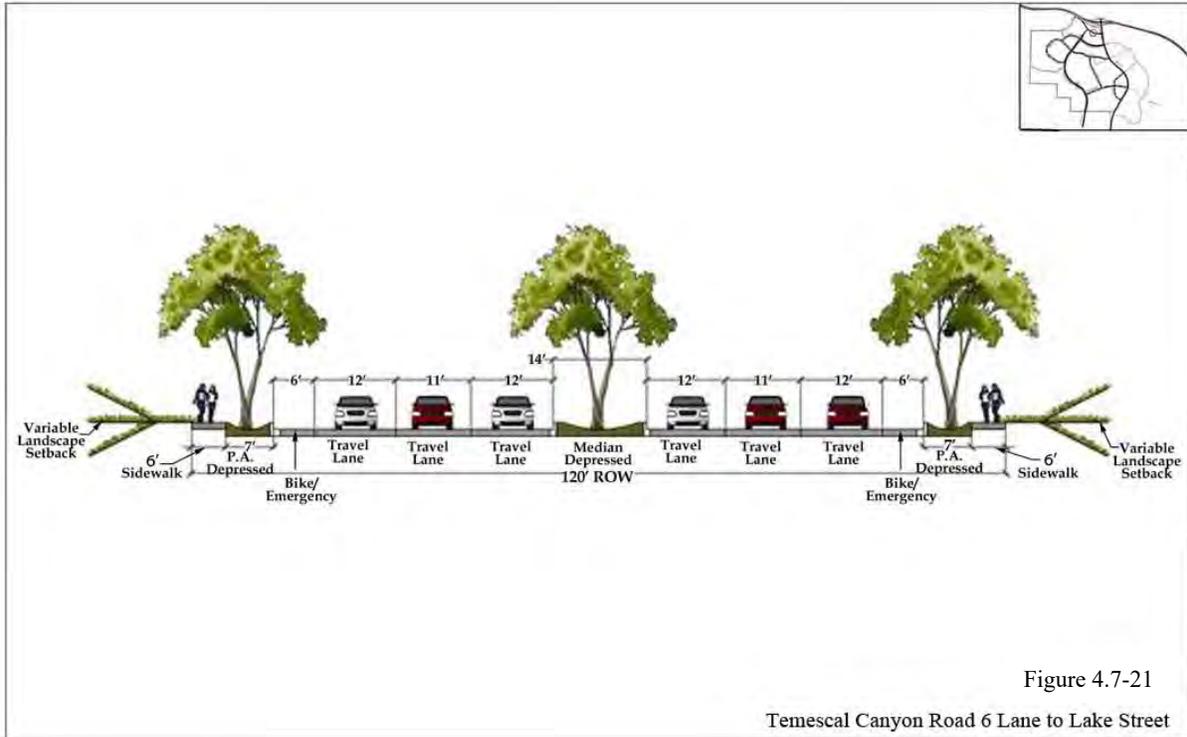
~~Prior to the approval of each implementing commercial, multi-family and recreational development project, the applicant/developer shall submit photometric lighting plans that demonstrate that A~~ny lights used to illuminate the parking areas, driveways, and other exterior or interior areas, shall be designed and located so that direct lighting is directed and confined to the subject property. ~~The applicant/developer shall submit photometric lighting plans for commercial, multi-family and recreational projects. All outdoor light fixtures, including but not limited to street lights and operational, signage, and landscape lighting sources shall be shielded and situated so as to not cause glare or light spillage into adjacent areas. Directional lighting should~~ shall be of a minimum-maximum intensity (wattage) of one foot-candle (1 lumen per square foot), or as otherwise necessary for public safety.

Section 4.7 – Traffic and Circulation

Figure 4.7-1 on Page 4.7-5 of the DEIR is replaced with the most current General Plan Circulation Element map, as shown below:



In Section 4.7 – Traffic and Circulation, Figure 4.7-21 on Page 4.7-72 of the DEIR will be replaced with the figure below:



Alberhill Villages

Temescal Canyon Road Section

Section 4.7– Traffic and Circulation, page 4.7-1 of the DEIR has been revised as follows:

Linscott, Law & Greenspan, Engineers, 2015. Updated Traffic Impact Analysis Supplemental Analysis-Alberhill Villages Specific Plan TIA, Lake Elsinore, October 14, 2015. (This “Greenline” report is within Appendix D of this Program Environmental Impact Report (EIR).

Section 4.7, Table 4.7-21 on Page 4.7-62 of the DEIR has been revised as follows:

**TABLE 4.7-21
TEMESCAL CANYON ROAD – CITY LIMITS TO LAKE STREET**

	2011 GENERAL PLAN	AVSP
Roadway Classification	Urban Arterial	Urban Arterial
Right-of-Way	120'	120'
Lane Configuration	6 Lanes	4 Lanes –6 Lanes
Median	14' Raised	14' Raised
Bike Lane	Class II – 6'	Class II – 6'
Parkways	12' Both Sides	24' + 24' with Added Wildlife, Pedestrian, Drainage Corridor

This segment of Temescal Canyon Road is a major roadway link between the northern City limits

and Lake Street in the north westerly portion of Project. The Project has provided for a Major roadway section different from the City's GP recommended Urban Arterial, however, the Project proposes to keep the 120' right-of-way consistent with an Urban Arterial right-of-way. Enhancements to this segment of the roadway include two (2) 24' Parkway widths with an added pedestrian trail, wildlife and drainage corridors along the west side of Temescal Canyon Road. ~~In reviewing the City's General Plan Traffic Model, it was determined that a significant volume of traffic in this portion of Temescal Canyon Road is attributable to overflow traffic on the I-15 Freeway diverted to Temescal Canyon Road. As a result of forecast congestion on the I-15 Freeway: 1) it is very unlikely that traffic will be diverted to this portion of Temescal Canyon Road since this particular diversion route is very circuitous and will contain a significant amount of traffic control impedance through the Town Center Couplet; and, 2) the actual General Plan ADT and LOS on this portion of Temescal Canyon Road will ultimately be more consistent with a typical four (4) lane major roadway as forecast in the LLG report. Therefore, while this segment of AVSP is technically inconsistent with the General Plan, this four (4) lane segment of Temescal Canyon Road will be consistent with the Roadway Classification and Roadway Configurations stated in the proposed General Plan Amendment (GPA). (See FIGURE 4.7-21.)~~

Section 4.7, Figure 4.7-24 title on Page 4.7-75 in the DEIR has been revised as follows:

"Street A (Lincoln Street to Lake Street)" ~~"Street A (Temescal Canyon Road to Lake Street)"~~

Section 4.7, Figure 4.7-26 title on Page 4.7-77 in the DEIR has been revised as follows:

"Loop Roads (West of Lincoln Street)" ~~"Loop Roads (West of Temescal Canyon Rd)"~~

A new Mitigation Measure TC-0.5 will be added as follows:

TC-0.5 Prior to approval of the first Phased Development Plan (PDP), a TIA evaluating cumulative impacts of the AVSP on regional transportation facilities within the City's sphere of influence, including without limitation, Temescal Canyon Road to Indian Truck Trail, Lake Street, and Nichols Road shall be completed in consultation with the County of Riverside and WRCOG. To ensure that impacts of the AVSP on the regional road network are mitigated, a Phased Road Improvement Plan shall be prepared in conjunction with the first Phased Development Plan and, to the maximum extent allowable in accordance with the TUMF program, regional road improvements shall be constructed by the developer in exchange for TUMF fee credits.

Section 4.8 – Air Quality and Greenhouse Gas Analysis

Section 4.8– Air Quality and Greenhouse Gas Analysis, page 4.8-1 of the DEIR has been revised as follows:

Giroux and Associates. 2015. Letter Report Update. September 23, 2015. (This letter report is within Appendix E-4 of this Program Environmental Impact Report (EIR.);

Section 4.8.8.2 (State Regulations – Greenhouse Gases) on Page 4.82-51 of the DEIR has been amended to add the following description of “Executive Order B-30-15” after the subsection titled “Senate Bill (Million Solar Roofs)”:

Executive Order B-30-15

On April 29, 2015, Governor Jerry Brown issued Executive Order B-30-15 which identified an interim GHG reduction target in support of targets previously identified under S-3-05 and AB 32. This Executive Order set an interim target goal of reducing GHG emissions to 40% below 1990 levels by 2030 as one way to keep California on a trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in S-3-05. To facilitate achievement of this goal, B-30-15 calls for an update to CARB’s Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent. The Executive Order also calls for state agencies to continue to develop and implement GHG emission reduction programs in support of the reduction targets. The Executive Order does not require local agencies to take any action to meet the new interim GHG reduction threshold. It is important to note that Executive Order B-30-15 was not adopted by a public agency through a public review process that requires analysis pursuant to CEQA Guidelines section 15064.4, has not been subsequently validated by a statute by the State Legislature or by the California Air Resources Board as an official GHG reduction target of the State of California. The Executive Order itself states it is “not intended to create, and does not, create any rights or benefits, whether substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers employees, or any other person.”

Mitigation Measure AQ-1 will be revised as follows:

AQ-1 Construction activities may cause NOx, ROG, PM-10 and PM-2.5 emissions to substantially exceed SCAQMD CEQA thresholds if multiple activities/phases overlap or are compressed into shorter time-frames. Reasonable and feasible mitigation cannot likely reduce impacts to a less-than-significant level. Mitigation during construction is required to achieve a reduced level of impact includes; the contractor shall implement the following measures:

Dust Control:

- Apply soil stabilizers according to manufacturers’ specifications to inactive areas (previously graded areas inactive for ten days or more).
- Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds (as instantaneous gusts) exceed 25 mph.
- Stabilize previously disturbed areas if subsequent construction is delayed.
- Water actively graded surfaces 3 times per day.
- Cover all stock piles with tarps if left undisturbed for more than 72 hours.

- Replace ground cover in disturbed areas as soon as feasible.
- Provide water spray during loading and unloading of earthen materials.
- Install wheel washers, shaker plates and gravel where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip.
- All streets shall be swept at least once a day using SCAQMD Rule 1186 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).
- All trucks hauling dirt, sand, soil or other loose materials are to be covered.
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
- Diesel exhaust particulates and NOx emissions may have a significant impact during construction because of the size scope of the project. Measures to reduce exhaust emissions include:

Exhaust Emissions:

- Require 90-day low-NOx tune-ups for off-road equipment.
- Limit allowable idling to 5 minutes for trucks and heavy equipment.
- Utilize equipment whose engines are equipped with diesel oxidation catalysts ~~if available~~ or equivalent technology.
- Utilize diesel particulate filters or equivalent technology on heavy equipment ~~where feasible~~.
- All off-road diesel-powered construction equipment greater than 50 hp shall meet the United States Environmental Protection Agency (US EPA)-Certified Tier 3 emissions standards for off-road diesel-powered construction equipment greater than 50 horsepower; until equipment that meets Tier 4 emission standards are available.
- All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available.
- All construction equipment shall be outfitted with BACT devices certified by CARB. Any emission control device used by the contractor shall achieve emission reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB regulations.
- Use 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if 2010 model year or newer diesel trucks cannot be obtained, the developer shall use trucks that meet EPA 2007 model year NOx emission requirements.
- A copy of each unit's certification shall be provided at the time of mobilization and a placard or other identification shall be affixed to approved equipment and haul trucks.
- Contractors using equipment rated at less than Tier 4 shall be provided with information on the SCAQMD "SOON" program of financial assistance for accelerated equipment clean-up.
- ~~If Tier 4 off-road construction equipment is not available, require alternative fueled off-road equipment.~~
- Configure construction parking to minimize traffic interference.

- Use electricity from power poles rather than temporary diesel or gasoline power generators over 49HP. If generators are over 49HP, they will have to comply with the Air Quality Management District rules.
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hours ~~to the extent practicable~~.
- Reroute construction trucks away from congested streets or sensitive receptor areas.
- Provide dedicated turn lanes for movement of construction trucks and equipment on-site and off-site.

Mitigation Measure AQ-3 will be revised as follows:

AQ-3 Prior to issuance of building permit(s), the applicant shall demonstrate that the following measures to conserve energy have been incorporated into building design

- Submit plans demonstrating that ~~the new residential~~ buildings, including but not limited to residential, commercial, and educational buildings, shall exceed those California Title 24 energy efficiency requirements in effect at the time of building permit issuance as required by the Climate Action Plan in effect at the time.
- Submit plans demonstrating that the new commercial buildings shall include the following green building design features:
 - Utilize Low-E and ENERGY STAR windows where feasible;
 - Install high-efficiency lighting systems and incorporate advanced lighting controls, such as auto shut-offs, timers, and motion sensors;
 - Install high R-value wall and ceiling insulation; and,
 - Incorporate use of ~~low pressure sodium~~ LED and/or fluorescent lighting, ~~where practicable~~.
 - Install electric car charging stations as preferred parking spaces.
 - Use light colored “cool” roofs and cool pavements.
- ~~Require acquisition of new~~ the use of only ENERGY STAR qualified heating, cooling, and lighting devices and appliances and equipment.
- Implement passive solar design strategies in new construction. Examples of passive solar strategies include orienting building to enhance sun access, designing narrow structures, and incorporating skylights and atria.
- ~~Where appropriate as determined by the City Engineering Division and Building and Safety Division,~~ s Structures shall be designed to support the added loads of rooftop solar systems and be provided with appropriate

utility connections for solar panels, even if installation of panels is not planned during initial construction.

- All residential projects shall incorporate the following features:
 - A minimum of one (1) model home within each phase of project development shall be include an electric car charging station. Electric car charging stations shall be offered as an available option to the initial purchaser(s) of each single-family dwelling unit.
 - All multiple-family residential projects shall incorporate the installation of electric car charging stations for the use of their residents.

Mitigation Measure AQ-4 will be revised as follows:

AQ-4 Prior to issuance of a building permit(s), the applicant shall demonstrate that the following water and energy conservation measures consistent with the City of Lake Elsinore Municipal Code have been incorporated into the landscape plan:

- Participate in green waste collection and recycling programs for landscape maintenance.
- ~~Require use of landscaping with low water requirements and fast growth. Each implementing development project shall comply with the water-efficient landscaping and irrigation requirements set forth in the Lake Elsinore Municipal Code that are in effect at the time of the issuance of building permits for that implementing development project.~~
- Plant trees or vegetation to shade buildings and thus reduce heating/cooling demand.

Mitigation Measure AQ-5 will be revised as follows:

AQ-5 Prior to the future approval of a Phased Development Plan, Subdivision Map, or Design Review application by the City's decision-making authority, applicants for any proposed new development ~~with sensitive receptors or in close proximity to sensitive receptors~~ which will result in sensitive receptors being located within 1,000 feet of mining operations, Interstate 215, or any other potential Toxic Air Contaminant (TAC) source shall conduct an evaluation of human health risks (Health Risk Assessment) ~~and/or~~ Localized Significance Threshold (LST) analysis to identify and reduce any potential health risks from construction ~~and/or~~ operation impacts to sensitive receptors. The HRA and LST analysis shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD). Sensitive receptors include residential,

schools, day care facilities, congregate care facilities, hospitals, or other places of long-term residency. The thresholds to determine exposure to substantial pollution concentrations are: A Maximum Individual Cancer Risk (MICR) of greater than ten (10) in one million. For non-cancer risks, the threshold is a hazard index value greater than one (1). LST thresholds shall be those recommended by SCAQMD. If the Health Risk Assessment or LST analysis shows that the incremental cancer risk exceeds these standards, the HRA and/or LST analysis shall be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level. Measures to reduce risk may include but are not limited to:

- All off-road diesel-powered construction equipment greater than 50 hp shall meet the United States Environmental Protection Agency (US EPA)-Certified Tier 3 emissions standards for off-road diesel-powered construction equipment greater than 50 horsepower; until equipment that meets Tier 4 emission standards are available.
- All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available.
- All construction equipment shall be outfitted with BACT devices certified by CARB. Any emission control device used by the contractor shall achieve emission reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB regulations.
- Use 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if 2010 model year or newer diesel trucks cannot be obtained, the developer shall use trucks that meet EPA 2007 model year NOx emission requirements.
- Air intakes located away from high volume roadways and/or truck loading zones.
- Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters.

Mitigation measures identified in the HRA and LST analysis shall be identified as mitigation measures in the implementing development project's environmental document and/or incorporated into the site development plan as a component of the proposed future project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City of Lake Elsinore Community Development Department.

Section 4.9 - Noise

A new mitigation measure NSE-0.5 will be added as follows:

NSE-0.5 Prior to the future approval of a Phased Development Plan, Subdivision Map, or Design Review application by the City's decision-making authority, applicants for any proposed new development shall submit a project-specific noise impact analysis which evaluates potential construction-related noise impacts upon

existing surrounding land uses and potential noise impacts from existing and projected surrounding land uses upon the proposed project.

Section 4.10 – Public Services and Utilities

Section 4.10 – Public Services and Utilities, page 4.10-1 and 4.0-2 of the DEIR has been revised as follows:

KWC Engineers. 2015. Preliminary Hydrologic Analysis for Alberhill Ranch Specific Plan, for Pacific Clay Project in the City of Lake Elsinore, California. April, 2015. (This document is located within Appendix C 1-1 to this Program Environmental Impact Report [EIR].);

KWC Engineers. 2015. Preliminary Water Facilities Plan for Pacific Clay Project in the City of Lake Elsinore, California. October, 2015. (This document is located within Appendix I.2 1-to this Program EIR -DEIR.);

Butsko Utility Design, Inc. 2010. *Alberhill Villages – Existing Dry Utility Locations and Future Utility Requirements*. May 2010. (This updated report can be found within Appendix I.3 1 of this Program EIR.);

Mitigation Measure PU-1 will be revised as follows:

PU-1 ~~Prior to the issuance of building permits~~Prior to approval of a Phased Development Plan (PDP) and prior to approval of implementing development projects for residential, commercial, mixed-use, or institutional development, the City shall require verification from the Elsinore Valley Municipal Water District that adequate wastewater treatment facilities and treatment capacity exists to serve the proposed development.

Section 4.11 – Biological Resources/Jurisdictional Waters

Section 4.11– Biological Resources/Jurisdictional Waters, paragraph 1 on page 4.11-1 of the DEIR has been revised as follows:

The Planning Associates, Inc. (TPA) in Association with Glenn Lukos and Associates (GLA). 2008, 2012 & 2014. *Biological Assessment of Castle & Cooke Pacific Clay Mine Site in Riverside County, California*. October 2008, updated in May 2012, and by letter update May 14-25, 2014. (A copy of this report and letter are found within Appendix G of this Program Environmental Impact Report (DEIR).);

Section 4.11– Biological Resources/Jurisdictional Waters, paragraph 1 on page 4.11-18 of the DEIR has been revised as follows:

California satintail California satintail (*Imperata brevifolia*) is a perennial herb in the grass family designated as a CNPS List 2.1 species. This species is known to occur from throughout the southwestern United States. In California this plant is known from Los Angeles, Kern, San Bernardino, Ventura, and Riverside Counties. ~~This plant is designated by the California Department of Food and Agriculture as a List B noxious weed.~~ This plant is found in chaparral, coastal scrub, desert scrub, meadows, alkaline seeps and riparian scrub and flowers from September through May.

Habitat exists on-site for this species, however, this species was not observed during focused surveys.

Mitigation Measure BIO-1 will be revised as follows:

BIO-1 A pre-construction survey for resident burrowing owls will be conducted by a qualified biologist within 30 days prior to commencement of grading and construction activities within those portions of the Project site containing suitable burrowing owl habitat. If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the preconstruction survey, the area shall be resurveyed for owls during the 30 days preceding the revised ground-disturbance date.

The pre-construction survey ~~and any relocation activity~~ will be conducted in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation, 1995.

~~If active nests are identified on-site during the pre-construction survey, they shall be avoided or the owls actively or passively relocated. To adequately avoid active nests, no grading or heavy equipment activity shall take place within at least 100 meters (approximately 330 feet) of an active nest during the breeding season (February 1 through August 31), and 165 feet during the non-breeding season (September 1 through January 31).~~

~~If burrowing owls occupy the site and cannot be avoided, passive relocation shall be used to exclude owls from their burrows. Relocation shall be conducted outside the breeding season or once the young are able to leave the nest and fly. Passive relocation is the exclusion of owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Alternative natural or artificial burrows that are beyond 50 meters from the impacted area shall be provided in a ratio of 1 to 1 in adjacent suitable habitat that is contiguous with the foraging habitat of the affected owls.~~

~~The Project area shall be monitored daily for one week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.~~

If occupied burrowing owl tunnels are identified on-site during the pre-construction survey, construction may proceed if a 50-foot avoidance buffer can be established around the affected owl tunnel entrances (no ground disturbance, equipment laydown or storage, or parking inside the buffer). The owls and worker compliance with the buffer shall be monitored daily by a qualified biologist until construction and all other ground-disturbance activities in the vicinity have ceased.

If the Project cannot avoid an occupied burrow (resulting in the possibility of taking owls through entombing or crushing them in their burrows, or evicting them to be eaten by raptors or other predatory birds), relocation will be necessary to avoid unauthorized take of this declining species. The Project shall notify the Wildlife Agencies (CFWS and USFWS) within 3 business days of detecting the occupied burrow, and shall prepare a Burrowing Owl Relocation Plan for approval by the Wildlife Agencies.

Mitigation Measure BIO-3 will be revised as follows:

BIO-3 Should construction of implementing development projects occur during the breeding season for the least Bell's vireo (LBV), ~~or~~ southwestern willow flycatcher (SWWF) or other riparian-obligate birds (March 15 through September 15), ~~presence/absence~~ protocol-level surveys shall be conducted prior to construction; or presence can be assumed. If surveys document the presence of LBV, ~~and~~ SWWF or other riparian-obligate birds, impacts to LBV, ~~and~~ SWWF or other riparian-obligate birds would be mitigated below the level of significance when occupied riparian forest/woodland/scrub is fenced and direct impacts are avoided and construction within 500 feet of occupied habitat occurs only between September 15th and March 15th to avoid indirect impacts to nesting ~~LBV~~ riparian-obligate birds. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with CDFW and the USFWS. The noise barrier shall attenuate noise levels to 60 dBA or less, at the edge of breeding habitat. If surveys indicate that these species are not present, this measure will not be required. Additional or alternative measures to avoid or minimize adverse project effects to LBV, ~~and~~ SWWF or other riparian-obligate birds, as identified by the USFWS in Section 7 or Section 10 Consultation and CDFW, shall be implemented. However, if all avoidance measures cannot be implemented such that "take" of LBV and SWWF is avoided, Take Authorization from USFWS through Final Biological Opinion and Incidental Take Statement and from CDFW through issuance of a California

Endangered Species Act Incidental Take Permit or compliance with Fish and Game Code Section 2080.1 will be obtained.

Mitigation Measure BIO-4 will be revised as follows:

Individual environmental review conducted for future AVSP implementing development projects will be required to identify any impacts on riparian areas and wetlands and, in consultation with the appropriate resource agencies and applicable regional plans, must ensure incorporation of adequate mitigation to preserve the viability of these important biological resources.

Prior to issuance of a grading permit(s) for areas within the AVSP that contain riparian/riverine habitat, the applicant shall implement one or more of the following measures to mitigate for impact to riparian/riverine ~~at a 1:1 ratio~~ that individually or in combination will reduce potential impacts to below the level of significance, subject to regulatory agency (U.S. Army Corps of Engineers (ACOE), California Regional Water Control Board (CRWQCB) and California Department of Fish and Wildlife (CDFW)) approval:

- Avoidance of on-site riparian/riverine habitat;
- Enhancement of other AVSP on-site riparian/riverine habitat;
- Restoration of on-site riparian/riverine habitat following ground-disturbance activities; or,
- On-site or off-site replacement of CDFW jurisdictional streambed and associated mitigation of residual impacts to riparian/riverine habitat at no less than 1:1 replacement to impact ratio, or such other ratio as required by the regulatory agency, whichever is greater. Off-site replacement shall include the purchase of mitigation credits at an agency-approved off-site mitigation bank or payment into an in-lieu fee agreement, such as the San Jacinto River invasive removal project through Santa Ana Watershed Authority.

Mitigation Measure BIO-8 will be revised as follows:

The Applicant shall be responsible for implementing mitigation to reduce potential impacts to two species of native trees that were located on-site: the southern coast live oak riparian forest located in the northwest corner of the Site that includes coast live oak (*Quercus agrifolia*) and the arroyo willow (*Salix lasiolepis*). The oak trees and willows are large, mature, and in good health. If oak trees will be impacted, the developer shall mitigate the loss at a ~~3:1~~ 12:1 replacement with ~~36" box~~ 1-gallon trees, or shall relocate the native oak trees.

Mitigation Measure BIO-9 will be revised as follows:

Prior to the future approval of a Phased Development Plan, Subdivision Map, or Design Review application by the City's decision-making authority, applicants for any proposed new implementing development shall submit a current site-specific biological survey prepared by a qualified biologist which evaluates the potential construction-related noise impacts upon wildlife. If biological survey determines that construction-related noise mitigation is necessary; prior to the commencement of construction activity, a temporary sound wall shall be erected adjacent to construction between the AVSP's implementing development's footprint and any Critical Habitat Areas impacted wildlife resources to ensure that wildlife are not subject to noise that would exceed residential noise standards (65 dBA) or ambient noise levels at 65 dBA (whichever is higher). Once construction is completed, the temporary sound wall shall be removed.

A new Mitigation Measure BIO-11 will be added as follows:

BIO-11 Prior to grading each phase of the development, a Quino Checkerspot Butterfly (QCB) habitat assessment, followed by presence/absence surveys in accordance with USFWS survey protocol, if habitat is present, as determined by a qualified biologist for areas where suitable habitat is identified shall be completed as follows:

At least one year prior to ground-disturbing activities, a habitat assessment for the QCB in the proposed grading area will be performed. If suitable habitat is identified, a presence/absence survey will be conducted in accordance with USFWS survey protocol. If QCB are not detected, no additional avoidance or minimization is required.

If surveys document the presence of QCB, impacts shall be mitigated to below a level of significance through onsite avoidance or through mitigation consisting of onsite or offsite preservation. If avoidance is not feasible, a Section 7 Consultation or Section 10 Incidental Take Permit shall be initiated by the applicant with USFWS and mitigation measures to avoid or minimize impacts will be implemented in coordination with the USFWS.

A new Mitigation Measure BIO-12 will be added as follows:

BIO-12: A pre-construction coast horned lizard survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities or vegetation removal, a coast horned lizard (CHL) shall be conducted by a qualified biologist to determine if the Coast Horned Lizard is present. If surveys document the presence of CHL, impacts shall be mitigated to below a level of significance through onsite avoidance or through mitigation

Implementation of one or more of the following measures that individually or in combination will reduce potential impacts to below the level of significance, subject to U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) approval:

- Avoidance of on-site CHL habitat;
- Preservation of other AVSP on-site CHL habitat and the relocation of CHL individuals from the impacted habitat to the preserved on-site habitat;
- The placement of an equivalent number of habitat acres occupied by CHL into permanent conservation.

If CHL are not detected, no additional avoidance or minimization is required.

A new Mitigation Measure BIO-13 will be added as follows:

BIO-13: During the biological surveys required by Mitigation Measure BIO-14, a qualified biologist shall survey the implementing development project site for Coulter's Matilija poppy. If Coulter's Matilija poppy is found on site, all native plant nurseries in southern California (Riverside, Los Angeles, Orange and San Diego Counties) will be notified by certified mail of the pending elimination of these plants by the Project and shall be given the opportunity to salvage the plants or seeds (on a first-come, first-served basis) prior to the commencement of vegetation clearing or other ground-disturbing activities.

A new Mitigation Measure BIO-14 will be added as follows:

BIO-14: Prior to the grading of each phase, an updated vegetation map will be prepared to determine the extent of the willow riparian, coast live oak riparian, coastal sage scrub and alluvial fan scrub within the subject phase; and the amount of these special-status habitats that will be removed as a result of implementing development projects. The extent and quality of coastal sage scrub and alluvial fan scrub will be determined by a qualified biologist. If the presence of said habitat is identified and will be removed as a result of implementing development projects, mitigation of the willow riparian, coast live oak riparian coastal sage scrub and/or alluvial fan scrub will be determined through a Section 7 Consultation or Section 10 Permit.

Implementation of one or more of the following measures that individually or in combination will reduce potential impacts to below the level of significance, subject to U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) approval:

- Avoidance of on-site willow riparian, coast live oak riparian coastal sage scrub and alluvial fan scrub habitat;
- Preservation of other AVSP on-site willow riparian, coast live oak riparian, coastal sage scrub and alluvial fan scrub habitat at no less than a 1:1 ratio, or such other ratio as required by the USFWS and CDFW, whichever is greater;
- The permanent preservation of off-site willow riparian, coast live oak riparian, coastal sage scrub and alluvial fan habitat at no less than a 1:1 ratio, or such other ratio as required by the USFWS and CDFW, whichever is greater.

A new Mitigation Measure BIO-15 will be added as follows:

BIO-15: During the biological surveys required by Mitigation Measure BIO-14, a qualified biologist shall survey the implementing development project site for Special Status Plants, including but not limited to, Parry’s spineflower, paniculate tarplant, and graceful tarplant. If Special-Status Plants are identified as being impacted by implementing development projects, those impacts shall be mitigated in accordance with the requirements and procedures set forth in Mitigation Measure BIO-14.

Section 4.12 – Cultural Resources

Section 4.12– Cultural Resources, page 4.12-1 of the DEIR has been revised as follows:

Natural History Museum. 2012. *Paleontological Resources for Proposed Alberhill Project*. November 6, 2012. (The Paleontological Resource Letter was from Samuel A. McLeod, Ph.D). (This letter is found within Appendix H – Cultural Resources Studies, of this Program EIR).

Section 4.12.1.2 (Historical, Archaeological, and Paleontological Resources) on Page 4.12-12 of the DEIR has been amended to add the following definition of “Tribal Cultural Resources” after the subsection titled “Definition of Archaeological Resources”:

Definition of Tribal Cultural Resources (California Public Resources Code Section 21074)

Section 21074 of the California Public Resources Code (PRC) defines the term “Tribal cultural resources” as either of the following:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
- (B) Included in a local register of historical resources as defined in subdivision (k) of PRC Section 5020.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Section 4.12.2.2 (State Regulations) on Page 4.12-21 of the DEIR have been revised to add the following discussion after the discussion of Senate Bill 18 (SB 18) on page 4.12.23:

Assembly Bill 52

Assembly Bill (AB) 52 was passed in 2014 and took effect on July 1, 2015. It established a new category of environmental resources that must be considered under CEQA called tribal cultural resources (Public Resources Code § 21074) and establishes a process for consulting with Native American tribes and groups regarding those resources. AB 52 requires “a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation, prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.” AB 52 applies to projects that have a notice of preparation or a notice of negative declaration filed or mitigated negative declaration on or after July 1, 2015. AB 52 also requires “the Office of Planning and Research to revise on or before July 1, 2016, the guidelines to separate the consideration of tribal cultural resources from that for paleontological resources and add consideration of tribal cultural resources.”

The Notice of Preparation for the AVSP DEIR was issued on or about June 13, 2012 and therefore the proposed project is not subject to AB 52. However, any subsequent entitlement stages, such as Phased Development Plan, Design Review, or Subdivision Map review, for which a negative declaration, mitigated negative declaration, or environmental impact report is required, will be required to comply with the provisions of AB 52.

Mitigation Measure CR-1 will be revised as follows:

- CR-1** Prior to the issuance of grading permit(s) and any earthmoving activities for the Project, or off site project improvement areas, the implementing development Project applicant shall retain ~~an archaeological~~ a qualified professional archaeologist and a qualified Luiseño Native American monitor from either the Pechanga Band or the Soboba Band

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.

Mitigation Measure CR-2 will be revised as follows:

CR-2 At least 30 days prior to seeking a grading permit, the Project applicant shall contact the ~~appropriate Indian tribe~~ both the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians to notify ~~that those Tribes~~ of grading, excavation and the monitoring program, and to coordinate ~~with the City of Lake Elsinore and the both Tribes~~ 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.

Mitigation Measure CR-3 will be revised as follows:

CR-3 Prior ~~to~~ of issuance ~~to~~ 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 CR-1, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the ~~appropriate tribe~~ retained Luiseño Native American monitor(s) 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 archaeologist.

Mitigation Measure CR-4 will be revised as follows:

CR-4 All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the Project proponent and Project archaeologist shall notify the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians. A designated Native American observer from either the Pechanga Band of Luiseño Indians or the Soboba Band of Luiseño Indians shall be retained to help analyze the Native American artifacts for identification as everyday life and/or

religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.

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. Native American artifacts that cannot be avoided or relocated at the Project site shall be prepared in a manner for curation and the archaeological consultant shall deliver the materials to a federally-accredited curation facility such as University of California, Riverside Archaeological Research Unit (UCR-ARU), or the Western Center for Archaeology and Paleontology, within a reasonable amount of time.

A new mitigation measure CR-6a will be added as follows:

CR-6a If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. Subsequently, the Native American Heritage Commission shall identify the person or persons it believes to be the “most likely descendant.” The most likely descendant may then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

Mitigation Measure CR-7 will be revised as follows:

Prior to the approval of any implementing development Project or the issuance of any grading permit, that includes the Alberhill School site, the applicant shall provide to the City of Lake Elsinore an evaluation of the School House structure completed by a qualified architectural historian and a structural engineer to determine its historical significance and structural integrity. The report shall require the review and approval by the Community Development Department – Planning Division.

If the structure cannot be reasonably relocated because of its structural integrity, the structure will be closely replicated elsewhere on the project site to be used as a Home Owners Association/Community meeting facility. The replicated structure shall be constructed with as many materials from the original structure that can be reused.

Prior to demolition of the original structure, the structure shall be fully documented following the HABS/HAER format. Site documentation includes archival quality large format, black and white photography, measured architectural drawings, and a detailed written historical and photographic log. These documents shall be housed at a suitable repository, determined by the City of Lake Elsinore.

A new Mitigation Measure CR-7a will be added as follows

CR-7a Prior to obtaining the first certificate of occupancy, the Developer shall present informational materials (i.e. pamphlets, flyers, booklets, etc.) to educate prospective home buyers of the Historic Alberhill District to the Community Development Director or designee for review and approval. The materials shall include details of the past history and uses of the area including those other than mining, interesting photographs, and other information pertaining to the area. The Developer shall hire a qualified historian to professionally prepare the materials and shall consult with the local historic societies. Consultation with the Pechanga Tribe shall also occur prior to finalization of the materials to include available prehistoric information. Historic information shall also be included in trail signage and at least one of the following other sources: CC&R's, HOA notices, community flyers, park signage, and/or street names.

Mitigation Measure CR-8 will be revised as follows:

CR-8 Prior to the issuance of grading permits for each implementing development project, a qualified paleontologist shall be retained to prepare a Paleontological Resources Survey of the Project site to determine the site specific potential of finding paleontological resources within the Project site. If the approved Paleontological Resources Survey determines that it is unlikely that paleontological resources will be uncovered by earth-moving activities, grading and construction activities may proceed, subject to compliance with mitigation measures CR-1 through CR-7. However, if the approved Paleontological Resources Survey determines that it is likely that paleontological resources will be uncovered during earth-moving activities, a qualified paleontologist shall be retained to develop a Paleontological Resources Monitoring and Treatment Plan (PRMTP) for approval by the Community Development Director. Following Community Development Director approval of the PRMTP, grading and construction activities may proceed in compliance with the provisions of the approved PRMTP.

The PRMTP shall include the following measures:

- a. Identification of those locations within the Project site where paleontological resources are likely to be uncovered during grading.

- b. A monitoring program specifying the procedures for the monitoring of grading activities by a qualified paleontologist. ~~or qualified designee.~~
- c. If fossil remains large enough to be seen are uncovered by earth-moving activities, a qualified paleontologist or qualified designee shall temporarily divert earth-moving activities around the fossil site until the remains have been evaluated for significance and, if appropriate, have been recovered; and, the paleontologist or qualified designee allows earth-moving activities to proceed through the site. If potentially significant resources are encountered, a letter of notification shall be provided in a timely manner to the Community Development Director, in addition to the report (described below) that is filed at completion of grading.
- d. If a qualified paleontologist or qualified designee is not present when fossil remains are uncovered by earth-moving activities, these activities shall be stopped and a qualified paleontologist or qualified designee shall be called to the site immediately to evaluate the significance of the fossil remains.
- e. At a qualified paleontologist's or qualified designee's discretion and to reduce any construction delay, a construction worker shall assist in removing fossiliferous rock samples to an adjacent location for temporary stockpiling pending eventual transport to a laboratory facility for processing.
- f. A qualified paleontologist or qualified designee shall collect all significant identifiable fossil remains. All fossil sites shall be plotted on a topographic map of the Project site.
- g. If the qualified paleontologist or qualified designee determines that insufficient fossil remains have been found after fifty percent of earthmoving activities have been completed, monitoring can be reduced or discontinued.
- h. Any significant fossil remains recovered in the field as a result of monitoring or by processing rock samples shall be prepared, identified, catalogued, curated, and accessioned into the fossil collections of the San Bernardino County Museum, or another museum repository complying with the Society of Vertebrate Paleontology standard guidelines. Accompanying specimen and site data, notes, maps, and photographs also shall be archived at the repository.
- i. Within 6 months following completion of the above tasks or prior to the issuance of occupancy permits, whichever comes first, a qualified paleontologist or qualified designee shall prepare a final report summarizing the results of the mitigation program and presenting an inventory and describing the scientific significance of any fossil remains accessioned into the museum repository. The report shall be submitted to the Community Development Department – Planning Division and the museum repository.

The report shall comply with the Society of Vertebrate Paleontology standard guidelines for assessing and mitigating impacts on paleontological resources.

Section 4.13 – Retail and Fiscal Impact Analysis

Section 4.13 – Retail and Fiscal Impact Analysis, page 4.13-1 of the DEIR has been revised as follows:

Alfred Gobar Associates. 2012~~4~~. Alberhill Villages Retail Impact Study. November 2011.

(This document is located within Appendix M of this Program Environmental Impact Report (EIR).);

Alfred Gobar Associates. 2015. Alberhill Villages DEIR Section 4.13 Letter Review. October 12, 2015. (This document is located within Appendix M of this Program Environmental Impact Report (EIR).);