



The Diamond Specific Plan

City of Lake Elsinore



Final Environmental Impact Report Diamond Specific Plan

General Plan Amendment 2009-01
Zone Change 2009-01
East Lake Specific Plan Amendment No. 9
Diamond Specific Plan No. 2009 01
SCH# 2009031084

Prepared For:
City of Lake Elsinore

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ACRONYMS AND ABBREVIATIONS

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ac	Acres
ADT	Average daily trips
AMSL	Above mean sea level
AQMP	Air Quality Management Plan
AST	Aboveground storage tank
Ave.	Avenue
AWS	All Way Stop
BAT	Best Available Technology
Bcf	Billion cubic feet
BCT	Best Conventional Pollution Control Technology
BMPs	Best Management Practices
C1	Neighborhood Commercial
C2	General Commercial
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFÉ	Corporate Average Fuel Economy
Cal-OSHA	California Occupational Safety and Health Administration
Caltrans	California Department of Transportation
CALVENO	California specific vehicle noise curves
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CDD	Community Development Director
CDF	California Department of Forestry and Fire Protection
CDFG	California Department of Fish and Game
CDMG	California Division of Mines and Geology
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CETAP	Community Environmental Transportation Corridor Acceptability Process
CFD	Community Facilities District
cfs	Cubic feet per second
CH ₄	Methane
CIWMB	California Integrated Waste Management Board
CIWMP	Countywide Integrated Waste Management Plan
CLOMR	Conditional Letter of Map Revision
CMP	Congestion Management Plan
CMS	Congestion Management System
CMU	Commercial Mixed Use
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon monoxide
CO ₂	Carbon dioxide

Acronyms and Abbreviations

CO ₂ E	Carbon dioxide (CO ₂) equivalent
CSS	Cross Street Stop
CUP	Conditional Use Permit
CWA	Clean Water Act
cy	Cubic yard
dB	Decibel
dBA	A-weighted decibel
DBESP	Determination of Biologically Equivalent and Superior Preservation
DU	Dwelling unit
du/ac	Dwelling units per acre
DWR	Department of Water Resources
EAP	Existing Plus Ambient Growth Plus Project Traffic
EAPC	Existing Plus Ambient Growth Plus Project Plus Cumulative Traffic
EDD	Employment Development Department
EDR	Environmental Data Resources, Inc.
EFZ	Elsinore Fault Zone
EIC	Eastern Information Center
EIR	Environmental Impact Report
ELSP	East Lake Specific Plan
EOP	Emergency Operations Plan
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
EVMWD	Elsinore Valley Municipal Water District
FAR	Floor Area Ratios
FC	Federal Candidate Species
FE	Federally Endangered
FEMA	Federal Emergency Management Agency
FGC	Fish and Game Code
FHWA	Federal Highway Administration
FPD	Federally Proposed for Delisting
FPE	Federally Proposed as Endangered
FPT	Federally Proposed Threatened
GC	General Commercial
GHG	Greenhouse gas
GPA	General Plan Amendment
gpm	Gallons per minute
GRP	General Reporting Protocol
H ₂ O	Water vapor
HCP	Habitat Conservation Plan
HFC	Hydrofluorocarbon
HHWE	Household Hazardous Waste Element
HOV	High occupancy vehicle
I-15	Interstate 15
I-215	Interstate 215
km	Kilometers
kV	Kilovolt
kWh	Kilowatt-hour
LACM	Natural History Museum of Los Angeles County
LCFS	Low Carbon Fuel Standards

Acronyms and Abbreviations

L _{dn}	Day-night energy equivalent noise level
LEED	Leadership in Energy and Environmental Design
LEMSAR	Lake Elsinore Marine Search and Rescue
LEPD	Lake Elsinore Police Department
LETM	Lake Elsinore Traffic Model
L _{eq}	Energy equivalent noise level
LEUSD	Lake Elsinore Unified School District
LEVC	Lake Elsinore Valley Center
LOMR	Letter of Map Revision
LOS	Level of Service
LST	Localized Significance Thresholds
MBTA	Migratory Bird Treaty Act
MDR	Medium Family Residential
MFR	Multiple Family Residential
mg/m ³	Milligrams per cubic meter
mgd	Million gallons per day
MM	Mitigation Measure
MMcf/d	Million cubic feet per day
MMRP	Mitigation, Monitoring and Reporting Program
MMT-CO ₂ eq	Million metric tons carbon dioxide equivalent
MPO	Metropolitan Planning Organization
MRF	Material Transfer Facility
MSHCP	Multiple Species Habitat Conservation Plan
MWh	Million megawatt-hours
N ₂ O	Nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Program
NO ₂	nitrogen dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
NO _x	Nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
O ₃	Ozone
OS	Open Space
PA	Planning Area
Pb	Lead
PFC	Perfluorocarbon
PM _{2.5}	Ultra fine particulate matter
PM ₁₀	Fine particulate matter
pph	persons per household
ppm	parts per million
psi	Pounds per square inch
PSR	Project Study Report
RCA	Regional Conservation Authority
RCFD	Riverside County Fire Department
RCFCWCD	Riverside County Flood Control and Water Conservation District
RCIP	Riverside County Integrated Plan
RCLS	Riverside County Library System

Acronyms and Abbreviations

RCPG	Regional Comprehensive Plan and Guide
RCSD	Riverside County Sheriff's Department
RCTC	Riverside County Transportation Commission
RCWMD	Riverside County Waste Management Department
Rd.	Road
RDA	Redevelopment Agency
ROG	Reactive organic gas
ROW	Right-of-way
RTA	Riverside Transit Agency
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
RWQCB	Regional Water Quality Control Board
SAR-DAMP	Santa Ana Regional Drainage Area Management Plan
SAU	Special Alternative Use
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCE	State Candidate for Endangered
SCGC	Southern California Gas Company
SCT	State Candidate for Threatened
SE	State Listed as Endangered
sf	Square feet
SF ₆	Sulfur hexafluoride
SFP	State Fully Protected
SFR	Single Family Residential
SIP	State Implementation Plan
SO ₂	Sulfur dioxide
SOV	Single occupant vehicle
SPA	Specific Plan Amendment
SPA-9	Specific Plan Amendment 9
SR	State Rare
SR-74	State Route 74
SRRE	Source Reduction and Recycling Element
SSC	Species of Special Concern
ST	State Listed as Threatened
St.	Street
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCM	Transportation Control Measure
TLMA	Transportation and Land Management Agency (Riverside County)
TM	Tentative Map
TMDL	Total Maximum Daily Loads
tpd	Tons per day
TT	Tentative Tract
TTM	Tentative Tract Map
TUMF	Transportation Uniform Mitigation Fees

Acronyms and Abbreviations

UBC	Uniform Building Code
USACE	United States Army Corps of Engineers
USEPA	U. S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
UST	Underground Storage Tank
V/C	Volume-to-capacity
VMT	Vehicle miles traveled
WMWD	Western Municipal Water District
WRCOG	West Riverside Council of Governments
WRF	Wastewater Reclamation Facility
WSA	Water Supply Assessment
WWTP	Wastewater Treatment Plant
VOC	Volatile organic compound
$\mu\text{g}/\text{m}^3$	Micrograms per cubic meter

0.1 INTRODUCTION AND SUMMARY

This Final Environmental Impact Report (EIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.), *CEQA Guidelines* (California Administrative Code Section 15000 et seq.), and the City of Lake Elsinore CEQA procedures.

According to *CEQA Guidelines* §15132, the Final EIR shall consist of the following:

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

In accordance with these requirements, the Final Diamond Specific Plan EIR is comprised of the following:

- Draft Environmental Impact Report, Diamond Specific Plan (February 2010) (SCH No. 2009031084)
- This Final EIR document, dated May 2010, that incorporates the information required by §15132.

Format of the Final EIR

This document is organized as follows:

Section 0.1 Introduction

This section describes CEQA requirements and content of this Final EIR.

Section 0.2 Corrections and Additions

This section provides a list of those revisions made to the Draft EIR text and figures as a result of comments received and/or clarifications subsequent to release of the Draft EIR for public review.

Section 0.3 Responses to Comment Letters Received on the Draft EIR

This section provides copies of the comment letters received and individual responses to written comments. In accordance with Public Resources Code 21092.5, copies of the written proposed responses to public agencies will be forwarded to the agencies at least 10 days prior to certifying an EIR. The responses will conform to the legal standards established for response to comments on Draft EIRs.

Section 0.4 Mitigation Monitoring and Reporting Program

This section includes the Mitigation Monitoring and Reporting Program (MMRP) which identifies the mitigation measures, timing and responsibility for implementation of the measures.

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0.2 CORRECTIONS AND ADDITIONS

The following Sections 2.1 and 2.2 contain revisions to information included in the Draft EIR (February 2010) based upon: (1) additional or revised information required to prepare a response to a specific comment; (2) updated information required due to the passage of time; and/or (3) typographical errors. Given the minor changes associated with the document, the information added to the EIR does not meet the requirements for recirculation pursuant to Section 150885.5 of the State *CEQA Guidelines*.

0.2.1 REVISED AND SUPPLEMENTAL TEXT

Changes to the Draft EIR were made in response to comments received on the Draft EIR. Overall, the new information clarifies information and analysis presented in the Draft EIR, or revises mitigation measures that were requested by commenters on the Draft EIR. Text that has been added to the document appears in an underline format. Text that has been deleted appears with strikeout.

The table below identifies the changed EIR sections and accompanying page numbers in the Final EIR. The revised Draft EIR is included following this Final EIR Introduction.

Final EIR Section	Page Number
Table of Contents	ii, vi
1.0 Executive Summary/ Introduction	1-6, 1-7, 1-15 (Table 1.7-1)
4.2 Air Quality	4.2-15, 4.2-16 (Table 4.2-8), 4.2-17 (Table 4.2-9), 4.2-18 (Table 4.2-10), 4.2-20 (Tables 4.2-11 and 12), 4.2-21 (Tables 4.2-13 and 14), 4.2-22 (Table 4.2-15), 4.2-22, 4.2-23, 4.2-24, 4.2-26 (Table 4.2-16), 4.2-27 (Table 4.2-27)
4.4 Cultural Resources	4.4-8
4.13 Transportation/Traffic	4.13-68, 4.13-71
4.14 Utilities/Service Systems	4.14-2, 4.14-3

0.2.2 REVISED AND SUPPLEMENTAL MITIGATION MEASURES

Based upon comment letters received on the Draft EIR, no new mitigation measures were added in the Final EIR. However, mitigation measures were revised for clarification purposes in the Air Quality, Cultural Resources, and Transportation/Traffic sections for the Diamond Specific Plan. Mitigation measures were modified for clarification purposes related to Aesthetics and Water Quality for the 10-acre General Plan Area. The following represent the revised mitigation measures:

Air Quality

DSP-AQ-1 During construction, the contractor shall implement the following measures:

- 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 exposed surfaces and haul roads three times/day.
- Cover all stock piles with tarps.
- Replace ground cover in disturbed areas as soon as feasible.
- Reduce speeds on unpaved roads to less than 15 mph.
- Require 90-day low-NO_x 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.
- Utilize diesel particulate filter on heavy equipment where feasible.
- If Tier 2 or Tier 3 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.
- 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- and off-site.
- Install wheel washers 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 South Coast Air Quality Management District (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.

Cultural Resources

- DSP-CR-3** Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in DSP-CR-2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate Tribe in order to evaluate the significance of any

archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

Transportation/Traffic

DSP-TR-2 The project shall participate in the phased construction of the off-site intersection improvements shown in Table 4.13-13 through payment of City of Lake Elsinore fees, and participation in the Western Riverside County Transportation Uniform Mitigation Fees (TUMF) program. Where required improvements are not covered by these programs, mitigation shall be implemented through a fair-share contribution or as otherwise determined by the City Engineer. The improvements listed in Table 4.13-13 shall be in place prior to issuance of the first building permit for each phase (as identified in the Traffic Impact Analysis) unless the following scenarios occur: ~~a new traffic study is submitted and approved by the City's Traffic Engineer documenting that the intersection improvement is no longer needed to maintain LOS D or better.~~

- A new traffic study is submitted and approved by the City's Traffic Engineer demonstrating that the identified intersection improvement is no longer needed to maintain an acceptable LOS as determined by the City's Traffic Engineer. (The City's General Plan Update proposes to allow LOS E within the Ballpark District).
- In the event that the project combines phases or is developed according to a more accelerated schedule than anticipated in the Traffic Impact Analysis for the Diamond Specific Plan, a new traffic study shall be submitted and approved by the City's Traffic Engineer identifying the timing of the improvements required to reduce impacts to below a level of significance.
- In the event that a programmed improvement is delayed, a new traffic study shall be submitted and approved by the City's Traffic Engineer identifying improvements that shall reduce the project's contribution to the impacted intersection or interchange.

The following modifications were made to mitigation measures for the 10-acre General Plan Area within Table 1.7-1:

Aesthetics

10ac-AES-1 All future development shall be consistent with the design standards and guidelines proposed in the ~~East Lake Specific Plan~~ City's General Plan.

Water Quality

10ac-WQ-3 In order to minimize the degradation of water quality from stormwater runoff, a comprehensive Stormwater Pollution Prevention Plan shall be developed by the Applicant. ~~Such a plan would include the proposed Best Management Plans (BMPs) contained in the East Lake Specific Plan.~~

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0.3 RESPONSE TO COMMENTS

Section 0.3 contains responses to all comment letters received on the February 2010 Draft Environmental Impact Report (DEIR). Nine comment letters were received during the comment period, including the letter from the State Clearinghouse indicating that the public comment period closed April 7, 2010. A copy of each letter with bracketed comment numbers on the right margin is followed by the response for each comment as indexed in the letter.

The comment letters are listed in Table 0.3-1.

Table 0.3-1. Comment Letters – Diamond Specific Plan

Letter No.	Commenter	Letter Date
1	Governor's Office of Planning and Research State Clearinghouse and Planning Unit (Memorandum)	04/13/10
2	California Energy Commission	03/15/10
3	California Department of Transportation	03/17/10
4	California Department of Fish and Game	04/07/10
5	Department of Toxic Substances Control	04/07/10
6	South Coast Air Quality Management District	04/07/10
7	Riverside County Waste Management Department	04/06/10
8	Soboba Band of Luiseño Indians	04/05/10
9	Pechanga Cultural Resources, Temecula Band of Luiseño Mission Indians	04/06/10



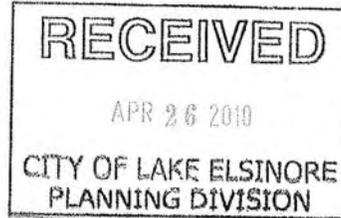
ARNOLD SCHWARZENEGGER
GOVERNOR

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



CYNTHIA BRYANT
DIRECTOR

April 13, 2010



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

Subject: Diamond Specific Plan
SCH#: 2009031084

Dear Carole Donahoe:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 7, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

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

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

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

Enclosures
cc: Resources Agency

1-1

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2009031084
Project Title Diamond Specific Plan
Lead Agency Lake Elsinore, City of

Type EIR Draft EIR
Description The project consists of the Diamond Specific Plan, General Plan Amendment, ELSP Amendment 9 and Zone Change.

Lead Agency Contact

Name Carole Donahoe
Agency City of Lake Elsinore
Phone 951-674-3124 ext 287
email
Address 130 S. Main Street
City Lake Elsinore **State** CA **Zip** 92530

Project Location

County Riverside
City Lake Elsinore
Region
Lat / Long 33° 39' 9" N / 117° 18' 9" W
Cross Streets South of Interstate 15 - Diamond Drive and Lakeshore Drive
Parcel No. 363-150-006; -161-026, 030 thru 035; -280-022; 371-030-035; 373-210-014, 016, 019, 020, 021, 023
Township 6S **Range** 4W **Section** 9, 16 **Base** SBB&M

Proximity to:

Highways I-15
Airports
Railways
Waterways Lake Elsinore
Schools Jean Hayman ES, Lakeland Village MS, Elsinore HS
Land Use East Lake Specific Plan and General Commercial

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

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

Date Received 02/22/2010 **Start of Review** 02/22/2010 **End of Review** 04/07/2010

1-1
Cont.

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

Letter 1

Governor's Office of Planning and Research State Clearinghouse and Planning Unit

April 13, 2010

- 1-1** This letter provides a summary of the agencies to which the State Clearinghouse transmitted the Draft EIR. Comment letters from state agencies attached to this letter are addressed within the following response to comments. This letter confirms the public review closing date of April 7, 2010.

0.3 Response to Comments

STATE OF CALIFORNIA – NATURAL RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

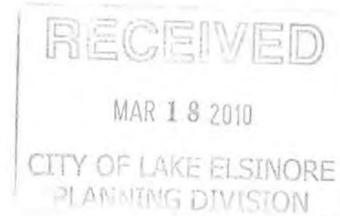
CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



March 15, 2010

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



Dear Ms. Donahoe:

The California Energy Commission has received the City of Lake Elsinore's Draft EIR titled Diamond Specific Plan, SCH 2009031084 that was submitted on 2/22/2010 for comments due by 4/7/2010. After careful review, the Energy Commission has found the following:

We would like to assist in reducing the energy usage involved in your project. Please refer to the enclosed Appendix F of the California Environmental Quality Act for how to achieve energy conservation.

In addition, the Energy Commission's *Energy Aware Planning Guide* is also available as a tool to assist in your land use planning. For further information on how to utilize this guide, please visit www.energy.ca.gov/energy_aware_guide/index.html.

Thank you for providing us the opportunity to review/comment on your project. We hope that our comments will be helpful in your environmental review process.

If you have any further questions, please call Gigi Tien at (916) 651-0566.

Sincerely,

BILL PFANNER
Supervisor, Local Energy & Land Use Assistance Unit
Special Projects Office
Fuels and Transportation Division
California Energy Commission
1516 Ninth Street, MS 23
Sacramento, CA 95814

Enclosure

2-1

Appendix F
ENERGY CONSERVATION

I. Introduction

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) decreasing overall per capita energy consumption,
- (2) decreasing reliance on natural gas and oil, and
- (3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.

Energy conservation implies that a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, lifetime costs may be determined more by energy efficiency than by initial dollar costs.

II. EIR Contents

Potentially significant energy implications of a project should be considered in an EIR. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances, specific items may not apply or additional items may be needed.

- A. Project Description may include the following items:
1. Energy consuming equipment and processes which will be used during construction, operation, and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
 2. Total energy requirements of the project by fuel type and end use.
 3. Energy conservation equipment and design features.
 4. Initial and life-cycle energy costs or supplies.
 5. Total estimated daily trips to be generated by the project and the additional energy consumed per trip by mode.
- B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.
- C. Environmental Impacts may include:
1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle including construction, opera-

- tion, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

D. Mitigation Measures may include:

1. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2. The potential of siting, orientation, and design to minimize energy consumption, including transportation energy.
3. The potential for reducing peak energy demand.
4. Alternate fuels (particularly renewable ones) or energy systems.
5. Energy conservation which could result from recycling efforts.

E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.

F. Unavoidable Adverse Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.

G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.

H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the energy costs over the lifetime of the project.

I. Growth Inducing Effects may include the estimated energy consumption of growth induced by the project.

2-2

Letter 2
California Energy Commission
March 15, 2010

2-1 The California Energy Commission is offering tools for reducing energy demands of projects including Appendix F of the CEQA Guidelines and the Energy Commission's Energy Aware Planning Guide. The Diamond Specific Plan incorporates energy efficiency guidelines within Section 5.10-4 to reduce the project's energy consumption. These guidelines include the following:

1. Consider passive solar design strategies in new construction
2. Consider utilizing active solar systems (photovoltaics), particularly on south-facing buildings.
3. Utilize Low-E and ENERGY STAR windows where feasible
4. Install high-efficiency lighting systems and incorporate advanced lighting controls, such as auto shut-offs, timers, and motion sensors.
5. Install high R-value wall and ceiling insulation
6. Utilize appliances that have earned ENERGY STAR certification or equivalent.

Additionally, the EIR includes mitigation measures DSP-AQ-3 and DSP-AQ-4 which require energy conservation measures be incorporated into building design to reduce the project's greenhouse gas emissions. With implementation of mitigation measures DSP-AQ-3 and DSP-AQ-4, as well as adherence to the energy efficiency guidelines within the Specific Plan, implementation of the Diamond Specific Plan would not result in wasteful, inefficient, or unnecessary consumption of energy during the construction or operation of the Diamond Specific Plan. Additionally, the project electricity demand would not exceed existing supply, requiring additional infrastructure. Therefore, no change was made to the EIR in response to this comment.

2-2 This comment provides Appendix F of the CEQA Guidelines. As stated under Section II (EIR Contents) of this Appendix, the energy implications of a project should be considered in an EIR but in many instances, specific items may not apply. The EIR discusses energy in the following sections: Section 3.0 Environmental Setting, Section 4.2 Air Quality, Section 4.14 Utilities/Service Systems, and Section 8.0 Significant Irreversible Changes. In addition, Section 5.0 Alternatives includes reduced density and reduced acreage alternatives which would reduce the project's energy consumption. As stated in Response 2-1, with incorporation of mitigation measures and adherence to the Specific Plan Guidelines, a less than significant impact was identified for energy. No change was made to the EIR in response to this comment.

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING

464 WEST 4th STREET, 6th Floor MS 725

SAN BERNARDINO, CA 92401-1400

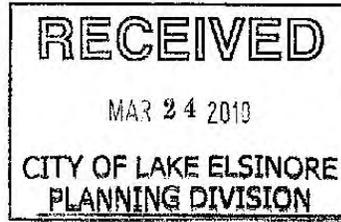
PHONE (909) 383-4557

FAX (909) 383-5936

TTY (909) 383-6300



*Flex your power!
Be energy efficient!*



March 17, 2010

Ms. Carole Donahoe
City of Lake Elsinore
Planning Department
130 South Main Street
Lake Elsinore, CA 92530

Draft Environmental Impact Report for the Diamond Specific Plan, SCH No. 2009031084, General Plan Amendment No. 2009-01, Zone Change No. 2009-01, East Lake Specific Plan Amendment No. 9, RIV-15-PM 19.164

Dear Ms. Donahoe:

We have completed our review of the Draft Environmental Impact Report (DEIR) for the Diamond Specific Plan. The proposed Project consists of a mixed-use master plan development situated on an 87 acre site located west of Interstate 15 (I-15), bounded to the north by Lakeshore Drive, and bounded to the east by Diamond Drive. The development will include three phases, 2012, 2014, and 2016 with a total of six planning areas consisting of commercial, office, entertainment, and residential uses. Phase 1 (2012) includes planning area (PA) 1 with approximately 7.1 acres, Phase 2 (2014) includes PA 2, 3, and 4 with approximately 50.9 acres, and Phase 3 (2016) includes PA 5 and 6 with approximately 23.4 acres.

3-1

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

The DEIR section 4.13 Transportation/Traffic, illustrates that the following intersections will be operating at unacceptable LOS conditions under the Existing/Ambient/Project (EAP) and the Existing/Ambient/Project/Cumulative (EAPC) traffic scenarios:

3-2

2012 EAPC

- I-15 SB ramps at Railroad Canyon Road

"Caltrans improves mobility across California"

Ms. Donahoe
 March 17, 2010
 Page 2

2014 EAP

- I-15 SB ramps at Railroad Canyon Road

2014 EAPC

- I-15 NB ramps at Railroad Canyon Road
- I-15 SB ramps at Railroad Canyon Road

2016 EAPC

- I-15 NB ramps at Railroad Canyon Road
- I-15 NB ramps at Bundy Canyon Road
- I-15 SB ramps at Railroad Canyon Road

3-2
 Cont.

Based on the EAP/EAPC scenarios State facilities would result in operating beyond acceptable LOS D conditions. Table 4.13-13 list improvements for I-15 northbound/southbound ramps at Railroad Canyon Road, and I-15 northbound ramps at Bundy Canyon Road. The conditions stated in DSP-TR-2 indicate that these improvements shall be in place prior to the issuance of the first building permit for each phase of the proposed Project, thus mitigating the impacts below a level of significance. DEIR Section 4.13.4 Environmental Mitigation Measures DSP-TR-2 states the following:

The project shall participate in the phased construction of the off-site intersection improvements shown in Table 4.13-13 through payment of City of Lake Elsinore fees, and participation in the Western Riverside County Transportation Uniform Mitigation Fees (TUMF) program. Where required improvements are not covered by these programs, mitigation shall be implemented through a fair-share contribution or as otherwise determined by the City Engineer. The improvements listed in Table 4.13-13 shall be in place prior to issuance of the first building permit for each phase unless a new traffic study is submitted and approved by the City's Traffic Engineer documenting that the intersection improvement is no longer needed to maintain LOS D or better.

3-3

Currently there is a planned interchange improvement project (EA 0A440) for Railroad Canyon Road which involves the reconstruction of the existing interchange, the construction of a new interchange at Franklin Street, and auxiliary lanes between the two interchanges. The construction of this improvement project is scheduled to begin April 2014 and completed by December 2015. Please clarify if the proposed improvements listed in Table 4.13-13, pertaining to State facilities, are assumed to be part of the interchange project or proposed as interim improvements to offset the impacts of the Project.

Phase 2 (2014) of the proposed Project, which includes PA 2, 3, and 4, covers the greatest acreage of the specific plan. Development of Phase 2 is estimated to occur during the time frame of the interchange improvement project. Due to the existing conditions, and the projected near future conditions, at Railroad Canyon Road/I-15 ramps, we recommend that the completion of

3-4

"Caltrans improves mobility across California"

Ms. Donahoe
March 17, 2010
Page 3

Phase 2 does not occur prior to the completion of the interchange improvement project. Completion of Phase 2 would exacerbate the existing/future conditions of Railroad Canyon Road/I-15 ramps if completed prior to the interchange improvement project. We also recommend that planning phases are not combined in a manner which would result in Project completion prior to 2015.

3-4
Cont.

In the event that the Railroad Canyon Road interchange improvement project is not completed or the project completion date is extended beyond 2015 interim improvements associated with each Phase of the proposed Project may be required to offset impacts.

3-5

Thank you for providing us this opportunity to review the DEIR for the Diamond 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 me at (909) 383-4557 for assistance

3-6

Sincerely,



DANIEL KOPULSKY
Office Chief
Community Planning, IGR/CEQA Review

"Caltrans improves mobility across California"

Letter 3
California Department of Transportation
March 17, 2010

- 3-1** This comment provides introductory remarks, accurately recaps the project description, and summarizes Caltrans' role as a responsible agency. No change was made to the EIR in response to this comment.
- 3-2** This comment accurately summarizes the state facility intersections identified in the EIR and Traffic Impact Analysis that would be operating at an unacceptable level of service (LOS) under the existing plus ambient plus project (EAP) conditions and the existing plus ambient plus project plus cumulative (EAPC) conditions during the 2014 and 2016 time periods. It is noted that all of these impacts would be considered cumulative impacts.
- 3-3** The commenter is requesting clarification as to whether the improvements listed in Table 4.13-13 of the EIR, pertaining to state facilities, were assumed to be part of the interchange project or proposed as interim improvements to offset the impacts of the project. The Traffic Impact Analysis (included as Appendix J of the EIR) did not assume that the planned interchanged improvement project would be in place until General Plan Buildout. Exhibits 6-19 and 6-20 within the Traffic Impact Analysis depict the design for the interchange improvements at Franklin Street and Railroad Canyon that was assumed to be in place for General Plan Buildout. However, the Traffic study and EIR did identify interim improvements (outlined in Table 4.13-13 of the Draft EIR) that could be made if various phases of the project moved ahead of the overall interchange improvement to restore LOS to D or better. No change was made to the EIR in response to this comment.
- 3-4** The commenter recommends that the second major phase of the project (identified in the Traffic Impact Analysis as including Planning Areas 2, 3, and 4) should not move forward prior to completion of the Railroad Canyon Interchange improvement. It should be noted that the Traffic Impact Analysis divided development of the Specific Plan into three phases, whereas the phasing plan within the Diamond Specific Plan includes six phases. For clarification purposes, in the context of traffic, "Phase 2" refers to the phase in which a range of 4,150 average daily trips (ADT) and 21,151 (ADT) are generated. In response to this comment regarding the timing of mitigation and planned programmed improvements, Mitigation Measure DSP-TR-2 has been modified as follows:

DSP-TR-2 The project shall participate in the phased construction of the off-site intersection improvements shown in Table 4.13-13 through payment of City of Lake Elsinore fees, and participation in the Western Riverside County Transportation Uniform Mitigation Fees (TUMF) program. Where required improvements are not covered by these programs, mitigation shall be implemented through a fair-share contribution or as otherwise determined by the City Engineer. The improvements listed in Table 4.13-13 shall be in place prior to issuance of the first building permit for each phase (as identified in the Traffic Impact Analysis) unless the following scenarios occur: ~~a new traffic study is submitted and approved by the City's Traffic Engineer documenting that the intersection improvement is no longer needed to maintain LOS D or better.~~

- A new traffic study is submitted and approved by the City's Traffic Engineer demonstrating that the identified intersection improvement is

no longer needed to maintain an acceptable LOS as determined by the City's Traffic Engineer. (The City's General Plan Update proposes to allow LOS E within the Ballpark District).

- In the event that the project combines phases or is developed according to a more accelerated schedule than anticipated in the Traffic Impact Analysis for the Diamond Specific Plan, a new traffic study shall be submitted and approved by the City's Traffic Engineer identifying the timing of the improvements required to reduce impacts to below a level of significance.
- In the event that a programmed improvement is delayed, a new traffic study shall be submitted and approved by the City's Traffic Engineer identifying improvements that shall reduce the project's contribution to the impacted intersection or interchange.

With incorporation of this mitigation measure, the project's impacts to state facilities would be mitigated to below a level of significance in the event that major programmed improvements are delayed, such as the Railroad Canyon Interchange improvement. Additionally, any combination of phases or accelerated schedule of development would require preparation of a new traffic study identifying mitigation measures and timing to reduce impacts to below a level of significance.

- 3-5** This comment indicates that interim improvements associated with each phase of the proposed project may be required to offset impacts if the Railroad Canyon Road Interchange improvement is delayed. Interim improvements needed to reduce the impacts to below a level of significance prior to implementation of the Railroad Canyon Road Interchange are identified in Table 4.13-3 of the EIR and are required as part of DSP-TR-2. Further, the revision to DSP-TR-2, included in Response 3-4, further clarifies that a supplemental traffic analysis would identify the improvements needed to reduce the project's contribution to a failing intersection or interchange in the event that programmed improvements, such as the Railroad Canyon Road Interchange, are delayed.
- 3-6** This comment provides conclusionary remarks. No change was made to the EIR in response to this comment.

0.3 Response to Comments

FROM : DEPT OF FISH & GAME ONTARIO

FFW NO. : 9094812345

Apr. 07 2010 03:13PM P2



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
<http://www.dfg.ca.gov>
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director



April 7, 2010

Ms. Carole Donahoe
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Re: Diamond Specific Plan Draft Environmental Impact Report
SCH No. 2009031084

Dear Ms. Donahoe:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report for the City of Lake Elsinore Diamond Specific Plan, East Lake Specific Plan Amendment No. 9. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). The City of Lake Elsinore is a signatory to the Implementing Agreement of the Multiple Species Habitat Conservation Plan (MSHCP) and therefore is authorized for take of covered species. However, the project is still required to comply with the provisions of the California Environmental Quality Act (CEQA).

4-1

For this project the Department will be acting as both a Responsible and Trustee Agency. Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the Environmental Impact Report (EIR) or Negative Declaration (ND), the appropriateness of using a negative declaration, and additional alternatives or mitigation measures which the EIR should include.

The project involves 86.4 acres along Diamond Drive between Lakeshore/Mission Trail and Malaga Road. Amendment No. 9 removes the stadium, 52 acres of general Commercial, 7.5 acres of open space and 8 acres of roads from the East Lake Specific Plan (ELSP). The Diamond Specific Plan includes commercial mixed use

4-2

Conserving California's Wildlife Since 1870

0.3 Response to Comments

FROM : DEPT OF FISH & GAME ONTARIO

FILE NO. : 9094812545

Apr. 07 2010 03:13PM P3

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City of Lake Elsinore Diamond Specific Plan
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development, including multi-family residences, a 150-room hotel and 897,000 sq. ft. of other uses.

4-2
Cont.

Department Comments

The Department requests that the Final Environmental Impact Report (FEIR) address the following issues: 1) what are the project impacts on Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) Linkage 8 and how are these impacts being mitigated; 2) what mitigation is proposed for the 11 acres of jurisdictional waters below the 1265 foot elevation that will be impacted and how will this loss be mitigated; and, 3) any future management plans (for plants or the floodplain) that involve State trustee or responsible agency jurisdiction should be included in the FEIR and submitted to the Department for approval.

4-3

4-4

4-5

Multiple Species Habitat Conservation Plan (MSHCP)

The project is located within the boundary of the MSHCP and is subject to the provisions and resource protection policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Lake Elsinore is a signatory to the Implementing Agreement of the MSHCP.

4-6

Portions of the Diamond Specific Plan are located within Subunit 3 – Elsinore, in Criteria Cells 4743 and 4846. Also applicable are some resource protection policies of the MSHCP, including, the Criteria Species Survey Area, the Burrowing Owl Survey Area and the narrow Endemic Plan Species Survey Area 2. Conservation within these two Criteria Cells would contribute to assembly of Proposed Extension of Existing Core 3 and Proposed Linkage 8. Figure 4.3 of the DEIR shows that there is open space provided for on the northeast portion of the proposed project but the document does not state how the configuration of the proposed project development and open space is consistent with the MSHCP requirements. This should be addressed in the (FEIR).

4-7

The Department and United States Fish and Wildlife Service (USFWS) (Resource Agencies) sent a letter to the City of Lake Elsinore regarding the MSHCP Determination of Biological Equivalent or Superior Preservation (DBESP) that was submitted on November 24, 2009. The letter noted that the 86.4-acre site supports 9 seasonal pools, burrowing owl habitat, approximately 12, 100 smooth tarplant (*Hemizonia pungens* ssp. *Laevis*), approximately 100 little mousetail (*Myosurus minimus*) and 1.84 acres of riparian/riverine habitat. The seasonal pools were surveyed and did not contain Riverside fairy shrimp.

4-8

The DBESP included a proposal to offset impacts to smooth tarplant, but the Resource Agencies rejected the location of the mitigation site because it is already

4-9

Draft Environmental Impact Report – SCH No. 2009031084
City of Lake Elsinore Diamond Specific Plan
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conserved as mitigation for another project. The Resource Agencies requested that an alternative mitigation site for smooth tarplant be provided. The agencies also requested that a habitat mitigation and management plan (HMMP) should be submitted for smooth tarplant and little mousetail. This plan should be included in the FEIR for review and analysis.

4-9
Cont.

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for determining significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species..."

4-10

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Potential project impacts include the loss of some sensitive plant resources and the loss of State jurisdictional waters.

4-11

Mitigation Measure DSP-BIO-1 provides for a plan to conserve 90% of the existing smooth tarplant population by implementing a translocation plan for 1.35 acres on- and off-site. DSP-BIO-2 provides for translocation of little mousetail inoculum to establish 0.07 acres of habitat. The details of these proposals are not included in the DEIR and therefore, the Department cannot determine that project impacts have or will be mitigated and cannot comply with its mandate as a Trustee or Responsible Agency under CEQA. As per number 3 of "Department Comments" above, this plan should be included in the FEIR.

4-12

Department Jurisdiction (Streambed Alteration Agreements and CEQA)

The Riparian/Riverine policy in the MSHCP differs from the requirements of the Department's LSA Program. The MSHCP policy is habitat based. The Department retains jurisdiction over the bed, bank and channel of any stream, regardless of vegetation. It is possible for a project to have different mitigation requirements for the MSHCP and LSA Program for the same resources.

4-13

In the DBESP letter the Resource Agencies noted that Department jurisdictional area within the project footprint consists of lands below 1265 feet elevation. These lands were not included in the DBESP submittal.

4-14

The DEIR states that there are 3 drainage features on site comprising 0.44 ac. and that 11 acres are within the jurisdiction of the Department because they are below the 1,265 foot elevation. The DEIR should clarify whether the project impacts are

4-15

0.3 Response to Comments

FROM : DEPT OF FISH & GAME ONTARIO

FAX NO. : 9054612345

Apr. 07 2010 03:14PM P5

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temporary or permanent and whether there are different mitigation ratios for permanent and temporary impacts to State jurisdictional resources.

4-15
Cont.

The mitigation measures proposed in the Executive Summary of the DEIR discuss 100-year flood protection. Mitigation measure HYD-4 provides that portions of the proposed development below 1,265 feet mean sea level are conditional upon completion of the flood control components of the project. Measure HYD-5 states that a comprehensive flood storage, retention and operations plan providing design level detail shall be approved by the City of Lake Elsinore Public works department and the Riverside County Flood Control department and submitted to the United States Army Corps of Engineers. Grading plans must demonstrate that: (1) the flood storage capacity of 30,735 acre-feet is maintained; (2) adequate conveyance of the 45-100 year flood events is maintained; and (3) the hydrology necessary to sustain the 365-acre Wetlands Mitigation Area and the Wetland Areas are maintained.

4-16

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation may be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document.

4-17

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's LSA Program process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

4-18

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please call (562) 430-7924.

4-19

The following information will be required for the processing of an Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance measures to reduce project impacts; and,

4-20

0.3 Response to Comments

FROM : DEPT OF FISH & GAME ONTARIO

FAX NO. : 9094812945

Apr. 07 2010 03:14PM P6

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City of Lake Elsinore Diamond Specific Plan
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- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

4-20
Cont.

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

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

4-21

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

4-22

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

Sincerely,



Jeff Brandt
Senior Environmental Scientist

Letter 4

California Department of Fish and Game

April 7, 2010

- 4-1** This comment provides introductory remarks and summaries the California Department of Fish and Game's (CDFG) role as a Responsible and Trustee Agency. No specific requests or comments on the environmental document are a part of this comment. No change to the EIR was made in response to this comment.
- 4-2** This comment accurately summarizes the project description. No specific requests or comments on the environmental document are a part of this comment. No change to the EIR was made in response to this comment.
- 4-3** This comment inquires about the project impacts to MSHCP Linkage 8. Figure 4.3-3 of the Draft EIR illustrates the location of Diamond Specific Plan in relation to Linkage 8. As depicted, the northwest corner of the project is within Proposed Linkage 8; although it should be noted that this parcel has already been developed with commercial uses. The EIR explains on Page 4.3-27 and 4.3-28 that the Diamond Specific Plan lies within portions of two criteria cells: 4743 and 4846; but the habitats specified within the goals for these cells are being avoided (i.e., barren lakebed and tamarisk/willow scrub) with the exception of 0.0058 acre of tamarisk/willow scrub. Conservation within both cells would contribute to the assembly of proposed extension of Existing Core 3 and Proposed Linkage 8. The conservation requirements for the Diamond Specific Plan and all of the East Lake Specific Plan (ELSP) are met through the Back Basin 770 Agreement. Approval of a Determination of Biologically Equivalent or Superior Preservation (DBESP) plan prepared to address mitigation for impacts to sensitive on-site species would meet the goals and objectives of Section 6.3.2, Additional Survey Needs and Procedures of the MSHCP. The EIR includes the following description of the Back Basin 770 Agreement:

In 2005, the City of Lake Elsinore, Vandermost Consulting, Regional Conservation Authority (RCA), and the Wildlife Agencies worked together to approve the Back Basin 770 Agreement to set aside conservation land in the ELSP area. As the ELSP predates the MSHCP, the ELSP area is not held to compliance with the MSHCP reserve assembly criteria. However, the City worked with the agencies to implement the Back Basin 770 Agreement as a way to balance the needs of conservation and economic development in the ELSP area. As shown on Figure 4.3-6, areas that will be impacted by the Diamond Specific Plan do not fall within the preservation areas identified as part of this agreement and would therefore not conflict with the implementation of the MSHCP Reserve Assembly directives for the Back Basin. It should be noted that the northern portion of the Diamond Specific Plan was not previously a part of the ELSP, and thus would not be covered by the Back Basin 770 Agreement. However, this portion of the site has already undergone environmental review and is currently developed with commercial uses. As the project is adjacent to the Preservation Areas of the Back Basin 770 Agreement the potential for indirect urban edge impacts was analyzed. In order to reduce such effects on conservation lands, best management practices and project design features are incorporated into the proposed project. As a part of these design features, the project is consistent with the goals and objectives of Section 6.1.4, *Urban Wildland Interface* of the MSHCP. (Page 4.3-28)

The MSHCP Consistency Analysis (Appendix C) performed for the Diamond Specific Plan determined the project is consistent with the MSHCP. The RCA has confirmed the Diamond Specific Plan's consistency with the MSHCP through Joint Project Review (Appendix C of the EIR). In addition, the EIR requires implementation of mitigation measure DSP-BIO-4 for

riparian/riverine habitat including offsite replacement of USACE/RWQCB and CDFG jurisdictional waters through payment into an off-site mitigation bank or payment into an in-lieu fee agreement (i.e., San Jacinto River invasive removal project through Santa Ana Watershed Authority). No change was made to the EIR in response to this comment.

- 4-4** This comment inquires what mitigation is proposed for impacts to 11 acres of jurisdictional waters below the 1265 foot elevation and how the loss will be mitigated. The EIR includes mitigation measure DSP-BIO-5 which requires conservation of land (off-site) within the same jurisdictional elevation (i.e., below 1265 feet in elevation) within the Back Basin at a minimum mitigation ratio of 0.25:1. Furthermore, the project applicant would be required to obtain a Section 1602 Streambed Alteration Agreement from CDFG prior to impacting CDFG jurisdictional waters. Implementation of DSP-BIO-5 and acquisition of the required permit would reduce impacts to jurisdictional waters to below a level of significance. No change was made to the EIR in response to this comment.
- 4-5** This comment states that management plans (for plants or the floodplain) should be included in the Final EIR and submitted to CDFG for approval. The project biologist has prepared mitigation and monitoring plans for little mousetail and smooth tarplant, which were included within the Draft EIR in Appendix C.4. Any future modifications to these plans, or future plans created during the project's permitting stage would be provided to CDFG as appropriate. No change was made to the EIR in response to this comment.
- 4-6** This comment introduces the MSHCP and correctly states the Diamond Specific Plan's relationship to the MSHCP. Response 4-3 addresses the project's consistency with the MSHCP. In addition, pages 4.3-27 and 4.3-28 of the EIR provide substantial detail regarding the Diamond Specific Plan's consistency with MSHCP Sections 6.1.2 Riparian/Riverine, 6.1.3 Narrow Endemic Plant Species, 6.1.4 Urban/Wildlands Interface, and 6.3.2 Additional Surveys. With inclusion of associated mitigation measures, design features, and best management practices (BMPs), the Diamond Specific Plan would be consistent with the applicable guidelines and policies of the MSHCP and impacts would be reduced to below a level of significance. As stated above, RCA has confirmed the Diamond Specific Plan's consistency with the MSHCP through Joint Project Review (Appendix C to the EIR). No change was made to the EIR in response to this comment.
- 4-7** The comment states that a figure in the Draft EIR identifies open space in the northeast portion of the site. It is not clear from the comment which specific figure is being referenced. The comment states the figure number is 4.3 but there are eight different figures starting with 4.3 in the EIR. However, the Diamond Specific Plan proposes development on the entire project site with the exception of two acres along the project's western boundary as shown in Figure 4.3-4. The project is designed to avoid this area in order to avoid impacts to the barren (lake bed) community and the tamarisk/willow scrub community, with the exception of 0.0058 acre. These habitat types would be considered Riparian/Riverine habitat under Section 6.1.2 of the MSHCP. Therefore, avoiding these areas would be consistent with MSHCP requirements. No change was made to the EIR in response to this comment.
- 4-8** This comment states CDFG and USFWS provided the City with a response letter to the DBESP that was submitted in November 2009. That comment letter is included in Appendix C.4 of the Draft EIR. The project biologist revised the DBESP and prepared smooth tarplant and little mousetail habitat mitigation and management plans to address the comments received in that letter. Based on that revised submittal, RCA has found the Diamond Specific Plan's mitigation to

be adequate and confirmed the project is consistent with the MSHCP. No change was made to the EIR in response to this comment.

- 4-9** This comment states that the Wildlife Agencies requested an alternative mitigation site for smooth tarplant to be provided (from the original DBESP draft submitted to the agencies in November 2009) and for habitat mitigation and management plans to be submitted for smooth tarplant and little mousetail. As stated in Response 4-8, the project biologist revised the DBESP and prepared habitat mitigation and management plans for smooth tarplant and little mousetail. These documents were all included in Appendix C.4 to the Draft EIR. To respond to the requests of the agencies, the project applicant redesigned the Specific Plan to accommodate moving the smooth tarplant mitigation (0.68 acre) to on-site as depicted in Figure 4.3-7, and required in mitigation measure DSP-BIO-1. Some of the mitigation (0.67 acre) will still occur off-site but immediately adjacent to the on-site mitigation (See Figure 4.3-7). It is noted that the City and project applicant agreed to move the location of the regional trail to accommodate this mitigation area. No change was made to the EIR in response to this comment.
- 4-10** This comment provides a description of the CEQA Guidelines for determining significant biological impacts. No specific requests or comments on the environmental document are a part of this comment. No change to the EIR was made in response to this comment.
- 4-11** This comment correctly states that the potential project impacts include the loss of some sensitive plant resources and the loss of State jurisdictional waters. As stated in the Draft EIR, the Diamond Specific Plan would result in impacts to smooth tarplant and little mousetail. These impacts would be reduced to below a level of significance through implementation of DSP-BIO-1 and DSP-BIO-2 which require on- and off-site mitigation for both species. As stated, a DBESP and habitat mitigation and management plans have been prepared to address impacts to these species as well. (Appendix C.4 to the EIR). Response 4-4 addressed impacts to State jurisdictional waters. No change was made to the EIR in response to this comment.
- 4-12** The commenter is requesting additional details regarding the mitigation for smooth tarplant and little mousetail. Additional details related to DSP-BIO-1 and DSP-BIO-2 were included in the habitat mitigation and management plans included in Appendix C.4 to the Draft EIR. These plans were also included as part of the DBESP submittal during joint project review to determine the project's consistency with the MSHCP. No change was made to the EIR in response to this comment.
- 4-13** This comment states that there are differences between the Riparian/Riverine policy of the MSHCP and the CDFG Lake and Streambed Alteration (LSA) program. The LSA determines whether an agreement is needed for an activity that will substantially modify a river, stream or lake. If CDFG determines that the activity may substantially adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement will be prepared. The Agreement includes reasonable conditions necessary to protect those resources and must comply with CEQA. The EIR includes mitigation for both riverine/riparian impacts (DSP-BIO-4) and for impacts to CDFG jurisdiction (DSP-BIO-5). No change was made to the EIR in response to this comment.
- 4-14** The comment notes that discussion of the 11 acres of jurisdictional waters below 1,265 feet were not included in the DBESP. The DBESP (June 2009) was included in Appendix C.4 in the Draft EIR and illustrates the CDFG jurisdictional elevation and CDFG Associated Streambed and Riparian Habitat acreage on Figure 7. However, the commenter is correct that the DBESP does not call out the impacts to the 11 acres of jurisdictional waters that would not be considered

riparian/riverine habitat under the MSHCP definition. The project biologist, PCR Services Corporation prepared a response to the comments received on the original DBESP submission (which is also included as Appendix C.4). In that response, PCR explains that there are 11 acres that fall within the CDFG 1265 foot jurisdictional elevation of Lake Elsinore. Although these acres do not fall under the “Riparian/Riverine” definition and the jurisdictional elevation provides no biological value, as compensation for impacts to this area, the project proposes 0.68 acre of smooth tarplant mitigation onsite, enhancement of off-site habitat with the little mousetail mitigation, and for the remainder the applicant shall mitigate for the impacts to jurisdictional elevation in one or more of the following ways:

- Purchase of credits into an agency-approved off-site mitigation bank or in-lieu fee program (e.g., San Jacinto River invasive removal project through the Santa Ana Watershed Authority) at a mitigation ratio of 0.25:1.
- Conserve land (off-site) within the same jurisdictional elevation (i.e., below 1,265 feet in elevation) within the Back Basin at a minimum mitigation ratio of 0.25:1.
- Tamarisk removal from City-owned lands within the Back Basin at a minimum mitigation ratio of 0.25:1.
- Invasive species removal from areas within the Back Basin within the CDFG 1,265-foot jurisdictional elevation of Lake Elsinore at a minimum mitigation ratio of 0.25:1.

In addition, as stated, impacts to CDFG jurisdictional acreage were called out in the Draft EIR on Page 4.3-22. The recommendations listed above from the PCR DBESP response letter have been incorporated into mitigation measure DSP-BIO-5 of the Draft EIR. In addition, the project would need to obtain a Section 1602 Streambed Alteration agreement from the Department prior to impacting areas within CDFG’s jurisdiction. No change was made to the EIR in response to this comment.

- 4-15** The commenter is inquiring about whether impacts associated with the three drainage features on site and CDFG jurisdictional acreage are considered temporary or permanent impacts. The Diamond Specific Plan is proposed for permanent development to the entire site with the exception of two acres along the project’s western boundary as shown in Figure 4.3-4. Therefore the impacts and mitigation ratios presented in the Draft EIR are for permanent impacts. Mitigation to address required jurisdictional impacts is presented in DSP-BIO-4 and DSP-BIO-5. No change was made to the EIR in response to this comment.
- 4-16** The comment correctly summarizes the mitigation measures (10ac-HYD-4 through 10ac-HYD-8) pertaining to hydrology and flood protection that were included in the Executive Summary of the Draft EIR for the 10-Acre General Plan Area. These measures were taken directly from the East Lake Specific Plan EIR. No specific requests or comments on the environmental document are a part of this comment. No change to the EIR was made in response to this comment.
- 4-17** The comment states that the CEQA documents for the project should fully identify potential impacts to lakes, streams, and associated resources and that if they do not, further CEQA documentation may be necessary. The Draft EIR identifies potential impacts to lakes, streams and associated resources and provides adequate avoidance, mitigation, monitoring, funding sources, habitat management plans and reporting commitments for the Diamond Specific Plan. The mitigation measures referenced in Comment 4-16 apply to the 10-Acre General Plan area and are intended to provide performance criteria should development proceed in that area. This

project does not propose development within the 10-Acre General Plan Area but does include a land use change from East Lake Specific Plan to the underlying General Plan Designation at the time of adoption (either General Commercial or Mixed Use Commercial). It should also be noted that the 10-acre General Plan Area lies above the CDFG jurisdictional elevation.

- 4-18** The comment states the department’s opposition to the elimination of drainages, lakes, and their associated habitats. The comment also states the department’s requirements regarding the compensation of impacted areas. As stated on Page 4.3-22 of the Draft EIR:

The Diamond Specific Plan area supports a small area (0.4 acre) of tamarisk/willow scrub. While it is not considered a high inventory priority community by the CNDDDB due to its disturbed nature, it is considered Riparian/Riverine habitat under Section 6.1.2 of the MSHCP. In addition, the Diamond Specific Plan area supports 1 acre of barren (lakebed) community, which may be considered Riparian/Riverine habitat under Section 6.1.2 of the MSHCP. However, no impacts would occur to the barren (lakebed) community, and 0.0058 acre (1.4 percent of the total community) will be impacted of the tamarisk/willow scrub community as shown in Figure 4.3-5.

Implementation of the Diamond Specific Plan would result in permanent impacts to approximately 883.5 linear feet of streambed, 0.024 acre of USACE/RWQCB jurisdictional wetland, 0.03 acre of RWQCB jurisdictional non-wetland “waters of the State,” 0.33 acre of CDFG jurisdictional streambed, and 11 acres of CDFG jurisdictional elevation. No USACE jurisdictional elevation will be impacted. Figure 4.3-5, Impacts to Jurisdictional Features, identifies the locations of these impacts. Both the RWQCB jurisdictional waters and CDFG jurisdictional streambed and elevation (for a total of 0.33 acres) are considered Riparian/Riverine habitat under Section 6.1.2 of the MSHCP because of the plant species dependency on water and the potential to support the Riparian/Riverine plant and wildlife species. Therefore, impacts to Riparian/Riverine habitat and jurisdictional waters would be significant.

Implementation of the project would result in permanent impacts to 0.02 acre of USACE/RWQCB jurisdictional wetland. As there is a “no net loss” policy for wetlands, impacts to this resource are considered potentially significant.

Although seasonal ponds were identified within the study area, these features do not meet the three parameters (soils, vegetation, and hydrology) required to qualify as USACE regulated vernal pools. Therefore, impacts would be less than significant.

This comment states that mitigation for stream and riparian habitat should occur at a minimum 3:1 replacement to impact ratio. Due to the type and quality of habitat present, DSP-BIO-4 requires off-site mitigation for USACE/RWQCB jurisdictional waters of the U.S, waters of the State, and for impacts to riparian/riverine habitat at a ratio of 1:1. DSP-BIO-5 requires mitigation for impacts to USACE and CDFG jurisdiction, subject to USACE and CDFG approval through the permitting process at a 0.25:1 ratio in addition to species specific mitigation included in DSP-BIO-1 and DSP-BIO-2. This mitigation would reduce the impacts to below a level of significance. However, additional mitigation may be required during the permitting process for the project. No change was made to the EIR in response to this comment.

- 4-19** The comment suggests the submission of notification to the department at an early time and provides information to obtain a Lake or Streambed Alteration notification package. The City and project applicant have noted this comment and will notify CDFG as early as possible to begin the permitting process. No specific requests or comments on the environmental document are a part of this comment. No change to the EIR was made in response to this comment.
- 4-20** The comment states the information required by CDFG for processing of an Agreement. Necessary information includes the delineation of lakes, streams, and associated habitat which would be impacted by the project, discussion of avoidance measures to reduce project impacts and discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. This information is provided in the Jurisdictional Delineation as Appendix C.2 and in Section 4.3 Biological Resources and Jurisdictional Waters. No specific requests or comments on the environmental document are a part of this comment. No change to the EIR was made in response to this comment.
- 4-21** The comment provides a definition of mitigation, and states that without specific mitigation measures included in the EIR, CDFG can not fulfill its obligation as a Trustee and Responsible Agency. As discussed in the previous responses, the EIR included mitigation measures for all identified Diamond Specific Plan impacts to biological resources in Section 4.3.4 and included Habitat Mitigation and Management Plans for smooth tarplant and little mousetail in Appendix C.4 of the Draft EIR. Also, the DBESP prepared for the project was revised in June 2009 to accommodate comments received from the Wildlife Agencies, including CDFG, and submitted to the Agencies during Joint Project Review. Additionally, meetings were facilitated with the City, Wildlife Agencies, and project applicant to discuss any outstanding concerns that the agencies may have regarding mitigation. These concerns were incorporated into the revised DBESP, Biotechnical Report, and the Draft EIR.

In addition, the Executive Summary of the EIR includes mitigation from the original East Lake Specific Plan that would still be applicable to the 10-Acre General Plan Area. Again, this project is not proposing development in the area, only allowing for a land use change to remove those parcels from the East Lake Specific Plan and retain their underlying General Plan designation.

No change to the EIR was made in response to this comment.

- 4-22** This comment repeats the concern that specific impacts and mitigation measures are not disclosed in the EIR regarding jurisdictional drainages. Response 4-21 addressed this concern. No change was made to the EIR in response to this comment.



Linda S. Adams
Secretary for
Environmental Protection

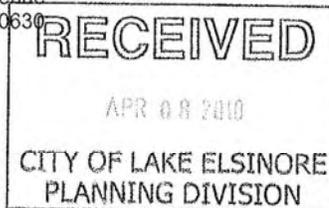


Department of Toxic Substances Control

Maziar Movassaghi, Acting Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor



April 7, 2010

Ms. Carole Donahoe
City of Lake Elsinore Planning Department
130 South Main Street
Lake Elsinore, California 92530

NOTICE OF COMPLETION AND A DRAFT ENVIRONMENTAL IMPACT REPORT
(EIR) FOR DIAMOND SPECIFIC PLAN (SCH # 2009031084)

Dear Ms. Donahoe:

The Department of Toxic Substances Control (DTSC) has received your submitted EIR document for the above-mentioned project. As stated in your document: "The project consists of the Diamond Specific Plan, General Plan Amendment, ELSP Amendment 9 and Zone Change. APN #s: 363-150-006, 363-161-030, 363-161-031, 363-161-032, 363-161-033, 363-161-034, 363-161-035, 365-280-022, 371-030-035, 373-210-014, 373-210-016, 373-210-019, 373-210-020, 373-210-021, 373-210-023, 373-210-026, 373-210-027, 373-210-030, 373-210-037, 373-210-038, 373-210-039, 373-210-040, 373-210-041, 373-210-042, 373-210-043. Base: Lake Elsinore Quad, San Bernardino Base and Meridian Schools: Jean Hayman Elementary School, Lakeland Village Middle School, Elsinore High School".

5-1

Based on the review of the submitted document DTSC has comments as follows:

1. The draft EIR needs to identify and determine whether current or historic uses in the Project area have resulted in any release of hazardous wastes/substances..
2. The draft EIR should evaluate whether conditions at any sites in the Project Area pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list is maintained by the United States Environmental Protection Agency (U.S.EPA).
 - CalSites: A Database primarily used by the California Department of Toxic Substances Control.

5-2

5-3

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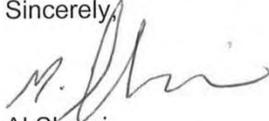
Ms. Carole Donahoe
 April 7, 2010
 Page 2 of 3

- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local County and City maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
3. Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
4. If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
5. DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489. For potential contamination at school sites, please contact Mr. Shahir Haddad at (714) 484-5368.

Ms. Carole Donahoe
April 7, 2010
Page 3 of 3

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

Sincerely,



Al Shami
Project Manager
Brownfields and Environmental Restoration Program - Cypress

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814
Adelacr1@dtsc.ca.gov

Shahir Haddad
Schools Program, Cypress

CEQA #2831

Letter 5
Department of Toxic Substances Control
April 7, 2010

- 5-1** This comment provides introductory remarks regarding the Diamond Specific Plan and does not address adequacy of the EIR. Therefore, no change was made to the EIR in response to this comment.
- 5-2** This comment requests that the EIR identify whether current or historic uses in the project area have resulted in any release of hazardous waste/substances. Section 4.6-1 of the EIR provides the environmental setting for the Diamond Specific Plan area including historic and current uses. The EIR states that the Diamond Specific Plan area was historically used for agricultural production. Once development occurred in 1981, the site was no longer used for agriculture and remained vacant. In 1993, the Diamond Stadium was built on a portion of the site. The map and photographs show no other surficial evidence of on-site or adjacent site improvements that could represent significant potential sources of hazardous materials.

Sanitary wastewater from existing on-site development is disposed of by the Elsinore Valley Municipal Water District (EVMWD). Based on review of historic use, there are no septic tanks present on-site.

According to Mr. Tucker, property manager for Jamboree Management which oversees the property, there are no underground storage tanks (USTs) or aboveground storage tanks (ASTs) on the Diamond Specific Plan site, with the exception of an above ground storage vessel located under the emergency generator utilized by the Lake Elsinore Family Health Center located at the northern portion of the Diamond Specific Plan in the Diamond Retail Center. There is an underground sump located at the southeast corner of the Diamond Specific Plan site, with two sewage ejector pumps. An abandoned cesspool is also located in the north east portion of the Diamond Specific Plan site. Although there were no active wells identified on the site, one vertical steel pipe 6 inches in diameter extends approximately 3 feet out of the ground and is located in the northern area of the site. The pipe was filled and appeared to be a former irrigation well.

A/E West Consultants conducted a review of the Environmental Data Resources, Inc. (EDR) database of federal, state, and local agency regulatory information and environmental data concerning the presence of USTs, hazardous waste generation, or hazardous material releases within a 2-mile radius of the Diamond Specific Plan site (Appendix F of the EIR). The Diamond Specific Plan site was not identified as being located on any site designated by Federal Government Code Section 65962.5 to be a hazardous material site. There are no listings of permitted ASTs or USTs on the project site.

Although records searches were conducted for the entirety of the Diamond Specific Plan site, site visits were not conducted for the portions of the Diamond Specific Plan site that are currently developed or are not currently owned by the applicant. The following developed parcels have not been surveyed through a Phase I ESA: 373-210-042 (Diamond Stadium), 371-030-035 (adjacent to the south of the stadium), and 373-210-016 373-210-019, 373-210-024, 373-210-027 (Lake Elsinore Valley Retail center). Therefore, the potential exists for hazardous materials to be uncovered during any potential redevelopment of those parcels. Similarly, the following undeveloped parcels of the proposed Specific Plan have not been surveyed through a field reconnaissance during a Phase I ESA: 363-161-032, -33, -34, -35, -37, and -12 and 373-210-030.

Therefore, the potential exists for hazardous materials to be uncovered during future ground disturbance activities on these parcels. Due to the uncertainty of the presence of hazardous materials on the aforementioned parcels, a significant impact was identified and mitigation required. DSP-HAZ-1 and DSP-HAZ-2 requires that a Phase I Environmental Site Assessment (ESA) be conducted for the aforementioned parcels to identify the presence of hazardous materials. In the event that hazardous materials are identified, the removal, transport, and disposal of said materials shall be handled according to Federal, State, and local laws. With incorporation of those mitigation measures, the impacts related to on-site hazardous materials would be less than significant. No change was made to the EIR in response to this comment.

5-3 This comment requests that the EIR include a database search to evaluate conditions on or near the project area. An Environmental Database Review was conducted for all parcels on the Diamond Specific Plan site. Results from these database reviews are included in Table 4.6-1 Appendix F of the EIR. As identified in Table 4.6-1, review of the database searches identified 12 sites with the potential for hazardous materials within a two-mile radius of the Diamond Specific Plan. However, the majority of these sites are either within the process of remediation, have completed it or have not been found to violate hazardous waste regulations. In the instance of the sites with permitted underground storage tanks, leaks have not been reported for these sites, and therefore remediation is not required. Therefore, it is not anticipated that a significant impact from the release of hazardous materials would occur. No change was made to the EIR in response to this comment.

5-4 This comment requests the DEIR address potential risks to sensitive receptors. The Diamond Specific Plan would involve the transport of fuels, lubricants, and various other liquids needed for operation of construction equipment at the site and would be transported to the construction site on an as-needed basis by equipment service trucks. In addition, workers would commute to the project site via private vehicles, and would operate construction vehicles/equipment on both public and private streets. Materials hazardous to humans, wildlife, and sensitive environments (including diesel fuel, gasoline, equipment fluids, concrete, cleaning solutions and solvents, lubricant oils, adhesives, human waste, and chemical toilets) would be present during project construction of the buildings. While the potential exists for direct impacts to human health and biological resources from accidental spills of small amounts of hazardous materials from construction equipment during construction of the buildings, existing federal and state standards are in place for the handling, storage and transport of these materials.

In addition, Section 4.2 Air Quality analyzed the potential for air pollutant emissions related to construction activity and traffic increases associated with the Diamond Specific Plan to worsen existing localized air quality. As shown in the air quality analysis, with incorporation of mitigation measure DSP-AQ-1, localized pollutant emissions would be below a level of significance. No change was made to the EIR in response to this comment.

5-5 This comment pertains to hazardous wastes generated by operation of the Diamond Specific Plan. The project proposes residential and commercial uses, which are not uses characterized as generating hazardous emissions or materials that would pose a potential risk to sensitive receptors. Any commercial uses with a potential for hazardous emissions, such as a dry cleaner, would require a Conditional Use Permit from the City of Lake Elsinore. Any wastes produced by the project would be disposed of in accordance with Federal, State and local laws. In the event that hazardous materials are discovered during project grading and construction, adherence to all regulatory requirements would occur as listed in this comment. This comment indicates that storage of hazardous wastes requires a permit from the local Certified Unified Program Agency.

Storage, treatment, or disposal of hazardous materials is not expected to occur. Therefore, a permit would not be required. No change to the EIR was made in response to this comment.

- 5-6** As stated in Response 5-4, while the potential exists for direct impacts to human health and biological resources from accidental spills of small amounts of hazardous materials from construction equipment during construction of the buildings, existing federal and state standards are in place for the handling, storage and transport of these materials. No change to the EIR was made in response to this comment.



**South Coast
Air Quality Management District**
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-MAILED: APRIL 7, 2010

April 7, 2010

Ms. Carole Donahoe, AICP, Project Planner
Community Development Department
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Draft Environmental Impact Report (Draft EIR) for the Proposed Diamond Specific Plan

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 Environmental Impact Report.

Pursuant to Public Resources Code Section 21092.5, please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Impact Report. The SCAQMD staff would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Gordon Mize, Air Quality Specialist – Inter-Governmental Review, at (909) 396-3302, if you have any questions regarding these comments.

6-1

Sincerely,

A handwritten signature in black ink that reads "Ian V. MacMillan".

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

Attachment

IM:GM

RVC100223-02
Control Number

Ms. Carole Donahoe

April 7, 2010

Construction Air Quality Analysis

1. In the Section 4.2 Air Quality on pages 4.2-13 and in the Air Quality Impact Analysis, the lead agency discusses the need to import 231,000 cubic yards of fill material divided evenly between the three construction phases during grading. The lead agency also estimates that the soil import will also require approximately 1,200 miles per day of on-road truck travel during grading activities. The lead agency summarized the emission estimates for both the soil import and on-road truck travel in Table 4.2-6 Construction Daily Emissions Unmitigated and in Table 4.2-15 for Construction Daily Emissions Mitigated on pages 4.2-14 and 4.2-24. For the emission estimates for both the soil import and in both tables, the lead agency used the URBEMIS2007 computer land use model. Upon review of the modeling output sheets, it appears that the lead agency used the default level of detail to estimate fugitive dust emissions and on-road emissions instead of a level of greater detail, so these emissions were not accounted for in the URBEMIS modeling nor could estimates using other methodologies be found in the Draft EIR. In the Final EIR, the lead agency should estimate these emissions and revise the Final EIR as needed. Otherwise, the project construction emissions could be underestimated.

6-2

Project Length with Construction and Operations Overlapping

2. In Section 4.2 Air Quality on page 4.2-14, the proposed project is scheduled to begin construction in 2010 continuing for six years until 2015. Since operations will begin with Phase 1 in 2012, construction and operation air quality impacts will overlap beginning in 2012 until 2015. That could create the situation where on-going construction continues while portions of the project become operational causing construction and operation air quality impacts to overlap. If construction and operational phases will overlap, the construction activity could contribute more PM10 fugitive dust emissions to the combined total emissions with the remaining emissions, i.e., NOx, CO, SOx and PM10 (exhaust) sources being contributed from both short and long term activities substantially increasing total project emissions. The SCAQMD therefore recommends that the lead agency determine the worst-case construction and operational daily air quality impact scenario (seemingly the Phase 2 construction with the opening of Phase 1 for operations in 2012); total the construction and operational emission estimates together; and then compare those totals with the SCAQMD operational daily significance thresholds in the Final EIR. The reasoning is that the proposed six year construction period is a long period of time making the project emissions seemingly more long-term in nature. Therefore, the use of the more conservative operational daily significance thresholds approach would be more conservative than separating the emissions and comparing the short- and long-term estimates to the respective SCAQMD recommended daily significance thresholds.

6-3

Construction Mitigation Measures

3. In the event the lead determines that short-term construction air quality impacts exceed the SCAQMD daily significance thresholds for NOx, PM10 and PM2.5 (fugitive dust) (see comments #1 and #2), the SCAQMD recommends that the lead

6-4

Ms. Carole Donahoe

April 7, 2010

agency consider the following modifications to construction mitigation measure DSP-AQ-1 on page 4.2-22, if applicable and feasible. In addition, the SCAQMD staff recommends the following additional mitigation measures to reduce applicable construction-related oxides of nitrogen emissions and particulate matter (fugitive dust), if applicable and feasible. Additional mitigation measures for consideration by the lead agency for off- and on-road engines and fugitive dust can be found at http://www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.

Recommended changes:

- 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.

Recommended additions:

- If Tier 2 or Tier 3 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;
- 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 hour 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- and off-site;
- Install wheel washers 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; and
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.

6-4
Cont.

Letter 6
South Coast Air Quality Management District
April 7, 2010

- 6-1** This comment provides introductory remarks and requests a written response to comments prior to adoption of the Final EIR. The City has distributed the Response to Comments and Final EIR to all commenting agencies a minimum of ten days prior to the City Council Hearing for the project. No change was made to the EIR in response to this comment.
- 6-2** The commenter requested clarification regarding which URBEMIS setting was used for construction emission modeling. The commenter further requested that if default settings were used, that the analysis be updated. According to the Air Quality Consultant, Giroux & Associates, the “low” level analysis setting was used for construction emissions rather than default settings. The “low” level analysis setting is a feature in URBEMIS that allows for input of specific grading activity information, and is therefore, more accurate than the default settings. Giroux & Associates updated the Air Quality Impact Analysis to clarify how the modeling was done. The report clarified that each day of grading activity for each phase was allotted 1,283 cubic yards of earth movement for which URBEMIS 2007 calculated related PM₁₀ fugitive dust emissions. Although this clarification regarding methodology was added to the revised Air Quality Impact Analysis Report (April 26, 2010), no changes were needed to the analysis presented in the Draft EIR regarding construction emissions. The revised Air Quality Impact Analysis is included as Appendix B in the Final EIR.
- 6-3** Because of the phasing of the Diamond Specific Plan, the commenter has pointed out that construction and operational emissions will overlap. As a result, this comment requests that the EIR identify the worst case construction and operational daily air quality impact scenario; totaling the construction and operational emissions estimates together, and then compare those totals with the South Coast Air Quality Management District (SCAQMD) operational daily significance thresholds in the Final EIR due to the project’s long six-year construction period. This analysis has been added to the revised Air Quality Impact Analysis (Appendix B) and to the Final EIR. The revised text on Page 4.2-15 of the Final EIR is as follows:

Combined Operational and Construction Emissions

Project construction is predicted to commence in 2010 and continue through year 2016. Following completion of Phase 1 in 2012, residents and workers may occupy homes and work space during Phase 2 construction. Because of the temporary nature of construction activity emissions, any combined construction and operational project emissions are not typically compared to the recommended SCAQMD operational CEQA significance threshold. However, because phased construction activities will span up to six years, they will function similar to operational emissions in terms of regional air quality. Cumulative emissions of overlapping operational and construction emissions provide the worst-case project impact scenario as shown in Table 4.2-8. As shown in Table 4.2-8, combined construction and operational emissions would exceed SCAQMD thresholds for NO_x during 2012, and ROG, NO_x, CO, PM₁₀, and PM_{2.5} in 2014 further contributing to the significant impact identified during construction and operation.

Table 4.2-8. Total Project-Related Emissions (Construction/Operational Emissions Combined)

	Emissions (lbs/day)						
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}	CO ₂
2012							
Phase 1 Operational	<u>36.4</u>	<u>49.6</u>	<u>368.4</u>	<u>0.4</u>	<u>67.6</u>	<u>13.5</u>	<u>44,237.1</u>
Phase 2 Construction (Grading)	<u>4.8</u>	<u>42.1</u>	<u>27.3</u>	<u>0.1</u>	<u>18.7</u>	<u>4.6</u>	<u>8,080.6</u>
Total 2012	<u>41.2</u>	<u>91.7</u>	<u>395.7</u>	<u>0.5</u>	<u>86.3</u>	<u>18.1</u>	<u>52,317.7</u>
SCAQMD Threshold	<u>55</u>	<u>55</u>	<u>550</u>	<u>150</u>	<u>150</u>	<u>55</u>	--
Significant?	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>
2014							
Phase 1 Operational	<u>159.8</u>	<u>209.4</u>	<u>1,556.1</u>	<u>2.1</u>	<u>340.7</u>	<u>67.7</u>	<u>223,877.3</u>
Phase 2 Construction (Grading)	<u>4.8</u>	<u>42.1</u>	<u>27.3</u>	<u>0.1</u>	<u>18.7</u>	<u>4.6</u>	<u>8,080.6</u>
Total 2014	<u>164.6</u>	<u>251.5</u>	<u>1,583.4</u>	<u>2.2</u>	<u>359.4</u>	<u>72.3</u>	<u>231,957.9</u>
SCAQMD Threshold	<u>55</u>	<u>55</u>	<u>550</u>	<u>150</u>	<u>150</u>	<u>55</u>	-
Significant?	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>

Source: Giroux and Associates, April 2010

As shown, combined construction and operational emissions would exceed SCAQMD thresholds for NO_x during 2012, and ROG, NO_x, CO, PM₁₀, and PM_{2.5} in 2014 further contributing to the significant impact identified during construction and operation. Since a significant and unmitigated impact was already identified for these criteria pollutants, this additional information does not change the conclusions of the EIR.

- 6-4** The Draft EIR identified a significant impact associated with short-term construction air quality impacts for PM₁₀ emissions during grading for all phases and exceeds thresholds for PM_{2.5} during Phase 2. Additionally, as indicated in Response 6-3, combining construction and operation emissions would contribute to the impacts previously identified under the operational phase of the project for ROG, NO_x, CO, PM₁₀, and PM_{2.5}. Based on this comment, supplemental construction measures have been added to DSP-AQ-1 in the Final EIR. These revisions are as follows:

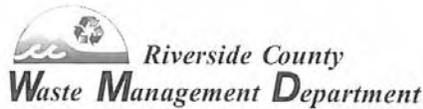
In addition to compliance with SCAQMD Rules and CARB requirements, mitigation measure DSP-AQ-1 has been revised to provide further reduction strategies for PM₁₀ and PM_{2.5} emissions during construction. The added text is shown in an underline format:

DSP-AQ-1 During construction, the contractor shall implement the following measures:

- 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.

0.3 Response to Comments

- Water exposed surfaces and haul roads three times/day.
- Cover all stock piles with tarps.
- Replace ground cover in disturbed areas as soon as feasible.
- Reduce speeds on unpaved roads to less than 15 mph.
- Require 90-day low-NO_x 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.
- Utilize diesel particulate filter on heavy equipment where feasible.
- If Tier 2 or Tier 3 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.
- 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- and off-site.
- Install wheel washers 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.



Hans W. Kernkamp, General Manager-Chief Engineer

March 10, 2010
(Revised April 6, 2010)

Carole Donahue, AICP
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

**RE: Diamond Specific Plan No. 2009-01
Notice of Completion of a Draft Environmental Impact Report (EIR)
SCH: 2009031084
(Associated Cases: General Plan Amendment No. 2009-01, Change of Zone No. 2009-01, East Lake Specific Plan Amendment No. 9)**

Dear Ms. Donahue:

The Riverside County Waste Management Department (RCWMD) has prepared the following information in response to your transmittal received on February 23, 2010, regarding the project referenced above. According to the Draft EIR the Diamond Specific Plan proposes an approximate 87-acre mixed use development that will include multi-family residences, a 150-room hotel, and 897,000 square feet (sf) of entertainment, commercial, and educational uses. As currently proposed, the site would provide approximately 600 DUs at an overall average density of 18.0 DUs per acre (du/ac). The RCWMD would like to offer the following comments:

7-1

1. The Draft EIR provides disposal capacity information based on annual reports issued in 2000 (see Draft EIR, Section 4.14.1.3 Solid Waste, page 4.14-2). Please update this information by reviewing more recent reports.

7-2

2. The Draft EIR incorrectly states in Section 4.14.1.3 Solid Waste, page 4.14-3 Solid Waste, that there are eight landfills within the unincorporated area of the Riverside County. Originally, there were 14 active landfill sites throughout the Riverside County; and today this number is down to three (3) regional facilities and very small sites in the desert area that are open only a few times a year. The three (3) regional landfills are El Sobrante Landfill, Lamb Canyon Landfill, and Badlands landfill. These landfills are Class III municipal solid waste landfills, and are described as follows:

7-3

El Sobrante Landfill:

The El Sobrante Landfill is located east of Interstate 15 and Temescal Canyon Road to the south of the City of Corona and Cajalco Road at 10910 Dawson Canyon Road. The landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc., and encompasses 1,322 acres, of which 645 acres are permitted for landfill operation. The El Sobrante Landfill is currently permitted to receive 10,000 tons of refuse per day (tpd), of which 4,000 tpd is reserved for refuse generated within Riverside County. The landfill has a total capacity of approximately 109 million tons or 184.93 million cubic yards, of which approximately 52.3 million tons are reserved for in-

7-4

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City of Lake Elsinore
Carole Donahoe, AICP
RE: Diamond Specific Plan No. 2009-01, Draft EIR
March 10, 2010 (Revised April 6, 2010)
Page 2 of 3

County waste¹. As of January 1, 2009, the landfill had a remaining in-County disposal capacity of approximately 39.969 million tons. During the last six months of 2008, the El Sobrante Landfill accepted a total of approximately 1.031 million tons of waste, of which approximately 0.429 million tons were generated within Riverside County.² The daily average for in-County waste was 2,786 tons. The landfill is expected to reach capacity in approximately 2031.

7-4
Cont.

Lamb Canyon Landfill

The Lamb Canyon Landfill is located between the City of Beaumont and City of San Jacinto at 16411 Lamb Canyon Road (State Route 79), south of Interstate 10 and north of Highway 74. The landfill is owned and operated by Riverside County. The landfill property encompasses approximately 1,189 acres, of which 353.4 acres encompass the current landfill permit area. Of the 353.4-acre landfill permit area, approximately 144.6 acres are permitted for waste disposal. The landfill is currently permitted to receive 3,000 tons of refuse per day and had an estimated total disposal capacity of approximately 15.461 million tons, as of June 30, 2008.³ As of January 1, 2009, the landfill had a total remaining capacity of approximately 9.541 million tons⁴. The current landfill remaining disposal capacity is estimated to last until approximately 2020.⁵ During the last six months of 2008, the Lamb Canyon Landfill accepted a daily average volume of 1,888 tons and a period total of approximately 303,946 tons. Landfill expansion potential exists at the Lamb Canyon Landfill site.

7-5

Badlands Landfill:

The Badlands Landfill is located northeast of the City of Moreno Valley at 31125 Ironwood Avenue and accessed from State Highway 60 at Theodore Avenue. The landfill is owned and operated by Riverside County. The existing landfill encompasses 1,168.3 acres, of which 150 acres are permitted for refuse disposal and another 96 acres are designated for existing and planned ancillary facilities and activities. The landfill is currently permitted to receive 4,000 tons per day and had an estimated total capacity of approximately 15.237 million tons, as of June 30, 2008⁶. As of January 1, 2009 (beginning of day), the landfill had a total remaining disposal capacity of approximately 7.556 million tons.⁷ The Badlands Landfill is projected to reach capacity, at the earliest time, in 2014.⁸ During the last six months of 2008, the Badlands Landfill accepted a daily average volume of 1,407 tons and a period total of approximately 216,684 tons. Further landfill expansion potential exists at the Badlands Landfill site.

7-6

3. The Integrated Waste Management Act of 1989 (AB939) requires cities and counties to divert 25 percent of solid waste from landfills by the year 1995 and 50 percent of solid waste from landfills by the year 2000. While the Riverside County has met those goals, the project has the potential to generate solid waste impacts as it

7-7

¹ According to Second Amendment to the Second El Sobrante Landfill Agreement, dated March 12, 2007

² Tonnage figures as reported in SiteInfo.

³ GASB 18 – 2008 – Engineering Estimate for total landfill capacity

⁴ GASB 18 – 2008 – Engineering Estimate, and tonnage data from SiteInfo

⁵ Latest site life expectancy estimate by Project Engineer.

⁶ GASB 18 – 2008 – Engineering Estimate.

⁷ GASB 18 – 2008 – Engineering Estimate, and tonnage data from SiteInfo

⁸ Latest site life expectancy estimate by Project Engineer.

City of Lake Elsinore
Carole Donahoe, AICP
RE: Diamond Specific Plan No. 2009-01, Draft EIR
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develops. The proposed project will be required to comply with conditions of approval issued by the City of Lake Elsinore in order to mitigate potential solid waste impacts, and to help the City's efforts to comply with State law diverting solid waste from the landfill disposal.

7-7
Cont.

4. The RCWMD offers the following information and recommendations:

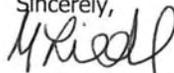
- Hazardous materials **are not** accepted at the Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the development of the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division, at 1.888.722.4234.
- Use mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries. Recycle green waste through either onsite composting of grass, i.e., leaving the grass clippings on the lawn, or sending separated green waste to a composting facility.
- Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

7-8

7-9

7-10

Please contact me if you have additional questions at 951.486.3284 or mliedl@co.riverside.ca.us.

Sincerely,

Mirtha Liedl, Planner

Encl. Case Transmittal

PD 87238

Letter 7

**Riverside County Waste Management Department
March 10, 2010 (Revised April 6, 2010)**

- 7-1 This comment provides introductory remarks and accurately summarizes the project description. No change was made to the EIR in response to this comment.
- 7-2 This comment requests that disposal capacity for each of the landfills in the vicinity of the project be updated based on more recent reports. The EIR has been updated to reflect the Riverside County Annual Report for 2006 (versus 2000), located on the Riverside County Waste Management web site. This report provides information regarding the County's diversion rate but not landfill capacity. However, in response to Comments 7-4 through 7-7, the EIR has been updated to reflect updated capacity rates as provided in this comment letter. The following changes to the Final EIR (page 4.14-2) have been made to reflect the 2006 Annual Summary:

According to the ~~Riverside County Integrated Project (RCIP) General Plan EIR, the Riverside County Annual Report for 2006~~ (August-March 2008) documents that the County's disposal facilities ~~provide more than 15 years of disposal capacity, based on projected growth in disposal with~~ have a 530-percent (after Biomass Credit) diversion rate.

These changes do not affect the conclusions within the EIR. Additional changes to capacity rates are reflected in responses 7-4 through 7-7.

- 7-3 This comment requests that the Final EIR be changed to reflect that there are only three regional facilities within Riverside County. The following changes have been made on page 4.14-3 in the Final EIR:

Within the unincorporated area, there are ~~eight~~ three regional landfill facilities and several other smaller sites which are open only a few times a year, seven of which are operated by the County and the eighth (El Sobrante), which is privately owned and operated under an agreement with the County. ~~The three regional landfills are Class III municipal solid waste landfills.~~ Waste collection for the City of Lake Elsinore is provided by CR&R Incorporated, located in Perris.

These changes do not affect the conclusions within the EIR.

- 7-4 This comment provides updated information for the El Sobrante Landfill including total disposal capacity and average waste generation. The following changes have been made on page 4.14-3 in the Final EIR:

The landfill closest to the Diamond Specific Plan site is El Sobrante Landfill, located at 10910 Dawson Canyon Road, ~~in Corona,~~ east of Interstate 15 (I-15) and Temescal Canyon Road to the south of the City of Corona. 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 ~~481~~645 acres. The landfill is currently permitted to receive 10,000 tons of refuse per day (tpd), of which 4,000 tpd is reserved for refuse generated within Riverside County. The 2007 maximum daily average volume disposed was 10,542 tons, which was due to an

emergency situation.¹ The landfill had a total capacity of approximately ~~184,930,000 tons~~ 109 million tons, as of ~~April 30, 2007~~ January 1, 2009 and had a remaining in-county disposal capacity of approximately ~~118,573,540~~ 39.969 tons. The daily average for in-County waste was 2,786 tons. The landfill is expected to reach capacity by approximately 2031~~0~~.

These changes do not affect the conclusions within the EIR.

- 7-5** This comment provides updated information for the Lamb Canyon Landfill including total disposal capacity and average waste generation. The following changes have been made on page 4.14-3 in the Final EIR:

The Lamb Canyon Landfill is located at 16411 Lamb Canyon Road between the City of Beaumont and the City of San Jacinto. The Class III permitted landfill is owned and operated by Riverside County ~~currently active~~ and accepts agricultural, construction/demolition, dead animal, green material, industrial, inert, metal, mixed municipal, and tire waste. It has a total acreage of 1,180~~9~~ acres and disposal acreage of 144.6 acres. Permitted capacity of the landfill is 34,292,000 cubic yards (cy). The remaining total capacity is approximately 9.541 million tons. ~~20,908,171 cy.~~ Total daily permitted capacity is 3,000 tons. The projected closure date of the facility is ~~2023~~2020.

These changes do not affect the conclusions within the EIR.

- 7-6** This comment provides updated information for the Badlands Landfill including total disposal capacity and average waste generation. The following changes have been made on page 4.14-3 in the Final EIR:

The Badlands Landfill is owned and operated by Riverside County and located at 31125 Ironwood Avenue, northeast of the City of Moreno Valley. The Class III permitted landfill is currently active and accepts agricultural, ash, construction/demolition, dead animals, green materials, industrial, inert, metals, mixed municipal, tire, and wood waste. It has a total acreage of 1,168.3 acres and disposal acreage of 150 acres. Permitted capacity of the landfill is ~~30,386,332 cy~~ 15.237 million tons as of June 30, 2008. The remaining capacity is approximately ~~21,866,092 cy~~ 7.556 million tons. Total daily permitted capacity is 4,000 tons. The projected closure date of the facility is 2016, although further landfill expansion potential exists at the site.

These changes do not affect the conclusions within the EIR.

- 7-7** This comment indicates that the Diamond Specific Plan has the potential to generate solid waste impacts as it develops and must comply with conditions of approval issued by the City of Lake Elsinore in order to mitigated potential solid waste impacts and help the City's efforts to comply with State law diverting solid waste from the landfill disposal. As stated on page 4.14-11 of the EIR, the Diamond Specific Plan would comply with all applicable federal, state, and local statutes and regulation related to solid waste, including the County's SRRE, HHWE, and City Ordinance 14.12 Construction and Demolition Waste Management of the Lake Elsinore Municipal Code regarding construction debris removal." In addition, the Diamond Specific Plan would adhere to the Guidelines set forth in Chapter 5: Design Guidelines of the Specific Plan which include: Select sustainable construction materials, including those that are made of reused

¹ Riverside County Waste Management Department. El Sobrante Landfill SWFP Revision Supplemental Environmental Impact Report, March 2009.

or recycled content, and have high recyclability; Use recycled base, crushed concrete base, recycled content asphalt, and shredded tires in base and asphalt, where feasible; Require plans for managing materials during deconstruction, demolition and construction; and, establish a construction wastes recycling program with a local waste management company to maximize waste recycling. Adherence to these guidelines and compliance with federal, state, and local regulations related to solid waste would ensure that implementation of the Diamond Specific Plan would not result in significant impacts to solid waste. No change was made to the EIR in response to this comment.

- 7-8** This comment provides information regarding hazardous waste disposal. As previously stated in Response 5-5, the project proposes residential and commercial uses, which are not uses characterized as generating hazardous emissions or materials that would pose a potential risk to sensitive receptors. In the event that hazardous materials are discovered during project grading and construction, adherence to all regulatory requirements would occur. Therefore, no change was made to the EIR in response to this comment.
- 7-9** This comment suggests using mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries. The Design Guidelines within Chapter 5 of the Diamond Specific Plan call for the use of green waste mulch and soil amendments to retain soil moisture. Therefore, no change was made to the EIR in response to this comment.
- 7-10** This comment suggests the project consider xeriscaping and drought tolerant/low maintenance landscaping. The Design Guidelines within Chapter 5 of the Diamond Specific Plan call for native and water-wise plant materials, where appropriate and the use of water-saving turf varieties or turf substitutes. Therefore, no change was made to the EIR in response to this comment.

April 5, 2010

Attn: Carol Donohoe
Planning Office
City of Lake Elsinore
130 S. Main Street
Lake Elsinore, CA 92530

Re: Diamond Specific Plan EIR; Environmental Mitigation Measures for Cultural Resources

The Soboba Band of Luiseño Indians appreciates your updates and notifications for this project. In the past we have submitted comments and requests to be carried out in the Final EIR. To this point it is clear that nothing has changed and our comments seem to have been ignored.

After careful review of the Diamond Specific Plan EIR; Mitigation Measures for Cultural Resources. The Soboba Band of Luiseno Indians Cultural Resource Department has decided to once again comment on certain items in the mitigation measures in another attempt to preserve and treat any uncovered items in a way that is culturally sensitive.

Additional requests by the Soboba Band were also detailed in earlier responses.

Please feel free to contact me via email or cell with any questions you may have regarding our comments and to schedule a date for consultation.

The Soboba Band of Luiseño Indians (“Soboba Band”) submits this comment with regard to the EIR for the Diamond Development and the City of Lake Elsinore (“City”). In its EIR, the City proposes mitigation strategies and efforts for matters related to American Indian cultural resources. Despite the City’s efforts and preliminary consultation with the Soboba Band, the Soboba Band takes issue with the proposed mitigation plan to protect cultural resources, because the proposed plan does not comply with California law or Guidelines for tribal consultation. The EIR indicates that the Native American Heritage Commission (“NAHC”) provided a list of tribes for consultation and both the Soboba Band and the Pechanga Band of Luiseño Indians requested consultation. The City consulted with both tribes and had monitors from both tribes present during the Stage II excavation of certain sites. However, the mitigation plan in the EIR indicated that the City has anticipated that one tribe is more “appropriate” to monitor the grading stage during construction. Footnote 1 to the proposed mitigation measures in Section 4.4.5, Cultural Resources states:

It is anticipated that the Pechanga Tribe will be the “appropriate” Tribe due to its prior and extensive coordination with the City and project applicant in determining potentially significant impacts and appropriate mitigation measures and due to its demonstrated cultural affiliation with the project area.

According to applicable California law, SB18 and OPR procedures and guidelines for consultation, the Native American Heritage Commission is the entity that determines the appropriate tribe where there exists a cultural resources matter. NAHC is mandated to maintain lists of California Tribes. GOV’T CODE §§ 65352.3, 65352, 65092. The NAHC has two separate lists of tribes: one for the purpose of notice and consultation and one for the purposes of

8-1

8-2

8-3

determining a “Most Likely Descendant” in the instance human remains are disinterred. Governor’s Office of Planning and Research, *Tribal Consultation Guidelines*, 21 (2005), <http://www.opr.ca.gov/SB182004.html>; PUB. RES. CODE § 5097.98. The local government must contact the tribe on the list for purposes of consultation, prior to adoption or amendment of a general plan or specific plan. Governor’s Office of Planning and Research, *Tribal Consultation Guidelines*, 21-24 (2005) (available at <http://www.opr.ca.gov/SB182004.html>). Archaeologists and the City do not make determinations regarding which tribe is the “appropriate tribe” for an area; therefore, footnote 1 speaking to that regard is inappropriate and should be removed from the text of the EIR. Although the City and archaeologists have concluded that consultation regarding an agreement for mitigation efforts has concluded, the City is still bound by the law whenever cultural resources or human remains may be disturbed. The City must defer to the NAHC when determining which tribes are “appropriate.” In this case, the City is impermissibly narrowing and determining that one tribe is more appropriate than another.

8-3
Cont.

Further, Section 4.4.2.1 indicated that site CA-RIV-4042 is of archaeological importance. Archaeological excavation of site CA-RIV-4042 concluded that the occupation of the site was “highly sedentary.” The lithic scatter at the sites indicated that the occupants of the site heavily manufactured and used groundstone and cutting tools. The EIR indicated that the entire CA-RIV-4042 site will likely produce more cultural resources if disturbed. For that reason, it is imperative that appropriate procedures are followed regarding Native American consultation and monitoring when the site is graded. The EIR did not make a determination regarding which tribe exclusively used and occupied the site. It is premature to determine the descendants of the site, and the City should continue the practice of using monitors from both the Soboba Band and Pechanga Band when it begins grading the area.

8-4

The Soboba Band requests that footnote 1 to Section 4.4.5 in the EIR be omitted. Omitting the footnote will not have any substantive impact on the proposed mitigation. Omitting the footnote will merely ensure that interested tribes, according to the NAHC, will have the opportunity to monitor and consult during construction of the Diamond Specific Plan. The City could continue to maintain its previous practice of having monitors from both interested Tribes in the area on-site.

8-5

Sincerely,

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

4/5/2010

Soboba Band of Luiseno Indians

**Formal Comments to Diamond Specific Plan Draft EIR;
Environmental Mitigation Measures for Cultural
Resources**

Please Note: All Soboba Tribal Comments are listed in *ITALIC*

4.4.1 Environmental Mitigation Measures

MM 4.4-1 Prior to issuance of grading permit(s) for the Diamond Specific Plan, the project applicant shall retain an archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.

MM 4.4-2 At least 30 days prior to seeking a grading permit, the project applicant shall contact the appropriate Tribe(s)^[1] [1]to notify the Tribe(s) of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe(s) to develop a Cultural Resources Treatment and Monitoring Agreement. [2] 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.

1. This determination of the “appropriate tribe” cannot be made prior to consultation and coordination with the effected Tribes, including the Soboba Band of Luiseno Indians. Please keep in mind that there are seven bands of Luiseno Indians,

8-6

*who perhaps due to meager resources could not respond, but would definitely have concerns for this project.
At this point in time the Soboba Band of Luiseno Indians does have these resources and ability to express their concerns. Therefore the Soboba band of Luiseno Indians is requesting that the above endnote regarding the premature identification of the “appropriate tribe” be omitted from the EIR and that consultation and coordination with the effected Tribes, including the Soboba Band, take place.*

8-6
Cont.

2. As part of the mitigation measure mentioned above, The Soboba Band of Luiseno Indians is also requesting that a Treatment and Disposition Agreement between the developer and The Soboba Band be provided to the County of Riverside prior to the issuance of a grading permit and before conducting any additional archaeological fieldwork.

8-7

MM 4.4-3 Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a [3]qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in MM 4.4-2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate Tribe(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 groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist. [4]

8-8

3. Recommendations by The Soboba Band shall be considered when determining Qualifications for key personnel including project archeologist, qualified archeological monitors, and tribal monitors.

4. This mitigation measure provides that a tribal monitor shall have the authority to stop and redirect grading activities in consultation with the project archeologist. The Soboba Band recommends that a dispute resolution clause be added that requires the grading to be stopped, in the event of a dispute between the tribal monitor and archeologist, until the determination of the project archeologist is reviewed by the Community Development Director.

8-9

MM 4.4-4 If human remains are encountered, California Health and Safety Code Section 7050.5 provides 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. [5] If the

8-10

Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the “most likely descendant.” [6] The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

8-10
Cont.

5. The Soboba Band of Luiseno Indians is requesting total avoidance of burial sites.

6. The most likely descendant may be the Soboba Band the Pechanga Band, as well as other tribes. Accordingly, the consultation, coordination, and tribal monitoring of the grading on site should include the Soboba Band, including a treatment and disposition agreement with the Band.

8-11

MM 4.4-5 The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate Tribe(s) for proper treatment and disposition. Said disposition shall entail reburial in area(s) which will not be subject to further disturbance and which have been determined to be acceptable by the appropriate Tribe(s). [7]

7. Upon completion of authorized and mandatory archeological analysis, the Soboba Band requests that the Developer return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

8-12

Soboba also requests that any additional testing be done under the prior approval of the tribe.

The Soboba Band of Luiseno Indians is also requesting that a Treatment and Dispositions Agreement between the developer and The Soboba Band be provided to the County of Riverside prior to the issuance of a grading permit and before conducting any additional archaeological fieldwork. Soboba Band will request to rebury human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Soboba Band requests that the Developer accommodate on-site reburial in a location mutually agreed upon by the Parties. In addition, the Soboba Band requests the return of all other cultural items (artifacts), which are recovered during the course of archaeological investigations, for reburial.

MM 4.4-6 All sacred sites [8], should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible. [9]

8. How are “sacred sites” defined for purposes of mitigation for this project? The effected tribes may possess differing views on what is and is not sacred, as well as the mitigation necessary to avoid harm to, and protect the efficacy of cultural practice at, such sites.

8-13

9. The Soboba Band of Luiseno Indians Is requesting total avoidance of these sites.

8-13
Cont.

MM 4.4-7 If inadvertent discoveries of subsurface archaeological/cultural resources are made during grading, the Developer, the project archaeologist, and the appropriate Tribe(s) shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe(s) cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of the California Environmental Quality Act (CEQA) with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe(s). Notwithstanding any other rights available under the law, the decision of the CDD shall be appealable to the City of Lake Elsinore Planning Commission.

MM 4.4-8 Prior to any grading at or near the vicinity of (Riv-4042) within Planning Area 2, the Developer shall meet and confer with the appropriate Tribe(s) to develop an appropriate controlled grading plan. The purpose of the controlled grading at and around the site is to afford the opportunity to determine whether any subsurface resources are associated with the site and if so, the significance of any such resources. All such controlled grading shall be monitored according to the provisions of the Agreement required in MM 4.4-2. Further, if subsurface resources are discovered at the site, the provisions of MM 4.4-7 shall apply.

8-14

MM 4.4-9 Prior to issuance of a grading permit(s), the applicant shall retain a qualified paleontological monitor. The paleontological monitor shall be responsible for the following:

- Monitoring all grading that includes initial cutting into any area of the project site. Paleontological monitoring shall occur only for those undisturbed sediments wherein fossil plant or animal remains are found with no associated evidence of human activity or any archaeological context.
- If any paleontological resources are identified during these activities, the paleontologist shall temporarily divert construction until the significance of the resources is ascertained.
- Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays, and to remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units described above are

not present or if the fossiliferous units present are determined by a qualified paleontological monitor to have low potential to contain fossil resources.

- All recovered specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- Specimens shall be identified and curated into an established, accredited, professional museum repository with permanent retrievable storage. The paleontologist shall have a written repository agreement in hand prior to the initiation of mitigation activities.
- A report of findings with an appended itemized inventory of identified specimens shall be prepared. The report shall address archaeological and paleontological items. This report shall incorporate the full results of the literature review, as well as the full results of the recommended review of the records of the Eastern Information Center at the University of California, Riverside. The report shall be submitted to the City of Lake Elsinore prior to the issuance of the Certificate of Occupancy.

8-14
Cont.

^[1] It is anticipated that the Pechanga Tribe will be the “appropriate” Tribe due to its prior and extensive coordination with the City and project applicant in determining potentially significant impacts and appropriate mitigation measures and due to its demonstrated cultural affiliation with the project area.

This end footnote shall be removed. This determination of the “appropriate tribe” cannot be made prior to consultation and coordination with all the effected Tribes, including the Soboba Band of Luiseno Indians. Please keep in mind that there are seven bands of Luiseno Indians, who perhaps due to meager resources could not respond, but would definitely have concerns for this project.

8-15

Letter 8
Soboba Band of Luiseño Indians
April 5, 2010

8-1 This comment thanks the City for its consultation with the Soboba Band of Luiseño Indians (Soboba Band) but indicates that previous requests have not been accommodated in the Draft EIR. Comments provided to the City by the Soboba Band regarding mitigation measures are included as an attachment to this comment letter and are responded to below in Responses 8-6 through 8-15. However, as stated in the Draft EIR on page 4.4-6: “Following the Phase II, the City provided both Tribes with draft mitigation measures to review and provide early comment. While both Tribes agree on the cultural significance of the site, they differ in their preferences for the disposition of artifacts once uncovered and with regards to which Tribe will monitor the site during project grading pursuant to the mitigation measures set forth in Section 4.4.5. The City has attempted to schedule a joint meeting with both Tribes present to come to resolution regarding the mitigation measures; however, the Tribes expressed preference for the continuation of individual consultation. The City has made a good faith attempt to find a mutually acceptable resolution of these differences.”

Consultation, pursuant to Government Code §65352.3 and §65352.4, should be considered concluded at the point in which:

- The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- Either the local government or Tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning appropriate measures of preservation or mitigation.

The City finds that mutual agreement cannot be reached concerning mitigation but has made a good faith effort to address the Tribes’ concerns. All Tribes included on the Native American Heritage Commission (NAHC) list, including the Pechanga and Soboba Tribes, will receive a copy of this Draft EIR for review and comment.” The mitigation measures set forth in the Draft EIR mitigate the impacts to cultural resources to below a level of significance as acknowledged by both the Soboba Band (Comment 8-5) and Pechanga Band (Comment 9-9). The City has fulfilled the requirements pursuant to Senate Bill (SB) 18 and CEQA. No change was made to the EIR in response to this comment.

8-2 This comment indicates that the Soboba Band disagrees with the footnote term “appropriate Tribe” included in the Draft EIR in Section 4.4.5 (page on page 4.4-8). As this comment states, this footnote indicates that the City anticipates the Pechanga Tribe will be considered the appropriate Tribe to perform tribal monitoring during ground disturbing activities. This comment also indicates that the proposed mitigation plan does not comply with California law or Guidelines for Tribal Consultation because of this footnote. This is according to *The State of California Tribal Consultation Guidelines* (November 2005), located on the Office of Planning and Research Web site and cited within Comment 8-3.

If, after conducting consultations in good faith and within the spirit of the definition, the tribe or local government cannot reach agreement on preservation or mitigation of any impact to a California Native American cultural place, neither party is required to take any action under Government Code §65352.3(a)” (page 24).

The Guidelines also state the following:

During consultations, local governments should consider the involvement of tribes in the ongoing treatment and management of cultural places, objects, or cultural features through a specific monitoring program, co-management, or other forms of participation.

Where a cemetery, burial ground, or village site may be present, the planning of treatment and management activities should address the possibility that California Native American human remains may be involved when protecting cultural features. Local governments should consider working with tribes to develop an appropriate plan for the identification and treatment of such discoveries in accordance with Public Resources Code §5097.98.”

The City has complied with both of these pieces of guidance by consulting with all Tribes requesting consultation and establishing a comprehensive mitigation plan which includes a Tribal Monitor. Nowhere in the Guidelines does it state how the local agency should select which Tribe provides the monitor, nor does it state that all interested Tribes should be given the opportunity to provide a monitor. Therefore, the City has complied with state law and Tribal Consultation Guidelines. No change was made to the EIR in response to this comment.

8-3 This comment states that the NAHC is the entity that determines the appropriate Tribe where there exists a cultural resources matter. This comment is only partly correct. The comment is correct in that the NAHC provides a list of Tribes to the local agency for purposes of SB 18 consultation. This occurred with the proposed project and the City appropriately used this list to contact Tribes for consultation (Appendix D.1 of the Draft EIR). The comment is also correct that the NAHC would identify the most likely descendant (MLD) in the event that human remains were found during ground disturbance activities. According to state law (as detailed in DSP-CR-5), all ground disturbance activities would be stopped and the remains shall be left in place and free from disturbance until the Riverside County Coroner has made the necessary findings as to origin and until final decisions have been made regarding treatment and disposition of the remains. If the coroner determines the remains to be Native American, the NAHC would be contacted and shall identify the MLD. Then the MLD would make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. State law does not identify which Tribe should monitor the site during ground disturbance activities. The procedures regarding human remains would occur regardless of which Tribal monitor is on site and would occur even if there were no Tribal monitor present at all. The NAHC does not provide information regarding the MLD unless human remains are identified. Therefore, it is not possible to contact the NAHC at this stage in the process to request information on which Tribe the MLD will be. Therefore, it is within the purview of the Lead Agency to identify mitigation measures to reduce significant impacts. In this case, it is up to the Lead Agency to determine which Tribe it deems most appropriate due to prior and extensive coordination with the City and due to its demonstrated cultural affiliation with the project area. As noted, the City has included DSP-CR-5 which clearly states the process that would be followed in the event that human remains are identified. No change to the EIR was made in response to this comment.

8-4 This comment correctly summarizes the EIR conclusion that CA-RIV-4042 is of archaeological importance and that the potential exists for the discovery of additional resources throughout the site during ground disturbance. This comment repeats the claim that since it is not possible to

identify the descendants of the site, the City should require monitors from both the Soboba Band and the Pechanga Band for monitoring. CEQA requires mitigation measures to be feasible and reasonable (CEQA Guidelines Section 15126.4). It is not reasonable to require a project applicant to retain more than one Tribal monitor for ground disturbing activities. Therefore, no change was made to the EIR in response to this comment.

8-5 This comment repeats its request for footnote 1 on page 4.4-8 of the Draft EIR to be removed and for the City to allow more than one Tribe to participate in Tribal monitoring. As stated above, the City does not believe it is reasonable to require a project applicant to retain more than one Tribal monitor for ground disturbing activities. Therefore, no change was made to the EIR in response to this comment.

8-6 This comment is the first in a series of specific comments on the cultural resource mitigation measures included within the Draft EIR. When the commenter was provided a draft copy of the mitigation measures for review and comment, the measures were numbered as MM 4.4-1, MM 4.4-2, etc. This naming convention was subsequently changed in the Draft EIR to DSP-CR-1 and DSP-CR-2. It is noted that the mitigation measures MM 4.4-1 and 4.4-2 included in this comment are identical to measures DSP-CR-1 and DSP-CR-2 with the exception of the commenter adding an “s” after “Tribe” in DSP-CR-2. The commenter requests that the footnote be removed. This issue has been raised and addressed in Responses 8-2 through 8-5. This comment also notes that there may be additional bands of Luiseño Indians that may have concerns for this project. All Tribes identified by the NAHC were notified about the Diamond Specific Plan and invited for SB 18 consultation. No change to the EIR was made in response to this comment.

8-7 This comment requests that the Treatment and Disposition Agreement between the developer and the appropriate Tribe be provided to the County of Riverside prior to the issuance of a grading permit. The County of Riverside does not have jurisdiction over the treatment of cultural resources within the City of Lake Elsinore. Mitigation Measure DSP-CR-3 has been updated in the Final EIR to remove reference to the County of Riverside as follows:

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

8-8 This comment pertains to DSP-CR-3. It is noted that MM 4.4-3 included in this comment letter is identical to DSP-CR-4 with the exception of the commenter adding an “s” after “Tribe”. The comment requests that recommendations by the Soboba Band shall be considered when determining qualifications for key personnel; however, no recommendations are provided. The City's Community Development Director will determine whether an archaeological monitor is qualified. No change was made to the EIR in response to this comment.

8-9 This comment requests that a dispute resolution clause be added to the mitigation that requires project grading to be stopped, in the event of a dispute between the tribal monitor and archaeologist, until the determination of the project archaeologist is reviewed by the Community Development Director. As stated in DSP-CR-3, the archaeological monitor shall have authority to stop and redirect grading in accordance with the agreement required in DSP-CR-2. Tribal monitors also have the authority to stop and redirect grading activities, in consultation with the project archaeologist. The appropriate Tribe will be involved with development of the Cultural Resources Treatment and Monitoring Agreement, which will address treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors. Also it should be noted that a dispute resolution clause is provided in DSP-CR-8. This measure states that if cultural resources are discovered during grading all parties will confer regarding mitigation. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, the Community Development Director will make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe. Therefore, no change was made to the EIR in response to this comment.

8-10 This comment pertains to DSP-CR-4. It is noted that MM 4.4-4 included in this comment letter is identical to DSP-CR-4. This comment requests total avoidance of burial sites. As stated in DSP-CR-5, if human remains are identified, applicable state laws shall be adhered to including California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.9. If the remains are determined to be Native American, the NAHC will identify the MLD and the MLD shall make recommendation and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98. Public Resources Code 5097.98 (b)(1) states the following:

“The descendants’ preferences for treatment may include the following:

- (A) The nondestructive removal and analysis of human remains and items associated with Native American human remains.
- (B) Preservation of Native American human remains and associated items in place.
- (C) Relinquishment of Native American human remains and associated items to the descendants for treatment.
- (D) Other culturally appropriate treatment.”

Therefore, total avoidance of burial sites is one possibility for treatment of human remains. No change was made to the EIR in response to this comment.

8-11 This comment states that the MLD is unknown at this time so tribal monitoring should include the Soboba Band. This issue has been raised and addressed in Responses 8-2 through 8-5.

8-12 This comment provides the Soboba Band’s specific requests regarding treatment and disposition of archaeological resources. The treatment and disposition of archaeological resources, including time frames, shall be conducted in accordance with the Cultural Resources Treatment and Monitoring Agreement required in DSP-CR-2. In addition, DSP-CR-5 states that the landowner shall relinquish all cultural resources to the appropriate Tribe for proper treatment and disposition and that disposition shall entail reburial in area(s) which will not be subject to further disturbance and are acceptable by the appropriate Tribe. This is consistent with the Soboba Band’s requests. The Soboba Band also requests that any additional testing be done with prior approval of the Tribe. The phase II archaeological site assessment has already been conducted with Tribal

monitors present. No additional testing would be conducted prior to issuance of a grading permit when the Cultural Resources Treatment and Monitoring Agreement would go into effect. No change was made to the EIR in response to this comment.

- 8-13** This comment requests clarification as to the definition of a sacred site. As pointed out by the responder, this terminology is not easily defined and may differ in meaning between Tribes. According to National Park Guidelines, Executive Order 13007, “a ‘Sacred Site’ means any specific, discrete, narrowly delineated location on Federal land that is identified by an Indian tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site.” It should be noted that the Diamond Specific Plan is not located on Native American reservation land. A record search of the Sacred Lands Files of the Native American Heritage Commission (NAHC) did not identify Native American-registered cultural resources located on the project site.
- 8-14** This comment addresses mitigation measures 4.4-7 through 4.4 -9 which correspond to DSP CR 7 through 9. These measures are identical with the exception of the “s” added to the end of “Tribe”. No comment is made regarding these mitigation measures. Therefore, no change was made to the EIR in response to this comment.
- 8-15** This comment again request removal of footnote one. This issue has already been raised and addressed in Responses 8-2 through 8-5.



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

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Director:
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Coordinator:
Paul Macarrop

Cultural Analyst:
Anna Hoover

Monitor Supervisor:
Jim McPherson

April 6, 2010

VIA E-MAIL and USPS

Ms. Carole Donahoe
Project Planner
City of Lake Elsinore Planning Dept
130 South Main Street
Lake Elsinore, CA 92530

Re: Pechanga Tribe Comments on the Notice of Availability and the Draft Environmental Impact Review for the Diamond Specific Plan Project, General Plan Amendment 2009-01, Zone Change 2009-01, East Lake Specific Plan Amendment No. 9, Diamond Specific Plan No. 209-01, SCH# 2009031084

Dear Ms. Donahoe:

Thank you for inviting us to submit comments on the above named Project. This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government.

The Tribe requests, pursuant to Public Resources Code §21092.2, to continue to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). The Tribe requests to be directly notified of all public hearings and scheduled approvals concerning this Project and that these comments be incorporated into the record of approval for this Project.

The Tribe submits these comments in conjunction with the environmental review of the Project. The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. Further, the Tribe reserves the right to participate in the regulatory process and provide comment on issues pertaining to this process and Project approval.

9-1

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

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

It has been the intent of the Federal Government¹ and the State of California⁹⁻² Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City of Lake Elsinore consult with the Tribe in order to guarantee an adequate basis of knowledge for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures.

9-2

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because a portion of the Tribe's reservation lies along the borders of the City of Lake Elsinore, thereby making it the closest Indian reservation to the Project. Moreover, the Tribe maintains cultural ties to this area, and has an extensive history with the City of Lake Elsinore, this Project and other projects within the area.

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

9-3

There is a connection between the Temecula and the Lake Elsinore areas that stems from the beginning of time for Pechanga people. Luiseño history originates with the creation of all things at *éxva Teméeku*, known today as the City of Temecula, and dispersing out to all corners of creation (what is today known as Luiseño territory). The name *éxva* can be translated as a

¹ See Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments and Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments.
² See California Public Resource Code §5097.9 et seq.; California Government Code §§65351,65352,65352.3 and 65352.4

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“place of sand” and *Teméeku* means “sun place.” Temecula derives its etymology from this place, where the Murrieta and Temecula Creeks converge to form the Santa Margarita River which flows onto the Pacific Ocean. This location is integral to Luiseño cultural history and heritage.

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

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

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

9-3
 Cont.

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

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

9-3
Cont.

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

In addition, the Pechanga Tribe has a long modern day history of involvement with Projects in the area known as Lake Elsinore. Not only has the Pechanga Tribe been involved, but it has been given the designation of the consulting tribe or affiliated tribe on projects located in the City of Lake Elsinore and its sphere of influence, such as Cottonwood Hills, Liberty Serenity, North Peak, Temescal Canyon, Lakeview Villas, County Sheriff's Station, Spy Glass Ranch, Meadowbrook, Oak Springs, Canyon Hills, Wasson West, Greenwald Property, Lake Street Marketplace and Glen Ivy. In addition, Pechanga was the consulting tribe on the projects which have been developed within the overarching East Lake/Liberty Specific Plan such as the Laing/Summerly, Waterbury and the Marina District Specific Plan. Moreover, the Pechanga Tribe has been the only tribe to assume the role of MLD in the Lake Elsinore area and NAHC records confirm this.

9-4

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

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PROJECT IMPACTS TO CULTURAL RESOURCES

The Tribe is in receipt of the Archaeological Studies³ and the 2010 Draft Environmental Impact Report (DEIR)⁴. The Project is located in a highly sensitive region of Luiseño territory and the Tribe believes that the possibility for recovering subsurface resources during ground-disturbing activities is high. The Tribe has over thirty-five (35) years of experience in working with various types of construction projects throughout its territory. The combination of this knowledge and experience, along with the knowledge of the culturally-sensitive areas and oral tradition, is what the Tribe relies on to make fairly accurate predictions regarding the likelihood of subsurface resources in a particular location.

9-5

The Tribe does not agree with the Cumulative Impacts discussion within the DEIR⁵. Impacts to cultural resources are always considered cumulative as each cultural site and/or resource is unique and each contributes to the importance of another. Once destroyed, cultural resources can never be replaced. Since it is proposed that CA-RIV-4042 will be destroyed, a significant cumulative impact will occur. While it is understood that CEQA allows for mitigation of such sites to a 'below significant' level, the Tribe believes that, unless cultural sites are preserved, destruction of any site cannot be 'mitigated' to below a level of significance.

9-6

The Tribe has reviewed the proposed Mitigation Measures in the DEIR and thanks the City for addressing the potential impacts to cultural resources, for including specific language for excavation protocols during earthmoving activities, and for the inclusion of the Tribe in those measures. The region of Lake Elsinore is culturally significant to the Tribe and appreciates the opportunity to monitor earthmoving activities in the area and to continue working with the City to protect and preserve traditional cultural resources.

9-7

PROJECT MITIGATION MEASURES

Environmental Impact Reports and any supplemental or subsequent documents must provide adequate protection for significant archaeological and cultural sites and adequately follow the provisions of CEQA and its Guidelines, including Calif. Pub. Res. Code § 21083.2(b) (avoidance as preferred method of preservation of archaeological resources), CEQA Guidelines § 15126.4(b)(3) (agencies should avoid effects on historical resources of archaeological nature), and CEQA Guidelines § 15020 (lead agency responsible for adequacy of environmental documents).

9-8

³ McKeehan Environmental Consultants May 2009. *Archaeological Assessment for the Diamond Specific Plan Project, Riverside County, California.* and McKeehan Environmental Consultants February 2010 *Phase II Archaeological Test Excavation and Evaluation of CA-RIV-4042 for the Diamond Specific Plan Project, Riverside County, California.*

⁴ HDR February 2010. *Draft Environmental Impact Report, Diamond Specific Plan, General Plan Amendment 2009-01, Zone Change 2009-01, East Lake Specific Plan Amendment No. 9, Diamond Specific Plan No. 209-01, SCH# 2009031084*

⁵ DEIR February 2010, p 4.4-8

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While the Tribe does not agree with the conclusion that there will be no significant cumulative impacts from the Project, the Tribe is generally in agreement with the proposed Mitigation Measures for cultural resources as they are presented in the 2010 Draft Environmental Impact Report for this Project. The Tribe therefore requests that the Mitigation Measures presented in the 2010 Draft Environmental Impact Report be incorporated into the final EIR and added as Conditions of Approval for the Project. The Tribe further requests that, should the City determine that it will be making revisions to the Mitigation Measures as presented, that the Pechanga Tribe be given the opportunity to further review and comment on such revisions.

9-9

The Pechanga Tribe looks forward to working together with the City of Lake Elsinore in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-308-9295 X8104 once you have had a chance to review these comments so that we might address the issues concerning the mitigation language. Thank you.

Sincerely,



Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel
Brenda Tomaras, Tomaras & Ogas, LLP

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Letter 9

Pechanga Cultural Resources

April 6, 2010

- 9-1** This comment provides introductory remarks and requests that the Pechanga Band of Luiseño Indians (Tribe) be notified and involved during all stages of the environmental review process. The Tribe is included on the distribution list for public notices and public circulation of all documents pertaining to the proposed project.
- 9-2** This comment reiterates the request to be involved in consultation during the environmental review process. Pursuant to SB-18, the City contacted a number of Native American groups, including the Pechanga Band to determine if cultural resources were present in the project area. In response, the Tribe requested SB-18 consultation and participated in monitoring during the Phase II archaeological assessment. The City has consulted continuously with the Tribe throughout the environmental process and will continue to do so. The City welcomes additional consultation with the Tribe and is incorporating this letter in the Final EIR as part of the official record. No change to the EIR was made in response to this comment.
- 9-3** This comment summarizes the Tribe's cultural affiliation to the project area. No specific requests or comments on the environmental document are a part of this comment. No change to the EIR was made in response to this comment.
- 9-4** This comment summarizes the Tribe's current history of involvement as the consulting or affiliated Tribe with projects in the City of Lake Elsinore. No specific requests or comments on the environmental document are a part of this comment. No change to the EIR was made in response to this comment.
- 9-5** This comment states that the Diamond Specific Plan is located in a highly sensitive region of Luiseño territory and the Tribe believes that the possibility for recovering subsurface resources during ground-disturbing activities is high. Due to the Tribe's concern and the results of the Phase I and Phase II archeological assessment, the EIR concludes that a potentially significant impact is identified and mitigation required. Through recordation and curation of resources to provide the public and historians the opportunity to review potentially discovered resources, adherence to state laws, and incorporation of mitigation measures DSP-CR-1 through DSP-CR-8 would reduce significant impacts to archaeological resources to below a level of significance. No change to the EIR was made in response to this comment.
- 9-6** This comment states that impacts to cultural resources on the Diamond Specific Plan site should be considered cumulatively significant. As stated on Page 4.4-8 of the EIR, with more development in the City and surrounding areas, there is an increased possibility of encountering historical, archaeological, and/or paleontological resources. However, mitigation measures would be implemented for the Diamond Specific Plan and other projects subject to CEQA. Through recordation and curation of resources to provide the public and historians the opportunity to review these resources in addition to State Law 21083.2 or 21084.1 and CEQA 15064.5 and 15126.4, the Diamond Specific Plan and other development in the area would not result in a cumulatively significant impact. Therefore, cumulative impacts have been reviewed and addressed in the Draft EIR and no change was made to the Final EIR in response to this comment.

- 9-7** This comment indicates that the Tribe approves of the mitigation measures in the Draft EIR and requests to be the Tribal monitor during project construction. This comment is noted and no change was made to the Final EIR in response to this comment.
- 9-8** This comment accurately cites CEQA Guidelines regarding the protection for significant archaeological and cultural sites. The EIR incorporated these CEQA Guidelines and determined that the Diamond Specific Plan would result in less than significant impacts to cultural resources with mitigation incorporated.
- 9-9** This comment reiterates the Tribe's sentiment regarding cumulative impacts and request that the mitigation measures presented in the Draft EIR be incorporated into the Final EIR. The Tribe requests that they be able to review and comment on any changes to mitigation measures. In response to Letter 8, minor revisions have been made to the cultural resources mitigation measures. Please see Response 8-7 for the change in mitigation measure DSP-CR-3. The mitigation measures from the Draft EIR have been incorporated into the Final EIR and Mitigation Monitoring and Reporting Program and will be a part of the City's Conditions of Approval. No change was made to the EIR in response to this comment.

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0.4 MITIGATION MONITORING AND REPORTING PROGRAM

0.4.1 INTRODUCTION AND SUMMARY

Pursuant to Section 21081.6 of the Public Resources Code and the CEQA Guidelines Section 15097, public agencies are required to adopt a monitoring or reporting program to assure that the mitigation measures and revisions identified in the Draft Environmental Impact Report (DEIR) are implemented. As stated in Section 21081.6 of the Public Resources Code:

“...the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.”

Pursuant to Section 21081(a) of the Public Resources Code, findings must be adopted by the decision maker coincidental to certification of the DEIR. The Mitigation Monitoring Program must be adopted when making the findings (at the time of approval of the project).

As defined in the *CEQA Guidelines*, Section 15097, “reporting” is suited to projects that have readily measurable or quantitative measures or which already involve regular review. “Monitoring” is suited to projects with complex mitigation measures, such as wetland restoration or archaeological protection, which may exceed the expertise of the local agency to oversee, are expected to be implemented over a period of time, or require careful implementation to assure compliance. Both reporting and monitoring would be applicable to the proposed project.

The City of Lake Elsinore is the designated lead agency for the Mitigation Monitoring and Reporting Program (MMRP). The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The City will rely on information provided by the monitors (e.g., construction manager, biologist, etc.) as accurate and up-to-date and will field check mitigation measure status as required.

0.4.2 MITIGATION MATRIX FOR DIAMOND SPECIFIC PLAN

To sufficiently track and document the status of mitigation measures, a mitigation matrix has been prepared and includes the following components:

- Mitigation measure number
- Mitigation measure (text)
- Implementation Action
- Monitoring Method
- Responsible Monitoring Party
- Monitoring Phase
- Verification/Approval Party
- Mitigation Measure Implemented? (Y/N, and date)
- Documentation Location (Monitoring Record)

Mitigation measure timing of verification has been apportioned into several specific timing increments. Of these, the most common are:

1. Incorporation of measures into plans and specifications
2. During construction

The Diamond Specific Plan mitigation matrix is included in Table 0.4-1. The 10-acre General Plan Area mitigation matrix is included in Table 0.4-3.

0.4 Mitigation Monitoring and Reporting Program

Table 0.4-1. Diamond Specific Plan Mitigation Monitoring and Reporting Program Checklist

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
AIR QUALITY								
DSP-AQ-1	<p>In addition to compliance with SCAQMD Rules and CARB requirements, the following mitigation measures are identified to reduce PM₁₀ and PM_{2.5} emissions during construction:</p> <p>During construction, the contractor shall implement the following measures:</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 exposed surfaces and haul roads three times/day. • Cover all stock piles with tarps. • Replace ground cover in disturbed areas as soon as feasible. • Reduce speeds on unpaved roads to less than 15 mph. • Require 90-day low-NO_x 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. 	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As a condition of the Grading Permit; During construction.	CDD City Engineer		CDD Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<ul style="list-style-type: none"> • Utilize diesel particulate filter on heavy equipment where feasible. • If Tier 2 or Tier 3 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. • 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- and off-site. • Install wheel washers 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 							

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<p>carried to adjacent streets (recommend water sweepers with reclaimed water).</p> <ul style="list-style-type: none"> 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. 							
DSP-AQ-2	<p>The following mitigation measure has been identified to reduce CO, PM₁₀, PM_{2.5}, ROG, and NO_x during operation and to reduce Greenhouse Gas impacts:</p> <p>Prior to issuance of a building permit(s), the applicant shall provide an exhibit demonstrating that the following measures have been incorporated into the overall Diamond Specific Plan design to reduce reliance on the single occupancy vehicle. These provisions shall be made a Condition of Approval on tentative map(s) as part of street improvements.</p> <ul style="list-style-type: none"> Provide for increased utilization of public transit by providing a park-and-ride facility and opportunities on-site for the future shuttle link to the planned Metrolink station in Perris. Provide one or more secure, convenient bus stop locations, including, where feasible, seating, signage, shelters, and trash receptacles. 	Applicant to provide an exhibit demonstrating the incorporation of features into Tentative Map(s) as part of street improvements.	Tentative Map(s) review.	CDD City Engineer	As a Condition of Approval on Tentative Map(s) and prior to approval of Building Permit.	CDD City Engineer	_____	CDD Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<ul style="list-style-type: none"> Provide safe, appropriately lighted, and attractively landscaped physical linkages between land uses that encourage bicycling and walking as alternatives to driving through the provision of bike lanes and/pr walking paths. On-street bicycle parking shall be distributed throughout the commercial areas of the Diamond Specific Plan and placed conveniently near building entrances without obstructing pedestrian movement. 							
DSP-AQ-3	<p>Prior to issuance of a building permit(s), the applicant shall demonstrate that the following measures to conserve energy have been incorporated into building design:</p> <ul style="list-style-type: none"> Submit plans demonstrating that the new residential buildings shall exceed 2009 California Title 24 energy efficiency requirements. Submit plans demonstrating that the new commercial buildings shall include the following green building design features: (1) Utilize Low-E and ENERGY STAR windows where feasible; (2) Install high-efficiency lighting systems and incorporate advanced lighting controls, such as auto shut-offs, timers, and motion sensors; and (3) Install high R-value wall and ceiling insulation. Incorporate use of low pressure sodium and/or fluorescent lighting, where feasible. 	Applicant to incorporate features into final building plans.	Building Plan check.	CDD City Engineer	Prior to issuance of Building Permit.	CDD City Engineer		CDD Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<ul style="list-style-type: none"> Require acquisition of new ENERGY STAR qualified 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 feasible and appropriate as determined by the City Engineer and building official, 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. 							
DSP-AQ-4	<p>Prior to issuance of a building permit(s), the applicant shall demonstrate that the following water and energy conservation measures have been incorporated into the landscape plan:</p> <ul style="list-style-type: none"> Participate in green waste collection and recycling programs for landscape maintenance Encourage use of landscaping with low water requirements and fast growth. Plant trees or vegetation to shade buildings and thus reduce heating/cooling demand 	Applicant to incorporate features into final building plans.	Building Plan check.	CDD City Engineer	Prior to issuance of Building Permit.	CDD City Engineer	_____	CDD Engineering Division
DSP-AQ-5	Once the City's Climate Action Plan is adopted, the project shall adhere to the guidelines, regulations, and requirements to reduce GHG emissions as stated in the plan.	Applicant to incorporate adopted Climate Action Plan guidelines into building and site plans, as appropriate.	Site plan and building plan review.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
BIOLOGICAL RESOURCES								
DSP-BIO-1	<p>Prior to issuance of a grading permit(s) for portions of the Diamond Specific Plan with smooth tarplant (Figure 4.3-7), the applicant shall implement the following measures to conserve the smooth tarplant population, resulting in 1.35 acres (0.68 acre on-site and 0.67 acre off-site) or 90 percent of the existing smooth tarplant population) of smooth tarplant mitigation:</p> <ul style="list-style-type: none"> • An applicant-retained qualified biologist shall prepare a transplantation plan outlining implementation of the proposed mitigation plan. The plan shall outline the details of the following transplantation requirements: <ul style="list-style-type: none"> a. Prior to disturbance activities, 0.68 acres of smooth tarplant shall be translocated on-site (i.e., seeded with seeds collected from the existing population on-site) along the western boundary of the Diamond Specific Plan, contiguous to the existing populations of smooth tarplant which currently exist on-site. b. Prior to disturbance activities, approximately 0.67 acre of smooth tarplant shall also be translocated off-site, as shown in Figure 4.3-7. • All mitigation areas shall be placed under a conservation easement, deed restriction, or comparable legal 	Applicant-retained qualified biologist to submit a transplantation plan.	Review of transplantation plan.	CDD Planning Manager	Prior to issuance of Grading Permit.	CDD Planning Manager		CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	instrument which restricts land uses and provides for their long-term preservation.							
DSP-BIO-2	Prior to issuance of a grading permit(s) for areas within the Diamond Specific Plan identified as having little mousetail occur on-site (Figure 4.3-8), the applicant shall provide off-site mitigation through translocation of topsoil inoculum (to be collected prior to disturbance activities) to a site where suitable habitat conditions exist to provide for conservation of 100 percent of the existing 100 little mousetail plants covering approximately 0.07acre. The off-site mitigation area shall be placed under a conservation easement, deed restriction, or comparable legal instrument which restricts land uses and provides for its long-term preservation.	Applicant to re-vegetate or acquire mitigation credits from CDD approved mitigation site/bank.	Review of offsite mitigation plans or banking agreement.	CDD Planning Manager	Prior to issuance of Grading Permit.	CDD Planning Manager	_____	CDD Planning Division
DSP-BIO-3	Due to the presence of suitable habitat onsite for the western burrowing owl, a qualified biologist shall conduct pre-construction focused species surveys within 30 days prior to any ground-disturbing activities at the project site where suitable habitat is present. If burrowing owls are determined to occupy the project site during pre-construction surveys, CDFG shall be consulted and a passive relocation program shall be undertaken to relocate owls to an area outside the impact zone. The relocation shall be conducted following accepted protocols and would occur outside of the breeding season for the burrowing owl. Existing burrows shall be destroyed once they are vacated.	A qualified biologist shall conduct pre-construction focused species surveys. If burrowing owls are identified, develop and implement passive relocation plan with CDFG.	Review pre-construction survey reports and if needed, passive relocation plan.	CDD Planning Manager/ Qualified Biologist	As condition of Grading Permit and within 30 days prior to ground-disturbing activities.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
DSP-BIO-4	<p>Prior to issuance of a grading permit(s) for areas within the Diamond Specific Plan that contain riparian/riverine habitat, the applicant shall implement one or more of the following measures to mitigate for 0.33 acre of riparian/riverine habitat at a 1:1 ratio:</p> <ul style="list-style-type: none"> • Off-site replacement of USACE/RWQCB jurisdictional "Waters of the U.S.," Waters of the State" and wetlands at no less than a 1:1 replacement to impact ratio, or as required by the agency. 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 (i.e., San Jacinto River invasive removal project through Santa Ana Watershed Authority). • Off-site replacement of CDFG jurisdictional streambed and associated riparian habitat at no less than a 1:1 replacement to impact ratio, or as required by the agency. 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 (i.e., San Jacinto River invasive removal project through Santa Ana Watershed Authority). 	Applicant to submit off-site mitigation plans or acquire mitigation credits from CDD approved mitigation site/bank.	Review of offsite mitigation plans or banking agreement.	CDD Planning Manager	Prior to issuance of Grading Permit.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
DSP-BIO-5	<p>Prior to issuance of a grading permit for development within USACE and CDFG jurisdiction (depicted on Figure 4.3-5), the applicant shall implement one or more of the following measures, subject to USACE and CDFG approval through the Section 404 and Section 1600 Streambed Alteration Agreement permitting process:</p> <ul style="list-style-type: none"> • Purchase of credits into an agency-approved off-site mitigation bank or in-lieu fee program (e.g., San Jacinto River invasive removal project through the Santa Ana Watershed Authority) at a mitigation ratio of 0.25:1. • Conserve land (off-site) within the same jurisdictional elevation (i.e., below 1265' in elevation) within the Back Basin at a minimum mitigation ratio of 0.25:1. • Tamarisk removal from City-owned lands within the Back Basin at a minimum mitigation ratio of 0.25:1. • Invasive species removal from areas within the Back Basin within the CDFG 1265' jurisdictional elevation of Lake Elsinore at a minimum mitigation ratio of 0.25:1. 	Applicant to implement measures sufficient to obtain Section 404 permit and Section 1600 Streambed Alteration Agreement.	Review of permits and mitigation summary reports.	CDD Planning Manager/ USACE/ CDFG	Prior to issuance of Grading Permit.	CDD Planning Manager/ USACE/ CDFG	_____	CDD Planning Division
DSP-BIO-6	The Applicant shall be responsible for implementing mitigation to reduce impacts to migratory and/or nesting bird species to below a level of significance through one of two ways: (1) Vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14) to avoid potential impacts to nesting birds. This will	Applicant to avoid nesting season or qualified biologist to implement surveys and ensure nesting birds are avoided during construction.	Review grading permit timing and review summary report from pre-construction surveys.	CDD Planning Manager/ Qualified Biologist.	Prior to issuance of Grading Permit; During construction.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	ensure that no active nests will be disturbed and that habitat removal could proceed rapidly; (2) Any construction activities that occur during the nesting season (February 15 to August 31) shall require that all suitable habitat be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement of clearing. If any active nests are detected, a buffer of at least 300 feet (500 feet for raptors) will be delineated, flagged, and avoided until the nesting cycle is complete as determined by the biological monitor to minimize impacts.							
DSP-BIO-7	To reduce impacts to the Stephen's kangaroo rat, the project shall pay Riverside County SKR Habitat Conservation Plan Fees of \$500 per gross acre to reduce impacts as established by Riverside County Ordinance 663. The mitigation fee shall be required prior to the issuance of a grading permit. If a deferral agreement instrument is recorded by the Applicant, the fee may be deferred to the issuance of the first building permit within the development. Fee amounts are determined by Riverside County Transportation and Land Management Agency (TLMA) Building & Safety and Planning Land Use staff and can be paid at any TLMA Permit Assistance Center.	Applicant shall pay Riverside County SKR Habitat Conservation Plan Fees to the City who will process with the County.	Confirm payment of fee.	CDD Planning Manager	Prior to issuance of Grading Permit.	CDD Planning Manager	_____	CDD Planning Division
DSP-BIO-8	Prior to the commencement of construction activity, a temporary sound wall shall be erected adjacent to construction between the Diamond Specific Plan's development footprint and the Preservation Areas to ensure that wildlife are not subject to noise that would exceed residential noise standards (65 dBA) or ambient noise levels (whichever is higher).	Applicant shall construct a temporary sound wall and confirm through noise monitoring that the sounds behind the wall do not exceed to residential noise standard.	City to review documentation from applicant that sound wall has been constructed and noise monitoring reports.	CDD Planning Manager	As condition of Grading Permit(s) and prior to commencement of construction activity near the Preservation Areas.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	Once construction is completed, the temporary sound wall shall be removed.							
DSP-BIO-9	Loading docks adjacent to the Preservation Areas shall be designed and operated to maintain noise levels at 65 dBA or ambient noise levels (whichever is higher).	Applicant to incorporate noise level in design of loading docks.	Review of site design.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division
CULTURAL RESOURCES								
DSP-CR-1	Prior to issuance of grading permit(s) for the project, the project applicant shall retain an archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.	Applicant-retained qualified archaeologist to monitor all ground disturbing activities and to submit summary report.	Monitoring of ground disturbing activities and review of summary report.	CDD Planning Manager/ Qualified Archaeologist	Prior to issuance of Grading Permit.	CDD Planning Manager	_____	CDD Planning Division
DSP-CR-2	At least 30 days prior to seeking a grading permit, the project applicant shall contact the appropriate Tribe ¹ to notify the Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.	Applicant to submit Cultural Resources Treatment and Monitoring Agreement.	Review of Cultural Resources Treatment and Monitoring Agreement.	CDD Planning Manager	At least 30 days prior to issuance of Grading Permit.	CDD Planning Manager	_____	CDD Planning Division

¹ It is anticipated that the Pechanga Tribe will be the “appropriate” Tribe due to its prior and extensive coordination with the City and project applicant in determining potentially significant impacts and appropriate mitigation measures and due to its demonstrated cultural affiliation with the project area.

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
DSP-CR-3	Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City 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 DSP-CR-2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.	Applicant to file a pre-grading report.	Review of pre-grading report; site inspections during construction.	CDD Planning Manager	Prior to issuance of Grading Permit; During construction.	CDD Planning Manager	_____	CDD Planning Division
DSP-CR-4	Prior to any grading at or near the vicinity of CA-RIV-4042 within proposed Planning Area 2, the Developer shall meet and confer with the appropriate Tribe to develop an appropriate controlled grading plan. The purpose of the controlled grading at and around the site is to afford the opportunity to determine whether any subsurface resources are associated with the site and if so, the significance of any such resources. All such controlled grading shall be monitored according to the provisions of the Agreement required in DSP-CR-2. Soil within archaeological site CA-RIV-4042 boundaries as recorded in the Phase II testing program and within a buffer zone of 50 feet surrounding the site shall be systematically removed	Developer to submit controlled grading plan.	Review of controlled grading plan; Site inspections during construction.	CDD Planning Manager/ Qualified Archaeologist/ Tribal Monitor	Prior to issuance of Grading Permit for area within Planning Area 2; During construction.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	utilizing a paddle-wheel scraper or other equipment approved by the project archaeologist and the Native American representative. Soil shall be removed across the entire site sequentially in individual layers not to exceed four inches at a time, unless specifically recommended otherwise by the project archaeologist and project Native American Tribal representative who shall supervise their respective monitors. Further, if subsurface resources are discovered at the site, the provisions of DSP-CR-8 shall apply.							
DSP-CR-5	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 NAHC shall be contacted within a reasonable timeframe. Subsequently, the NAHC shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.	Applicant-retained qualified Archaeologist to stop construction if human remains are encountered and contact County Coroner.	Notification of discovery to Riverside Coroner/ NAHC.	CDD Planning Manager/ Qualified Archaeologist/ Tribal Monitor	During grading.	CDD Planning Manager	_____	CDD Planning Division
DSP-CR-6	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. Said disposition shall entail	Applicant to implement measure as detailed.	Review of monitoring reports to confirm relinquishment of all discovered resources.	CDD Planning Manager/ Qualified Archaeologist/ Tribal Monitor	During grading.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	reburial in area(s) which will not be subject to further disturbance and which have been determined to be acceptable by the appropriate Tribe.							
DSP-CR-7	All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.	Applicant to avoid sacred sites and submit summary report.	Review of summary report/ notification of discovery.	CDD Planning Manager/ Qualified Archaeologist/ Tribal Monitor	During grading.	CDD Planning Manager	_____	CDD Planning Division
DSP-CR-8	If inadvertent discoveries of subsurface archaeological/cultural resources are made during grading, the Developer, the project archaeologist, and the appropriate Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe. Notwithstanding any other rights available under the law, the decision of the CDD shall be appealable to the City of Lake Elsinore Planning Commission	Applicant to submit mitigation plan agreed upon by applicant-retained qualified Archaeologist and Tribal Monitor.	Review of mitigation plan.	CDD Planning Manager/ Qualified Archaeologist/ Tribal Monitor	During grading.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
DSP-CR-9	<p>Prior to issuance of a grading permit(s), the applicant shall retain a qualified paleontological monitor. The paleontological monitor shall be responsible for the following:</p> <ul style="list-style-type: none"> Monitoring all grading that includes initial cutting into any area of the project site. Paleontological monitoring shall occur only for those undisturbed sediments wherein fossil plant or animal remains are found with no associated evidence of human activity or any archaeological context. If any paleontological resources are identified during these activities, the paleontologist shall temporarily divert construction until the significance of the resources is ascertained. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays, and to remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units described above are not present or if the fossiliferous units present are determined by a qualified paleontological monitor to have low potential to contain fossil resources. 	Applicant-retained qualified Paleontologist to submit summary report.	Review of summary report; Site inspections during grading.	CDD Planning Manager/ Qualified Paleontologist	Prior to issuance of Grading Permit; During grading.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<ul style="list-style-type: none"> • All recovered specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. • Specimens shall be identified and curated into an established, accredited, professional museum repository with permanent retrievable storage. The paleontologist shall have a written repository agreement in hand prior to the initiation of mitigation activities. • A report of findings with an appended itemized inventory of identified specimens shall be prepared. The report shall address archaeological and paleontological items. This report shall incorporate the full results of the literature review, as well as the full results of the recommended review of the records of the Eastern Information Center at the University of California, Riverside. The report shall be submitted to the City of Lake Elsinore prior to the issuance of the Certificate of Occupancy. 							
HAZARDS AND HARADOUS MATERIALS								
DSP-HAZ-1	Prior to approval of a site plan including redevelopment on the following parcels: 373-210-016, -019, -024, -027, -042 and 371-030-035, a Phase I ESA shall be conducted on those parcels. If no hazardous materials are	Applicant shall submit a Phase I ESA for identified parcels.	Review of Phase I ESA for identified parcels.	CDD Planning Manager	Prior to Approval of a Site Plan including the identified parcels.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	identified, the project may proceed. In the event that hazardous materials are identified, the removal, transport and disposal of said materials shall be handled according to Federal, State, and local laws. Figure 4.6-1 depicts the locations of these parcels.							
DSP-HAZ-2	Prior to issuance of a grading permit (or prior to initiation of any ground-disturbing activities), a Phase I ESA shall be conducted on the following parcels: 363-161-012, -032, -033, -034, -035, and -037, and 373-210-030. If no hazardous materials are identified, the project may proceed. In event that hazardous materials are identified, the removal, transport and disposal of said materials shall be handled according to federal, state, and local laws. Figure 4.6-1 depicts the locations of these parcels.	Applicant shall submit a Phase I ESA for identified parcels.	Review of Phase I ESA for identified parcels.	CDD Planning Manager	Prior to Issuance of Grading Permit or any ground-disturbing activities.	CDD Planning Manager	_____	CDD Planning Division
NOISE								
DSP-NSE-1	All construction equipment shall use properly operating mufflers.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As a condition of the Grading Permit; During construction.	CDD City Engineer	_____	CDD Engineering Division
DSP-NSE-2	All stationary noise generating construction equipment shall be located as far as practical from existing residences. If impulsive noise generation such as pile driving or jack-hammers is necessary close to noise-sensitive users, activity scheduling to minimize off-site impacts, or erection of temporary barriers, shall be necessary.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As a condition of the Grading Permit; During construction.	CDD City Engineer	_____	CDD Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
DSP-NSE -3	As detailed site plans come forward for the Specific Plan area, site design in the form of setbacks from the roadway or noise attenuation shall be required to reduce noise levels to acceptable standards. In the event that patios and balconies are determined to occur within the 65 dBA noise contour, noise attenuation shall be required to reduce noise levels to 65 dBA L _{dn} or lower. This may include the use of architectural treatments, barriers, or other noise attenuating measures. The mitigation measures shall provide sound level reductions so that future uses within the Diamond Specific Plan area are consistent with the CNEL levels identified in the Lake Elsinore General Plan.	Applicant's engineer to prepare final plans and provide acoustical analysis to City.	Review final plans and acoustical analysis to verify exterior noise is below 65 dBA L _{dn} for residential units.	CDD City Engineer or Building Manager	Plan approval prior to issuance of Building Permit; Construction approval prior to occupancy.	CDD City Engineer	_____	CDD Engineering Division or Building Division
DSP-NSE -4	<p>Prior to the issuance of building permits, the applicant shall submit a detailed acoustical study demonstrating that all the Diamond Specific Plan structures will meet applicable City interior noise levels and exterior living area noise levels, in accordance with applicable noise standards and zoning regulations.</p> <p>a. The study shall be prepared by a City-approved acoustical expert, to the satisfaction of the Community Development Director.</p> <p>b. The study shall document projected ultimate noise exposure for interior office, retail and residential space and shall demonstrate that the Diamond Specific Plan design plans have incorporated adequate sound attenuation measures to achieve the applicable noise standards.</p>	Applicant's engineer to prepare final plans and provide acoustical analysis to City.	Review final plans and acoustical analysis to verify exterior noise is below 65 dBA L _{dn} and interior noise is below 45 dBA for residential units.	CDD City Engineer or Building Manager	Prior to issuance of Building Permit.	CDD City Engineer	_____	CDD Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
DSP-NSE-5	Prior to the issuance of any building permits for residential uses located within Planning Area 1, the applicant shall incorporate appropriate buffering and/or sound attenuation in the building designs to limit potential incompatibilities with the nearby animal hospital. Noise levels for the residential units shall be reduced to 65 dBA for exterior noise levels and 45 dBA for interior noise levels.	Applicant shall incorporate buffering and/or sound attenuation in building design.	Review final plans and acoustical analysis to verify exterior noise is below 65 dBA L _{dn} and interior noise is below 45 dBA for residential units.	CDD City Engineer	Prior to issuance of Building Permits for residential uses located within Planning Area 1.	CDD City Engineer		CDD Engineering Division
DSP-NSE-6	Prior to issuance of building permits for residential uses along the east side of Planning Area 5 which abut the rear loading area of the Lake Elsinore Town Center, the applicant shall incorporate appropriate buffering and/or sound attenuation features to reduce exterior noise levels to 65 dBA and interior noise levels to 45 dBA.	Applicant shall introduce appropriate sound buffering and/or sound attenuation features in building design.	Review final plans and acoustical analysis to verify exterior noise is below 65 dBA L _{dn} and interior noise is below 45 dBA for residential units.	CDD City Engineer	Prior to issuance of Building Permits for residential uses along the east side of Planning Area 5.	CDD City Engineer		CDD Engineering Division
TRAFFIC AND TRANSPORTATION								
DSP-TR-1	<p>Prior to the start of construction of each phase of the Diamond Specific Plan, the Applicant shall implement the following measures documented in a construction management plan to be approved by the City Engineer:</p> <ul style="list-style-type: none"> • Control for any street closure, detour, or other disruption to traffic circulation; • Routes that construction vehicles will utilize to access the site; • Hours of construction traffic (not to occur during AM or PM peak hour); • Off-site vehicles staging and parking areas, • Proposed construction staging plan for the project, 	Applicant to submit Construction Management Plan; Contractor to implement construction measures as detailed.	Review Construction Management Plan; Site inspections during construction.	CDD City Engineer	As a condition of the Grading Permit; During construction.	CDD City Engineer		CDD Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<ul style="list-style-type: none"> • Posted information for contact in case of emergency or complaint; and • Hours of construction and traffic control during construction shall not interfere with ingress/egress to and from the Lake Elsinore Storm Baseball Stadium during the baseball season. 							
DSP-TR-2	<p>The project shall participate in the phased construction of the off-site intersection improvements shown in EIR Table 4.13-13 through payment of City of Lake Elsinore fees, and participation in the Western Riverside County Transportation Uniform Mitigation Fees (TUMF) program. Where required improvements are not covered by these programs, mitigation shall be implemented through a fair-share contribution or as otherwise determined by the City Engineer. The improvements listed in EIR Table 4.13-13 shall be in place prior to issuance of the first building permit for each phase (as identified in the Traffic Impact Analysis) unless the following scenarios occur:</p> <ul style="list-style-type: none"> • A new traffic study is submitted and approved by the City's Traffic Engineer demonstrating that the identified intersection improvement is no longer needed to maintain an acceptable LOS as determined by the City's Traffic Engineer. (The City's General Plan Update proposes to allow LOS E within the Ballpark District). 	<p>Applicant to include specified transportation improvements in final engineering plans.</p> <p>Applicant to pay portion of the fair share funding for off-site traffic improvement.</p>	<p>Final engineering plan check review; Site inspection.</p> <p>Review payment status.</p>	CDD City Engineer	<p>Plan approval prior to recordation of Final Map; Construction approval prior to occupancy.</p> <p>Prior to issuance of Building Permit.</p>	CDD City Engineer	_____	CDD Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<ul style="list-style-type: none"> • In the event that the project combines phases or is developed according to a more accelerated schedule than anticipated in the Traffic Impact Analysis for the Diamond Specific Plan, a new traffic study shall be submitted and approved by the City's Traffic Engineer identifying the timing of the improvements required to reduce impacts to below a level of significance. • In the event that a programmed improvement is delayed, a new traffic study shall be submitted and approved by the City's Traffic Engineer identifying improvements that shall reduce the project's contribution to the impacted intersection or interchange. 							

* CDD – City of Lake Elsinore Community Development Department

0.4.3 DIAMOND SPECIFIC PLAN PROJECT DESIGN CONSIDERATIONS

The project incorporates several design measures which would minimize project impacts. Specifically, design measures are provided for aesthetics, air quality, biological resources, geology and soils, grading, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, recreation, transportation and traffic, and utilities and service systems. A complete list of the design considerations for the project site is presented in Table 0.4-2.

Table 0.4-2. Diamond Specific Plan Project Design Considerations

Aesthetics
<p>The project will conform to the design guidelines presented in the Diamond Specific Plan.</p> <p>Trees should be located throughout a parking lot and not merely at the ends of parking rows. Trees should be sized at 24-inch box or larger at time of installation.</p> <p><i>Light or Glare</i></p> <p>All lighting is required to comply with the City of Lake Elsinore lighting ordinance including the siting and direction of light fixtures. Lighting fixtures should be shielded to minimize unwanted spillover and glare. All outdoor lighting fixtures in excess of 60 watts would be oriented and shielded to reduce glare or direct and reduce illumination onto adjacent properties or streets. Low pressure sodium lighting in accordance with the Mount Palomar Observatory lighting standards shall be required. Building finishes will be non-reflective.</p>
Air Quality
<ul style="list-style-type: none"> • As a condition of project approval, the project must adhere to SCAQMD Rules 403 (Fugitive Dust Control), 431.2 (Low Sulfur Fuel), 1186/1186.1 (Street Sweepers) and 1113 (Architectural Coatings) during construction-related activities. Rule 1113 limits the VOC content of architectural coatings by providing numeric standards for VOC concentrations per volume of coating. SCAQMD Rule 403 includes a menu of fugitive dust control measures to which the project must adhere, including, but not limited to: <p>Dust Control</p> <ul style="list-style-type: none"> • Apply soil stabilizers to inactive areas. • Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance on unpaved surfaces when winds exceed 25 mph. • Stabilize previously disturbed areas if subsequent construction is delayed. • Active construction areas shall be watered at least three times per day. • All haul trucks shall be covered or shall maintain at least two feet of freeboard. • All unpaved parking or staging areas shall be watered four times daily. • Site access points shall be swept or washed within 30 minutes of any visible dirt deposition on any public roadway. • All stock piles on-site of debris, dirt, or other dusty material shall be covered or watered three times daily. • Replace ground cover in disturbed areas as soon as feasible. • Any cleared area that is to remain inactive for more than 96 hours after clearing shall be stabilized. • Reduce speeds on unpaved roads to less than 15 mph. <p>Exhaust Emissions</p> <ul style="list-style-type: none"> • Require 90-day low-NO_x tune-ups for off-road equipment. • Limit allowable idling to five minutes for trucks and heavy equipment. • Utilize equipment whose engines are equipped with diesel oxidation catalysts if available. • Utilize diesel particulate filter on heavy equipment where feasible. <p>Painting and Coatings</p> <ul style="list-style-type: none"> • Use low VOC coatings and high pressure-low volume sprayers.

0.4 Mitigation Monitoring and Reporting Program

Biological Resources

Indirect Impacts

The project will implement the following measures to reduce indirect impacts:

- Include landscape controls by installing native landscaping that require minimal water application;
- Select, design, and utilize best management practices (BMPs) including treatment control BMPs (i.e., constructed wetlands, filter inserts, bio-swales, and catch basins), and site design BMPs (i.e., landscaping).
- Any lighting adjacent to the open space areas near the project should be shielded or directed away from conserved areas.
- A number of non-structural best management practices (BMPs) will minimize the amount of trash/debris created by the Diamond Specific Plan, including activity restrictions placed on the tenants, the distribution of educational materials to the tenants, the placement of trash receptacles in common areas, street sweeping, and the placement and maintenance of inlet trash racks.

Exotic Plant and Animal Infestations

To the maximum extent practicable, native plants should be used in the landscape plans for the common areas of the project. Native plant species shall be used in the water quality basins and other restoration and enhancement areas. The plant palette should be consistent with the MSHCP and should be careful to avoid the species listed in Table 6-2 of the MSHCP.

Construction shall abide by an integrated pest management plan which shall include the following weed control measures: preventative practices to avoid the transport and spread of weeds and weed seed during project development and operation, use of only certified weed-free hay, straw and other organic mulches to control erosion, and a plan to control noxious weeds and weeds of local concern within designated open space areas.

The project shall comply with the MSHCP by incorporating barriers for proposed land uses adjacent to Preservation Areas to minimize unauthorized public access, introduction of urban wildlife, and/or illegal dumping within the Preservation Areas.

Geology and Soils

All earthwork and grading at the project site shall be performed in accordance with all applicable building code requirements, the California Occupational Safety and Health Administration (Cal/OSHA), and the Grading Code of the City of Lake Elsinore (Section 17.10.070 of the Zoning Code), and the recommendations outlined in the Preliminary Geologic and Geotechnical Investigation. Slopes shall not be steeper than 2:1 unless approved by the Community Development and Public Works Departments and considered safe in a slope stability report prepared by a soils engineer or an engineering geologist.

Ground Shaking

The project shall implement recommendations outlined in the Geotechnical Evaluation for the proposed project in accordance with the 2006 IBC and 2008 CBC requirements for resistance to seismic shaking.

Erosion

During construction, soil erosion shall be controlled and reduced to a less than significant impact through the implementation of a project-specific Erosion Control Plan and a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the California State Water Resources Control Board Order No. 92-08-DWQ, NPDES General Permit No. CAS000002. The SWPPP shall comply with Best Available Technology (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate soil erosion from areas of construction activity. For erosion control purposes, slopes exceeding five feet in vertical height shall be hydromulched prior to final acceptance and prior to the beginning for the rainy season (October-March).

Grading

All construction shall comply with the provisions of applicable building codes and other codes or City ordinances related thereto.

All grading shall be in accordance with the standards of Chapter 15.72 of the Lake Elsinore Municipal Code and with Chapter 4 of the Specific Plan.

Prior to commencing any grading, including clearing and grubbing, a grading permit shall be obtained from the City of Lake Elsinore. All grading shall be completed in accordance with City standards.

All roadway, drainage, water, reclaimed water, and wastewater development shall be in accordance with the requirements of Chapters 3 and 4 of the Specific Plan, subject to modifications pursuant to the processes established in Chapter 6 of the Specific Plan.

0.4 Mitigation Monitoring and Reporting Program

Grading activities shall be in substantial compliance with the overall Conceptual Grading Plan (Figure 2.3-11).

Graded but undeveloped land shall be maintained weed-free and planted with interim landscaping such as hydroseed within one year (365 days) of completion of grading, unless building permits are obtained. Temporary irrigation systems may be required.

Hazards and Hazardous Materials

Compliance with all standards is required through federal, state, county, and municipal regulations, to reduce the potential for direct impacts to human health and biological resources from accidental spills of small amounts of hazardous materials from construction equipment during construction of the buildings, storage, and transport of these materials.

Hydrology and Water Quality

Hydrology

A Conditional Letter of Map Revision and Letter of Map Revision would be submitted to the Federal Emergency Management Agency (FEMA) specifying that the grading of the Diamond Specific Plan should remove the site from within a FEMA 100-Year Flood Zone.

Flood Storage

The Diamond Specific Plan is required to adhere to the existing Back Basin United States Army Corps of Engineers Section 404 permit which requires a HEC-5 flood storage analysis to ensure that the project does not affect the base flood elevation in the back basin. The concept grading plan indicates that the flood storage volume provided at completion of the project exceeds the minimum required to maintain the base flood elevation. At the local level, the City would require certification by a registered professional engineer, prior to any import of fill and/or construction, demonstrating that the cumulative effect of obstructions and/or imported fill shall not result in any increase in the base flood elevation during the occurrence of the base flood discharge [Ord. 1078 § 15.64.110, 2001] and submittal to FEMA of a Conditional Letter of Map Revision based on Fill (CLOMR-F), Letter of Map Revision based on Fill (LOMR-F) or Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR).

Water Quality

In accordance with Santa Ana Regional Drainage Area Management Plan (SAR-DAMP) and National Pollutant Discharge Elimination System (NPDES) requirements, an applicant for a project encompassing more than five acres is required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). In addition, the City shall ensure that construction activity is in compliance with the State's General Permit for Construction Activities administered by the California Regional Water Quality Control Board (RWQCB), located in Riverside (Santa Ana, Region 8). One condition of this permit is the development and implementation of a site-specific SWPPP that identifies Best Management Practices (BMPs) to reduce/eliminate erosion and sedimentation associated with construction.

The objective of the SWPPP is to identify and control storm water discharges due to construction activity and to identify and implement structural (e.g., silt fences, sandbags, spill control) and non-structural (e.g., scheduling) BMPs to reduce pollutants in storm water, both before and after construction. Discharges associated with construction activity are covered under one statewide General Permit. Coverage under the General Permit requires submittal of a Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB) prior to construction, and development and implementation of a defensible SWPPP prior to disturbing a site and for the duration of construction. All construction period non-storm and storm water BMPs shall adhere to the California Stormwater Quality Association Stormwater *Best Management Handbook for Construction*.

A project-specific water quality plan has been developed to address storm water runoff management and water quality treatment objectives and sets forth an integrated approach involving the utilization of BMPs designed to: (1) function with the drainage plan for the project site and offsite areas; and (2) to address treatment of urban and storm water runoff. The sizing of treatment control BMPs for the proposed project is based upon a criteria established by the Riverside County Flood Control and Water Conservation District for the discharge of urban runoff.

The project site is located within the region covered by the Watershed-wide Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with New Development within the San Jacinto Watershed (Order 01-34, NPDES CAG 618005). The order requires that all development projects tributary to Canyon Lake and Lake Elsinore obtain an NPDES permit, and implement best available technology (BAT) that is economically achievable and best conventional technology (BCT) to reduce or eliminate storm water pollution, including the preparation of a SWPPP.

The proposed project would feature on-site BMPs consisting of Extended Detention Basins (volume-based) and Grassed Swales (flow-based) designed to address storm water runoff management and water quality treatment objectives. The Water Quality Management Plan sets forth an integrated approach to water quality involving the utilization of treatment control BMPs

0.4 Mitigation Monitoring and Reporting Program

designed to function with the drainage plan for the project site; and to address treatment of urban and storm water runoff. Specifically, the following treatment BMPs would reduce storm water flow:

- An extended detention basin, designed according to criteria set forth and defined by Riverside County, should detain and slowly release the design volume of stormwater.
- Two grassed swales constructed according to County criteria should receive and slow nuisance flows and first flush flows from each of the drainage areas.
- An infiltration basin shall allow storm water runoff to gradually replete the groundwater basin
- Permeable area of the project should be maximized.
- Landscaped buffer areas should be incorporated between sidewalks and streets.
- Onsite ponding areas and retention facilities should increase opportunities for infiltration.
- Streets, sidewalks, and parking aisles should be constructed to the minimum widths necessary, provided the walkable environment and pedestrians' public safety is not compromised.
- Where off-street parking is available, street widths should be reduced.
- The use of impervious surfaces should be minimized in the landscape design.
- Where landscaping is proposed in parking areas, landscaping should be incorporated into the drainage design.
- Water quality education should be given to property owners, operators, tenants, occupants, and employees.
- Activity restrictions shall be in place to control water pollution sources.
- Irrigation systems and landscaping should have appropriate maintenance.
- Common area litter control shall be in place.
- Street sweeping of private streets and parking lots shall occur.

Maintenance of the above-listed BMPs is expected to be financed through a community facilities district, home owners association, or other similar organizations. The proposed system of on-site water quality and infiltration basins and swales would provide appropriate levels of treatment for all on-site generated flows.

Land Use and Planning

The proposed project should implement design guidelines and policies which implement the goals of the Ballpark District and the Community Design Element. The design guidelines outlined in the Specific Plan are intended to create a landmark for the City and enhance the community character surrounding the Diamond Stadium. The project includes design guidelines and development standards in compliance with the current General Plan (1990) and General Plan Update (2009) to increase the visibility and development potential for the site.

Noise

No use, activity or process shall produce continual vibrations or noxious odors that are perceptible without instruments by the average person at the property lines of the site or within the interior of residential units on the site.

City of Lake Elsinore Noise Ordinance

According to the City of Lake Elsinore Noise Ordinance, the maximum exterior noise levels not to be exceeded for more than 30 minutes from stationary or commercial facility related noises to multi-family residential land uses are 45 dBA from 10 p.m. to 7 a.m. and 50 dBA from 7 a.m. to 10 p.m. For general commercial land uses, the exterior noise levels can not exceed 60 dBA from 10 p.m. to 7 a.m. and 65 dBA from 7 a.m. to 10 p.m.

For interior noise levels, the maximum interior noise levels for all residential uses are 35 dBA from 10 p.m. to 7 a.m. and 40 dBA from 7 a.m. to 10 p.m. and shall not be exceeded for more than five minutes in any hour.

Additionally, the City of Lake Elsinore standards for stationary source noise impacts limits operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between the weekday hours of 7 p.m. and 7 a.m. and during weekends or holidays.

0.4 Mitigation Monitoring and Reporting Program

Public Services

Fire

During construction and operation of the proposed project, compliance with all applicable fire code and ordinance requirements would be required and conditioned to the proposed project. The project would comply with the 2009 International Fire Code, California Building Code, and applicable Riverside County Fire Department Code requirements and standards for construction, access, water mains, fire flow, and fire hydrants.

In addition, all new development projects are required to contribute to the City's Community Facilities District (CFD) No. 2003-1 (Law Enforcement, Fire, and Paramedic Services).

All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance No. 460 and/or No. 787, subject to review and approval by the Riverside County Fire Department.

Fire flow requirements within commercial projects are based on square footage and type of construction of the structures. The minimum fire flow for any commercial structure is 1,500 gallons per minute, at a residual operating pressure of 20-psi, and can rise to 8,000 gallons per minute, (per Table A-III of the California Fire Code).

Police

All new development projects are required to contribute to the City's Community Facilities District (CFD) No. 2003-1 (Law Enforcement, Fire, and Paramedic Services).

Schools

The proposed project would be required to pay applicable development fees levied by Lake Elsinore Unified School District (LEUSD) pursuant to the School Facilities Act (Senate Bill [SB] 50, Stats. 1998, c.407) to offset these impacts on school facilities resulting from new development.

Libraries

The proposed project is required to participate in the Riverside County Uniform Mitigation Fee program that collects fees on new residential housing developments to support future facility development and library material purchases.

Recreation

Pursuant to City standards, five acres of park area are to be dedicated for each 1,000 subdivision residents, cash in-lieu fees, or a combination of both, as a condition of residential development approval. By this standard, the City of Lake Elsinore would require the proposed project to include 8.13 acres of park area to serve the projected 1,620 residents. The project does not provide sufficient amount of park space to meet the requirements of City standards and pursuant to the Quimby Act, cash in-lieu fees would be required.

Transportation and Traffic

The various uses of the project area, such as residential, commercial, educational, restaurant, entertainment and hotel, should be required to meet the parking standards specified in Chapter 4 of the Specific Plan. The amount of parking should vary depending on the number of units proposed and square footage of particular non-residential use.

When PA-6 is developed from its current state as overflow parking, an equivalent number of spaces must be designated onsite or within a half-mile of the stadium unless the following occur, subject to City Community Development Director approval:

- A parking study is prepared that indicates fewer than 1,500 overflow spaces are necessary*;
- A shared parking analysis is prepared that indicates a shared parking facility serving the stadium and other onsite uses should satisfy the stadium's parking demand; or,
- A parking lot further than a half-mile from the stadium is constructed or designated for overflow parking in conjunction with a public transportation program for shuttling stadium goers from the parking lot to the stadium.

*The Summerly conceptual development plan included a 33-acre multi-use recreational facility with 1,500 parking spaces that would be used for overflow parking for the baseball stadium and would replace the existing 1,500 space lot designated as PA-6. This facility has not been built at this time; therefore, if this facility is not built before PA-6 is developed, other onsite or offsite parking facilities may be required.

Transportation Uniform Mitigation Fee

0.4 Mitigation Monitoring and Reporting Program

The Western Riverside Transportation Uniform Mitigation Fee (TUMF) program evolved from the need to establish a comprehensive funding source for regional arterial highway improvements for western Riverside County. This program (adopted December 2002) establishes a single uniform mitigation fee to mitigate the cumulative regional impacts of new development on the regional arterial highway system. It was adopted with the intention to avoid multiple, discrete fee programs with varying policies, fees, and improvement projects. The project proponent would contribute the required amount per dwelling unit TUMF for funding regional transportation improvements.

Site Access and Circulation

Roadway classifications within the project site have been designed in accordance with the City's General Plan Circulation Element. The City's General Plan Circulation Element designates specific design criteria for street improvements. Implementation of the design criteria assures that all street improvements are safely designed. The proposed project would comply with all specified design criteria.

Alternative Transportation Modes

The Riverside Transit Agency currently provides bus service along Lakeshore Drive and Mission Trail with stops near the Diamond Specific Plan at Railroad Canyon Road and Malaga Road. In order to provide public transit service to the residents and visitors of the Diamond area, the Specific Plan shall incorporate "transit ready" features in order to accommodate public transit service once it becomes available. Potential public transit stop locations are included in the Circulation Plan. Bus stops/turnouts would be developed according to RTA standards.

The project should provide interconnections of land uses that are considerate of pedestrians, bicyclists, public transit riders and motorists. A pedestrian and cyclist network should connect the different planning areas within the Specific Plan area. The project area shall be connected to land uses north and south of it by the Regional Trail and the Community Trail.

Emergency Access

Sight distance at each project access should be reviewed with respect to standard California Department of Transportation/City of Lake Elsinore sight distance standards at the time of preparation of final grading, landscaping, and street improvement plans.

Utilities and Service Systems

All utilities, except electrical lines over 12 kilovolts (kV), shall be placed underground.

Water

Water lines and connections would be installed in accordance with the requirements and specifications of the City and EVMWD. In addition, assurance of the provision of adequate water service is required to be provided prior to the approval of a subdivision map and/or plot plan for new residential development of 500 homes or more, in accordance with Senate Bill (SB) 221.¹ The proposed water system shall be designated to minimize the requirements of future system maintenance.

A reclaimed water system should be constructed to provide for landscape irrigation and other non-potable uses, unless the Elsinore Valley Municipal Water District (EVMWD) determines that reclaimed water meeting health standards is not currently available and will not be available to the project site in the foreseeable future.

Development within The Diamond Specific Plan should comply with:

- Title 20, California Code of Regulations Section 1604 (f) (Appliance Efficiency Standards), which establishes efficiency standards for all new showerheads and lavatory faucets; and
- Health and Safety Code Section 17621.3, which requires low-flow toilets and urinals in virtually all buildings.

Wastewater

All wastewater lines and disposal facilities should be designed and constructed per City of Lake Elsinore and EVMWD requirements.

The proposed wastewater system shall be designed to adequately accommodate anticipated waste flows resulting from the project.

Sewer-related infrastructure should be designed and installed in accordance with the requirements and specifications of the City, EVMWD, Riverside County Department of Health, and RWQCB.

Solid Waste

A construction waste recycling program should be established with a local waste management company to maximize waste recycling and to reach the 50 percent diversion goals.

0.4 Mitigation Monitoring and Reporting Program

The proposed project should comply with all applicable federal, state, and local statutes and regulation related to solid waste, including the County's Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE), and City Ordinance 8.32 of the Lake Elsinore Municipal Code regarding construction debris removal.

Gas

Gas-related infrastructure and necessary extensions would be installed in accordance with the requirements and specifications of the City and the California Public Utilities Commission.

- 1 Signed into law on October 8, 2001, California SB 221 established a process whereby sufficient water supply must be identified and available for new development for any residential development of 500 homes or more, or, in the case wherein a water supplier has fewer than 5,000 service connections or the proposed development would increase the number of connections by at least 10 percent, unless there is proof of adequate water over at least the next 20 years, including long periods of drought.

0.4.4 MITIGATION MATRIX FOR 10-ACRE GENERAL PLAN AREA

To sufficiently track and document the status of mitigation measures, a mitigation matrix has been prepared and includes the following components:

- Mitigation measure number
- Mitigation measure (text)
- Implementation Action
- Monitoring Method
- Responsible Monitoring Party
- Monitoring Phase
- Verification/Approval Party
- Mitigation Measure Implemented? (Y/N, and date)
- Documentation Location (Monitoring Record)

Mitigation measure timing of verification has been apportioned into several specific timing increments. Of these, the most common are:

1. Incorporation of measures into plans and specifications
2. During construction

The 10-acre General Plan Area mitigation matrix includes applicable measures from the East Lake Specific Plan EIR and is included as Table 0.4-3.

0.4 Mitigation Monitoring and Reporting Program

Table 0.4-3. 10-Acre General Plan Area Mitigation Matrix

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
AESTHETICS								
10ac-AES-1	All future development shall be consistent with the design standards and guidelines proposed in the City's General Plan.	City to conduct design review of project to ensure consistency with ELSP.	Design review.	CDD Planning Manager	Prior to approval of Final Map.	CDD Planning Manager	_____	CDD Planning Division
10ac-AES-2	All future development is subject to the City of Lake Elsinore design review process.	City to conduct design review of project.	Design review.	CDD Planning Manager	Prior to approval of Final Map.	CDD Planning Manager	_____	CDD Planning Division
10ac-AES-3	Lighting shall be placed in such a manner as to reduce glare	Applicant to incorporate features into site plans or landscape/lighting plan, as appropriate.	Site plan (or landscape/lighting plan) review.	CDD Planning Manager	Prior to approval of Final Map.	CDD Planning Manager	_____	CDD Planning Division
10ac-AES-4	Lighting allowed for outdoor signage shall be restricted by the types and amounts to reduce light and glare.	Applicant to incorporate features into site plans or landscape/lighting plan, as appropriate.	Site plan (or landscape/lighting plan) review.	CDD Planning Manager	Prior to approval of Final Map.	CDD Planning Manager	_____	CDD Planning Division
AIR QUALITY								
10ac-AQ-1	Use low emissions mobile and stationary equipment.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-AQ-2	Maintain equipment in tune as per manufacturers' specifications.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-3	Utilize catalytic converters on gasoline-powered equipment.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-4	Retard engine timing by two degrees.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-5	Use reformulated, low-emissions diesel fuel.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-6	Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-7	Where applicable, equipment should not be left idling for prolonged periods.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-8	Curtail construction during periods of high ambient pollutant concentrations.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division

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No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-AQ-9	Reduce daily operations by reducing the number of pieces of equipment and haul trucks. This can be accomplished by lengthening the time schedule.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-10	General contractors shall be required to develop a trip reductions plan to achieve 1.5 persons per vehicle for construction employees.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-11	Water the site and clean the equipment morning and evening.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-12	Spread soil binders on the construction site, unpaved roads, and parking areas morning and evening.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-13	Apply SCAQMD approved chemical soil stabilizers according to manufacturers' specification to all inactive construction areas (i.e., previously graded areas which are to remain inactive for 96 hours or more).	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-14	If possible, establish ground cover on construction site through seeding and watering.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-15	Pave construction roads and sweep streets if silt is carried over to adjacent public thoroughfares.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division

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No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-AQ-16	Reduce traffic speeds to less than 15 mph on all unpaved surfaces.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-17	Wash off trucks leaving the site.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-18	Suspend all grading activities when wind speeds exceed 25 mph.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As condition of Grading Permit; During construction.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-19	Utilize energy efficient heating, air conditioning, water heaters, furnaces, boiler units, etc.	Incorporation of features into building plans.	Building plan check.	CDD City Engineer	As condition of Building Permit.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-20	Incorporate passive solar design and solar heaters.	Incorporation of features into building plans.	Building plan check.	CDD City Engineer	As condition of Building Permit.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-21	Utilize devices that minimize the combustion of fossil fuels.	Incorporation of features into building plans.	Building plan check.	CDD City Engineer	As condition of Building Permit.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-22	Capture waste heat and reuse where possible.	Incorporation of features into building plans.	Building plan check.	CDD City Engineer	As condition of Building Permit.	CDD City Engineer	_____	CDD - Engineering Division
10ac-AQ-23	Landscape with native drought-resistant species that reduces water consumption, provide passive solar benefits, and provide little maintenance.	Incorporation of features into building/landscape plans.	Landscape plan check; Site inspections during plant material installation	CDD – Planning Manager	Landscape plan review; During plant installation.	CDD – Planning Manager	_____	CDD - Planning Division

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No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-AQ-24	Provide a local shuttle for residential use	Applicant to provide an exhibit demonstrating the incorporation of features into Tentative Map(s) as part of street improvements.	Tentative Map(s) review.	CDD City Engineer	As a Condition of Approval on Tentative Map(s) and prior to approval of Building Permit.	CDD City Engineer	_____	CDD Engineering Division
10ac-AQ-25	Provide bicycle storage areas and onsite locker facilities	Applicant to provide an exhibit demonstrating the incorporation of features into Tentative Map(s) as part of street improvements.	Tentative Map(s) review.	CDD City Engineer	As a Condition of Approval on Tentative Map(s) and prior to approval of Building Permit.	CDD City Engineer	_____	CDD Engineering Division
10ac-AQ-26	For commercial centers, ensure efficient parking management	Applicant to provide an exhibit demonstrating the incorporation of features into Tentative Map(s) as part of street improvements.	Tentative Map(s) review.	CDD City Engineer	As a Condition of Approval on Tentative Map(s) and prior to approval of Building Permit.	CDD City Engineer	_____	CDD Engineering Division
10ac-AQ-27	Provide dedicated parking spaces with electrical outlets for electric vehicles at the commercial centers and residential garages	Applicant to provide an exhibit demonstrating the incorporation of features into Tentative Map(s) as part of street improvements.	Tentative Map(s) review.	CDD City Engineer	As a Condition of Approval on Tentative Map(s) and prior to approval of Building Permit.	CDD City Engineer	_____	CDD Engineering Division
10ac-AQ-28	Provide preferential parking to high occupancy vehicles and shuttle services	Applicant to provide an exhibit demonstrating the incorporation of	Tentative Map(s) review.	CDD City Engineer	As a Condition of Approval on Tentative Map(s) and prior to	CDD City Engineer	_____	CDD Engineering Division

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No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
		features into Tentative Map(s) as part of street improvements.			approval of Building Permit.			
10ac-AQ-29	Promote Transportation Management Associations (TMAs)	Applicant to submit documentation of methods of promoting TMAs.	Documentation Review.	CDD Planning Manager	Prior to issuance of Certificate of Occupancy.	CDD – Planning Manager	_____	CDD - Planning Division
10ac-AQ-30	Establish telecommuting programs, alternate work schedules, and satellite work centers	Applicant to submit documentation of promoting telecommuting programs, alternative work schedules, and satellite work centers.	Documentation Review.	CDD Planning Manager	Prior to issuance of Certificate of Occupancy.	CDD – Planning Manager	_____	CDD - Planning Division
10ac-AQ-31	Applicants shall incorporate energy-efficient features and passive design concepts, whenever feasible in the design and construction of the project	Incorporation of features into site plans.	Building Plan check.	CDD City Engineer	Prior to issuance of Building Permit.	CDD City Engineer	_____	CDD Engineering Division
10ac-AQ-32	Applicants shall incorporate the use of solar energy and waste heat recovery systems to reduce energy consumption into the project design wherever it is feasible.	Incorporation of features into building plans.	Building Plan check.	CDD City Engineer	Prior to issuance of Building Permit.	CDD City Engineer	_____	CDD Engineering Division
10ac-AQ-33	Applicants shall consult with SCE and SCG in the selection of effective energy conservation techniques and the installation of additional project-related infrastructure.	Consultation with SCE and SCG; Incorporation of energy conservation features into building plans.	Building Plan check.	CDD City Engineer	Prior to issuance of Building Permit.	CDD City Engineer	_____	CDD Engineering Division

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No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-AQ-34	<p>Applicants shall install building and energy conservation measures in compliance with:</p> <ul style="list-style-type: none"> • Title 24, CRC Section 2-5307(b), California Energy Conservation Standard for New Buildings which prohibits the installation of fixtures unless the manufacturer has certified to the CEC compliance with the flow rate standards. • Title 24, CRC Section 2-5452 (i) and (j) which address pipe insulation requirements which can reduce water used before hot water reaches equipment of fixtures • Title 20, CRC Section 1604 (f) and 1601 (b), appliance Efficiency Standards that set the maximum flow rates of all plumbing fixtures and prohibit the sale of non conforming fixtures. 	Incorporation of features into building plans.	Building Plan check.	CDD City Engineer	Prior to issuance of Building Permit.	CDD City Engineer	_____	CDD Engineering Division
BIOLOGICAL RESOURCES								
10ac-BIO-1	Drought-resistant native vegetation shall be incorporated into landscaping. Native bunchgrasses, wild buckwheat, and coastal sagebrush are examples of native grassland and coastal sage scrub species that shall be utilized so as to create as diverse a plant palette as feasible.	Incorporation of features into landscape plans.	Landscape plan check; Site inspections during plant material installation.	CDD – Planning Manager	Landscape plan review; During plant installation.	CDD – Planning Manager	_____	CDD - Planning Division
CULTURAL RESOURCES								
10ac-CR-1	All ground disturbing activities shall be monitored by a qualified archaeologist. If unknown cultural resources are discovered, the archaeologist shall have the authority to halt all activities within a 50-foot radius while he/she investigates the discovered resources. The archaeologist shall also have the authority to make an informed, final decision to either resume construction or require	Applicant-retained qualified archaeologist to monitor all ground disturbing activities and submit summary report.	Monitoring of ground disturbing activities and review of summary report.	CDD Planning Manager/ Qualified Archaeologist	During project grading.	CDD Planning Manager	_____	CDD - Planning Division

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No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	more extensive investigation. If the discovered cultural resources display the potential to be significant, the archaeologist shall notify the USACE immediately, and all work shall stop immediately within an expanded 100 foot radius pending resolution of the discovery. At the completion of the activity that requires an archaeological monitor, the monitor shall submit a monitoring report including a daily log of all monitoring activity and possible recommendations.							
GEOLOGY AND SOILS								
10ac-GEO-1	Prior to tentative map approval, a geotechnical engineering investigation shall be prepared by a California registered geologist or Certified engineering geologist or Certified engineer geologist and submitted to the Engineering Department. Said report will contain the detailed soil, foundation, and seismic design parameters to be used in the project design and shall be based on preliminary design criteria established in the 1993 East Lake Specific Plan EIR. This Report shall also determine design soil liquefaction parameters and provide specific recommendations for site grading and foundation design.	Prepare and submit geotechnical investigation.	Review Geotechnical investigations.	CDD City Engineer	Prior to issuance of Tentative Map.	CDD City Engineer	_____	CDD Engineering Division
10ac-GEO-2	Frequent observation of grading and testing during construction under direction of a California registered geotechnical engineer and/or Certified engineering geologist shall be accomplished to verify compliance with the geotechnical recommendations and to confirm that the geotechnical conditions found are consistent with the findings of the studies contained in the 1993 East Lake Specific Plan EIR.	California registered geotechnical engineer and/or Certified engineering geologist to monitor grading and perform tests and submit summary reports.	Review summary of field observations and testing.	CDD City Engineer	During project grading	CDD City Engineer	_____	CDD Engineering Division

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No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-GEO-3	<p>Prior to issuance of grading permit, the applicant shall submit a detailed grading plan which will include the following information at a minimum:</p> <ul style="list-style-type: none"> • Preliminary quantity estimates for grading. • Designation of areas of temporary borrowing or depositing of material • Techniques which will be utilized to prevent erosion and sedimentation during and after the grading process. Approved erosion and sedimentation control measures shall include, but not be limited to: (1) measures to retain sediment on the site consisting of design and specifications for sediment detention basins and traps, and silt fences; (2) measures to control surface runoff and erosion on the site consisting of applying mulches, stabilizers, and designs and specifications for diverters, dikes and drains; (3) measures to enhance and resort groundcover on the site consisting of indemnifying types of seeks, fertilizers and application rates, type, location and extent of pre-existing undisturbed areas. • A schedule for routine inspection, upkeep, and maintenance of all erosion-control features shall be included. • Approximate time frames for grading including identification of areas which may be graded during the higher probability rain months of January through March. • Final pad and roadway elevations. • Hydrology and hydraulic designs for drainage structures. 	Preparation and submittal of grading plan detailing requirements identified in mitigation measures.	Review grading plan.	CDD City Engineer	Prior to issuance of Grading Permit.	CDD City Engineer	_____	CDD Engineering Division

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No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-GEO-4	Grading shall not be permitted outside the area of the designated project boundary unless appropriate approvals subject to CEQA have been approved.	Note to be included on grading plan.	Review of plan; site inspection during grading.	CDD City Engineer	Prior to issuance of Grading Permit and during project grading.	CDD City Engineer	_____	CDD Engineering Division
10ac-GEO-5	Prior to tentative map approval, a site-specific geotechnical subsurface investigation shall be conducted by a California registered geologist to determine design soil liquefaction parameters and provide specific recommendations for site grading and foundation design.	Preparation and submission of a geotechnical subsurface investigation.	Review and approve Geotechnical Report.	CDD City Engineer	Prior to approval of Tentative Map.	CDD City Engineer	_____	CDD Engineering Division
10ac-GEO-6	Use of sulphur resistant concrete "Type V" or equivalent with fly ash will be required per Standard Specifications for Public Works Construction for areas containing near-surface, high-sulfate content soil.	Contractor to implement measures as detailed in plans.	Notation included on plans; site visit.	CDD City Engineer	During plan review; During construction.	CDD City Engineer	_____	CDD Engineering Division
10ac-GEO-7	Prior to tentative map approval, the project geotechnical, civil, and structural engineers shall review seismic seiche design parameters and incorporate appropriate design standards into the site plan.	Incorporation of design parameters into site plan.	Review site plan.	CDD City Engineer	Prior to approval of Tentative Map.	CDD City Engineer	_____	CDD Engineering Division
10ac-GEO-8	Documentation of slope stability shall be required when the type of fill material has been determined prior to issuance of a grading permit.	Incorporation of slope stability requirements into grading plan.	Review grading plan.	CDD City Engineer	Prior to issuance of Grading Permit.	CDD City Engineer	_____	CDD Engineering Division
HAZARDS AND HAZARDOUS MATERIALS								
10ac-HAZ-1	Prior to removal, it shall be determined if the creosote poles onsite contain hazardous materials, and any buildings slated for demolition shall be inspected by an approved inspector to ascertain if asbestos-containing materials are present.	Submit documentation of inspection of any creosote poles and building proposed for removal.	Review documentation and summary of investigation.	CDD Planning Manager	Prior to issuance of Grading Permit.	CDD Planning Manager	_____	CDD Planning Division

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No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
HYDROLOGY								
10ac-HYD-1	All drainage facilities shall conform to the requirements and standards of the City of Lake Elsinore and the Riverside County Flood Control and Water Conservation District and shall be consistent with the Specific Plan.	Incorporation of these features into final building plans.	Plan check.	CDD City Engineer	Prior to issuance of Grading Permit	CDD City Engineer	_____	CDD - Engineering Division
10ac-HYD-2	Future applicants shall provide all drainage improvements presented in the East Lake Specific Plan	Incorporation of these features into grading plans.	Plan check	CDD City Engineer	Prior to issuance of Grading Permit	CDD City Engineer	_____	CDD - Engineering Division
10ac-HYD-3	Hydrology design studies shall be prepared for city concurrence prior to approval of the tentative map. Flood flow criteria to be used for the design of waterways, channels and closed conduits shall have the following recurrence intervals: <ul style="list-style-type: none"> The design of the storm drain system shall be based upon a minimum of 10-year frequency storms. For sump conditions, a 100-year frequency with secondary outlet shall be applied, and a connected system shall be designed to completely convey 100-year flows with secondary outlet to ensure that the water surface is at least one foot below the proposed pad elevations in project planning areas. Onsite drainage facilities which are located outside of street rights-of-way shall be contained in the drainage easement. Streets shall be oriented to provide maximum potential conveyance of regional flooding during significant storm events in order to expedite the flow of stormwater through East Lake. 	Preparation of hydrology design studies and incorporation of design criteria in Drainage Plan.	Review of hydrology design studies and drainage plan to ensure incorporation of features and requirements.	CDD City Engineer	Prior to approval of Tentative Map.	CDD City Engineer	_____	CDD Engineering Department

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	<ul style="list-style-type: none"> Development within East Lake shall be phased so the 100-year flood protection is ensured in all areas of the Project site. Interim improvements shall be required as phasing of the development progresses. 							
10ac-HYD-4	The construction of portions of the ELSP presently below 1,265 feet mean sea level are conditional upon completion of the LMP components affecting flood control.	Completion of the LMP by others.	Verify completion of LMP flood control components.	CDD City Engineer	Prior to issuance of Grading Permit.	CDD City Engineer	_____	CDD Engineering Division
10ac-HYD-5	Future Applicants shall prepare a comprehensive Flood Storage, Retention and Operations Plan which provides design level detail on operation of the flood storage system within East Lake. The plan shall be approved by LEMA, Riverside County Flood Control, and the City of Lake Elsinore Public Works and shall be submitted to USACE with the Section 404 permit application.	Preparation of Flood Storage, Retention and Operations Plan.	Review of Flood Storage, Retention and Operations Plan; Verify that LEMA and RCFC have approved the plan; Verify plan submission to USACE.	CDD City Engineer/ LEMA/ RCFC/ USACE	Prior to issuance of Grading Permit.	CDD City Engineer	_____	CDD Engineering Division
10ac-HYD-6	Prior to issuance of a grading permit, a HEC-5 period of record analysis is performed and is consistent with the NEC-5 analysis of the Outlet Channel design with a maximum of 100 year flood elevation of 1,263.3 feet MSL, an overflow weir height of 1,261 MSL and an operating lake level of 1,240 MSL. A copy of the HEC-5 analysis shall be submitted to the USACE and EVMWD, and these agencies shall provide written approval of the adequacy of the HEC-5 analysis. Any changes in the operating lake level by the City shall be coordinated with EVMWD and must be approved by the USACE in writing.	Preparation and Submission of a HEC-5 analysis.	Review of HEC-5 analysis; Verify submittal of HEC-5 analysis to USACE and EVMWD; and Verify written approval from USACE has been secured.	CDD City Engineer/ USACE/ EVMWD	Prior to issuance of Grading Permit.	CDD City Engineer/ USACE/ EVMWD	_____	CDD Engineering Division

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10ac-HYD-7	Prior to issuance of a grading permit, a copy of the grading plans shall be submitted to the USACE, the Bureau of Reclamation, and EVMWD for review and approval. The grading plans must demonstrate that: (1) the flood storage capacity of 30,735 acre-feet is maintained; (2) adequate conveyance of the 45-100 year flood events is maintained; and (3) the hydrology necessary to sustain the 365-acre Wetlands Mitigation Area and the Wetland Areas are maintained pursuant to the specification of the Lake Management Plan and the applicable Habitat Monitoring and Mitigation Plan.	Preparation of and submittal of grading plans to USACE, Bureau of Reclamation, and EVMWD.	Review and approval of grading plans; Verification of review and approval of grading plan by USACE, Bureau of Reclamation and EVMWD.	CDD City Engineer/ USACE/ Reclamation/ EVMWD	Prior to issuance of Grading Permit.	CDD City Engineer/ USACE/ Reclamation/ EVMWD	_____	CDD Engineering Division
10ac-HYD-8	Prior to the issuance of a grading permit, approval shall be secured from the USACE that the Proposed Project complies with the conditions of Permit No. 88-00215-RRS and amendments thereto.	Submittal of plans to City and USACE.	Review and approval of grading plans; Verification of review and approval of grading plan by USACE.	CDD City Engineer/ USACE	Prior to issuance of Grading Permit.	CDD City Engineer/ USACE	_____	CDD Engineering Division
LAND USE AND PLANNING								
10ac-LU-1	As a condition of Project approval or land use permits, the applicant shall be required to grant an avigation easement for airport operations. Avigation easements shall not restrict airport operations, but shall specify the types of activities included within the easement designation. Avigation easements will specifically include reference to airport vicinity effects which include noise impacts, accident potential, fly-over, miscellaneous effects such as potential damage from accidental fuel spills and airport expansions.	Preparation and dedication of avigation easement if required.	Verification of avigation easement.	CDD Planning Manager	Prior to issuance of Grading Permit.	CDD Planning Manager	_____	CDD Planning Division

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10ac-LU-2	The Department of Real Estate Report and property title reports shall inform prospective buyers of the existence of aviation easements. All properties within the vicinity of the airport shall be subject to aviation easement restrictions. Aviation easements are attached to the title of properties and hence are transferred to subsequent owners.	Inclusion of required information on property title reports.	Verify information on property reports.	CDD Planning Manager	Prior to building occupancy.	CDD Planning Manager	_____	CDD Planning Division
10ac-LU-3	Residential structures and other hazards to aviation (such as light standards), shall meet FAA Part 77 requirements.	Incorporation of FAA Part 77 requirements into building and lighting plans.	Building and Lighting Plan Review.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division
10ac-LU-4	Height limits within the clear and approach zones shall recognize the 20:1 approach and departure slope which is a condition of airport operation as permitted by California Department of Transportation, Division of Aeronautics.	Design buildings to respect height limits.	Review of building plans.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division
10ac-LU-5	The Airport Use shall be subject to the following special-use restrictions: <ul style="list-style-type: none"> • Flights are limited to daylight hours. • Flight patterns for approaches and departures shall occur predominantly over non-inhabited areas. • Number of flights will be limited per day and/or per week. • No commercial passenger aircraft will be permitted. • Ultra-light aircraft and sail craft shall not fly over inhabited areas. • No helicopter use will be permitted unless a separate heliport permit is obtained. 	Preparation of airport use plan to meet requirements.	Review of airport use plans.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division

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	<ul style="list-style-type: none"> • No training flights will be permitted. • No tower facilities will be permitted. • The facility will be closed during inclement weather or when inclement weather will be forecasted. <p>The 60 CNEL noise contour will be contained on the airstrip property.</p>							
10ac-LU-6	Residential uses within any established airport pattern area shall be limited to suggested densities in the Airport Land Use Planning Handbook or other appropriate planning standards.	Incorporate buffer into site land use plan consistent with the Handbook or other appropriate planning standards.	Plan review.	CDD Planning Manager	Prior to issuance of Grading Permit.	CDD Planning Manager	_____	CDD Planning Division
NOISE								
10ac-NSE-1	All construction equipment shall utilize proper working mufflers and be kept in a proper state of tune to alleviate backfires. Stationary equipment, such as generators, shall be equipped with noise shrouds and shall be placed as far as possible from sensitive receptor locations. Finally, when working with sensitive areas, portable noise barriers shall be utilized to reduce produced noise to the extent feasible.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As a condition of the Grading Permit; During construction.	CDD City Engineer	_____	CDD Engineering Division
10ac-NSE-2	Short-term construction noise intrusion shall be limited by time and exposure limits set out in the grading permit. The permit shall prohibit construction of 7 p.m. to 7 a.m. (8 p.m. to 9 a.m. on weekends and holidays), and shall also establish exposure limits from mobile and stationary construction activity noise sources during times of allowed operations.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD City Engineer	As a condition of the Grading Permit; During construction.	CDD City Engineer	_____	CDD Engineering Division

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10ac-NSE-3	As the interior of 45 dBA CNEL can only be met with windows and doors closed, forced air ventilation shall be required.	Applicant's engineer to prepare final plans and provide acoustical analysis to City.	Review final plans and acoustical analysis to verify exterior noise is below 65 dBA L _{dn} and interior noise is below 45 dBA for residential units.	CDD City Engineer or Building Manager	Plan approval prior to issuance of Building Permit; Construction approval prior to occupancy.	CDD City Engineer	_____	CDD Engineering Division or Building Division
10ac-NSE-4	Exterior wall shall be constructed with 2- by 4-inch wood studs, ½-inch gypsum wallboards, interior R-11 insulation between the studs and shall be finished on the exterior with siding on sheathing, stucco, or brick veneer. All joints shall be well fitted and/or caulked to an air-tight seal.	Construction of walls/joints consistent with recommendations.	Construction plan check; Site inspections during construction.	CDD City Engineer or Building Manager	Prior to issuance of Building Permit; During construction.	CDD City Engineer	_____	CDD – Engineering Division
10ac-NSE-5	The roof system shall have 1/2 –inch plywood sheathing which is well fitted and caulked. Insulation with a rating of a least R-19 should be placed in the attic space. The ceiling shall also be well fitted, well sealed gypsum board of at least ½ inch.	Construction of roof system consistent with recommendations.	Construction plan check; Site inspections during construction.	CDD City Engineer or Building Manager	Prior to issuance of Building Permit; During construction.	CDD City Engineer	_____	CDD – Engineering Division
10ac-NSE-6	Fireplaces shall be provided with well fitted dampers. Chimneys shall be topped with a metal cap to eliminate line-of-sight aircraft noise.	Construction of fireplaces consistent with recommendations.	Construction plan check; Site inspections during construction.	CDD City Engineer or Building Manager	Prior to issuance of Building Permit; During construction.	CDD City Engineer	_____	CDD – Engineering Division
10ac-NSE-7	Mitigation for exterior noise shall include increased setback, the construction of soundwalls and berms, and the banning of heavy trucks from collector routes. For mitigation by set-back, the distances to the 60 dBA CNEL as presented in Table 4.5-2 of the East Lake Specific Plan EIR shall be followed. In	Adequate setbacks incorporated into site plans.	Plan review; site visit.	CDD Planning Manager	Prior to issuance of Building Permit; During construction.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	accordance with the Specific Plan, dwellings are to be placed at the distances depicted in Table 4.5-4 East Lake Specific Plan EIR. These data were utilized in estimating noise barrier heights.							
10ac-NSE-8	All noise barrier heights shall be confirmed during design review and shall consider final grading contours and actual setbacks.	Applicant's engineer to prepare final plans and provide noise barrier plans to City.	Plan review; site visit.	CDD City Engineer	Prior to issuance of Grading Permit; During construction.	CDD City Engineer	_____	CDD – Engineering Division
10ac-NSE-9	All windows, doors, sliding glass doors, and skylights shall be well fitted, weather-stripped, and sound rated assemblies. The glazing STC values will be determined prior to the issuance of building permits. Entry doors shall be solid core and at least 1-3/4 inches thick. Skylights shall have a minimum rating of STC 25.	Notes included on building plans; Contractor to implement construction measures as detailed.	Plan review; site visit.	CDD City Engineer	Prior to issuance of Grading Permit; During construction.	CDD City Engineer	_____	CDD – Engineering Division
PUBLIC SERVICES								
10ac-PS-1	All development proposals shall be reviewed by the City of Lake Elsinore and Riverside County Fire Department to ensure that adequate fire services are available to serve the development.	Review of project by City and RCFD.	Plan review.	CDD Planning Manager and RCFD.	Prior to approval of Site Plan or Tentative Map.	CDD Planning Manager	_____	CDD Planning Division
10ac-PS-2	The proposed fire station shall follow the standards of the Fire Master Plan.	If a fire station is constructed, the station shall follow the standards of the Fire Master Plan.	Plan review.	CDD Planning Manager and RCFD.	Prior to issuance of Building Permit.	CDD Planning Manager and Riverside County Fire Department.	_____	CDD Planning Division
10ac-PS-3	All buildings shall be constructed with fire-retardant roofing materials as described in Section 3203 of the Uniform Building Code. Any wood shingles or shakes shall be a Class "B" rating and shall be approved by the Fire Department prior to installation.	Fire-retardant roofing material incorporated into building design.	Building plan review	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-PS-4	The applicant will work with EVMWD to ensure that there is an adequate supply of water and pressure to meet fire flow requirements. All water mains and hydrants shall be provided in accordance with City of Lake Elsinore Municipal Code, subject to the approval of the Riverside County Fire Department.	Applicant shall obtain a will serve letter from EVMWD.	Review of will serve letter and Final Map.	CDD City Engineer, RCFD and EVMWD.	Prior to approval of Site Plan or Tentative Map.	CDD City Engineer	_____	CDD Engineering Division
10ac-PS-5	Prior to occupancy, the Applicant and city shall cooperate with the Riverside County Sheriff's Department to ensure that adequate police service will be provided for the project, including mitigation fees, if any.	Coordination with Riverside County Sheriff's Department and payment of fees.	Payment status review.	CDD Planning Manager	Prior to Certificate of Occupancy.	CDD Planning Manager	_____	CDD Planning Division
10ac-PS-6	All new development shall incorporate design and building specifications as recommended by the city and county including, but not limited to appropriate setbacks, adequate lighting or walkways and parking lots, and the use of burglary-resistant hardware and fixtures on buildings. The city shall review all development plans prior to construction. In addition, the establishment of a neighborhood watch program shall be encouraged.	Applicant to incorporate all design measures as detailed.	Review of building plans.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division
10ac-PS-7	The applicant shall pay developer fees in the amount set by state law.	Payment of fees.	Verification of fee payment.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division
TRAFFIC AND TRANSPORTATION								
10ac-TR-1	The 1993 EIR prepared for the original ELSP project included roadway and intersection improvements mitigation measures for each Phase of the ELSP project. A summary of these measures were included in Appendix L of the ELSP Draft EIR. However, the following mitigation measures would also apply: <ul style="list-style-type: none"> Develop a traffic plan to minimize traffic flow interference from construction activities. This plan may include such 	Applicant to include specified transportation improvements in final engineering plans and construct improvements per plans; Submit construction management plan.	Plan Check Review/Site Inspection.	CDD – City Engineer	Plan approval prior to Issuance of Building Permit; Construction approval prior to occupancy.	CDD – City Engineer	_____	CDD – Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	items as advance public notice of routing, use of public transportation, and satellite parking areas with shuttle service.							
10ac-TR-2	Schedule materials haul trips during off-peak hours.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD – City Engineer	Prior to issuance of Grading Permit; During construction.	CDD – City Engineer	_____	CDD - Engineering Division
10ac-TR-3	Minimize the obstruction of through lanes from haul trucks.	Contractor to implement construction measures as detailed.	Construction plan check; Site inspections during construction.	CDD – City Engineer	Prior to issuance of Grading Permit; During construction.	CDD – City Engineer	_____	CDD - Engineering Division
10ac-TR-4	Configure parking to minimize traffic interference by providing adequate ingress and egress.	Incorporation of parking requirements into site plans.	Review of site plans.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division
10ac-TR-5	Provide dedicated turn lanes as appropriate.	Incorporation of recommendation into site plans.	Review of site plans.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division
UTILITIES AND SERVICE SYSTEMS								
10ac-UT-1	Water and sewer facilities will be installed in accordance with the requirements and specifications of the city of Lake Elsinore, EVMWD, Riverside County Department of Health, and RWQCB.	Applicant to prepare plans and specifications.	Review of water and sewer plans.	CDD – City Engineer; EVMWD, Riverside County Department of Health, and RWQCB.	Prior to issuance of Grading Permit.	CDD City Engineer, EVMWD, Riverside County Department of Health, and RWQCB.	_____	CDD – Engineering Division
10ac-UT-2	Assurance for the provision of adequate water and sewer service is required prior to approval of a subdivision map in accordance with the State Subdivision Map Act. EVMWD will review water	Preparation of water and sewer system demand analysis; Applicant	Review analysis and payment status.	CDD City Engineer and EVMWD	Prior to issuance of Grading Permit.	CDD City Engineer and EVMWD	_____	CDD – Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	and sewer system demands for various projects within each phase of development for conformance to district design requirements and for ability to serve prior to approval of any subdivision maps. EVMWD shall specify the timing of completion of the backbone master plan facilities. Applicants shall pay applicable fees for fair share contributions of offsite facilities.	to pay applicable fees and fair share contributions.						
10ac-UT-3	The capital cost of new onsite water and sewer pipelines, pump stations, lift stations, and reservoirs to handle on-site flows shall be borne by the Applicant.	Applicant to prepare plans and specifications.	Review of water and sewer plans.	CDD City Engineer and EVMWD	Prior to issuance of Building Permit.	CDD City Engineer and EVMWD	_____	CDD – Engineering Division
10ac-UT-4	<p>Project applicant shall incorporate water conservation measures into the project plan to include water saving devices and systems, landscape design and use of recycled water where possible. The Water Conservation Ordinance of the city of Lake Elsinore of the County of Riverside shall be followed during the construction of the Proposed Project. The State Department of Water Resources for achieving this goal includes the following:</p> <ul style="list-style-type: none"> • Water for construction purposes including, but not limited to, debrushing of vacant land, compaction of fills and pads, trench, backfill, and other construction uses, shall be used in an efficient manner. • The landscape plans for the Proposed Project shall emphasize a planting scheme that minimizes water irrigation requirements. It is suggested that irrigation requirements be reduced by having at least one third of the plant palette call for use of low water 	Water conservation measures incorporated into construction and landscaping plans.	Plan review.	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<p>demand, native vegetation. Xeriscape techniques shall also be used in design of the final landscape scheme for the development. Also, the landscape plan shall include plants that are tolerant of the increase minerals in reclaimed water.</p> <ul style="list-style-type: none"> • Efficient landscape irrigation systems shall be developed, minimizing excess runoff and the watering of trees and sidewalks. • Use pervious paving materials whenever feasible to reduce surface water runoff and to aid in ground water recharge. • Use mulch extensively in all landscaped areas. Mulch applied on top of soil will improve the water-holding capacity of soil by reducing evaporation and soil compaction. • Grade slopes so that runoff of surface water is minimized. • Encourage cluster developed, which can reduce the amount of land being converted to urban use. This will reduce the amount of impervious paving created and thereby aid in groundwater recharge. • Preserve existing natural drainage areas and encourage the incorporation of natural drainage systems in new development. This aids in groundwater recharge. • Water shall not be used to clean, fill, operate or maintain levels in 							

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	decorative fountains unless such water is for replenishment of a recycling system. <ul style="list-style-type: none"> • Water used for cooling systems shall be recycled to the extent possible. • Evaporation resistant covers are required for all new swimming pools and hot tubs. • Water lines, faucets, and other facilities shall be maintained so that they do no leak eater. Existing leaks shall be repaired in a timely manner. 							
10ac-UT-4	Applicants shall implement State of California Department of Water Resources requirements for water-efficiency plumbing fixtures in structures: <ul style="list-style-type: none"> • Health and Safety Code, Section 17921.3, requires ultra low-flush toilets and urinals (1.6 gal/flush) • Water softening devices that regenerate onsite are prohibited. • Title 20, California Administrative Code, Section 1604(f), establishes efficiency standards that give the maximum flow rate of all new showerheads, lavatory faucets, and sing faucets. • Title 20, California Administrative Code, Section 1606(b), prohibits the sale of fixtures that do not comply with regulations. • Title 24, California Administrative Code, Section 2-5307(b), prohibits the installation of fixtures unless the manufacturer has certified to the CEC 	Water efficient fixtures included in building plans.	Plan review	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manger	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<p>compliance with the flow rate standards.</p> <ul style="list-style-type: none"> Title 24, California Administrative Code, Sections 2-5352(i) and (j), address pipe insulation requirements. Insulation of water heating systems is also required. 							
10ac-UT- 5	The Applicant shall work with EVMWD to ensure that there is an adequate supply of water and pressure to meet fire flow requirements. All water mains and hydrants shall be provided in accordance with City of Lake Elsinore Municipal Code, subject to the approval of the Riverside County Fire Department.	Applicant shall obtain a will serve letter from EVMWD.	Review of will serve letter and Final Map.	CDD City Engineer, RCFD and EVMWD	Prior to approval of Site Plan or Tentative Map.	CDD City Engineer	_____	CDD Engineering Division
10ac-UT- 6	Recycled water shall be utilized where feasible. Where implemented, recycled water will be used in accordance with Title 22, California Administrative Code, and is also subject to the requirements and specifications of the Riverside County Health Department, EVMWD, and RWQCB.	If recycled water is used, provide plans demonstrating design is in accordance with Title 22, California Administrative Code, and is also compliant with the requirements and specifications of the Riverside County Health Department, EVMWD, and RWQCB.	Review of plans to ensure design is in accordance with Title 22, California Administrative Code, and requirements and specifications of the Riverside County Health Department, EVMWD, and RWQCB.	CDD Planning Manager, EVMWD and RWQCB	Prior to issuance of Building Permit.	CDD Planning Manager	_____	CDD Planning Division
10ac-UT- 7	Applicants shall implement State of California Department of Water Resources requirements for water-efficient plumbing fixtures in structures.	Notes included on building plans requiring water-efficient fixtures.	Plan review; site visit.	CDD Planning Manager	Prior to issuance of Grading Permit; During construction.	CDD Planning Manager	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-UT- 8	Applicant shall assist EVMWD in finding additional funding sources for short- and long-term financing for construction of onsite and regional facilities.	Applicant to coordinate with EVMWD.	Documentation of coordination.	CDD Planning Manager and EVMWD	Prior to issuance of Grading Permit.	CDD Planning Manger	_____	CDD Planning Division
10ac-Util-9	<p>The applicant shall comply with all applicable measures as specified by the City including those found in the City programs including the City Source Reduction and Recycling Element and Household Hazardous Waste Element, The County Solid Waste Management Plan and new County Integrated Waste Management Plan. These programs include, but are not limited to source reduction, recycling, separation of recoverable, composting, and high technology resource recovery. Recycling suggestion from the California Integrated Waste Management Board include the following:</p> <ul style="list-style-type: none"> • Provide information to residents about the recycling services in the development area(s). Identify buy back centers and possible markets for recyclables in the area(s). Suggest to residents and businesses that they recycle glass, metal, paper, cardboard, and other materials to the maximum extent feasible. • Promote the use of insulation and other products made of recycled materials in the construction of development structures. • Promote the inclusion of recycling materials storage areas into the design of the residential units. • Suggest to residents and businesses that they utilize products made from recycled materials to the maximum extent possible. 	Applicant to submit documentation of compliance with waste and recycling plans.	Review of documentation	CDD Planning Manager	Prior to issuance of Building Permit.	CDD Planning Manger	_____	CDD Planning Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
WATER QUALITY								
10ac-WQ-1	Erosion control and runoff control measures shall be implemented during construction to avoid sedimentation impacts. The Applicant's grading plan shall incorporate such measures to control runoff from construction sites. The city Engineering Department shall review the adequacy of such measures on grading plans prior to issuance of grading permits. Runoff control measures to be incorporated into grading plans shall include but are not limited to the following: <ul style="list-style-type: none"> • Temporary seeding, mulching, sod stabilization, and vegetative buffer strips, • Drainage swales, sediment traps, and temporary sediment basins, and • Straw bale dikes, silt fences, earth dikes and brush barriers. 	Incorporation of measures on grading plan.	Plan review and site visit.	CDD City Engineer	Prior to issuance of Grading Permit; During project construction.	CDD Engineering Division	_____	CDD Engineering Division
10ac-WQ-2	Prior to issuance of grading permits, the Applicant shall develop a Spill Prevention Containment and Cleanup Plan for potential accidental spills of petroleum prevention products from machinery or above-ground storage tanks during construction.	Preparation and submission of Spill Prevention Containment and Cleanup Plan.	Plan review	CDD City Engineer	Prior to issuance of Grading Permit.	CDD City Engineer	_____	CDD Engineering Division
10ac-WQ-3	In order to minimize the degradation of water quality from stormwater runoff, a comprehensive Stormwater Pollution Prevention Plan shall be developed by the Applicant.	Preparation of Stormwater Pollution Prevention Plan.	Plan Review	CDD City Engineer	Prior to issuance of Grading Permit.	CDD City Engineer	_____	CDD Engineering Division

0.4 Mitigation Monitoring and Reporting Program

No.	Mitigation Measures	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase	Verification/ Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
10ac-WQ-4	Applicant for individual projects requiring 401 Water Quality Certification and NPDES construction and stormwater permits shall obtain such permits prior to the issuance of City grading permits.	Application for 401 Water Quality Certification and NPDES permit.	Permit review	CDD City Engineer, RWQCB	Prior to issuance of Grading Permit.	CDD City Engineer, RWQCB	_____	CDD Engineering Division
10ac-WQ-5	Prior to the issuance of a grading permit, it shall be demonstrated that all outfall discharging into the Wetlands Areas (unless stipulated in the Habitat Monitoring and Maintenance Plan) and the 356-acre Wetlands Mitigation Area only discharge during 50-year storm events and that no urban or toxic runoff (including pesticides, hydrocarbons, heavy metals, nutrients, other pollutants that adversely affect wildlife) be allowed to discharge or be pumped into the Wetland Areas or the 356-acre Wetlands Mitigation Areas. At no time shall outfalls be allowed to be constructed that directly discharge within the Wetlands Areas or the 356-acre Wetlands Mitigation Areas.	Applicant to provide discharge plan.	Plan review	CDD City Engineer	Prior to issuance of Grading Permit.	CDD City Engineer	_____	CDD Engineering Division

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Revised
Draft Environmental Impact Report

Diamond Specific Plan
Lake Elsinore, California

Original: February 2010
Revised: May 2010

Prepared for

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1.0 EXECUTIVE SUMMARY / INTRODUCTION

1.1 INTRODUCTION

This Draft Environmental Impact Report (EIR) has been prepared in compliance with the California Environmental Quality Act (CEQA) Public Resources Code Section 21000 et seq., the *CEQA Guidelines* (Section 15000 et seq.) as promulgated by the California Resources Agency and the Governor's Office of Planning and Research, and the CEQA Implementation Guidelines of the City of Lake Elsinore. The purpose of this environmental document is to assess the potential environmental effects associated with the East Lake Specific Plan (ELSP) Amendment 9, the Diamond Specific Plan No. 2009-01, General Plan Amendment No. 2009-01 and Zone Change No. 2009-01 and to propose mitigation measures, where required, to reduce significant impacts. The ELSP Amendment 9 comprises both the Diamond Specific Plan and the 10-acre "General Plan Area" which are described further below.

The ELSP, originally adopted in 1993, covered a 3,000-acre area at the east end of Lake Elsinore, and originally provided for up to 9,000 dwelling units (DUs) and a combination of commercial, recreational and open spaces, in an area that was once undevelopable due to erratic flooding conditions associated with Lake Elsinore. This area is now developable due to the implementation of the Lake Management Plan and construction of flood management measures, including, but not limited to, the Spring Street outflow channel, the reinforced overflow weir and the 3.3-mile long/30-foot-high earthen levee at the lake's south end.

During the time that the ELSP was being prepared, the City's Redevelopment Agency was also considering the construction of a minor league baseball stadium within the Recreation Village District portion of the ELSP. To accommodate this stadium a "Special Alternative Land Use" area was designated at the southwest corner of Malaga Road and Mission Trail. Construction of the stadium moved forward and was completed in 1994, but at a different location than the Special Alternative Land Use area incorporated in the adoption of the 1993 ELSP. The stadium was moved a short distance to the west to the northwest corner of Malaga Road and Diamond Drive, which is the extension of Railroad Canyon Road.

The ELSP was subsequently amended by a series of Specific Plan amendments (SPAs) between 1998 and 2006. Most of these amendments affected portions of the Recreation Village District in the easterly portion of the ELSP plan area, and involved redistribution of land uses due to flood storage needs, which were not provided for in the 1993 plan. The construction of the stadium in 1994 remained one of the only major improvements within the ELSP plan area until the grading and golf course construction provided for in Specific Plan Amendment (SPA) 6 was completed in 2007.

The ELSP Amendment 9 is comprised of 86.4 acres located along both sides of Diamond Drive between Lakeshore/Mission Trail and Malaga Road, with a small portion on the south side of Malaga at the southwest corner of Malaga Road and Diamond Drive. Amendment 9 removes the Stadium from the ELSP, which accounts for 19 acres of Special Alternative Use (SAU) area, approximately 52 acres of General Commercial (GC), 7.5 acres of Open Space (OS) and 8 acres of roads. The amendment to the ELSP will result in changes that are primarily related to mapping and statistical modifications to reflect the reduction in the ELSP's area and land use yield associated with the Amendment 9 Project Area. Approximately 76 acres of the Amendment 9 Project Area will be included within The Diamond Specific Plan, which is described further below. The remaining approximately 10 acres have been included in Amendment 9 to prevent the formation of a non-contiguous portion of the ELSP. These ten acres located in the northeast portion of the ELSP Amendment area, referred throughout this EIR as the 10-acre General Plan Area, will not be part of a specific plan. Instead this area is proposed to retain the underlying

General Plan land use of General Commercial under the 1990 General Plan, or Commercial Mixed-Use under the City's 2009 General Plan Update (depending on which General Plan is the governing document when the project is adopted). The General Commercial land use designation is intended to provide for a wide range of retail and service activities and to encourage consolidated centers of activity with direct access to major roads and freeway interchanges. The intent of the Commercial Mixed Use district is to accommodate a mix of land uses in a compact pattern that would promote high quality, pedestrian friendly, interactive neighborhoods. This zone allows for increased densities and more stringent design standards applicable to future development. Commercial Mixed Use would allow the same uses as permitted under a General Commercial designation. Approximately 4 acres of this 10-acre site is developed with commercial uses. The proposed project does not include any development plans for the remaining 6 acres. As discussed below, the East Lake Specific Plan EIR approved in February 1993 has been incorporated by reference into this EIR. Mitigation Measures identified in the ELSP EIR pertaining to the 10-acre General Plan Area have been incorporated into this EIR (Table 1.7-1 below.)

The Diamond Specific Plan proposes an approximate 87-acre mixed use development that will include multi-family residences, a 150-room hotel, and 897,000 square feet (sf) of entertainment, commercial, and educational uses. As currently proposed, the site would provide approximately 600 DUs at an overall average density of 18.0 DUs per acre (du/ac). Mitigation measures pertaining to the Diamond Specific Plan are summarized in Table 1.7-2 below.

Pursuant to CEQA, a Notice of Preparation (NOP) was prepared by the City of Lake Elsinore in March 2009. Based on the conclusions that implementation of the proposed project could result in significant environmental impacts, City staff directed preparation of a Draft EIR. The NOP was submitted for public review to the State Clearinghouse and the City's distribution list. The NOP, distribution list, and comments received on the NOP are included in Appendices A.1 through A.3.

1.2 PURPOSE OF A DRAFT EIR

The purpose of an EIR is to analyze the potential environmental impacts associated with a project. CEQA (Section 15002) states that the purpose of CEQA is to: (1) inform the public and governmental decision-makers of the potential, significant environmental impacts of a project; (2) identify the ways that environmental damage can be avoided or significantly reduced; (3) prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and (4) disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

1.2.1 Incorporation by Reference

As permitted by Section 15150 of the *CEQA Guidelines*, this EIR has referenced the EIR for the East Lake Specific Plan (SCH No. 92092027). This EIR and related technical reports in the City's record are available for review at the City of Lake Elsinore Planning Department. Information from the East Lake Specific Plan EIR, including mitigation measures, which have been incorporated by reference into this Draft EIR, has been briefly summarized below in Section 1.7.1 and the relationship between the incorporated part of the referenced document and this EIR has been described.

1.3 EIR ADEQUACY

The principal use of this Draft EIR is to evaluate and disclose potential environmental impacts associated with the implementation of the proposed project. An EIR is an informational document and is not intended to determine the merits or recommend approval or disapproval of a project. Ultimately, City decision-makers must weigh the environmental effects of a project among other considerations, including planning, economic, and social concerns.

City staff would prepare, based on the EIR, a “staff report” that synthesizes pertinent environmental and planning information into a single document. The staff report would be presented to the City’s Planning Commission and the City Council. Given the important role of the EIR in this planning and decision-making process, it is imperative that the information presented in the EIR be factual, adequate, and complete. The standards of adequacy of an EIR, defined by Section 15151 of the *CEQA Guidelines*, are as follows:

“An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”

1.4 DOCUMENT ORGANIZATION

The content and format of this Draft EIR are designed to meet the current requirements of CEQA and the *CEQA Guidelines*. This Draft EIR is organized into the following chapters so the reader can easily obtain information about the proposed project and its specific issues:

Section 1.0 – Introduction and Summary – provides a summary of the potential impacts, mitigation measures of the proposed project and impact conclusion. This section also describes the project history, original and project components, purpose and use of the Draft EIR, and the organization of the Draft EIR.

Section 2.0 – Project Description – describes the project site, project design features and general environmental setting, outlines the overall objectives for the project, proposed land use summary, and provides a description of the conceptual circulation, drainage, water, sewer, and grading plans.

Section 3.0 – Environmental Setting – This section summarizes the environmental setting for the project site and also identifies the cumulative projects that are considered in this Draft EIR.

Section 4.0 – Environmental Impact Analysis – presents, for each environmental issue, the existing environmental setting or conditions before project implementation; methods and assumptions used in impact analysis; thresholds of significance; impacts that would result from the project; applicable City conditions and mitigation measures that would eliminate or reduce significant impacts; and cumulative impacts.

Section 5.0 – Alternatives – evaluates the environmental effects of the project alternatives, including the No Project/No Development Alternative, the Existing Land Use Designation and Zoning Alternative, the

Reduced Density Alternative, and the Reduced Density/Reduced Acreage Alternative. This chapter also identifies an environmentally superior alternative.

Section 6.0 – Growth-Inducing Impacts – discusses whether or not the proposed project would induce substantial population growth in the area.

Section 7.0 – Inventory of Unavoidable Adverse Impacts – includes a discussion of significant environmental effects that cannot be avoided if the proposed project is implemented.

Section 8.0 – Significant Irreversible Changes – identifies any significant irreversible environmental changes that would be caused by the proposed project.

Section 9.0 – Persons and Organizations Consulted and References – lists the individuals involved in preparing this Draft EIR, organizations and persons consulted, and identifies the documents (printed references) and individuals (personal communications) consulted in preparing this Draft EIR.

Appendices – presents data supporting the analysis or contents of this Draft EIR. All technical appendices are provided electronically on a CD at the end of this document. In addition, copies of these reports are on file at the City of Lake Elsinore City Hall, Community Development Department, 130 South Main Street, Lake Elsinore, California 92530 for review during normal business hours.

1.5 EIR BACKGROUND AND CONTENT

Development of the proposed project is subject to the requirements of CEQA because it is an action that has the potential to result in a physical change in the environment subject to discretionary approval by a public agency (in this case, the City of Lake Elsinore). In accordance with *CEQA Guidelines*, the City of Lake Elsinore completed an NOP, including a project description and the preliminary site plan (Appendix A.1). The NOP was circulated on March 23, 2009, and identified that an EIR would be necessary. The NOP allowed interested local agencies to comment on the project before the Draft EIR was written (Appendix A.2). There was a 30-day review period, during which comments regarding the proposed project were received by the City. The review period closed April 23, 2009. Comments received on the NOP are included in Appendix A.3. In addition, a Scoping Meeting was held on March 31, 2009 at City Hall. No environmental issues were raised at this Scoping Meeting.

1.5.1 Environmental Topics Addressed

Based on the analysis presented in the NOP and the information provided in the comments to the NOP, the following environmental topics are analyzed in this Draft EIR.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems

1.6 EIR PROCESSING

This Draft EIR is being distributed to affected federal, state, regional, county, and city agencies and interested parties for a 45-day review period in accordance with §15087 and §15105 of the *CEQA Guidelines*. In addition, this Draft EIR, including supporting technical documentation, is available to the general public for review during normal operating hours at the City of Lake Elsinore City Hall and the following locations:

Lake Elsinore Library
600 W. Graham Avenue
Lake Elsinore, CA 92530

Canyon Lake Library
31516 Railroad Canyon Road
Canyon Lake, CA 92587

Mission Trail Library
34303 Mission Trail
Wildomar, CA 92595

Additionally, a draft copy of the Diamond Specific Plan is available to the general public for review during normal operating hours at the City of Lake Elsinore City Hall.

Interested parties may provide written comments on the Draft EIR before the end of the 45-day public review and comment period. Written comments on the Draft EIR must be submitted to:

Ms. Carole Donahoe
Planning Consultant
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Upon completion of the 45-day review period, written responses to all comments on environmental issues discussed in the Draft EIR would be prepared and incorporated into the Final EIR for consideration by the City of Lake Elsinore, as well as any other public decision makers. Furthermore, written responses to comments received from any public agency would be made available to those agencies at least 10 days prior to the public hearing at which the Certification of the Final EIR would be considered.

1.7 SUMMARY OF IMPACTS AND MITIGATION MEASURES

1.7.1 10-ACRE GENERAL PLAN AREA

A detailed discussion of existing environmental conditions, environmental impacts, and recommended mitigation measures is included in Section 4.0, Environmental Impact Analysis. Mitigation measures presented in Table 1.7-1, included at the end of this section, summarizes the mitigation measures included in the original ELSP EIR that are applicable to the 10-acre General Plan Area. Table 1.7-1 also includes a list of conditions from the United States Army Corps of Engineers (USACE) permit that are also applicable to the 10-acre General Plan Area. A brief summary is presented below.

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Adoption of The East Lake Specific Plan Amendment #9 would result in changes that are primarily related to mapping and statistical modifications to reflect the reduction in the ELSP's area and land use yield associated with the Amendment 9 Project Area. The mapping changes are focused on the ELSP boundary and Land Use Plan. Because the road and utility infrastructure systems have been completed around the ELSP Amendment 9 Project Area, no revisions are expected to the other ELSP plans (e.g., Circulation Plan, Infrastructure, etc.). Approximately 76 acres of the Amendment 9 Project Area will be included within The Diamond Specific Plan, which is described further throughout the EIR. The remaining approximately ten acres have been included in Amendment 9 to prevent the formation of a non-contiguous portion of the ELSP. These ten acres located in the northeast portion of the ELSP Amendment area, referred to as the 10-Acre General Plan Area, will not be part of a specific plan. Instead this area is proposed to retain the underlying General Plan land use of General Commercial under the 1990 General Plan, or Commercial Mixed-Use under the City's 2009 General Plan Update (depending on which General Plan is the governing document when the project is adopted). With the General Commercial designation, there would be no change from buildout of the 10-Acre General Plan Area from the buildout considered in the ELSP EIR. If the City's General Plan Update is approved prior to approval of this project, then the underlying land use designation would change to Mixed Use Commercial.

The City's General Plan Update EIR would address any potential changes in traffic and air quality as a result of the change in land use designation. However, due to internal trip capture between uses, commercial mixed uses would yield fewer vehicle trips than would general commercial uses. Therefore, with the change in land use designation, the impacts related to mobile source emissions, traffic, and noise would likely decrease under this scenario. All the mitigation measures identified in the ELSP that would continue to be applicable to the 10-acre General Plan Area are included in Table 1.7-1 below. With incorporation of those mitigation measures, the 10-acre General Plan Area would not result in impacts substantially more severe than approved in the ELSP EIR. Additionally, a project design feature has been added to the Mitigation Monitoring and Reporting Program requiring any new development within the 10-acre General Plan Area to pay the required MSHCP and Stephen's Kangaroo Rat fees. Payment would be made to the City for processing with the County prior to issuance of a grading permit. Implementation of the proposed SPA would neither negate nor exacerbate the significance of the impact to air quality. The impact would remain less than significant regardless of implementation of the proposed SPA. There are no new impacts, changes, or new information associated with the 10-acre General Plan Area that would require the preparation of a Supplemental or Subsequent EIR and therefore no additional analysis in this EIR is required. The remainder of the EIR is dedicated to impacts associated with the Diamond Specific Plan.

Table 1.7-1. Summary of Applicable Mitigation from 1993 East Lake Specific Plan EIR and Conditions from USACE Permit Applicable to the 10-Acre General Plan Area

Issue Area	Mitigation Measures
Aesthetics	10ac-AES-1 All future development shall be consistent with the design standards and guidelines proposed in the East Lake Specific Plan City's General Plan.
	10ac-AES-2 All future development is subject to the City of Lake Elsinore design review process.
	10ac-AES-3 Lighting shall be placed in such a manner as to reduce glare
	10ac-AES-4 Lighting allowed for outdoor signage shall be restricted by the types and amounts to reduce light and glare.
Air Quality	10ac-AQ-1 Use low emissions mobile and stationary equipment.
	10ac-AQ-2 Maintain equipment in tune as per manufacturers' specifications.
	10ac-AQ-3 Utilize catalytic converters on gasoline-powered equipment.
	10ac-AQ-4 Retard engine timing by two degrees.
	10ac-AQ-5 Use reformulated, low-emissions diesel fuel.
	10ac-AQ-6 Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
	10ac-AQ-7 Where applicable, equipment should not be left idling for prolonged periods.
	10ac-AQ-8 Curtail construction during periods of high ambient pollutant concentrations.
	10ac-AQ-9 Reduce daily operations by reducing the number of pieces of equipment and haul trucks. This can be accomplished by lengthening the time schedule.
	10ac-AQ-10 General contractors shall be required to develop a trip reductions plan to achieve 1.5 persons per vehicle for construction employees.
	10ac-AQ-11 Water the site and clean the equipment morning and evening.
	10ac-AQ-12 Spread soil binders on the construction site, unpaved roads, and parking areas morning and evening.
	10ac-AQ-13 Apply SCAQMD approved chemical soil stabilizers according to manufacturers' specification to all inactive construction areas (i.e., previously graded areas which are to remain inactive for 96 hours or more).
	10ac-AQ-14 If possible, establish ground cover on construction site through seeding and watering.
	10ac-AQ-15 Pave construction roads and sweep streets if silt is carried over to adjacent public thoroughfares.
	10ac-AQ-16 Reduce traffic speeds to less than 15 mph on all unpaved surfaces.
	10ac-AQ-17 Wash off trucks leaving the site.
	10ac-AQ-18 Suspend all grading activities when wind speeds exceed 25 mph.
	10ac-AQ-19 Utilize energy efficient heating, air conditioning, water heaters, furnaces, boiler units, etc.
	10ac-AQ-20 Incorporate passive solar design and solar heaters.
	10ac-AQ-21 Utilize devices that minimize the combustion of fossil fuels.
	10ac-AQ-22 Capture waste heat and reuse where possible.
	10ac-AQ-23 Landscape with native drought-resistant species that reduces water consumption, provide passive solar benefits, and provide little maintenance.
	10ac-AQ-24 Provide a local shuttle for residential use.

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Issue Area	Mitigation Measures
	<p>10ac-AQ-25 Provide bicycle storage areas and onsite locker facilities.</p> <p>10ac-AQ-26 For commercial centers, ensure efficient parking management.</p> <p>10ac-AQ-27 Provide dedicated parking spaces with electrical outlets for electric vehicles at the commercial centers and residential garages.</p> <p>10ac-AQ-28 Provide preferential parking to high occupancy vehicles and shuttle services.</p> <p>10ac-AQ-29 Promote Transportation Management Associations (TMAs).</p> <p>10ac-AQ-30 Establish telecommuting programs, alternate work schedules, and satellite work centers.</p> <p>10ac-AQ-31 Applicants shall incorporate energy-efficient features and passive design concepts, whenever feasible in the design and construction of the project.</p> <p>10ac-AQ-32 Applicants shall incorporate the use of solar energy and waste heat recovery systems to reduce energy consumption into the project design wherever it is feasible.</p> <p>10ac-AQ-33 Applicants shall consult with SCE and SCG in the selection of effective energy conservation techniques and the installation of additional project-related infrastructure.</p> <p>10ac-AQ-34 Applicants shall install building and energy conservation measures in compliance with:</p> <ul style="list-style-type: none"> • Title 24, CRC Section 2-5307(b), California Energy Conservation Standard for New Buildings which prohibits the installation of fixtures unless the manufacturer has certified to the CEC compliance with the flow rate standards. • Title 24, CRC Section 2-5452 (i) and (j) which address pipe insulation requirements which can reduce water used before hot water reaches equipment of fixtures • Title 20, CRC Section 1604 (f) and 1601 (b), appliance Efficiency Standards that set the maximum flow rates of all plumbing fixtures and prohibit the sale of non conforming fixtures.
Biological Resources	<p>10ac-BIO-1 Drought-resistant native vegetation shall be incorporated into landscaping. Native bunchgrasses, wild buckwheat, and coastal sagebrush are examples of native grassland and coastal sage scrub species that shall be utilized so as to create as diverse a plant palette as feasible.</p>
Cultural Resources	<p>10ac-CR-1 All ground disturbing activities shall be monitored by a qualified archaeologist. If unknown cultural resources are discovered, the archaeologist shall have the authority to halt all activities within a 50-foot radius while he/she investigates the discovered resources. The archaeologist shall also have the authority to make an informed, final decision to either resume construction or require more extensive investigation. If the discovered cultural resources display the potential to be significant, the archaeologist shall notify the USACE immediately, and all work shall stop immediately within an expanded 100 foot radius pending resolution of the discovery. At the completion of the activity that requires an archaeological monitor, the monitor shall submit a monitoring report including a daily log of all monitoring activity and possible recommendations.</p>
Geology and Soils	<p>10ac-GEO-1 Prior to tentative map approval, a geotechnical engineering investigation shall be prepared by a California registered geologist or Certified engineering geologist or Certified engineer geologist and submitted to the Engineering Department. Said report will contain the detailed soil, foundation, and seismic design parameters to be used in the project design and shall be based on preliminary design criteria established in the 1993 East Lake Specific Plan EIR. This Report shall also determine design soil liquefaction parameters and provide specific recommendations for site grading and foundation design.</p>

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Issue Area	Mitigation Measures
	<p>10ac-GEO-2 Frequent observation of grading and testing during construction under direction of a California registered geotechnical engineer and/or Certified engineering geologist shall be accomplished to verify compliance with the geotechnical recommendations and to confirm that the geotechnical conditions found are consistent with the findings of the studies contained in the 1993 East Lake Specific Plan EIR.</p> <p>10ac-GEO-3 Prior to issuance of grading permit, the applicant shall submit a detailed grading plan which will include the following information at a minimum:</p> <ul style="list-style-type: none"> • Preliminary quantity estimates for grading. • Designation of areas of temporary borrowing or depositing of material • Techniques which will be utilized to prevent erosion and sedimentation during and after the grading process. Approved erosion and sedimentation control measures shall include, but not be limited to: 1) measures to retain sediment on the site consisting of design and specifications for sediment detention basins and traps, and silt fences; 2) measures to control surface runoff and erosion on the site consisting of applying mulches, stabilizers, and designs and specifications for diverters, dikes and drains; 3) measures to enhance and resort groundcover on the site consisting of indemnifying types of seeks, fertilizers and application rates, type, location and extent of pre-existing undisturbed areas. • A schedule for routine inspection, upkeep, and maintenance of all erosion-control features shall be included. • Approximate time frames for grading including identification of areas which may be graded during the higher probability rain months of January through March. • Final pad and roadway elevations. • Hydrology and hydraulic designs for drainage structures. <p>10ac-GEO-4 Grading shall not be permitted outside the area of the designated project boundary unless appropriate approvals subject to CEQA have been approved.</p> <p>10ac-GEO-5 Prior to tentative map approval, a site-specific geotechnical subsurface investigation shall be conducted by a California registered geologist to determine design soil liquefaction parameters and provide specific recommendations for site grading and foundation design.</p> <p>10ac-GEO-6 Use of sulphur resistant concrete "Type V" or equivalent with fly ash will be required per Standard Specifications for Public Works Construction for areas containing near-surface, high-sulfate content soil.</p> <p>10ac-GEO-7 Prior to tentative map approval, the project geotechnical, civil, and structural engineers shall review seismic seiche design parameters and incorporate appropriate design standards into the site plan.</p> <p>10ac-GEO-8 Documentation of slope stability shall be required when the type of fill material has been determined prior to issuance of a grading permit.</p> <p>10ac-GEO-9 Prior to tentative map approval, the project geotechnical, civil, and structural engineers shall review seismic seiche design parameters and incorporate appropriate design standards into the site plan.</p>
Hazards and Hazardous Materials	<p>10ac-HAZ-1 Prior to removal, it shall be determined if the creosote poles onsite contain hazardous materials, and any buildings slated for demolition shall be inspected by an approved inspector to ascertain if asbestos-containing materials are present.</p>

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Issue Area	Mitigation Measures
Hydrology	<p>10ac-HYD-1 All drainage facilities shall conform to the requirements and standards of the City of Lake Elsinore and the Riverside County Flood Control and Water Conservation District and shall be consistent with the Specific Plan.</p>
	<p>10ac-HYD-2 Future applicants shall provide all drainage improvements presented in the East Lake Specific Plan.</p>
	<p>10ac-HYD-3 Hydrology design studies shall be prepared for city concurrence prior to approval of the tentative map. Flood flow criteria to be used for the design of waterways, channels and closed conduits shall have the following recurrence intervals:</p> <ul style="list-style-type: none"> • The design of the storm drain system shall be based upon a minimum of 10-year frequency storms. • For sump conditions, a 100-year frequency with secondary outlet shall be applied, and a connected system shall be designed to completely convey 100-year flows with secondary outlet to ensure that the water surface is at least one foot below the proposed pad elevations in project planning areas. • Onsite drainage facilities which are located outside of street rights-of-way shall be contained in the drainage easement. • Streets shall be oriented to provide maximum potential conveyance of regional flooding during significant storm events in order to expedite the flow of stormwater through East Lake. • Development within East Lake shall be phased so the 100-year flood protection is ensured in all areas of the Project site. Interim improvements shall be required as phasing of the development progresses.
	<p>10ac-HYD-4 The construction of portions of the ELSP presently below 1,265 feet mean sea level are conditional upon completion of the LMP components affecting flood control.</p>
Hydrology (cont.)	<p>10ac-HYD-5 Future Applicants shall prepare a comprehensive Flood Storage, Retention and Operations Plan which provides design level detail on operation of the flood storage system within East Lake. The plan shall be approved by LEMA, Riverside County Flood Control, and the City of Lake Elsinore Public Works and shall be submitted to USACE with the Section 404 permit application.</p>
	<p>10ac-HYD-6 Prior to issuance of a grading permit, a HEC-5 period of record analysis is performed and is consistent with the NEC-5 analysis of the Outlet Channel design with a maximum of 100 year flood elevation of 1,263.3 feet MSL, an overflow weir height of 1,261 MSL and an operating lake level of 1,240 MSL. A copy of the HEC-5 analysis shall be submitted to the USACE and EVMWD, and these agencies shall provide written approval of the adequacy of the HEC-5 analysis. Any changes in the operating lake level by the City shall be coordinated with EVMWD and must be approved by the USACE in writing.</p>
	<p>10ac-HYD-7 Prior to issuance of a grading permit, a copy of the grading plans shall be submitted to the USACE, the Bureau of Reclamation, and EVMWD for review and approval. The grading plans must demonstrate that: (1) the flood storage capacity of 30,735 acre-feet is maintained; (2) adequate conveyance of the 45-100 year flood events is maintained; and (3) the hydrology necessary to sustain the 365-acre Wetlands Mitigation Area and the Wetland Areas are maintained pursuant to the specification of the Lake Management Plan and the applicable Habitat Monitoring and Mitigation Plan.</p>
	<p>10ac-HYD-8 Prior to the issuance of a grading permit, approval shall be secured from the USACE that the Proposed Project complies with the conditions of Permit No. 88-00215-RRS and amendments thereto.</p>

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Issue Area	Mitigation Measures
Land Use and Planning	<p>10ac-LU-1 As a condition of Project approval or land use permits issued under the Specific Plan, the applicant shall be required to grant an avigation easement for airport operations. Avigation easements shall not restrict airport operations, but shall specify the types of activities included within the easement designation. Avigation easements will specifically include reference to airport vicinity effects which include noise impacts, accident potential, fly-over, miscellaneous effects such as potential damage from accidental fuel spills and airport expansions.</p>
	<p>10ac-LU-2 The Department of Real Estate Report and property title reports shall inform prospective buyers of the existence of avigation easements. All properties within the vicinity of the airport shall be subject to avigation easement restrictions. Avigation easements are attached to the title of properties and hence are transferred to subsequent owners.</p>
	<p>10ac-LU-3 Residential structures and other hazards to aviation (such as light standards), shall meet FAA Part 77 requirements.</p>
	<p>10ac-LU-4 Height limits within the clear and approach zones shall recognize the 20:1 approach and departure slope which is a condition of airport operation as permitted by California Department of Transportation, Division of Aeronautics.</p>
	<p>10ac-LU-5 The Airport Use shall be subject to the following special-use restrictions:</p> <ul style="list-style-type: none"> • Flights are limited to daylight hours. • Flight patterns for approaches and departures shall occur predominantly over non-inhabited areas. • Number of flights will be limited per day and/or per week. • No commercial passenger aircraft will be permitted. • Ultra-light aircraft and sail craft shall not fly over inhabited areas. • No helicopter use will be permitted unless a separate heliport permit is obtained. • No training flights will be permitted. • No tower facilities will be permitted. • The facility will be closed during inclement weather or when inclement weather will be forecast. • The 60 CNEL noise contour will be contained on the airstrip property.
	<p>10ac-LU-6 Residential uses within any established airport pattern area shall be limited to suggested densities in the Airport Land Use Planning Handbook or other appropriate planning standards.</p>
Noise	<p>10ac-NSE-1 All construction equipment shall utilize proper working mufflers and be kept in a proper state of tune to alleviate backfires. Stationary equipment such as generators shall be equipped with noise shrouds and shall be placed as far as possible from sensitive receptor locations. Finally, when working with sensitive areas, portable noise barriers shall be utilized to reduce produced noise to the extent feasible.</p>
	<p>10ac-NSE-2 Short-term construction noise intrusion shall be limited by time and exposure limits set out in the grading permit. The permit shall prohibit construction of 7 p.m. to 7 a.m. (8 p.m. to 9 a.m. on weekends and holidays), and shall also establish exposure limits from mobile and stationary construction activity noise sources during times of allowed operations.</p>
	<p>10ac-NSE-3 As the interior of 45 dBA CNEL can only be met with windows and doors closed, forced air ventilation shall be required.</p>

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Issue Area	Mitigation Measures
	<p>10ac-NSE-4 Exterior wall shall be constructed with 2- by 4-inch wood studs, ½-inch gypsum wallboards, interior R-11 insulation between the studs and shall be finished on the exterior with siding on sheathing, stucco, or brick veneer. All joints shall be well fitted and/or caulked to an air-tight seal.</p> <p>10ac-NSE-5 The roof system shall have 1/2 –inch plywood sheeting which is well fitted and caulked. Insulation with a rating of a least R-19 should be placed in the attic space. The ceiling shall also be well fitted, well sealed gypsum board of at least ½ inch.</p> <p>10ac-NSE-6 Fireplaces shall be provided with well fitted dampers. Chimneys shall be topped with a metal cap to eliminate line-of-sight aircraft noise.</p> <p>10ac-NSE-7 Mitigation for exterior noise shall include increased setback, the construction of soundwalls and berms, and the banning of heavy trucks from collector routes. For mitigation by set-back, the distances to the 60 dBA CNEL as presented in Table 4.5-2 of the East Lake Specific Plan EIR shall be followed. In accordance with the Specific Plan, dwellings are to be placed at the distances depicted in Table 4.5-4 East Lake Specific Plan EIR. These data were utilized in estimating noise barrier heights.</p> <p>10ac-NSE-8 All noise barrier heights shall be confirmed during design review and shall consider final grading contours and actual setbacks.</p> <p>10ac-NSE-9 All windows, doors, sliding glass doors, and skylights shall be well fitted, weatherstripped, and sound rated assemblies. The glazing STC values will be determined prior to the issuance of building permits. Entry doors shall be solid core and at least 1-3/4 inches thick. Skylights shall have a minimum rating of STC 25.</p>
Public Services	<p>10ac-PS-1 All development proposals shall be reviewed by the City of Lake Elsinore and Riverside County Fire Department to ensure that adequate fire services are available to serve the development.</p> <p>10ac-PS-2 The proposed fire station shall follow the standards of the Fire Master Plan.</p> <p>10ac-PS-3 All buildings shall be constructed with fire-retardant roofing materials as described in Section 3203 of the Uniform Building Code. Any wood shingles or shakes shall be a Class “B” rating and shall be approved by the Fire Department prior to installation.</p> <p>10ac-PS-4 The applicant will work with EVMWD to ensure that there is an adequate supply of water and pressure to meet fire flow requirements. All water mains and hydrants shall be provided in accordance with City of Lake Elsinore Municipal Code, subject to the approval of the Riverside County Fire Department.</p> <p>10ac-PS-5 Prior to occupancy, the Applicant and city shall cooperate with the Riverside County Sheriff’s Department to ensure that adequate police service will be provided for the project, including mitigation fees, if any.</p> <p>10ac-PS-6 All new development shall incorporate design and building specifications as recommended by the city and county including, but not limited to appropriate setbacks, adequate lighting or walkways and parking lots, and the use of burglary-resistant hardware and fixtures on buildings. The city shall review all development plans prior to construction. In addition, the establishment of a neighborhood watch program shall be encouraged.</p> <p>10ac-PS-7 The applicant shall pay developer fees in the amount set by state law.</p>

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Issue Area	Mitigation Measures
Traffic and Transportation	<p>The 1993 EIR prepared for the original ELSP project included roadway and intersection improvements mitigation measures for each Phase of the ELSP project. A summary of these measures were included in Appendix L of the ELSP Draft EIR. However, the following mitigation measures would also apply:</p> <p>10ac-TR-1 Develop a traffic plan to minimize traffic flow interference from construction activities. This plan may include such items as advance public notice of routing, use of public transportation, and satellite parking areas with shuttle service.</p> <p>10ac-TR-2 Schedule materials haul trips during off-peak hours.</p> <p>10ac-TR-3 Minimize the obstruction of through lanes from haul trucks.</p> <p>10ac-TR-4 Configure parking to minimize traffic interference by providing adequate ingress and egress</p> <p>10ac-TR-5 Provide dedicated turn lanes as appropriate.</p>
Utilities	<p>10ac-UT-1 Water and sewer facilities will be installed in accordance with the requirements and specifications of the city of Lake Elsinore, EVMWD, Riverside County Department of Health, and RWQCB.</p> <p>10ac-UT-2 Assurance for the provision of adequate water and sewer service is required prior to approval of a subdivision map in accordance with the State Subdivision Map Act. EVMWD will review water and sewer system demands for various projects within each phase of development for conformance to district design requirements and for ability to serve prior to approval of any subdivision maps. EVMWD shall specify the timing of completion of the backbone master plan facilities. Applicants shall pay applicable fees for fair share contributions of offsite facilities.</p> <p>10ac-UT-3 The capital cost of new onsite water and sewer pipelines, pump stations, lift stations, and reservoirs to handle on-site flows shall be borne by the Applicant.</p> <p>10ac-UT-4 Project applicant shall incorporate water conservation measures into the project plan to include water saving devices and systems, landscape design and use of recycled water where possible. The Water Conservation Ordinance of the city of Lake Elsinore of the County of Riverside shall be followed during the construction of the Proposed Project. The State Department of Water Resources for achieving this goal includes the following:</p> <ul style="list-style-type: none"> • Water for construction purposes including, but not limited to, debrushing of vacant land, compaction of fills and pads, trench, backfill, and other construction uses, shall be used in an efficient manner. • The landscape plans for the Proposed Project shall emphasize a planting scheme that minimizes water irrigation requirements. It is suggested that irrigation requirements be reduced by having at least one third of the plant palette call for use of low water demand, native vegetation. Xeriscape techniques shall also be used in design of the final landscape scheme for the development. Also, the landscape plan shall include plants that are tolerant of the increase minerals in reclaimed water. • Efficient landscape irrigation systems shall be developed, minimizing excess runoff and the watering of trees and sidewalks. • Use pervious paving materials whenever feasible to reduce surface water runoff and to aid in ground water recharge. • Use mulch extensively in all landscaped areas. Mulch applied on top of soil will improve the water-holding capacity of soil by reducing evaporation and soil compaction. • Grade slopes so that runoff of surface water is minimized.

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Issue Area	Mitigation Measures
	<ul style="list-style-type: none"> • Encourage cluster developed, which can reduce the amount of land being converted to urban use. This will reduce the amount of impervious paving created and thereby aid in groundwater recharge. • Preserve existing natural drainage areas and encourage the incorporation of natural drainage systems in new development. This aids in groundwater recharge. • Water shall not be used to clean, fill, operate or maintain levels in decorative fountains unless such water is for replenishment of a recycling system. • Water used for cooling systems shall be recycled to the extent possible. • Evaporation resistant covers are required for all new swimming pools and hot tubs. • Water lines, faucets, and other facilities shall be maintained so that they do not leak water. Existing leaks shall be repaired in a timely manner.
10ac-UT-4	<p>Applicants shall implement State of California Department of Water Resources requirements for water-efficiency plumbing fixtures in structures:</p> <ul style="list-style-type: none"> • Health and Safety Code, Section 17921.3, requires ultra low-flush toilets and urinals (1.6 gal/flush) • Water softening devices that regenerate onsite are prohibited. • Title 20, California Administrative Code, Section 1604(f), establishes efficiency standards that give the maximum flow rate of all new showerheads, lavatory faucets, and sink faucets. • Title 20, California Administrative Code, Section 1606(b), prohibits the sale of fixtures that do not comply with regulations. • Title 24, California Administrative Code, Section 2-5307(b), prohibits the installation of fixtures unless the manufacturer has certified to the CEC compliance with the flow rate standards. • Title 24, California Administrative Code, Sections 2-5352(i) and (j), address pipe insulation requirements. Insulation of water heating systems is also required.
10ac-UT- 5	<p>The Applicant shall work with EVMWD to ensure that there is an adequate supply of water and pressure to meet fire flow requirements. All water mains and hydrants shall be provided in accordance with City of Lake Elsinore Municipal Code, subject to the approval of the Riverside County Fire Department.</p>
10ac-UT- 6	<p>Recycled water shall be utilized where feasible. Where implemented, recycled water will be used in accordance with Title 22, California Administrative Code, and is also subject to the requirements and specifications of the Riverside County Health Department, EVMWD, and RWQCB.</p>
10ac-UT- 7	<p>Applicants shall implement State of California Department of Water Resources requirements for water-efficient plumbing fixtures in structures.</p>
10ac-UT- 8	<p>Applicant shall assist EVMWD in finding additional funding sources for short- and long-term financing for construction of onsite and regional facilities.</p>
10ac-Util-9	<p>The applicant shall comply with all applicable measures as specified by the City including those found in the City programs including the City Source Reduction and Recycling Element and Household Hazardous Waste Element, The County Solid Waste Management Plan and new County Integrated Waste Management Plan. These programs include, but are not limited to source reduction, recycling, separation of</p>

1.0 Executive Summary/Introduction

Issue Area	Mitigation Measures
	<p>recoverable, composting, and high technology resource recovery. Recycling suggestion from the California Integrated Waste Management Board include the following:</p> <ul style="list-style-type: none"> • Provide information to residents about the recycling services in the development area(s). Identify buy back centers and possible markets for recyclables in the area(s). Suggest to residents and businesses that they recycle glass, metal, paper, cardboard, and other materials to the maximum extent feasible. • Promote the use of insulation and other products made of recycled materials in the construction of development structures • Promote the inclusion of recycling materials storage areas into the design of the residential units • Suggest to residents and businesses that they utilize products made from recycled materials to the maximum extent possible.
Water Quality	<p>10ac-WQ-1 Erosion control and runoff control measures shall be implemented during construction to avoid sedimentation impacts. The Applicant's grading plan shall incorporate such measures to control runoff from construction sites. The city Engineering Department shall review the adequacy of such measures on grading plans prior to issuance of grading permits. Runoff control measures to be incorporated into grading plans shall include but are not limited to the following:</p> <ul style="list-style-type: none"> • Temporary seeding, mulching, sod stabilization, and vegetative buffer strips, • Drainage swales, sediment traps, and temporary sediment basins, and • Straw bale dikes, silt fences, earth dikes and brush barriers. <p>10ac-WQ-2 Prior to issuance of grading permits, the Applicant shall develop a Spill Prevention Containment and Cleanup Plan for potential accidental spills of petroleum prevention products from machinery or above-ground storage tanks during construction.</p> <p>10ac-WQ-3 In order to minimize the degradation of water quality from stormwater runoff, a comprehensive Stormwater Pollution Prevention Plan shall be developed by the Applicant. Such a plan would include the proposed Best Management Plans (BMPs) contained in the East Lake Specific Plan.</p> <p>10ac-WQ-4 Applicant for individual projects requiring 401 Water Quality Certification and NPDES construction and stormwater permits shall obtain such permits prior to the issuance of City grading permits.</p> <p>10ac-WQ-5 Prior to the issuance of a grading permit, it shall be demonstrated that all outfall discharging into the Wetlands Areas (unless stipulated in the Habitat Monitoring and Maintenance Plan) and the 356-acre Wetlands Mitigation Area only discharge during 50-year storm events and that no urban or toxic runoff (including pesticides, hydrocarbons, heavy metals, nutrients, other pollutants that adversely affect wildlife) be allowed to discharge or be pumped into the Wetland Areas or the 356-acre Wetlands Mitigation Areas. At no time shall outfalls be allowed to be constructed that directly discharge within the Wetlands Areas or the 356-acre Wetlands Mitigation Areas.</p>

1.7.2 DIAMOND SPECIFIC PLAN

Table 1.7-2 summarizes the environmental impacts, mitigation measures, and level of significance after mitigation associated with the Diamond Specific Plan. It should be noted that two environmental issues, Agricultural Resources and Mineral Resources, are not discussed in the Draft EIR. See Section 1.7.3 for the rationale for eliminating these issues from further analysis during preparation of the NOP.

Table 1.7-2. Impacts and Mitigation Measures for the Diamond Specific Plan

Environmental Impact	Significance Before Mitigation	Mitigation Measures		Significance After Mitigation
<i>Aesthetics</i>				
Implementation of the Diamond Specific Plan would not result in any significant impacts to aesthetic resources.	Less Than Significant	No mitigation measures pertaining to aesthetics are required.		Less Than Significant
<i>Air Quality</i>				
Construction of the project may have adverse affects to air quality	Significant	DSP-AQ-1	<p>During construction, the contractor shall implement the following measures:</p> <ul style="list-style-type: none"> • Apply soil stabilizers <u>according to manufacturers' specifications to inactive areas (previously graded areas inactive for ten days or more).</u> • Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds <u>(as instantaneous gusts) exceed 25 mph.</u> • Stabilize previously disturbed areas if subsequent construction is delayed. • Water exposed surfaces and haul roads three times/day. • Cover all stock piles with tarps. • Replace ground cover in disturbed areas as soon as feasible. • Reduce speeds on unpaved roads to less than 15 mph. • Require 90-day low-NO_x 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 catalyts if available. • Utilize diesel particulate filter on heavy equipment where feasible. • <u>If Tier 2 or Tier 3 off-road construction equipment is not available, require alternative fueled off-road equipment.</u> • <u>Configure construction parking to minimize traffic interference.</u> • <u>Use electricity from power poles rather than temporary diesel or gasoline power generators.</u> • <u>Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.</u> 	Mitigated to below a level of significance

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Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<ul style="list-style-type: none"> • <u>Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the extent practicable.</u> • <u>Reroute construction trucks away from congested streets or sensitive receptor areas.</u> • <u>Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.</u> • <u>Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip.</u> • <u>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).</u> • <u>All trucks hauling dirt, sand, soil, or other loose materials are to be covered.</u> • <u>Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM₁₀ generation.</u> 	
Operation of the project may have adverse impacts to air quality and contribute to global climate change.	Significant	<p>DSP-AQ-2</p> <p>Prior to issuance of a building permit(s), the applicant shall provide an exhibit demonstrating that the following measures have been incorporated into the overall Diamond Specific Plan design to reduce reliance on the single occupancy vehicle. These provisions shall be made a Condition of Approval on tentative map(s) as part of street improvements.</p> <ul style="list-style-type: none"> • Provide for increased utilization of public transit by providing a park-and-ride facility and opportunities on-site for the future shuttle link to the planned Metrolink station in Perris or downtown Lake Elsinore. If the Metrolink station in Perris or downtown Lake Elsinore is not implemented, the project would not be required to provide the shuttle link on the project site. • Provide one or more secure, convenient bus stop locations, including, where feasible, seating, signage, shelters, and trash receptacles. • Provide safe, appropriately lighted, and attractively landscaped physical linkages between land uses that encourage bicycling and walking as alternatives to driving through the provision of bike lanes and/or walking paths. 	Significant and Unavoidable

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Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<p>DSP-AQ-3</p> <p>Prior to issuance of a building permit(s), the applicant shall demonstrate that the following measures to conserve energy have been incorporated into building design:</p> <ul style="list-style-type: none"> • Off-street bicycle parking shall be distributed throughout the commercial areas of the Diamond Specific Plan and placed conveniently near building entrances without obstructing pedestrian movement. • Submit plans demonstrating that the new residential buildings shall exceed 2009 California Title 24 energy efficiency. • Submit plans demonstrating that the new commercial buildings shall include the following green building design features: <ul style="list-style-type: none"> – 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 • Incorporate use of low pressure sodium and/or fluorescent lighting, where feasible. • Require acquisition of new ENERGY STAR qualified 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 feasible and appropriate as determined by the City Engineer and Building official, 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. <p>DSP-AQ-4</p> <p>Prior to issuance of a building permit(s), the applicant shall demonstrate that the following water and energy conservation measures have been incorporated into the landscape plan:</p> <ul style="list-style-type: none"> • Participate in green waste collection and recycling programs for landscape maintenance. 	

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Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<p>DSP-AQ-5 Once the City's Climate Action Plan is adopted, the project shall adhere to the guidelines, regulations, and requirements to reduce GHG emissions as stated in the plan.</p> <ul style="list-style-type: none"> • Require use of landscaping with low water requirements and fast growth. • Plant trees or vegetation to shade buildings and thus reduce heating/ cooling demand. 	
Biological Resources			
Implementation of the project would result in impacts to sensitive plant species.	Significant	<p>Combined, the project shall mitigate for 0.51 (0.40 acres of Riparian/Riverine + 0.11 (USACE/CDFG drainage) acres Riparian/Riverine and USACE and CDFG impacts through the following measures:</p> <p>DSP-BIO-1 Prior to issuance of a grading permit(s) for portions of the Diamond Specific Plan with smooth tarplant (Figure 4.3-7), the applicant shall implement the following measures to conserve the smooth tarplant population, resulting in 1.35 acres (0.68 on-site and 0.67 off-site or 90 percent of the existing smooth tarplant population) of smooth tarplant mitigation:</p> <ul style="list-style-type: none"> • An applicant –retained qualified biologist shall prepare a transplantation plan outlining implementation of the proposed mitigation plan. The plan shall outline the details of the following transplantation requirements: <ol style="list-style-type: none"> a. Prior to disturbance activities, 0.68 acres of smooth tarplant shall be translocated on-site (i.e., seeded with seeds collected from the existing population on-site) along the western boundary of the Diamond Specific Plan, contiguous to the existing populations of smooth tarplant which currently exist on-site. b. Prior to disturbance activities, approximately 0.67 acre of smooth tarplant shall also be translocated off-site, as shown in Figure 4.3-7. • All mitigation areas shall be placed under a conservation easement, deed restriction, or comparable legal instrument which restricts land uses and provides for their long-term preservation. <p>DSP-BIO-2 Prior to issuance of a grading permit(s) for areas within the Diamond Specific Plan identified as having little mousetail occur on-site (see Figure 4.3-8), the applicant shall provide off-site mitigation through translocation of topsoil inoculum (to be collected prior to disturbance activities) to a site where suitable habitat conditions exist to provide for conservation of 100 percent of the existing</p>	Mitigated to below a level of significance

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Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		100 little mousetail plants covering approximately 0.07acre. The off-site mitigation area shall be placed under a conservation easement, deed restriction, or comparable legal instrument which restricts land uses and provides for its long-term preservation.	
Implementation of the proposed project would result in impacts to sensitive wildlife species.	Significant	DSP-BIO-3 Due to the presence of suitable habitat onsite for the western burrowing owl, a qualified biologist shall conduct pre-construction focused species surveys within 30-days prior to any ground-disturbing activities at the project site where suitable habitat is present. If burrowing owls are determined to occupy the project site during pre-construction surveys, CDFG shall be consulted and a passive relocation program shall be undertaken to relocate owls to an area outside the impact zone. The relocation shall be conducted following accepted protocols and would occur outside of the breeding season for the burrowing owl. Existing burrows shall be destroyed once they are vacated.	Mitigated to below a level of significance
Implementation of the proposed project may impact riparian habitat.	Significant	DSP-BIO-4 Prior to issuance of a grading permit(s) for areas within the Diamond Specific Plan that contain riparian/riverine habitat, the applicant shall implement one or more of the following measures to mitigate for 0.33 acre of riparian/riverine habitat at a 1:1 ratio: <ul style="list-style-type: none"> • Off-site replacement of USACE/RWQCB jurisdictional "waters of the U.S.," "waters of the State" and wetlands at no less than a 1:1 replacement to impact ratio, or as required by the agency. 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 (i.e., San Jacinto River invasive removal project through Santa Ana Watershed Authority). • Off-site replacement of CDFG jurisdictional streambed and associated riparian habitat at no less than a 1:1 replacement to impact ratio, or as required by the agency. 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 (i.e., San Jacinto River invasive removal project through Santa Ana Watershed Authority). 	Mitigated to below a level of significance

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Environmental Impact	Significance Before Mitigation	Mitigation Measures		Significance After Mitigation
Implementation of the proposed project may impact jurisdictional waters.	Significant	DSP-BIO-5	<p>Prior to issuance of a grading permit for development within USACE and CDFG jurisdiction (depicted on Figure 4.3-5), the applicant shall implement one or more of the following measures, subject to USACE and CDFG approval through the Section 404 and Section 1600 Streambed Alteration Agreement permitting process:</p> <ul style="list-style-type: none"> • Purchase of credits into an agency-approved off-site mitigation bank or in-lieu fee program (e.g., San Jacinto River invasive removal project through the Santa Ana Watershed Authority) at a mitigation ratio of 0.25:1. • Conserve land (off-site) within the same jurisdictional elevation (i.e., below 1265' in elevation) within the Back Basin at a minimum mitigation ratio of 0.25:1. • Tamarisk removal from City-owned lands within the Back Basin at a minimum mitigation ratio of 0.25:1. • Invasive species removal from areas within the Back Basin within the CDFG 1265' jurisdictional elevation of Lake Elsinore at a minimum mitigation ratio of 0.25:1. 	Mitigated to below a level of significance
Implementation of the proposed project may impact wildlife movement.	Significant	DSP-BIO-6	<p>The Applicant shall be responsible for implementing mitigation to reduce impacts to migratory and/or nesting bird species to below a level of significance through one of two ways: (1) Vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14) to avoid potential impacts to nesting birds. This will ensure that no active nests will be disturbed and that habitat removal could proceed rapidly; (2) Any construction activities that occur during the nesting season (February 15 to August 31) shall require that all suitable habitat be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement of clearing. If any active nests are detected, a buffer of at least 300 feet (500 feet for raptors) will be delineated, flagged, and avoided until the nesting cycle is complete as determined by the biological monitor to minimize impacts.</p>	Mitigated to below a level of significance
Implementation of the proposed project may not be in compliance with county ordinances	Significant	DSP-BIO-7	<p>To reduce impacts to the Stephen's kangaroo rat, the project shall pay Riverside County SKR Habitat Conservation Plan Fees of \$500 per gross acre to reduce impacts as established by Riverside County Ordinance 663. The mitigation fee shall be required prior to the issuance of a grading permit. If a deferral agreement instrument is recorded by the Applicant, the fee may be deferred to the issuance of the first building permit within the development. Fee amounts are determined by Riverside County Transportation and Land Management Agency (TLMA) Building & Safety and Planning Land Use</p>	Mitigated below a level of significance

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Environmental Impact	Significance Before Mitigation	Mitigation Measures		Significance After Mitigation
			staff and can be paid at any TLMA Permit Assistance Center.	
Implementation of the proposed project may not be consistent with the MSHCP.	Significant	DSP-BIO-8	Prior to the commencement of construction activity, a temporary sound wall shall be erected adjacent to construction between the Diamond Specific Plan's development footprint and the Preservation Areas to ensure that wildlife are not subject to noise that would exceed residential noise standards (65 dBA) or ambient noise levels (whichever is higher). Once construction is completed, the temporary sound wall shall be removed.	Mitigated to below a level of significance.
		DSP-BIO-9	Loading docks adjacent to the Preservation Areas shall be designed and operated to maintain noise levels at 65 dBA or ambient noise levels (whichever is higher).	
<i>Cultural Resources</i>				
Implementation of the proposed project may impact previously unidentified historic and/or cultural resources during project grading.	Significant	DSP-CR-1	Prior to issuance of grading permit(s) for the Diamond Specific Plan, the project applicant shall retain an archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.	Mitigated to below a level of significance
		DSP-CR-2	At least 30 days prior to seeking a grading permit, the project applicant shall contact the appropriate Tribe ¹ to notify the Tribe ¹ of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe ¹ 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.	
		DSP-CR-3	Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in DSP-CR-2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate Tribe ¹ in order to evaluate the significance of any archaeological resources discovered on the property.	

¹ It is anticipated that the Pechanga Tribe will be the "appropriate" Tribe due to its prior and extensive coordination with the City and project applicant in determining potentially significant impacts and appropriate mitigation measures and due to its demonstrated cultural affiliation with the project area.

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Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<p>Tribal monitors shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.</p> <p>DSP-CR-4 Prior to any grading at or near the vicinity of (CA-RIV-4042) within proposed Planning Area 2, the Developer shall meet and confer with the appropriate Tribe¹ to develop an appropriate controlled grading plan. The purpose of the controlled grading at and around the site is to afford the opportunity to determine whether any subsurface resources are associated with the site and if so, the significance of any such resources. All such controlled grading shall be monitored according to the provisions of the Agreement required in DSP-CR-2. Soil within archaeological site CA-RIV-4042 boundaries as recorded in the Phase II testing program and within a buffer zone of 50 feet surrounding the site shall be systematically removed utilizing a paddle-wheel scraper or other equipment approved by the project archaeologist and the Native American representative. Soil shall be removed across the entire site sequentially in individual layers not to exceed four inches at a time, unless specifically recommended otherwise by the project archaeologist and project Native American Tribal representative who shall supervise their respective monitors. Further, if subsurface resources are discovered at the site, the provisions of DSP-CR-8 shall apply.</p> <p>DSP-CR-5 If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.</p> <p>DSP-CR-6 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 Tribe¹ for proper treatment and disposition. Said disposition shall entail reburial in area(s) which will not be subject to further disturbance and which have been determined to be acceptable by the appropriate Tribe¹.</p>	

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Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<p>DSP-CR-7 All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.</p> <p>DSP-CR-8 If inadvertent discoveries of subsurface archaeological/cultural resources are made during grading, the Developer, the project archaeologist, and the appropriate Tribe¹ shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe¹ cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe¹. Notwithstanding any other rights available under the law, the decision of the CDD shall be appealable to the City of Lake Elsinore Planning Commission.</p> <p>DSP-CR-9 Prior to issuance of a grading permit(s), the applicant shall retain a qualified paleontological monitor. The paleontological monitor shall be responsible for the following:</p> <ul style="list-style-type: none"> • Monitoring all grading that includes initial cutting into any area of the project site. Paleontological monitoring shall occur only for those undisturbed sediments wherein fossil plant or animal remains are found with no associated evidence of human activity or any archaeological context. • If any paleontological resources are identified during these activities, the paleontologist shall temporarily divert construction until the significance of the resources is ascertained. • Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays, and to remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Monitoring may be reduced if the potentially fossiliferous units described above are not present or if the fossiliferous units present are determined by a qualified paleontological monitor to have low potential to contain fossil resources. • All recovered specimens shall be prepared to a point of identification and permanent 	

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Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<p>preservation, including washing of sediments to recover small invertebrates and vertebrates.</p> <ul style="list-style-type: none"> • Specimens shall be identified and curated into an established, accredited, professional museum repository with permanent retrievable storage. The paleontologist shall have a written repository agreement in hand prior to the initiation of mitigation activities. • A report of findings with an appended itemized inventory of identified specimens shall be prepared. The report shall address archaeological and paleontological items. This report shall incorporate the full results of the literature review, as well as the full results of the recommended review of the records of the Eastern Information Center at the University of California, Riverside. The report shall be submitted to the City of Lake Elsinore prior to the issuance of the Certificate of Occupancy. 	
<i>Geology and Soils</i>			
Implementation of the Diamond Specific Plan would not result in any significant impact to geology and soils.	Less Than Significant	No mitigation measures pertaining to geology and soils are required.	Less Than Significant
<i>Hazards/ Hazardous Materials</i>			
Due to the uncertainty of the presence/ absence of hazardous materials on parcels that have not had Phase I ESA field surveys conducted, the Diamond Specific Plan has the potential to result in significant hazardous impacts.	Significant	<p>DSP-HAZ-1 Prior to approval of a site plan including redevelopment on the following parcels: 373-210-016, -019, -024, -027, -042 and 371-030-035, a Phase I Environmental Site Assessment shall be conducted on those parcels. If no hazardous materials are identified, the project may proceed. In the event that hazardous materials are identified, the removal, transport and disposal of said materials shall be handled according to Federal, State, and local laws. Figure 4.6-1 depicts the locations of these parcels.</p> <p>DSP-HAZ-2 Prior to issuance of a grading permit (or prior to initiation of any ground-disturbing activities), a Phase I Environmental Site Assessment shall be conducted on the following parcels: 363-161-012, -032 -033, -034, -035, and -037 and 373-210-030. If no hazardous materials are identified, the project may proceed. In event that hazardous materials are identified, the removal, transport and disposal of said materials shall be handled according to federal, state, and local laws. Figure 4.6-1 depicts the locations of these parcels.</p>	Mitigated to below a level of significance
<i>Hydrology and Water Quality</i>			
Implementation of the Diamond Specific Plan	Less Than Significant	No mitigation measures pertaining to hydrology and water quality are required.	Less Than Significant

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Environmental Impact	Significance Before Mitigation	Mitigation Measures		Significance After Mitigation
would not result in any significant impact to hydrology and/or water quality.				
Land Use and Planning				
Implementation of the Diamond Specific Plan would not result in any significant impacts to land use or planning resources.	Less Than Significant	No mitigation measures pertaining to land use and planning are required.		Less Than Significant
Noise				
Construction of the proposed project would cause adverse noise impacts	Significant	<p>DSP-NSE-1 All construction equipment shall use properly operating mufflers.</p> <p>DSP-NSE -2 All stationary noise generating construction equipment shall be located as far as practical from existing residences. If impulsive noise generation such as pile driving or jack-hammers is necessary close to noise-sensitive users, activity scheduling to minimize off-site impacts, or erection of temporary barriers, shall be necessary.</p>		Mitigated to below a level of significance.
Noise impacts from traffic and commercial uses may impact exterior and interior living spaces.	Significant	<p>DSP-NSE -3 As detailed site plans come forward for the Specific Plan area, site design in the form of setbacks from the roadway or noise attenuation shall be required to reduce noise levels to acceptable standards. In the event that patios and balconies are determined to occur within the 65 dBA noise contour, noise attenuation shall be required to reduce noise levels to 65 dBA L_{dn} or lower. This may include the use of architectural treatments, barriers, or other noise attenuating measures. The mitigation measures shall provide sound level reductions so that future uses within the Diamond Specific Plan area are consistent with the CNEL levels identified in the Lake Elsinore General Plan.</p> <p>DSP-NSE -4 Prior to the issuance of building permits, the applicant shall submit a detailed acoustical study demonstrating that all the Diamond Specific Plan structures will meet applicable City interior noise levels and exterior living area noise levels, in accordance with applicable noise standards and zoning regulations.</p> <ol style="list-style-type: none"> a. The study shall be prepared by a City-approved acoustical expert, to the satisfaction of the Community Development Director. b. The study shall document projected ultimate noise exposure for interior office, retail and residential space and shall demonstrate that the Diamond Specific Plan design plans have incorporated adequate sound attenuation measures to achieve the applicable noise standards. 		Mitigated to below a level of significance

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Environmental Impact	Significance Before Mitigation	Mitigation Measures		Significance After Mitigation
		DSP-NSE -5	Prior to the issuance of any building permits for residential uses located within Planning Area 1, the applicant shall incorporate appropriate buffering and/or sound attenuation in the building designs to limit potential incompatibilities with the nearby animal hospital. Noise levels for the residential units shall be reduced to 65 dBA for exterior noise levels and 45 dBA for interior noise levels.	
		DSP-NSE-6	Prior to issuance of building permits for residential uses along the east side of Planning Area 5 which abuts the rear loading area of the Lake Elsinore Town Center, the applicant shall incorporate appropriate buffering and/or sound attenuation features to reduce exterior noise levels to 65 dBA and interior noise levels to 45 dBA.	
<i>Population and Housing</i>				
Implementation of the Diamond Specific Plan would not result in any significant impacts to population and housing	Less Than Significant	No mitigation measures pertaining to population and housing are required.		Less Than Significant
<i>Public Services</i>				
Implementation of the Diamond Specific Plan would not significantly impact fire protection, police protection, schools, or library services.	Less Than Significant	No mitigation measures pertaining to public services are required.		Less Than Significant
<i>Recreation</i>				
Implementation of the Diamond Specific Plan would not significantly impact recreation facilities.	Less Than Significant	No mitigation measures pertaining to recreation are required.		Less Than Significant
<i>Transportation and Traffic</i>				
Construction of the project may have adverse impacts to roadway traffic.	Significant	DSP-TR-1	<p>Prior to the start of construction of each phase of the Diamond Specific Plan, the Applicant shall implement the following measures documented in a construction management plan to be approved by the City Engineer:</p> <ul style="list-style-type: none"> • Control for any street closure, detour, or other disruption to traffic circulation • Routes that construction vehicles will utilize to access the site • Hours of construction traffic (not to occur during AM or PM peak hour) • Off-site vehicles staging and parking areas • Proposed construction staging plan for the project 	Mitigated to below a level of significance

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Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
		<ul style="list-style-type: none"> • Posted information for contact in case of emergency or complaint, and • Hours of construction and traffic control during construction shall not interfere with ingress/egress to and from the Lake Elsinore Storm Baseball Stadium during the baseball season. 	
Operation of the project may have adverse impact to traffic levels/level of service	Significant	<p>DSP-TR-2</p> <p>The project shall participate in the phased construction of the off-site intersection improvements shown in Table 4.13-13 through payment of City of Lake Elsinore fees, and participation in the Western Riverside County Transportation Uniform Mitigation Fees (TUMF) program. Where required improvements are not covered by these programs, mitigation shall be implemented through a fair-share contribution or as otherwise determined by the City Engineer. The improvements listed in Table 4.13-13 shall be in place prior to issuance of the first building permit for each phase (as identified in the Traffic Impact Analysis) unless the following scenarios occur: a new traffic study is submitted and approved by the City's Traffic Engineer documenting that the intersection improvement is no longer needed to maintain LOS D or better.</p> <ul style="list-style-type: none"> • <u>A new traffic study is submitted and approved by the City's Traffic Engineer demonstrating that the identified intersection improvement is no longer needed to maintain an acceptable LOS as determined by the City's Traffic Engineer (The City's General Plan Updated proposes to allow LOS E within the Ballpark District).</u> • <u>In the event that the project combines phases or is developed according to a more accelerated schedule than anticipated in the Traffic Impact Analysis for the Diamond Specific Plan, a new traffic study shall be submitted and approved by the City's Traffic Engineer identifying the timing of the improvements required to reduce impacts to below a level of significance.</u> • <u>In the event that a programmed improvement is delayed, a new traffic study shall be submitted and approved by the City's Traffic Engineer identifying improvements that shall reduce the project's contribution to the impacted intersection or interchange.</u> 	Mitigated to a below a level of significance

Environmental Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
<i>Utilities and Service Systems</i>			
Implementation of the proposed project would not result in significant impacts to utilities and service systems.	Less Than Significant	No mitigation measures pertaining to utilities and service systems are required.	Less Than Significant

1.7.3 Eliminated from Further Review in Notice of Preparation

The NOP completed by the City (Appendix A.1) determined that environmental effects to Agricultural Resources and Mineral Resources would not be potentially significant. Therefore, these impacts are not addressed in this Draft EIR; however, the rationale for eliminating these issues is briefly discussed below:

Agricultural Resources

Based upon review of the California Department of Conservation Farmland Mapping and Monitoring Program, the project site is not identified as containing Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, nor is the project site used for agriculture. Also, the project site is not adjacent to Prime Farmland, Farmland of Statewide Importance, or Unique Farmland.

Furthermore, the project site is not under a Williamson Act contract. The project is partially zoned under the jurisdiction of the East Lake Specific Plan (ELSP). Within the ELSP, the site is zoned as General Commercial (GC), Open Space (OS), and Special Alternative Use (Diamond Stadium). The project site area outside of the ELSP is zoned for Neighborhood Commercial (C1). No conflicts are known to exist to agricultural land; therefore, no impact is identified for this issue area. No agricultural land exists within the site or adjoins the site. The proposed project would not involve any other changes to the existing environment that could result in the conversion of farmland to non-agricultural use. Therefore, implementation of the proposed project would result in less than significant impacts to agricultural resources.

Mineral Resources

The project site is not known to have any mineral resource that may be of value to the region or State. Further, the project site is not designated as a locally important mineral resource recovery site by the City or County of Riverside General Plan. Therefore, there is no opportunity to affect mineral resources, and implementation of the proposed project would have no impact on this issue area.

1.8 AREAS OF CONTROVERSY TO BE RESOLVED

Areas of Concern

Section 15123(b)(2) of the *CEQA Guidelines* requires that an EIR identify areas of controversy known to the Lead Agency, including issues raised by other agencies and the public.

The main comments submitted on the NOP during the public review and comment period are summarized in Table 1.8-1. This table also includes a reference to the section in which each issue is addressed.

Table 1.8-1. Summary of NOP Comment Letters

Issue Raised	Response
<i>State Clearinghouse and Planning Unit – March 24, 2009</i>	
This letter provides dates of review for the NOP.	No environmental issues were raised; therefore, no additional response is required.
<i>United States Fish and Wildlife Services – April 22, 2009</i>	
Kathleen Pollett from the United States Fish and Wildlife Service provided an NOP response via telephone to the City on April 22, 2009. USFWS noted that the project area is within additional reserve land for smooth tarplant.	A biological resources report was prepared for the Diamond Specific Plan. The complete reports are included in Appendix C.1 and Appendix C.3 of the Draft EIR. The analysis presented in Section 4.3 of the Draft EIR includes discussion of biological impacts, including smooth tarplant, and mitigation measures to reduce potential impacts to less than significant levels.
<i>Department of Toxic Substances Control – April 15, 2009</i>	
This letter provides a list of requirements pertaining to analysis of the potential for project-related impacts to human health and the environment from hazards or hazardous materials.	A Phase I Environmental Assessment and additional record searches were prepared for the Diamond Specific Plan and are included in Appendix F.1, F.2, and F.3 of this Draft EIR. The potential for project-related impacts to human health and the environment from hazards or hazardous materials is discussed in Section 4.6, Hazards and Hazardous Materials. The potential for project-related hazards or hazardous materials to impact water quality is discussed in Section 4.7, Hydrology-Water Quality. It was concluded that there would be a less than significant impact from hazards or hazardous materials to human health, the environment, and water quality.
<i>Southern California Association of Governments – April 27, 2009</i>	
This letter provides guidance for considering the proposed project within the context of SCAG regional goals and policies as well as regional and local growth forecasts.	Section 4.10 Population and Housing includes a discussion of population, household, and employment growth as a result of the proposed project within the context of growth forecasts for the City of Lake Elsinore and SCAG region. Additionally, Section 4.8, Land Use and Planning, provides an analysis of the project's consistency with regional goals and policies. As identified the Diamond Specific Plan would be consistent with regional goals and policies.
<i>South Coast Air Quality Management District – March 24, 2009</i>	
The letter provides a synopsis of CEQA requirements for Air Quality analysis in an EIR.	An air quality impact technical study was prepared for the Diamond Specific Plan in conformance with South Coast Air Quality Management District requirements. The study is included in Appendix B of this EIR and summarized in Section 4.2, Air Quality.
<i>Riverside County Flood Control and Water Conservation District – April 15, 2009</i>	
The letter indicates that the project site is located within the 100-year floodplain for Lake Elsinore and proposed development should preserve the volume of storage available for flood waters, and the DEIR should reference elevation in NAVD and/or NGVD. The letter also requested that the impact analysis should discuss prolonged flooding and off-site mitigation measures to limit flooding.	Diamond Specific Plan potential impacts to flooding are discussed in Section 4.7, Hydrology-Water Quality. In this section, it was determined that impacts related to flooding, and flood storage capacity would be less than significant with incorporation of design features.
<i>Alfredo Garcia City of Canyon Lake March 25, 2009</i>	
This letter acknowledges the receipt of the NOP and provides no further comment.	No environmental issues were raised; therefore, no additional response is required.

Issue Raised	Response
<i>Pechanga Cultural Resources, Temecula Band of Luiseno Mission Indians – April 7, 2009</i>	
The letter requests that the Pechanga Band of Luiseno Indians (Tribe) be notified and involved in the entire CEQA review process, and that the Tribe be included on the distribution list for public notices and circulation of all documents. The letter also makes recommendations regarding how cultural resources should be evaluated in the DEIR to ensure that impacts to Tribe-related resources are less than significant.	A cultural resources technical study was prepared for the proposed project and is included in Appendix D of this Draft EIR. The reports are summarized in Section 4.4, Cultural Resources, which includes a discussion of cultural resources impacts and mitigation measures to reduce potential impacts to less than significant levels. The Pechanga Band of Luiseno Indians is included in the City's CEQA distribution list and has been consulted with during preparation of the cultural resources report. In the analysis presented in Section 4.4, it was determined project impacts would have a less than significant impact to the area's cultural resources with incorporation of mitigation.
<i>Soboba Cultural Resource Department – February 5, 2009</i>	
The letter requests that the Soboba Band of Luiseno Indians (Tribe) be notified and involved in the entire CEQA review process.	The Soboba Band of Luiseno Indians is included in the City's CEQA distribution list and has been consulted with during preparation of the cultural resources report. In the analysis presented in Section 4.4, it was determined project impacts would have a less than significant impact to the area's cultural resources with incorporation of mitigation.

Comments received on the NOP are also included in Appendix A.3. In addition, comments and responses are discussed in their respective sections.

Issues to be Resolved

- The final determination must be made by the City of Lake Elsinore as to whether the benefits of the Diamond Specific Plan outweigh the significant, unavoidable project-level impacts related to air quality and cumulative level impacts to air quality and greenhouse gas emissions.

Statement of Overriding Considerations

CEQA Guidelines Sections 15093 require the Lead Agency to balance, as applicable, the economic, legal, social, and technological, or other benefits of the project against its unavoidable environmental risks when determining whether to approve the project. Significant and unmitigated impacts have been identified for the Diamond Specific Plan. If the lead agency approves a project with significant and unmitigated impacts, the lead agency shall state, in writing, the specific reasons to support its actions based upon the final EIR and/or other information in the record. This written reasoning is called a Statement of Findings and Overriding Considerations.

1.9 ALTERNATIVES

A detailed discussion of the alternatives considered for the proposed project is included in Section 5.0, Alternatives. An analysis is provided for each of the four alternatives that focuses on the ability of the alternatives analyzed to reduce or eliminate the environmental impacts associated with the proposed project. In addition, each alternative is evaluated on its ability to meet the project objectives. Table 1.9-1 compares the impacts of the Diamond Specific Plan to the Alternatives.

Table 1.9-1. Comparison of Alternative Impacts to Proposed Project

Environmental Issue Area	Proposed Project ¹	Alternative 1 No Project/ No Development ²	Alternative 2 Existing General Plan Designation and Zoning ³	Alternative 3 Reduced Density ⁴	Alternative 4 Reduced Density/Reduced Acreage ⁵
Aesthetics	Project Level: Less than significant Cumulative Level: Less than significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Similar impact	CEQA Significance: Less than significant Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Less impact
Air Quality	Project Level: Significant and unmitigated Cumulative Level: Significant and unmitigated	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Significant and unmitigated Comparison to Project: Greater level of impact	CEQA Significance: Less than significant Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Less impact
Biological Resources	Project Level: Mitigated to below a level of significance Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Similar impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Similar impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Less impact
Cultural Resources	Project Level: Mitigated to below a level of significance Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Similar impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Similar impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Less impact
Geology and Soils	Project Level: Less than Significant Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Similar impact	CEQA Significance: Less than significant Comparison to Project: Similar impact	CEQA Significance: Less than significant Comparison to Project: Similar impact

1.0 Executive Summary/Introduction

Environmental Issue Area	Proposed Project ¹	Alternative 1 No Project/ No Development ²	Alternative 2 Existing General Plan Designation and Zoning ³	Alternative 3 Reduced Density ⁴	Alternative 4 Reduced Density/Reduced Acreage ⁵
Hazards and Hazardous Materials	Project Level: Less than significant Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Similar impact	CEQA Significance: Less than significant Comparison to Project: Similar impact	CEQA Significance: Less than significant Comparison to Project: Similar impact
Hydrology/ Water Quality	Project level: Less than Significant Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Less than Significant Comparison to Project: Similar impact	CEQA Significance: Less than Significant Comparison to Project: Less impact	CEQA Significance: Less than Significant Comparison to Project: Less impact
Land Use and Planning	Project level: Less than Significant Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Less than Significant Comparison to Project: Similar impact	CEQA Significance: Less than Significant Comparison to Project: Similar impact	CEQA Significance: Less than Significant Comparison to Project: Similar impact
Noise	Project level: Mitigated to below a level of significance Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Greater impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Less impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Less impact
Population and Housing	Project level: Less than significant Cumulative Level: Less than significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Less impact	CEQA Significance: Less than Significant Comparison to Project: Less impact	CEQA Significance: Less than Significant Comparison to Project: Less impact

1.0 Executive Summary/Introduction

Environmental Issue Area	Proposed Project ¹	Alternative 1 No Project/ No Development ²	Alternative 2 Existing General Plan Designation and Zoning ³	Alternative 3 Reduced Density ⁴	Alternative 4 Reduced Density/Reduced Acreage ⁵
Public Services	Project level: Less than Significant Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Similar Impact	CEQA Significance: Less than significant Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Less impact
Recreation	Project level: Less than Significant Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Similar impact
Transportation and Traffic	Project level: Mitigated to below a level of significance Cumulative Level: Mitigated to below a level of significance	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Greater impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Less Impact	CEQA Significance: Mitigated to below a level of significance Comparison to Project: Less Impact
Utilities and Service Systems	Project level: Less than Significant Cumulative Level: Less than Significant	CEQA Significance: No impact Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Similar impact	CEQA Significance: Less than significant Comparison to Project: Less impact	CEQA Significance: Less than significant Comparison to Project: Less impact

Note: This table provides a qualitative comparison of the level of impact for each issue area compared to the proposed project. Please see Sections 4.1 through 4.14 for a discussion of impacts for the proposed project.

¹ The proposed project would result in 87.2 acres of mixed use development including 600 dwelling units, 897,000 sf of commercial development, and 150 hotel rooms within the Diamond Specific Plan and 10 acres of commercial uses (either general commercial or commercial mixed use dependant on the governing General Plan at the time of adoption)

² The No project/ No Development Alternative would leave the project area in its present condition without project development or new construction

³ The Existing General Plan Designation and Zoning Alternative would result in 11 acres of neighborhood commercial, 51.7 acres of general commercial, 7.5 acres of open space, 19 acres of special alternative use (baseball stadium), and 8 acres of roads. No residential units would result.

⁴ The Reduced Density Alternative would result in 209 condos/townhouses, 148,172 sf of office use, 164,559 sf of commercial development and 52 hotel rooms.

⁵ The Reduced Density/Reduced Acreage Alternative would result in 209 condos/townhouses, 148,172 sf of office use, 164,559 sf of commercial development and 52 hotel rooms and would avoid a minimum of 8.1 acres of land in Planning Area 2 to preserve cultural and biological resources and to comply with the Quimby Act.

2.0 PROJECT DESCRIPTION

The proposed project consists of the Diamond Specific Plan No. 2009-01, General Plan Amendment No. 2009-01, East Lake Specific Plan (ELSP) Amendment 9, and Zone Change No. 2009-01. These components are described below.

2.1 PROJECT LOCATION

The Diamond Specific Plan area is comprised of approximately 87 acres of land located within the City of Lake Elsinore in the southwest portion of Riverside County (Figure 2.1-1). The Diamond Specific Plan is bordered to the north by Lakeshore Drive, to the east by Diamond Drive and by vacant property (Summerly Homes development) to the south of the project. The surrounding area contains retail-commercial land uses to the north and east.

The 10-acre General Plan Area is comprised of two areas totaling approximately 10 acres of land located to the northeast of the Diamond Specific Plan. The northern parcel is located to the southwest of the Diamond Drive and Lakeshore Drive intersection and the southern parcel is located in the northeast corner of the Campbell Street and Diamond Drive intersection.

2.2 SITE CHARACTERISTICS

Topography within the Diamond Specific Plan and 10-acre General Plan Area is relatively flat and primarily characterized by a consistent elevation. Elevations range from approximately 1,260 feet above mean sea level (AMSL) in the south and west portion of the property to approximately 1,275 feet AMSL in the north and east portion of the site. Soils that underlie the site primarily consist of floodplain deposits with basement bedrock of primarily granodiorite.

Approximately 30 percent of the Diamond Specific Plan (27 acres) is currently developed and the remaining 60 acres is vacant. The developed portion of the Diamond Specific Plan includes the Diamond Stadium (which hosts the Class A Lake Elsinore Storm baseball team), a parking lot surrounding the stadium, and approximately 80,000 square feet (sf) of retail-commercial and office uses in the existing Lake Elsinore Valley Center (LEVC) along the Lakeshore Drive frontage. A minimally improved remote parking lot of approximately 12 acres is south of the stadium, and is considered interim and not included in the 27 acres of developed area. The 10-acre General Plan Area is primarily vacant with the exception of approximately 4 acres of existing commercial business uses located west of Diamond Drive and south of Lakeshore Drive.

2.3 PROJECT CHARACTERISTICS

2.3.1 Project Objectives

Diamond Specific Plan Objectives

The Diamond Specific Plan has been designed with consideration of multiple factors including compatibility with the City's current General Plan (1990) and General Plan Update (2009), engineering feasibility, market forces, economic viability, lifestyle objectives, and quality of physical design. The following list of project development and design objectives has been developed with this vision in mind for the Diamond Specific Plan:

1. Set forth a comprehensive development plan that implements the applicable portions of the City of Lake Elsinore 2009 General Plan Update and achieves the City's development goals¹ for the Ballpark District.
2. Stimulate private sector investment in the project by implementing a project that is fiscally sound and capable of financing the construction and maintenance of necessary infrastructure improvements.
3. Maximize the advantages of the site's location in terms of visibility and proximity to the I-15 freeway.
4. Improve the housing stock by providing a substantial residential component with a variety of residential product types and densities that are compatible with the entertainment and activity function of the project area.
5. Facilitate economic vitality within the City and provide additional opportunities for housing, employment, and commercial development consistent with Redevelopment Project Area objectives.
6. Increase revenues to the City by providing for a variety of commercial and retail activities with the potential to generate substantial sales- and property-tax revenue.
7. Provide for connectivity within the Plan within and between use areas by incorporating gathering places, strong pedestrian linkages, passive areas, and linkages to surrounding citywide trails and open space.
8. Plan for phased development and supporting infrastructure improvements consistent with market forces and sufficiently sized to sustain the land use plan in terms of adequate water supply, sewer and storm water collection systems, and transportation system improvements.
9. Expand the City's shopping, entertainment and hospitality opportunities for City residents and visitors and maintain a sustainable balance of residential and nonresidential uses in a mixed-use format that includes entertainment, retail shopping, restaurants and residential units.
10. Create an aesthetically pleasing and distinct development identity reflective of the unique character of the Ballpark District through establishment of design criteria for architecture, landscaping, hardscape, street and pedestrian improvements, signage, entry monumentation, and other design features.
11. Incorporate a public space that has a direct relationship to the lake.

10-Acre General Plan Area Objectives

1. Prevent the formation of a non-contiguous portion of the ELSP.

¹ Development Goals for the Ballpark District:

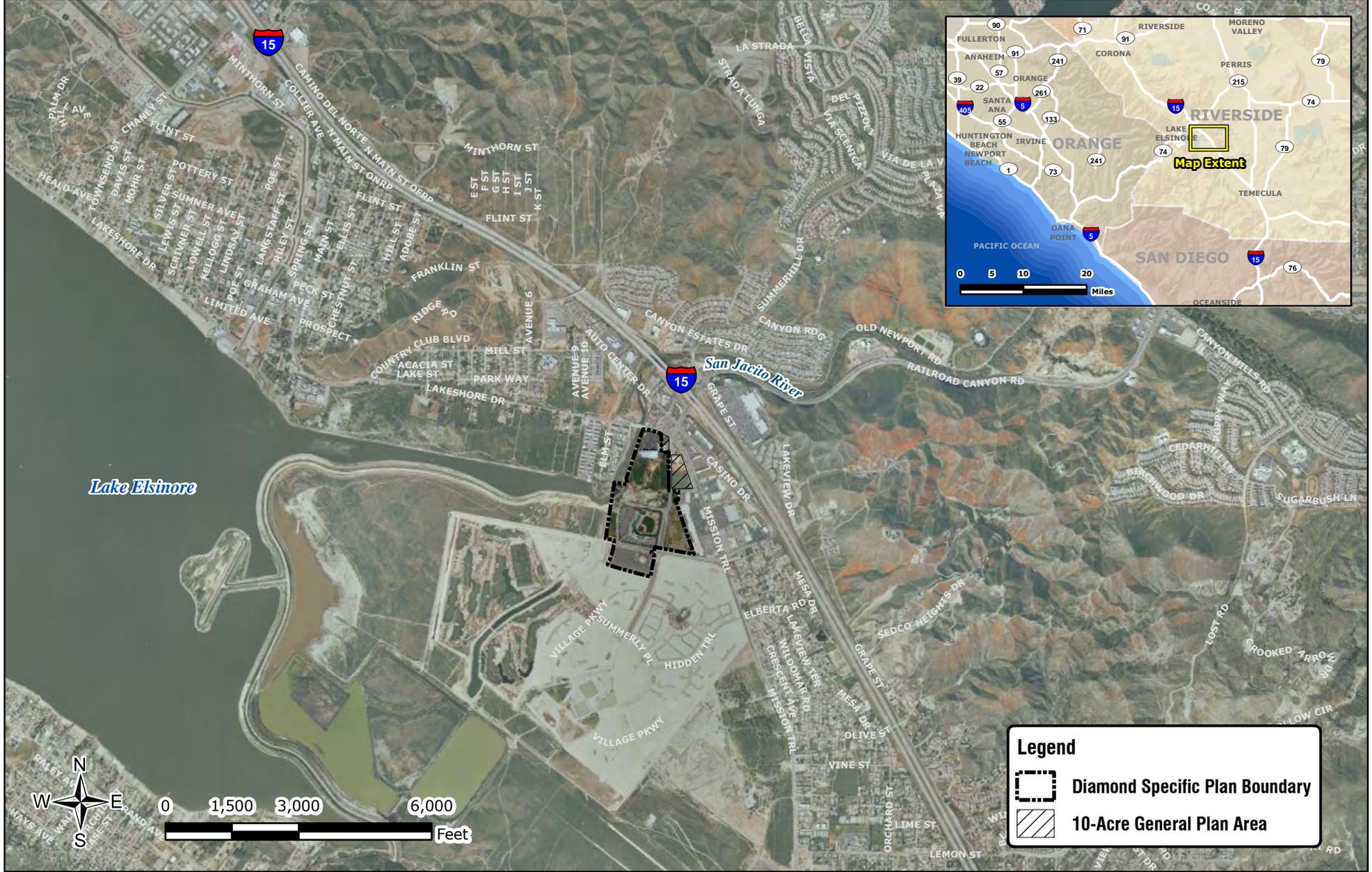
Goal 1. The primary goal of the Ballpark District is to redevelop into a vibrant "Dream Extreme" mixed-use entertainment, commercial, and residential district by capitalizing upon the opportunity associated with Diamond Stadium.

Goal 2. Create a contemporary theme within the Ballpark District, by incorporating design elements that create a progressive entertainment image.

Goal 3. Continue to improve the near-by street system for the Diamond Drive and Railroad Canyon Road interchange improvement, especially the intersection of Auto Center Drive and Diamond Drive, Railroad Canyon Road, Grape Street, and southbound on-ramp to I-15.

Goal 4. Promote the stadium, "Dream Extreme" sports activities, and other recreational opportunities in the Ballpark District and provide linkages to the Lake and other park and recreation amenities.

General Plan Update (2009)



Regional and Vicinity Map

FIGURE 2.1-1

2.3.2 Discretionary Approvals

The following discretionary approvals by Lake Elsinore have been identified for the proposed project:

- Approval by Ordinance of the ELSP Amendment 9 to remove 86.4 acres from the ELSP (including a portion of the Diamond Specific Plan and the 10-acre General Plan Area. See description below.)
- Approval of General Plan Amendment No. 2009-01 to change the land use designation from East Lake Specific Plan and General Commercial to Diamond Specific Plan and General Commercial (10-acre General Plan Area)
- Approval of Change of Zone No. 2009-01 by Ordinance to change the zoning from East Lake Specific Plan to General Commercial and Diamond Specific Plan
- Adoption of the Diamond Specific Plan by Ordinance

Other discretionary approvals include:

- United States Army Corps of Engineers (USACE) Clean Water Act Section 404
- Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification/Waiver
- California Department of Fish and Game Section (CDFG) 1602 Streambed Alteration Agreement

2.3.3 East Lake Specific Plan Amendment 9

The ELSP, originally adopted in 1993, covered a 3,000-acre area at the east end of Lake Elsinore, and originally provided for up to 9,000 dwelling units and a combination of commercial, recreational and open spaces, in an area that was once undevelopable due to erratic flooding conditions associated with Lake Elsinore. This area is now developable due to the implementation of the Lake Management Plan and construction of flood management measures, including, but not limited to, the Spring Street outflow channel, the reinforced overflow weir and the 3.3-mile long/30-foot-high earthen levee at the lake's south end.

During the time the ELSP was being prepared, the City's Redevelopment Agency was also considering the construction of a minor league baseball stadium within the Recreation Village District portion of the ELSP. To accommodate this stadium a "Special Alternative Land Use" area was designated at the southwest corner of Malaga Road and Mission Trail. Construction of the stadium moved forward and was completed in 1994, but at a different location than the Special Alternative Land Use area incorporated in the adoption of the 1993 ELSP. The stadium was moved a short distance to the west to the northwest corner of Malaga Road and Diamond Drive, which is the extension of Railroad Canyon Road.

The ELSP was subsequently amended by a series of Specific Plan Amendments (SPAs) between 1998 and 2006. Most of these amendments affected portions of the Recreation Village District in the easterly portion of the ELSP plan area, and involved redistribution of land uses due to flood storage needs, which were not provided for in the 1993 plan. The construction of the stadium in 1994 remained one of the only major improvements within the ELSP plan area until the grading and golf course construction provided for in Specific Plan Amendment (SPA) 6 was completed in 2007.

The City initiated a General Plan Update process in 2007. As a part of the General Plan Update, the City was divided into 11 “district plans” for the purpose of more detailed development direction addressing land use, urban design, transportation, and parks and recreation. These district plans recognize the unique attributes of each district and identify district goals and policies for development. The area covered by the 1993 ELSP is divided into two district plans, the East Lake District and the Ballpark District. The Ballpark District includes the area surrounding the existing stadium, on the north side of Malaga Road. It also includes one parcel on the south side of Malaga Road directly opposite the stadium. The proposed project is entirely within the Ballpark District and comprises the majority of the Ballpark District as shown on Figure 2.3-1, Preferred General Plan Land Use Designations (2009). It is unknown whether the City’s General Plan Update will be approved prior to approval of the Diamond Specific Plan; however, the Specific Plan is also consistent with the current General Plan (1990).

The boundary of the Ballpark District is largely within, but not coterminous with the ELSP boundary, with the balance of the district made up of existing commercial development. In order to facilitate development within the Ballpark District consistent with the General Plan update goals and objectives, a comprehensive planning process must be undertaken for this area. This will require preparation of a specific plan separate from the ELSP and a concurrent amendment to the ELSP to remove this area from the ELSP so that it can be incorporated into the new specific plan for the Ballpark District. This process will require an amendment to the 1993 ELSP.

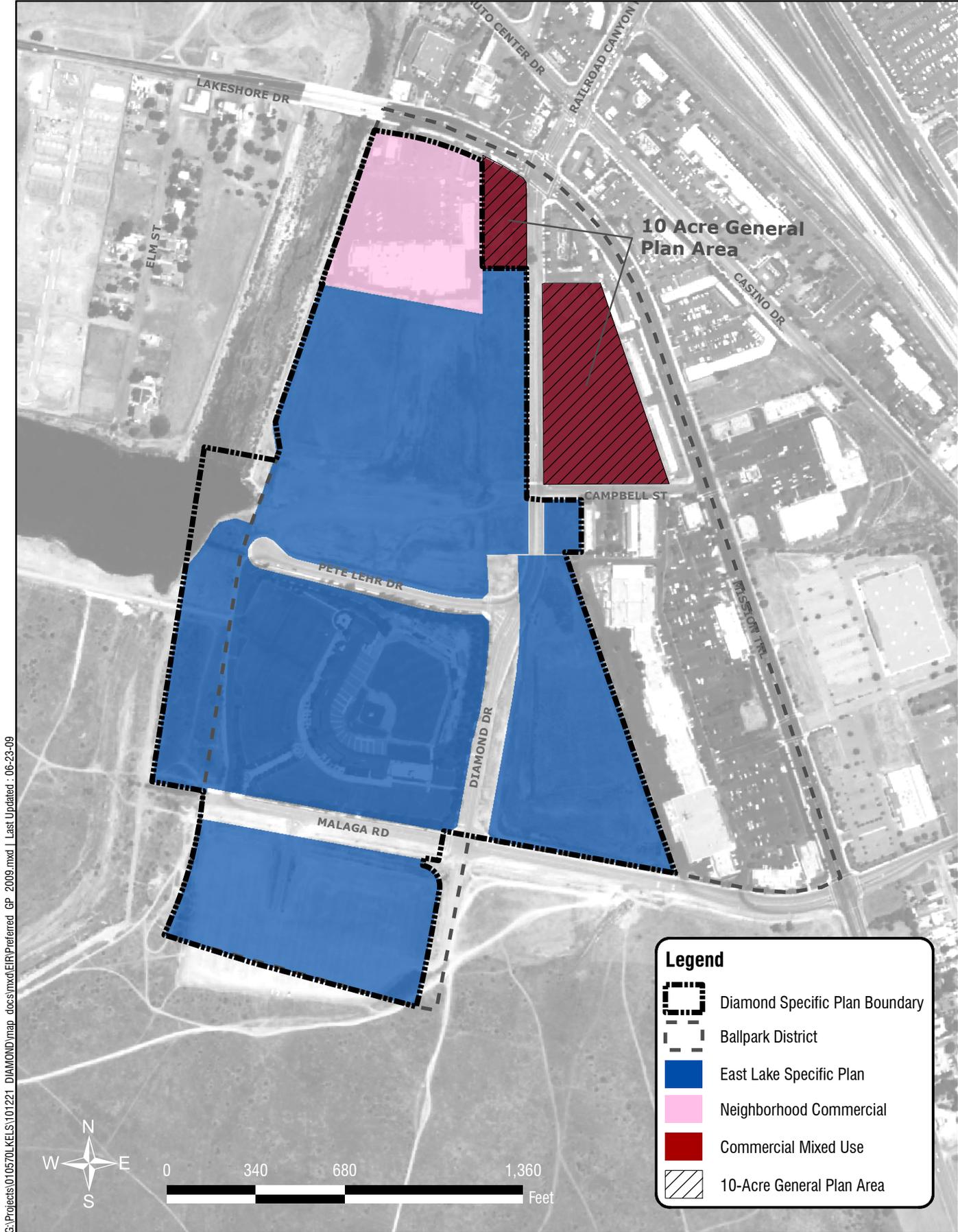
The proposed project includes an amendment to the 1993 ELSP to remove those portions of the Ballpark District, which lie within the current ELSP boundary. This amendment to the ELSP is considered Amendment 9 (SPA-9 or Amendment 9). Amendment 9 is intended to incorporate all changes to the 1993 ELSP to date that affect the area covered by Amendment 9. These changes are primarily mapping and statistical changes to reflect the reduction in area and land use yield. Statistical changes also supersede ELSP Amendment 8 statistics for the Plan (Figure 2.3-2).

The Amendment 9 Project Area is comprised of 86.4 acres located along both sides of Diamond Drive between Lakeshore/Mission Trail and Malaga Road, with a small portion on the south side of Malaga at the southwest corner of Malaga Road and Diamond Drive (see Figure 2.3-1, ELSP Amendment 9 Project Area). SPA-9 removes the Stadium from the ELSP, which accounts for 19 acres of Special Alternative Use (SAU) area, approximately 52 acres of General Commercial (GC), 7.5 acres of Open Space (OS) and eight acres of roads. These land uses are summarized below in Table 2.3-1.

Table 2.3-1. ELSP Amendment 9 Project Area

Land Use Category	Acreage
General Commercial (GC)	51.7
Open Space (OS)	7.5
Special Alternative Use (SAU) (Stadium)	19.0
Roads	8.2
Total	86.4

Source: RGP Planning & Development Services 2009(a)



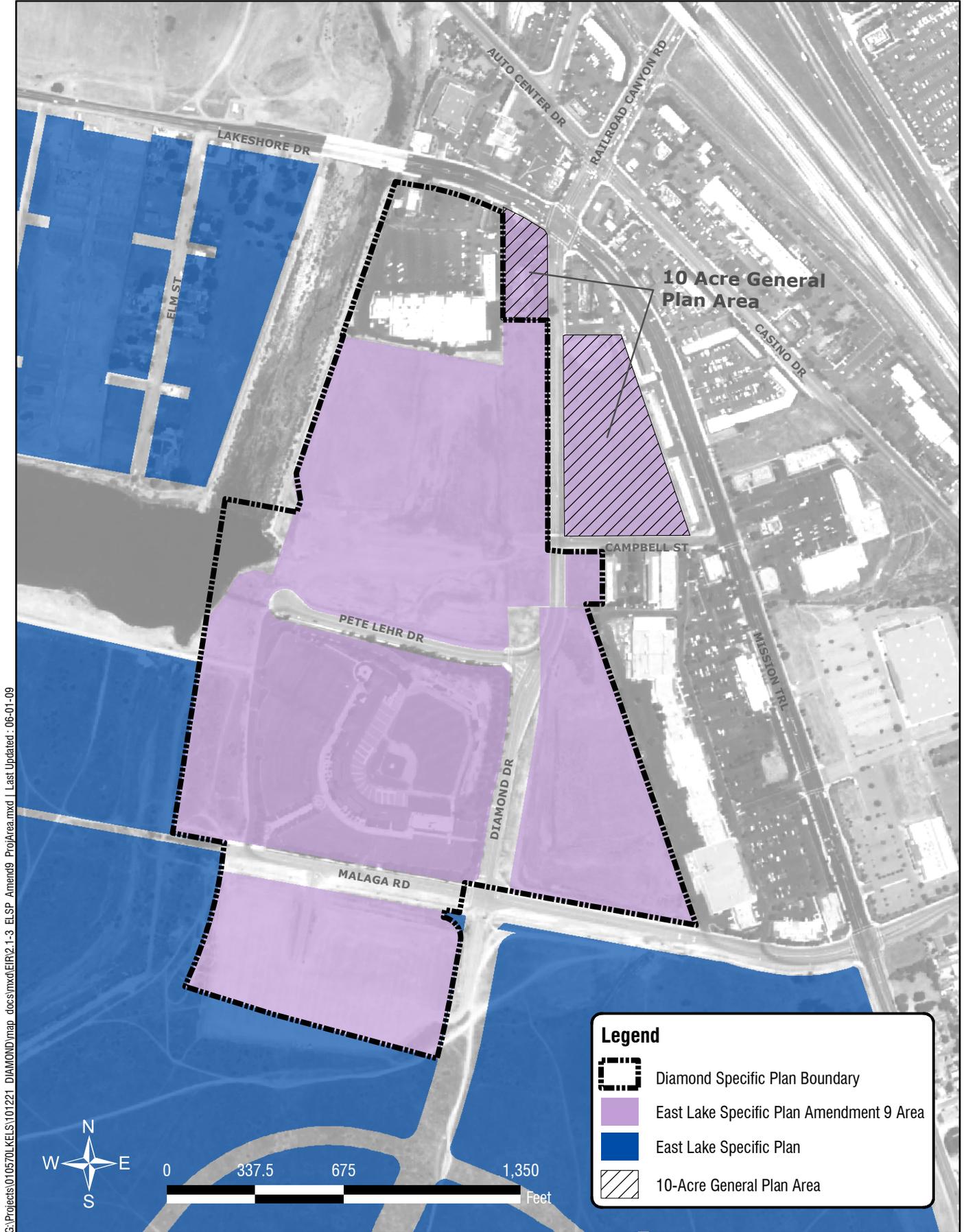
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Legend

-  Diamond Specific Plan Boundary
-  Ballpark District
-  East Lake Specific Plan
-  Neighborhood Commercial
-  Commercial Mixed Use
-  10-Acre General Plan Area

Preferred General Plan Land Use Designations (2009)

FIGURE 2.3-1



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East Lake Specific Plan Amendment 9 Project Area

FIGURE 2.3-2

The amendment to the ELSP will result in changes that are primarily related to mapping and statistical modifications to reflect the reduction in the ELSP’s area and land use yield associated with the Amendment 9 Project Area. The mapping changes are focused on the ELSP boundary and Land Use Plan. Because the road and utility infrastructure systems have been completed around the ELSP Amendment 9 Project Area, no revisions are expected to the other ELSP plans (e.g., Circulation Plan, Infrastructure, etc.). Approximately 76 acres of the Amendment 9 Project Area will be included within The Diamond Specific Plan, which is described further below. The remaining approximately ten acres have been included in Amendment 9 to prevent the formation of a non-contiguous portion of the ELSP. These ten acres located in the northeast portion of the ELSP Amendment area, referred to as the 10-Acre General Plan area, will not be part of a specific plan. Instead this area is proposed to retain the underlying General Plan land use of General Commercial under the 1990 General Plan, or Commercial Mixed-Use under the City’s 2009 General Plan Update (depending on which General Plan is the governing document when the project is adopted).

2.3.4 The Diamond Specific Plan #2009 01

The Diamond Specific Plan proposes an 87-acre master planned mixed-use development that is intended to create a unique sense of place and a regional destination venue surrounding the Diamond Stadium. The Specific Plan will contain a mix of uses including commercial, office, educational, entertainment and residential uses. In order to accommodate the potential market changes and lifestyle preferences that could occur over the 7 to 10-year timeframe until the project is built-out, the plan has incorporated flexibility in its land use designation and development intensity. This flexibility is utilized by a broadly defined land use designation and by calculating intensity of residential and non-residential development over the entire project.

Density or intensity of an individual development within the Diamond Specific Plan may exceed the General Plan allowed density provided the overall density of the project site as an average does not exceed the General Plan density or the development caps established by the Specific Plan. These caps or yield caps were established by the Specific Plan based on the development vision and design objectives. The project is capped at providing 600 multi-family housing units, 897,000 sf of commercial-retail space and a 150-room hotel. The amount of hotel rooms would be dependent upon market conditions and may increase to 300 rooms. If this occurs, the permitted square footage of mixed-use development would be reduced by 100,000 sf to 797,000 sf. A breakdown of land use designations is shown in Table 2.3-2.

Table 2.3-2. Summary of Proposed Land Uses for Diamond Specific Plan

Planning Area	Acres	Dwelling Units
<i>Mixed Use</i>		
Lakeshore Planning Area (PA-1)	7.1	50
Commercial Core Planning Area (PA-2)	27.5	275
Waterfront Planning Area (PA-3)	7.3	0
Stadium Planning Area (PA-4)	16.1	0
Malaga North Planning Area (PA-5)	11.7	50
Malaga South Planning Area (PA-6)	11.7	225
<i>Roads</i>	<i>5.8</i>	
Total	87.2	600

Source: RGP Planning & Development Services 2009(b)

The Specific Plan will be zoned completely as mixed use, although it is divided into six development or planning areas which have been designated to provide further definition of the Land Use Plan and which will implement the project objectives (Figure 2.3-3, Diamond Land Use Plan). The planning areas were created to reflect logical clusters of development. Each area will complement the project development through complementary architectural and landscape design, an interconnected pedestrian network and complementary land uses. Planning areas are shown on Figure 2.3-4. A conceptual land use plan is shown in Figure 2.3-5.

Lakeshore Planning Area (PA-1)

PA-1 is 7.1 acres at the northernmost point of the project area that has been partially developed. A heavier emphasis on non-residential uses is planned for this area in order to take advantage of signage opportunities and drive-by traffic. Approximately 50 residential units and 82,000 sf is available in this area for commercial, office, educational or retail uses. Whether the uses planned for the area are vertically or horizontally integrated or only retail commercial, PA-1 will have vertical architectural elements to introduce eastbound drivers and pedestrians to the Ballpark District and The Diamond.

Commercial Core Planning Area (PA-2)

At approximately 27.5 acres, PA-2 is the largest planning area of the Diamond Specific Plan. Its central location within the project area is envisioned to accommodate a central core of commercial, educational, and urban-oriented residential uses. PA-2 will focus on entertainment, retail and restaurant venues in a pedestrian-oriented environment with linkages to the stadium, residential and educational uses.

Waterfront Planning Area (PA-3)

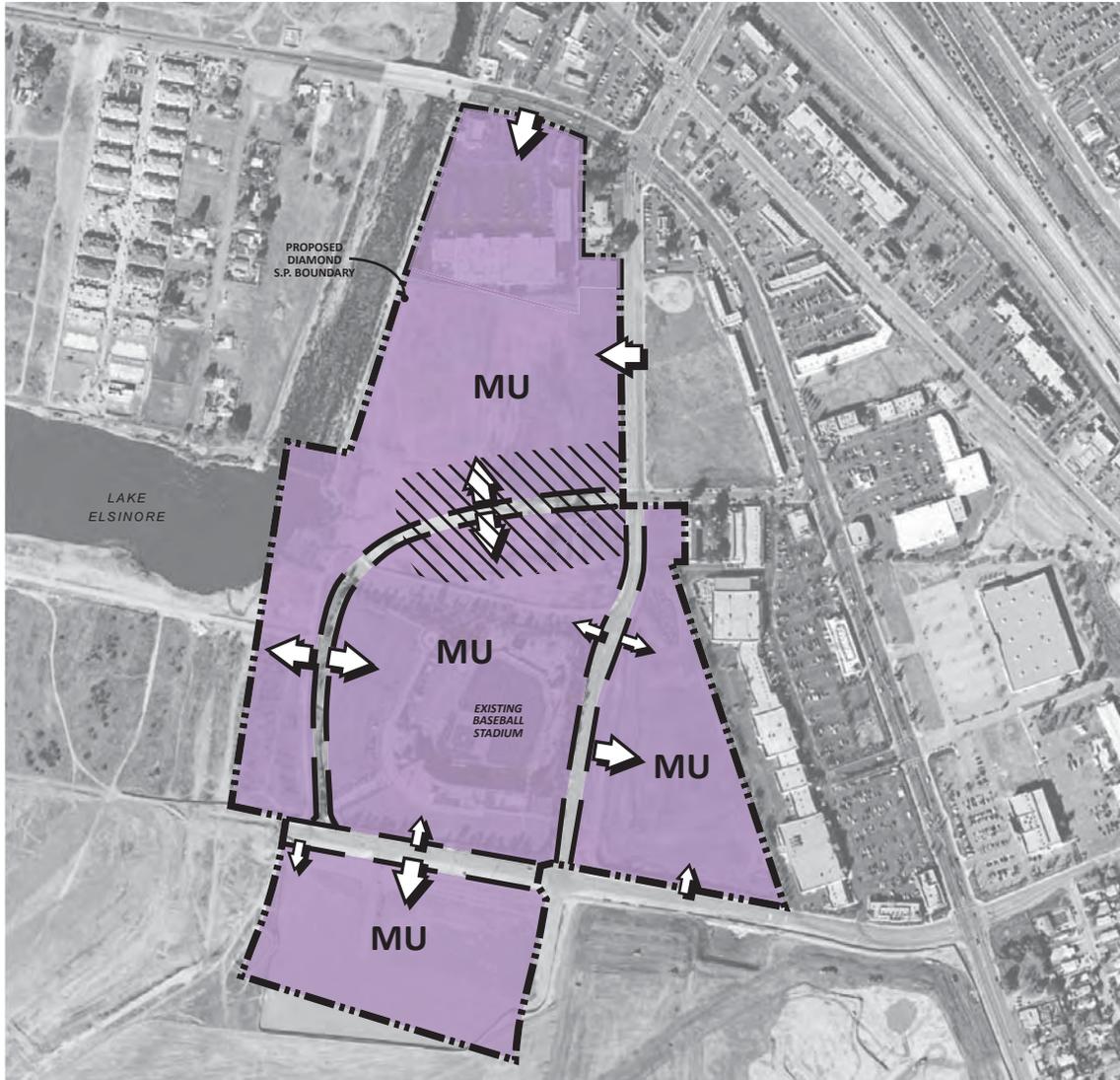
PA-3 is located on the west side of the Diamond stadium and its 7.3-acre lakeside position makes it ideal for creating outdoor community space and connecting the lake features with the other commercial, office and entertainment-related businesses planned on the site. This planning area will have a main plaza, a 150-room hotel and 30,000 sf available for commercial, retail, and office use. It should be noted that a boat dock along the lake edge is a permitted use within this planning area, but is not proposed at this time. Should a boat dock be proposed in the future, the project applicant for that request would need to apply for a Conditional Use Permit (CUP) from the City as well as undertake additional environmental review, including complying with the provisions of CEQA, and obtaining permits from the Regional Water Quality Control Board (RWQCB), U. S. Army Corps of Engineers (USACE), and California Department of Fish and Game (CDFG) for impacts to the lake.

Stadium Planning Area (PA-4)

The PA-4 area includes the existing Diamond baseball stadium and its adjoining parking areas. The area will continue to accommodate the baseball stadium and has the potential to accommodate 35,000 sf of new commercial and/or office uses in addition to existing stadium buildings shall be permitted. Should buildings be constructed on existing parking facilities, an appropriate amount of parking will be provided on adjacent parcels.

Malaga North Planning Area (PA-5)

PA-5 is approximately 11.7 acres and is envisioned to accommodate a neighborhood commercial type of development with retail, service and/or office uses integrated with a residential component. A maximum of 110,000 sf of commercial/retail/office development in addition to 50 dwelling units is allotted to the planning area.



LAND USE

MU = Mixed-use	81.6
Roads	5.6
	<hr style="width: 100px; margin-left: auto; margin-right: 0;"/>
	87.2 ac.

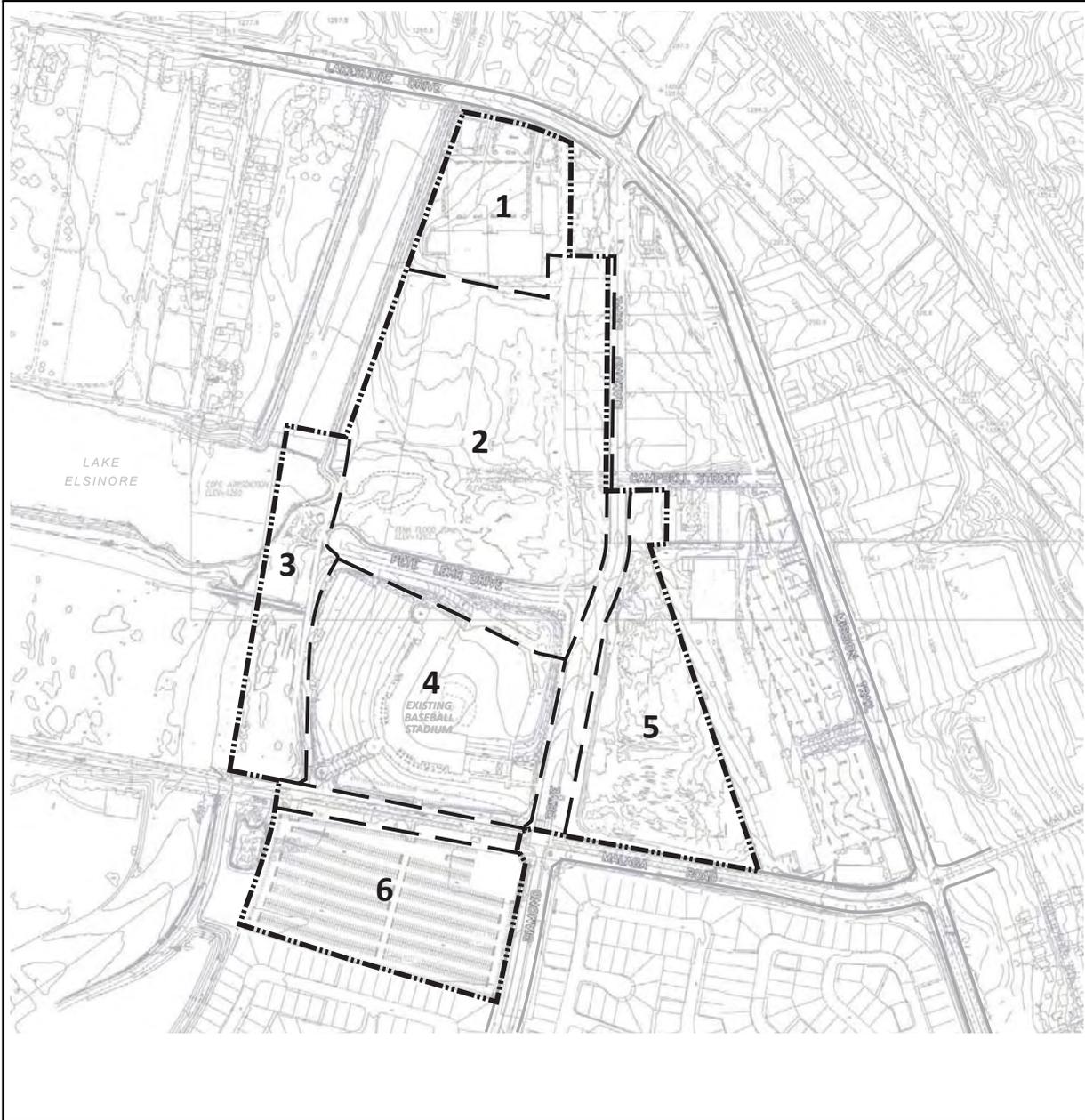
LEGEND

- = Primary Access Point
- = Secondary Access Point
- = Community Center Overlay



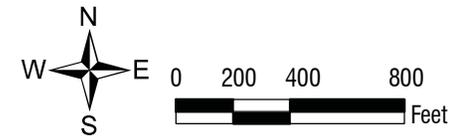
Diamond Specific Plan Land Use Plan

FIGURE 2.3-3



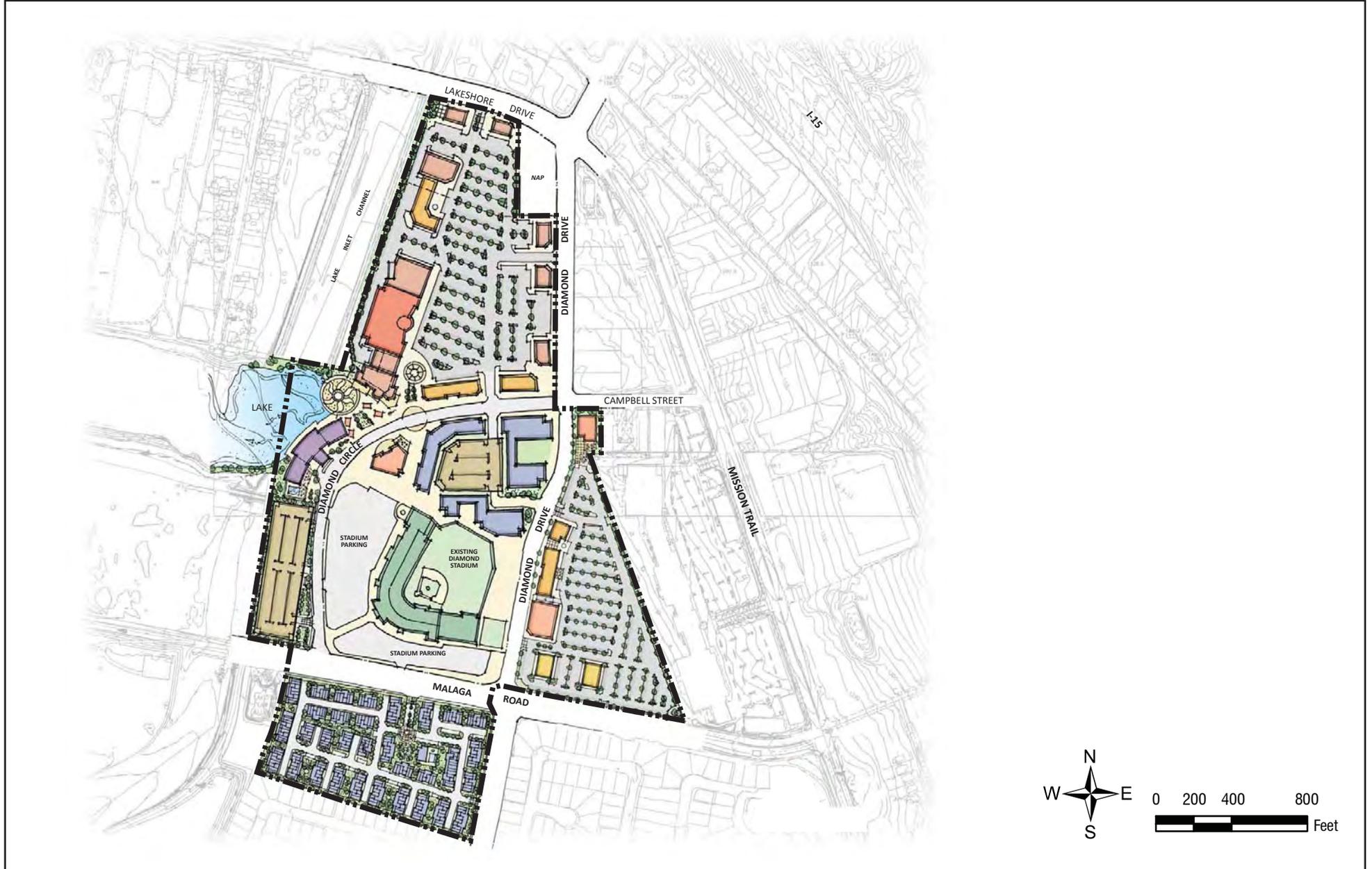
PLANNING AREAS

1 Lakeshore	7.1 ac.
2 Community Core	27.5 ac.
3 Waterfront	7.3 ac.
4 Stadium	16.1 ac.
5 Malaga North	11.7 ac.
6 Malaga South	11.7 ac.
Dedication	0.4 ac.



Diamond Specific Plan Planning Areas

FIGURE 2.3-4



Diamond Specific Plan Conceptual Land Use Plan

FIGURE 2.3-5

Malaga South Planning Area (PA-6)

PA-6 is presently an 11.7-acre overflow parking lot for the baseball stadium. Development of the area under the Specific Plan is envisioned to have an emphasis on residential uses with 225 dwelling units and 50,000 sf of commercial uses.

Open Space and Recreation

Park and open space requirements will be met through a combination of land dedication, improvements, private recreation and in-lieu fees. Approximately 7 acres of open space will be accommodated in the Mixed-Use Land Use category as described further in Chapter 3 of the Diamond Specific Plan. The Diamond Specific Plan will provide access to the Lake Elsinore Regional Trail, which is planned by the City per the Park and Trails Master Plan. The majority of the 11-foot wide trail will be located outside of the site’s western boundary and will follow the San Jacinto River outlet channel. A portion of the trail has been moved on-site and will be improved by the project applicant to accommodate smooth tarplant mitigation (see Section 4.3 for additional detail). Another 11-foot wide “Community Trail” will diverge from the Regional Trail and continue along the western edge of the site into the Summerly community where the new recreation park is planned.

Within the project boundaries, a main plaza and additional smaller plazas are planned to provide community gathering spaces. The residential development components will most likely incorporate various private recreational facilities which may include pools, clubhouses, courtyards barbeque areas and passive landscaped areas.

Transportation and Circulation

Primary access to the project will be from Diamond Drive, Malaga Road and Lakeshore Drive. These roads connect to the Interstate 15 (I-15) freeway via the Railroad Canyon Road/Diamond Drive interchange. Lakeshore Drive connects to Main Street in downtown Lake Elsinore. Most roads accessing the Diamond Specific Plan Site have been constructed and will be modified to be in compliance with the General Plan Circulation Element. Diamond Circle will be built during phased construction of the project. Table 2.3-3 provides a description of each of the street sizes including right-of-way (ROW) width. Figures 2.3-6a and 2.3-6b depicts street sections for the main roadways within the project area. Figure 2.3-7 shows the proposed circulation network.

Table 2.3-3. Roadway Summary

Roadway	Classification	Right-of-Way (feet)
Diamond Drive	Major Highway	100
Lakeshore Drive	Urban Arterial	120
Malaga Road	Major Highway	100
Diamond Circle	Private Street	78

Source: RGP Planning & Development Services 2009(b)

Stormwater Drainage and Flood Control

Storm water runoff from Diamond Specific Plan would be collected and drained to three outlet concentration points. The majority of the storm water flows for the project will be collected through a proposed backbone storm drain system within Diamond Drive. This drain system will discharge water to a bioswale, infiltration basin and detention basin within the Summerly Development adjacent to the Diamond Specific Plan. To connect to these drainage systems, the Diamond Specific Plan proposes construction of an off-site storm drain. However, this storm drain would connect through the City's access road to the park proposed within the Summerly Development. This access road has already been graded and disturbed and impacts were covered in the Supplemental Impact Report for the East Lake Specific Plan Amendment No. 6 (also known as John Laing Homes or Summerly Development). A drainage outlet at the north end of the project will collect storm drain runoff and will utilize grassy drainage swales as the flow discharges directly into the Lake Elsinore inlet channel. A third drainage channel will collect flows from the Stadium parking lot and will continue to discharge to the storm drain at the end of Malaga Road. Figure 2.3-8 depicts the conceptual drainage plan. A finalized Drainage Plan would be approved by the City of Lake Elsinore prior to initiating construction. Drainage and flood control infrastructure and improvements shall be provided in accordance with the requirements of the City of Lake Elsinore and Riverside County Flood Control and Water Conservation District (RCFCWCD).

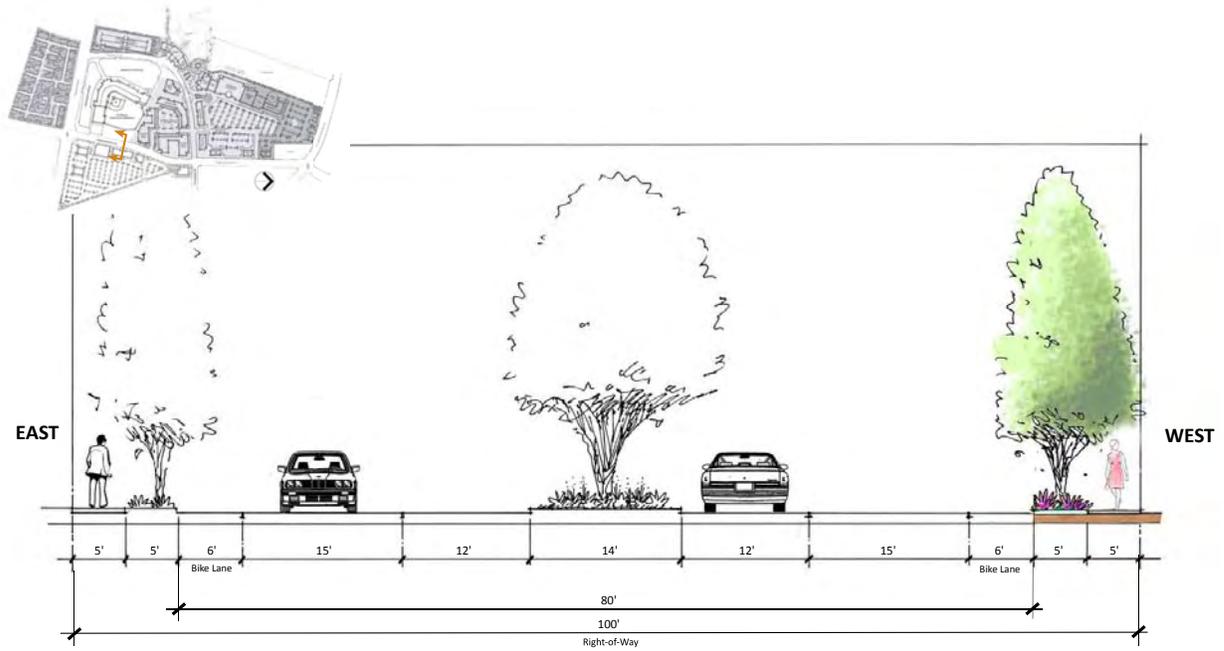
Water/Wastewater

The Diamond water, reclaimed water, and wastewater (sewer) infrastructure plans are depicted in Figure 2.3-9. Water and wastewater service is to be provided by Elsinore Valley Municipal Water District (EVMWD). Domestic water service for the site will be provided by existing infrastructure within Malaga Road and Diamond Drive. Reclaimed water service to the Diamond Specific Plan is under consideration; however, reclaimed water is currently not available. A reclaimed water pipeline is proposed to be constructed within Malaga Road. EVMWD's reclaimed water master plan identifies the Diamond Specific Plan area as a potential reclaimed water user.

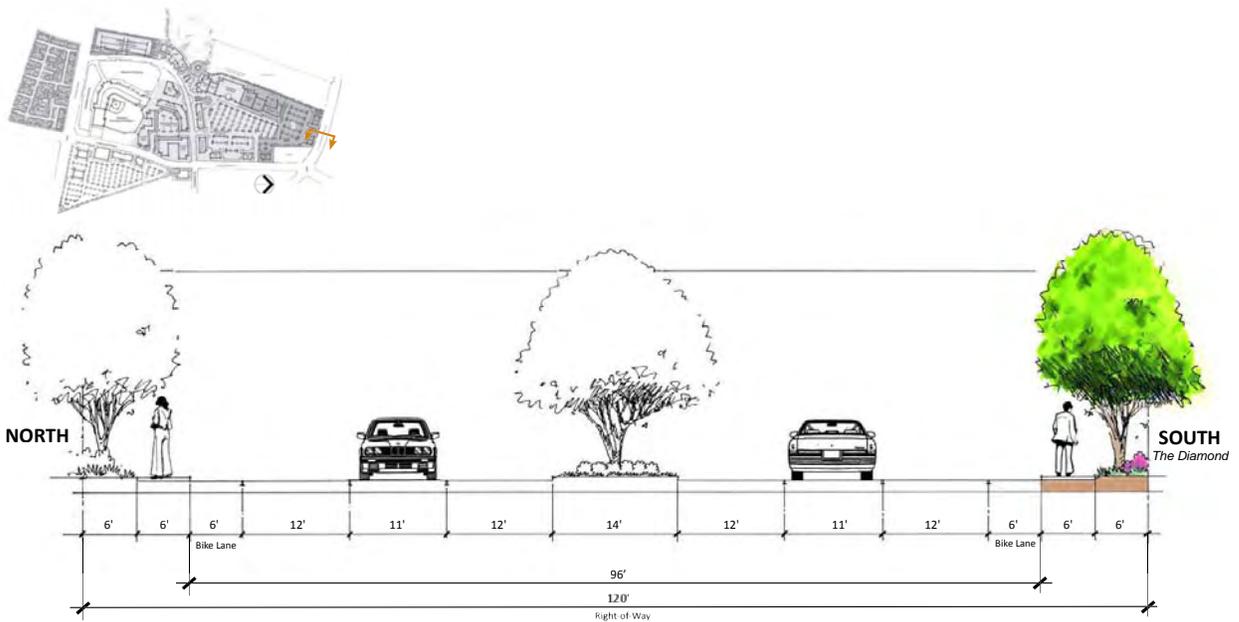
Wastewater service for the site will be provided by utilizing existing infrastructure within Malaga Road and Diamond Drive. The portion of the project south of Malaga Road will be serviced by a wastewater line within Diamond Drive which discharges to a pump station adjacent to Lakeshore Drive. The Diamond Specific Plan wastewater generation has been considered in the EVMWD Wastewater Master Plan.

Construction Activities

The Diamond Specific Plan is planned to be developed in six phases over an approximate 7 to 10-year period in response to market demand, earthwork, and flood storage considerations, interest rates, absorption, financing and other similar factors (Figure 2.3-10). The phasing program for the Diamond Specific Plan is based on the planning areas. As development is initiated in any planning area, infrastructure improvements will be constructed prior to or concurrent with incremental development in a manner to maximize the cost effectiveness and efficiency within the planning area. Although the Diamond Specific Plan includes six phases, the air quality and traffic analysis in this EIR assumed three phases in the event that planning phases are combined in the future. The project proposes grading on the site to include approximately 41,500 cubic yards (cy) of cut material, and 272,700 cy of fill material. Therefore, 231,200 cy of fill will need to be imported. A conceptual grading plan is shown on Figure 2.3-11.

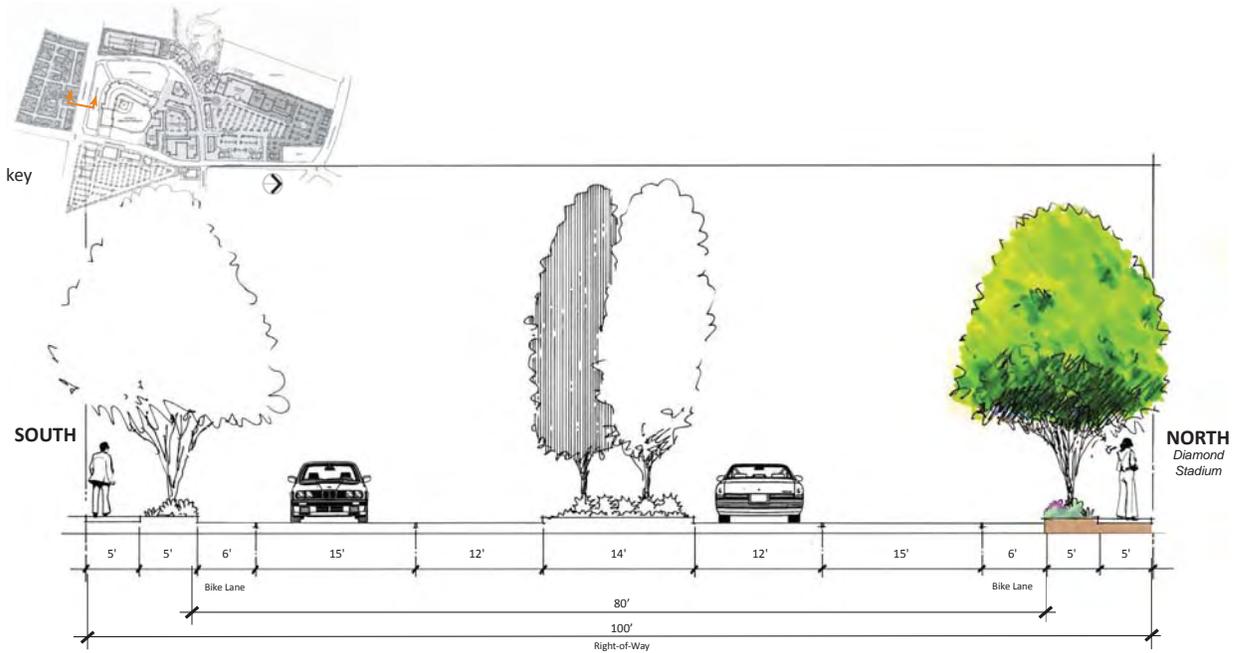


Diamond Drive Cross-Section



Lakeshore Drive Cross-Section

Source: RGP Planning & Development Services, 2009 | G:\010570\KELS\101221_DIAMOND\graphics\docs\ER\06-24-2009\2.3-6b_CrossSections.ai | Last Updated: 06-24-09



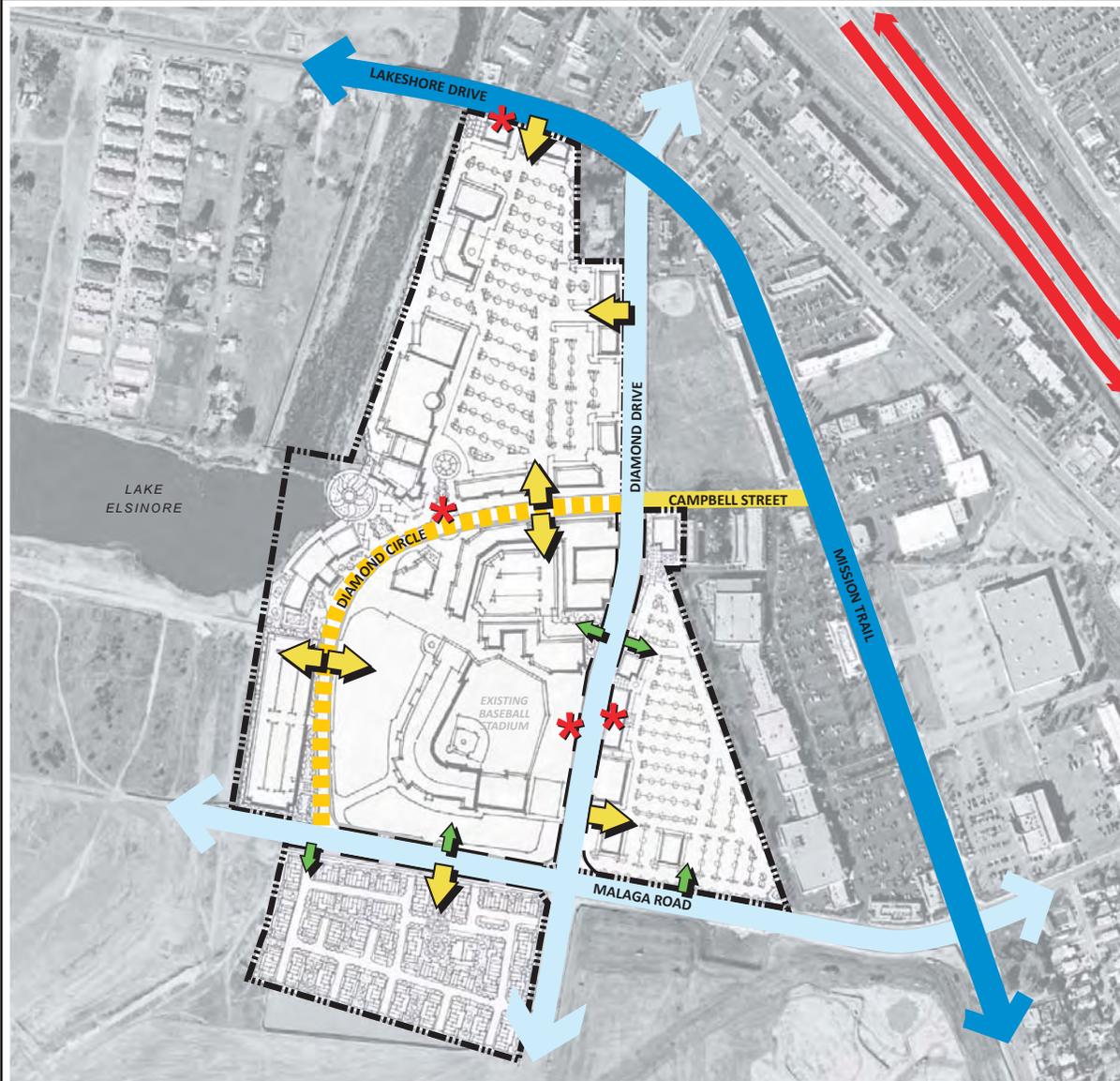
Malaga Road Cross-Section



Diamond Circle Cross-Section

Diamond Specific Plan Proposed Roadway Cross-Sections

FIGURE 2.3-6b



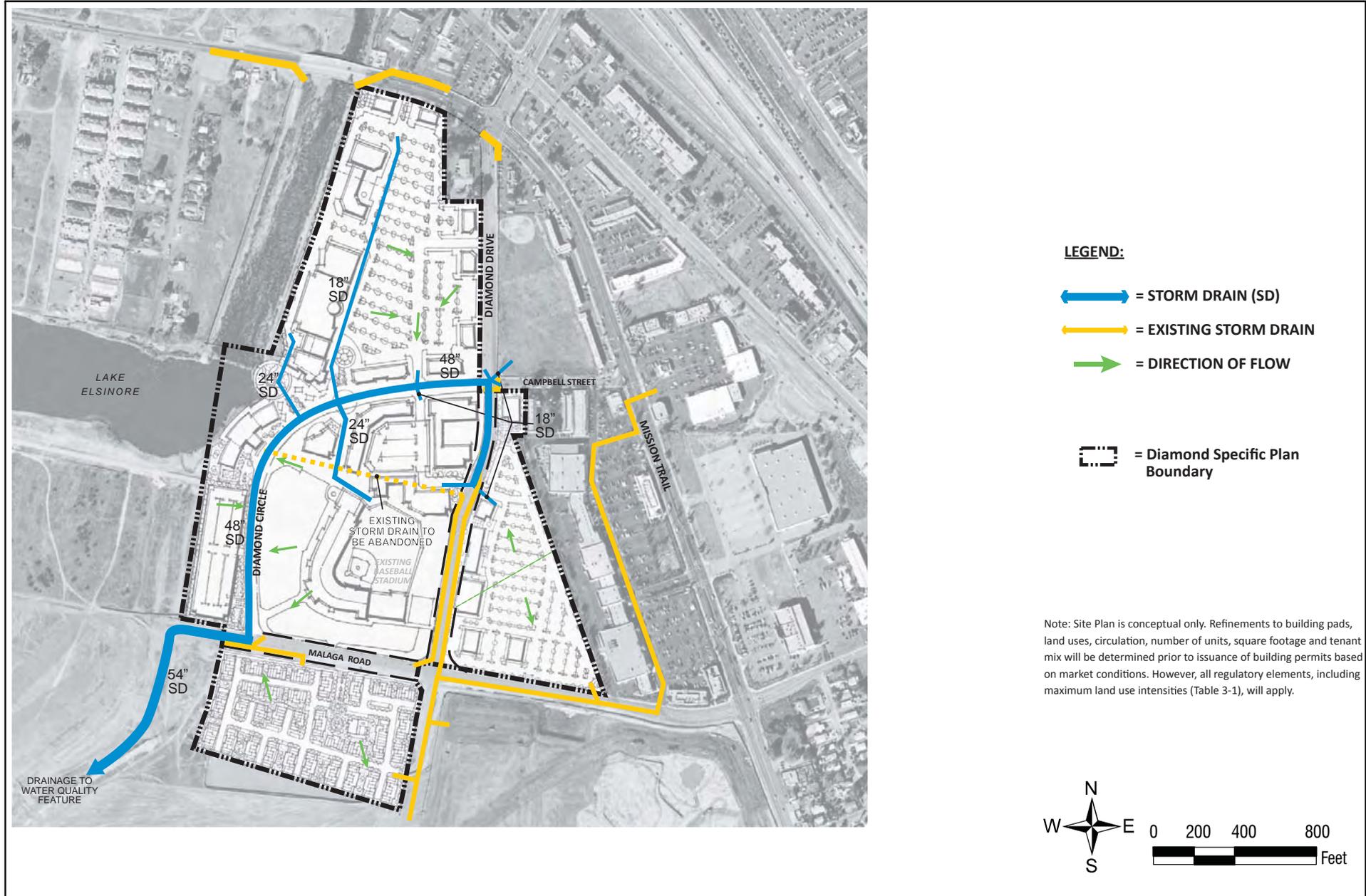
LEGEND:

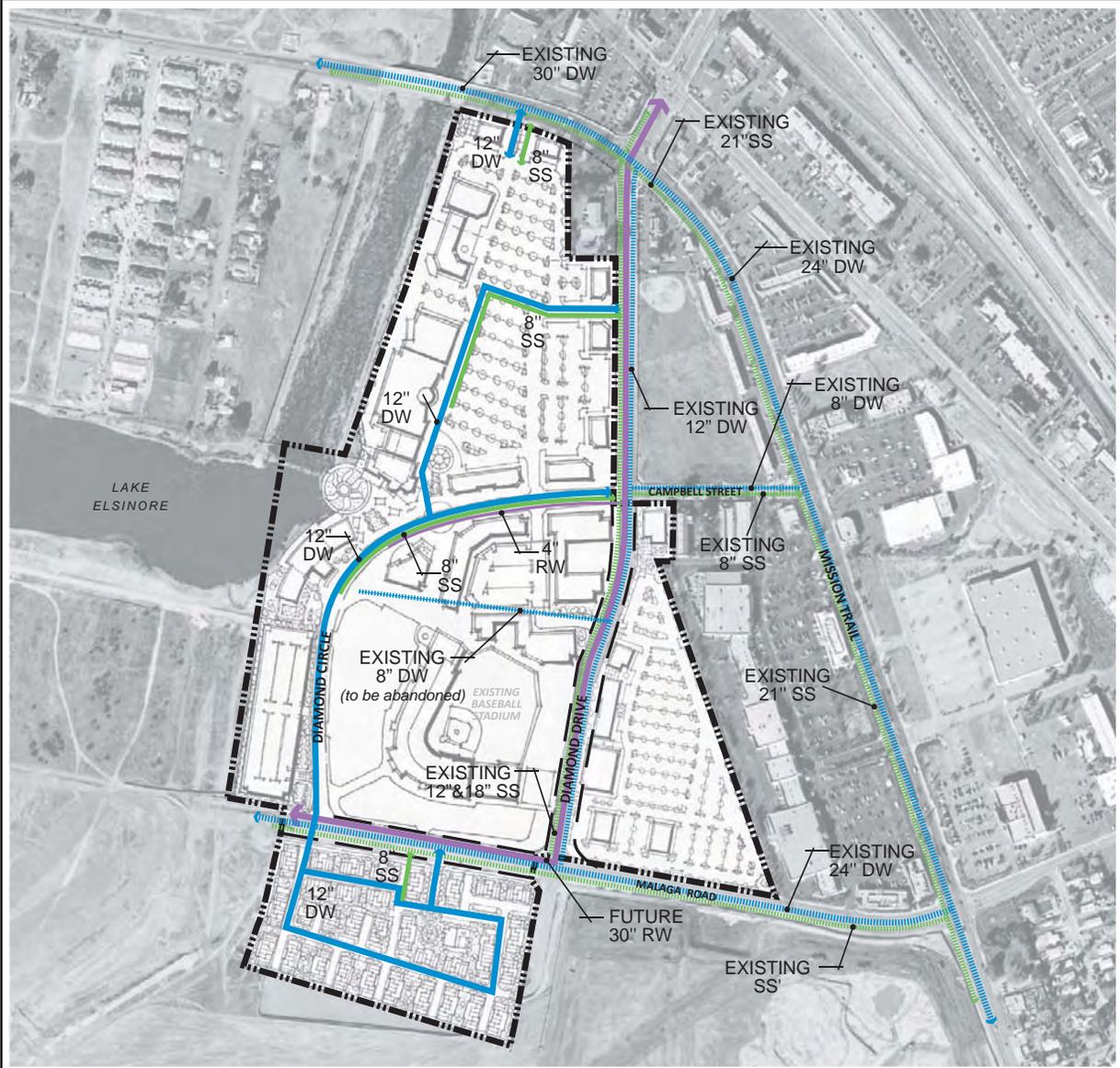
- = I-15 Freeway
- = Urban Arterial (6 Lanes)
- = Major Highway (4 Lanes)
- = Local Street (2 Lanes)
- = Private Street (2 Lanes)
- = Primary Access Point
- = Secondary Access Point
- = Potential Bus Stop Location
- = Diamond Specific Plan Boundary

Note: Site Plan is conceptual only. Refinements to building pads, land uses, circulation, number of units, square footage and tenant mix will be determined prior to issuance of building permits based on market conditions. However, all regulatory elements, including maximum land use intensities (Table 3-1), will apply. Number of lanes indicated in legend are based on ultimate buildouts as depicted in the General Plan Circulation Element and do not necessarily reflect current conditions.



Proposed Circulation Network
FIGURE 2.3-7





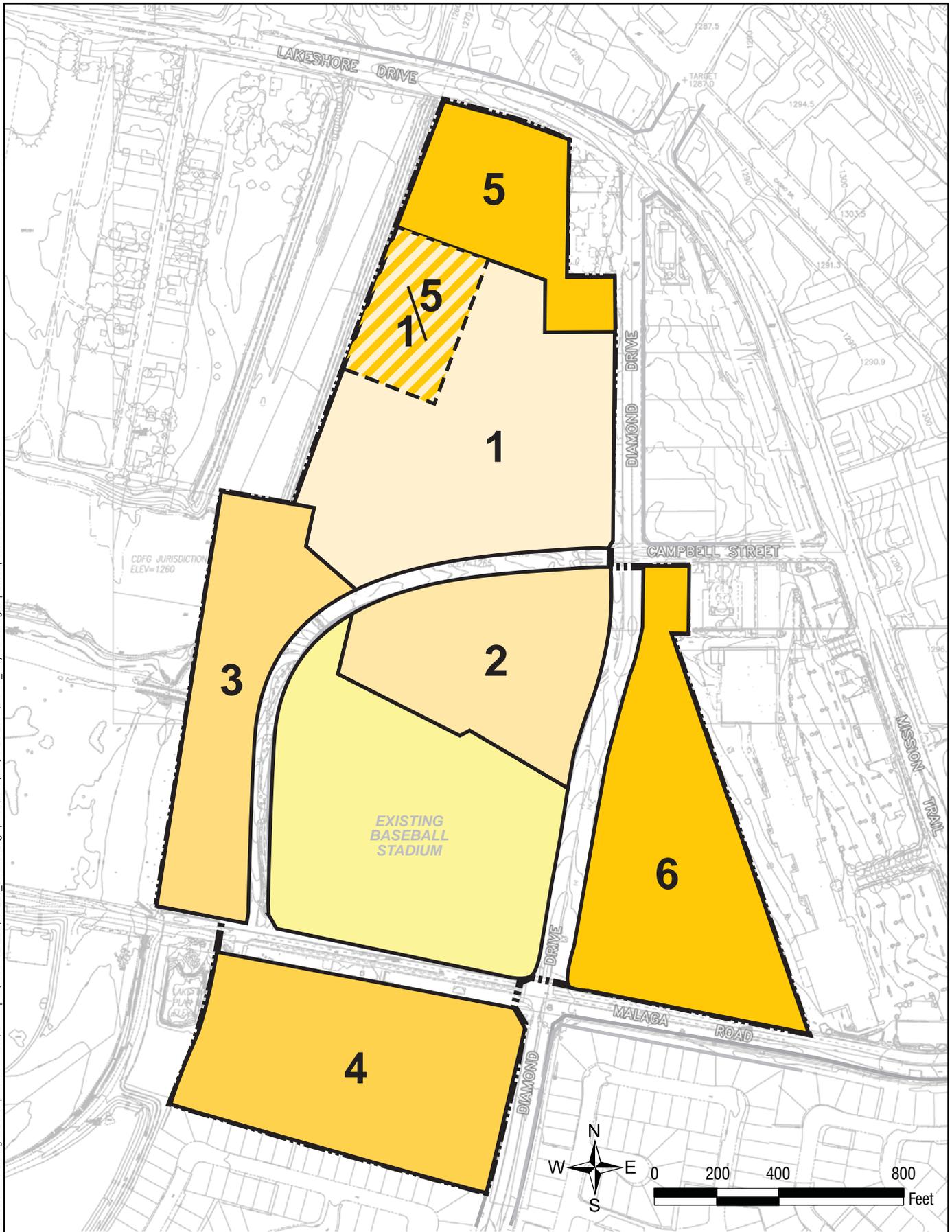
LEGEND:

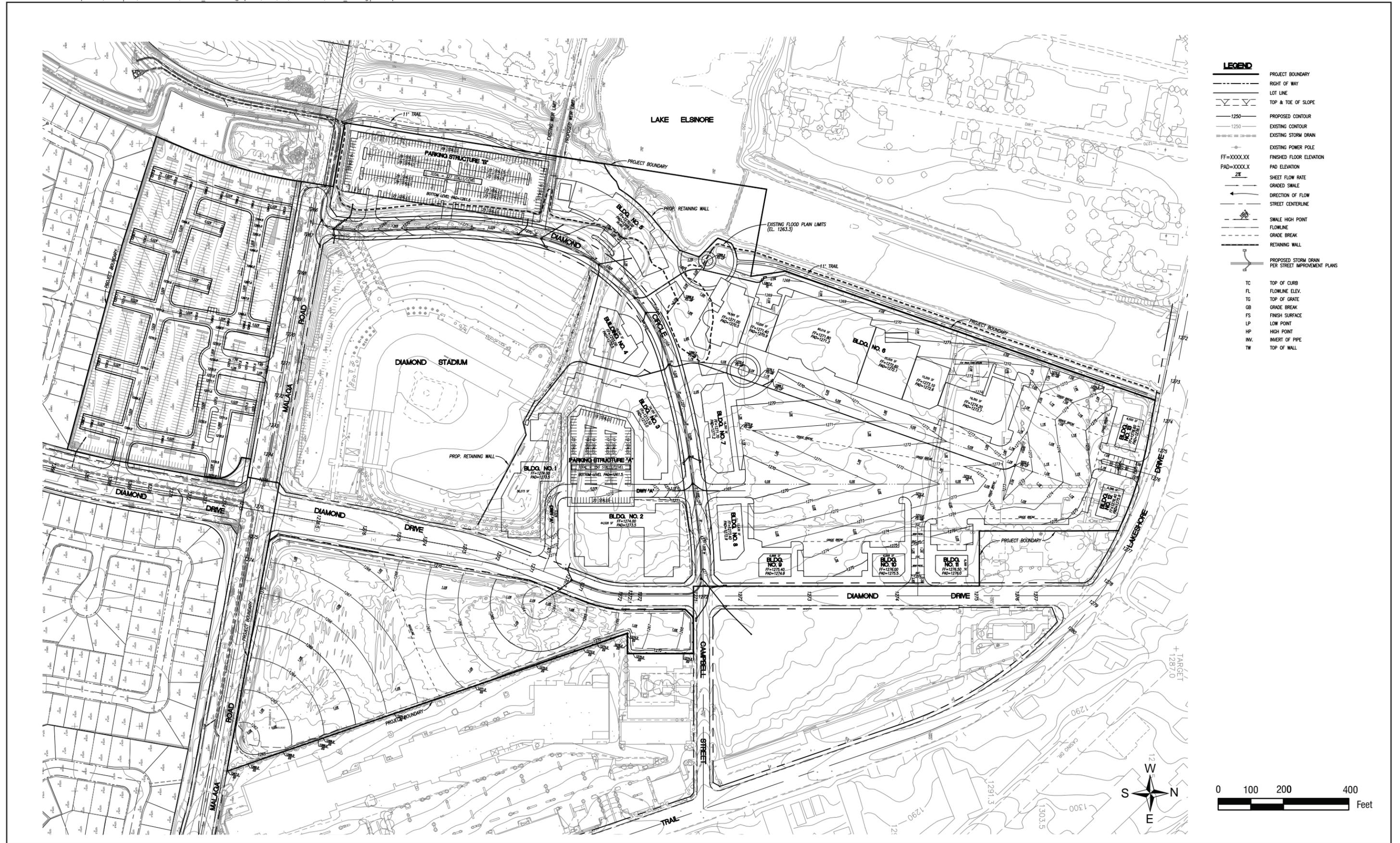
-  = DOMESTIC WATER (DW)
-  = SANITARY SEWER (SS)
-  = RECLAIMED WATER (RW)
-  = EXISTING DOMESTIC WATER
-  = EXISTING SEWER
-  = Diamond Specific Plan Boundary

Note: Site Plan is conceptual only. Refinements to building pads, land uses, circulation, number of units, square footage and tenant mix will be determined prior to issuance of building permits based on market conditions. However, all regulatory elements, including maximum land use intensities (Table 3-1), will apply.



Source: RGP Planning & Development Services, 2009 | G:\010570\KELLS\101221_DIAMOND\graphics\docs\ER\06-24-2009\2.3-10_ProjectPhasing.ai | Last Updated: 06-24-09





LEGEND	
	PROJECT BOUNDARY
	RIGHT OF WAY
	LOT LINE
	TOP & TOE OF SLOPE
	PROPOSED CONTOUR
	EXISTING CONTOUR
	EXISTING STORM DRAIN
	EXISTING POWER POLE
	FINISHED FLOOR ELEVATION
	PAD ELEVATION
	SHEET FLOW RATE
	GRADED SWALE
	DIRECTION OF FLOW
	STREET CENTERLINE
	SWALE HIGH POINT
	FLOWLINE
	GRADE BREAK
	RETAINING WALL
	PROPOSED STORM DRAIN PER STREET IMPROVEMENT PLANS
	TOP OF CURB
	FLOWLINE ELEV.
	TOP OF GRATE
	GRADE BREAK
	FINISH SURFACE
	LOW POINT
	HIGH POINT
	INVERT OF PIPE
	TOP OF WALL

Diamond Specific Plan Conceptual Grading Plan

FIGURE 2.3-11

Design Considerations for the Diamond Specific Plan

The Diamond Specific Plan incorporates several design measures which would minimize project impacts. Specifically, design measures are provided for aesthetics, air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, recreation, transportation and traffic, and utilities and service systems. A complete list of the design considerations for the project site is presented in Table 2.3-4.

2.3.5 10-Acre General Plan Area

As discussed above, the ELSP Amendment 9 removes 86.4 acres from the ELSP. Approximately 76 acres of the Amendment 9 Project Area will be included within The Diamond Specific Plan. The remaining approximately 10 acres have been included in Amendment 9 to prevent the formation of a non-contiguous portion of the ELSP. These 10 acres (shown on Figure 2.3-2) located in the northeast portion of the ELSP Amendment area, referred to as the 10-acre General Plan Area, will not be part of either the East Lake or the Diamond Specific Plan. Instead, this area is proposed to retain the underlying General Plan land use designation of General Commercial under the 1990 General Plan, or Commercial Mixed-Use under the City’s 2009 General Plan Update (depending on which General Plan is the governing document when the project is adopted). There is no planned development, land use, or any other physical change on the property due to the proposed amendment. The 10-acre General Plan Area is primarily vacant with the exception of four acres of commercial uses located in the southwest corner of the Lakeshore Drive and Diamond Drive intersection. The 1993 ELSP Environmental Impact Report (EIR) provided environmental clearance for future development in this area. Any mitigation measures identified in that EIR that pertain to the 10-acre General Plan Area were identified in Table 1.7-1. However, because this project does not propose development of the site, project-level environmental analysis is not provided. Since the 10-acre General Plan area does not propose any development at this time, no circulation, water or wastewater infrastructure is proposed. No phasing is proposed at this time.

Table 2.3-4. Diamond Specific Plan Project Design Features

<p>Aesthetics</p> <p>The project will conform to the design guidelines presented in the Diamond Specific Plan.</p> <p>Trees should be located throughout a parking lot and not merely at the ends of parking rows. Trees should be sized at 24-inch box or larger at time of installation.</p> <p><i>Light or Glare</i></p> <p>All lighting is required to comply with the City of Lake Elsinore lighting ordinance including the siting and direction of light fixtures. Lighting fixtures should be shielded to minimize unwanted spillover and glare. All outdoor lighting fixtures in excess of 60 watts would be oriented and shielded to reduce glare or direct and reduce illumination onto adjacent properties or streets. Low pressure sodium lighting in accordance with the Mount Palomar Observatory lighting standards shall be required. Building finishes will be non-reflective.</p>
<p>Air Quality</p> <p>As a condition of project approval, the project must adhere to SCAQMD Rules 403 (Fugitive Dust Control), 431.2 (Low Sulfur Fuel), 1186/1186.1 (Street Sweepers) and 1113 (Architectural Coatings) during construction-related activities. Rule 1113 limits the VOC content of architectural coatings by providing numeric standards for VOC concentrations per volume of coating. SCAQMD Rule 403 includes a menu of fugitive dust control measures to which the project must adhere, including, but not limited to:</p> <p>Dust Control</p> <ul style="list-style-type: none"> • Apply soil stabilizers to inactive areas. • Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance on unpaved surfaces when winds exceed 25 mph.

- Stabilize previously disturbed areas if subsequent construction is delayed.
- Active construction areas shall be watered at least three times per day.
- All haul trucks shall be covered or shall maintain at least two feet of freeboard.
- All unpaved parking or staging areas shall be watered four times daily.
- Site access points shall be swept or washed within 30 minutes of any visible dirt deposition on any public roadway.
- All stock piles on-site of debris, dirt, or other dusty material shall be covered or watered three times daily.
- Replace ground cover in disturbed areas as soon as feasible.
- Any cleared area that is to remain inactive for more than 96 hours after clearing shall be stabilized.
- Reduce speeds on unpaved roads to less than 15 mph.

Exhaust Emissions

- Require 90-day low-NO_x tune-ups for off-road equipment.
- Limit allowable idling to five minutes for trucks and heavy equipment.
- Utilize equipment whose engines are equipped with diesel oxidation catalysts if available.
- Utilize diesel particulate filter on heavy equipment where feasible.

Painting and Coatings

- Use low VOC coatings and high pressure-low volume sprayers.

Biological Resources

Indirect Impacts

The project will implement the following measures to reduce indirect impacts:

- Include landscape controls by installing native landscaping that require minimal water application;
- Select, design, and utilize best management practices (BMPs) including treatment control BMPs (i.e., constructed wetlands, filter inserts, bio-swales, and catch basins), and site design BMPs (i.e., landscaping).
- Any lighting adjacent to the open space areas near the project should be shielded or directed away from conserved areas.
- A number of non-structural best management practices (BMPs) will minimize the amount of trash/debris created by the Diamond Specific Plan, including activity restrictions placed on the tenants, the distribution of educational materials to the tenants, the placement of trash receptacles in common areas, street sweeping, and the placement and maintenance of inlet trash racks.

Exotic Plant and Animal Infestations

To the maximum extent practicable, native plants should be used in the landscape plans for the common areas of the project. Native plant species shall be used in the water quality basins and other restoration and enhancement areas. The plant palette should be consistent with the MSHCP and should be careful to avoid the species listed in Table 6-2 of the MSHCP. Construction shall abide by an integrated pest management plan which shall include the following weed control measures: preventative practices to avoid the transport and spread of weeds and weed seed during project development and operation, use of only certified weed-free hay, straw and other organic mulches to control erosion, and a plan to control noxious weeds and weeds of local concern within designated open space areas.

The project shall comply with the MSHCP by incorporating barriers for proposed land uses adjacent to Preservation Areas to minimize unauthorized public access, introduction of urban wildlife, and/or illegal dumping within the Preservation Areas.

Geology and Soils

All earthwork and grading at the project site shall be performed in accordance with all applicable building code requirements, the California Occupational Safety and Health Administration (Cal/OSHA), and the Grading Code of the City of Lake Elsinore (Section 17.10.070 of the Zoning Code), and the recommendations outlined in the Preliminary Geologic and Geotechnical Investigation. Slopes shall not be steeper than 2:1 unless approved by the Community Development and Public Works Departments and considered safe in a slope stability report prepared by a soils engineer or an engineering geologist.

Ground Shaking

The project shall implement recommendations outlined in the Geotechnical Evaluation for the proposed project in accordance with the 2006 IBC and 2008 CBC requirements for resistance to seismic shaking.

Erosion

During construction, soil erosion shall be controlled and reduced to a less than significant impact through the implementation of a project-specific Erosion Control Plan and a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the California State Water Resources Control Board Order No. 92-08-DWQ, NPDES General Permit No. CAS000002. The SWPPP shall comply with Best Available Technology (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate soil erosion from areas of construction activity. For erosion control purposes, slopes exceeding five feet in vertical height shall be hydromulched prior to final acceptance and prior to the beginning for the rainy season (October-March).

Grading

All construction shall comply with the provisions of applicable building codes and other codes or City ordinances related thereto.

All grading shall be in accordance with the standards of Chapter 15.72 of the Lake Elsinore Municipal Code and with Chapter 4 of the Specific Plan.

Prior to commencing any grading, including clearing and grubbing, a grading permit shall be obtained from the City of Lake Elsinore. All grading shall be completed in accordance with City standards.

All roadway, drainage, water, reclaimed water, and wastewater development shall be in accordance with the requirements of Chapters 3 and 4 of the Specific Plan, subject to modifications pursuant to the processes established in Chapter 6 of the Specific Plan.

Grading activities shall be in substantial compliance with the overall Conceptual Grading Plan (Figure 2.3-11).

Graded but undeveloped land shall be maintained weed-free and planted with interim landscaping such as hydroseed within one year (365 days) of completion of grading, unless building permits are obtained. Temporary irrigation systems may be required.

Hazards and Hazardous Materials

Compliance with all standards is required through federal, state, county, and municipal regulations, to reduce the potential for direct impacts to human health and biological resources from accidental spills of small amounts of hazardous materials from construction equipment during construction of the buildings, storage, and transport of these materials.

Hydrology and Water Quality

Hydrology

A Conditional Letter of Map Revision and Letter of Map Revision would be submitted to the Federal Emergency Management Agency (FEMA) specifying that the grading of the Diamond Specific Plan should remove the site from within a FEMA 100-Year Flood Zone.

Flood Storage

The Diamond Specific Plan is required to adhere to the existing Back Basin United States Army Corps of Engineers Section 404 permit which requires a HEC-5 flood storage analysis to ensure that the project does not affect the base flood elevation in the back basin. The concept grading plan indicates that the flood storage volume provided at completion of the project exceeds the minimum required to maintain the base flood elevation. At the local level, the City would require certification by a registered professional engineer, prior to any import of fill and/or construction, demonstrating that the cumulative effect of obstructions and/or imported fill shall not result in any increase in the base flood elevation during the occurrence of the base flood discharge [Ord. 1078 § 15.64.110, 2001] and submittal to FEMA of a Conditional Letter of Map Revision based on Fill (CLOMR-F), Letter of Map Revision based on Fill (LOMR-F) or Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR).

Water Quality

In accordance with Santa Ana Regional Drainage Area Management Plan (SAR-DAMP) and National Pollutant Discharge Elimination System (NPDES) requirements, an applicant for a project encompassing more than five acres is required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). In addition, the City shall ensure that construction activity is in compliance with the State's General Permit for Construction Activities administered by the California Regional Water Quality Control Board (RWQCB), located in Riverside (Santa Ana, Region 8). One condition of this permit is the development and

implementation of a site-specific SWPPP that identifies Best Management Practices (BMPs) to reduce/eliminate erosion and sedimentation associated with construction.

The objective of the SWPPP is to identify and control storm water discharges due to construction activity and to identify and implement structural (e.g., silt fences, sandbags, spill control) and non-structural (e.g., scheduling) BMPs to reduce pollutants in storm water, both before and after construction. Discharges associated with construction activity are covered under one statewide General Permit. Coverage under the General Permit requires submittal of a Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB) prior to construction, and development and implementation of a defensible SWPPP prior to disturbing a site and for the duration of construction. All construction period non-storm and storm water BMPs shall adhere to the California Stormwater Quality Association Stormwater *Best Management Handbook for Construction*.

A project-specific water quality plan has been developed to address storm water runoff management and water quality treatment objectives and sets forth an integrated approach involving the utilization of BMPs designed to: (1) function with the drainage plan for the project site and offsite areas; and (2) to address treatment of urban and storm water runoff. The sizing of treatment control BMPs for the proposed project is based upon a criteria established by the Riverside County Flood Control and Water Conservation District for the discharge of urban runoff.

The project site is located within the region covered by the Watershed-wide Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with New Development within the San Jacinto Watershed (Order 01-34, NPDES CAG 618005). The order requires that all development projects tributary to Canyon Lake and Lake Elsinore obtain an NPDES permit, and implement best available technology (BAT) that is economically achievable and best conventional technology (BCT) to reduce or eliminate storm water pollution, including the preparation of a SWPPP.

The proposed project would feature on-site BMPs consisting of Extended Detention Basins (volume-based) and Grassed Swales (flow-based) designed to address storm water runoff management and water quality treatment objectives. The Water Quality Management Plan sets forth an integrated approach to water quality involving the utilization of treatment control BMPs designed to function with the drainage plan for the project site; and to address treatment of urban and storm water runoff. Specifically, the following treatment BMPs would reduce storm water flow:

- An extended detention basin, designed according to criteria set forth and defined by Riverside County, should detain and slowly release the design volume of stormwater.
- Two grassed swales constructed according to County criteria should receive and slow nuisance flows and first flush flows from each of the drainage areas.
- An infiltration basin shall allow storm water runoff to gradually replete the groundwater basin
- Permeable area of the project should be maximized.
- Landscaped buffer areas should be incorporated between sidewalks and streets.
- Onsite ponding areas and retention facilities should increase opportunities for infiltration.
- Streets, sidewalks, and parking aisles should be constructed to the minimum widths necessary, provided the walkable environment and pedestrians' public safety is not compromised.
- Where off-street parking is available, street widths should be reduced.
- The use of impervious surfaces should be minimized in the landscape design.
- Where landscaping is proposed in parking areas, landscaping should be incorporated into the drainage design.
- Water quality education should be given to property owners, operators, tenants, occupants, and employees.
- Activity restrictions shall be in place to control water pollution sources.
- Irrigation systems and landscaping should have appropriate maintenance.
- Common area litter control shall be in place.
- Street sweeping of private streets and parking lots shall occur.

Maintenance of the above-listed BMPs is expected to be financed through a community facilities district, home owners association, or other similar organizations. The proposed system of on-site water quality and infiltration basins and swales would provide appropriate levels of treatment for all on-site generated flows.

<p>Land Use and Planning</p> <p>The proposed project should implement design guidelines and policies which implement the goals of the Ballpark District and the Community Design Element. The design guidelines outlined in the Specific Plan are intended to create a landmark for the City and enhance the community character surrounding the Diamond Stadium. The project includes design guidelines and development standards in compliance with the current General Plan (1990) and General Plan Update (2009) to increase the visibility and development potential for the site.</p>
<p>Noise</p> <p>No use, activity or process shall produce continual vibrations or noxious odors that are perceptible without instruments by the average person at the property lines of the site or within the interior of residential units on the site.</p> <p><i>City of Lake Elsinore Noise Ordinance</i></p> <p>According to the City of Lake Elsinore Noise Ordinance, the maximum exterior noise levels not to be exceeded for more than 30 minutes from stationary or commercial facility related noises to multi-family residential land uses are 45 dBA from 10 p.m. to 7 a.m. and 50 dBA from 7 a.m. to 10 p.m. For general commercial land uses, the exterior noise levels can not exceed 60 dBA from 10 p.m. to 7 a.m. and 65 dBA from 7 a.m. to 10 p.m.</p> <p>For interior noise levels, the maximum interior noise levels for all residential uses are 35 dBA from 10 p.m. to 7 a.m. and 40 dBA from 7 a.m. to 10 p.m. and shall not be exceeded for more than five minutes in any hour.</p> <p>Additionally, the City of Lake Elsinore standards for stationary source noise impacts limits operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between the weekday hours of 7 p.m. and 7 a.m. and during weekends or holidays.</p>
<p>Public Services</p> <p><i>Fire</i></p> <p>During construction and operation of the proposed project, compliance with all applicable fire code and ordinance requirements would be required and conditioned to the proposed project. The project would comply with the 2009 International Fire Code, California Building Code, and applicable Riverside County Fire Department Code requirements and standards for construction, access, water mains, fire flow, and fire hydrants.</p> <p>In addition, all new development projects are required to contribute to the City's Community Facilities District (CFD) No. 2003-1 (Law Enforcement, Fire, and Paramedic Services).</p> <p>All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance No. 460 and/or No. 787, subject to review and approval by the Riverside County Fire Department.</p> <p>Fire flow requirements within commercial projects are based on square footage and type of construction of the structures. The minimum fire flow for any commercial structure is 1,500 gallons per minute, at a residual operating pressure of 20-psi, and can rise to 8,000 gallons per minute, (per Table A-III of the California Fire Code).</p> <p><i>Police</i></p> <p>All new development projects are required to contribute to the City's Community Facilities District (CFD) No. 2003-1 (Law Enforcement, Fire, and Paramedic Services).</p> <p><i>Schools</i></p> <p>The proposed project would be required to pay applicable development fees levied by Lake Elsinore Unified School District (LEUSD) pursuant to the School Facilities Act (Senate Bill [SB] 50, Stats. 1998, c.407) to offset these impacts on school facilities resulting from new development.</p> <p><i>Libraries</i></p> <p>The proposed project is required to participate in the Riverside County Uniform Mitigation Fee program that collects fees on new residential housing developments to support future facility development and library material purchases.</p>

Recreation

Pursuant to City standards, five acres of park area are to be dedicated for each 1,000 subdivision residents, cash in-lieu fees, or a combination of both, as a condition of residential development approval. By this standard, the City of Lake Elsinore would require the proposed project to include 8.13 acres of park area to serve the projected 1,620 residents. The project does not provide sufficient amount of park space to meet the requirements of City standards and pursuant to the Quimby Act, cash in-lieu fees would be required.

Transportation and Traffic

The various uses of the project area, such as residential, commercial, educational, restaurant, entertainment and hotel, should be required to meet the parking standards specified in Chapter 4 of the Specific Plan. The amount of parking should vary depending on the number of units proposed and square footage of particular non-residential use.

When PA-6 is developed from its current state as overflow parking, an equivalent number of spaces must be designated onsite or within a half-mile of the stadium unless the following occur, subject to City Community Development Director approval:

- A parking study is prepared that indicates fewer than 1,500 overflow spaces are necessary*;
- A shared parking analysis is prepared that indicates a shared parking facility serving the stadium and other onsite uses should satisfy the stadium's parking demand; or,
- A parking lot further than a half-mile from the stadium is constructed or designated for overflow parking in conjunction with a public transportation program for shuttling stadium goers from the parking lot to the stadium.

*The Summerly conceptual development plan included a 33-acre multi-use recreational facility with 1,500 parking spaces that would be used for overflow parking for the baseball stadium and would replace the existing 1,500 space lot designated as PA-6. This facility has not been built at this time; therefore, if this facility is not built before PA-6 is developed, other onsite or offsite parking facilities may be required.

Transportation Uniform Mitigation Fee

The Western Riverside Transportation Uniform Mitigation Fee (TUMF) program evolved from the need to establish a comprehensive funding source for regional arterial highway improvements for western Riverside County. This program (adopted December 2002) establishes a single uniform mitigation fee to mitigate the cumulative regional impacts of new development on the regional arterial highway system. It was adopted with the intention to avoid multiple, discrete fee programs with varying policies, fees, and improvement projects. The project proponent would contribute the required amount per dwelling unit TUMF for funding regional transportation improvements.

Site Access and Circulation

Roadway classifications within the project site have been designed in accordance with the City's General Plan Circulation Element. The City's General Plan Circulation Element designates specific design criteria for street improvements. Implementation of the design criteria assures that all street improvements are safely designed. The proposed project would comply with all specified design criteria.

Alternative Transportation Modes

The Riverside Transit Agency currently provides bus service along Lakeshore Drive and Mission Trail with stops near the Diamond Specific Plan at Railroad Canyon Road and Malaga Road. In order to provide public transit service to the residents and visitors of the Diamond area, the Specific Plan shall incorporate "transit ready" features in order to accommodate public transit service once it becomes available. Potential public transit stop locations are included in the Circulation Plan. Bus stops/turnouts would be developed according to RTA standards.

The project should provide interconnections of land uses that are considerate of pedestrians, bicyclists, public transit riders and motorists. A pedestrian and cyclist network should connect the different planning areas within the Specific Plan area. The project area shall be connected to land uses north and south of it by the Regional Trail and the Community Trail.

Emergency Access

Sight distance at each project access should be reviewed with respect to standard California Department of Transportation/City of Lake Elsinore sight distance standards at the time of preparation of final grading, landscaping, and street improvement plans.

Utilities and Service Systems

All utilities, except electrical lines over 12 kilovolts (kV), shall be placed underground.

Water

Water lines and connections would be installed in accordance with the requirements and specifications of the City and EVMWD. In addition, assurance of the provision of adequate water service is required to be provided prior to the approval of a subdivision map and/or plot plan for new residential development of 500 homes or more, in accordance with Senate Bill (SB) 221.¹ The proposed water system shall be designated to minimize the requirements of future system maintenance.

A reclaimed water system should be constructed to provide for landscape irrigation and other non-potable uses, unless the Elsinore Valley Municipal Water District (EVMWD) determines that reclaimed water meeting health standards is not currently available and will not be available to the project site in the foreseeable future.

Development within The Diamond Specific Plan should comply with:

- Title 20, California Code of Regulations Section 1604 (f) (Appliance Efficiency Standards), which establishes efficiency standards for all new showerheads and lavatory faucets; and
- Health and Safety Code Section 17621.3, which requires low-flow toilets and urinals in virtually all buildings.

Wastewater

All wastewater lines and disposal facilities should be designed and constructed per City of Lake Elsinore and EVMWD requirements.

The proposed wastewater system shall be designed to adequately accommodate anticipated waste flows resulting from the project.

Sewer-related infrastructure should be designed and installed in accordance with the requirements and specifications of the City, EVMWD, Riverside County Department of Health, and RWQCB.

Solid Waste

A construction waste recycling program should be established with a local waste management company to maximize waste recycling and to reach the 50 percent diversion goals.

The proposed project should comply with all applicable federal, state, and local statutes and regulation related to solid waste, including the County's Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE), and City Ordinance 8.32 of the Lake Elsinore Municipal Code regarding construction debris removal.

Gas

Gas-related infrastructure and necessary extensions would be installed in accordance with the requirements and specifications of the City and the California Public Utilities Commission.

¹ Signed into law on October 8, 2001, California SB 221 established a process whereby sufficient water supply must be identified and available for new development for any residential development of 500 homes or more, or, in the case wherein a water supplier has fewer than 5,000 service connections or the proposed development would increase the number of connections by at least 10 percent, unless there is proof of adequate water over at least the next 20 years, including long periods of drought.

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2.0 PROJECT DESCRIPTION

The proposed project consists of the Diamond Specific Plan No. 2009-01, General Plan Amendment No. 2009-01, East Lake Specific Plan (ELSP) Amendment 9, and Zone Change No. 2009-01. These components are described below.

2.1 PROJECT LOCATION

The Diamond Specific Plan area is comprised of approximately 87 acres of land located within the City of Lake Elsinore in the southwest portion of Riverside County (Figure 2.1-1). The Diamond Specific Plan is bordered to the north by Lakeshore Drive, to the east by Diamond Drive and by vacant property (Summerly Homes development) to the south of the project. The surrounding area contains retail-commercial land uses to the north and east.

The 10-acre General Plan Area is comprised of two areas totaling approximately 10 acres of land located to the northeast of the Diamond Specific Plan. The northern parcel is located to the southwest of the Diamond Drive and Lakeshore Drive intersection and the southern parcel is located in the northeast corner of the Campbell Street and Diamond Drive intersection.

2.2 SITE CHARACTERISTICS

Topography within the Diamond Specific Plan and 10-acre General Plan Area is relatively flat and primarily characterized by a consistent elevation. Elevations range from approximately 1,260 feet above mean sea level (AMSL) in the south and west portion of the property to approximately 1,275 feet AMSL in the north and east portion of the site. Soils that underlie the site primarily consist of floodplain deposits with basement bedrock of primarily granodiorite.

Approximately 30 percent of the Diamond Specific Plan (27 acres) is currently developed and the remaining 60 acres is vacant. The developed portion of the Diamond Specific Plan includes the Diamond Stadium (which hosts the Class A Lake Elsinore Storm baseball team), a parking lot surrounding the stadium, and approximately 80,000 square feet (sf) of retail-commercial and office uses in the existing Lake Elsinore Valley Center (LEVC) along the Lakeshore Drive frontage. A minimally improved remote parking lot of approximately 12 acres is south of the stadium, and is considered interim and not included in the 27 acres of developed area. The 10-acre General Plan Area is primarily vacant with the exception of approximately 4 acres of existing commercial business uses located west of Diamond Drive and south of Lakeshore Drive.

2.3 PROJECT CHARACTERISTICS

2.3.1 Project Objectives

Diamond Specific Plan Objectives

The Diamond Specific Plan has been designed with consideration of multiple factors including compatibility with the City's current General Plan (1990) and General Plan Update (2009), engineering feasibility, market forces, economic viability, lifestyle objectives, and quality of physical design. The following list of project development and design objectives has been developed with this vision in mind for the Diamond Specific Plan:

1. Set forth a comprehensive development plan that implements the applicable portions of the City of Lake Elsinore 2009 General Plan Update and achieves the City's development goals¹ for the Ballpark District.
2. Stimulate private sector investment in the project by implementing a project that is fiscally sound and capable of financing the construction and maintenance of necessary infrastructure improvements.
3. Maximize the advantages of the site's location in terms of visibility and proximity to the I-15 freeway.
4. Improve the housing stock by providing a substantial residential component with a variety of residential product types and densities that are compatible with the entertainment and activity function of the project area.
5. Facilitate economic vitality within the City and provide additional opportunities for housing, employment, and commercial development consistent with Redevelopment Project Area objectives.
6. Increase revenues to the City by providing for a variety of commercial and retail activities with the potential to generate substantial sales- and property-tax revenue.
7. Provide for connectivity within the Plan within and between use areas by incorporating gathering places, strong pedestrian linkages, passive areas, and linkages to surrounding citywide trails and open space.
8. Plan for phased development and supporting infrastructure improvements consistent with market forces and sufficiently sized to sustain the land use plan in terms of adequate water supply, sewer and storm water collection systems, and transportation system improvements.
9. Expand the City's shopping, entertainment and hospitality opportunities for City residents and visitors and maintain a sustainable balance of residential and nonresidential uses in a mixed-use format that includes entertainment, retail shopping, restaurants and residential units.
10. Create an aesthetically pleasing and distinct development identity reflective of the unique character of the Ballpark District through establishment of design criteria for architecture, landscaping, hardscape, street and pedestrian improvements, signage, entry monumentation, and other design features.
11. Incorporate a public space that has a direct relationship to the lake.

10-Acre General Plan Area Objectives

1. Prevent the formation of a non-contiguous portion of the ELSP.

¹ Development Goals for the Ballpark District:

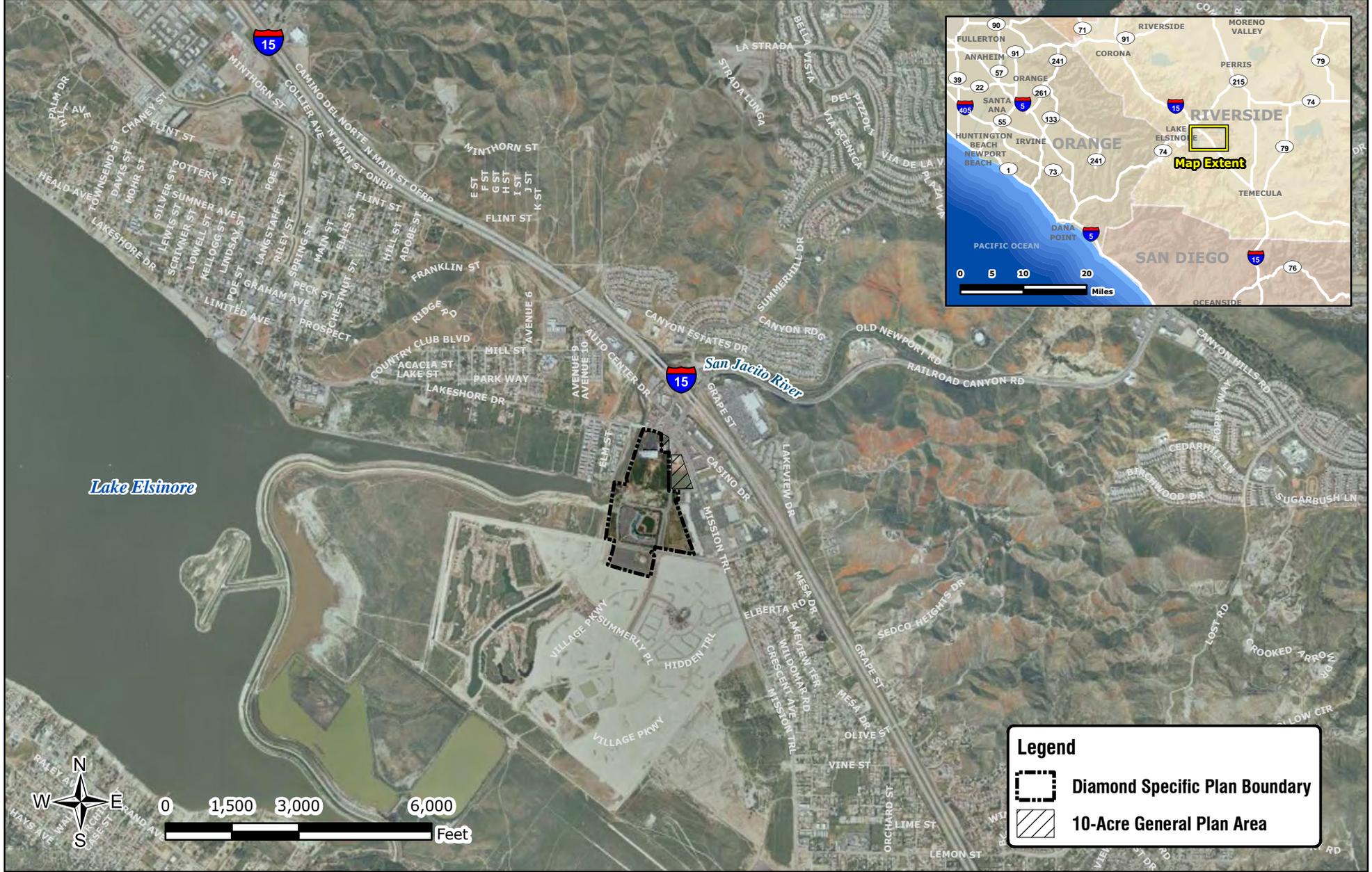
Goal 1. The primary goal of the Ballpark District is to redevelop into a vibrant "Dream Extreme" mixed-use entertainment, commercial, and residential district by capitalizing upon the opportunity associated with Diamond Stadium.

Goal 2. Create a contemporary theme within the Ballpark District, by incorporating design elements that create a progressive entertainment image.

Goal 3. Continue to improve the near-by street system for the Diamond Drive and Railroad Canyon Road interchange improvement, especially the intersection of Auto Center Drive and Diamond Drive, Railroad Canyon Road, Grape Street, and southbound on-ramp to I-15.

Goal 4. Promote the stadium, "Dream Extreme" sports activities, and other recreational opportunities in the Ballpark District and provide linkages to the Lake and other park and recreation amenities.

General Plan Update (2009)



Regional and Vicinity Map

FIGURE 2.1-1

2.3.2 Discretionary Approvals

The following discretionary approvals by Lake Elsinore have been identified for the proposed project:

- Approval by Ordinance of the ELSP Amendment 9 to remove 86.4 acres from the ELSP (including a portion of the Diamond Specific Plan and the 10-acre General Plan Area. See description below.)
- Approval of General Plan Amendment No. 2009-01 to change the land use designation from East Lake Specific Plan and General Commercial to Diamond Specific Plan and General Commercial (10-acre General Plan Area)
- Approval of Change of Zone No. 2009-01 by Ordinance to change the zoning from East Lake Specific Plan to General Commercial and Diamond Specific Plan
- Adoption of the Diamond Specific Plan by Ordinance

Other discretionary approvals include:

- United States Army Corps of Engineers (USACE) Clean Water Act Section 404
- Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification/Waiver
- California Department of Fish and Game Section (CDFG) 1602 Streambed Alteration Agreement

2.3.3 East Lake Specific Plan Amendment 9

The ELSP, originally adopted in 1993, covered a 3,000-acre area at the east end of Lake Elsinore, and originally provided for up to 9,000 dwelling units and a combination of commercial, recreational and open spaces, in an area that was once undevelopable due to erratic flooding conditions associated with Lake Elsinore. This area is now developable due to the implementation of the Lake Management Plan and construction of flood management measures, including, but not limited to, the Spring Street outflow channel, the reinforced overflow weir and the 3.3-mile long/30-foot-high earthen levee at the lake's south end.

During the time the ELSP was being prepared, the City's Redevelopment Agency was also considering the construction of a minor league baseball stadium within the Recreation Village District portion of the ELSP. To accommodate this stadium a "Special Alternative Land Use" area was designated at the southwest corner of Malaga Road and Mission Trail. Construction of the stadium moved forward and was completed in 1994, but at a different location than the Special Alternative Land Use area incorporated in the adoption of the 1993 ELSP. The stadium was moved a short distance to the west to the northwest corner of Malaga Road and Diamond Drive, which is the extension of Railroad Canyon Road.

The ELSP was subsequently amended by a series of Specific Plan Amendments (SPAs) between 1998 and 2006. Most of these amendments affected portions of the Recreation Village District in the easterly portion of the ELSP plan area, and involved redistribution of land uses due to flood storage needs, which were not provided for in the 1993 plan. The construction of the stadium in 1994 remained one of the only major improvements within the ELSP plan area until the grading and golf course construction provided for in Specific Plan Amendment (SPA) 6 was completed in 2007.

The City initiated a General Plan Update process in 2007. As a part of the General Plan Update, the City was divided into 11 “district plans” for the purpose of more detailed development direction addressing land use, urban design, transportation, and parks and recreation. These district plans recognize the unique attributes of each district and identify district goals and policies for development. The area covered by the 1993 ELSP is divided into two district plans, the East Lake District and the Ballpark District. The Ballpark District includes the area surrounding the existing stadium, on the north side of Malaga Road. It also includes one parcel on the south side of Malaga Road directly opposite the stadium. The proposed project is entirely within the Ballpark District and comprises the majority of the Ballpark District as shown on Figure 2.3-1, Preferred General Plan Land Use Designations (2009). It is unknown whether the City’s General Plan Update will be approved prior to approval of the Diamond Specific Plan; however, the Specific Plan is also consistent with the current General Plan (1990).

The boundary of the Ballpark District is largely within, but not coterminous with the ELSP boundary, with the balance of the district made up of existing commercial development. In order to facilitate development within the Ballpark District consistent with the General Plan update goals and objectives, a comprehensive planning process must be undertaken for this area. This will require preparation of a specific plan separate from the ELSP and a concurrent amendment to the ELSP to remove this area from the ELSP so that it can be incorporated into the new specific plan for the Ballpark District. This process will require an amendment to the 1993 ELSP.

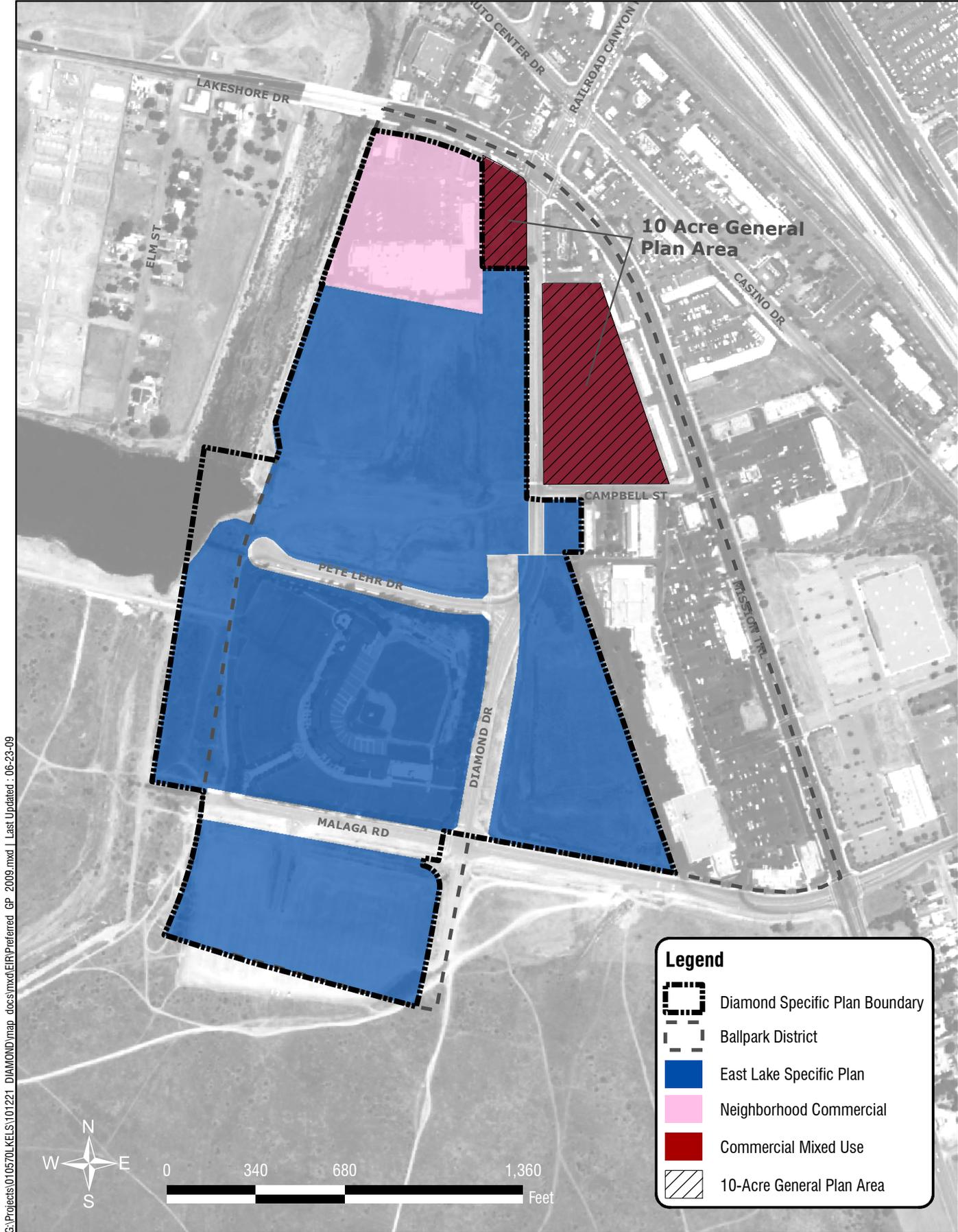
The proposed project includes an amendment to the 1993 ELSP to remove those portions of the Ballpark District, which lie within the current ELSP boundary. This amendment to the ELSP is considered Amendment 9 (SPA-9 or Amendment 9). Amendment 9 is intended to incorporate all changes to the 1993 ELSP to date that affect the area covered by Amendment 9. These changes are primarily mapping and statistical changes to reflect the reduction in area and land use yield. Statistical changes also supersede ELSP Amendment 8 statistics for the Plan (Figure 2.3-2).

The Amendment 9 Project Area is comprised of 86.4 acres located along both sides of Diamond Drive between Lakeshore/Mission Trail and Malaga Road, with a small portion on the south side of Malaga at the southwest corner of Malaga Road and Diamond Drive (see Figure 2.3-1, ELSP Amendment 9 Project Area). SPA-9 removes the Stadium from the ELSP, which accounts for 19 acres of Special Alternative Use (SAU) area, approximately 52 acres of General Commercial (GC), 7.5 acres of Open Space (OS) and eight acres of roads. These land uses are summarized below in Table 2.3-1.

Table 2.3-1. ELSP Amendment 9 Project Area

Land Use Category	Acreage
General Commercial (GC)	51.7
Open Space (OS)	7.5
Special Alternative Use (SAU) (Stadium)	19.0
Roads	8.2
Total	86.4

Source: RGP Planning & Development Services 2009(a)



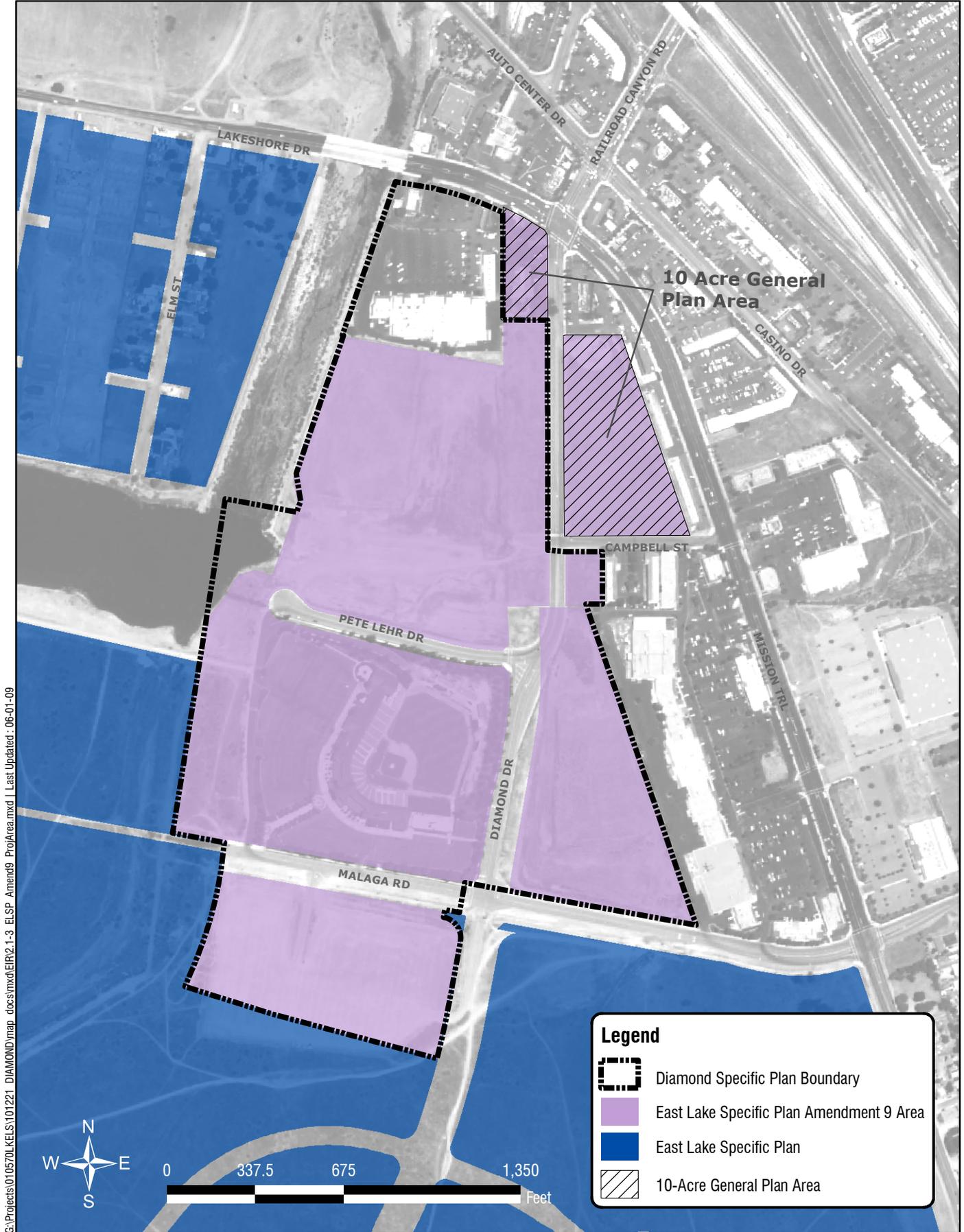
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Legend

- Diamond Specific Plan Boundary
- Ballpark District
- East Lake Specific Plan
- Neighborhood Commercial
- Commercial Mixed Use
- 10-Acre General Plan Area

Preferred General Plan Land Use Designations (2009)

FIGURE 2.3-1



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Legend

-  Diamond Specific Plan Boundary
-  East Lake Specific Plan Amendment 9 Area
-  East Lake Specific Plan
-  10-Acre General Plan Area

East Lake Specific Plan Amendment 9 Project Area

FIGURE 2.3-2

The amendment to the ELSP will result in changes that are primarily related to mapping and statistical modifications to reflect the reduction in the ELSP's area and land use yield associated with the Amendment 9 Project Area. The mapping changes are focused on the ELSP boundary and Land Use Plan. Because the road and utility infrastructure systems have been completed around the ELSP Amendment 9 Project Area, no revisions are expected to the other ELSP plans (e.g., Circulation Plan, Infrastructure, etc.). Approximately 76 acres of the Amendment 9 Project Area will be included within The Diamond Specific Plan, which is described further below. The remaining approximately ten acres have been included in Amendment 9 to prevent the formation of a non-contiguous portion of the ELSP. These ten acres located in the northeast portion of the ELSP Amendment area, referred to as the 10-Acre General Plan area, will not be part of a specific plan. Instead this area is proposed to retain the underlying General Plan land use of General Commercial under the 1990 General Plan, or Commercial Mixed-Use under the City's 2009 General Plan Update (depending on which General Plan is the governing document when the project is adopted).

2.3.4 The Diamond Specific Plan #2009 01

The Diamond Specific Plan proposes an 87-acre master planned mixed-use development that is intended to create a unique sense of place and a regional destination venue surrounding the Diamond Stadium. The Specific Plan will contain a mix of uses including commercial, office, educational, entertainment and residential uses. In order to accommodate the potential market changes and lifestyle preferences that could occur over the 7 to 10-year timeframe until the project is built-out, the plan has incorporated flexibility in its land use designation and development intensity. This flexibility is utilized by a broadly defined land use designation and by calculating intensity of residential and non-residential development over the entire project.

Density or intensity of an individual development within the Diamond Specific Plan may exceed the General Plan allowed density provided the overall density of the project site as an average does not exceed the General Plan density or the development caps established by the Specific Plan. These caps or yield caps were established by the Specific Plan based on the development vision and design objectives. The project is capped at providing 600 multi-family housing units, 897,000 sf of commercial-retail space and a 150-room hotel. The amount of hotel rooms would be dependent upon market conditions and may increase to 300 rooms. If this occurs, the permitted square footage of mixed-use development would be reduced by 100,000 sf to 797,000 sf. A breakdown of land use designations is shown in Table 2.3-2.

Table 2.3-2. Summary of Proposed Land Uses for Diamond Specific Plan

Planning Area	Acres	Dwelling Units
<i>Mixed Use</i>		
Lakeshore Planning Area (PA-1)	7.1	50
Commercial Core Planning Area (PA-2)	27.5	275
Waterfront Planning Area (PA-3)	7.3	0
Stadium Planning Area (PA-4)	16.1	0
Malaga North Planning Area (PA-5)	11.7	50
Malaga South Planning Area (PA-6)	11.7	225
<i>Roads</i>	<i>5.8</i>	
Total	87.2	600

Source: RGP Planning & Development Services 2009(b)

The Specific Plan will be zoned completely as mixed use, although it is divided into six development or planning areas which have been designated to provide further definition of the Land Use Plan and which will implement the project objectives (Figure 2.3-3, Diamond Land Use Plan). The planning areas were created to reflect logical clusters of development. Each area will complement the project development through complementary architectural and landscape design, an interconnected pedestrian network and complementary land uses. Planning areas are shown on Figure 2.3-4. A conceptual land use plan is shown in Figure 2.3-5.

Lakeshore Planning Area (PA-1)

PA-1 is 7.1 acres at the northernmost point of the project area that has been partially developed. A heavier emphasis on non-residential uses is planned for this area in order to take advantage of signage opportunities and drive-by traffic. Approximately 50 residential units and 82,000 sf is available in this area for commercial, office, educational or retail uses. Whether the uses planned for the area are vertically or horizontally integrated or only retail commercial, PA-1 will have vertical architectural elements to introduce eastbound drivers and pedestrians to the Ballpark District and The Diamond.

Commercial Core Planning Area (PA-2)

At approximately 27.5 acres, PA-2 is the largest planning area of the Diamond Specific Plan. Its central location within the project area is envisioned to accommodate a central core of commercial, educational, and urban-oriented residential uses. PA-2 will focus on entertainment, retail and restaurant venues in a pedestrian-oriented environment with linkages to the stadium, residential and educational uses.

Waterfront Planning Area (PA-3)

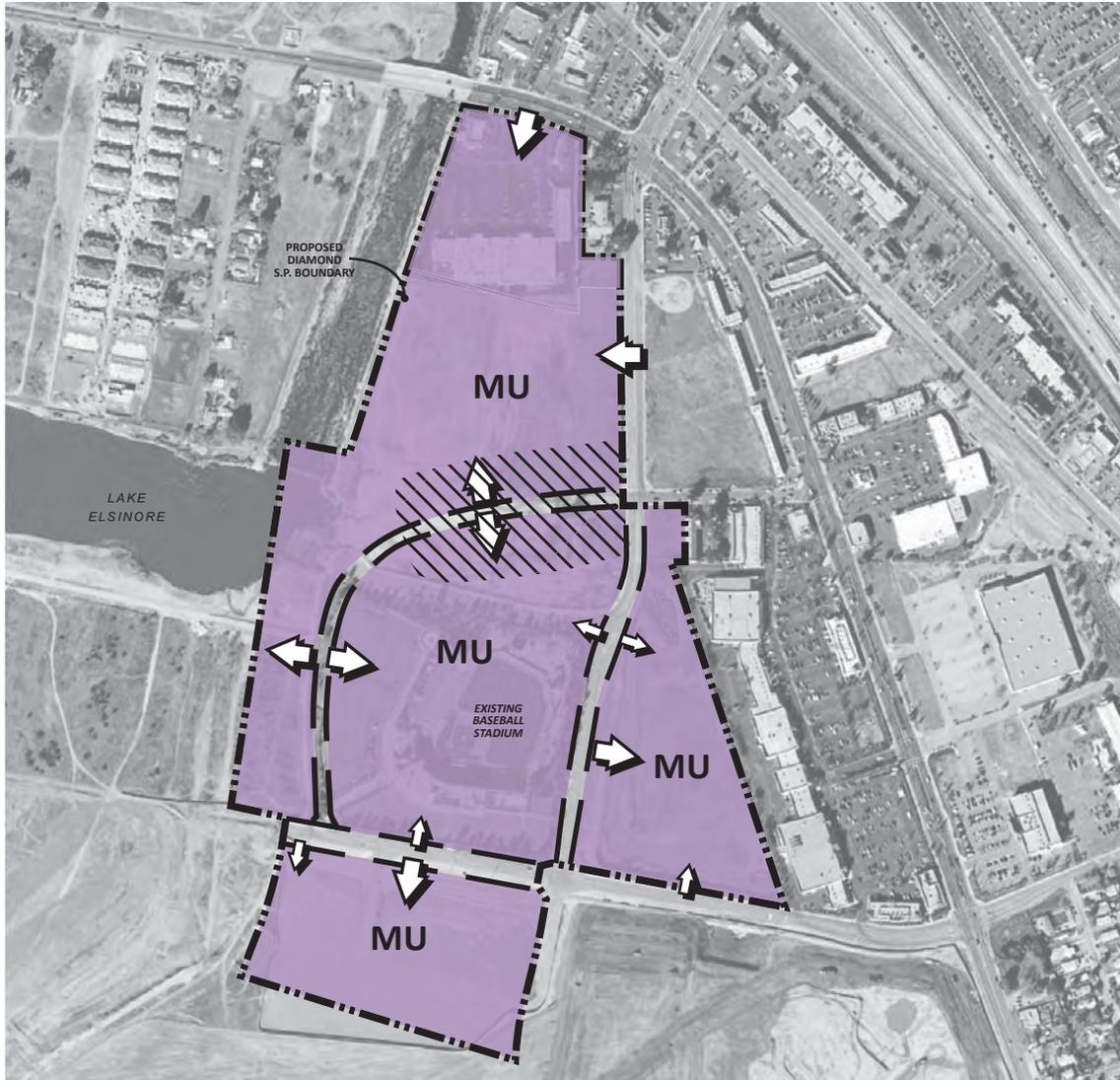
PA-3 is located on the west side of the Diamond stadium and its 7.3-acre lakeside position makes it ideal for creating outdoor community space and connecting the lake features with the other commercial, office and entertainment-related businesses planned on the site. This planning area will have a main plaza, a 150-room hotel and 30,000 sf available for commercial, retail, and office use. It should be noted that a boat dock along the lake edge is a permitted use within this planning area, but is not proposed at this time. Should a boat dock be proposed in the future, the project applicant for that request would need to apply for a Conditional Use Permit (CUP) from the City as well as undertake additional environmental review, including complying with the provisions of CEQA, and obtaining permits from the Regional Water Quality Control Board (RWQCB), U. S. Army Corps of Engineers (USACE), and California Department of Fish and Game (CDFG) for impacts to the lake.

Stadium Planning Area (PA-4)

The PA-4 area includes the existing Diamond baseball stadium and its adjoining parking areas. The area will continue to accommodate the baseball stadium and has the potential to accommodate 35,000 sf of new commercial and/or office uses in addition to existing stadium buildings shall be permitted. Should buildings be constructed on existing parking facilities, an appropriate amount of parking will be provided on adjacent parcels.

Malaga North Planning Area (PA-5)

PA-5 is approximately 11.7 acres and is envisioned to accommodate a neighborhood commercial type of development with retail, service and/or office uses integrated with a residential component. A maximum of 110,000 sf of commercial/retail/office development in addition to 50 dwelling units is allotted to the planning area.



LAND USE

MU = Mixed-use	81.6
Roads	5.6
	<hr style="width: 100px; margin-left: auto; margin-right: 0;"/> 87.2 ac.

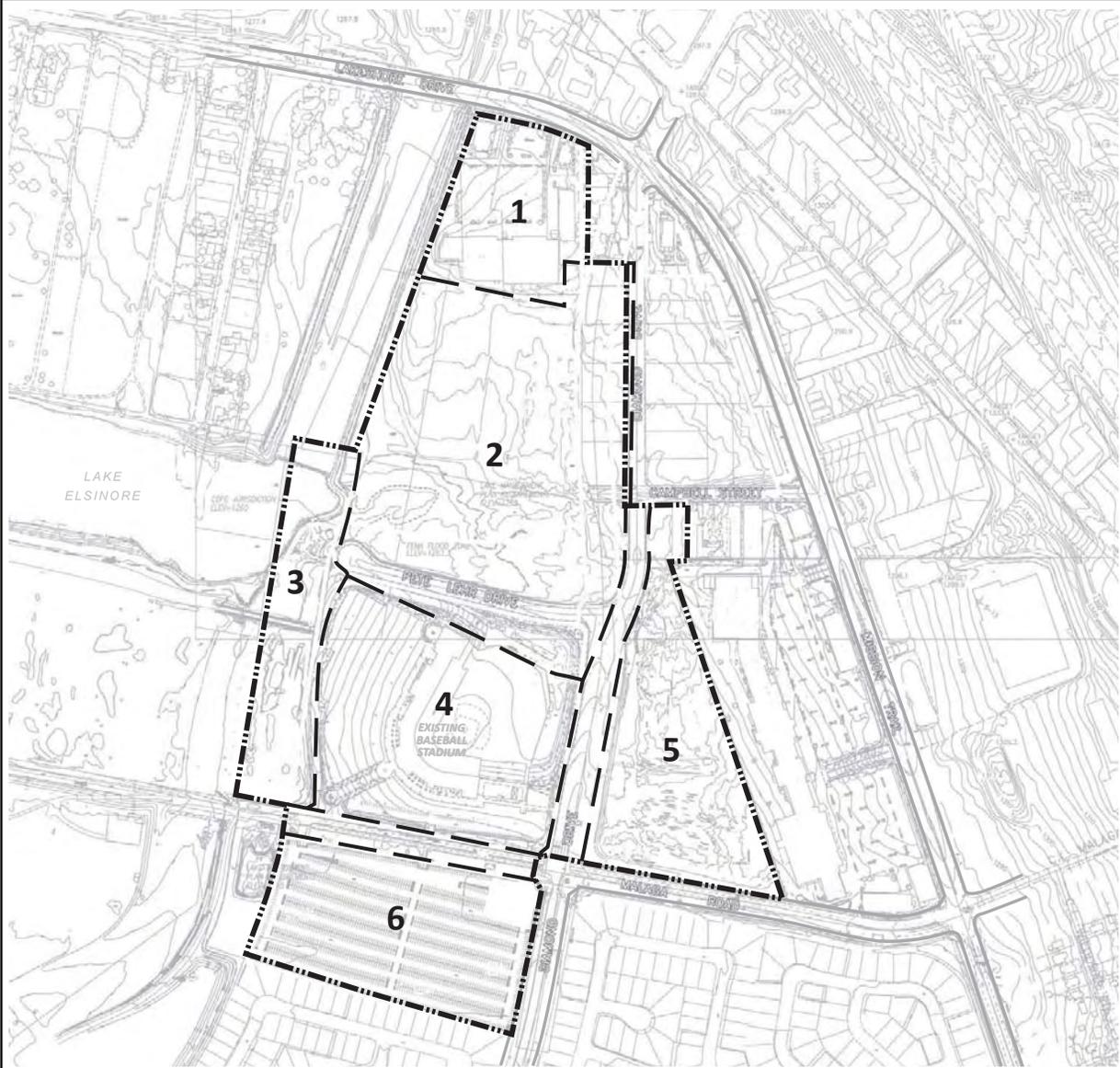
LEGEND

- = Primary Access Point
- = Secondary Access Point
- = Community Center Overlay



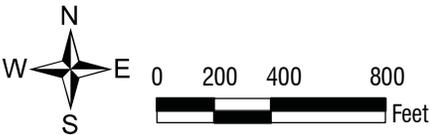
Diamond Specific Plan Land Use Plan

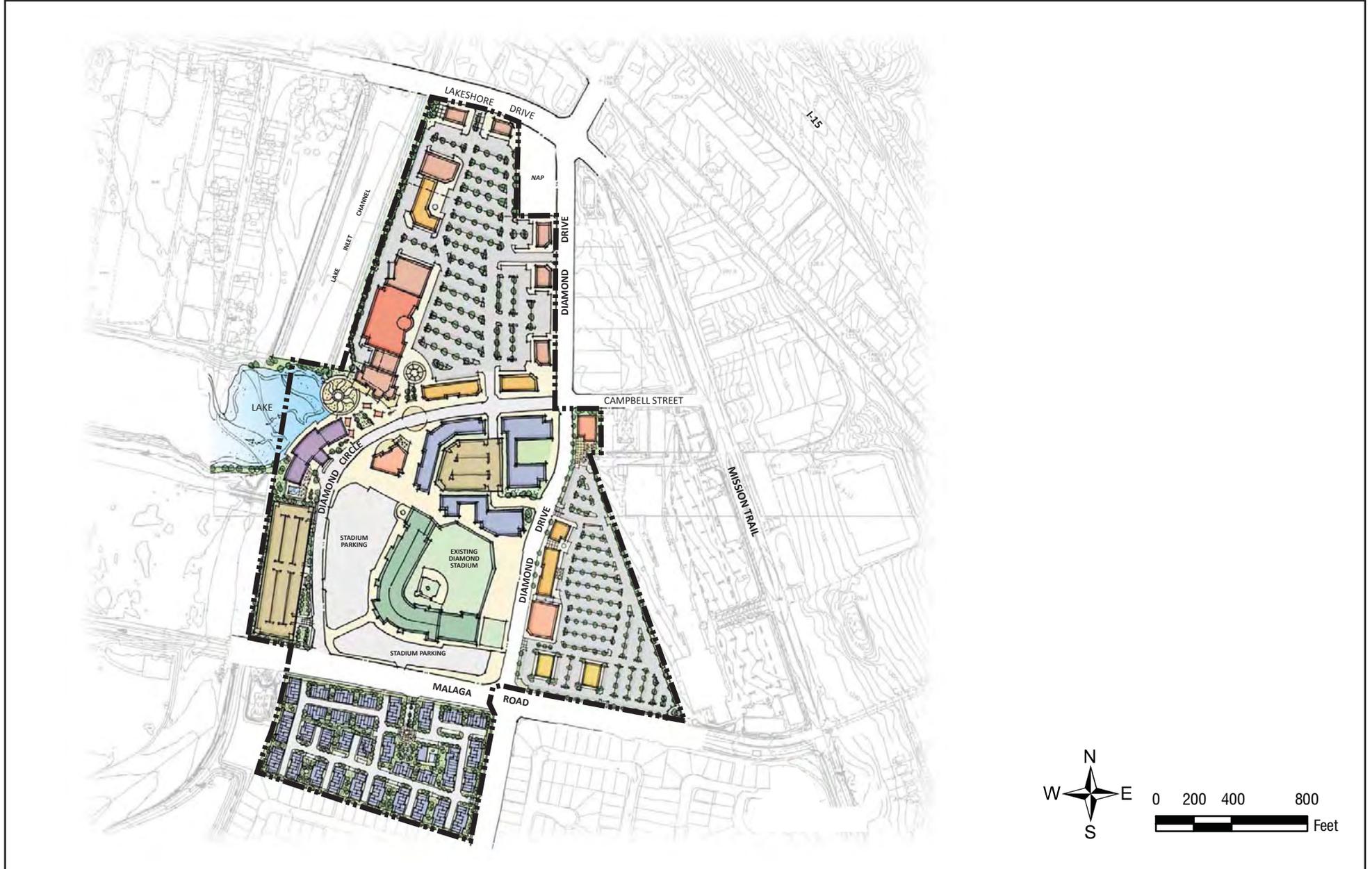
FIGURE 2.3-3



PLANNING AREAS

1 Lakeshore	7.1 ac.
2 Community Core	27.5 ac.
3 Waterfront	7.3 ac.
4 Stadium	16.1 ac.
5 Malaga North	11.7 ac.
6 Malaga South	11.7 ac.
Dedication	0.4 ac.





Diamond Specific Plan Conceptual Land Use Plan
FIGURE 2.3-5

Malaga South Planning Area (PA-6)

PA-6 is presently an 11.7-acre overflow parking lot for the baseball stadium. Development of the area under the Specific Plan is envisioned to have an emphasis on residential uses with 225 dwelling units and 50,000 sf of commercial uses.

Open Space and Recreation

Park and open space requirements will be met through a combination of land dedication, improvements, private recreation and in-lieu fees. Approximately 7 acres of open space will be accommodated in the Mixed-Use Land Use category as described further in Chapter 3 of the Diamond Specific Plan. The Diamond Specific Plan will provide access to the Lake Elsinore Regional Trail, which is planned by the City per the Park and Trails Master Plan. The majority of the 11-foot wide trail will be located outside of the site’s western boundary and will follow the San Jacinto River outlet channel. A portion of the trail has been moved on-site and will be improved by the project applicant to accommodate smooth tarplant mitigation (see Section 4.3 for additional detail). Another 11-foot wide “Community Trail” will diverge from the Regional Trail and continue along the western edge of the site into the Summerly community where the new recreation park is planned.

Within the project boundaries, a main plaza and additional smaller plazas are planned to provide community gathering spaces. The residential development components will most likely incorporate various private recreational facilities which may include pools, clubhouses, courtyards barbeque areas and passive landscaped areas.

Transportation and Circulation

Primary access to the project will be from Diamond Drive, Malaga Road and Lakeshore Drive. These roads connect to the Interstate 15 (I-15) freeway via the Railroad Canyon Road/Diamond Drive interchange. Lakeshore Drive connects to Main Street in downtown Lake Elsinore. Most roads accessing the Diamond Specific Plan Site have been constructed and will be modified to be in compliance with the General Plan Circulation Element. Diamond Circle will be built during phased construction of the project. Table 2.3-3 provides a description of each of the street sizes including right-of-way (ROW) width. Figures 2.3-6a and 2.3-6b depicts street sections for the main roadways within the project area. Figure 2.3-7 shows the proposed circulation network.

Table 2.3-3. Roadway Summary

Roadway	Classification	Right-of-Way (feet)
Diamond Drive	Major Highway	100
Lakeshore Drive	Urban Arterial	120
Malaga Road	Major Highway	100
Diamond Circle	Private Street	78

Source: RGP Planning & Development Services 2009(b)

Stormwater Drainage and Flood Control

Storm water runoff from Diamond Specific Plan would be collected and drained to three outlet concentration points. The majority of the storm water flows for the project will be collected through a proposed backbone storm drain system within Diamond Drive. This drain system will discharge water to a bioswale, infiltration basin and detention basin within the Summerly Development adjacent to the Diamond Specific Plan. To connect to these drainage systems, the Diamond Specific Plan proposes construction of an off-site storm drain. However, this storm drain would connect through the City's access road to the park proposed within the Summerly Development. This access road has already been graded and disturbed and impacts were covered in the Supplemental Impact Report for the East Lake Specific Plan Amendment No. 6 (also known as John Laing Homes or Summerly Development). A drainage outlet at the north end of the project will collect storm drain runoff and will utilize grassy drainage swales as the flow discharges directly into the Lake Elsinore inlet channel. A third drainage channel will collect flows from the Stadium parking lot and will continue to discharge to the storm drain at the end of Malaga Road. Figure 2.3-8 depicts the conceptual drainage plan. A finalized Drainage Plan would be approved by the City of Lake Elsinore prior to initiating construction. Drainage and flood control infrastructure and improvements shall be provided in accordance with the requirements of the City of Lake Elsinore and Riverside County Flood Control and Water Conservation District (RCFCWCD).

Water/Wastewater

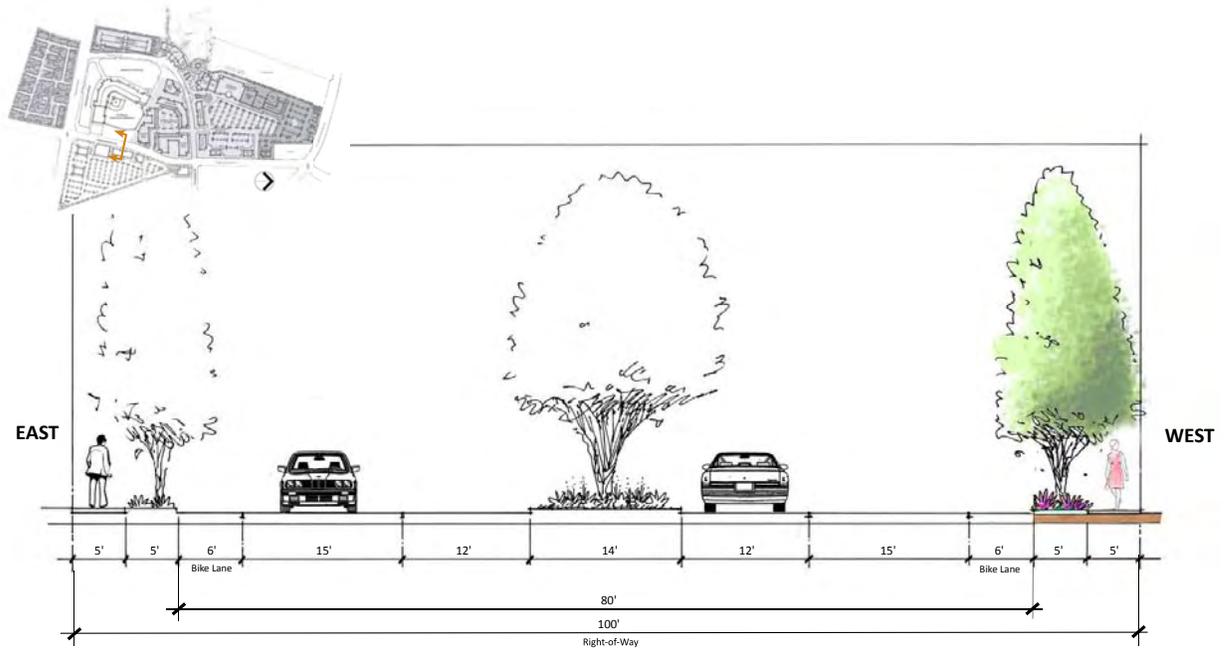
The Diamond water, reclaimed water, and wastewater (sewer) infrastructure plans are depicted in Figure 2.3-9. Water and wastewater service is to be provided by Elsinore Valley Municipal Water District (EVMWD). Domestic water service for the site will be provided by existing infrastructure within Malaga Road and Diamond Drive. Reclaimed water service to the Diamond Specific Plan is under consideration; however, reclaimed water is currently not available. A reclaimed water pipeline is proposed to be constructed within Malaga Road. EVMWD's reclaimed water master plan identifies the Diamond Specific Plan area as a potential reclaimed water user.

Wastewater service for the site will be provided by utilizing existing infrastructure within Malaga Road and Diamond Drive. The portion of the project south of Malaga Road will be serviced by a wastewater line within Diamond Drive which discharges to a pump station adjacent to Lakeshore Drive. The Diamond Specific Plan wastewater generation has been considered in the EVMWD Wastewater Master Plan.

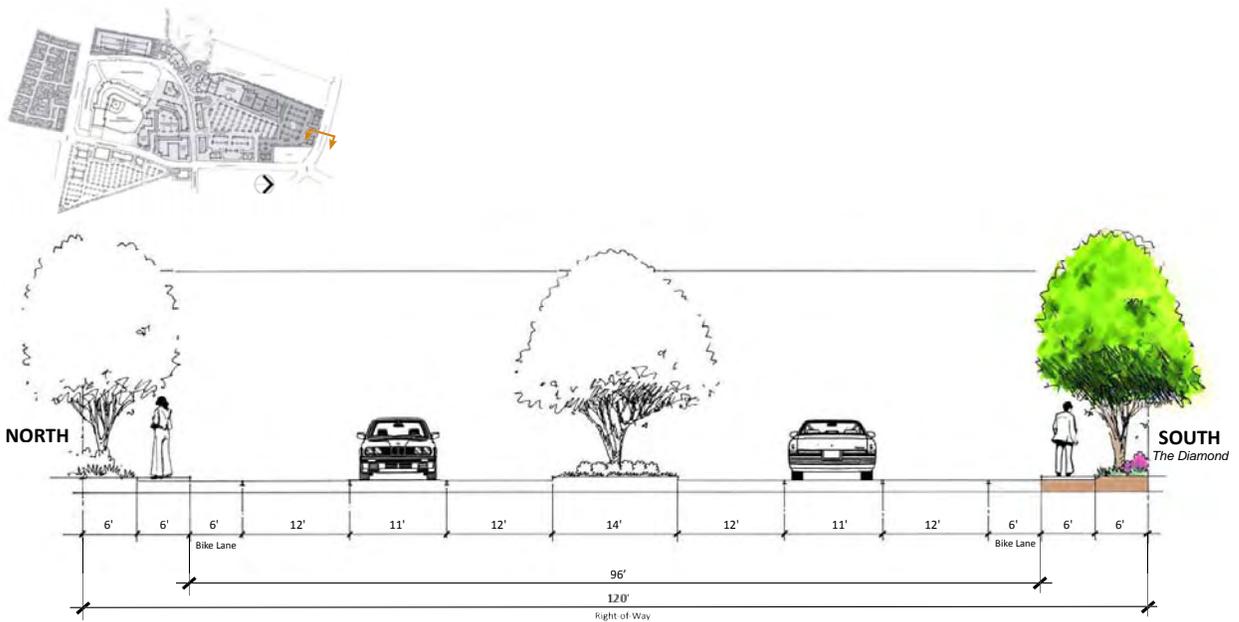
Construction Activities

The Diamond Specific Plan is planned to be developed in six phases over an approximate 7 to 10-year period in response to market demand, earthwork, and flood storage considerations, interest rates, absorption, financing and other similar factors (Figure 2.3-10). The phasing program for the Diamond Specific Plan is based on the planning areas. As development is initiated in any planning area, infrastructure improvements will be constructed prior to or concurrent with incremental development in a manner to maximize the cost effectiveness and efficiency within the planning area. Although the Diamond Specific Plan includes six phases, the air quality and traffic analysis in this EIR assumed three phases in the event that planning phases are combined in the future. The project proposes grading on the site to include approximately 41,500 cubic yards (cy) of cut material, and 272,700 cy of fill material. Therefore, 231,200 cy of fill will need to be imported. A conceptual grading plan is shown on Figure 2.3-11.

Source: RGP Planning & Development Services, 2009 | G:\010570\KELLS\101221_DIAMOND\graphics\docs\EIR\06-24-2009\2.3-6a_CrossSections.ai | Last Updated: 06-24-09



Diamond Drive Cross-Section



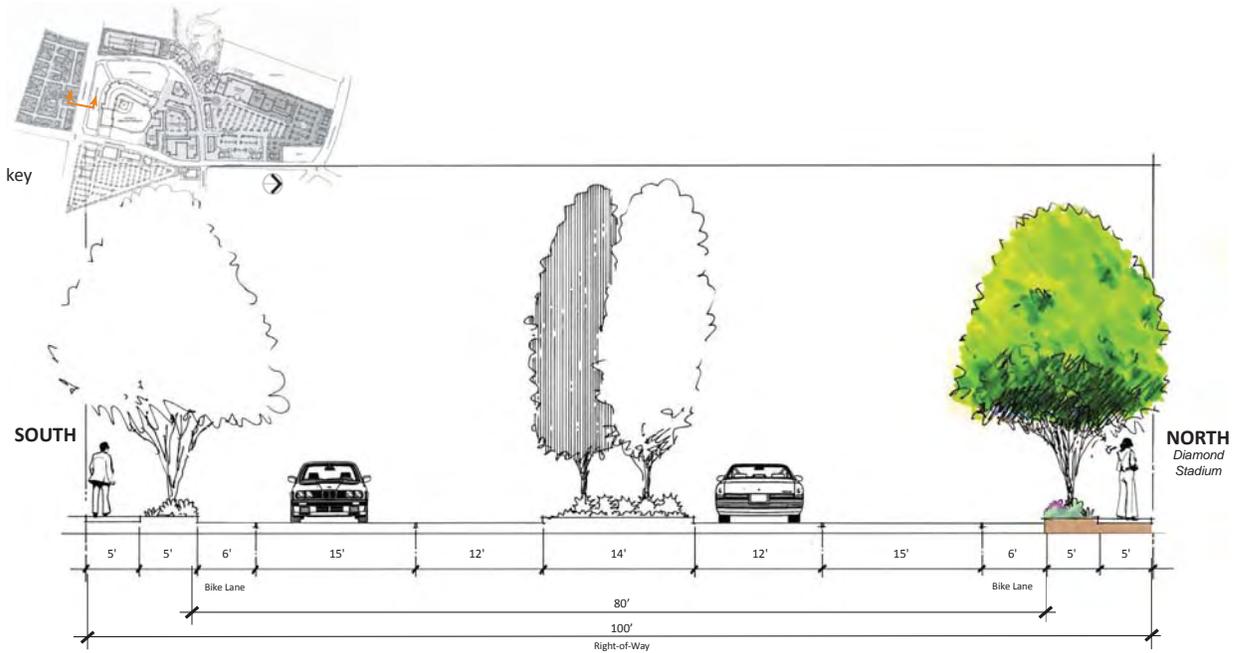
Lakeshore Drive Cross-Section

Diamond Specific Plan Proposed Roadway Cross-Sections

FIGURE 2.3-6a

Diamond Specific Plan | City of Lake Elsinore | Draft Environmental Impact Report

Source: RGP Planning & Development Services, 2009 | G:\010570\KELS\101221_DIAMOND\graphics\docs\ER\06-24-2009\2.3-6b_CrossSections.ai | Last Updated: 06-24-09



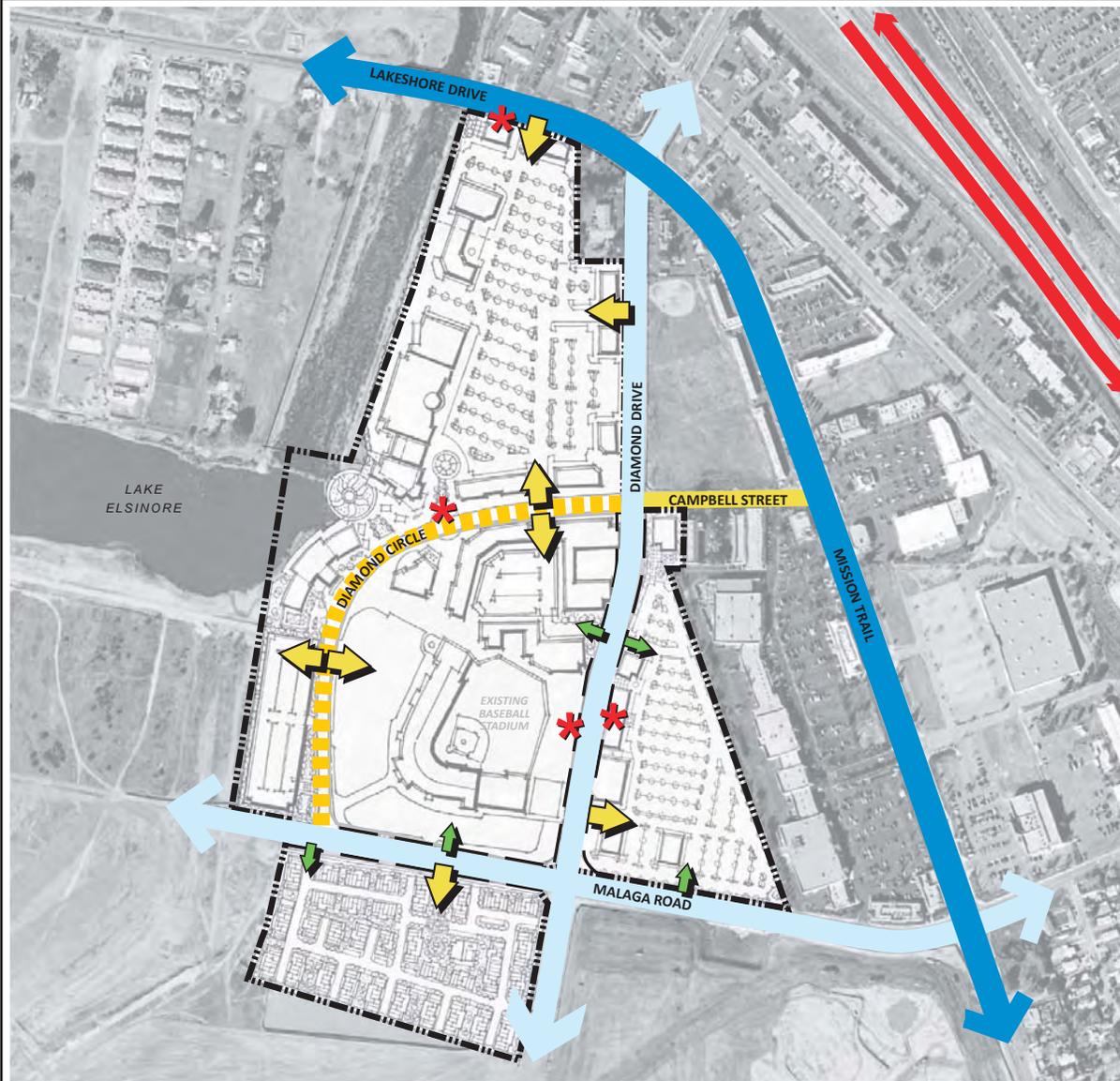
Malaga Road Cross-Section



Diamond Circle Cross-Section

Diamond Specific Plan Proposed Roadway Cross-Sections

FIGURE 2.3-6b



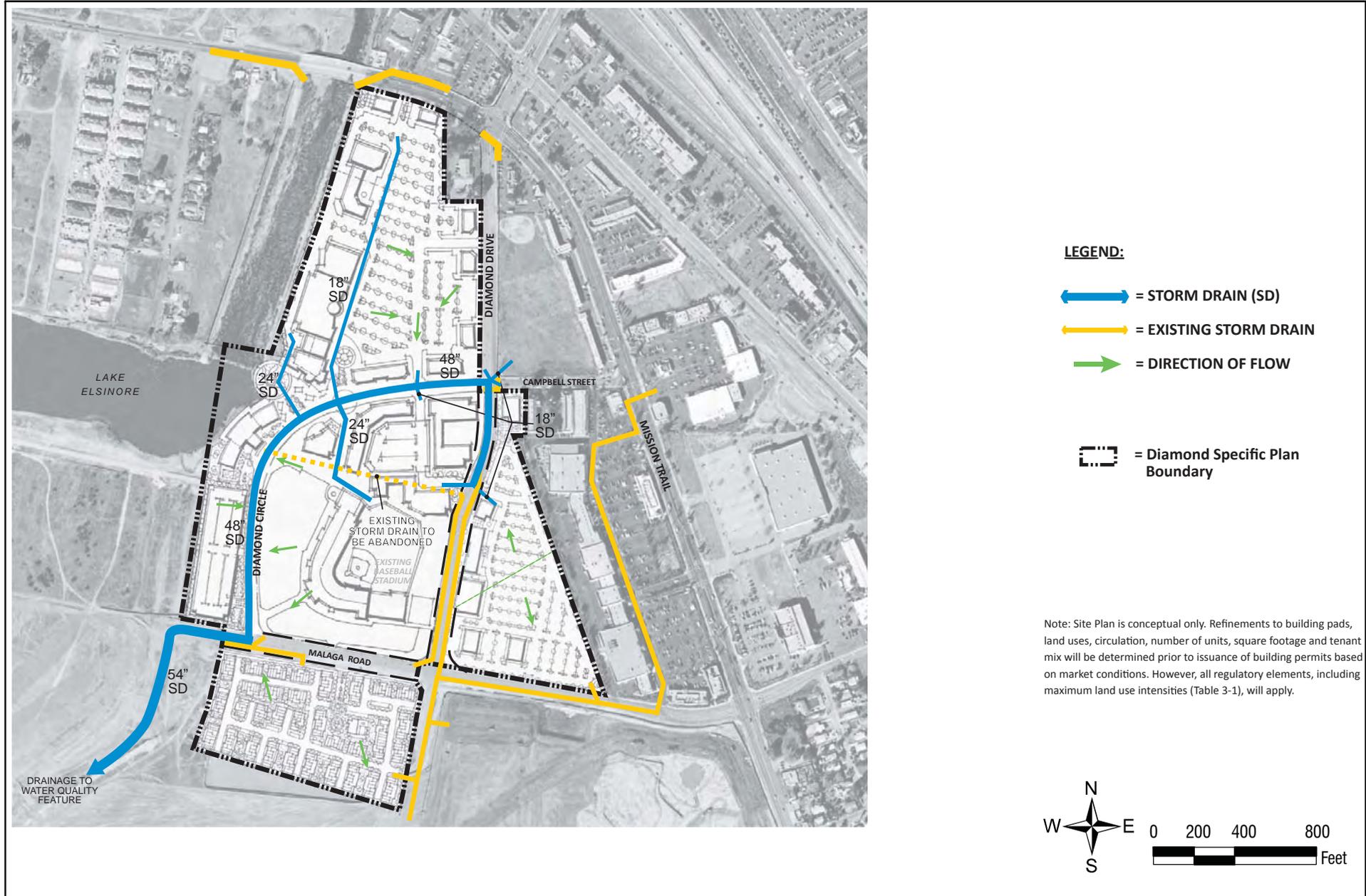
LEGEND:

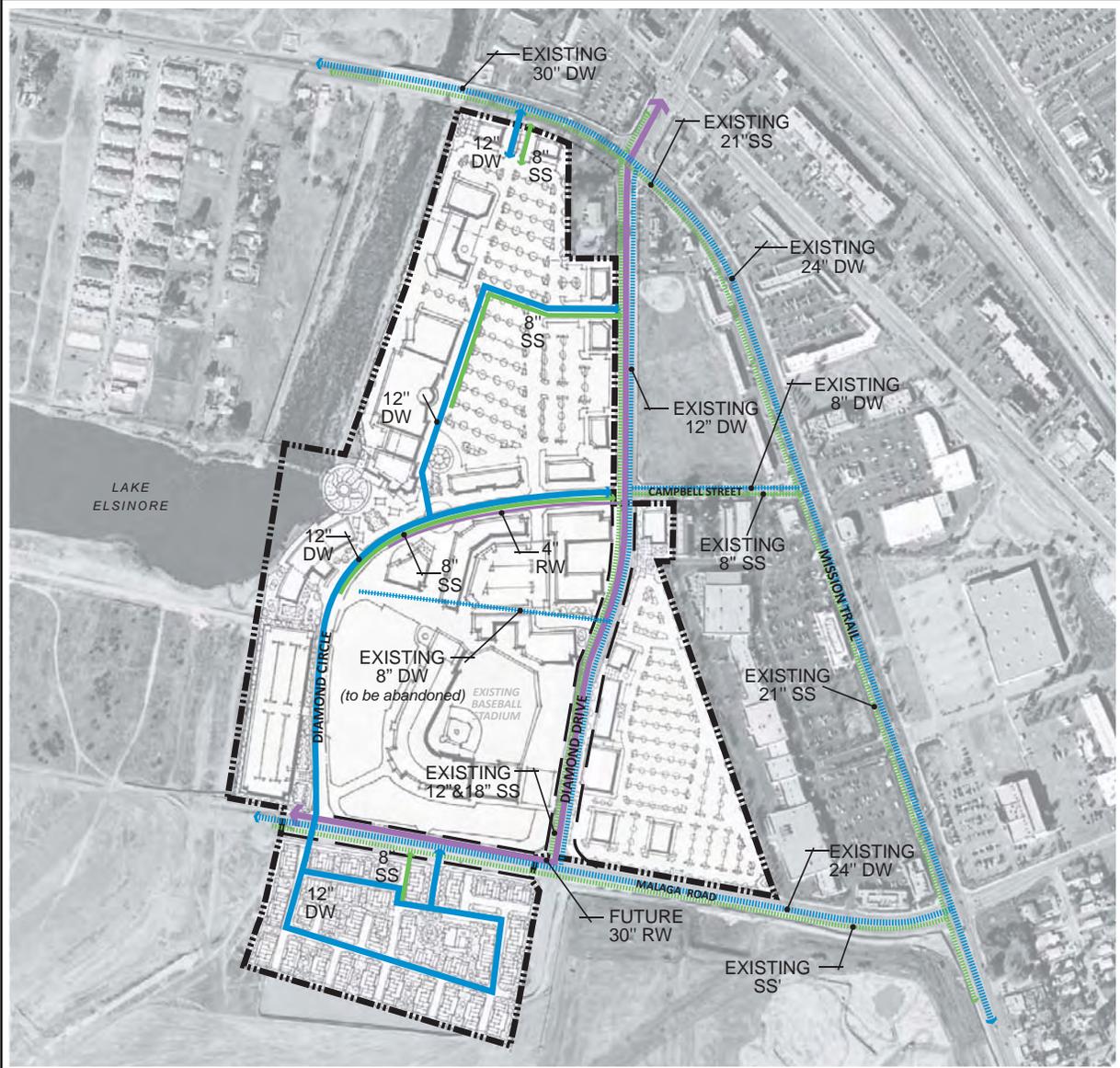
- = I-15 Freeway
- = Urban Arterial (6 Lanes)
- = Major Highway (4 Lanes)
- = Local Street (2 Lanes)
- = Private Street (2 Lanes)
- = Primary Access Point
- = Secondary Access Point
- = Potential Bus Stop Location
- = Diamond Specific Plan Boundary

Note: Site Plan is conceptual only. Refinements to building pads, land uses, circulation, number of units, square footage and tenant mix will be determined prior to issuance of building permits based on market conditions. However, all regulatory elements, including maximum land use intensities (Table 3-1), will apply. Number of lanes indicated in legend are based on ultimate buildouts as depicted in the General Plan Circulation Element and do not necessarily reflect current conditions.



Proposed Circulation Network
FIGURE 2.3-7

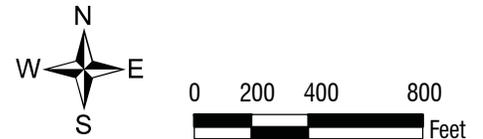




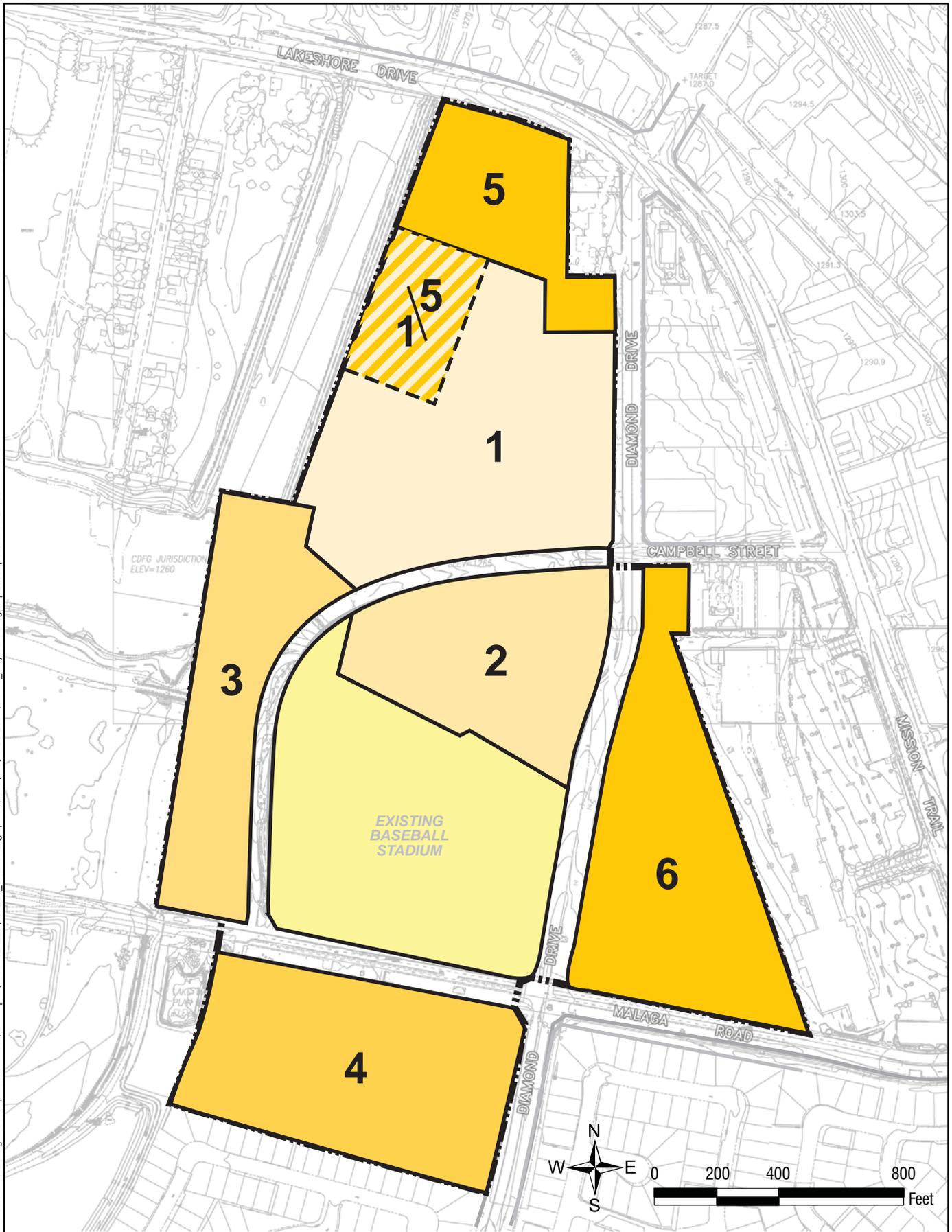
LEGEND:

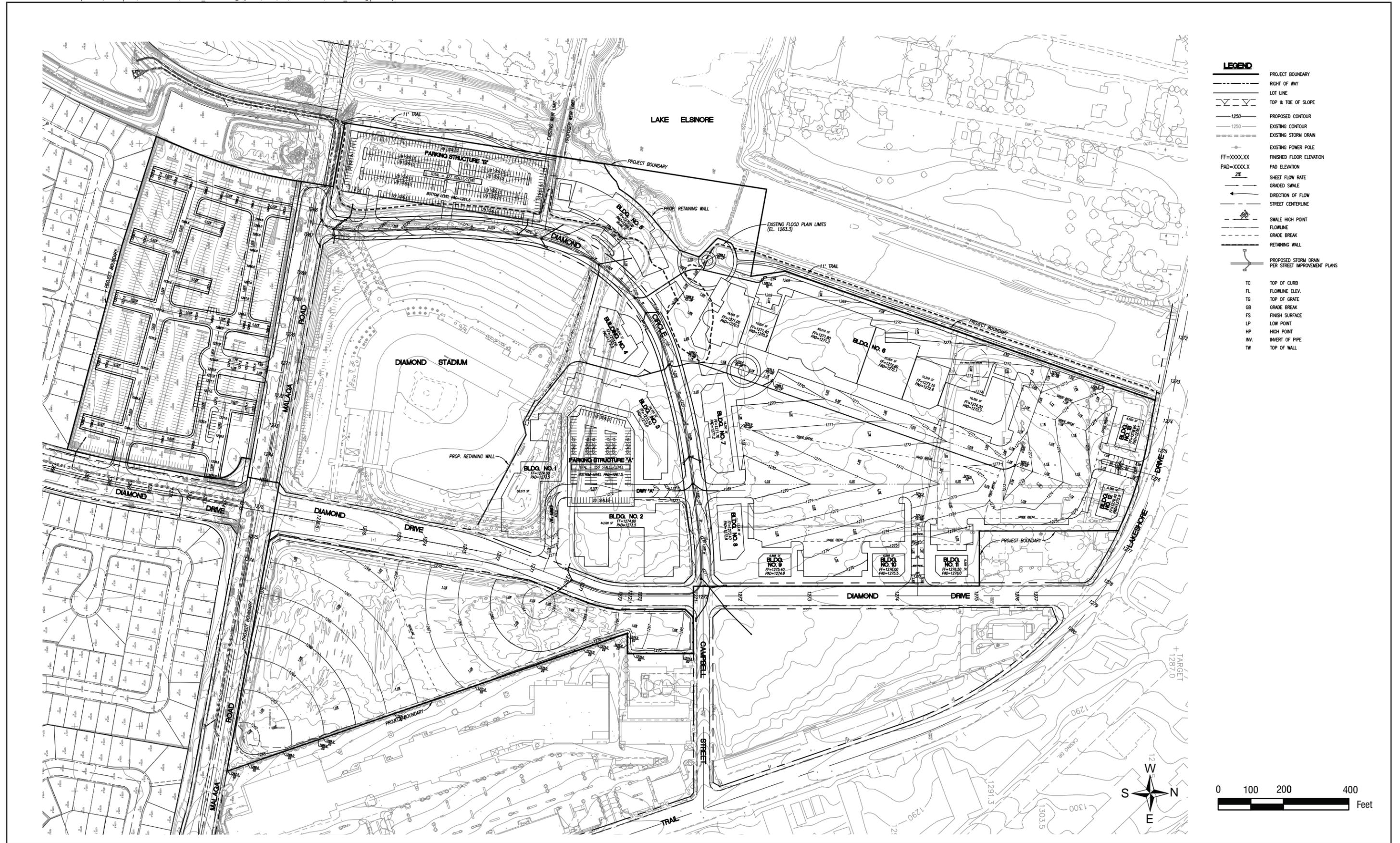
-  = DOMESTIC WATER (DW)
-  = SANITARY SEWER (SS)
-  = RECLAIMED WATER (RW)
-  = EXISTING DOMESTIC WATER
-  = EXISTING SEWER
-  = Diamond Specific Plan Boundary

Note: Site Plan is conceptual only. Refinements to building pads, land uses, circulation, number of units, square footage and tenant mix will be determined prior to issuance of building permits based on market conditions. However, all regulatory elements, including maximum land use intensities (Table 3-1), will apply.



Source: RGP Planning & Development Services, 2009 | G:\010570\KELS\101221_DIAMOND\graphics\docs\ER\06-24-2009\2.3-10_ProjectPhasing.ai | Last Updated: 06-24-09





LEGEND	
	PROJECT BOUNDARY
	RIGHT OF WAY
	LOT LINE
	TOP & TOE OF SLOPE
	PROPOSED CONTOUR
	EXISTING CONTOUR
	EXISTING STORM DRAIN
	EXISTING POWER POLE
	FINISHED FLOOR ELEVATION
	PAD ELEVATION
	SHEET FLOW RATE
	GRADED SWALE
	DIRECTION OF FLOW
	STREET CENTERLINE
	SWALE HIGH POINT
	FLOWLINE
	GRADE BREAK
	RETAINING WALL
	PROPOSED STORM DRAIN PER STREET IMPROVEMENT PLANS
	TOP OF CURB
	FLOWLINE ELEV.
	TOP OF GRATE
	GRADE BREAK
	FINISH SURFACE
	LOW POINT
	HIGH POINT
	INVERT OF PIPE
	TOP OF WALL

Diamond Specific Plan Conceptual Grading Plan

FIGURE 2.3-11

Design Considerations for the Diamond Specific Plan

The Diamond Specific Plan incorporates several design measures which would minimize project impacts. Specifically, design measures are provided for aesthetics, air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, recreation, transportation and traffic, and utilities and service systems. A complete list of the design considerations for the project site is presented in Table 2.3-4.

2.3.5 10-Acre General Plan Area

As discussed above, the ELSP Amendment 9 removes 86.4 acres from the ELSP. Approximately 76 acres of the Amendment 9 Project Area will be included within The Diamond Specific Plan. The remaining approximately 10 acres have been included in Amendment 9 to prevent the formation of a non-contiguous portion of the ELSP. These 10 acres (shown on Figure 2.3-2) located in the northeast portion of the ELSP Amendment area, referred to as the 10-acre General Plan Area, will not be part of either the East Lake or the Diamond Specific Plan. Instead, this area is proposed to retain the underlying General Plan land use designation of General Commercial under the 1990 General Plan, or Commercial Mixed-Use under the City’s 2009 General Plan Update (depending on which General Plan is the governing document when the project is adopted). There is no planned development, land use, or any other physical change on the property due to the proposed amendment. The 10-acre General Plan Area is primarily vacant with the exception of four acres of commercial uses located in the southwest corner of the Lakeshore Drive and Diamond Drive intersection. The 1993 ELSP Environmental Impact Report (EIR) provided environmental clearance for future development in this area. Any mitigation measures identified in that EIR that pertain to the 10-acre General Plan Area were identified in Table 1.7-1. However, because this project does not propose development of the site, project-level environmental analysis is not provided. Since the 10-acre General Plan area does not propose any development at this time, no circulation, water or wastewater infrastructure is proposed. No phasing is proposed at this time.

Table 2.3-4. Diamond Specific Plan Project Design Features

<p>Aesthetics</p> <p>The project will conform to the design guidelines presented in the Diamond Specific Plan.</p> <p>Trees should be located throughout a parking lot and not merely at the ends of parking rows. Trees should be sized at 24-inch box or larger at time of installation.</p> <p><i>Light or Glare</i></p> <p>All lighting is required to comply with the City of Lake Elsinore lighting ordinance including the siting and direction of light fixtures. Lighting fixtures should be shielded to minimize unwanted spillover and glare. All outdoor lighting fixtures in excess of 60 watts would be oriented and shielded to reduce glare or direct and reduce illumination onto adjacent properties or streets. Low pressure sodium lighting in accordance with the Mount Palomar Observatory lighting standards shall be required. Building finishes will be non-reflective.</p>
<p>Air Quality</p> <p>As a condition of project approval, the project must adhere to SCAQMD Rules 403 (Fugitive Dust Control), 431.2 (Low Sulfur Fuel), 1186/1186.1 (Street Sweepers) and 1113 (Architectural Coatings) during construction-related activities. Rule 1113 limits the VOC content of architectural coatings by providing numeric standards for VOC concentrations per volume of coating. SCAQMD Rule 403 includes a menu of fugitive dust control measures to which the project must adhere, including, but not limited to:</p> <p>Dust Control</p> <ul style="list-style-type: none"> • Apply soil stabilizers to inactive areas. • Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance on unpaved surfaces when winds exceed 25 mph.

- Stabilize previously disturbed areas if subsequent construction is delayed.
- Active construction areas shall be watered at least three times per day.
- All haul trucks shall be covered or shall maintain at least two feet of freeboard.
- All unpaved parking or staging areas shall be watered four times daily.
- Site access points shall be swept or washed within 30 minutes of any visible dirt deposition on any public roadway.
- All stock piles on-site of debris, dirt, or other dusty material shall be covered or watered three times daily.
- Replace ground cover in disturbed areas as soon as feasible.
- Any cleared area that is to remain inactive for more than 96 hours after clearing shall be stabilized.
- Reduce speeds on unpaved roads to less than 15 mph.

Exhaust Emissions

- Require 90-day low-NO_x tune-ups for off-road equipment.
- Limit allowable idling to five minutes for trucks and heavy equipment.
- Utilize equipment whose engines are equipped with diesel oxidation catalysts if available.
- Utilize diesel particulate filter on heavy equipment where feasible.

Painting and Coatings

- Use low VOC coatings and high pressure-low volume sprayers.

Biological Resources

Indirect Impacts

The project will implement the following measures to reduce indirect impacts:

- Include landscape controls by installing native landscaping that require minimal water application;
- Select, design, and utilize best management practices (BMPs) including treatment control BMPs (i.e., constructed wetlands, filter inserts, bio-swales, and catch basins), and site design BMPs (i.e., landscaping).
- Any lighting adjacent to the open space areas near the project should be shielded or directed away from conserved areas.
- A number of non-structural best management practices (BMPs) will minimize the amount of trash/debris created by the Diamond Specific Plan, including activity restrictions placed on the tenants, the distribution of educational materials to the tenants, the placement of trash receptacles in common areas, street sweeping, and the placement and maintenance of inlet trash racks.

Exotic Plant and Animal Infestations

To the maximum extent practicable, native plants should be used in the landscape plans for the common areas of the project. Native plant species shall be used in the water quality basins and other restoration and enhancement areas. The plant palette should be consistent with the MSHCP and should be careful to avoid the species listed in Table 6-2 of the MSHCP. Construction shall abide by an integrated pest management plan which shall include the following weed control measures: preventative practices to avoid the transport and spread of weeds and weed seed during project development and operation, use of only certified weed-free hay, straw and other organic mulches to control erosion, and a plan to control noxious weeds and weeds of local concern within designated open space areas.

The project shall comply with the MSHCP by incorporating barriers for proposed land uses adjacent to Preservation Areas to minimize unauthorized public access, introduction of urban wildlife, and/or illegal dumping within the Preservation Areas.

Geology and Soils

All earthwork and grading at the project site shall be performed in accordance with all applicable building code requirements, the California Occupational Safety and Health Administration (Cal/OSHA), and the Grading Code of the City of Lake Elsinore (Section 17.10.070 of the Zoning Code), and the recommendations outlined in the Preliminary Geologic and Geotechnical Investigation. Slopes shall not be steeper than 2:1 unless approved by the Community Development and Public Works Departments and considered safe in a slope stability report prepared by a soils engineer or an engineering geologist.

Ground Shaking

The project shall implement recommendations outlined in the Geotechnical Evaluation for the proposed project in accordance with the 2006 IBC and 2008 CBC requirements for resistance to seismic shaking.

Erosion

During construction, soil erosion shall be controlled and reduced to a less than significant impact through the implementation of a project-specific Erosion Control Plan and a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the California State Water Resources Control Board Order No. 92-08-DWQ, NPDES General Permit No. CAS000002. The SWPPP shall comply with Best Available Technology (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate soil erosion from areas of construction activity. For erosion control purposes, slopes exceeding five feet in vertical height shall be hydromulched prior to final acceptance and prior to the beginning for the rainy season (October-March).

Grading

All construction shall comply with the provisions of applicable building codes and other codes or City ordinances related thereto.

All grading shall be in accordance with the standards of Chapter 15.72 of the Lake Elsinore Municipal Code and with Chapter 4 of the Specific Plan.

Prior to commencing any grading, including clearing and grubbing, a grading permit shall be obtained from the City of Lake Elsinore. All grading shall be completed in accordance with City standards.

All roadway, drainage, water, reclaimed water, and wastewater development shall be in accordance with the requirements of Chapters 3 and 4 of the Specific Plan, subject to modifications pursuant to the processes established in Chapter 6 of the Specific Plan.

Grading activities shall be in substantial compliance with the overall Conceptual Grading Plan (Figure 2.3-11).

Graded but undeveloped land shall be maintained weed-free and planted with interim landscaping such as hydroseed within one year (365 days) of completion of grading, unless building permits are obtained. Temporary irrigation systems may be required.

Hazards and Hazardous Materials

Compliance with all standards is required through federal, state, county, and municipal regulations, to reduce the potential for direct impacts to human health and biological resources from accidental spills of small amounts of hazardous materials from construction equipment during construction of the buildings, storage, and transport of these materials.

Hydrology and Water Quality

Hydrology

A Conditional Letter of Map Revision and Letter of Map Revision would be submitted to the Federal Emergency Management Agency (FEMA) specifying that the grading of the Diamond Specific Plan should remove the site from within a FEMA 100-Year Flood Zone.

Flood Storage

The Diamond Specific Plan is required to adhere to the existing Back Basin United States Army Corps of Engineers Section 404 permit which requires a HEC-5 flood storage analysis to ensure that the project does not affect the base flood elevation in the back basin. The concept grading plan indicates that the flood storage volume provided at completion of the project exceeds the minimum required to maintain the base flood elevation. At the local level, the City would require certification by a registered professional engineer, prior to any import of fill and/or construction, demonstrating that the cumulative effect of obstructions and/or imported fill shall not result in any increase in the base flood elevation during the occurrence of the base flood discharge [Ord. 1078 § 15.64.110, 2001] and submittal to FEMA of a Conditional Letter of Map Revision based on Fill (CLOMR-F), Letter of Map Revision based on Fill (LOMR-F) or Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR).

Water Quality

In accordance with Santa Ana Regional Drainage Area Management Plan (SAR-DAMP) and National Pollutant Discharge Elimination System (NPDES) requirements, an applicant for a project encompassing more than five acres is required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). In addition, the City shall ensure that construction activity is in compliance with the State's General Permit for Construction Activities administered by the California Regional Water Quality Control Board (RWQCB), located in Riverside (Santa Ana, Region 8). One condition of this permit is the development and

implementation of a site-specific SWPPP that identifies Best Management Practices (BMPs) to reduce/eliminate erosion and sedimentation associated with construction.

The objective of the SWPPP is to identify and control storm water discharges due to construction activity and to identify and implement structural (e.g., silt fences, sandbags, spill control) and non-structural (e.g., scheduling) BMPs to reduce pollutants in storm water, both before and after construction. Discharges associated with construction activity are covered under one statewide General Permit. Coverage under the General Permit requires submittal of a Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB) prior to construction, and development and implementation of a defensible SWPPP prior to disturbing a site and for the duration of construction. All construction period non-storm and storm water BMPs shall adhere to the California Stormwater Quality Association Stormwater *Best Management Handbook for Construction*.

A project-specific water quality plan has been developed to address storm water runoff management and water quality treatment objectives and sets forth an integrated approach involving the utilization of BMPs designed to: (1) function with the drainage plan for the project site and offsite areas; and (2) to address treatment of urban and storm water runoff. The sizing of treatment control BMPs for the proposed project is based upon a criteria established by the Riverside County Flood Control and Water Conservation District for the discharge of urban runoff.

The project site is located within the region covered by the Watershed-wide Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with New Development within the San Jacinto Watershed (Order 01-34, NPDES CAG 618005). The order requires that all development projects tributary to Canyon Lake and Lake Elsinore obtain an NPDES permit, and implement best available technology (BAT) that is economically achievable and best conventional technology (BCT) to reduce or eliminate storm water pollution, including the preparation of a SWPPP.

The proposed project would feature on-site BMPs consisting of Extended Detention Basins (volume-based) and Grassed Swales (flow-based) designed to address storm water runoff management and water quality treatment objectives. The Water Quality Management Plan sets forth an integrated approach to water quality involving the utilization of treatment control BMPs designed to function with the drainage plan for the project site; and to address treatment of urban and storm water runoff. Specifically, the following treatment BMPs would reduce storm water flow:

- An extended detention basin, designed according to criteria set forth and defined by Riverside County, should detain and slowly release the design volume of stormwater.
- Two grassed swales constructed according to County criteria should receive and slow nuisance flows and first flush flows from each of the drainage areas.
- An infiltration basin shall allow storm water runoff to gradually replete the groundwater basin
- Permeable area of the project should be maximized.
- Landscaped buffer areas should be incorporated between sidewalks and streets.
- Onsite ponding areas and retention facilities should increase opportunities for infiltration.
- Streets, sidewalks, and parking aisles should be constructed to the minimum widths necessary, provided the walkable environment and pedestrians' public safety is not compromised.
- Where off-street parking is available, street widths should be reduced.
- The use of impervious surfaces should be minimized in the landscape design.
- Where landscaping is proposed in parking areas, landscaping should be incorporated into the drainage design.
- Water quality education should be given to property owners, operators, tenants, occupants, and employees.
- Activity restrictions shall be in place to control water pollution sources.
- Irrigation systems and landscaping should have appropriate maintenance.
- Common area litter control shall be in place.
- Street sweeping of private streets and parking lots shall occur.

Maintenance of the above-listed BMPs is expected to be financed through a community facilities district, home owners association, or other similar organizations. The proposed system of on-site water quality and infiltration basins and swales would provide appropriate levels of treatment for all on-site generated flows.

<p>Land Use and Planning</p> <p>The proposed project should implement design guidelines and policies which implement the goals of the Ballpark District and the Community Design Element. The design guidelines outlined in the Specific Plan are intended to create a landmark for the City and enhance the community character surrounding the Diamond Stadium. The project includes design guidelines and development standards in compliance with the current General Plan (1990) and General Plan Update (2009) to increase the visibility and development potential for the site.</p>
<p>Noise</p> <p>No use, activity or process shall produce continual vibrations or noxious odors that are perceptible without instruments by the average person at the property lines of the site or within the interior of residential units on the site.</p> <p><i>City of Lake Elsinore Noise Ordinance</i></p> <p>According to the City of Lake Elsinore Noise Ordinance, the maximum exterior noise levels not to be exceeded for more than 30 minutes from stationary or commercial facility related noises to multi-family residential land uses are 45 dBA from 10 p.m. to 7 a.m. and 50 dBA from 7 a.m. to 10 p.m. For general commercial land uses, the exterior noise levels can not exceed 60 dBA from 10 p.m. to 7 a.m. and 65 dBA from 7 a.m. to 10 p.m.</p> <p>For interior noise levels, the maximum interior noise levels for all residential uses are 35 dBA from 10 p.m. to 7 a.m. and 40 dBA from 7 a.m. to 10 p.m. and shall not be exceeded for more than five minutes in any hour.</p> <p>Additionally, the City of Lake Elsinore standards for stationary source noise impacts limits operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between the weekday hours of 7 p.m. and 7 a.m. and during weekends or holidays.</p>
<p>Public Services</p> <p><i>Fire</i></p> <p>During construction and operation of the proposed project, compliance with all applicable fire code and ordinance requirements would be required and conditioned to the proposed project. The project would comply with the 2009 International Fire Code, California Building Code, and applicable Riverside County Fire Department Code requirements and standards for construction, access, water mains, fire flow, and fire hydrants.</p> <p>In addition, all new development projects are required to contribute to the City's Community Facilities District (CFD) No. 2003-1 (Law Enforcement, Fire, and Paramedic Services).</p> <p>All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance No. 460 and/or No. 787, subject to review and approval by the Riverside County Fire Department.</p> <p>Fire flow requirements within commercial projects are based on square footage and type of construction of the structures. The minimum fire flow for any commercial structure is 1,500 gallons per minute, at a residual operating pressure of 20-psi, and can rise to 8,000 gallons per minute, (per Table A-III of the California Fire Code).</p> <p><i>Police</i></p> <p>All new development projects are required to contribute to the City's Community Facilities District (CFD) No. 2003-1 (Law Enforcement, Fire, and Paramedic Services).</p> <p><i>Schools</i></p> <p>The proposed project would be required to pay applicable development fees levied by Lake Elsinore Unified School District (LEUSD) pursuant to the School Facilities Act (Senate Bill [SB] 50, Stats. 1998, c.407) to offset these impacts on school facilities resulting from new development.</p> <p><i>Libraries</i></p> <p>The proposed project is required to participate in the Riverside County Uniform Mitigation Fee program that collects fees on new residential housing developments to support future facility development and library material purchases.</p>

Recreation

Pursuant to City standards, five acres of park area are to be dedicated for each 1,000 subdivision residents, cash in-lieu fees, or a combination of both, as a condition of residential development approval. By this standard, the City of Lake Elsinore would require the proposed project to include 8.13 acres of park area to serve the projected 1,620 residents. The project does not provide sufficient amount of park space to meet the requirements of City standards and pursuant to the Quimby Act, cash in-lieu fees would be required.

Transportation and Traffic

The various uses of the project area, such as residential, commercial, educational, restaurant, entertainment and hotel, should be required to meet the parking standards specified in Chapter 4 of the Specific Plan. The amount of parking should vary depending on the number of units proposed and square footage of particular non-residential use.

When PA-6 is developed from its current state as overflow parking, an equivalent number of spaces must be designated onsite or within a half-mile of the stadium unless the following occur, subject to City Community Development Director approval:

- A parking study is prepared that indicates fewer than 1,500 overflow spaces are necessary*;
- A shared parking analysis is prepared that indicates a shared parking facility serving the stadium and other onsite uses should satisfy the stadium's parking demand; or,
- A parking lot further than a half-mile from the stadium is constructed or designated for overflow parking in conjunction with a public transportation program for shuttling stadium goers from the parking lot to the stadium.

*The Summerly conceptual development plan included a 33-acre multi-use recreational facility with 1,500 parking spaces that would be used for overflow parking for the baseball stadium and would replace the existing 1,500 space lot designated as PA-6. This facility has not been built at this time; therefore, if this facility is not built before PA-6 is developed, other onsite or offsite parking facilities may be required.

Transportation Uniform Mitigation Fee

The Western Riverside Transportation Uniform Mitigation Fee (TUMF) program evolved from the need to establish a comprehensive funding source for regional arterial highway improvements for western Riverside County. This program (adopted December 2002) establishes a single uniform mitigation fee to mitigate the cumulative regional impacts of new development on the regional arterial highway system. It was adopted with the intention to avoid multiple, discrete fee programs with varying policies, fees, and improvement projects. The project proponent would contribute the required amount per dwelling unit TUMF for funding regional transportation improvements.

Site Access and Circulation

Roadway classifications within the project site have been designed in accordance with the City's General Plan Circulation Element. The City's General Plan Circulation Element designates specific design criteria for street improvements. Implementation of the design criteria assures that all street improvements are safely designed. The proposed project would comply with all specified design criteria.

Alternative Transportation Modes

The Riverside Transit Agency currently provides bus service along Lakeshore Drive and Mission Trail with stops near the Diamond Specific Plan at Railroad Canyon Road and Malaga Road. In order to provide public transit service to the residents and visitors of the Diamond area, the Specific Plan shall incorporate "transit ready" features in order to accommodate public transit service once it becomes available. Potential public transit stop locations are included in the Circulation Plan. Bus stops/turnouts would be developed according to RTA standards.

The project should provide interconnections of land uses that are considerate of pedestrians, bicyclists, public transit riders and motorists. A pedestrian and cyclist network should connect the different planning areas within the Specific Plan area. The project area shall be connected to land uses north and south of it by the Regional Trail and the Community Trail.

Emergency Access

Sight distance at each project access should be reviewed with respect to standard California Department of Transportation/City of Lake Elsinore sight distance standards at the time of preparation of final grading, landscaping, and street improvement plans.

Utilities and Service Systems

All utilities, except electrical lines over 12 kilovolts (kV), shall be placed underground.

Water

Water lines and connections would be installed in accordance with the requirements and specifications of the City and EVMWD. In addition, assurance of the provision of adequate water service is required to be provided prior to the approval of a subdivision map and/or plot plan for new residential development of 500 homes or more, in accordance with Senate Bill (SB) 221.¹ The proposed water system shall be designated to minimize the requirements of future system maintenance.

A reclaimed water system should be constructed to provide for landscape irrigation and other non-potable uses, unless the Elsinore Valley Municipal Water District (EVMWD) determines that reclaimed water meeting health standards is not currently available and will not be available to the project site in the foreseeable future.

Development within The Diamond Specific Plan should comply with:

- Title 20, California Code of Regulations Section 1604 (f) (Appliance Efficiency Standards), which establishes efficiency standards for all new showerheads and lavatory faucets; and
- Health and Safety Code Section 17621.3, which requires low-flow toilets and urinals in virtually all buildings.

Wastewater

All wastewater lines and disposal facilities should be designed and constructed per City of Lake Elsinore and EVMWD requirements.

The proposed wastewater system shall be designed to adequately accommodate anticipated waste flows resulting from the project.

Sewer-related infrastructure should be designed and installed in accordance with the requirements and specifications of the City, EVMWD, Riverside County Department of Health, and RWQCB.

Solid Waste

A construction waste recycling program should be established with a local waste management company to maximize waste recycling and to reach the 50 percent diversion goals.

The proposed project should comply with all applicable federal, state, and local statutes and regulation related to solid waste, including the County's Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE), and City Ordinance 8.32 of the Lake Elsinore Municipal Code regarding construction debris removal.

Gas

Gas-related infrastructure and necessary extensions would be installed in accordance with the requirements and specifications of the City and the California Public Utilities Commission.

¹ Signed into law on October 8, 2001, California SB 221 established a process whereby sufficient water supply must be identified and available for new development for any residential development of 500 homes or more, or, in the case wherein a water supplier has fewer than 5,000 service connections or the proposed development would increase the number of connections by at least 10 percent, unless there is proof of adequate water over at least the next 20 years, including long periods of drought.

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