Draft

Lake and Mountain Commercial Center Project

Environmental Impact Report

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Lead Agency:

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Table of Contents

Table of Contents

List of Tables

List of Exhibits

Appendix

Acronyms

AB	Assembly Bill
ADA	American Disabilities Act
ADT	Average Daily Trips
APNs	Assessors Parcel Numbers
APS	Alternate Planning Strategy
AQMP	Air Quality Management Plan
BAU	Business as Usual
BLM	Bureau of Land Management
BMPs	Best Management Practices
C_2F_6	Hexafluoroethane
C_2H_6	Ethane
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CAMUTCD	California Manual on Uniform Traffic Control Devices
CAP	Climate Action Plan
CAPSSA	Critical Area Plant Survey Areas
CARB	California Air Resources Board
CAT	California Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDC	California Department of Conservation
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CDOC	California Department of Conservation
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CF_4	Tetrafluoromethane

CFCs	Chlorofluorocarbons
CFR	Code of Federal Regulations
CH_4	Methane
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CO_2	Carbon Dioxide
COG	Council of Governments
CPP	Corridor Protection Program
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CUPA	California Certified Unified Program Agencies
CWA	Clean Water Act
CWC	California Water Code
dB	Decibel
dBA	A-weighted Decibel
DIF	Development Impact Fee
DPM	Diesel Particulate Matter
DTSC	California Department of Toxic Substances Control
DWR	Department of Water Resources
EAP	Existing Plus Ambient Growth Plus Project
EAPC	Existing Plus Ambient Growth Plus Project Plus Cumulative Projects
EIC	Eastern Information Center
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
EVMWD	Elsinore Valley Municipal Water District
FAR	Floor Area Ratio
FED	Functional Equivalent Document
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FICON	Federal Interagency Committee on Noise
FTA	Federal Transit Administration
GHG	Greenhouse Gas
GSAs	Groundwater Sustainability Agencies
GWP	Global Warming Potential
HCM	Highway Capacity Manual
HMBEP	Hazardous Materials Business Emergency Plan
HSC	Health and Safety Code

HWMP	Hazardous Waste Management Plan
I-15	Interstate 15
IS	Initial Study
JPA	Joint Powers Authority
LCFS	Low Carbon Fuel Standard
LEMC	Lake Elsinore Municipal Code
LEPD	Lake Elsinore Police Department
Leq	Equivalent Level
LEUSD	Lake Elsinore Unified School District
LOS	Level of Service
LRA	Local Response Area
LST	Localized Significance Threshold
Mgd	Million Gallons per Day
MLD	Most Likely Descendant
$MMTCO_2e$	Million Metric Tons of CO_2 Emitted
MPH	Miles per Hour
MPO	Metropolitan Planning Organization
MRZ	Mineral Resources Zone
N_2O	Nitrous Oxides
NAAQS	National Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NBS	Nesting Bird Surveys
NEPSSA	Narrow Endemic Plan Species Survey Areas
NHPA	National Historic Preservation Act
NO	Nitric Oxide
NO_2	Nitrogen Dioxide
NOx	Nitrogen Oxide
NOC	Notice of Completion
NOP	Notice of Preparation
NPDES	National Pollution Discharge Elimination System
NPS	National Park Service
NRTLs	Nationally Recognized Testing Laboratories
O_3	Ozone
OPR	Office of Planning and Research
Pb	Lead
PFCs	Perfluorocarbons
PHF	Peak Hour Factor
PM	Particulate Matter

PM_{10}	Particulate Matter Equal to or less than 10 Microns in Diameter
$PM_{2.5}$	Particulate Matter Equal to or less than 2.5 Microns in Diameter
PPB	Parts per Billion
PPM	Parts per Million
PPT	Parts per Trillion
PPV	Peak Particle Velocity
PRC	Public Resources Code
PV	Photovoltaic
QSR	Quick-Serve Restaurant
RCDEH	Riverside County Department of Environmental Health
RCFCWCD	Riverside County Flood Control and Water Conservation District
RCFD	Riverside County Fire Department
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act
RCWD	Rancho California Water District
REMEL	Reference Energy Mean Emission Level
RMS	Root Mean Square
RTA	Riverside Transit Authority
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Associations of Government
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SDWA	Safe Drinking Water Act
SF	Square Feet
SF_6	Sulfur Hexafluoride
SFP	School Facilities Program
SGMA	Sustainable Groundwater Management Act
SH 74	State Highway 74
SIP	State Implementation Plan
SO_2	Sulfur dioxide
SoCal Gas	Southern California Gas

SOI	Sphere-of-Influence
SOx	Sulfur Oxide
SRA	Source Receptor Area
SSC	Species of Special Concern
STC	Sound Transmission Class
SWCB	State Water Control Board
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	Toxic Air Contaminants
TCRs	Tribal Cultural Resources
TUMF	Transportation Uniform Mitigation Fee
USACE	United States Army Corps of Engineers
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
VdB	Decibel Notation
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WDID	Waste Discharge Identification Number
WDR	Wastewater Discharge Requirements
WRCOG	Western Riverside Council of Governments
WRF	Water Reclamation Facilities
WQMP	Water Quality Management Plan

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Chapter 1 Executive Summary

1.1 Project Location

The proposed project is located in the northwestern portion of the City of Lake Elsinore (City), in Riverside County, California. The project site is located at the northwest corner of Mountain Street and Lake Street. The project site is surrounded by several roadways including Mountain Street to the south and Lake Street to the east directly adjacent to the project site. Other streets within close proximity to the project site include Raveta Lane to the west and Running Deer Road to the north. Adjacent to the project site to the east and south are single-family residential homes. To the north and west of the project site are residential homes. The project site consists of seven (7) parcels that are currently vacant, with the exception of a residential building located to the west fronting Lake Street. The corresponding Assessor's Parcel Numbers (APNs) for the project site are 389-030-012, 389-030-013, 389-030-014, 389-030-015, 389-030-016, 389-030-017, and 389-030-018 that total approximately 6.07 acres (existing lot size).

1.2 Project Description

The proposed project would consist of a commercial/retail center that includes retail buildings, drive-thru restaurants, a quick-serve restaurant, a convenience store, express car wash, and gas station land uses on a total of 6.07 acres (5.63 acres after right-of-way dedication). The project site is designated General Commercial by the City of Lake Elsinore General Plan and is zoned C-2 (General Commercial). The proposed project would not change the existing zoning nor the land use designation. The total building area for the proposed project will consist of approximately 32,695 square feet (SF) of commercial and retail uses that also includes a gas station.

The proposed project would encompass 32,695 SF of commercial retail development on approximately 6.07 acres of land (5.63 acres after right-of-way dedication). The Project will consist of a 3,400 SF convenience store with an attached 1,525 SF Quick-Serve Restaurant (QSR), 4,089 SF gas fueling canopy, a 3,150 SF express car wash, two (2) 4,850 SF retail buildings, a 3,320 SF drive-through restaurant with an attached 1,600 SF retail building, and a 2,520 SF drive-through restaurant with an attached 2,400 SF retail building. The project site would provide a vehicle ingress/egress driveway along Mountain Street. Also, the project site would provide two (2) additional ingress/egress driveways along Lake Street. These three (3) ingress/egress driveways to the proposed project are proposed to be full-access. Parking is accommodated throughout the project site with approximately 170 parking stalls including 11 American's with Disabilities Act (ADA), 20 vacuum stalls, and bicycle racks. Landscaping features will be incorporated along the boundary of the project site and in the interior of the site. The proposed project would incorporate trees and landscaping along the perimeter of the project site as well within the project site. The trees will provide shade to the proposed parking stalls and the rest of the project site. The site has also been designed with a biofiltration system designed to retain and treat a designated volume stormwater runoff that is located on the northern portion of the project site.

1.3 Project Objectives

The underlying purposes of the proposed Project are to develop a commercial/retail center, as well as to comply to the greatest feasible extent with applicable City of Lake Elsinore standards, codes, and policies. The following is a list of specific objectives that the proposed Project intends to achieve.

A. Develop a new commercial and retail center along an Arterial street and within close proximity to other major roadways in a location that will serve the local community within the City of Lake Elsinore.

B. Develop a project site of roughly 5 to 8 acres for commercial/retail uses, on a site where proposed development would be consistent with the existing General Plan land use and zoning designation, and in a manner that will fully utilize its development potential.

C. Develop a new retail and commercial center which will serve the local community.

D. Develop a project that will provide local employment opportunities and that will provide economic benefits to the community and City.

E. Develop a new commercial/retail center with sustainable project features that reduces project impacts on the environment.

1.4 Summary of Project Alternatives

In compliance with CEQA Guidelines § 15126.6, an EIR must describe a range of reasonable alternatives to the Project or to the location of the Project. Each alternative must be able to feasibly attain most of the Project Objectives and avoid or substantially lessen the project's significant effects on the environment. A detailed description of each alternative evaluated in this EIR, as well as an analysis of the potential environmental impacts associated with each alternative, is provided in EIR Section 6.0, Alternatives. Also described in Section 6.0 is a list of alternatives that were considered but rejected from further analysis. The alternatives considered by this EIR include those summarized below.

1.4.1 No Project Alternative

The No Project Alternative considers no new development/disturbance on the project site. As such, the 6.07-acre project site would consist of undeveloped and vacant land that is routinely disced as part of ongoing fire abatement activities. Under this Alternative, no improvements would be made to the project site and none of the project's roadway, utility, and other infrastructure improvements would occur. Under the No Project Alternative, the project site would remain vacant and undeveloped, although it is expected that it would be developed at some time in the future consistent with the underlying general plan and zoning designations.

1.4.2 Alternative #1: Alternative Site Plan

The alternative project would consist of a commercial/retail center that includes a quick-serve drive-thru restaurant, a convenience store, express car wash, and gas station land uses on a total of 6.07 acres (proposed lot size). The project site is designated General Commercial by the City of Lake Elsinore General Plan and it is zoned C-2 (General Commercial).

As shown on Exhibit 6-1, *Alternative Site Plan*, Alternative #1 will consist of a 3,400 s.f. C-Store (convenience store) with an attached 1,525 s.f. Quick-Serve Restaurant (QSR), 4,089 s.f. gas fueling canopy, a 3,150 s.f. express car wash, and a 17,500 s.f. retail building with drive-thru lane. This Alternative would provide vehicle ingress/egress along Mountain Street, in addition to two (2) additional ingress/egress along Lake Street. This three-access point to the site are proposed to be full-access. Parking has been accommodated throughout the site with approximately 170 parking stalls, including 11 ADA stalls, 20 vacuum stalls, and seven (7) electric vehicle charging stalls. Landscaping features will be incorporated along the boundary of the project site and in the interior of the site.

Table 1-1 Summary of Impacts and Mitigation Measures for the Lake and Mountain Commercial Center Project

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
4.1 Aesthetics		
Impact 4.1-1: Has a substantial adverse effect on a scenic vista?	None required	Less than Significant
Impact 4.1-2: Substantially damages scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	None required	Less than Significant
Impact 4.1-3: Substantially degrades the existing visual character or quality of the site and its surroundings because of height, bulk pattern, scale, character, or other features?	None required	Less than Significant
Impact 4.1-4: Creates a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	None required	Less than Significant
4.2 Air Quality		
Impact 4.2-1: Conflict with or obstruct implementation of the applicable air quality plan?	None required	Less than Significant
Impact 4.2-2: Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	None required	Less than Significant
Impact 4.2-3: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable	None required	Less than Significant

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		
Impact 4.2-4: Expose sensitive receptors to substantial pollutant concentrations?	None required	Less than Significant
Impact 4.2-5: Create objectionable odors affecting a substantial number of people?	None required	Less than Significant
4.3 Biological Resources		
Impact 4.3-1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	**BIO-1:** Burrowing Owl Surveys. In accordance with MSHCP Objective 6, prior to issuance of grading permits or other permits authorizing ground disturbance, the project Applicant shall retain a qualified biologist to perform a pre-construction burrowing owl survey. The pre-construction burrowing owl survey shall occur within the Burrowing Owl Survey Area where suitable habitat is present within 30 days prior to project commencement of any ground-disturbing activities at the project site. If active burrowing owl burrows are detected during the breeding season, all work within an appropriate buffer (typically a minimum 300 feet) of any active burrow shall be halted until that nesting effort is finished. The on-site biologist shall review and verify compliance with these boundaries and shall verify the nesting effort has finished. Work can resume in the buffer when no other active burrowing owl burrows nests are found within the buffer area. If active burrowing owl burrows are detected outside the breeding season or during the breeding season and its determined nesting activities have not begun, then passive and/or active relocation may be approved following consultation with CDFW. The installation of one-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools	Less than Significant with Mitigation Incorporated

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	by a qualified biologist when determined to be unoccupied, and back filled to ensure that animals do not re-enter the holes/dens. Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to CDFW. A copy of the results of the pre-construction survey (and all additional surveys), as well as copies of the Burrowing Owl Management Plan, if required, shall be provided to the City of Lake Elsinore Planning Division for review and approval (in the case of the Burrowing Owl Management Plan) prior to any vegetation clearing and ground disturbance activities. **BIO-2**: Nesting Bird Pre-construction Surveys. In order to avoid violation of the federal MBTA and California Fish and Game Code, construction activities shall be avoided to the greatest extent possible during the nesting season (generally February 1 to August 31). If construction activities are to occur during the nesting season, a pre-construction nesting survey shall be conducted within three days prior to the commencement of construction (if between February 1 and August 31). A qualified biologist shall perform the nesting survey that will consist of a single visit to ascertain whether there are active raptor nests within 500 feet of the project footprint or other protected bird nests within 300 feet of the project footprint. Nests will be searched for in the trees and shrubs. This survey shall identify the species of nesting bird and to the degree feasible, nesting stage (e.g., incubation of eggs, feeding of young, near fledging). Nests shall be mapped (not by using GPS because close encroachment may cause nest abandonment). The follow-up nesting survey shall be conducted for five (5) consecutive days and no more than three (3) days prior to construction. If an active nest is	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	observed, the nest location shall be fenced off surrounding an adequate radius buffer zone as determined by the biological monitor, to be at least 350 feet. The buffer zone shall not be disturbed until the nest is inactive. Biological monitoring shall occur during vegetation removal activities.	
Impact 4.3-2: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	**BIO-3**: MSHCP Guideline Implementation. Prior to the issuance of a grading permit, the Property Owner/Developer shall include a note on the plans that outlines the following requirements from Section 6.1.4 of the MHSCP: 1. Incorporate measures to control the quantity and quality of runoff from the site entering the MSHCP Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas. Best Management Practices (BMPs) shall be implemented to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm downstream biological resources or ecosystems. According to the MSHCP consistency analysis prepared for the project, the proposed project will incorporate a detention basin, grass swales, or mechanical trapping devices to filter runoff from the project site. 2. Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, habitat, or water quality shall incorporate measures to ensure that application	Less than Significant with Mitigation Incorporated

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff. 3. Night lighting shall be directed away from the MSHCP Conservation Area and the avoided area on site to protect species from direct night lighting. According to the MSHCP consistency analysis prepared for the project, the proposed project will direct night lighting away from the MSHCP Conservation Area and incorporate light shielding in the project designs to avoid excess ambient light from entering the MSHCP Conservation Area. 4. Proposed noise-generating land uses affecting the MSHCP Conservation Area, including designated avoidance areas, shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards. 5. Avoid use of invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans for the portions of the project that are adjacent to the MSHCP Conservation Area, including avoidance areas. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas and designated avoidance areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	plant and seed dispersal, such as walls, topography, and other features. According to the MSHCP consistency analysis prepared for the project, the proposed project landscape plans will avoid utilizing any species listed in Table 6-2 in the landscaping plans. 6. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into existing and future MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms. 7. Manufactured slopes associated with proposed site development shall not extend into the MSHCP Conservation Area. 8. Weed abatement and fuel modification activities are not permitted in the Conservation Area, including designated avoidance areas. **BIO-4**: MSHCP Construction Best Management Practices Implementation. Prior to the issuance of a grading permit, the Property Owner/Developer shall include a note on the plans that outlines the following Construction BMPs from Volume I, Appendix C of the MSHCP shown in italics, and specific requirements in plain text: Construction Best Management Practices: 1. A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Endangered Species Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished. Prior to the issuance of a grading permit, the Property Owner/Developer shall retain a qualified biologist to prepare and implement a Worker Environmental Awareness Program (WEAP) to train all project personnel prior to grading. The details of the training should be consistent with MSHCP Appendix C Standard BMP No. 1, the general provisions of the Endangered Species Act, include a detailed discussion of how to identify the potential special-status plant and animal species that may be encountered during ground disturbance and construction activities, and necessary actions to take if the species are observed on site. 2. Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements. Prior to the issuance of a grading permit, the Property Owner/Developer shall submit to the City a project-specific Storm Water Pollution Prevention Plan (SWPPP)	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	prior to initial ground disturbance. The project-specific SWPPP shall describe BMPs that will be implemented in pre-, during-, and post-construction phases. Examples of BMPs may include dust suppression BMPs, Low Impact Developments (LIDs) such as vegetated swales, and a spill response protocol. The SWPPP is a dynamic document that shall be amended when site conditions warrant changes to protect natural resources and prevent discharge of non-stormwater to neighboring parcels. The Qualified Stormwater Developer (QSD) shall develop and implement the SWPPP with site-specific BMPs to prevent/reduce the potential for erosion, sedimentation, and offsite discharge of non-stormwater in accordance with the Construction General Permit (CGP), National Pollutant Discharge Elimination System (NPDES) MS4 permit, and a 401 Water Quality Certification Permit (if applicable). The QSD shall provide training to the contractor for performing regular site inspections, and for pre-, during-, and post-storm events to ensure that BMPs are functioning as intended. 3. The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible. Prior to the issuance of a grading permit, the Property Owner/Developer shall submit to the City a construction management plan that demonstrates that the construction footprint will remain	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	within the limits of the current property boundary, site ingress/ egress will be limited to the least impactful location on the Project Site. Trackout (riprap, rumble strips) shall be installed to prevent tracking of sediment to public roadways. 4. The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work. Prior to the issuance of a grading permit, the Property Owner/Developer shall submit to the City a construction management plan that the construction footprint will remain within the limits of the current property boundary, project site boundaries shall be clearly delineated with visible means (i.e. stakes, rope, flagging, snow fence, etc.). The contractor shall adhere to the measures and conditions in all environmental permits to protect Jurisdictional Waters of the United States. 5. Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern. The Habitat Assessment found that no habitat for target species was observed within the project boundaries. The project site does not contain stream channels, gravel bars, or streambanks. All project-related construction activities would occur within the property boundaries and no equipment or personnel would	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	work outside the clearly identified project boundaries. 6. Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian identified in MSHCP Global Species Objective No. 7. Prior to the issuance of a grading permit, the Property Owner/Developer shall retain a qualified wildlife biologist to monitor ground disturbance activities that would occur during the nesting season. The Habitat Assessment found that no sensitive habitats were observed within the project boundaries, including riparian habitat. The Construction Contractor shall take are to ensure that construction activities do not negatively impact potentially sensitive habitats or species surrounding the project site. Construction equipment and personnel shall be made aware of MSHCP Global Species Objective No. 7 as part of the WEAP training and would always remain within project site boundaries. 7. When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing of other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments off site. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	shall be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream. No water diversion activities are proposed during project activities. The Property Owner/Developer shall implement erosion and sediment control BMPs as identified in the Water Quality Management Plan (WQMP) throughout the project site to reduce/ prevent sediment impacts in pre-, during- and post-construction phases. Personnel would be educated during WEAP training as to the importance of preventing impacts to the Temescal Wash from construction activities. 8. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities, including but not limited to applicable jurisdictional city, USFWS, CDFW, and SARWQCB, and shall be cleaned up immediately and contaminated soils removed to an approved disposal areas. Ongoing during construction and operation, all project activities shall occur within the property boundary. Equipment storage, fueling and staging areas shall be located outside any sensitive habitats and in areas	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	with no risk of direct drainage into riparian areas and other sensitive habitats. All fuel storage tanks shall have secondary containment to retain fuel spills. The project site-specific SWPPP shall have BMPs designed to prevent the release of cement or other toxic substances into surface waters or bare soil, as required by the RWQCB. All potentially hazardous materials shall be stored appropriately on site away from sensitive habitats or Waters of the United States. Concrete washouts and active/inactive materials stockpiles shall have secondary containment BMPs to prevent the accidental release of hazardous substances to bare soil. The SWPPP is required to have a Spill Prevention Control and Countermeasure (SPCC) to describe necessary actions that should occur in the event of a spill or release of potentially hazardous substances. Spills or releases of toxic substances greater than five gallons shall be reported to the RWQCB, DTSC, Local Municipalities, and/or federal agencies, as appropriate. 9. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks. Materials stockpiles shall be located away from sensitive areas. Inactive materials stockpiles shall be covered and bermed to prevent windborne dust or accidental release. The SWPPP shall describe BMPs to prevent fugitive dust from migrating to neighboring parcels or the Temescal Wash.	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	10. The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint. Prior to the issuance of a grading permit, the Property Owner/Developer shall retain a qualified wildlife biologist to monitor ground disturbance activities to ensure that all measures to protect species on and off site are being implemented during construction activities, including burrowing owl surveys (Mitigation Measure BIO-1), and nesting bird surveys (Mitigation Measure BIO-2). Additional protective measures recommended by the qualified wildlife biologist shall be implemented as necessary by the Property Owner/Developer to avoid incidental disturbance of habitat and species of concern outside the project footprint. 11. The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species. No clearing and grubbing of native vegetation would be anticipated during the project activities as the project site is almost entirely devoid of vegetation. 12. Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible. No exotic species were encountered during the project Habitat	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	Assessment and none would be utilized in any revegetation efforts. The final landscaping design may incorporate native plant species; however, regular landscape maintenance shall prevent exotic, or noxious plant species from taking root on the Project Site. 13. To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s). The SWPPP shall contain BMPs for trash storage and removal, including containment of sanitation facilities (e.g. portable toilets), and covering waste disposal containers at the end of every business day and before rain events. Trash cans shall have a fastenable lid to prevent animals from accessing or spreading trash onsite. The Project QSD should consult the MSHCP Appendix C Standard Best Management Practices, RWQCB recommendations, and any applicable environmental permit measures and conditions when developing the project SWPPP. 14. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas. In accordance with the WEAP, all project activities would occur within the clearly delineated property boundaries. Construction activities shall be confined to the project footprint, and approved routes of travel shall be established, including ingress/egress points. Exclusion fencing shall be utilized throughout the project duration. 15. The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions, including these BMPs. 16. The Contractor shall allow the Permittee access to the construction site. All visitors shall check in with the Project Engineer (or Site Supervisor) prior to accessing the construction site and will be escorted within project boundaries during normal business hours when construction activities are occurring.	
Impact 4.3-3: Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	None required	No Impact
Impact 4.3-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	**BIO-1** **BIO-2**	Less than Significant with Mitigation Incorporated

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
Impact 4.3-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	None required	Less than Significant
Impact 4.3-6: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	**BIO-1** **BIO-2** **BIO-3** **BIO-4**	Less than Significant with Mitigation Incorporated
4.4 Cultural Resources		
Impact 4.4-1: Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	**CULT-1**: Unanticipated Resources. The developer/permit holder or any successor in interest shall comply with the following for the life of this permit. If during ground disturbance activities, unanticipated cultural resources are discovered, the following procedures shall be followed: 1. All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the Project Archaeologist, the Native American tribal representative(s) from consulting tribes (or other appropriate ethnic/cultural group representative), and the Community Development Director or their designee to discuss the significance of the find. 2. The developer shall call the Community Development Director or their designee immediately upon discovery of the cultural resource to convene the meeting. 3. At the meeting with the aforementioned parties, the significance of the discoveries shall be discussed and a decision is to be made, with the concurrence of the Community Development Director or their designee, as to the appropriate mitigation (documentation, recovery,	Less than Significant with Mitigation Incorporated

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	avoidance, etc.) for the cultural resource. 4. Further ground disturbance shall not resume within the area of the discovery until a meeting has been convened with the aforementioned parties and a decision is made, with the concurrence of the Community Development Director or their designee, as to the appropriate mitigation measures. **CULT-2**: Archaeologist/CRMP. Prior to issuance of grading permits, the applicant/ developer shall provide evidence to the Community Development Department that a Secretary of Interior Standards qualified and certified Registered Professional Archaeologist (RPA) has been contracted to implement a Cultural Resource Monitoring Program (CRMP) that addresses the details of all activities that must be completed and procedures that must be followed regarding cultural resources associated with this project. The CRMP document shall be provided to the Community Development Director or their designee for review and approval prior to issuance of the grading permit. The CRMP provides procedures to be followed and are to ensure that impacts on cultural resources will not occur without procedures that would reduce the impacts to less than significant. These measures shall include, but shall not be limited to, the following: <u>Archaeological Monitor</u> - An adequate number of qualified monitors shall be present to ensure that all earth-moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist, in consultation with the Tribal monitor. Cultural Sensitivity Training - The Project Archaeologist and a representative designated by the consulting Tribe(s) shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all Construction Personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report. Unanticipated Resources - In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor(s) shall determine the significance of the discovered resources. The Community Development Director or their designee must concur with the evaluation before construction activities will be allowed to resume in the affected area. Before construction activities are allowed to resume	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. Phase IV Report - A final archaeological report shall be prepared by the Project archaeologist and submitted to the Community Development Director or their designee prior to grading final. The report shall follow County of Riverside requirements and shall include at a minimum: a discussion of the monitoring methods and techniques used; the results of the monitoring program including any artifacts recovered; an inventory of any resources recovered; updated DPR forms for all sites affected by the development; final disposition of the resources including GPS data; artifact catalog and any additional recommendations. A final copy shall be submitted to the City, Project Applicant, the Eastern Information Center (EIC), and the Tribe. **CULT-3**: Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries: One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the Community Development Department: 1. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources. 2. Relocation of the resources on the Project property. The measures for relocation shall include, at least, the following: Measures and provisions	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	to protect the future reburial area from any future impacts by means of a deed restriction or other form of protection (e.g., conservation easement) in order to demonstrate avoidance in perpetuity. Relocation shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request. 3. If relocation is not agreed upon by the Consulting Tribes then the resources shall be curated at a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report. **CULT 4**: Tribal Monitoring. Prior to the issuance of a grading permit, the applicant shall contact the consulting Native American Tribe(s) that have requested monitoring through consultation with the City during the AB 52 and/or the SB 18 process ("Monitoring Tribes"). The applicant shall coordinate with the Tribe(s) to develop individual Tribal Monitoring Agreement(s). A copy of the signed agreement(s) shall be provided to the City of Lake Elsinore Community Development Department, Planning Division prior to the issuance of a grading permit. The Agreement shall address the treatment of any known tribal cultural resources (TCRs) including the project's approved mitigation measures and conditions of approval; the designation, responsibilities, and participation of professional Tribal Monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains/burial goods discovered on the site per the Tribe(s) customs and traditions and the City's mitigation measures/conditions of approval. The Tribal Monitor will have the authority to stop and redirect grading in the immediate area of a find in order to evaluate the find and determine the appropriate next steps, in consultation with the Project archaeologist. **CULT-5**: Phase IV Report. Upon completion of the implementation phase, a Phase IV Cultural Resources Monitoring Report shall	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the County website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting.	
Impact 4.4-2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	**CULT-1** **CULT-2** **CULT-3** **CULT-4** **CULT-5**	Less than Significant with Mitigation Incorporated
Impact 4.4-3: Disturb any human remains, including those interred outside of formal cemeteries?	**CULT-6**: Discovery of Human Remains. In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project applicant shall then inform the Riverside County Coroner and the City of Lake Elsinore Community Development Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains and that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. If human remains are determined to be Native American, the applicant shall comply with the state law relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097).	Less than Significant with Mitigation Incorporated

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	The coroner shall contact the NAHC within 24 hours and the NAHC will make the determination of most likely descendant. The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resource Code Section 5097.98. In the event that the applicant and the MLD are in disagreement regarding the disposition of the remains. State law will apply and the mediation process will occur with the NAHC, if requested (see PRC Section 5097.98(e) and 5097.94(k)). According to the California Health and Safety Code, six or more human burial at one location constitutes a cemetery (Section 81 00), and disturbance of Native American cemeteries is a felony (Section 7052). **CULT-7**: Non-Disclosure of Reburial Location. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).	
4.5 Energy		
Impact 4.5-1: Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	None required	Less than Significant
Impact 4.5-2: Conflict with or obstruct a state or local plan for	None required	Less than Significant

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
renewable energy or energy efficiency?		
4.6 Geology and Soils		
Impact 4.6-1: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving: a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? b. Strong seismic ground shaking. c. Seismic-related ground failure, including liquefaction? d. Landslides?	None required	Less than Significant
Impact 4.6-2: Result in substantial soil erosion or the loss of topsoil?	None required	Less than Significant
Impact 4.6-3: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	None required	Less than Significant
Impact 4.6-4: Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	None required	Less than Significant
Impact 4.6-5: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**GEO-1**: Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources by a qualified paleontologist or paleontological monitor. Full-time monitoring of grading or excavation activities should be performed starting at a depth of 10 feet, or when Pleistocene-aged sediments are encountered during excavation activities, whichever is shallowest, in undisturbed areas of Quaternary (early to late Pleistocene)	Less than Significant with Mitigation Incorporated

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	sedimentary deposits within the project boundaries. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface or, if present, are determined by qualified paleontological personnel upon exposure and examination to have a low potential to contain or yield fossil resources.	
4.7 Greenhouse Gas Emissions		
Impact 4.7-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	None required	Less than Significant
Impact 4.7-2: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	None required	Less than Significant
4.8 Hazards and Hazardous Materials		
Impact 4.8-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	None required	Less than Significant
Impact 4.8-2: Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	None required	Less than Significant
Impact 4.8-3: Emit hazardous emissions or handle hazardous or	None required	Less than Significant

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		
Impact 4.8-4: Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	None required	Less than Significant
Impact 4.8-5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	None required	No Impact
Impact 4.8-6: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	None required	No Impact
Impact 4.8-7: Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	None required	Less than Significant
4.9 Hydrology		
Impact 4.9-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	None required	Less than Significant
Impact 4.9-2: Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	None required	Less than Significant

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
Impact 4.9-3: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: a) Result in substantial erosion or siltation on- or off-site?; b) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?; c) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?; or d) Impede or redirect flood flows?	None required	Less than Significant
Impact 4.9-4: In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	None required	No Impact
Impact 4.9-5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	None required	Less than Significant
4.10 Land Use		
Impact 4.10-1: Physically divide an established community?	None required	No Impact
Impact 4.10-2: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, Specific Plan, local coastal program, or zoning	None required	Less than Significant

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		
4.11 Noise		
Impact 4.11-1: Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	**NOI-1:** The following practices shall be implemented by the project applicant during construction activities: • If R1 and R5 represents occupied residential use at the time of Project construction, install a minimum 12-foot high temporary construction noise barrier as shown on Exhibit ES-B, for the duration of Project construction. The noise control barriers must have a solid face from top to bottom. The noise control barrier must meet the minimum height and be constructed as follows: ○ The temporary noise barrier shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts. Example photos are provided in Appendix 10.2.; ○ The noise barrier must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired; ○ The noise control barrier and associated elements shall be completely removed, and the site appropriately restored upon	Less than Significant with Mitigation Incorporated

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	the conclusion of the construction activity. • Prior to approval of grading plans and/or issuance of building permits, plans shall include a note indicating that noise-generating Project construction activities shall only occur between the hours of 7:00 a.m. to 7:00 p.m. daily, or at any time on weekends or holidays, such that the sound therefrom creates a noise disturbance across a residential or commercial real property line, except for emergency work by public service utilities or by variance issued by the City is prohibited. (LEMC, Section 17.176.080 (F). • During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project site. • The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the Project site during all Project construction activities (i.e., to the center). • The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 7:00 p.m. daily, with no activity allowed on Sundays or holidays). The contractor shall design delivery routes to minimize the exposure of sensitive land uses or	

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
	residential dwellings to delivery truck-related noise. • The contractor shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise. **NOI-2:** To satisfy the applicable local noise standards the project shall implement the following operational noise mitigation measures: • No car wash activities shall be permitted during the nighttime hours of 10:00 p.m. to 7:00 a.m. • Reduce the car wash air blower and dryer equipment noise by locating the equipment inside the tunnel and/or utilize sound rated air blower and dryer equipment measuring no more than 71 dBA L50 at 10 feet. • Incorporate parapet walls where appropriate • Incorporate on-site noise barriers, landscaping, or similar physical features that would act to generally attenuate noise emanating from the Project related noise sources. If an outdoor speaker system is being used in conjunction with a Project, the outdoor speaker system shall be oriented away from sensitive receivers and the volume set at a level not readily audible past the property line.	
Impact 4.11-2: Generation of excessive groundborne vibration or groundborne noise levels?	None required	Less than Significant
Impact 4.11-3: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people	None required	No Impact

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
residing or working in the project area to excessive noise levels?		
4.12 Public Services		
Impact 4.12-1: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services; police protection services; school services; park facilities; or, other government institutions?	None required	Less than Significant
4.13 Transportation		
Impact 4.13-1: Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	None required	Less than Significant
Impact 4.13-2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	None required	Less than Significant
Impact 4.13-3: Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	None required	Less than Significant
Impact 4.13-4: Result in inadequate emergency access?	None required	Less than Significant
4.14 Tribal Cultural Resources		
Impact 4.14-1: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 21074 as either a site, feature, place, cultural	**CULT-1** **CULT-2** **CULT-3** **CULT-4** **CULT-5**	Less than Significant with Mitigation Incorporated

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is: ○ Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? ○ A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth is subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	**CULT-6** **CULT-7**	
4.15 Utilities		
Impact 4.15-1: Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	None required	Less than Significant
Impact 4.15-2: Have sufficient water supplies available to serve the project and reasonably foreseeable	None required	Less than Significant

Potential Environmental Impact	Mitigation Measures (MM)	Significance Determination
future development during normal, dry and multiple dry years?		
Impact 4.15-3: Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	None required	Less than Significant
Impact 4.15-4: Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	None required	Less than Significant
Impact 4.15-5: Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	None required	Less than Significant
4.16 Wildfire		
Threshold 1) Substantially impair an adopted emergency response plan or emergency evacuation plan.	None required	No Impact
Threshold 2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	None required	No Impact
Threshold 3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	None required	No Impact

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Chapter 2 Introduction

This Draft Environmental Impact Report (EIR) evaluates the environmental effects that may result from the construction and operation of the proposed Lake and Mountain Commercial Center Project (proposed project). This Draft EIR has been prepared in conformance with the California Environmental Quality Act (CEQA) and the California Environmental Quality Act (CEQA Guidelines).

2.1 Project Location

The proposed project is located in the northwestern portion of the City of Lake Elsinore (City), in Riverside County, California. The project site is located at the northwest corner of Mountain Street and Lake Street. The project site is surrounded by several roadways including Mountain Street to the south and Lake Street to the east directly adjacent to the project site. Other streets within close proximity to the project site include Raveta Lane to the west and Running Deer Road to the north. Adjacent to the project site to the east and south are single-family residential homes. To the north and west of the project site are residential homes. The project site consists of seven (7) parcels that are currently vacant, with the exception of a residential building located to the west fronting Lake Street. The corresponding Assessor's Parcel Numbers (APNs) for the project site are 389-030-012, 389-030-013, 389-030-014, 389-030-015, 389-030-016, 389-030-017, and 389-030-018 that total approximately 6.07 acres (existing lot size).

2.2 Project Summary

The proposed project would consist of a commercial/retail center that includes retail buildings, drive-thru restaurants, a quick-serve restaurant, a convenience store, express car wash, and gas station land uses on a total of 6.07 acres (5.63 acres after right-of-way dedication). The project site is designated General Commercial by the City of Lake Elsinore General Plan and is zoned C-2 (General Commercial). The proposed project would not change the existing zoning nor the land use designation. The total building area for the proposed project will consist of approximately 32,695 square feet (SF) of commercial and retail uses that also includes a gas station.

The proposed project would encompass 32,695 SF of commercial retail development on approximately 6.07 acres of land (5.63 acres after right-of-way dedication). The Project will consist of a 3,400 SF convenience store with an attached 1,525 SF Quick-Serve Restaurant (QSR), 4,089 SF gas fueling canopy, a 3,150 SF express car wash, two (2) 4,850 SF retail buildings, a 3,320 SF drive-through restaurant with an attached 1,600 SF retail building, and a 2,520 SF drive-through restaurant with an attached 2,400 SF retail building. The project site would provide a vehicle ingress/egress driveway along Mountain Street. Also, the project site would provide two (2) additional ingress/egress driveways along Lake Street. These three (3) ingress/egress driveways to the proposed project are proposed to be full-access. Parking is accommodated throughout the project site with approximately 170 parking stalls including 11 American's with Disabilities Act (ADA), 20 vacuum stalls, and

bicycle racks. Landscaping features will be incorporated along the boundary of the project site and in the interior of the site. The proposed project would incorporate trees and landscaping along the perimeter of the project site as well within the project site. The trees will provide shade to the proposed parking stalls and the rest of the project site. The site has also been designed with a biofiltration system designed to retain and treat a designated volume stormwater runoff that is located on the northern portion of the project site.

2.3 Alternatives

Pursuant to CEQA and the CEQA Guidelines, an EIR must describe a reasonable range of alternatives to a proposed project that could feasibly attain most of the basic project objectives, and would avoid or substantially lessen the proposed project's significant environmental effects. This alternatives analysis summarizes the alternatives screening process conducted to identify feasible alternatives that meet project objectives. Chapter 6.0 of this EIR document analyzes a No Project Alternative and Alternative #1: Alternative Site Plan. The No Project Alternative considers no new development of the 5.63-acre project site. Alternative #1 would consider a quick-serve drive-thru restaurant, a convenience store, express car wash, and gas station. The alternative impact evaluation for these two alternatives will be further discussed in Chapter 6. As required by CEQA, this analysis first considers which alternatives can meet most of the basic project objectives, and then to what extent those remaining alternatives can avoid or reduce the environmental impacts associated with the proposed project. Information used to select an "environmentally superior alternative," is also provided in this document.

2.4 Environmental Procedures

2.4.1 Purpose of an EIR

An EIR serves as an information document to inform the public and public agency decision makers of the significant environmental effects of the proposed project. In addition, the Draft EIR identifies possible ways to minimize the significant impacts of the project and includes reasonable alternatives for the proposed project. CEQA Guidelines Section 15151 contains the following standards for EIR adequacy:

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 looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

In accordance with the requirements of CEQA, the Draft EIR will include a full discussion of the project description, the existing environmental setting, environmental impacts, mitigation measures and residual impacts that may exist after mitigation has been implemented, and project alternative that could alleviate potential impacts.

The City of Lake Elsinore, as the approving authority, will consider the information provided in the EIR in addition with other related information before taking any action on the proposed project. The conclusions of the EIR regarding environmental impacts do not control the City's discretion to approve, deny or modify the proposed project, but instead are presented as information intended to aid the decision-making process.

The purpose of this EIR is to provide an objective, full-disclosure document to inform agency decision makers and the general public of the direct and indirect environmental impacts of the proposed project and related actions. This is a "Project" EIR in conformance with Section 15161 of the CEQA Guidelines, in that is examines the environmental impacts associated with a specific project. The primary purpose of this EIR is to:

- Identify and evaluate potential environmental consequences of the proposed project.
- Assess cumulative impacts of the project in conjunction with related past, present, and reasonably foreseeable future projects within the area.
- Indicate the manner in which those environmental consequences can be mitigated or avoided.
- Define and analyze alternatives that have the potential to reduce or eliminate potentially significant impacts associated with the proposed project.
- Identify impacts, if any, which even with the implementation of mitigation measures would be unavoidable and adverse.
- Provide documentation supporting these determinations.

2.4.2 Environmental Process

Initial Study/Notice of Preparation

The environmental analysis of the proposed project was initiated by the City with the preparation of an Initial Study. A Notice of Preparation (NOP) was prepared and distributed with the Initial Study for a 30-day public scoping period, which commenced on August 28, 2020 and ended on September 28, 2020. Copies of the Initial Study, NOP and distribution list, and comments received in response to the NOP/Initial Study are included as Appendix A of this Draft EIR.

Section 15123(b)(2) of the CEQA Guidelines requires that an EIR summary identify areas of controversy known to the lead agency, including issues raised by other agencies and the public. Table 2.1 identifies persons who submitted written comments on the NOP/Initial Study, as well as the topics raised by those comments and provides a reference to the section of the EIR in which those issues are evaluated.

Table 2.1 - NOP Topics Raised

Comment Date	Commenter	Summary of Comment	EIR Section
August 31, 2020	Native American Heritage Commission	Comment introduces and describes the requirements of Assembly Bill 52.	Section 4.4, Cultural Resources; Section 4.15 Tribal Cultural Resources
September 2, 2020	Araceli Jimenez	Comment mentions concerns about potential health impacts associated with implementation of the proposed project.	Section 4.2, Air Quality
September 4, 2020	California Department of Fish and Wildlife	Comment requests clarification regarding updates to the Joint Project Review 08-08-20-01.	Section 4.3, Biological Resources
September 7, 2020	Angelo Fallara	Comment mentions concerns regarding potential transportation impacts	Section 4.14, Transportation

Comment Date	Commenter	Summary of Comment	EIR Section
		associated with the proposed project.	
September 8, 2020	Riverside County Flood Control and Water Conservation District	Comment states that the project would not be impacted by District Master Drainage Plan facilities.	Section 4.6, Geology and Soils; Section 4.9, Hydrology and Water Quality
September 11, 2020	Araceli Jimenez	Comment identifies commenter's husband's health condition which was mentioned in news articles. Commenter states husbands' health condition would be aggravated by the projects grading.	Section 4.10, Land Use and Planning
September 14, 2020	Riverside Transit Agency	Comment requests an ADA compliant, connected sidewalk on both Mountain Street and Lake Street.	Section 4.14, Transportation
September 15, 2020	South Coast Air Quality Management District (SCAQMD)	Comment discusses procedures for analyzing air quality impacts and use of the SCAQMD Air Quality Handbook.	Section 4.2, Air Quality
September 25, 2020	Enrico Nelson	Comment raises concerns over potential traffic, crime, and noise impacts of the proposed project.	Section 4.11, Noise; Section 4.13, Public Services; Section 4.14, Transportation

In addition to distribution of the NOP/Initial Study, a public scoping meeting was held virtually on September 17, 2020 to introduce the proposed project to the community, and to provide an opportunity for the public to submit verbal and written comments and recommendations regarding issues to be addressed in the EIR. Notification of the meeting included a direct mailing of the notice to public agencies and the surrounding community. No comments on the NOP or Initial Study, verbal or written, were raised during the scoping meeting.

The NOP/Initial Study and comments received are included in Appendix A of this Draft EIR.

Draft EIR

Based on the Initial Study and the scoping meeting, the following environmental issues were identified for evaluation in the Draft EIR:

- Aesthetics (Section 4.1)
- Air Quality (Section 4.2)
- Biological Resources (Section 4.3)
- Cultural Resources (Section 4.4)
- Energy (Section 4.5)
- Geology and Soils (Section 4.6)

- Greenhouse Gas Emissions (Section 4.7)
- Hazards and Hazardous Materials (section 4.8)
- Hydrology and Water Quality (Section 4.9)
- Land Use and Planning (Section 4.10)
- Noise (Section 4.11)
- Population and Housing (Section 4.12)
- Public Services (Section 4.13)
- Transportation (Section 4.14)
- Tribal Cultural Resources (Section 4.15)
- Utilities and Service Systems (Section 4.16)
- Wildfire (Section 4.17)

This Draft EIR has been distributed to affected agencies, adjacent Cities and Counties, and interested parties for a 45-day review period in accordance with Section 15087 of the CEQA Guidelines. During the review period, which commences on July 2, 2021 and ends on August 16, 2021, the Draft EIR is available for general public review at the following locations:

- City of Lake Elsinore, 130 South Main Street, Lake Elsinore, CA 92530. All documents referenced in the DEIR are available at this location.

- Lake Elsinore Branch Library, 600 West Graham Avenue, Lake Elsinore, CA 92530. Hard copies of the DEIR and electronic copies of the technical appendices and reference materials are available at this location.

Additionally, the Draft EIR can be downloaded or reviewed on the City of Lake Elsinore's website at: http://www.lake-elsinore.org/city-hall/city-departments/community-development/planning/ceqa-documents-available-for-public-review

Interested parties may provide written comments on the Draft EIR during the 45-day review period. Written comments on the Draft EIR must be postmarked by August 16, 2021 and should be addressed to:

Ms. Damaris Abraham, Senior Planner
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530
Tel: (951) 674-3124, Ext. 913
Email: dabraham@lake-elsinore.org

Final EIR

Upon completion of the 45-day public review period, written responses to comments on environmental issues discussed in the Draft EIR will be prepared and incorporated into the Final EIR. These comments, and their responses, will be included in the Final EIR for consideration by City of Lake Elsinore.

2.5 Draft EIR Organization

As shown in Table 2.2, this draft EIR is organized into eight chapters each dealing with a separate aspect of the required content of an EIR as described in the CEQA Guidelines; it is intended for use and reference. To help the reader locate information of particular interest, a brief summary of the contents of each chapter of the EIR is provided. Acronyms and abbreviations are included directly after the Table of Contents and provide a description of abbreviation and acronyms used throughout the document. The chapters listed in the table are contained within the EIR.

Table 2.2 - Required Draft EIR Contents

Requirement (CEQA Guidelines Section)	Location in Draft EIR
Table of Contents (Section 15122)	Table of Contents
Summary (Section 15123)	Chapter 1
Introduction	Chapter 2
Project Description (Section 15124) and environmental setting (Section 15125)	Chapter 3 and 4 (Section 4.1-4.13)
Significant environmental impacts (Section 15126.2(a))	Chapter 4 (Sections 4.1-4.14); Chapter 5
Unavoidable significant environmental impacts (Section 15126.2(b))	Chapter 4 (Sections 4.1, 4.10, 4.12) and Chapter 5
Mitigation measures (Section 15126.4)	Chapter 1; Chapter 4 (Sections 4.1-4.14)
Cumulative Impacts (Section 15130)	Chapter 4 (Sections 4.1-4.14)
Growth-inducing impacts (Section 15126.2(d))	Chapter 5
Effects found not to be significant (Section 15128)	Chapter 5
Alternative to the proposed project (Section 15126.6)	Chapter 6
List of Preparers (Section 15129)	Chapter 7
Acronyms (Section 15129)	Chapter 8

2.6 Incorporation by Reference

In accordance with Section 15150 of the CEQA Guidelines, the following documents are hereby incorporated by reference into this Draft EIR. These documents are referenced within this EIR, and information from these documents has been briefly summarized in the appropriate sections. A list and brief synopsis of the scope and content of these documents is provided below.

City of Lake Elsinore General Plan: On December 13, 2011, the Lake Elsinore City Council adopted a new General Plan with a planning horizon year of 2030. The General Plan consists of an introduction, three topical chapters and 16 District Plans that cover specific, defined geographic areas within the City and its sphere of influence. The General Plan establishes a framework for future development and actions that may be taken in furtherance of the general plan's goals and policies.

City of Lake Elsinore General Plan EIR: The City certified the General Plan EIR, which evaluated the potential environmental impacts of the City of Lake Elsinore's General Plan, in 2011. The General Plan EIR also provided

the City with a policy-level CEQA evaluation of three related projects: the Downtown Master Plan, Annexation No. 81 (referred to herein as the "3rd Street Annexation" within which the project is partially located), and the City's Climate Action Plan (CAP).

Climate Action Plan (CAP): The CAP adopted December 13, 2011, is the City's long-range plan to reduce local greenhouse has (GHG) emissions in accordance with State law. It is intended to be a reference document, and its implementation mitigates the City's GHG emissions, and streamlines the processing of future development applications.

City of Lake Elsinore Municipal Code: The Lake Elsinore Municipal Code is provided to implement the land use and noise policies of the City's General Plan.

These documents are available for public review on the City's website (www.lake-elsinore.org) and at:

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

2.7 Documents Prepared for the Project

- Initial Study, Notice of Preparation, and Scoping Comments, 2020. (Appendix A)
- Air Quality Impact Analysis, 2019. Urban Crossroads. (Appendix B)
- Habitat Assessment for Critical Area and Narrow Endemic Plan Species, and Burrowing Owl Survey Phase I (Habitat Assessment) and Phase II (Burrow Survey) and Discussion of Multiple Species Habitat Conservation Plan Issues, Revised 2021. (Appendix C)
- Western Riverside County Regional Conservation Authority Joint Project Review Findings, June 1, 2021.
- Wildlife Agencies Comments on Joint Project Review (21-02-04-01 for the Lake and Mountain Commerce Center Project, June 11, 2021.
- Phase I Cultural Resources Survey Report for the Commercial/Retail NWC Mountain and Lake Streets Project, 2019. Brian F. Smith and Associates, Inc. (Appendix D)
- Energy Analysis, 2020. Urban Crossroads. (Appendix E)
- Preliminary Geotechnical Interpretive Report, 2019. Earth Strata Geotechnical Services. (Appendix F)
- Paleontological Assessment, 2020. Brian F. Smith and Associates, Inc. (Appendix G)
- Greenhouse Gas Analysis, 2019. Urban Crossroads. (Appendix H)
- Phase I Environmental Site Assessment, 2019. TA-GROUP DD. (Appendix I)
- Preliminary Water Quality Management Plan, 2019. Plump Engineering. (Appendix J)
- Preliminary Hydrology Study, 2019. Plump Engineering. (Appendix K)
- Noise Impact Analysis, 2019. Urban Crossroads. (Appendix L)
- Traffic Impact Analysis, 2020. Urban Crossroads (Appendix M)
- Vehicle Miles Travelled Screening Analysis (Appendix N)
- Elsinore Valley Municipal Water District, Service Planning Letter #3351-0. (Appendix O)
- Southern California Edison, Will Serve Letter. (Appendix P)

2.8 Review of the Draft EIR

Upon completion of the Draft EIR, the City will file a Notice of Completion (NOC) with the State Office of Planning and Research (OPR) to begin the public review (Public Resources, 21161). Concurrent with the NOC, this Draft EIR will be distributed to responsible and trustee agencies, other affected agencies, adjacent cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with Public Resources Code 21092(b)(3). During the 45-day public review period, the Draft EIR, including the technical appendices, will be available for review at the City of Lake Elsinore, Planning Division, located at 130 South Main Street, Lake Elsinore, California, 92530.

Agencies, organizations, and interested parties have the opportunity to comment on the Draft EIR during the 45-day public review period. Written comments on this Draft EIR should be addressed to the City of Lake Elsinore, Planning Division, 130 South Main Street, Lake Elsinore, California, 92530. Attention: Damaris Abraham, Senior Planner.

Submittal of electronic comments in Microsoft Word or Adobe PDF format is encouraged but not required. Upon completion of the public review period, written responses to all environmental issues will be prepared. Written responses to comments made by public agencies during the official 45-day public review period will be provided those commenting agencies at least 10 days prior to any certification of the Final EIR. Comments received and the responses to comments will be included as part of the record for consideration by the decision-makers for the project.

Chapter 3 Project Description

3.1 Overview

The proposed project involves the construction and operation of a commercial/retail center 7 buildings on a 6.07 acre project site that is zoned C-2 (General Commercial). The proposed project includes development of approximately 32,695 square feet (SF) of commercial retail development, which includes a 3,400 SF convenience store with an attached 1,525 SF Quick-Serve Restaurant (QSR), a 4,089 SF gas fueling canopy, a 3,150 SF express car wash, two (2) 4,850 SF retail buildings, a 3,320 SF drive-through restaurant with an attached 1,600 SF retail building, and a 2,520 SF drive-through restaurant with an attached 2,400 SF retail building. The Draft Environmental Impact Report (EIR) has evaluated the proposed project, and the worst-case development intensity has been incorporated into the impact assessment.

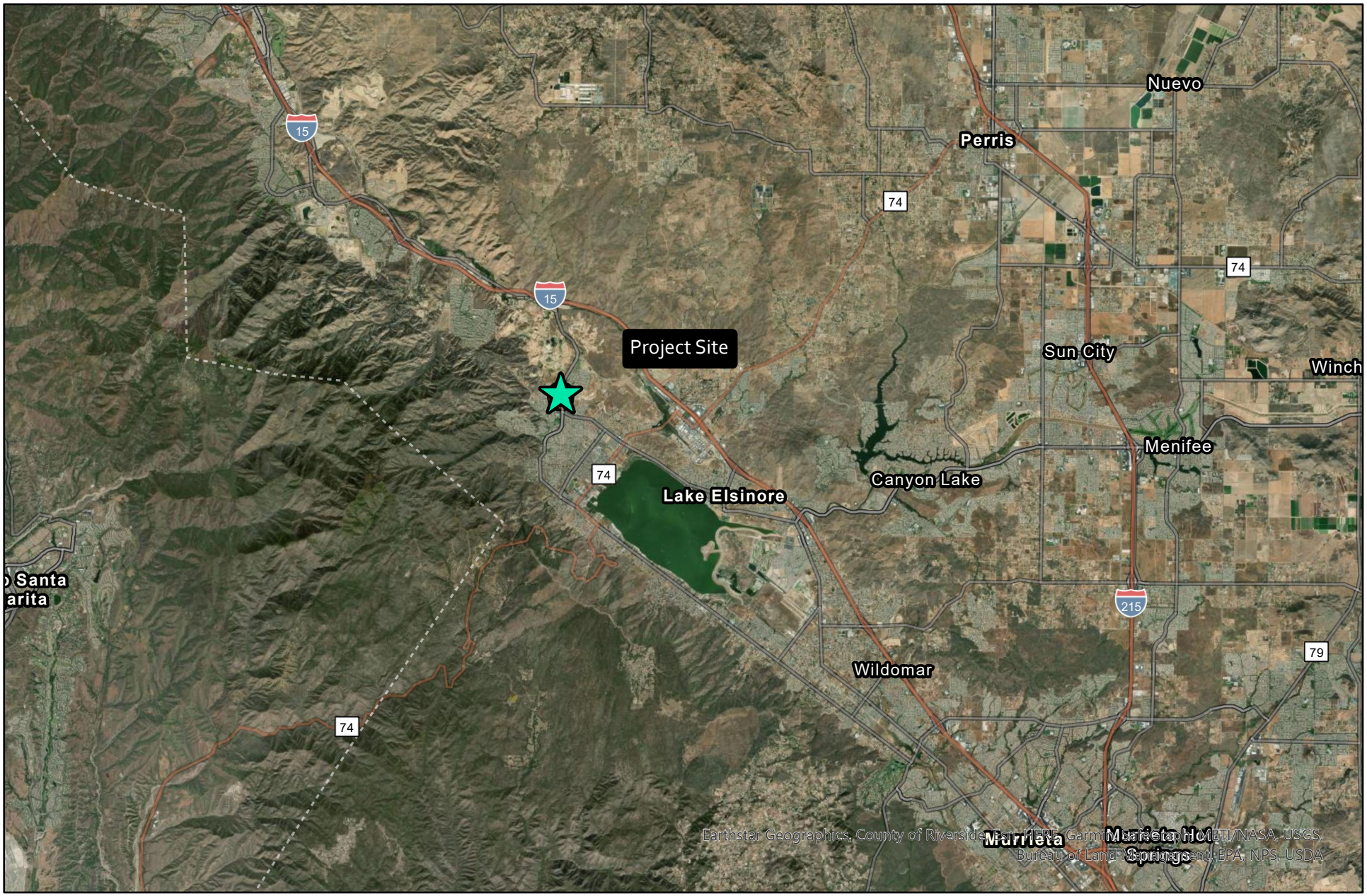
3.2 Project Location

The proposed project is located in the northwestern portion of the City of Lake Elsinore in Riverside County as shown in Exhibit 3-1, *Regional Location Map*. The project site is located at the northwest corner of Mountain Street and Lake Street. The project site is bounded by Lake Street to the east, Mountain Street to the south, an unmarked private dirt road to the north, and a residential lot to the west. Adjacent to the project site are residential homes to the south and to the east. Adjacent to the north and west of the project site are large residential lots, however, further to the north and west are subdivisions of single-family homes as seen in Exhibit 3-2, *Project Vicinity.* The project site corresponds to the following Assessor's Parcels Numbers (APNs): 389-030-012, 389-030-013, 389-030-014, 389-030-015, 389-030-016, 389-030-017, and 389-030-018.

3.3 Existing Setting

3.3.1 Existing Land Use

As seen on Exhibit 3-3, *Project Site Map* and *Exhibit 3-4, Site Photos*, the project site is currently vacant with the exception of a single-family residential building and prefabricated home located on the northern portion of the project site, a chimney and pit to the southeast corner of the project, and a water tower to the northwest. The undeveloped areas of the project site (making up a majority of the site) consists of sloping terrain that is covered by grasses, weeds, brush, several non-native ornamental trees, and a dirt road utilized to access the residential building. The project site has been designated as General Commercial by the City's General Plan as shown in Exhibit 3-5, *Existing Land Use Designations* and zoned C-2 General Commercial as shown in Exhibit 3-6, *Existing Zoning Designations*. Table 3-1 below provides the APNs, acreage, zoning and land use designations of each parcel within the project site.



1 IN = 3 MI

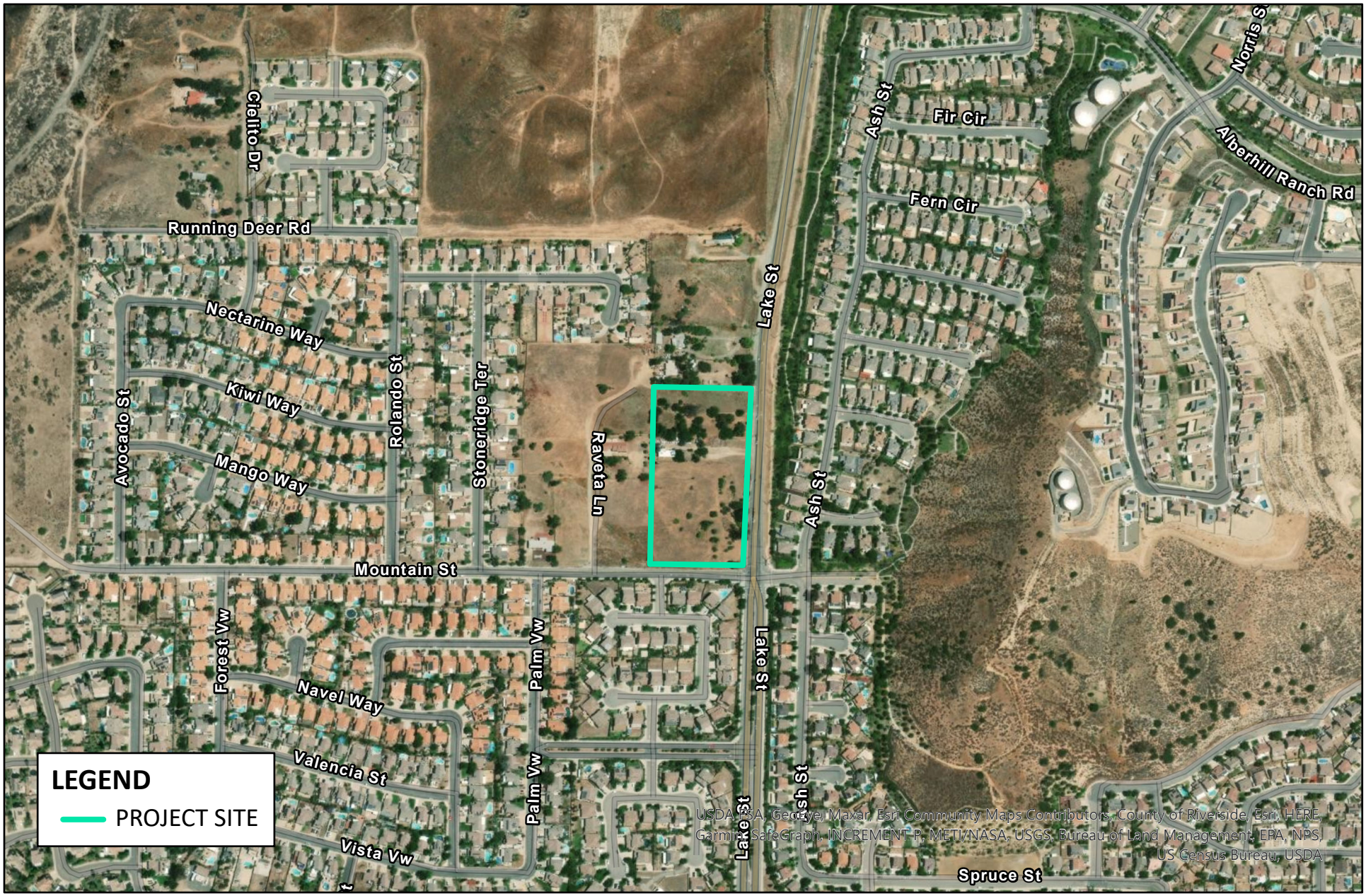
The Altum Group

Regional Location Map

Lake and Mountain Commercial Center Retail Project

Exhibit

3-1



1 IN = 0.1 MI

The Altum Group

Project Vicinity

Lake and Mountain Commercial Center Retail Project

Exhibit

3-2

1 IN = 0.04 MI

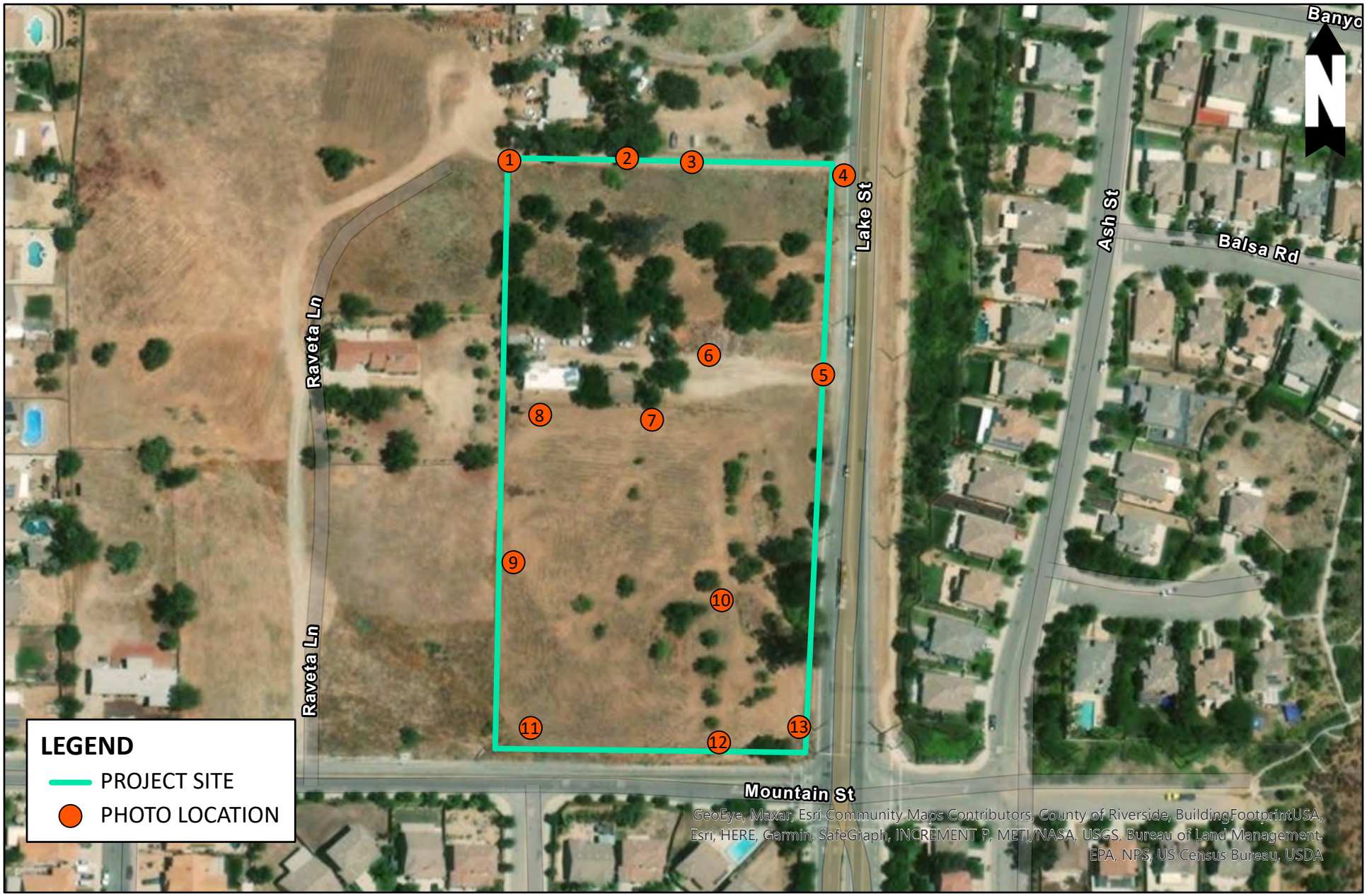
The Altum Group

Project Site Map

Lake and Mountain Commercial Center Retail Project

Exhibit

3-3



1 IN = 0.03 MI

The Altum Group

Site Photos - Location Map

Lake and Mountain Commercial Center Retail Project

Exhibit

3-4


Photo 1 Facing East


Photo 2 Facing South


Photo 3 Facing East


Photo 4 Facing Southeast


Photo5 Facing South


Photo 6 Facing West


Photo 7 Facing Southeast


Photo 8 Facing West


Photo 9 Facing West


Photo 10 Facing North


Photo 11 Facing North


Photo 12 Facing West


Photo 13 Facing South


Photo 14 Facing North


Photo 15 Facing East


Photo 16 Facing East


Photo 17 Facing South


Photo 18 Facing West


Photo 19 Facing West


Photo 20 Facing East


Photo 21 Facing South


Photo 22 Facing East


Photo 23 Facing East


Photo 24 Facing Northeast


Photo 25 Facing North


Photo 26 Facing Southeast


Photo 27 Facing Southwest


Photo 28 Facing North


Photo 29 Facing East


Photo 30 Facing North


Photo 31 Facing North

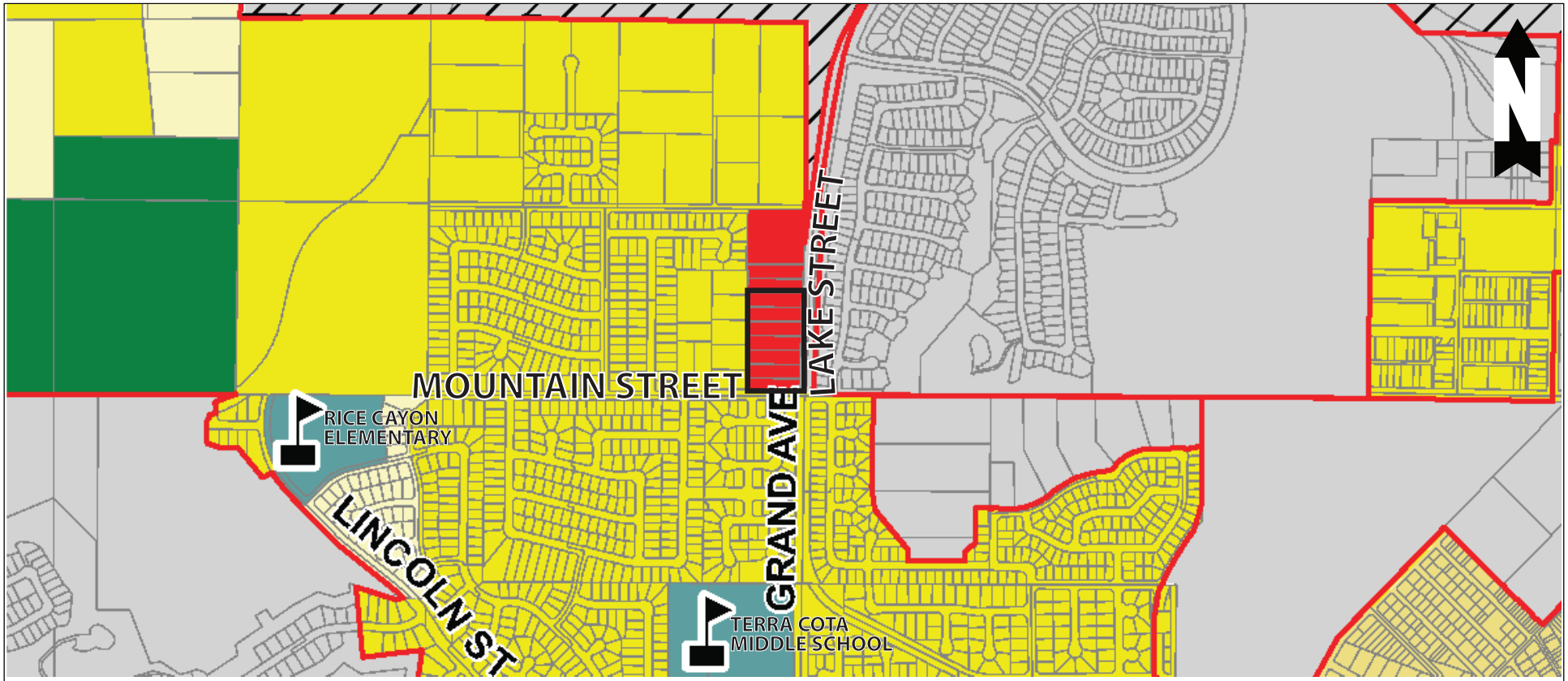

Photo 32 Facing West


Photo 33 Facing East

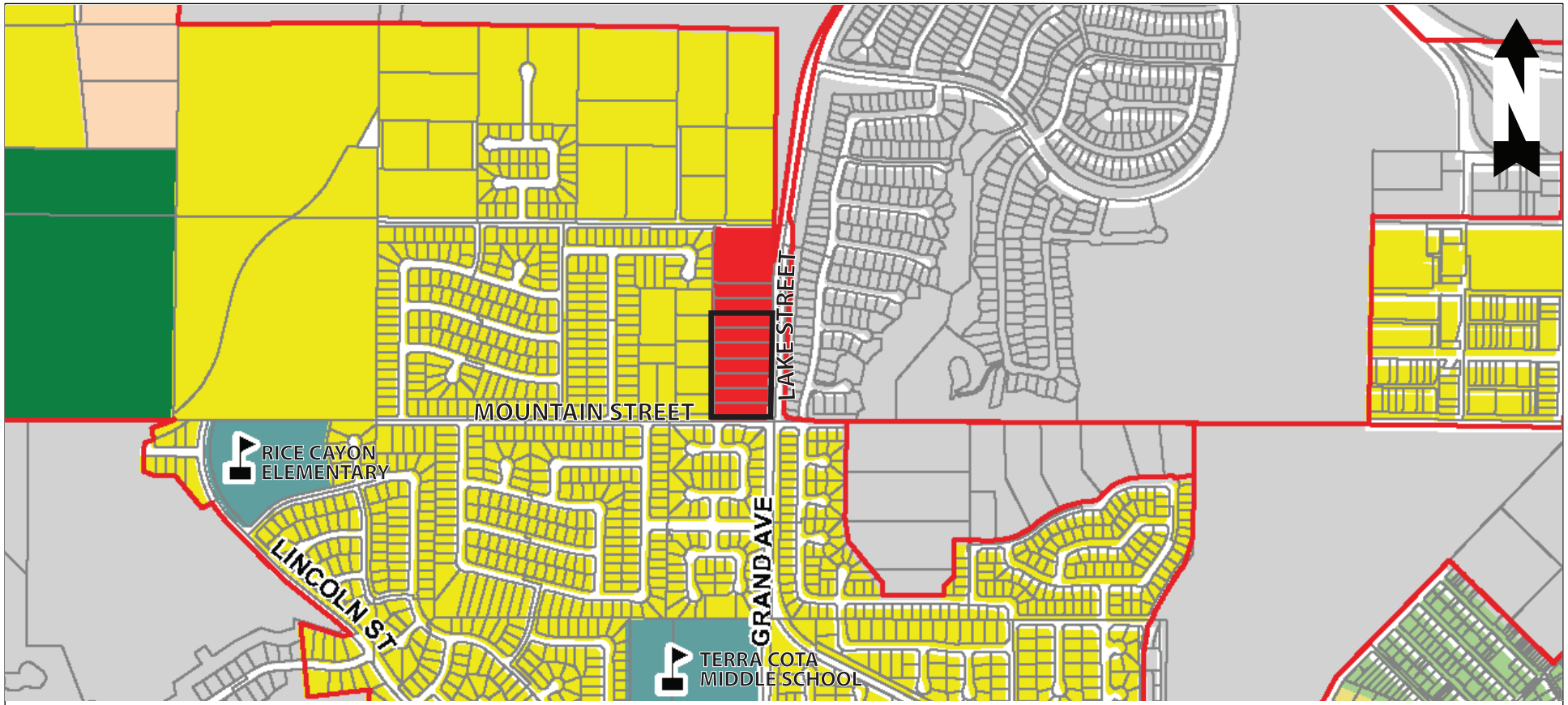

Photo 34 Facing North


Photo 35 Facing West


Photo 36 Facing West



Source: City of Lake Elsinore



Legend

- City Boundary
- Specific Plan Boundaries
- Historic Downtown District Boundary
- Interstate 15
- Highway 74
- City Hall
- Schools
- Parks
- **PROJECT SITE**
- RMR - Rural Mountainous Residential
- R-1 - Single Family Residential
- C2 - General Commercial
- R - Recreation
- Open Space
- Public Institutional
- Specific Plan

Source: City of Lake Elsinore

Table 3-1 - Existing Land Use and Zoning

Parcels	Acres	Zoning	General Plan
Parcel 1	0.914	C-2 General Commercial	General Commercial
Parcel 2	0.707	C-2 General Commercial	General Commercial
Parcel 3	1.076	C-2 General Commercial	General Commercial
Parcel 4	1.223	C-2 General Commercial	General Commercial
Parcel 5	1.048	C-2 General Commercial	General Commercial
Parcel 6	0.661	C-2 General Commercial	General Commercial

As previously mentioned, the project site is currently undeveloped apart from the single-family residential building and prefabricated home located on APN 389-030-014, a chimney and pit to the southeast corner of the project (APN 389-090-018), and a water tower to the northwest (APN 389-030-015). In addition, the project site is surrounded by residential uses to the north, west, east, and south. Topographic relief at the project site is relatively steep and slopes in various parts of the project site. The project site elevation ranges from approximately 1,480 to 1,520 feet above mean sea level for a difference of about +/- 40 feet across the entire site.

3.3.2 Surrounding Land Use

Land uses surrounding the project site include the following:

North: Directly adjacent to the north of the project site is a single-family residential lot which is designated as Low-Medium Residential by the City's General Plan and zoned Single Family Residential (R-1). Additionally, immediately to the north/northwest of the Low-Medium residential lot is a (standard lot size) single-family residential subdivision/neighborhood.

South: Adjacent to the south of the project site (on the south side of Mountain Street) are existing single-family residential homes in land that is designated Low-Medium Residential by the City's General Plan and zoned Single Family Residential (R-1).

East: Located directly to the east (on the east side of Lake Street) are existing single- family residential homes that are under a Specific Plan land use designation according to the City's General plan and zoning map.

West: Directly to the west of the project site is a single-family residential lot with one existing home that is designated Low-Medium Residential by the City's General Plan and zoned Single Family Residential (R-1). Immediately to the west of the Low-Medium residential lot is a (standard lot size) single-family residential subdivision/neighborhood.

3.4 Project Objectives

CEQA Guidelines Section 15124 requires an EIR to include a statement of objectives sought by the proposed project. The objectives assist in developing the range of proposed project alternatives to be evaluated in the EIR. The objectives of the proposed project include the following:

- Develop a new commercial and retail center along an Arterial street and within close proximity to other major roadways in a location that will serve the local community within the City of Lake Elsinore.

- Develop a project site of roughly 5 to 8 acres for commercial/retail uses, on a site where proposed development would be consistent with the existing General Plan land use and zoning designation, and in a manner that will fully utilize its development potential.
- Develop a new retail and commercial center which will serve the local community.
- Develop a project that will provide local employment opportunities and that will provide economic benefits to the community and City.
- Develop a new commercial/retail center with sustainable project features that reduces project impacts on the environment.
- Develop a cohesive commercial center that allows shoppers to enjoy eating facilities as well as shopping opportunities in one stop thereby reducing the number of traffic trips residents would take.

3.5 Project Characteristics

The proposed project includes a Tentative Tract Map (see Exhibit 3-7, *Tentative Tract Map),* that includes seven (7) parcels. The 6.07-acre project site would be developed with Parcel 1 consisting of Drive-Thru Restaurant A and Retail Building C consisting of 0.915 acres, Parcel 2 consisting of Drive-Thru Restaurant B and Retail Building D comprised of 0.707 acres, and Parcel 3 consisting of an express car wash on a 1.077-acre lot. Parcel 4 will consist of three (3) stormwater bioretention basins (WQMP) areas, a convenience store (C-Store), a quick service restaurant (QSR), and a six (6) micro pendant downlight (MPD) canopy comprised of 1.223 acres. Parcel 5 will consist of four (4) stormwater bioretention basins (WQMP) areas and Retail Building B, on a 1.049-acre parcel. Lastly, Parcel 6 will consist of Retail Building A that is made up of 0.661 acres. The remaining 0.44-acre of the site will be dedicated for road right-of-way purposes. Table 3-2 depicts the proposed project parcel acreages. Exhibit 3-8, *Proposed Site Plan*, shows the proposed project site.

Table 3-2 - Proposed Project Development

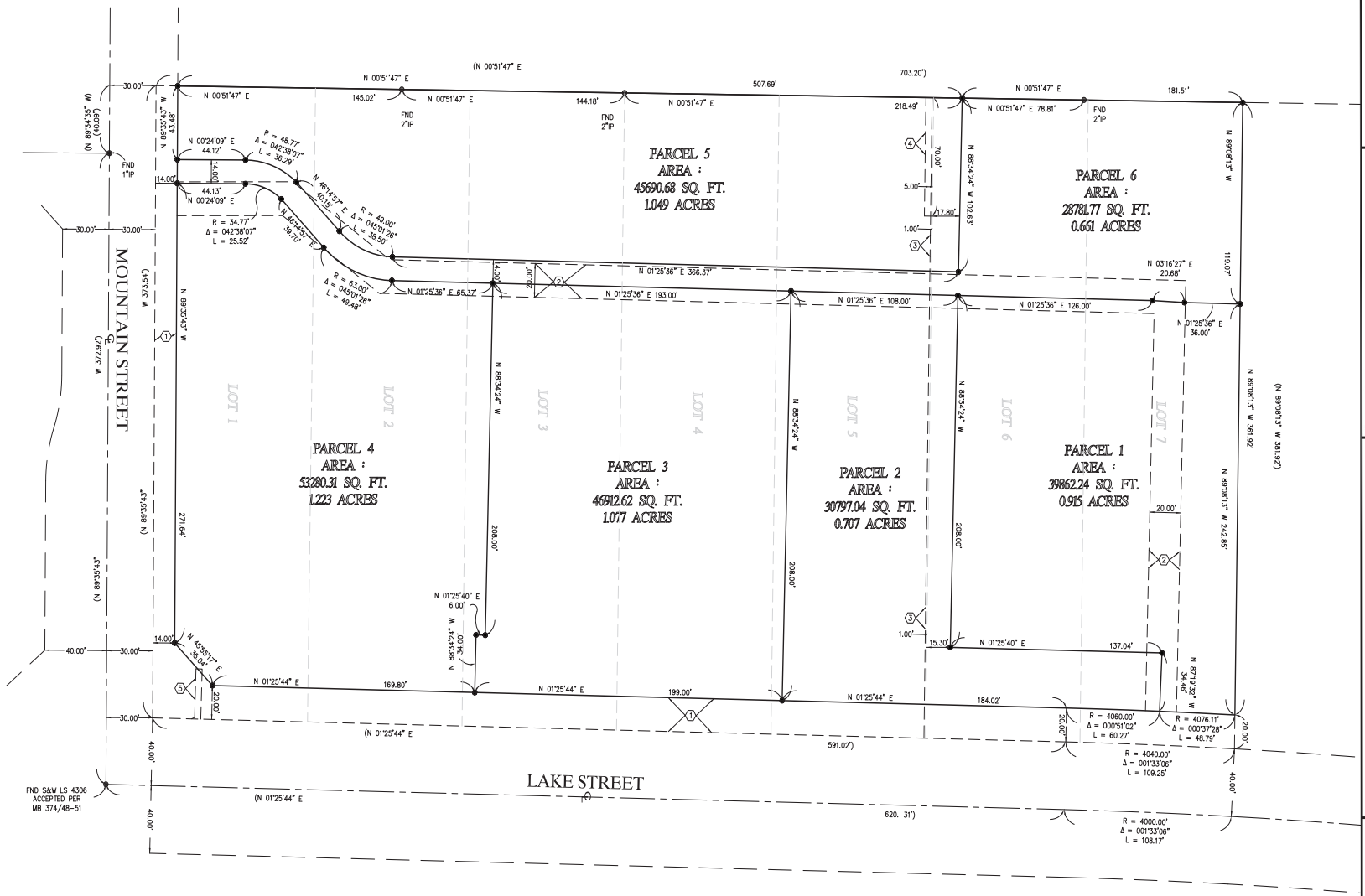
Proposed Development	Acreage
Parcel 1	0.915
Parcel 2	0.707
Parcel 3	1.077
Parcel 4	1.223
Parcel 5	1.049
Parcel 6	0.661

Site Preparation: Grading activities are proposed to be completed in one (1) phase and will be required to export approximately 22,416.87 cubic yards (cy) of material. Site grading is anticipated to take a total of approximately one month. In addition, over-excavation and compaction of on-site material is expected to be required. Exported material from the project site will be hauled away to the closest possible location in the Lake Elsinore area which accepts exported fill material.

Access/Circulation/Parking: Regional access to the project site would be provided by Interstate 15 (I-15) via Lake Street (see Exhibit 3-1- Regional Location Map). As seen in the project site plan (Exhibit 3-6), the project site would provide vehicle ingress/egress driveways along Mountain Street and along Lake Street. The project site would include one (1) ingress/egress driveway along Mountain Street, and two (2) ingress/egress driveways along Lake Street. These three (3) access driveways to the project site are proposed to be full-access, allowing left and right turns both entering and exiting to/from the project site. The proposed project provides

IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

TENTATIVE TRACT MAP NO. 37922



REVISIONS

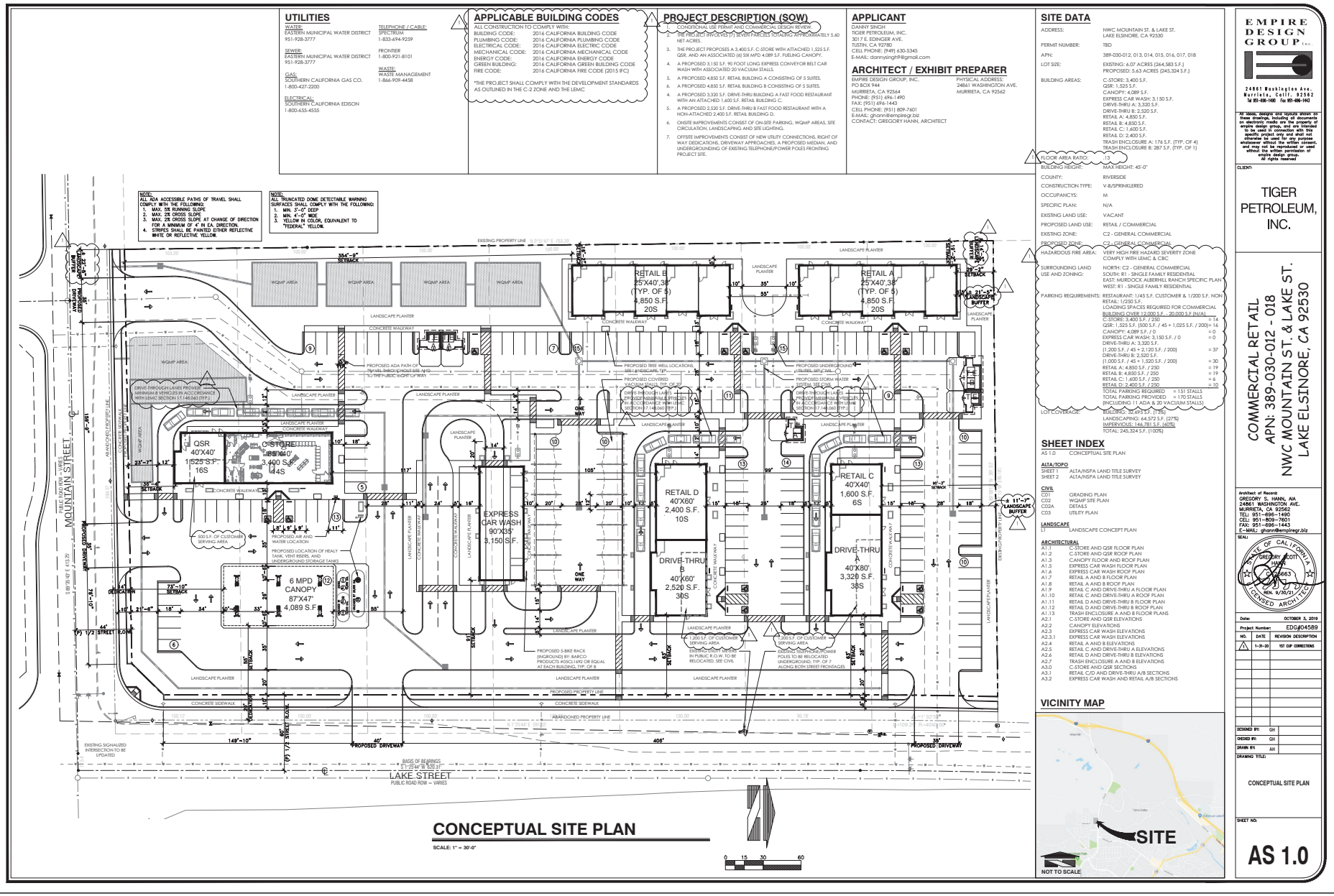
PLUMP ENGINEERING INC.
CONSULTING ENGINEERS IN CIVIL, STRUCTURAL, ENGINEERING AND LAND SURVEYING
914 E. KATELLA AVENUE
ANAHEIM, CALIFORNIA 92805
(714) 385-1855, FAX (714) 385-1854

TENTATIVE TRACT MAP

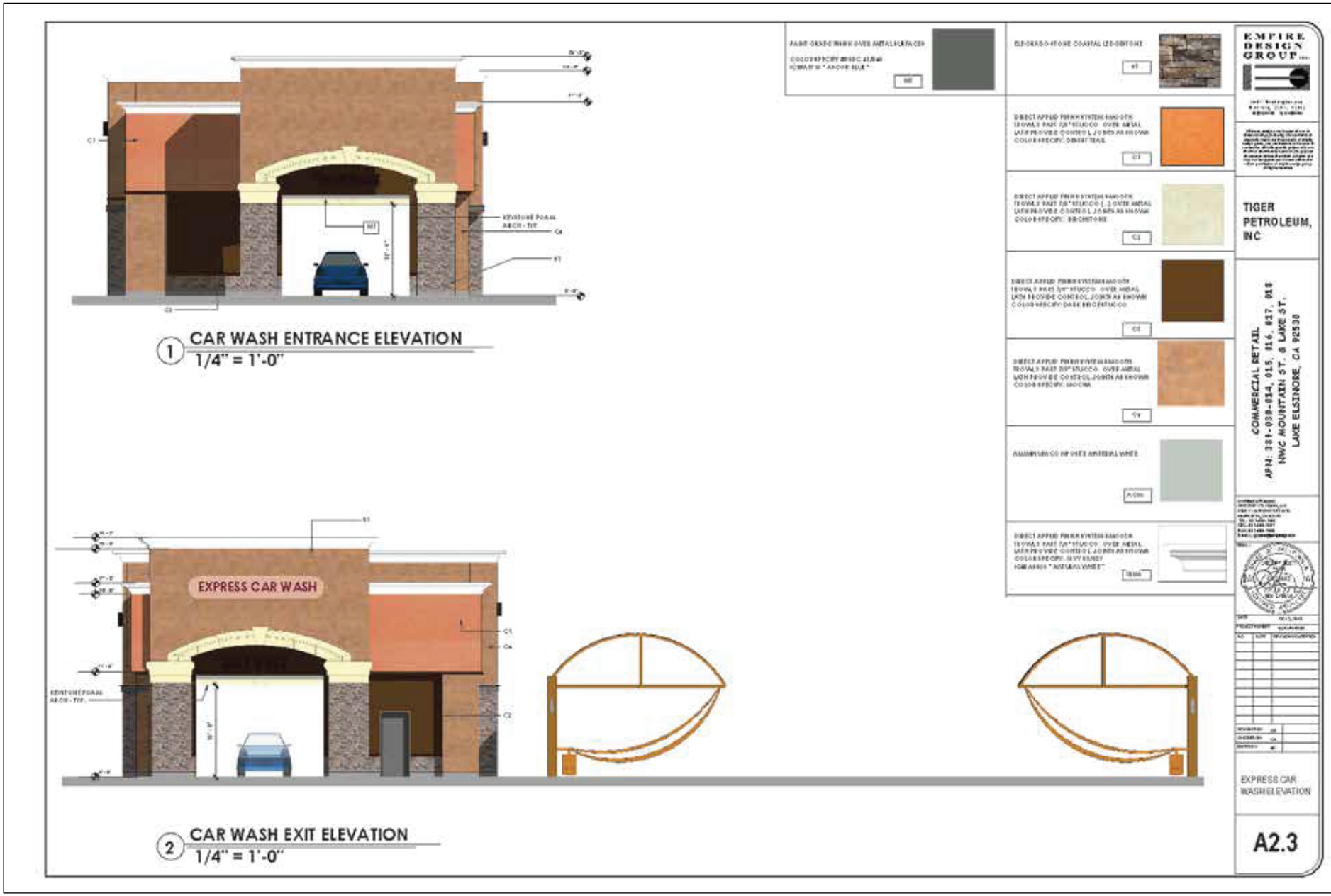
PROPOSED PARCELS
NWC MOUNTAIN ST. & LAKE ST.
LAKE ELSINORE, CA 92530

PREPARED FOR: EMPIRE DESIGN GROUP

SCALE:	1" = 30'
DATE:	03/24/2020
DRAWN BY:	DD
CHKD. BY:	RDF
SHEET	2
OF	5
FILE NO.	1908033


UTILITIES
WATER:
EASTERN MUNICIPAL WATER DISTRICT
951-928-3777
SEWER:
EASTERN MUNICIPAL WATER DISTRICT
951-928-3777
GAS:
SOUTHERN CALIFORNIA GAS CO.
1-800-427-2200
ELECTRICAL:
SOUTHERN CALIFORNIA EDISON
1-800-655-4555
TELEPHONE / CABLE:
SPECTRUM
1-833-694-9259
FRONTIER
1-800-921-8101
WASTE:
WASTE MANAGEMENT
1-866-909-4458
APPLICABLE BUILDING CODES
ALL CONSTRUCTION TO COMPLY WITH:
BUILDING CODE: 2016 CALIFORNIA BUILDING CODE
PLUMBING CODE: 2016 CALIFORNIA PLUMBING CODE
ELECTRICAL CODE: 2016 CALIFORNIA ELECTRIC CODE
MECHANICAL CODE: 2016 CALIFORNIA MECHANICAL CODE
ENERGY CODE: 2016 CALIFORNIA ENERGY CODE
GREEN BUILDING: 2016 CALIFORNIA GREEN BUILDING CODE
FIRE CODE: 2016 CALIFORNIA FIRE CODE (2015 IFC)
*THE PROJECT SHALL COMPLY WITH THE DEVELOPMENT STANDARDS AS OUTLINED IN THE C-2 ZONE AND THE LEMC.
PROJECT DESCRIPTION (SOW)
1. CONDITIONAL USE PERMIT AND COMMERCIAL DESIGN REVIEW.
2. THE PROJECT INVOLVES (7) SEVEN PARCELS TOTALING APPROXIMATELY 5.60 NET ACRES.
3. THE PROJECT PROPOSES A 3,400 S.F. C-STORE WITH ATTACHED 1,525 S.F. QSR, AND AN ASSOCIATED (6) SIX MPD 4,089 S.F. FUELING CANOPY.
4. A PROPOSED 3,150 S.F. 90 FOOT LONG EXPRESS CONVEYOR BELT CAR WASH WITH ASSOCIATED 20 VACUUM STALLS.
5. A PROPOSED 4,850 S.F. RETAIL BUILDING A CONSISTING OF 5 SUITES.
6. A PROPOSED 4,850 S.F. RETAIL BUILDING B CONSISTING OF 5 SUITES.
4. A PROPOSED 3,320 S.F. DRIVE-THRU BUILDING A FAST FOOD RESTAURANT WITH AN ATTACHED 1,600 S.F. RETAIL BUILDING C.
5. A PROPOSED 2,520 S.F. DRIVE-THRU B FAST FOOD RESTAURANT WITH A NON-ATTACHED 2,400 S.F. RETAIL BUILDING D.
6. ONSITE IMPROVEMENTS CONSIST OF ON-SITE PARKING, WQMP AREAS, SITE CIRCULATION, LANDSCAPING AND SITE LIGHTING.
7. OFFSITE IMPROVEMENTS CONSIST OF NEW UTILITY CONNECTIONS, RIGHT OF WAY DEDICATIONS, DRIVEWAY APPROACHES, A PROPOSED MEDIAN, AND UNDERGROUNDING OF EXISTING TELEPHONE/POWER POLES FRONTING PROJECT SITE.
APPLICANT
DANNY SINGH
TIGER PETROLEUM, INC.
3017 E. EDINGER AVE.
TUSTIN, CA 92780
CELL PHONE: (949) 630-5345
E-MAIL: dannysingh9@gmail.com
ARCHITECT / EXHIBIT PREPARER
EMPIRE DESIGN GROUP, INC.
PO BOX 944
MURRIETA, CA 92564
PHONE: (951) 696-1490
FAX: (951) 696-1443
CELL PHONE: (951) 809-7601
E-MAIL: ghann@empiregr.biz
CONTACT: GREGORY HANN, ARCHITECT
PHYSICAL ADDRESS:
24861 WASHINGTON AVE.
MURRIETA, CA 92562
SITE DATA
ADDRESS: NWC MOUNTAIN ST. & LAKE ST. LAKE ELSINORE, CA 92530
PERMIT NUMBER: TBD
APN: 389-030-012, 013, 014, 015, 016, 017, 018
LOT SIZE: EXISTING: 6.07 ACRES (264,583 S.F.) PROPOSED: 5.63 ACRES (245,324 S.F.)
BUILDING AREAS: C-STORE: 3,400 S.F. QSR: 1,525 S.F. CANOPY: 4,089 S.F. EXPRESS CAR WASH: 3,150 S.F. DRIVE-THRU A: 3,320 S.F. DRIVE-THRU B: 2,520 S.F. RETAIL A: 4,850 S.F. RETAIL B: 4,850 S.F. RETAIL C: 1,600 S.F. RETAIL D: 2,400 S.F. TRASH ENCLOSURE A: 176 S.F. (TYP. OF 4) TRASH ENCLOSURE B: 287 S.F. (TYP. OF 1)
FLOOR AREA RATIO: .13
BUILDING HEIGHT: MAX HEIGHT: 45'-0"
COUNTY: RIVERSIDE
CONSTRUCTION TYPE: V-B/SPRINKLERED
OCCUPANCY'S: M
SPECIFIC PLAN: N/A
EXISTING LAND USE: VACANT
PROPOSED LAND USE: RETAIL / COMMERCIAL
EXISTING ZONE: C2 - GENERAL COMMERCIAL
PROPOSED ZONE: C2 - GENERAL COMMERCIAL
HAZARDOUS FIRE AREA: VERY HIGH FIRE HAZARD SEVERITY ZONE COMPLY WITH LEMC & CBC
SURROUNDING LAND USE AND ZONING: NORTH: C2 - GENERAL COMMERCIAL SOUTH: R1 - SINGLE FAMILY RESIDENTIAL EAST: MURDOCK ALBERHILL RANCH SPECIFIC PLAN WEST: R1 - SINGLE FAMILY RESIDENTIAL
PARKING REQUIREMENTS: RESTAURANT: 1/45 S.F. CUSTOMER & 1/200 S.F. NON RETAIL: 1/250 S.F. LOADING SPACES REQUIRED FOR COMMERCIAL BUILDING OVER 12,000 S.F. - 20,000 S.F. (N/A)
C-STORE: 3,400 S.F. / 250 = 14
QSR: 1,525 S.F. (500 S.F. / 45 + 1,025 S.F. / 200) = 16
CANOPY: 4,089 S.F. / 0 = 0
EXPRESS CAR WASH: 3,150 S.F. / 0 = 0
DRIVE-THRU A: 3,320 S.F. (1,200 S.F. / 45 + 2,120 S.F. / 200) = 37
DRIVE-THRU B: 2,520 S.F. (1,000 S.F. / 45 + 1,520 S.F. / 200) = 30
RETAIL A: 4,850 S.F. / 250 = 19
RETAIL B: 4,850 S.F. / 250 = 19
RETAIL C: 1,600 S.F. / 250 = 6
RETAIL D: 2,400 S.F. / 250 = 10
TOTAL PARKING REQUIRED = 151 STALLS
TOTAL PARKING PROVIDED = 170 STALLS (INCLUDING 11 ADA & 20 VACUUM STALLS)
LOT COVERAGE: BUILDING: 32,693 S.F. (13%) LANDSCAPING: 64,572 S.F. (27%) IMPERVIOUS: 146,781 S.F. (60%) TOTAL: 245,324 S.F. (100%)
SHEET INDEX
AS 1.0 CONCEPTUAL SITE PLAN
ALTA/TOPO
SHEET 1 ALTA/NSPA LAND TITLE SURVEY
SHEET 2 ALTA/NSPA LAND TITLE SURVEY
CIVIL
C01 GRADING PLAN
C02 WQMP SITE PLAN
C02A DETAILS
C03 UTILITY PLAN
LANDSCAPE
L1 LANDSCAPE CONCEPT PLAN
ARCHITECTURAL
A1.1 C-STORE AND QSR FLOOR PLAN
A1.2 C-STORE AND QSR ROOF PLAN
A1.3 CANOPY FLOOR AND ROOF PLAN
A1.5 EXPRESS CAR WASH FLOOR PLAN
A1.6 EXPRESS CAR WASH ROOF PLAN
A1.7 RETAIL A AND B FLOOR PLAN
A1.8 RETAIL A AND B ROOF PLAN
A1.9 RETAIL C AND DRIVE-THRU A FLOOR PLAN
A1.10 RETAIL C AND DRIVE-THRU A ROOF PLAN
A1.11 RETAIL D AND DRIVE-THRU B FLOOR PLAN
A1.12 RETAIL D AND DRIVE-THRU B ROOF PLAN
A1.13 TRASH ENCLOSURE A AND B FLOOR PLANS
A2.1 C-STORE AND QSR ELEVATIONS
A2.2 CANOPY ELEVATIONS
A2.3 EXPRESS CAR WASH ELEVATIONS
A2.3.1 EXPRESS CAR WASH ELEVATIONS
A2.4 RETAIL A AND B ELEVATIONS
A2.5 RETAIL C AND DRIVE-THRU A ELEVATIONS
A2.6 RETAIL D AND DRIVE-THRU B ELEVATIONS
A2.7 TRASH ENCLOSURE A AND B ELEVATIONS
A3.0 C-STORE AND QSR SECTIONS
A3.1 RETAIL C/D AND DRIVE-THRU A/B SECTIONS
A3.2 EXPRESS CAR WASH AND RETAIL A/B SECTIONS
VICINITY MAP
SITE
NOT TO SCALE
NOTE: ALL ADA ACCESSIBLE PATHS OF TRAVEL SHALL COMPLY WITH THE FOLLOWING: 1. MAX. 5% RUNNING SLOPE 2. MAX. 2% CROSS SLOPE 3. MAX. 2% CROSS SLOPE AT CHANGE OF DIRECTION FOR A MINIMUM OF 4' IN EA. DIRECTION. 4. STRIPES SHALL BE PAINTED EITHER REFLECTIVE WHITE OR REFLECTIVE YELLOW.
NOTE: ALL TRUNCATED DOME DETECTABLE WARNING SURFACES SHALL COMPLY WITH THE FOLLOWING: 1. MIN. 3'-0" DEEP 2. MIN. 4'-0" WIDE 3. YELLOW IN COLOR, EQUIVALENT TO "FEDERAL" YELLOW.
RETAIL B 25'X40',3S (TYP. OF 5) 4,850 S.F. 20S
RETAIL A 25'X40',3S (TYP. OF 5) 4,850 S.F. 20S
QSR 40'X40' 1,525 S.F. 16S
C-STORE 58'X60' 3,400 S.F. 44S
RETAIL C 40'X40' 1,600 S.F. 6S
RETAIL D 40'X60' 2,400 S.F. 10S
DRIVE-THRU B 40'X60' 2,520 S.F. 30S
DRIVE-THRU A 40'X80' 3,320 S.F. 38S
EXPRESS CAR WASH 90'X35' 3,150 S.F.
6 MPD CANOPY 87'X47' 4,089 S.F.
MOUNTAIN STREET
LAKE STREET
CONCEPTUAL SITE PLAN
SCALE: 1" = 30'-0"
EMPIRE DESIGN GROUP, INC.
24861 Washington Ave. Murrieta, Calif. 92562
Tel 951-696-1490 Fax 951-696-1443
CLIENT:
TIGER PETROLEUM, INC.
COMMERCIAL RETAIL
APN: 389-030-012 - 018
NWC MOUNTAIN ST. & LAKE ST.
LAKE ELSINORE, CA 92530
Architect of Record
GREGORY S. HANN, AIA
24861 WASHINGTON AVE.
MURRIETA, CA 92562
TEL: 951-696-1490
CEL: 951-809-7601
FAX: 951-696-1443
E-MAIL: ghann@empiregr.biz
SEAL
STATE OF CALIFORNIA GREGORY S. SCOTT HANN C-36663 REN. 9/30/21 LICENSED ARCHITECT
Date: OCTOBER 3, 2019
Project Number: EDG#04589
NO. DATE REVISION DESCRIPTION
1 1-31-20 1ST CUP CORRECTIONS
DESIGNED BY: GH
CHECKED BY: GH
DRAWN BY: AH
DRAWING TITLE:
CONCEPTUAL SITE PLAN
SHEET NO:
AS 1.0


SIGN
SIGN
1 FRONT ELEVATION
3/16" = 1'-0"
2 REAR ELEVATION
3/16" = 1'-0"
3 RIGHT SIDE ELEVATION
3/16" = 1'-0"
4 LEFT SIDE ELEVATION
3/16" = 1'-0"
NOTE : ALL SIGNAGE ARE ON A SEPARATE PERMIT
EMPIRE DESIGN GROUP
TIGER PETROLEUM, INC
COMMERCIAL RETAIL
APN: 389-030-014, 015, 016, 017, 018
NWC MOUNTAIN ST. & LAKE ST
LAKE ELSINORE, CA 92530
C STORE AND QSR ELEVATION
A2.1


EMPIRE DESIGN GROUP
TIGER PETROLEUM, INC
COMMERCIAL RETAIL
APN: 388-038-014, 015, 016, 017, 018
NWC MOUNTAIN ST. & LAKE ST.
LAKE ELSINORE, CA 92530
EXPRESS CAR WASH ELEVATION
A2.3
1 CAR WASH ENTRANCE ELEVATION
1/4" = 1'-0"
EXPRESS CAR WASH
2 CAR WASH EXIT ELEVATION
1/4" = 1'-0"

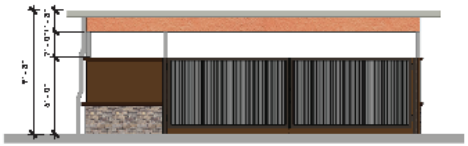

EXPRESS CAR WASH
1 CAR WASH RIGHT SIDE ELEVATION
1/4" = 1'-0"
EXPRESS CAR WASH
2 CAR WASH LEFT SIDE ELEVATION
1/4" = 1'-0"
EMPIRE DESIGN GROUP
TIGER PETROLEUM, INC
COMMERCIAL RETAIL
APN: 389-830-014, 015, 016, 017, 018
NWC MOUNTAIN ST. & LAKE ST.
LAKE ELSINORE, CA 92530
EXPRESS CAR WASH ELEVATION
A2.3.1


SIGN
SIGN
SIGN
SIGN
SIGN
1 RETAIL A AND B FRONT ELEVATION
3/16" = 1'-0"
2 RETAIL A AND REAR ELEVATION
3/16" = 1'-0"
3 RETAIL A AND B SIDE ELEVATION
3/16" = 1'-0"
NOTE : ALL SIGNAGE ARE ON A SEPARATE PERMIT
EMPIRE DESIGN GROUP
TIGER PETROLEUM, INC
COMMERCIAL RETAIL
APN: 389-030-014, 015, 016, 017, 018
NWC MOUNTAIN ST. & LAKE ST.
LAKE ELSINORE, CA 92530
RETAIL A AND B ELEVATION
A2.4

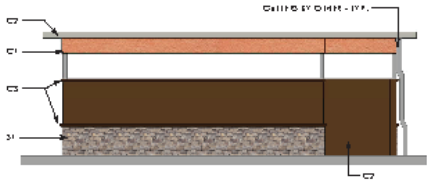

EMPIRE DESIGN GROUP
TIGER PETROLEUM, INC
COMMERCIAL RETAIL
APN: 389-090-014, 015, 016, 017, 018
NWC MOUNTAIN ST. & LAKE ST.
LAKE ELSINORE, CA 92530
1 RETAIL C AND DRIVE THRU REAR ELEVATION
3/16" = 1'-0"
SIGN
SIGN
2 RETAIL C AND DRIVE THRU FRONT ELEVATION
3/16" = 1'-0"
3 RETAIL C AND DRIVE THRU SIDE ELEVATION
3/16" = 1'-0"
NOTE : ALL SIGNAGE ARE ON A SEPARATE PERMIT
RETAIL C AND DRIVE THRU ELEVATION
A2.5


EMPIRE DESIGN GROUP
TIGER PETROLEUM, INC
COMMERCIAL RETAIL
APN: 389-030-014, 015, 016, 017, 018
NWC MOUNTAIN ST. & LAKE ST.
LAKE ELSINORE, CA 92330
SIGN
SIGN
1 RETAIL D AND DRIVE THRU REAR ELEVATION
3/16" = 1'-0"
2 RETAIL D AND DRIVE THRU FRONT ELEVATION
3/16" = 1'-0"
3 RETAIL D AND DRIVE THRU SIDE ELEVATION
3/16" = 1'-0"
NOTE : ALL SIGNAGE ARE ON A SEPARATE PERMIT
RETAIL D AND DRIVE THRU ELEVATION
A2.6

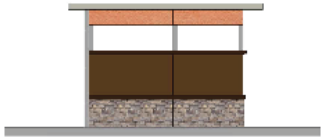
NOTE : ALL SIGNAGE ARE ON A SEPARATE PERMIT



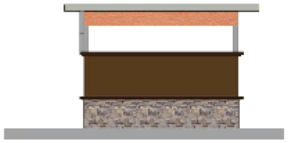
1 TRASH ENCLOSURE FRONT ELEVATION TYPE B
1/4" = 1'-0"



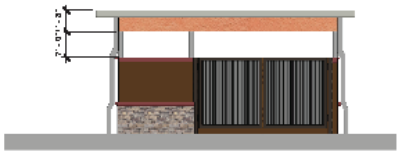
2 TRASH ENCLOSURE REAR ELEVATION TYPE B
1/4" = 1'-0"



3 TRASH ENCLOSURE RIGHT ELEVATION TYPE B
1/4" = 1'-0"

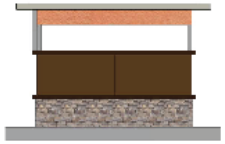


4 TRASH ENCLOSURE LEFT ELEVATION TYPE B
1/4" = 1'-0"

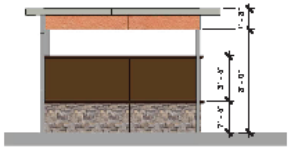


5 TRASH ENCLOSURE FRONT ELEVATION TYPE A
1/4" = 1'-0"

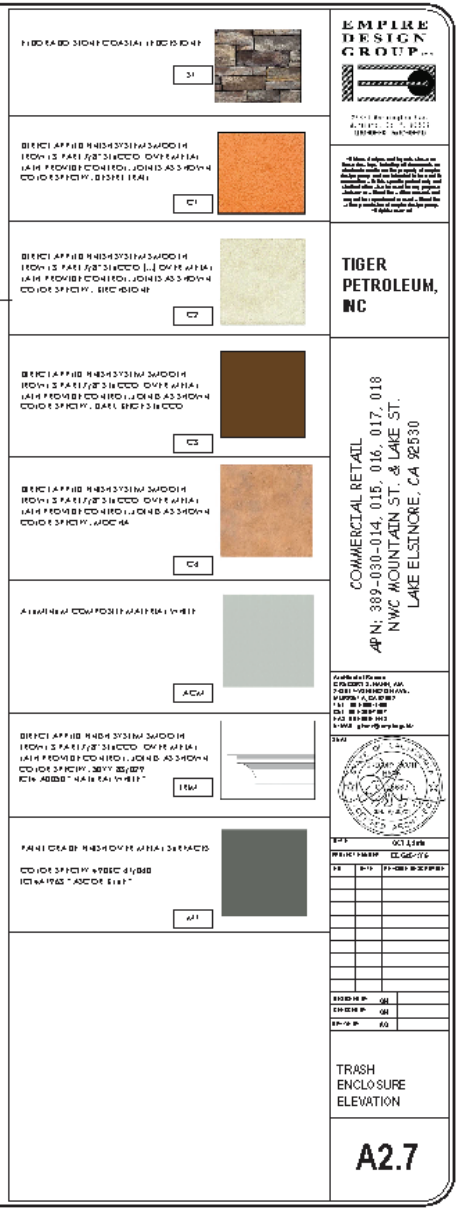
6 TRASH ENCLOSURE REAR ELEVATION TYPE A
1/4" = 1'-0"



7 TRASH ENCLOSURE RIGHT ELEVATION TYPE A
1/4" = 1'-0"



8 TRASH ENCLOSURE LEFT ELEVATION TYPE A
1/4" = 1'-0"



EMPIRE DESIGN GROUP

TIGER PETROLEUM, INC

COMMERCIAL RETAIL
APN: 389-030-014, 015, 016, 017, 018
NWC MOUNTAIN ST. & LAKE ST.
LAKE ELSINORE, CA 92530

TRASH ENCLOSURE ELEVATION

A2.7

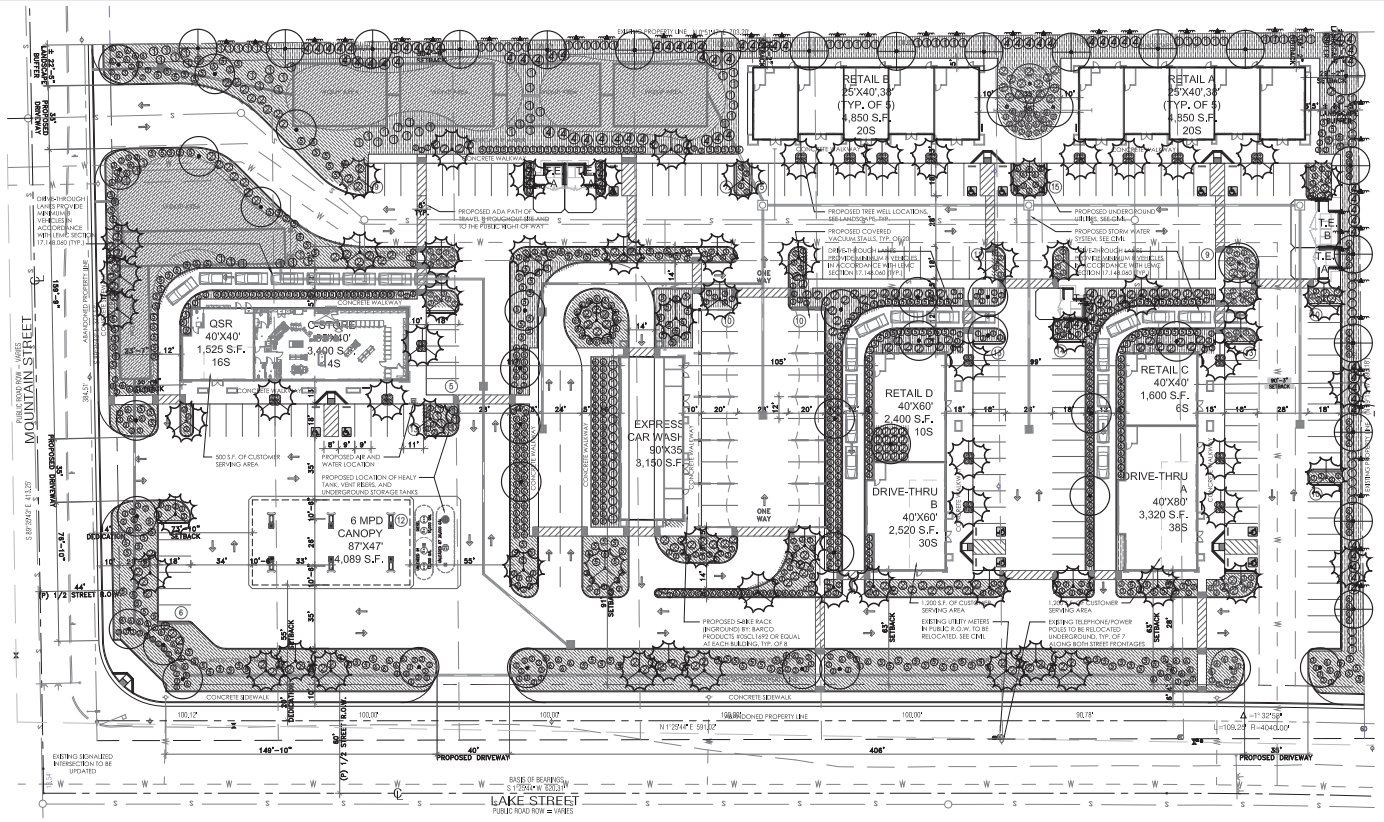
parking throughout the project site with approximately 170 parking stalls including 11 ADA, 20 vacuum stalls, and bicycle racks. External circulation is provided by pedestrian sidewalks are provided along Lake Street and Mountain Street. Internal circulation is also provided by pedestrian sidewalks along the proposed buildings and stripped walkways along the public right of way.

Building Architecture/Building Elevations: The proposed project would consist of modern architectural buildings with high arch entrances and flat roofs and a maximum height of 30 feet as shown in Exhibit 3-9, *Proposed Building Elevations*. The proposed project would also utilize earth tone building materials such as stucco and ledgestone that would be complementary of the surrounding area.

Roadway Improvements: The following roadway improvements would be implemented as part of the proposed project:

- Driveway 1/Ginger Root Way & Mountain Street – The following improvement is necessary to accommodate site access: Project to install a stop control on the southbound approach and construct a southbound shared left-through-right turn lane.
- Driveway 2 & Mountain Street – The following improvement is necessary to accommodate site access: Project to install a stop control on the southbound approach and construct a southbound right turn lane. Project will construct a pork chop island to restrict access to right-in/right-out only.
- Lake Street & Driveway 3 – The following improvement is necessary to accommodate site access: Project to install a stop control on the eastbound approach and construct an eastbound right turn lane. Project will construct a raised median on Lake Street to restrict access at this driveway to right-in/right-out only.
- Lake Street & Driveway 4 – The following improvement is necessary to accommodate site access: Project to install a stop control on the eastbound approach and construct an eastbound right turn lane. Project will construct a raised median on Lake Street to restrict access at this driveway to right-in/right-out only.
- Lake Street & Mountain Street – The following improvement is necessary to accommodate peak hour queues: Maintain the existing traffic control and lane geometrics, however, the Project should modify the existing median on Lake Street to accommodate a 285-foot northbound left turn lane.
- Mountain Street – Mountain Street is an east-west oriented roadway located at the southern Project boundary. Construct Mountain Street to its ultimate half-section along the Project's frontage on the north side as a Local Street (60-foot right-of-way) in compliance with applicable City of Lake Elsinore standards. The Project will construct a pork chop island to restrict access to right-in/right-out access only for Driveway 2.
- Lake Street – Lake Street is a north-south oriented roadway located at the eastern Project boundary. Construct Lake Street to its ultimate half-section along the Project's frontage on the west side as an Urban Arterial Highway (120-foot right-of-way) in compliance with applicable City of Lake Elsinore standards. The Project will construct the raised median on Lake Street to restrict access to right-in/right-out access only at the two driveways on Lake Street.

Landscaping: The project site is proposed to be landscaped in compliance with Chapter 19.08 and Section 17.112.060 of the Lake Elsinore Municipal Code, as detailed in the Conceptual Landscape Plan. As shown in Exhibit 3-10, *Proposed Landscape Plan,* the project boundary will be landscaped with drought tolerant shrubs and trees that will provide shaded areas and a defined border of the project site. Trees will also be planted within the interior of that the project site to break up the impervious areas and to provide shade within the parking areas.



LANDSCAPE NOTES

1. ALL LANDSCAPING AND IRRIGATION TO BE INSTALLED BY OWNER OR OWNERS AGENT, IN ACCORDANCE WITH ALL LOCAL CODES AND REGULATIONS.
2. ALL LANDSCAPING SHALL BE MAINTAINED BY OWNER OR OWNERS AGENT.
3. ALL PLANTING SHALL BE CONFINED WITHIN PROPERTY LINES OF THE LOT.
4. IRRIGATION AND PLANTING SHALL BE INSTALLED TO PROMOTE EFFICIENT USE OF WATER.
5. ALL STREET TREES AND ANY TREE WITHIN 8' FT. OF WALLS, HARDSCAPE, OR BUILDINGS SHALL BE INSTALLED WITH CITY APPROVED LINEAR BIO BARRIER ROOT CONTROL BARRIERS OR EQUAL.
6. ALL PLANTING LOCATIONS ARE APPROXIMATE, CONTRACTOR SHALL VERIFY ALL PLANT LOCATIONS WITH THE OWNER OR THE OWNERS REPRESENTATIVE PRIOR TO PLANTING.
7. ALL TREES SHALL BE DOUBLE STAKED PER LOCAL CODES.
8. REFER TO LANDSCAPE CONSTRUCTION DRAWING SET FOR PLANTING DETAILS AND SPECIFICATIONS.
9. TREE PLACEMENT MINIMUMS SHALL BE: 10' FROM LIGHT STANDARDS, POWER POLES, AND DRIVE APPROACHES AND 5' FROM FIRE HYDRANTS, UTILITIES AND PROPERTY LINES. NO TREES ALLOWED IN SWALES.
10. ALL 2:1 SLOPES SHALL BE PLANTED AND IRRIGATED PER THE CITY OF LAKE ELSINORE CODES AND REGULATIONS.
11. ALL IRRIGATION SYSTEMS SHALL BE INSTALLED PER ALL STATE AND CITY OF LAKE ELSINORE CODES AND REGULATIONS.
12. ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH AN AUTOMATIC ET BASED CONTROLLER AND DRIP IRRIGATION SYSTEM WHERE WATER IS CONSERVED. THERE IS NO RUN-OFF, AND WHERE HYDROZONE AREAS ARE VALVED SEPARATELY. REFER TO LANDSCAPE CONSTRUCTION DRAWING SET FOR IRRIGATION DETAILS AND SPECIFICATIONS.
13. ALL SHRUB PLANTER AREAS SHALL RECEIVE A 3" LAYER MIN. OF MEDIUM BARK MULCH OR DECOMPOSED GRANITE (D.G.) THROUGHOUT.
14. ALL LANDSCAPED AREAS SHALL BE KEPT FREE FROM WEEDS AND DEBRIS AND MAINTAINED IN A HEALTHY, GROWING CONDITION AND SHALL RECEIVE REGULAR PRUNING, FERTILIZING, AND TRIMMING. ANY DAMAGED, DEAD, DISEASED, OR DECAYING PLANT MATERIAL SHALL BE REPLACED WITHIN 30 DAYS FROM THE DATE OF DAMAGE.
15. ALL LANDSCAPING SHALL BE WITHIN PLANTERS BOUNDED BY A CURB AT LEAST SIX INCHES HIGH, A SEMINCH HIGH CURB WITH A TWELVE (12) INCH WIDE CONCRETE WALKWAY SHALL BE CONSTRUCTED ALONG PLANTERS ON END STALLS ADJACENT TO VEHICLE PARKING SPACES.

WATER CALCULATIONS

MAXIMUM APPLIED WATER ALLOWANCE

MAWA = Maximum Applied Water Allowance (GALLONS)

MAWA = (ETo) x (0.62) x [(0.45 x LA) + (0.3 x SLA)]

ETo = Reference Evapotranspiration (inches per year)	55.1
0.62 = Conversion Factor (to gallons per square foot)	0.62
0.55 = ET Adjustment Factor (45% of Reference ET)	0.45
LA = Total Landscaped Area (square feet)	71,883
SLA = Special Landscape Area	0
TOTAL MAWA	1,106,050.1

PLANT PALLETTE

SYMBOL	BOTANICAL NAME/COMMON NAME	SIZE	QTY.
PROPOSED TREES:			
	ARBUTUS 'MARINA' / MARINA ARBUTUS	24" BOX	20
	CERCIDIUM F. 'DESERT MUSEUM' / DESERT MUSEUM PALO VERDE	24" BOX	70
	OLEA EUROPAEA 'SWAN HILL' / SWAN HILL OLIVE	36" BOX	35
	NOTE: PROVIDE A PRE-APPROVED ROOT BARRIER FOR ALL TREES PLANTED WITHIN 8'-0" OF HARDSCAPE OR WALLS AND PROVIDE A MINIMUM OF 3'-0" CLEARANCE BETWEEN TREE TRUNK AND ADJACENT STRUCTURE OR WALLS		
PROPOSED SHRUBS:			
1	CAESALPINIA PULCHERRIMA / RED BIRD OF PARADISE	5 GAL.	136
2	GAURA LINDHEIMERI / GAURA	5 GAL.	195
3	HESPERALOE PARVIFLORA / RED YUCCA	1 GAL.	372
4	LAVATERA MARITIMA / TREE MALLOW	5 GAL.	81
5	SALVIA LEUCANTHA / MEXICAN BUSH SAGE	5 GAL.	194
6	MUHLENBERGIA C. 'REGAL MIST' / PINK MUHLY GRASS	5 GAL.	360
PROPOSED VINES:			
	MACFYDENA UNGIS-CATI / CAT'S CLAW VINE	5 GAL.	47

SYMBOL			
PROPOSED GROUND COVER:			
	MYOPORUM PARVIFOLIUM / MYOPORUM	1 GAL. @ 3' O.C.	26,474 S.F. = 2,912 PLANTS
	LANTANA M. 'GOLD RUSH' / GOLD RUSH LANTANA	1 GAL. @ 3' O.C.	32,043 S.F. = 3,525 PLANTS
NO SYMBOL	MEDIUM BARK MULCH THROUGHOUT ALL SHRUB/G.C. AREAS	3" LAYER MIN.	71,883 S.F. = 665 CU. YDS.
PROPOSED INFILTRATION BASIN PLANTING:			
	MUHLENBERGIA RIGENS / DEER GRASS	1 GAL. @ 4' O.C.	13,366 S.F. = 842 PLANTS

NOTES:
1. ALL PROPOSED TREES, SHRUBS, VINE, AND GROUND COVER ARE TO BE IRRIGATED WITH AN AUTOMATIC ET BASED CONTROLLER AND DRIP IRRIGATION SYSTEM.
2. EXISTING TREES TO REMAIN. DAMAGED TREES ARE TO BE REPLACED TO MATCH EXISTING.
3. EXISTING SHRUBS, TURF AREAS, AND IRRIGATION ARE TO BE REMOVED.
4. THE SHAPE OF THE WQMP BASINS ARE TO BE COORDINATED BETWEEN THE CIVIL ENGINEER AND THE LANDSCAPE ARCHITECT IN THE CONSTRUCTION DRAWING PHASE.
5. TOTAL NEW PROPOSED LANDSCAPE AREA: 71,883 S.F

ROBERT TAFT + ASSOCIATES
Landscape Architecture

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Email: RobertTaftLA@gmail.com

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Murrieta, CA 92562
Contact: Gregory S Hann
Phone: 951.696.1490
Fax: 951.696.1443
Email: ghahn@empiregr.biz

Project

LAKE ELSINORE COMMERCIAL / RETAIL CENTER

NWC Mountain St. & Lake St.
Lake Elsinore, California 92530

Plans

LANDSCAPE PLANS

Seal

No.	Revision	Date

Sheet Title

LANDSCAPE CONCEPT PLAN

Drawn: R.E.T.	Sheet: **L1**
Date: February 17, 2020	
Scale: See Plan	
Job No.	of 1

Storm Drainage: Hydrology and Water Quality Management Plan (WQMP) reports were prepared for the project site and can be found as Appendices E and N. The existing peak runoff from the project site was calculated to be 0.05 cubic feet per second (cfs) and 0.06 cfs for the 10-year and 25-year storms. In addition to this, the report analyzed peak runoffs from the project site after improvements and they were calculated to be 2.95 cfs and 3.68 cfs for the 10-year and 25-year storms, respectively. Therefore, outlet detention and retention will be necessary in order to achieve pre-development conditions to protect the downstream storm drains. Furthermore, existing runoff volumes from the project area were calculated to be 2.28 acre-feet (AF for the 100-year storm. However, with the proposed improvements runoff volume was calculated to be 2.71 AF for the 100-year storm. Post development condition (for stormwater runoff) would be 16% higher than the predevelopment condition.

The proposed grading and drainage are designed to maintain a similar flow pattern to the existing conditions. Landscaping along the east and south side of the property will prevent stormwater flow towards Lake Street and Mountain Street. Approximately 28% of the project site will be developed for landscaping, including biofiltration with underdrain. Run-off from the project site will be treated with the biofiltration with underdrain, which will be located to the west and south portion of the project site (see Exhibit 3-7, *Conceptual Site Plan)*. The biofiltration system will be designed to retain and treat a designated volume stormwater runoff. As seen on the *Conceptual Site Plan,* there are four (4) bioretention basins to the west and three (3) to the south. Based on the elevation on the north side of the property, runoff will flow away from the adjacent properties. The proposed drainage pattern will direct runoff to the infiltration trench located at the southwest corner of the property for treatment. Overflow from the biofiltration system will discharge to the curb and gutter on Mountain Street and flow to the existing 6 feet x 5 feet reinforced box culvert (RBC) catch basin on Lake Street.

Utilities: Water and wastewater services will be provided to the project site by the Elsinore Valley Municipal Water District (EVMWD) (Appendix O). The proposed project is anticipated to connect to existing service lines that are located on Mountain Street and Lake Street. The proposed project will be supplied with natural gas from Southern California Gas Co. (SoCal Gas), electricity from Southern California Edison (SCE), Spectrum and Frontier for telephone and cable services, and Waste Management for solid waste disposal. The project site will be equipped with an adequate number of fire hydrants that are located along Lake and Mountain Streets and within the project site. The project site is currently equipped with overhead electrical lines located along both Mountain Street and Lake Street. The proposed project would connect to these existing electrical lines. In addition, the project will also connect to existing gas lines located on Mountain Street and Lake Street and to existing telephone lines along Lake Street.

Lighting. The proposed Project includes the installation of outdoor nighttime lighting throughout the Project site. Exterior light poles would be installed throughout the parking lots on the site to provide lighting for security and way-finding. Additionally, exterior lighting in the form of wall mounted lights and sconces would be installed on all sides of the proposed buildings. Lighting would be subject to compliance with Section 17.112.040 of the Lake Elsinore Municipal Code, which states all outdoor lighting fixtures in excess of 60 watts shall be oriented and shielded to prevent direct illumination above the horizontal plane passing through the luminaire and prevent any glare or direct illumination on adjacent properties or streets.

Heating Ventilation and Air Conditioning (HVA) systems. Title 24 California Code of Regulations establishes energy efficiency requirements for new construction. The proposed project would employ an HVAC system that would comply with the industry baseline standards and California Title 24 requirements.

3.6 Project Construction

Anticipated Construction Schedule. Proposed project construction is anticipated to take approximately 13 months and will commence in May 2020 and end June 2020. Construction will consist of the following activities: site preparation, grading, building construction, paving, and application of architectural coatings. The design and construction of the proposed project has been developed in compliance with section 15.02.010 of the Lake Elsinore Municipal Code. Construction duration by phase is shown in Table 3-3. The duration of construction activity was estimated based on CalEEMod model defaults, past project experience, and a 2021 project buildout year. The construction schedule utilized in the analysis, shown in Table 3-3, represents a "worst-case" analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent.

Table 3-3: Construction Duration

Phase Name	Start Date	End Date	Days
Site Preparation	05/30/2020	06/12/2020	10
Grading	06/13/2020	07/10/2020	20
Building Construction	07/11/2020	05/28/2021	230
Paving	05/29/2021	06/25/2021	20
Paving	06/26/2021	07/23/2021	20

Conceptual Grading Plan. As described previously, the project site is relatively steep with terrain that slopes in various parts of the project site. Based upon the proposed project grading plans, the proposed project would require the export of approximately 22,416.87 cubic yards of dirt from the project site.

Construction Staging. During all phases of construction, all construction equipment and materials storage would occur within the project site. No off-site staging area for trucks or equipment would be required during construction activities.

Construction Equipment. Per the Air Quality Impact Analysis (Appendix B), the construction equipment that is expected to be used for the proposed project is shown in Table 3-4, below.

Table 3-4: Construction Equipment

Activity	Equipment	Number	Hours Per Day
Site Preparation	Rubber Tired Dozers	3	8
	Crawler Tractors	4	8
	Graders	1	8
Grading	Excavators	1	8
	Graders	1	8
	Rubber Tired Dozers	1	8

Activity	Equipment	Number	Hours Per Day
	Crawler Tractors	3	8
Building Construction	Cranes	1	8
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	8
	Welders	1	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8

3.7 Project Approvals and Intended Uses of the EIR

The proposed project would require approval of the following discretionary and other implementing approvals:

- Environmental Impact Report (EIR) certification (SCH No. 2020080538)
- Tentative Tract Map No. 37922
- Commercial Design Review No. 2019-27
- Conditional Use Permit No. 2019-19

Other permits and approvals that may be required include the following:

- Permitting (i.e., utility connection permits) may be required from utility providers.
- Other ministerial permits necessary to realize all on- and off-site improvements related to the development of the site.

3.8 Cumulative Projects

Cumulative impacts refer to the combined effect of proposed project impacts with the impacts of other past, present, and reasonably foreseeable probable future projects. Both the CEQA Statute and the CEQA Guidelines require that cumulative impacts be analyzed in an EIR. As set forth in the CEQA Guidelines, Section 15130(b), "*the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone*."

According to Section 15355 of the CEQA Guidelines:

"Cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

a. The individual effects may be changes resulting from a single project or a number of separate projects.

b. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

The CEQA Guidelines, Section 15130(b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of the following:

- A list of past, present, and probable future projects producing related or cumulative impacts, including those projects outside the control of the lead agency.
- A summary of projections contained in an adopted local, regional, or statewide plan or related planning document that describes or evaluates conditions contributing to the cumulative effect.

Cumulative impact discussions for each issue area are provided in the technical analysis contained within Chapter 4 and uses the methods described above. A summary of cumulative development projects and their proposed land uses are shown in Table 3-5.

Table 3-5 - Summary of Cumulative Development Land Uses

No.	Project Name	Location	Land Use	Quantity[1]	
City of Lake Elsinore					
LE1	Greenwald	Lake Elsinore	Shopping Center	104.450	TSF
LE2	Ramsgate	Lake Elsinore	Single Family Residential	1,306	DU
			Condo/Townhomes	120	DU
LE3	Honda	Lake Elsinore	Automobile Sales	53.400	TSF
LE4	Fairway Business Park	Lake Elsinore	Warehouse	279.445	TSF
LE5	Ness Industrial Garage	Lake Elsinore	Warehouse	12.000	TSF
LE6	Spyglass Ranch	Lake Elsinore	Single Family Residential	523	DU
			Condo/Townhomes	171	DU
			Shopping Center	145.00	TSF
LE7	South Shore I (Tract 31593)	Lake Elsinore	Single Family Residential	521	DU
	South Shore II (Tract 36567)	Lake Elsinore	Single Family Residential	147	DU
LE8	La Strada (Tract 32077)	Lake Elsinore	Single Family Residential	134	DU
LE9	Tuscany West (Tract 25473)	Lake Elsinore	Single Family Residential	164	DU
LE10	Marina Village Condos (Tract 33820	Lake Elsinore	Condo/Townhomes	94	DU
LE11	La Quinta Inn	Lake Elsinore	Hotel	64	RM
LE12	LE Sports Complex	Lake Elsinore	Recreational Community Center	525.000	TSF
LE13	TAG Property	Lake Elsinore	New Car Sales	50.000	TSF
LE14	City Center Condos	Lake Elsinore	Condo/Townhomes	144	DU
LE15	Kassab Travel Center	Lake Elsinore	High Turnover (Sit-Down) Restaurant	17.200	TSF
LE16	Diamond Specific Plan	Lake Elsinore	Condo/Townhomes	600	DU
			Hotel	150	RM
			General Office	425.000	TSF
			Shopping Center	472.000	TSF
LE17	The Colony	Lake Elsinore	Apartments	211	DU
	Back Basin Specific Plan & East Lake Specific Plan	Lake Elsinore	Single Family Residential	2,407	DU
			Condo/Townhomes	324	DU
	John Laing Homes (Phase 2)	Lake Elsinore	Single Family Residential	506	DU
			Condo/Townhomes	1,141	DU

No.	Project Name	Location	Land Use	Quantity[1]	
			Apartments	308	DU
			Shopping Center	117.000	TSF
LE18	Canyon Hills Estates (Tract 34249)	Lake Elsinore	Single Family Residential	302	DU
	Canyon Hills (Multiple Tracts)	Lake Elsinore	Single Family Residential	2,700	DU
			Apartments	1,575	DU
	Audie Murphy (Tract 36484)	Lake Elsinore	Single Family Residential	109	DU
	Audie Murphy (Tract 36485)	Lake Elsinore	Single Family Residential	1,003	DU
LE19	Artisan Alley	Lake Elsinore	Shopping Center	95.100	TSF
LE20	Quikrete Plant	Lake Elsinore	Warehouse	163.900	TSF
LE21	Alberhill Ridge (Tract 35001)	Lake Elsinore	Single Family Residential	1,056	DU
			Apartments	345	DU
			Shopping Center	679.000	TSF
			General Office	679.000	TSF
LE22	Alberhill Ranch	Lake Elsinore	Single Family Residential	1,986	DU
LE23	Lake Elsinore Walmart	Lake Elsinore	Free-Standing Discount Superstore	154.487	TSF
			Specialty Retail	4.600	TSF
			Fast Food w/Drive Thru	6.800	TSF
			Fast Food w/o Drive Thru	4.600	TSF
LE24	Circle K	Lake Elsinore	Gas Station	4.500	TSF
LE25	Alberhill Villages	Lake Elsinore	Single Family Residential	9,536	DU
LE26	Terracina	Lake Elsinore	Single Family Residential	365	DU
LE27	Lakeshore Senior Apartments	Lake Elsinore	Senior Adult Housing Attached	121	DU
LE28	North Peak Plaza	Lake Elsinore	Condo/Townhomes	92	DU
			Shopping Center	92.000	TSF
LE29	Running Deer (TR 31957)	Lake Elsinore	Single Family Residential	101	DU
LE30	Wake Rider Beach Resort	Lake Elsinore	Beach Resort	11.350	TSF
LE31	Lakeshore Town Center	Lake Elsinore	Town Center	237.400	TSF
LE32	Ortega	Lake Elsinore	Single Family Residential	105	DU
LE33	Summerly	Lake Elsinore	Single Family Residential	142	DU
LE34	Beazer, KB Homes, McMillin Homes, Richmond American	Lake Elsinore	Single Family Residential	395	DU
LE35	Village at Lake Elsinore SPA #1	Lake Elsinore	Single Family Residential	163	DU
LE36	Lakeview Manor	Lake Elsinore	Condo/Townhomes	104	DU
LE37	Nichols Ranch	Lake Elsinore	Single Family Residential	168	DU
			Park	8.3	AC
			Hotel	130	RM
			Fast-food with Drive-Through	6.000	TSF
			Fast-food without Drive-Through	5.500	TSF
			High Turnover (Sit-Down) Restaurant	9.400	TSF
			Shopping Center	4.400	TSF
			Health & Fitness Club	8.000	TSF
			General Office	43.000	TSF
			Gas Station w/ Market and Car Wash	16	VFP
LE38	Tige Watersports	Lake Elsinore	Shopping Center	34.500	TSF
County of Riverside					
RC1	Lennar (Tract 31792)	County of Riverside	Single Family Residential	191	DU
RC2	PM33840	County of Riverside	Single Family Residential	4	DU
RC3	PP20158R1	County of Riverside	Storage Facility	103.727	TSF
RC4	CUP03651	County of Riverside	Recycling Facility	0.504	TSF

[1] TSF = Thousand Square Feet; DU = Dwelling Unit; AC = Acres; STU = Students; VFP = Vehicle Fueling Positions

[2]Source: Urban Crossroads, 2020

Chapter 4 Environmental Impact Analysis

Resource Categories Addressed in the EIR

The following environmental resource categories are addressed in this chapter:

4.1 Aesthetics
4.2 Air Quality
4.3 Biological Resources
4.4 Cultural Resources
4.5 Energy
4.6 Geology and Soils
4.7 Greenhouse Gas Emissions
4.8 Hazards and Hazardous Materials
4.9 Hydrology and Water Quality
4.10 Land Use and Planning
4.11 Noise
4.12 Public Services
4.13 Transportation
4.14 Tribal Cultural Resources
4.15 Utilities and Service Systems
4.16 Wildfire

Format of the EIR

Each section of this chapter is formatted with the following headings:

- Environmental Setting
- Regulatory Setting
- Thresholds of Significance
- Methodology
- Impact Analysis
- Cumulative Impacts
- References

Identification of Impacts

Subsections 4.1 through 4.16 of this EIR evaluate the 16 environmental subjects warranting detailed analysis, as determined by this EIR's Initial Study and in consideration of public comment on this EIR's NOP. The format of discussion is standardized as much as possible in each section for ease of review. The environmental setting is discussed first, followed by regulatory setting, the thresholds of significance, methodology used in the analysis, and a discussion of the proposed project's potential environmental impacts based on specified thresholds of significance used as criteria to determine whether potential environmental effects are significant. Each section will conclude with a discussion of cumulative impacts and a list of references.

The thresholds of significance used in this EIR are based on the thresholds presented in the CEQA Guidelines Appendix G (as updated in December 2019) and as applied by the City of Lake Elsinore to create the proposed project's Initial Study Checklist (Appendix A). The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, is significant, or is less than significant.

Serving as the CEQA Lead Agency for this EIR, the City of Lake Elsinore is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. The standards of significance used in this EIR are based on the independent judgment of the City of Lake Elsinore, taking into consideration CEQA Guidelines Appendix G (as updated in December 2019); the Lake Elsinore Municipal Code (LEMC) and adopted City policies; the judgment of the technical experts that prepared this EIR's Technical Appendices; performance standards adopted, implemented, and monitored by regulatory agencies; significance standards recommended by regulatory agencies; and the standards in CEQA that trigger the preparation of an EIR.

As required by CEQA Guidelines § 15126.2(a), impacts are identified in this EIR as direct, indirect, cumulative, short-term, long-term, on-site, and/or off-site impacts of the proposed project. A summarized "impact statement" is provided in each subsection following the analysis. The following terms are used to describe the level of significance related to the physical conditions within the area affected by the proposed project:

- No Impact: An adverse change in the physical environment would not occur.
- Less-than-Significant Impact: An adverse change in the physical environment would occur but the change would not be substantial or potentially substantial and would not exceed the threshold(s) of significance presented in this EIR.
- Significant Impact: A substantial or potentially substantial adverse change in the physical environment would occur and would exceed the threshold(s) of significance presented in this EIR, requiring the consideration of mitigation measures or alternatives to the proposed project. Each subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations) that the proposed project is required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. The following terms are used to describe the level of significance following the application of recommended mitigation measures.
- Less-than-Significant Impact with Mitigation: A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR; however, the impact can be avoided or reduced to a less than significant level through the application of feasible mitigation measures.
- Significant and Unavoidable Impact: A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR. Feasible and enforceable mitigation measures that have a proportional nexus to the proposed project's impacts are either not available or would not be fully effective in avoiding or reducing the impact to below a level of significance.

For any impact identified as significant and unavoidable, the City of Lake Elsinore would be required to adopt a statement of overriding considerations pursuant to CEQA Guidelines § 15093 in order to approve the proposed project despite its significant impact(s) to the environment. The statement of overriding

considerations would list the specific economic, legal, social, technological, and other benefits of the proposed project, supported by substantial evidence in the proposed project's administrative record, that outweigh the unavoidable impacts.

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4.1 Aesthetics

This section of the Draft Environmental Impact Report (EIR) analyzes the aesthetics impacts that could occur with implementation of the proposed project. This analysis identifies the existing visual character of the project vicinity and determines the degree of visual impacts that could occur from the proposed project. The analysis of this section relies upon observations made in the field project area photographs as seen in Exhibit 3-4, *Site Photographs*, and other illustrations of the proposed project provided by the applicant, including the project site plan (see Exhibit 3-8, *Conceptual Site Plan*), and proposed building elevations (see Exhibit 3-9, *Proposed Building Elevations*).

4.1.1 Environmental Setting

Surrounding Area

The project site is located in the northwestern portion of the City of Lake Elsinore in Riverside County. The City of Lake Elsinore is located in an area of Riverside County that provides panoramic views of the Santa Ana Mountains, which extend form the southwestern edge of the lake and along the northeastern border of the City. The project site is located approximately 2.0 miles northwest of Lake Elsinore; however, due to intervening development and topography there are no views of the lake from the project site. As shown on Exhibit 3-3, *Project Site Map*, and Exhibit 3-4, *Site Photos*, the project site is currently vacant with the exception of a single-family residential building located on the northern portion of the project site.

The project site is located approximately 2.5 miles south of Interstate (I-15) (at the Lake Street and I-15 interchange). State Route 74 (Central Avenue) is located south of the project site, and then extends both West, towards San Juan Capistrano, and East, towards Perris. The project site is bounded by the intersection of Lake Street to the east and Mountain Street to the south. The properties to the north of the Lake Street and Mountain Street intersection are undeveloped and to the east are existing single-family residential homes. To the south and west of Mountain Street are also existing single-family residential homes. All the residential development within the project vicinity consists of relatively new homes some of which are one (1) story and many are two (2) story homes.

Project Site

The project site is currently vacant with the exception of a single-family residential building located on the northern portion of the project site. Exhibit 3-4, *Site Photos,* provides photographs of the project site and a map that indicate where the photographs were taken. As seen in the photos, the undeveloped areas of the project site (making up a majority of the site) consists of sloping terrain that is covered by grasses, weeds, brush, several non-native ornamental trees, and a dirt road utilized to access the residential building.

Views

Viewshed

According to the City's General Plan viewsheds or landscape viewshed units of scenic vistas include the lake, urban areas around the lake, and the rugged vacant hills in the northern and eastern portion of the City. Within the City there has been 15 landscape viewsheds units that have been identified. The project site is located in Viewshed 3 as seen in Figure 4.9 of the City's General Plan, which is an area that is primarily developed with residential, commercial, and recreation land uses (City of Lake Elsinore, 2011).

North

The northern portion of the project site is adjacent to a dirt road and residential lot, and changes grade sloping downward towards the north. Views from the dirt road located at this northern point are unobstructed. Views looking towards the site include vegetation that exists on the site and residential buildings located to the south. Views of the Santa Ana Mountains are visible to the west from the dirt road.

South

Located to the south of the project site is Mountain Street and existing single-family residential homes. The project site is visible from the existing residential homes to the south but is partly obstructed by the change in grade and existing trees.

West

Located to the west of the project site is another dirt road adjacent to a residential lot. Further to the west are existing single-family residential homes. Views of the Santa Ana Mountains are also visible from this dirt road to the west.

East

Adjacent to the east of the project site is Lake Street. Along the east side are single-family residential homes which are visible from the project site. The east side of the street is landscaped with California pepper trees that border the residential homes.

Scenic Highways

There are no officially designated scenic highways in the vicinity of the project site (Caltrans, 2015). However, approximately 2 miles to the southwest is SR-74 (Central Avenue) and approximately 3 miles to the east is Interstate 15, which are eligible for designation as a State Scenic Highway but is not officially designated. Additionally, the project site does not include any General Plan identified scenic resources such as Lake Elsinore located to the south, the Santa Ana Mountains located to the west and northwest, or the Cleveland National Forest that is located to the south.

Light and Glare

The project site is located in an area of the City that is mostly developed by residential neighborhoods. The project site is currently vacant and does not emit any light to the surrounding area. Lighting in the area is emitted from residential neighborhoods and headlights of passing vehicles. New lighting would be emitted through the project site form street lighting, parking lighting, building lighting, and vehicle headlights of traveling cars. It is anticipated that sources of glare would be emitted from the building windows and the projected light from vehicle headlights.

4.1.2 Regulatory Setting

State Regulations

California Scenic Highway Program

The California Department of Transportation (Caltrans) manages the State Scenic Highway Program which provides guidance to local government agencies, community organizations and citizens regarding the process to officially designate scenic highways. The California Scenic Highway Program was created by the California Legislature in 1963 to protect and enhance the scenic beauty of California highways. The designation of these

scenic highways depends on how much of that natural setting and the quality of that setting that can be seen by those traveling. The designation of these scenic highways also depends on the extent to which development will intrude on the enjoyment of that view by travelers. The process to designate a highway include a visual assessment, submission of a scenic highway proposal, and prepare and adopt a Corridor Protection Program (CPP). The CPP is then reviewed by the Caltrans District and State Scenic Highway Coordinators and if it meets the legislative standard, a recommendation is forwarded to the Caltrans Director. A list of designated and eligible scenic highways can be found under the Scenic Highway System List and the program can be found in the Streets and Highway Code, Section 260 through 263.

The California State Scenic Highway Program identifies SR-74 as eligible for listing as a state scenic highway, but it is not officially designated. The status of a state scenic highway changes from "eligible" to "officially designated" when the local jurisdiction adopts a scenic corridor protection program, applies to Caltrans for scenic highway approval, and receives notification from Caltrans that the highway has been designated as a scenic highway.

City of Lake Elsinore Regulations

City of Lake Elsinore General Plan

Aesthetics Element

The City's General Plan addresses Aesthetics and Scenic Resources in Chapter 4.0 (Aesthetics Goals, Policies and Implementation Programs 4.8.3). The following goals, policies, and implementation programs apply to the proposed project:

Goal 11: Provide and maintain a natural built environment that is visually pleasing to City residents and visitors.

Policy 11.1: For new developments and redevelopment, encourage the maintenance and incorporation of existing mature trees and other substantial vegetation on the site, whether naturally occurring or planted, into the landscape design.

Policy 11.3: Where appropriate, encourage new planting of native and/or non-invasive ornamental plants to enhance the scenic setting of public and private lands.

Policy 11.5: Support a high level of Code Enforcement to encourage neighborhood beautification and to maintain property values and quality of life.

Implementation Program: The City shall encourage open space buffers and other appropriate transitions between lower density, single-family neighborhoods and higher density development, as well as community gathering spaces and pedestrian amenities within private development.

Implementation Program: The City shall consider the preparation and adoption of a Citywide Design Guideline for architecture and landscape design, appropriate themes and design features, signage, outdoor furniture, bus shelters, gateway enhancements, and other distinctive improvements.

Goal 13: Minimize activities, development, landform modification that could distract viewers from the City's visual character.

City of Lake Elsinore Municipal Code – Title 17 (Zoning Code)

The City of Lake Elsinore's Zoning Code (Title 17) regulates the character and use of property throughout the City.

Section 17.112.040 of the City's Zoning Code states that "*All outdoor lighting fixtures in excess of 60 watts shall be oriented and shielded to prevent direct illumination above the horizontal plane passing through the luminaire and prevent any glare or direct illumination on adjacent properties or streets. Due to the City's proximity to the Mount Palomar Observatory, the use of low-pressure sodium vapor lighting shall be encouraged*."

Section 17.112.060 of the City's Zoning Code states that "*New nonresidential development shall have all required landscaping installed at the time of occupancy, and said landscaping shall be provided with irrigation systems which comply with minimum standards on file with the City. All landscaping and irrigation systems shall be maintained in good condition for as long as the use on the property continues. All developments shall be responsible for landscaping and maintenance of adjacent parkways."*

Section 17.124.080 of the City's Zoning Code states that within commercial mixed-use district "*Adjacent to Street. A continuous area, a minimum of 15 feet and an average of 20 feet in depth, shall be landscaped and maintained between the parking area and the public right-of-way. Parking areas should be screened as much as possible utilizing berms, shrubs, and other decorative treatments of sufficient size and height to meet this requirement."*

17.112.090 Gasoline Dispensing Establishments

The provisions of this section shall apply to all new construction, reconstruction, and addition or conversion of use for service stations and other places where motor vehicle fuels are dispensed to the public.

A. Site. All new sites for gasoline dispensing establishments shall have a minimum net lot area of 15,000 square feet and a frontage of 125 feet on any street having a driveway.
B. Pumps. All gasoline pumps and pump islands upon which they are placed shall be set back a minimum of 30 feet from any property line.
C. Canopies. Canopies shall be set back a minimum of 20 feet from any property line.
D. Activities. The following activities may be permitted: dispensing of gasoline, diesel fuels, oil, grease, tires, batteries, and replacement parts and installation of the items enumerated.
   Heavy engine or transmission repair to include replacement shall not be permitted in a service station established pursuant to this chapter. Convenience stores, mini-marts, and car washes whether automatic or manual shall be permitted in conjunction with a service station subject to approval of a conditional use permit. All such uses shall be conducted within a completely enclosed building.
E. Repair and Servicing. All repair equipment including hydraulic hoists, portable jacks, pits, alignment equipment, and tire equipment and all servicing other than dispensing of fuel and oil shall be entirely enclosed within a building.
F. Circulation. No more than two points of ingress shall be allowed to any street; however, the Planning Commission may find two points of ingress to be inappropriate and, therefore, not permitted at all locations due to traffic considerations. No driveway shall be allowed to encroach into a corner radius; further, the driveway locations may be further restricted by the Planning Commission to reduce traffic problems and protect pedestrian and vehicular traffic. No more than one access drive may be permitted from any arterial street.

G. Parking. Vehicles shall not be parked on the premises other than in designated parking spaces. No overnight parking shall be permitted except for vehicles under repair when maintained within a fully enclosed building. When a mini-mart or convenience store is operated in conjunction with the gasoline station, a minimum of five parking spaces shall be provided and conveniently located to serve store customers. All car wash installations shall provide adequate stacking distance for a minimum of four vehicles at the entry of the facility. Parking areas for air and water servicing, drying and vacuuming shall be clearly provided.

H. Walls. A decorative masonry wall a minimum of six feet in height shall be constructed and maintained along all interior property lines abutting residential property. Where such walls abut or are adjacent to commercial/office uses they shall be not less than five feet in height. A minimum five-foot landscape planter shall be provided adjacent to the wall. Walls may be waived where the gasoline dispensing facility and abutting commercial or industrial use share a common driveway.
Said wall shall be reduced to 36 inches within required yards adjacent to a public right-of-way.

I. Signs. All price signs shall be limited to monument style and shall satisfy the minimum size and number required by State law. All such signs shall be incorporated as an integral part of the business' permanent signage in such a manner as not to detract from the appearance of the primary sign. Price signs shall not be affixed to light standards or other non-sign structures. Advertising displays and devices other than approved signs shall be prohibited.

J. Towing Operations. Towing operations, clearly incidental to, and in conjunction with, a permitted gasoline dispensing establishment may be permitted provided trucks when on site are parked within approved parking spaces. Such spaces shall be located to the rear of the property, shall be screened from public view and shall be clearly identified on submitted development plans. No on-site storage of towed vehicles, other than those towed in for minor repair, may occur. Overnight storage shall be subject to subsection (G) of this section.

K. Design. Except as otherwise provided in this section, gasoline dispensing establishments shall comply with the design concepts and standards contained in this chapter and within the individual district chapters of this title as required for all other commercial businesses.

L. Restrooms. Men's and women's restrooms shall be provided and made available to customers. Separate facilities shall be provided for each sex and maintained open to the public during business hours and kept in a sanitary and working condition.

M. Handicap Accessibility. All buildings, service locations and restrooms shall be handicap accessible and usable as established by either State standards or locally adopted handicap standards.

N. Loading Facilities. Loading facilities to serve convenience marts and fuel tanks shall be located such that they do not block or restrict circulation drives on site.

O. Sale of Alcoholic Beverages. Establishments engaged in the concurrent sale of motor vehicle fuel with alcoholic beverages shall abide by the following requirements as a condition pursuant to the provisions of subsection (D) of this section and LEMC 17.415.070:

1. No beer or wine shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler as of January 1, 1988.

2. No advertisement of alcoholic beverages shall be displayed at motor fuel islands.

3. No sale of alcoholic beverages shall be made from a drive-in window.

4. No display or sale of beer or wine shall be made from an ice tub.

5. No beer or wine advertising shall be located on motor fuel islands and no self-illuminated advertising for beer or wine shall be located on buildings or windows.

6. Employees on duty between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age to sell beer and wine.

17.124.070 Building Height

Pursuant to the Lake Elsinore Municipal Code, the maximum building height shall be 45 feet, except as otherwise provided by Lake Elsinore Municipal Code 17.124.130.

4.1.3 Threshold of Significance

The criteria for establishing the significance of potential impacts on visual resources came from Appendix G of the State CEQA guidelines and apply to the proposed project. A significant impact would occur if the proposed project:

1) Has a substantial adverse effect on a scenic vista.

2) Substantially damages scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

3) Substantially degrades the existing visual character or quality of the site and its surroundings because of height, bulk pattern, scale, character or other features.

4) Creates a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

4.1.4 Methodology

Generally, aesthetics refers to the identification of visual resources and the quality of what is visible from the proposed project site. The significance determination for the aesthetics analysis is based on consideration of the following:

- The extend of change related to the project visibility from key public vantage points;
- The degree of visual contrast and compatibility in scale and character between project elements and the existing surroundings; and
- Project conformance with public policies regarding visual and urban design quality.

4.1.5 Impact Analysis

Impact 4.1-1: Would the project have a substantial adverse effect on a scenic vista?

According to Chapter 4.8, Aesthetics, of the City's General Plan, viewsheds and vantage points are identified throughout the City. The project site is located in Viewshed 3, which is determined to be an area that is primarily developed with residential, commercial, and recreation land uses. The project site, located approximately 3.0 miles southwest of Lake Elsinore, and no views of Lake Elsinore are possible from the project site or the adjacent roadways; therefore, implementation of the proposed project would not impact a viewshed or vantage point as defined and identified in the City's General Plan. Additionally, the proposed project is proposing the development of a commercial center which is consistent with the current landscape viewshed identified by the City's General Plan.

The Santa Ana Mountains are located approximately 1 mile to the west and southwest and are visible from the project site. The proposed project would remain consistent with the City's General Plan and zoning requirements regarding building form and character. The project site is currently vacant with the exception of a single-family residential home to the north. As shown in Exhibit 3-9, *Proposed Building Elevations,* the tallest building proposed would reach a height of 30 ft.; therefore, the proposed project would be consistent with the City's Zoning Code 17.124.070 and will not exceed the maximum allowable height of 45 feet. The proposed building heights are not of a scale that would obstruct views of the natural landforms, which rise to high elevations, from existing off-site viewing locations. Thus, the proposed project would result in less than significant impacts due to an adverse effect on views of distant mountains.

Based on the foregoing analysis, implementation of the proposed project would not result in a substantial adverse effect on a scenic vista and impacts would be less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.1-2: Would the project damage scenic resources, including but not limited to, trees, rock, outcroppings, and historic buildings within a state scenic highway?

According to the California Department of Transportation (Caltrans), there are no designated State Scenic Highways within the City of Lake Elsinore. However, SR-74 (Central Avenue) and I-15, which are located approximately 2.0 miles to the southeast and 3 miles east, are eligible for designation as a State Scenic Highway but are not officially designated. Both SR-74 and I-15 are not visible from the project site due to the terrain and the surrounding development surrounding the project site. In addition, the project site is located in an area that is mostly developed with residential homes and does not include any unique trees, rock outcroppings, other natural features. Furthermore, the one residence within the project site have been evaluated for listing in the California Register of Historic Resources (CRHR). The other residence that was previously evaluated was demolished in 2004. Both were determined to not be eligible for listing in the CRHR as stated in the Phase 1 Cultural Resources Survey Report (Appendix G).

Based on the foregoing analysis, the project site is not visible from a scenic highway and would not result in impacts to resources within a state scenic highway; therefore, implementation of the proposed project would result in less than significant impacts to a state scenic highway.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-Significant.

Impact 4.1-3: Would the proposed project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality??

Currently the project site is undeveloped and vacant land with the exception of a residential home located within the northwestern area of the project site. The project site currently consists of sparse vegetation and existing trees. The surrounding land consist of residential vacant lots and existing residential homes. The project site is currently zoned as General Commercial (C-2), which allows for development of the project site as proposed.

According to mapping information from the Southern California Association of Governments (SCAG), which is based on U.S. Census data for urbanized areas, the Project site is located within an urbanized area (SCAG, 2018). As noted under Impact 4.1-1, the project site is not located in an identified vantage point and would not impact views of the Santa Ana Mountains. Further, as discussed under Impact 4.1-2, the proposed project would not impact scenic resources within a state scenic highway.

The proposed project has been designed in compliance with the development standards for the General Commercial zone (C-2), Chapter 17.124 of the Lake Elsinore Municipal Code (LEMC). As part of the Commercial Design Review application, the Project Applicant would submit for approval plans identifying specific design elements of the proposed development, such as building elevations, floor plans, landscaping plans, etc.

Implementation of the proposed project would result in development consistent with the existing General Commercial (GC) Land Use Designation and the C-2 zoning designation; therefore, based on the foregoing analysis, the proposed project would result in less than significant impacts associated with degradation of existing visual character or quality of public views of the project site or surroundings.

Impact 4.1-4: Would the proposed project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Implementation of the proposed project would include exterior lighting elements. All proposed buildings would incorporate wall mounted lighting that would assist with visibility in the interior of the project site. In addition, for security purposes, exterior wall mounted lighting will be installed at all entry point of each building as well as entrance to the project site along Mountain Street and Lake Street. Development of the proposed Project would be subject to the lighting provisions of the LEMC Sections 17.112.040 & 17.148.40, which would reduce Project lighting impacts to less-than-significant levels. The Project would use low sodium lighting on-site in mandatory compliance with LEMC Section 17.112.040.

The Project site is located within a 45-mile radius of the Mt. Palomar Observatory (Zone B) (Riverside County, 2015). The 45-mile radius surrounding the Mt. Palomar Observatory is defined by Riverside County Ordinance No. 655 as an area in which light pollution may impact the functionality of the observatory. Any development project within a 45-mile radius of the observatory that would add artificial light sources, has the potential to contribute to sky glow effects, which could adversely affect operations at the observatory. Development on the project site would be regulated by Section 17.112.040 of the LEMC, which identify lighting requirements for outdoor lighting for residential and commercial developments and parking lots to minimize potential adverse effects on observations at the Mt. Palomar Observatory. Mandatory compliance with applicable City lighting standards would reduce potential impacts regarding lighting and the Palomar Observatory to a less than significant level.

Implementation of the proposed project would not result in substantial impacts regarding glare because the project does not propose additional sources of glare such as highly reflective surfaces or buildings with reflective glass. Thus, the Project would have a less-than-significant impact regarding the creation of glare.

Based on the foregoing analysis, the proposed project would result in a less than significant impact associated with light and glare.

4.1.6 Cumulative Impacts

The project's cumulative study area for aesthetics comprises all areas visible from and that have views of the project site. The project site is currently vacant with the exception of one residential home and located in an area of the City that is developed by residential neighborhoods. Existing and planned development located outside the project's viewshed have no potential to cumulative-contribute to visual quality effects.

As noted under the discussion of Impact 4.4-1, the project site is located in Viewshed 3, which is an area designated for residential, commercial, and recreation land uses by the City's General Plan. The project site is not located within a vantage point, would not interfere with a viewshed, and would not diminish views of the nearby Santa Ana Mountains. Therefore, implementation of the proposed project would not result in cumulatively considerable impact to scenic resources.

As noted under the analysis of Impact 4.1-2, the project site is not located within close proximity of a designated State Scenic Highway and is not visible from the eligible scenic highways (SR-74 and I-15) in close proximity to the project site. Therefore, the proposed project would not result in a cumulatively considerable impact to state scenic resources. As discussed under Impact 4.1-3, the project site is currently zoned C-2 General Commercial and has a land use designation of General Commercial. Implementation of the proposed project would not require a general plan or zoning amendment; therefore, the project is found to have a less than significant impact associated with existing visual character or quality of public views; therefore, the proposed project would not result in cumulatively considerable impacts that would substantially degrades the existing visual character or quality of the site and its surroundings.

As discussed under Impact 4.1-4, the proposed project would adhere to all development standards as listed in Section 17.112.040 – *Lighting,* of the LEMC. Under this section of the code it is required that all outdoor lighting fixtures in excess of 60 watts shall be oriented and shielded to prevent direct illumination above the horizontal plane passing through the luminaire any glare or direct illumination on adjacent properties or streets. In addition, due to the City of Lake Elsinore being in close proximity to the Mount Palomar Observatory, it is encouraged that developments use low pressure sodium lighting be used. With adherence to the applicable rules and regulation the proposed project would not result in cumulatively considerable impacts regarding substantial light or glare.

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4.2 Air Quality

This section of the Draft Environmental Impact Report (EIR) provides an overview of the existing air quality at the project site and surrounding region, a summary of applicable air quality regulations, and analyses of potential short-term and long-term air quality impacts from implementation of the proposed project. Mitigation measures are recommended as necessary to reduce significant air quality impacts. The *Lake and Mountain Shopping Center Air Quality Impact Analysis* was prepared by Urban Crossroads (Urban Crossroads, 2019), and is included in Appendix B of this EIR.

4.2.1 Environmental Setting

The project site is located in the City of Lake Elsinore in Riverside County which is located in the South Coast Air Basin (SCAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state quality standards. As previously stated, the project site is located within the SCAB, a 6,745 square mile subregion of the SCAQMD, which includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAQMD is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Riverside County portion of the Salton Sea Air Basin is bounded by the San Jacinto Mountains in the west and spans eastward up to the Palo Verde Valley.

Criteria Air Pollutants

The California Air Resources Board (CARB) include attaining and maintaining healthy air quality, protect the public from exposure to toxic air contaminants, and providing innovative approaches for complying with air pollution rules and regulations. In addition, the U.S. Environmental Protection Agency (EPA) currently is responsible for setting and enforcing the National Ambient Air Quality Standards (NAAQS) for atmospheric pollutants. It regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain locomotives. Criteria pollutants are pollutants that are regulated through the development of human health based and/or environmentally based criteria for setting permissible levels. Criteria pollutants, their typical sources, and health effects are identified Carbon Monoxide (CO), Sulfur Dioxide (SO2), Nitrogen Oxides (NOx), Ozone (O3), Particulate Matter (PM10, PM2.5), Volatile Organic Compounds (VOC), Reactive Organic Gases (ROG), and Lead (Pb). A general description of these pollutants is provided below.

Carbon Monoxide

Carbon Monoxide (CO) is a colorless and odorless gas that is produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. Concentration of CO tend to be the highest during the winter morning, when little to no wind and surface-based inversions trap the pollutant at ground levels. Additionally, because CO is emitted directly from internal combustion engines, unlike ozone, motor vehicles operating at slow speeds are primarily source of CO in the SCAB. Therefore, the highest concentrations of CO are generally found near congested transportation corridors and intersections.

CO is dangerous at high concentrations because when it combines with hemoglobin in the blood it reduces the oxygen-carrying capacity of the blood, which then results in reduced oxygen reaching the brain, heart, and other body tissues. CO can be dangerous especially to those who have existing cardiovascular disease, chronic lung disease, or anemia.

Sulfur Dioxide

Sulfur Dioxide (SO2) is a colorless, extremely irritating gas or liquid. This gas or liquid enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO2 oxides in the atmosphere, it forms sulfates (SO4) and collectively these pollutants are referred to as sulfur oxides (SOx). Sources of SO2 include coal or oil burning power plants and industries, refineries, diesel engines, and oil burning residential heaters. Effects of SO2 can result in airway constriction in some asthmatics and can increase in resistance to air flow, as well as reduction in breathing capacity leading to severe breathing difficulties. O2 potentially causes wheezing, shortness of breath, and coughing. Long-term SO2 exposure has been associated with increased risk of mortality from respiratory or cardiovascular disease.

Nitrogen Oxides

Nitrogen oxides consist of nitric oxide (NO), nitrogen dioxide (N20) and are formed when nitrogen (N2) combines with oxygen (O2). NOx are typically created during combustion process and are major contributors to smog formation and acid deposition. NO2 absorbs blue light, resulting in a brownish-red cast to the atmosphere and reduce visibility. Of the seven types of nitrogen oxide compounds, NO2 is the most abundant in the atmosphere. As ambient concentrations of NO2 are related to traffic density, commuters in heavy traffic may be exposed to higher concentration of NO2 than those indicated by regional monitoring station. Any source that burns fuel such as automobiles, trucks, heavy construction equipment, farming equipment and residential heating produce NOx. Side effects to exposure include an increase in the risk of acute and chronic respiratory disease and reduce visibility.

Ozone

Ozone has been defined as a highly reactive and unstable gas that is formed when volatile organic compounds (VOCs) and oxides of nitrogen (NOx), both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant. Thus, ozone concentrations are the cumulative result of regional development patterns rather than the result of a few significant emission sources. There are certain effects to short-term exposure to ozone, which can cause eye irritation and constriction of airways. In addition, to this is can cause problems to those with existing respiratory diseases such as asthma, bronchitis, and emphysema.

Particulate Matter

Particulate Matter is identified as PM10 and PM2.5 which consist of particulate matter that is 10 microns or less in diameter and 2.5 microns or less in diameter. PM10 is a major air pollutant consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols. The size of the particles allows them to enter the lungs where they may be deposited, resulting in adverse health effects. PM2.5 is a similar air pollutant to PM10 consisting of tiny solid or liquid particles which are 2.5 microns or smaller. These particles come from fuel combustion in motor vehicles, equipment and industrial sources, residential and agricultural burning. Also formed from reaction of other pollutants (acid rain, NOX, SOX, organics). Health effects associated with particulate matter include aggravation of chronic respiratory disease, heart and lung disease, coughing, and bronchitis and respiratory illness in children.

Volatile Organic Compounds

Volatile Organic Compounds (VOCs) are hydrocarbon compounds that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. VOCs often have an odor and examples include gasoline, alcohol, and the solvents used in paints. In addition, organic chemicals are widely used as ingredients in household products. Paints, varnishes and wax all contain organic solvents, as do many cleaning, disinfecting, cosmetic, degreasing, and hobby products. When breathing VOCs they can irritate the eyes, nose and throat, cause difficulty breathing, nausea, and cause damage to the central nervous system.

Reactive Organic Gases

Reactive Organic Gases are similar to VOC, ROGs are also precursors in forming ozone and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons. Smog is formed when ROG and NOx react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O3, which is a criteria pollutant. Sources of ROGs are similar to those as VOCs and also have similar health effects.

Lead

Lead (Pb) is a heavy metal that is found in the environment as well as in some manufactured products. The primary source of lead in the air is emissions from vehicles burning leaded gasoline. Other major sources of lead emissions are ore and metals processing, particularly lead smelters, and piston engine aircraft operating on lead aviation gasoline. There are also other sources of lead that are referred as stationary and include waste incinerators, utilities, and lead-acid battery manufacturers. Lead poisoning can cause anemia, lethargy, seizures, and even death.

Odorous Emissions

Offensive odors can potentially affect human health in several ways. First, odorant compounds can irritate the eye, nose, and throat, which can reduce respiratory volume. Second, studies have shown that the VOCs that cause odors can stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system. Finally, unpleasant odors can trigger memories or attitudes linked to unpleasant odors, causing cognitive and emotional effects such as stress.

Project Area Air Quality Setting

Existing Air Quality

As previously mentioned, the project site is located within the SCAQMD jurisdiction which maintains monitoring station within district boundaries. These monitoring stations monitor air quality and assure compliance with associated ambient standards. The standards established are levels of air quality that are considered safe to protect the public health and welfare. In order to determine whether a regions air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the state and federal standards. As determined by the Air Quality Report (Appendix B), a region is considered to be in attainment by the state if the measured ambient air pollutant levels for O3, CO (except 8-hour Lake Tahoe), SO2 (1 and 24 hour), NO2, PM10, PM2.5 are not to be exceeded. All others are not to be equaled or exceeded. The three-year period is presented for informational purposes and is not the basis for how the State assigns attainment status. Attainment status for a pollutant means that the Air District meets the standards set by the EPA or the California EPA (CalEPA). Conversely, nonattainment means that an area has monitored air quality that does not meet the NAAQS or CAAQS standards. In order to improve air quality in nonattainment areas, a

State Implementation Plan (SIP) is drafted by CARB. The SIP outlines the measures that the state will take to improve air quality. Once nonattainment areas meet the standards and additional redesignation requirements, the EPA will designate the area as a maintenance area.

Regional Air Quality

Air pollution contributes to a wide variety of adverse health effects. The EPA has established NAAQS for six of the most common air pollutants: carbon monoxide, lead, ozone, particulate matter, nitrogen dioxide, and sulfur dioxide which are known as criteria pollutants. The SCAQMD monitors levels of various criteria pollutants at 37 permanent monitoring stations and 5 single-pollutant source Pb air monitoring sites throughout the air district (12). On February 21, 2019, CARB posted the 2018 amendments to the state and national area designations. Attainment designations for SCAB are shown in Table 4.2-1 – *Attainment Status of Criteria Pollutants in the SCAB, below*.

Table 4.2-1 - Attainment Status of Criteria Pollutants In The Scab

Criteria Pollutant	State Designation	Federal Designation
O3 – 1-hour standard	Nonattainment	--
O3 – 8-hour standard	Nonattainment	Nonattainment
PM10	Nonattainment	Attainment
PM2.5	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO2	Attainment	Unclassifiable/Attainment
SO2	Unclassifiable/Attainment	Unclassifiable/Attainment
Pb[1]	Attainment	Unclassifiable/Attainment

Local Air Quality

The project site is located within the Source Receptor Area (SRA) 25. Within SRA 25, the SCAQMD Elsinore Valley monitoring station is located 3.65 miles southeast of the project site and is the nearest long-term air quality monitoring site for O3, CO, NO2, and PM10. Relative to the project site, the nearest long-term air quality monitoring site for PM2.5 is the SCAQMD Saddleback Valley monitoring station (SRA 19), located approximately 16.44 miles southwest of the Project site.

The most recent three (3) years of data available is shown on Table 4.2-2 – *Project Area Air Quality Monitoring Summary 2015-2018*, below, and also identifies the number of days ambient air quality standards were exceeded for the study area, which is considered to be representative of the local air quality at the project site. Data for O_3, CO, NO_2, PM10, and PM2.5 for 2016 through 2018 was obtained from the SCAQMD Air Quality Data Tables. Additionally, data for SO2 has been omitted as attainment is regularly met in the SCAB and few monitoring stations measure SO2 concentrations.

Table 4.2-2 - Project Area Air Quality Monitoring Summary 2015-2018

POLLUTANT	STANDARD	YEAR		
		2016	2017	2018
O3				
Maximum Federal 1-Hour Concentration (ppm)		0.124	0.121	0.116
Maximum Federal 8-Hour Concentration (ppm)		0.093	0.098	0.095
Number of Days Exceeding Federal 1-Hour Standard	>0.07 ppm	0	0	0
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	15	23	16
Number of Days Exceeding Federal 8-Hour Standard	> 0.070 ppm	44	54	30
Number of Days Exceeding State 8-Hour Standard	> 0.070 ppm	45	54	30
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.200	1.200	1.100
Maximum Federal 8-Hour Concentration	> 20 ppm	0.600	0.800	0.800
NO2				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.051	0.049	0.041
Annual Federal Standard Design Value		0.008	0.008	0.009
PM10				
Maximum Federal 24-Hour Concentration (µg/m^3)	> 150 µg/m^3	99.000	133.00	104.00
Annual Federal Arithmetic Mean (µg/m^3)		21.400	22.500	22.400
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m^3	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 µg/m^3	4	9	9
PM2.5				
Maximum Federal 24-Hour Concentration (µg/m^3)	> 35 µg/m^3	24.790	19.500	20.800
Annual Federal Arithmetic Mean (µg/m^3)	> 12 µg/m^3	7.360	8.110	8.310
Number of Days Exceeding Federal 24-Hour Standard	> 35 µg/m^3	0	0	0

Sensitive Land Uses

Sensitive land uses are considered to be those that include schools, children's daycare centers, hospitals, and convalescent homes. Therefore, groups of people affected include children, the elderly, individuals with pre-existing respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise. These are considered to be more sensitive to poor air quality than the general public because the population groups associated with these uses have increased susceptibility to respiratory distress. Additionally, residential uses are considered to be more sensitive to air quality conditions than commercial and industrial uses because people generally spend longer period of time at their residences, which results in greater exposure to ambient air quality conditions.

Sensitive Receptors

Sensitive receptors that are located near the proposed project include existing residential homes and school uses as described below:

- Located approximately 53 feet north of the project site, R1 represents an existing single-family home at 28891 Lake Street.

- Location R2 represents existing single-family home at 3748 Ash Street located approximately 191 feet east of the project site.
- Location R3 represents the existing single-family home at 14851 Noblewood Circle roughly 109 feet south of the project site.
- Location R4 represents the existing single-family home at 14857 Noblewood Circle located approximately 92 feet south of the project site.
- Location R5 represents an existing single-family home located at 1510 Mountain Street approximately 371 feet west of the project site.
- Location R6 represents an existing single-family home located roughly 85 feet west of the project site at 28885 Raveta Lane.

4.2.2 Regulatory Setting

Federal Regulations

Federal Clean Air Act

The Clean Air Act (CAA; 42 U.S.C. § 7401 et seq.) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants, which include O3, CO, NOx, SO2, PM10, $PM_2$2.5, and lead.

The sections of the federal CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions address the urban air pollution problems of ozone (smog), carbon monoxide (CO), and particulate matter (PM10). Specifically, it clarifies how areas are designated and re-designated attainment. It also allows EPA to define the boundaries of nonattainment.

Mobile source emissions are regulated in accordance with the CAA Title II provisions. These standards are intended to reduce tailpipe emissions of hydrocarbons, CO, and NOx on a phased-in basis that began in model year 1994. Automobile manufacturers also are required to reduce vehicle emissions resulting from the evaporation of gasoline during refueling. These provisions further require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas.

Section 112 of the Clean Air Act addresses emissions of hazardous air pollutants. Major sources are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants. An area source is any stationary source that is not a major source. For major sources, Section 112 requires that EPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as maximum achievable control technology or MACT standards. Eight years after the technology-based MACT standards are issued for a source category, EPA is required to review those standards to determine whether any residual risk exists for that source category and, if necessary, revise the standards to address such risk.

State Regulations

California Clean Air Act

The California Clean Air Act (CCAA) establishes numerous requirements for district plans to attain state ambient air quality standards for criteria air contaminants. The CCAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the State's ambient air quality standards, the California Ambient Air Quality Standards (CAAQS), by the earliest practical date. The CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, established standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. For districts with serious air pollution, its attainment plan should include the following: no net increase in emissions from new and modified stationary sources; and best available retrofit technology for existing sources.

Air Quality Management Planning

The California Air Resources Board (CARB) and local air districts throughout the State are responsible for developing clean air plans to demonstrate how and when California will attain air quality standards established under both the CAA and CCAA. For the areas within California that have not attained air quality standards, CARB works with local air districts to develop and implement State and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment. Air quality planning activities undertaken by CARB also include the development of policies, guidance, and regulations related to State and federal ambient air quality standards; coordination with local agencies on transportation plans and strategies; and providing assistance to local districts and transportation agencies.

City of Lake Elsinore Regulations

General Plan

The following are goals and/or policies that are relevant to the Air Quality analysis:

Goal 1: Continue to coordinate with the Air Quality Management District and the City's Building Department to reduce the amount of fugitive dust that is emitted into the atmosphere from unpaved areas, parking lots, and construction sites.

Policy 1.1: Continue to implement requirements identified in the National Pollutant Discharge Elimination System (NPDES).

Implementation Program: The City shall continue to condition projects to comply with the South Coast Air Quality Management District rules and regulations.

Goal 1: Work with regional and state governments to develop effective mitigation measures to improve air quality.

Policy 2.2: Support programs that educate the public about regional air quality issues, opportunities and solutions.

4.2.3 Thresholds of Significance

According to the CEQA Guidelines, a project would have a significant adverse effect on air quality resources if it would:

- Conflict with or obstruct implementation of the applicable air quality plan.
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).
- Expose sensitive receptors to substantial pollutant concentrations.
- Create objectionable odors affecting a substantial number of people.

In addition, the SCAQMD has developed regional significance thresholds for other regulated pollutants, as seen in Table 4.2-3 – *Maximum Daily Emissions Reginal Thresholds* below. The SCAQMD's CEQA Air Quality Significance Thresholds indicate that any projects in the SCAB with daily emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

Table 4.2-3 - Maximum Daily Emissions Regional Thresholds

Pollutant	Construction	Operations
Regional Thresholds		
NOX	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
PM2.5	55 lbs/day	55 lbs/day
SOX	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day

Furthermore, the SCAQMD also establishes Localized Significance Thresholds (LSTs) in response to the SCAQMD Governing Board's Environmental Justice Initiative I-4. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest residence or sensitive receptor. The SCAQMD states that lead agencies can use the LSTs as another indicator of significance in its air quality impact analyses. The SCAQMD states that lead agencies can use the LSTs as another indicator of significance in its air quality impact analyses. LSTs applicable to the Project are summarized on blow in Table 4.2-4 – *Maximum Daily Emissions Localized Thresholds*.

Table 4.2-4 - Maximum Daily Emissions Localized Thresholds

Pollutant	Construction	Operations
Localized Thresholds		
NOX	325 lbs/day (Site Preparation)	N/A
	257 lbs/day (Grading)	
CO	1,677 lbs/day (Site Preparation)	N/A

Pollutant	Construction	Operations
	1,244 lbs/day (Grading)	
PM10	11 lbs/day (Site Preparation)	N/A
	8 lbs/day (Grading)	
PM2.5	7 lbs/day (Site Preparation)	N/A
	5 lbs/day (Grading)	

Project-Related Sources of Potential Impact

SCAQMD in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the California Emissions Estimator Model (CalEEMod) v2016.3.2. The model calculates construction-source and operational source criteria pollutant (VOCs, NOx, SOx, CO, PM10, and PM2.5) and greenhouse has (GHG) emissions form direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures. The latest version of the CalEEMod was used for the project to determine construction and operational air quality emissions.

4.2.4 Methodology

Project-related construction and operational-source criteria air pollutant emissions were calculated using the CalEEModTM, Version 2016.3.2 (refer to Appendix B of the Project's Air Quality and Greenhouse Gas Analysis [Appendix B] for Criteria Air Pollutant CalEEMod Output Files). CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for the use of government agencies, land use planners, and environmental professionals. This model was developed in coordination with the SCAQMD and is the most current emissions model approved for use in California by various other air districts. Emissions modeling is based on Project-specific data (e.g., size and type of proposed use) and vehicle trip information from the Project's Traffic Impact Analysis (Appendix M).

CalEEMod, Version 2016.3.2 was used to calculate the Project's construction-related emissions. Construction activities produce air emissions from various sources (e.g., grading, site preparation, heavy duty construction equipment, utility engines, heavy duty trucks, and motor vehicles transporting a construction crew). Construction equipment within the project site that would generate criteria air pollutants would include, but not limited to, backhoes, dozers, excavators, loaders, and haul trucks. In calculating construction emissions, the Project-specific Air Quality and Greenhouse Gas Analysis assumed a tentative Project construction schedule with an estimated start date of 2020 (summer) and an estimated completion date in July 2021. Construction emission calculations assumed that dust control measures (watering at least twice daily) would be employed to reduce emissions of fugitive dust during site grading. Further, all construction would be required to comply with SCAQMD Rule 403 regarding the emission of fugitive dust. If the start date of construction occurs later than the date of summer 2020 assumed in this EIR, the air pollutant emissions reported in this subsection will likely be overstated compared to the level of emissions that will actually occur due to the progressive implementation of regulatory requirements that apply to on- and off-road construction equipment and the phasing out of older equipment in construction fleets and phasing in of newer pieces of equipment that emit a lesser concentration of air pollutants. The overall construction-related emissions are likely to decrease as construction equipment continually becomes more fuel-efficient.

The project's long-term air pollutant emissions would be associated with stationary sources and mobile sources. The stationary-source emissions would come from various sources associated with the Project's long-term operation, including the use of landscape equipment, general energy uses, and the generation and

disposal of solid waste. The vehicular trip generation rates included in the Project-specific Traffic Impact Analysis (Appendix M) were input into CalEEMod to calculate long-term operational mobile source emissions associated with the proposed Project.

The SCAQMD developed LST methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. SCAQMD published its Final Localized Significance Threshold Methodology in June 2003 (revised July 2008), recommending that all air quality analyses include an assessment of both construction and operational impacts on the air quality of nearby sensitive receptors. LSTs represent the maximum emissions from a project site that are not expected to result in an exceedance of the NAAQS or CAAQS. LSTs are based on the ambient concentrations of that pollutant within the project Source Receptor Area (SRA) and the distance to the nearest sensitive receptor. For this Project, the appropriate SRA for the LST is the Lake Elsinore monitoring station (SRA 25). The closest sensitive receptor is approximately 53 feet (16 meters) north of the project site. Notwithstanding, the SCAQMD methodology explicitly states that "*It is possible that a project may have receptors closer than 25 meters. Projects with boundaries located closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters*." Accordingly, LSTs for receptors at 25 meters are utilized in this analysis and provide for a conservative i.e., "health protective" standard of care. This would also ensure that any other sensitive receptors (residents or school students) located in close proximity to the project site are considered to determine if potential impacts occur.

The LST Methodology uses lookup tables based on site acreage to determine the significance of emissions for CEQA purposes; however, CalEEMod does not allow the user to mitigate construction emissions by directly modifying acreage disturbed. CalEEMod calculates construction emissions (offroad exhaust and fugitive dust) based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment. For construction emissions, the localized significance for a project greater than 5 acres can be determined by following the CalEEMod guidance to approximate the number of acres disturbed per day. For the proposed Project, it was determined the proposed project could actively disturb approximately 1.5 acres per day during the site preparation and 3.0 acres per day during the grading phase of construction.

4.2.5 Impact Analysis

Impact 4.2-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?

The proposed project is located in the South Coast Air Basin (SCAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards. Currently, these state and federal air quality standards are exceeded in most parts of the Basin. In response to federal and state air quality standards being exceeded in most parts of the Basin, the SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet state and federal ambient air quality standards. The AQMP serves to detail goals, policies and programs for improving air quality in the Basin. Construction and operation of the proposed project would result in the generation of criteria pollutants that include pollutants for which the Basin is currently designated to be in non-attainment status.

Per the *Air Quality Impact Analysis* (Appendix B), the 2016 AQMP continues to evaluate current integrated strategies and control measures to meet the NAAQS. The AQMP incorporates scientific and technological information and planning assumptions, including the 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and updated emissions inventory methodologies for various source categories. The proposed project consistency with the AQMP will be determined using the AQMP per the criteria below:

Consistency Criterion No. 1

- The proposed project will not result in in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if LSTs or Regional Significance Thresholds were exceeded. The Project has the potential to result in significant air quality emissions that could result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP during both construction and long-term operation. Each is discussed below.

Constructions Impacts

Per the *Air Quality Impact Analysis* (Appendix B), the violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if LSTs or regional significance thresholds were exceeded. As shown below in Table 4.2-7, *Overall Construction Emissions Summary* and Table 4.2-9 - *Localized Significance Summary Construction* the proposed project would not exceed the applicable LST thresholds or regional significance thresholds for construction activity. Therefore, the Project would not conflict with the AQMP according to this criterion.

Operation Impacts

As shown in Table 4.2-8, *Summary of Operational Emissions*, the Project would not exceed the applicable LST or regional significance thresholds for operational activity. Therefore, the Project would not conflict with the AQMP according to this criterion.

Consistency Criterion No. 2

- The proposed project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.

Overview

The 2016 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in the City of Lake Elsinore General Plan is considered to be consistent with the AQMP.

Construction Impacts

Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the site's land use designation, development of the site to its maximum potential would likely occur, with disturbance of the entire site occurring during construction activities.

Operational Impacts

The Project site is consistent with the General Commercial land use and C-2 Commercial zoning designation. Therefore, the project is considered to be consistent with the underlying land use designations for the subject site as programmed into the AQMP.

AQMP Consistency Conclusion

The proposed project would not result in or cause NAAQS or CAAQS violations. The proposed project's proposed land use designation for the subject site is permitted/conditionally permitted in the adopted City General Plan. The proposed project is therefore consistent with the AQMP and would result in less than significant impact and no mitigation is required.

Based on the foregoing analysis, implementation of the proposed project would not conflict with the SCAQMD AQMP.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.2-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

The construction and operation of the proposed project would generate regional emissions of criteria air pollutants. Construction and operational related pollutants would be generated by the proposed project. Construction activities with the project would result in emissions of volatile organic compounds (VOC), nitrogen oxides (NOx), sulfur dioxide (SO2), carbon monoxide (CO), particulate matter with a diameter of 10 microns or less (PM10), and particulate matter less than 2.5 microns (PM 2.5). Construction related emissions are expected from the construction activities such as site preparation, grading, building construction, paving, and architectural coating. Operation activities associated with the proposed project would result in emissions of VOCs, NOx, SOx, CO, PM10, and PM2.5. Operation emissions would be expected to be contributed from area source emissions, energy source emissions, mobile source emissions, and gasoline dispensing emission. Construction and operation-source emissions of air pollutants resulting from the proposed project may contribute to existing and projected exceedances of criteria pollutants within the Basin. As such, an *Air Quality Impact Analysis* has been prepared and evaluated whether the proposed project's emissions would result in a cumulatively considerable net increase in any criteria pollutant for which the SCAB is in non-attainment.

Construction Emissions

Construction related emissions are expected from activities such as site preparation, grading, building construction, paving, and architectural coating. The construction schedule, as seen in Table 4.2-5 – *Construction Duration*, utilized in the analysis represents a "worst-case" analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent. The site-specific construction fleet may vary due to specific project needs at the time of construction. A shown in Table 4.2-6 – *Construction Equipment* below, the duration of construction activity and associated equipment both represent a reasonable approximation of the expected construction fleet as required per CEQA guidelines.

Table 4.2-5 - Construction Duration

Phase Name	Start Date	End Date	Days
Site Preparation	05/30/2020	06/12/2020	10
Grading	06/13/2020	07/10/2020	20
Building Construction	07/11/2020	05/28/2021	230
Paving	05/29/2021	06/25/2021	20
Paving	06/26/2021	07/23/2021	20

Table 4.2-6 - Construction Equipment

Activity	Equipment	Number	Hours Per Day
Site Preparation	Rubber Tired Dozers	3	8
	Crawler Tractors	4	8
	Graders	1	8
Grading	Excavators	1	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Crawler Tractors	3	8
Building Construction	Cranes	1	8
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	8
	Welders	1	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8

Dust is typically a major concern during rough grading activities. Because such emissions are not amenable to collection and discharge through a controlled source, they are called “fugitive emissions”. Fugitive dust emissions rates vary as a function of many parameters (soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation, etc.). CalEEMod was utilized to calculate fugitive dust emissions resulting from this phase of activity. According to the *Air Quality Impact Analysis,* the Project will require approximately 22,417 cubic yards of soil export and has been modeled accordingly in CalEEMod.

Construction emission for construction worker vehicles traveling to and from the project site, which included vendor trips were estimated based on the CalEEMod.

Construction Emission Summary

SCAQMD Rules applicable during construction activity for the proposed project include but are not limited to Rule 1113 (Architectural Coatings and Rule 403 (Fugitive Dust). Based on the assumed scenarios, emission resulting from the project construction would not exceed criteria pollutant thresholds that are established by the SCAQMD for emissions of any criteria pollutant. Table 4.2-7 – *Overall Construction Emissions Summary*, summarizes the estimated daily construction emissions without mitigation. Therefore, a less than significant impact would occur and no mitigation is required.

Table 4.2-7 - Overall Construction Emissions Summary

Year	Emissions (lbs/day)					
	VOC	NOX	CO	SOX	PM10	PM2.5
2020	6.12	75.92	24.93	0.15	11.06	6.77
2021	15.99	22.72	22.07	0.05	2.42	1.35
Maximum Daily Emissions	**15.99**	**75.92**	**24.93**	**0.15**	**11.06**	**6.77**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Operation Emissions

The emissions associated with the operational activities include VOCs, NOx, SOx, CO, PM10, and PM2.5. The operation emission sources would be expected to be from the following:

- Area Source Emissions
- Energy Source Emissions
- Mobile Source Emissions
- Gasoline Emissions

Architectural Coatings

The proposed project consists of several buildings and over those buildings will be subject to emissions resulting from evaporation of solvents contained in paints, varnishes, primers, and other surface coatings as part of project maintenance. The emissions associated with architectural coatings were also calculated utilizing the CalEEMod.

Consumer Products

Consumer products associated with the proposed project include but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. The mentioned products contain organic compounds which when released in the astrosphere can react to form ozone and other photochemically reactive pollutants.

Landscape Maintenance Equipment

Emissions related to landscape maintenance equipment would be associated with lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscape of the proposed project. This maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel.

Energy Source Emission

Combustion Emission Associated with Natural Gas and Electricity

Criteria pollutant emissions are emitted through the generation and consumption of natural gas. Electricity and gas are sources used by almost every project. Due to electrical generating facilities for the project area are located either outside the region (State) or offset through the use of pollution credits (RECLAIM) for generation within the SCAB, criteria pollutant emissions from offsite generation of electricity is generally excluded from the evaluation of significance and only natural gas use is considered.

Mobile Source Emissions

Vehicle

The proposed projects mobile source air quality emissions are primarily dependent on both overall daily vehicle trip generation. Due to the nature of the proposed project and the projects location, a substantial amount of residential land uses within a 3-mile radius an average trip length for customer of 3 miles was used in the assessment as opposed to the 8.4-mile model CalEEMod default trip length value. In addition, 96% of all trips area assumed to be customer trips, 3% of all trips are assumed to be workers, and 1% of all trips are assumed to be other tips.

Gasoline Dispensing Emissions

The storage, transfer, and dispensing of gasoline is not expected to generate significant VOC emissions. The enhanced vapor recovery systems required by SCAQMD Rule 461 would substantially reduce VOC emissions and mitigate any potential for the project to exceed the daily emissions thresholds set by SCAQMD.

SCAQMD Rule 461 sets a maximum limit of 0.15 pounds of VOC per 1,000 gallons from the storage, transfer and dispensing of gasoline and 0.38 pounds of VOC per 1,000 gallons from the dispensing of gasoline into vehicle fuel tanks (Phase II) for a total of 0.53 pounds of VOC per 1,000 gallons of gasoline. Typical gas station gasoline throughput is estimated to be 2,000,000 gallons/year or 5,479.45 gallons/day. This would result in approximately 2.90 pounds of additional VOC per day.

Operation Emission Summary

According to the *Air Quality Impact Analysis,* during operation activity, the proposed project would not exceed any of the thresholds of significance. Table 4.2-8 – *Summary of Operational Emissions* of the *Air Quality Impact Analysis* below shows a summary of the daily regional emissions from on-going operations of the proposed project.

Table 4.2-8 - Summary of Operational Emissions

Operational Activities	Emissions (lbs/day) VOC	NOX	CO	SOX	PM10	PM2.5
Summer Scenario						
Area Source	0.70	3.0E-05	3.0E-03	0.00	1.0E-05	1.0E-05
Energy Source	0.06	0.55	0.46	3.32E-03	0.04	0.04
Mobile	23.51	35.55	81.88	0.13	10.69	2.95
Gasoline Dispensing	2.90	0	0	0	0	0
Total Maximum Daily Emissions	**27.18**	**36.10**	**82.35**	**0.14**	**10.73**	**2.99**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
Winter Scenario						
Area Source	0.70	3.0E-05	3.0E-03	0.00	1.0E-05	1.0E-05
Energy Source	0.06	0.55	0.46	3.32E-03	0.04	0.04
Mobile	20.84	36.47	81.73	0.12	10.69	2.96
Gasoline Dispensing	2.90	0	0	0	0	0
Total Maximum Daily Emissions	**24.5**	**37.02**	**82.20**	**0.13**	**10.73**	**2.99**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

With respects to regional impacts and the information presented above, the proposed project would result in less than significant impacts for both the construction and operation phases and no mitigation is required.

Based on the foregoing analysis, implementation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant and impacts would be less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.2-3: Would the project expose sensitive receptors to substantial pollutant concentrations?

Emissions resulting from the gasoline service station have the potential to result in toxic air contaminants (TACs) (e.g., benzene, hexane, MTBE, toluene, xylene) and have the potential to contribute to health risk in the project vicinity. It should be noted that standard regulatory controls would apply to the project in addition to any permits required that demonstrate appropriate operational controls. It is unknown at the time the annual amount of gasoline that will be required for the proposed gas station. As a conservative measure, it is assumed that the gasoline station would have an annual throughout of approximately 2,000,000 gallons. For purposes of this evaluation, cancer risk estimates can be made consistent with the methodology presented in SCAQMD's *Risk Assessment Procedures for Rules 1401, 1401.*1 & *212* which provides screening-level risk estimates for gasoline dispensing operations. The Project site is located within Source Receptor Area (SRA) 25 and the gasoline station canopy is located approximately 190 feet/58 meters of a residential land use. Based on this screening procedure it is anticipated that no residential sensitive receptors in the project vicinity will be exposed to a cancer risk of greater than 1.82 in one million which is less than the applicable threshold of 10 in one million. It should be noted that this screening-level risk estimate is very conservative (i.e., it would overstate rather than understate potential impacts). Upon entitlement the Project will be required to obtain requisite permits from the SCAQMD which will ultimately dictate the maximum annual throughput allowed.

As previously mentioned, the proposed project is located within the SCAB which is currently classified as a federal nonattainment area foreground-level ozone (O3) and PM2.5 and state nonattainment area for O3 (1- and 8-hour standard), PM10 and PM2.5. The proposed project would emit criteria pollutants during both construction and long-term operation. Sensitive receptors in the form of residential homes surround the project site to the north, south, east, and west. As such, an *Air Quality Impact Analysis* (Appendix B) has been prepared to evaluate whether the proposed project would expose nearby sensitive receptors to substantial pollutant concentrations.

Localized Significance – Construction Activity

The SCQMD established LST in response to the SCAQMD Governing Board's Environmental Justice Initiative I-4. LST represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest residence or sensitive receptor.

For the proposed project, the appropriate Source Receptor Area (SRA) for the LST is the Lake Elsinore monitoring station (SRA 25). LST apply to carbon monoxide (CO), nitrogen dioxide (NO2), particulate matter ≤ 10 microns (PM10) and particulate matter ≤ 2.5 microns (PM2.5).

Construction-Source Emissions LST Analysis

Since the total acreage disturbed is less than five acres per day for both the site preparation phase and the grading phase, the SCAQMD's screening look-up tables are utilized in determining impacts. It should be noted that since the look-up tables identifies thresholds at only 1 acre, 2 acres, and 5 acres, linear regression has been utilized, consistent with SCAQMD guidance, in order to interpolate the threshold values for the other disturbed acreage not identified. As previously noted, a 320-meter receptor distance is utilized to determine the LSTs for emissions of CO, NO2, PM10, and PM2.5.

As seen in Table 4.2-9 – *Localized Significance Summary Construction,* identifies the localized impacts at the nearest receptor in the vicinity of the proposed project. It is indicated that the proposed project without mitigation, localized construction emissions would not exceed the applicable SCAQMD LSTs for emissions of any criteria pollutant.

Table 4.2-9 - Localized Significance Summary Construction

On-Site Site Preparation Emissions	Emissions (lbs/day) NOX	CO	PM10	PM2.5
Maximum Daily Emissions	**70.09**	**24.20**	**10.86**	**6.71**
SCAQMD Localized Threshold	325	1,677	11	7
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
On-Site Mass Grading Emissions	**Emissions (lbs/day) NOX**	**CO**	**PM10**	**PM2.5**
Maximum Daily Emissions	**42.41**	**16.71**	**4.95**	**2.97**
SCAQMD Localized Threshold	257	1,244	8	5
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Localized Significance – Long-Term Operational Activity

The proposed project site consists of commercial/retail uses. According to the SCAQMD LTS methodology, LSTs would apply to the operational phase of a proposed project, if the project includes stationary sources, or attracts mobile sources that may spend long periods queuing and idling at the site. The proposed project does not include such uses, and thus, due to the lack of significant stationary source emissions, no long-term localized significance threshold analysis is needed.

CO "Hot Spot" Analysis

A CO concentration or a "Hot Spot" would occur if an exceedance of the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur. Hot spots are caused by vehicle emissions primarily idling at congested intersections. The allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars. It is important to note that there are requirements for certain vehicle types that are more stringent.

A traffic report was also prepared for the proposed project and as indicated in the reports exhibit 8-4, the highest average daily trips on a segment of road would be 60,600 daily trips on Lake Street between A and D Street. Additionally, the 2003 AQMP determined that the highest traffic volumes of a segment of road is 8,674 vehicles per hour. Thus, the highest trips on a segment of road for the proposed project is 5,911 vehicles per hour on Lake Street and Nichols Road. Therefore, project-related traffic volumes are less than the traffic volumes identified in the 2003 AQMP.

The proposed Project considered herein would not produce the volume of traffic required to generate a CO "hot spot" either in the context of the 2003 Los Angeles hot spot study, or based on representative BAAQMD CO threshold considerations, as shown below on Table 4.2-10 – *Cumulative with Project Peak Hour Traffic Volumes*. Therefore, CO "hot spots" are not an environmental impact of concern for the proposed Project. Localized air quality impacts related to mobile-source emissions would therefore be less than significant.

Table 4.2-10 - Cumulative With Project Peak Hour Traffic Volumes

Intersection Location	Peak Traffic Volumes (vph)				
	Northbound (AM/PM)	Southbound (AM/PM)	Eastbound (AM/PM)	Westbound (AM/PM)	Total (AM/PM)
Lake St./Temescal Canyon Rd.	1,660/1,815	935/1,889	1,418/777	0/0	4,013/4,481
Lake St./Nichols Rd.	1,696/1,481	990/1,695	595/745	1,525/1,990	4,806/5,911
Lake St./A St.	1,683/1,784	1,077/1,964	155/615	175/215	3,090/4,578
Lake St./D St.	1,369/1,111	1,072/1,918	510/773	250/270	3,201/4,072

Based on the foregoing analysis, implementation of the proposed project would not result in the exposure of sensitive receptors to substantial pollutant concentrations and impacts would be less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.2-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Certain groups are especially sensitive to air pollution and are given special consideration when evaluating air quality impacts from projects. These groups include children, the elderly, individuals with pre-existing respiratory or cardiovascular illness, athletes, and others who engage in frequent exercise. Sensitive receptors near the project site include existing residential homes and school uses. Results of the analysis in the Air Quality Impact Analysis indicated that the proposed project would not exceed the SCAQMD localized significant threshold during both construction and operational activity and therefore would have a less than significant impact. The potential for the proposed project to generate objectionable odors has been considered. Land uses generally associated with long term odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities.

Per the *Air Quality Impact Analysis* (EIR Technical A), the proposed project does not contain land uses typically associated with emitting objectionable odors. The project site does not contain any of the land use mentioned or uses that are typically associated with emitting objectionable odors temporary, short-term odor releases could result from project construction activities. Standard construction requirements would minimize odor impacts from construction, in addition to construction odor emission being temporary and would cease upon completion of the respective phase of construction. Potential sources of odors can include but are not limited to diesel exhaust, asphalt/paving materials, glues, paint, and other architectural coatings. In addition, it is anticipated the projects generated refuse would be stored in covered containers and then removed at regular intervals in compliance with the City's solid waste regulations.

With respects to the proposed gas station, some odors are anticipated to be associated with gasoline dispensing but these odors would dissipate as a function of distance from the site and are not anticipated to affect any nearby sensitive land uses. Furthermore, the proposed project would be required to comply with SCAQMD Rule 402 in order to prevent public nuisances. Therefore, odors associated with the proposed project construction and operations would be less than significant and no mitigation is required.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

4.2.6 Cumulative Impacts

As described above in Impact 4.2-1, the proposed project would not result in a conflict with the SCAQMD AQMP. Although other development projects within the SCAB region have the potential to conflict with the AQMP, the proposed project's compliance with the AQMP precludes a cumulatively considerable impact; therefore, implementation of the project would not result in a cumulatively considerable impact associated with AQMP compliance.

As described above in Impact 4.2-2, the proposed project would not result in an exceedance of SCAQMD Regional Thresholds for construction or operational-source emissions, and as previously stated, project implementation would comply with the AQMP. Compliance with the Regional Thresholds and AQMP would avoid any cumulatively considerable impact; therefore, the project would not result in cumulatively-considerable impacts associated with substantial pollutant concentrations.

The Project does not involve any uses that would produce substantial amounts of odors. Mandatory compliance with applicable regulatory requirements (i.e., SCAQMD Rule 1401 and Rule 402) would ensure that operational-related odors would be minimized. Construction-related odors would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than cumulatively-considerable. The Project and cumulative developments in the surrounding areas would be required to comply with SCAQMD Rule 402, which would ensure that long-term operational odor impacts are less than cumulatively-considerable.

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4.3 Biological Resources

This section of the Draft Environmental Impact Report (EIR) addresses the potential impacts of the proposed project to existing biological resources in accordance with the significance criteria established in Appendix G of the California Environmental Quality Act (CEQA) Guidelines. This section of the Draft EIR is based on the Phase I (Habitat Assessment) and Phase II (Burrow Survey) and Discussion of Multiple Species Habitat Conservation Plan Issues (Pacific Southwest Biological Services, Inc., 2021) found in Appendix C of this EIR.

A Joint Project Review (JPR) was completed by the Western Riverside County Regional Conservation Agency (RCA) to determine consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and identify potential impacts to biological resources associated with the development of the Proposed Project (Appendix C1 – Joint Project Review (JPR 21-02-04-01) for the LEAP 2020-03/Lake and Mountain Commercial Center, Regional Conservation Agency (RCA), June 01, 2021).

The U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) provided comments on the JPR as they relate to the project's consistency with MSHCP Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface) (Appendix XX – Review of the Joint Project Review [JPR 21-02-04-01] for the LEAP 2020-03/Lake and Mountain Commercial Center, provided by U.S. Fish and Wildlife Service and California Department of Fish and Wildlife, June 11, 2021).

The following sections describe the environmental setting for biological resources, the applicable regulatory framework, potential impacts of the proposed project, thresholds of significance on various species, ecosystems, and local policy, and mitigation measures to reduce potential impacts to a level of less than significant.

4.3.1 Environmental Setting

The project site is located in the northwestern portion of Lake Elsinore in western Riverside County. Land uses surrounding the project site include residential east of Lake Street and south of Mountain Street, non-native grasslands and residential to the west, and fallow agricultural fields to the north.

Vegetation Communities

The Habitat Assessment prepared for the proposed project identifies three vegetation communities that occur within the project site or within 500 feet of the project boundary. These vegetation communities include Urban/Developed, Disturbed Habitat, and Non-native Grassland. The Habitat Assessment concluded that no native plants occur within the project site or within 500 feet of the project boundary. The vegetation communities found onsite are described in more detail below:

Urban/Developed (2.7 acres): There are several occupied residences on the site, as well as ancillary structures. An assortment of inactive vehicles and mechanical equipment occupies part of the northernmost parcel, as does a small power substation.

Disturbed Habitat (0.86 acre): This portion of the site is without any structures and is routinely disked to reduce fuel load within the site; therefore, these areas are unvegetated.

Non-native Grassland (2.5 acres): This ground cover constitutes unoccupied land that has not been recently disked supports a sparse cover of weedy species, including Short-pod Mustard (*Hirschfeldia incana*), Horseweed (*Conyza canadensis*), Red Brome (*Bromus madritensis* ssp. *rubens*), Doveweed (*Eremocarpus setigerus*), Hare Barley (*Hordeum murinum* ssp. *leporinum*), and Telegraph Weed (*Heterotheca grandiflora*).

Plants observed on the site are largely associated with the present or past cultivation of the land or residential landscaping. Native elements are those which have been able to persist or re-establish following cessation of cultivation activities. The list of plants observed indicates at least 45 taxa occur on the site; of this total, 32 (71%) are exotic, cultivated plants or introduced, largely Mediterranean-region non-native plants (Appendix 1). Two separate stands of native Box Springs Goldenbush (*Ericameria palmeri* var. *pachylepis*) occur on the site, notable only because persisting as re-sprouts from roots despite past cultivation of the sites.

Although the survey was conducted during seasons when not all plants on the property, especially annuals, would be detectible, the list includes the great majority of the flora on the site. Several sensitive plants were sought based upon MSHCP requirements. Due to the lack of proper substrate or prior disturbance of the soils on the site, none of these have a meaningful potential for occurrence on the project site. Table 1 lists these plants and the specific reasons they are unlikely to occur on the site. No sensitive plants were observed or are expected to occur on the property.

Common Wildlife

The project site supports a variety of common wildlife species typically found within an urban environment of western Riverside County. Common wildlife detected during the Habitat Assessment include reptile species such as the western fence lizard (Sceloporus occidentalis) and the San Diego alligator lizard (Elgaria multicarinata webbii); mammal species such as Audubon's cottontail (Sylvilagus audubonii), Botta's pocket gopher (Thomomys bottae), opossum (Didelphis virginiana), striped skunk (Mephitis mephitis), raccoon (Procyon lotor), and the California ground squirrel (Spermophilus beecheyi); and, avian species such as the mouring dove (Zenaida macroura), rock pigeon (Columba livia), American crow (Corvus brachyrynchos), common raven (Corvus corax), European starling (Sturnus vulgaris), northern mockingbird (Mimus polyglottos), and the California towhee (Pipilo crissalis).

4.3.2 Multiple Species Habitat Conservation Plan (MSHCP)

The project site lies within MSHCP Subunit 2: Alberhill of the Elsinore Area Plan. Specifically, the project site is within Cells #4155 and #4156 of the MSHCP; however, these Cells are not located within a Cell Group. Conservation within these Cells will contribute to assembly of Proposed Core 1, located approximately in the east-central region of the Plan Area, and consisting largely of private lands in the Alberhill area but also containing small pieces of Public/Quasi-Public Lands. Conservation within these cells will focus on Coastal Sage Scrub and Chaparral habitat. Areas conserved within these cells will be connected to Coastal Sage Scrub and Chaparral habitat in Cell Groups T and U to the north, and to similar habitat in Cell #4157 to the east. Conservation within Cell #4155 will range from 20-30% of the Cell, focusing in the northeastern potion of the Cell. The project site is located in the southeastern-most corner of that cell and is surrounded by development to the east and south and disturbed habitat on the west. Conservation within Cell #4156 will range from 65-75% of the Cell, focusing in the northeastern portion of the Cell. However, since the project site is occupied by Disturbed Habitat, existing residences and other structures, is devoid of any natural vegetation community, and is virtually surrounded by existing development and agriculture, these parcels do not contribute to the MSHCP conservation effort.

Within the MSHCP Subunit, the following species are covered by the Plan include: Bell's sage sparrow, yellow warbler, cactus wren, quino checkerspot butterfly, coastal California gnatcatcher, Riverside fairy shrimp, Cooper's hawk, bobcat, Downy woodpecker, mountain lion, least Bell's vireo, Stephens' kangaroo rat, southwestern willow flycatcher, Coulter's goldfield, tree swallow many-stemmed dudleya, tri-colored blackbird Munz's onion, white-tailed kite, vernal barley, and yellow-breasted chat.

As part of the Habitat Assessment, the project site has been surveyed for compliance with Section 6.1.2 (Riverine/Riparian, Vernal Pools and Fairy Shrimp), Section 6.1.3 (Protection of Narrow Endemic Plant Species), Section 6.1.4 (Urban/Wildlife Interface Guidelines), and Section 6.3.2 (Additional Survey Needs and Procedures) of the MSHCP.

4.3.3 Regulatory Setting

Federal Regulations

Migratory Bird Treaty Act

Nesting birds are protected under the federal Migratory Bird Treaty (MBTA) of 1918. The MBTA provides protection for nesting birds that are both residents and migrants whether or not they are considered sensitive by resource agencies. The MBTA prohibits take of nearly all native birds. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered take under federal law. The United States Fish and Wildlife Service (USFWS), in coordination with California Department of Fish and Wildlife (CDFW) administers the MBTA. CDFW's authoritative nexus to MBTA is provided in the California Fish and Game Code (CFGC) Sections 3503.5 which protects all birds of prey and their nests and FGC Section 3800 which protects all non-game birds that occur naturally in the State.

Federal Endangered Species Act

The Endangered Species Act of 1973 (ESA), as amended, provides for listing of endangered and threatened species of plants and animals and designation of critical habitat for listed animal species. The ESA also prohibits all persons subject to U.S. jurisdiction from "taking" endangered species, which includes any harm or harassment. Section 7 of the ESA requires that federal agencies, prior to project approval, consult USFWS and/or the National Marine Fisheries Service (NMFS) to ensure adequate protection of listed species that may be affected by the project.

Clean Water Act

In the year 1948, the U.S. Congress passed the Federal Water Pollution Control Act. Later, the act was amended in 1972 and became known as the Clean Water Act (CWA). The CWA laid the foundation for regulating the discharge of pollutants into the waters of the United States. The act stipulates a variety of regulatory and non-regulatory tools to dramatically lower the amount of direct pollutant discharges into waterways, manage polluted runoff, and finance municipal wastewater treatment facilities.

- Sections 303 and 304 stipulates water quality standards, criteria, and guidelines.

- Section 401 mandates each applicant to obtain a federal permit or license for any activity that may lead to a discharge to a water body to obtain a water quality certification that the proposed activity will comply with applicable water quality standards. Under Section 401 of the CWA, the State Water Resources Control Board (SWRCB) must verify that actions receiving approval under Section 404 of the CWA also meet the water quality standards put out by the state.
- Section 402 regulates point- and nonpoint-source discharges to surface waters through the National Pollutant Discharge Elimination System (NPDES) program. In California, the SWRCB manages the NPDES program, which is administered by the Regional Water Quality Control Boards. The NPDES program allows for both individual permits and general permits (those that cover a number of similar or related activities). Anti-backsliding requirements stipulated under CWA Sections 402(o)(2) and 303(d)(4) prohibit slackening of regulations and discharge requirements under updated NPDES permits. With limited and isolated exceptions, these regulations mandate effluent limitations in a reissued permit to be at minimum as strict as ones present in the previous permit.
- Section 404 of the Clean Water Act installs a program to regulate the discharge of dredged and fill material into waters of the United States, including various wetlands. Activities in waters of the United States that are regulated under this program include water resource projects (e.g., levees and dams), fills for development, conversion of wetlands to uplands for farming and forestry, and infrastructure development (e.g., airports and highways). This program is supervised by the USACE.

State Regulations

State CEQA Guidelines Section 153380

Although endangered and threatened species are protected by specific state and federal statutes, California Environmental Quality Act (CEQA) Guidelines Section 15380(b) states that a species not listed on the state or federal list of protected species may be designated as endangered or rare if the species can be shown to meet certain specified criteria. These criteria have been designed after the definition in FESA and the section of the California Fish and Game Code regarding endangered or rare plants or animals. This section was covered within CEQA to mainly deal with events in which a public agency is reviewing a project that may have a potentially significant impact on, for example, a candidate species that has not been put on the list by either USFWS or CDFW. Thus, CEQA provides an agency the capability to protect a species from the potential impacts of a project until the respective government agencies can classify the species as protected, if authorized. CEQA also orders for the protection of other locally or regionally significant resources, such as natural communities. Although natural communities do not currently have any kind of legal protection, CEQA calls for an evaluation of whether any such resources would be affected, and mandates findings of significance if there are going to be significant losses. Natural communities designated by CNDDB as sensitive are considered by CDFW to be significant resources and will take place under the State CEQA Guidelines for addressing impacts. Local planning documents, including general plans, will also often determine these resources.

California Endangered Species Act

The California Endangered Species Act (CESA) has many similarities to the FESA. CESA is carried out by the CDFW. CESA provides a method for CDFW to designate species as endangered or threatened by its own initiative or in response to a citizen petition (Fish and Game Code Section 2070 et seq.). Section 2080 of CESA prohibits the take of species listed as endangered or threatened pursuant to the Act (Fish and Game Code Section 2080). Section 2081 allows CDFW to allow take prohibited under Section 2080 provided that: (1) the taking is incidental to an otherwise lawful activity; (2) the taking will be minimized and fully mitigated; (3) the

applicant ensures adequate funding for minimization and mitigation; and (4) the authorization will not jeopardize the continued existence of listed species (Fish and Game Code Section 2081).

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act states that waters of the State fall under the jurisdiction of the applicable RWQCB. Under the act, the RWQCB is required to prepare and regularly revise water quality control basin plans. Each basin plan introduces water quality standards for groundwater and surface water, as well as actions to manage point and nonpoint sources of pollution to reach and maintain these standards. Projects that have an impact on waters or wetlands must meet waste discharge requirements of the RWQCB, which may be issued in addition to a waiver or water quality certification under Section 401 of the CWA. A report of waste discharge pursuant to California Water Code Section 13260 may be needed by the RWQCB.

California Department of Fish and Game Code

The California Fish and Game Code regulates the taking of mammals, birds, fish, reptiles, and amphibians, as well as natural resources including waters and wetlands of the state. It includes the Streambed Alteration Agreement regulations (Sections 1600- 1616) and CESA (Sections 2050-2115), as well as provisions for legal fishing and hunting, and tribal agreements relating to the take of native wildlife. Any project impact to state-listed species within or alongside a project site would mandate a permit under CESA. Also, if a project recommends altering a state-defined wetland, then a Streambed Alteration Agreement would be mandatory from CDFW.

California Native Plant Protection Act

The California Native Plant Protection Act (CNPPA) of 1977 (Fish and Game Code Sections 1900–1913) is expected to protect, enhance, and preserve endangered or rare native plants in the State and gives the CDFW the right to classify state threatened, endangered, and rare plants and provides detailed protection measures for identified populations. The Act also advises the California Fish and Game Commission to adopt regulations governing propagation, possessing, taking, and sale of any endangered or rare native plant.

Vascular plants listed as endangered or rare by the California Native Plant Society (2011), but which have no designated protection nor status under state or federal endangered species legislation, are defined as follows:

- Rank 1A: Plants Believed Extinct.
- Rank 1B: Plants Rare, Threatened, or Endangered in California and elsewhere.
- Rank 2: Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere.
- Rank 3: Plants About Which More Information is Needed - A Review List.
- Rank 4: Plants of Limited Distribution - A Watch List.

Natural Community Conservation Planning Program

The Natural Community Conservation Program (NCCP) Act, Sections 2800-2840 of the state Fish and Game Code, approved the creation of NCCPs to defend species and natural communities while allowing a feasible amount of economic development. The MSHCP, adopted by the County of Riverside on June 17, 2003, serves as a Habitat Conservation Plan (HCP) pursuant to the NCCP Act and pursuant to Section 10 (a)(1)(B) of the FESA.

Regional Regulations

Western Riverside County Multiple Species Habitat Conservation Plan

The project site is located within the Western Riverside County MSHCP. The MSHCP involves the management and assembly of a 500,000-acre Conservation Area for the conservation of natural habitats and their constituent wildlife populations. The MSHCP was developed to serve as a HCP pursuant to the Natural Communities Conservation Planning (NCCP) Act and Section 10(a)(1)(B) of the FESA. The MSHCP allows for development of lands and take of species "in exchange for the assembly and management of a coordinated MSHCP Conservation Area" (Riverside County, 2004). It encompasses 1.26 million acres and also includes all of unincorporated Riverside County land west of the crest of the San Jacinto Mountains to the line of Orange County, as well as jurisdictional areas of the cities of Murrieta, Temecula, Canyon Lake, Riverside, Hemet, Lake Elsinore, Perris, San Jacinto, Norco, Corona, Moreno Valley, Banning, Calimesa, and Beaumont. The underlying purpose of the plan is to balance economic interests and development with lands and species conservation goals.

The approval of the MSHCP and the Implementing Agreement (IA) by the CDFW and USFWS permits signatories of the IA to issue "take" authorizations for the 146 species covered by the MSHCP (termed "covered species"), including federally and state listed species, as well as other determined sensitive species. The "take" authorization includes impacts to the habitats of the covered species. The MSHCP mandates that any new development is required to pay fees to support the financing for the MSHCP. The fees are expected to meet the requirements for mitigation regarding CEQA, CESA, and FESA. The MSHCP is additionally broken down into core linkages and areas, which are the focal point of preservation and reserve actions. The project is not located within any of the identified special or core linkage areas.

City of Lake Elsinore Regulations

City of Lake Elsinore General Plan

The City of Lake Elsinore General Plan (2011) contains the following biological resources goals, policies, and implementation measures that are relevant to the proposed project.

Goal 1: Identify and conserve important biological habitats where feasible while balancing the economic growth and private property right interests of the City, its residents, and landowners.

Policy 1.1: The City shall continue to participate in the Western Riverside County Multiple Species Habitat Conservation Plan, the LEAPS program, and the Implementing Agreement; with a strategy that focuses on quality assemblage of conservation acreage beginning at the start of the conservation range.

Policy 1.2: Evaluate the installation of barrier fencing or other buffers between MSHCP Conservation Areas and proposed public and private land uses that may be incompatible with the Conservation Areas in order to minimize illegal/unauthorized public access, domestic animal predation, or dumping in the Conservation Areas while not impeding wildlife movement.

Policy 1.3: The City's Conceptual Reserve Design shall be developed in accordance with Section 3.2.3 of the MSHCP as amended, and may rely upon the flexibility permitted by the MSHCP where appropriate in conducting the Reserve Assembly Accounting set forth in Section 6.7 of the MSHCP.

Policy 1.4: Encourage revegetation with native plants compatible with natural surrounding habitat where soils have been disturbed during construction, and discourage plants identified in the MSHCP as unsuitable for conservation areas.

Policy 1.5: The City shall coordinate with the Regional Conservation Authority to have that agency acquire native habitat areas as permanent open space and allow public trail access where appropriate.

Policy 1.6: The City shall establish a plan for a trail network intended for active or passive use within public open space areas and traversing around and through MSHCP Conservation areas where compatible with guidelines set forth in the MSHCP and City Council MSHCP policies.

Policy 1.7: The City shall require all new trails, trailheads, conservation signage, interpretive centers, and maintenance facilities established within MSHCP Conservation areas to follow the Guidelines for the Siting and Design of Trails and Facilities, as set forth in Section 7.4.2 of the MSHCP.

Policy 1.8: The City shall consult with the Regional Conservation Authority (RCA) and adjacent jurisdictions to ensure proper adherence to MSHCP guidelines and to allow for a maximum level of regional interconnection of trails systems. The City shall reduce, modify, or add to the regional interconnections and linkages based on new biological analysis brought forward during the CEQA and LEAP processes.

Implementation Program: Through the MSHCP, LEAP and CEQA processes the City shall identify and conserve important biological habitats while balancing economic growth and property rights.

Goal 2: Protect sensitive plant and wildlife species residing or occurring within the City.

Policy 2.1: Biological resources analyses of proposed projects shall include discussion of potential impacts to any plant or wildlife species that is officially listed as threatened or endangered by the United States Fish and Wildlife Service and/or the California Department of Fish and Game but not covered by the MSHCP.

Policy 2.2: Development or modification shall be discouraged in areas containing riparian habitat of high functions and values or corridors with 80% or more of natural native habitat that link larger patches of natural native habitat containing 80% or more native plant species. Further, development in areas described for conservation, including areas planned for riparian/riverine restoration included in the MSHCP, shall also be discouraged.

Policy 2.3: The City shall encourage the development of a Native Tree Planting and Maintenance Program that presents guidelines for selecting and locating trees to support wildlife, improve air and water quality, and reduce energy consumption.

Implementation Program: The City shall continue to implement the Western Riverside County MSHCP.

4.3.4 Thresholds of Significance

The criteria for establishing the significance of potential impacts on visual resources came from Appendix G of the State CEQA guidelines and apply to the proposed project. A significant impact would occur if the proposed project:

1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.3.5 Methodology

The project site was originally surveyed for Burrowing Owl according to accepted survey protocol on December 20 and 21, 2005. The survey was performed by walking through suitable habitat on the project site and in areas within 500 feet of the project site boundary. Survey transects in suitable habitat were spaced to allow 100% visual coverage of the ground surface, with transect center lines no more than approximately 100 feet apart. Binoculars (8.5x44) were used to aid in the detection and identification of wildlife.

On May 16, 2008, the project site was re-assessed and a field review of the project site determined that current habitat conditions closely reflected those encountered in December 2005.

The project site was assessed for sensitive plants and re-assessed for Burrowing Owl on August 23, 2019. Additionally, the seven adjacent parcels were traversed on foot, observing the plants and vegetation and recording observations as they were made. The Burrowing Owl re-assessment was to determine if any changes had occurred on the project site, particularly regarding Burrowing Owl habitat. The 2019 assessment determined the project site closely reflects the previous conditions.

4.3.6 Impact Analysis

Impact 4.3-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Vegetation Communities

As described above in Subsection 4.3.1, the field surveys conducted as part of the project-specific Habitat Assessment (Appendix C) did not identify any special-status plants or special-status habitats on the project site or within 500 feet of the project boundary. The project site consists of approximately 6.07 acres of generally disturbed area, which is regularly disturbed for fire abatement purposes and contains only non-native

vegetation. A full listing of the plant species observed on-site during the field survey conducted is listed above. Accordingly, because the project site does not contain any species identified as a candidate, sensitive, or special status species in local or regional plans, polices, or regulations, or by the CDFW or USFWS, the project would not have a substantial adverse effect on such species. As such, impacts to vegetation communities and plant species would be less than significant.

Animal Species

As described above in Subsection 4.3.1 the field survey conducted as part of the project-specific Habitat Assessment (Appendix C) did not identify any special-status animals on the project site. Several animal species were observed at the project site. A full listing of the plant species observed on-site during the field survey conducted is listed above.

Additionally, the project site is located within the Western Riverside County MSHCP Burrowing Owl Survey Area and therefore has the potential to support burrowing owls. Burrowing Owl Surveys were conducted in 2005 pursuant to MSHCP requirements. No burrowing owl individuals or burrowing owl signs were observed during the four 2005 burrowing owl surveys, nor were any burrowing owl individuals or signs observed during the on-site field surveys during 2006, 2008, and 2019. Though the potential for burrowing to inhabit the project site is low, the project would be required to conduct additional burrowing owl surveys prior to construction.

Because burrowing owl and other nesting birds as migratory species, there is a potential that these animal species could migrate onto the site and be present at the time construction activity for the project commences. Absent mitigation, the project could potentially disturb burrowing owl and other nesting birds if construction activities were to occur during the burrowing owl breading season (March 1 to August 31) or during nesting season (February 1 through August 31). Accordingly, construction-related impacts to nesting birds and to burrowing owl would be significant if the species are present during construction activities. Implementation of Mitigation Measure Bio-1 and Mitigation Measure Bio-2 would reduce impacts to burrowing owl and other nesting birds on-site to less than significant by requiring pre-construction surveys and identifying protocols in the event construction activities are determined to impact any burrowing owl or nesting bird.

Mitigation Measures:

BIO-1: Burrowing Owl Surveys. In accordance with MSHCP Objective 6, prior to issuance of grading permits or other permits authorizing ground disturbance, the project Applicant shall retain a qualified biologist to perform a pre-construction burrowing owl survey. The pre-construction burrowing owl survey shall occur within the Burrowing Owl Survey Area where suitable habitat is present within 30 days prior to project commencement of any ground-disturbing activities at the project site. If active burrowing owl burrows are detected during the breeding season, all work within an appropriate buffer (typically a minimum 300 feet) of any active burrow shall be halted until that nesting effort is finished. The on-site biologist shall review and verify compliance with these boundaries and shall verify the nesting effort has finished. Work can resume in the buffer when no other active burrowing owl burrows nests are found within the buffer area. If active burrowing owl burrows are detected outside the breeding season or during the breeding season and its determined nesting activities have not begun, then passive and/or active relocation may be approved following consultation with CDFW. The installation of one-way doors may be installed as part of a passive relocation program. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied, and back filled to ensure that animals do not re-enter the

holes/dens. Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to CDFW. A copy of the results of the pre-construction survey (and all additional surveys), as well as copies of the Burrowing Owl Management Plan, if required, shall be provided to the City of Lake Elsinore Planning Division for review and approval (in the case of the Burrowing Owl Management Plan) prior to any vegetation clearing and ground disturbance activities.

BIO-2: Nesting Bird Pre-construction Surveys. In order to avoid violation of the federal MBTA and California Fish and Game Code, construction activities shall be avoided to the greatest extent possible during the nesting season (generally February 1 to August 31).

If construction activities are to occur during the nesting season, a pre-construction nesting survey shall be conducted within three days prior to the commencement of construction (if between February 1 and August 31). A qualified biologist shall perform the nesting survey that will consist of a single visit to ascertain whether there are active raptor nests within 500 feet of the project footprint or other protected bird nests within 300 feet of the project footprint. Nests will be searched for in the trees and shrubs. This survey shall identify the species of nesting bird and to the degree feasible, nesting stage (e.g., incubation of eggs, feeding of young, near fledging). Nests shall be mapped (not by using GPS because close encroachment may cause nest abandonment). The follow-up nesting survey shall be conducted for five (5) consecutive days and no more than three (3) days prior to construction. If an active nest is observed, the nest location shall be fenced off surrounding an adequate radius buffer zone as determined by the biological monitor, to be at least 350 feet. The buffer zone shall not be disturbed until the nest is inactive. Biological monitoring shall occur during vegetation removal activities.

Significance after Mitigation: Less-than-significant

Impact 4.3-2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Sensitive natural communities include land that supports unique vegetation communities or the habitats of rare or endangered species or subspecies of animals or plants as defined by Section 15380 of the CEQA Guidelines. As described above in Section 4.3.1, the project-specific Habitat Assessment (Appendix C) included an assessment for MSHCP riparian/riverine areas and vernal pools. The Habitat Assessment determined that the project site does not contain any riverine/riparian and vernal pools habitat. This conclusion was reached due to the lack of riverine/riparian vegetation, vernal pools, and in particular, clay soils. Accordingly, the proposed project would have no potential to result in a substantial adverse effect on any riparian habitat or any Corps, RWQCB or CDFW jurisdictional features.

Further, the Habitat Assessment included an assessment for MSHCP narrow endemic species. The Habitat Assessment determined that the project site does not contain any narrow endemic species; therefore, implementation of the proposed project would not require protection of the narrow endemic species identified in Appendix 1 of the Habitat Assessment. Accordingly, the proposed project would have no potential to result in a substantial adverse effect on a sensitive natural community. As discussed below in Impact 4.1-6, no on-site habitat conservation is required. In order to mitigate potential adverse effects on adjacent MSHCP Conservation Areas, Mitigation Measure BIO-3 would require implementation of guidelines contained in

Section 6.1.4 of the MSHCP. Mitigation Measure BIO-4 would require the Property Owner/Developer to comply with Construction Best Management Practices from Volume I, Appendix C of the MSHCP. With implementation of Mitigation Measures BIO-3 and BIO-4, potential impacts associated with adverse effects on riparian habitat or other sensitive natural community would be less than significant.

Mitigation Measures:

BIO-3: MSHCP Guideline Implementation. Prior to the issuance of a grading permit, the Property Owner/Developer shall include a note on the plans that outlines the following requirements from Section 6.1.4 of the MHSCP:

1. Incorporate measures to control the quantity and quality of runoff from the site entering the MSHCP Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas. Best Management Practices (BMPs) shall be implemented to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm downstream biological resources or ecosystems. According to the MSHCP consistency analysis prepared for the project, the proposed project will incorporate a detention basin, grass swales, or mechanical trapping devices to filter runoff from the project site.

2. Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff.

3. Night lighting shall be directed away from the MSHCP Conservation Area and the avoided area on site to protect species from direct night lighting. According to the MSHCP consistency analysis prepared for the project, the proposed project will direct night lighting away from the MSHCP Conservation Area and incorporate light shielding in the project designs to avoid excess ambient light from entering the MSHCP Conservation Area.

4. Proposed noise-generating land uses affecting the MSHCP Conservation Area, including designated avoidance areas, shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.

5. Avoid use of invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans for the portions of the project that are adjacent to the MSHCP Conservation Area, including avoidance areas. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas and designated avoidance areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features. According to the MSHCP consistency analysis prepared for the project, the proposed project landscape plans will avoid utilizing any species listed in Table 6-2 in the landscaping plans.

6. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into existing and future MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms.

7. Manufactured slopes associated with proposed site development shall not extend into the MSHCP Conservation Area.

8. Weed abatement and fuel modification activities are not permitted in the Conservation Area, including designated avoidance areas.

BIO-4: MSHCP Construction Best Management Practices Implementation. Prior to the issuance of a grading permit, the Property Owner/Developer shall include a note on the plans that outlines the following Construction BMPs from Volume I, Appendix C of the MSHCP shown in italics, and specific requirements in plain text:

Construction Best Management Practices:

1. *A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Endangered Species Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall retain a qualified biologist to prepare and implement a Worker Environmental Awareness Program (WEAP) to train all project personnel prior to grading. The details of the training should be consistent with MSHCP Appendix C Standard BMP No. 1, the general provisions of the Endangered Species Act, include a detailed discussion of how to identify the potential special-status plant and animal species that may be encountered during ground disturbance and construction activities, and necessary actions to take if the species are observed on site.

2. *Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall submit to the City a project-specific Storm Water Pollution Prevention Plan (SWPPP) prior to initial ground disturbance. The project-specific SWPPP shall describe BMPs that will be implemented in pre-, during-, and post-construction phases. Examples of BMPs may include dust suppression BMPs, Low Impact Developments (LIDs) such as vegetated swales, and a spill response protocol. The SWPPP is a dynamic document that shall be amended when site conditions warrant changes to protect natural resources and prevent discharge of non-stormwater to neighboring parcels.

The Qualified Stormwater Developer (QSD) shall develop and implement the SWPPP with site-specific BMPs to prevent/reduce the potential for erosion, sedimentation, and offsite discharge of non-stormwater in accordance with the Construction General Permit (CGP), National Pollutant Discharge Elimination System (NPDES) MS4 permit, and a 401 Water Quality Certification Permit (if applicable). The QSD shall provide training to the contractor for performing regular site inspections, and for pre-, during-, and post-storm events to ensure that BMPs are functioning as intended.

3. *The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall submit to the City a construction management plan that demonstrates that the construction footprint will remain within the limits of the current property boundary, site ingress/ egress will be limited to the least impactful location on the Project Site. Trackout (riprap, rumble strips) shall be installed to prevent tracking of sediment to public roadways.

4. *The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall submit to the City a construction management plan that the construction footprint will remain within the limits of the current property boundary, project site boundaries shall be clearly delineated with visible means (i.e. stakes, rope, flagging, snow fence, etc.). The contractor shall adhere to the measures and conditions in all environmental permits to protect Jurisdictional Waters of the United States.

5. *Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern.*

   The Habitat Assessment found that no habitat for target species was observed within the project boundaries. The project site does not contain stream channels, gravel bars, or streambanks. All project-related construction activities would occur within the property boundaries and no equipment or personnel would work outside the clearly identified project boundaries.

6. *Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian identified in MSHCP Global Species Objective No. 7.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall retain a qualified wildlife biologist to monitor ground disturbance activities that would occur during the nesting season. The Habitat Assessment found that no sensitive habitats were observed within the project boundaries, including riparian habitat. The Construction Contractor shall take are to ensure that construction activities do not negatively impact potentially sensitive habitats or species surrounding the project site. Construction

equipment and personnel shall be made aware of MSHCP Global Species Objective No. 7 as part of the WEAP training and would always remain within project site boundaries.

7. *When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing of other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments off site. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care shall be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream.*

   No water diversion activities are proposed during project activities. The Property Owner/Developer shall implement erosion and sediment control BMPs as identified in the Water Quality Management Plan (WQMP) throughout the project site to reduce/ prevent sediment impacts in pre-, during- and post-construction phases. Personnel would be educated during WEAP training as to the importance of preventing impacts to the Temescal Wash from construction activities.

8. *Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities, including but not limited to applicable jurisdictional city, USFWS, CDFW, and SARWQCB, and shall be cleaned up immediately and contaminated soils removed to an approved disposal areas.*

   Ongoing during construction and operation, all project activities shall occur within the property boundary. Equipment storage, fueling and staging areas shall be located outside any sensitive habitats and in areas with no risk of direct drainage into riparian areas and other sensitive habitats. All fuel storage tanks shall have secondary containment to retain fuel spills. The project site-specific SWPPP shall have BMPs designed to prevent the release of cement or other toxic substances into surface waters or bare soil, as required by the RWQCB. All potentially hazardous materials shall be stored appropriately on site away from sensitive habitats or Waters of the United States. Concrete washouts and active/inactive materials stockpiles shall have secondary containment BMPs to prevent the accidental release of hazardous substances to bare soil. The SWPPP is required to have a Spill Prevention Control and Countermeasure (SPCC) to describe necessary actions that should occur in the event of a spill or release of potentially hazardous substances. Spills or releases of toxic substances greater than five gallons shall be reported to the RWQCB, DTSC, Local Municipalities, and/or federal agencies, as appropriate.

9. *Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.*

   Materials stockpiles shall be located away from sensitive areas. Inactive materials stockpiles shall be covered and bermed to prevent windborne dust or accidental release. The SWPPP shall describe BMPs to prevent fugitive dust from migrating to neighboring

parcels or the Temescal Wash.

10. *The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.*

    Prior to the issuance of a grading permit, the Property Owner/Developer shall retain a qualified wildlife biologist to monitor ground disturbance activities to ensure that all measures to protect species on and off site are being implemented during construction activities, including burrowing owl surveys (Mitigation Measure BIO-1), and nesting bird surveys (Mitigation Measure BIO-2). Additional protective measures recommended by the qualified wildlife biologist shall be implemented as necessary by the Property Owner/Developer to avoid incidental disturbance of habitat and species of concern outside the project footprint.

11. *The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.*

    No clearing and grubbing of native vegetation would be anticipated during the project activities as the project site is almost entirely devoid of vegetation.

12. *Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.*

    No exotic species were encountered during the project Habitat Assessment and none would be utilized in any revegetation efforts. The final landscaping design may incorporate native plant species; however, regular landscape maintenance shall prevent exotic, or noxious plant species from taking root on the Project Site.

13. *To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).*

    The SWPPP shall contain BMPs for trash storage and removal, including containment of sanitation facilities (e.g. portable toilets), and covering waste disposal containers at the end of every business day and before rain events. Trash cans shall have a fastenable lid to prevent animals from accessing or spreading trash onsite. The Project QSD should consult the MSHCP Appendix C Standard Best Management Practices, RWQCB recommendations, and any applicable environmental permit measures and conditions when developing the project SWPPP.

14. *Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.*

In accordance with the WEAP, all project activities would occur within the clearly delineated property boundaries. Construction activities shall be confined to the project footprint, and approved routes of travel shall be established, including ingress/egress points. Exclusion fencing shall be utilized throughout the project duration.

15. *The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions, including these BMPs.*

    The Contractor shall allow the Permittee access to the construction site. All visitors shall check in with the Project Engineer (or Site Supervisor) prior to accessing the construction site and will be escorted within project boundaries during normal business hours when construction activities are occurring.

Significance after Mitigation: Less-than-significant

Impact 4.3-3: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

As noted above under Impact 4.3-2, the project-specific Habitat Assessment (EIR Technical Appendix C) included an assessment for MSHCP riparian/riverine areas and vernal pools. The site does not contain riparian/riverine areas, or vernal pools. The proposed project site does not contain evidence of vernal pools or other seasonally-inundated depressions such as cracked, hydric soils, or standing water. Furthermore, no clay soils or heavy soils were mapped, and no ponding or depression areas that could hold water for an extended period of time were detected on the project site. The proposed project demonstrates compliance with Section 6.1.2 of the MSHCP.

Based on the foregoing analysis, the proposed project would have no impact on wetlands.

Mitigation Measures: None required.

Significance after Mitigation: No Impact

Impact 4.3-4: Would the proposed project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

As described in Section 4.3.1 above, the project site is heavily disturbed, has undergone routine disturbances to manage on-site fuel load, and does not contain any sensitive habitat or animal species. The proposed project is not expected to result in a loss of habitat for special status animals. No special-status animals were observed on the project site as part of the field survey. In addition to featuring a high level of disturbance within the project site, nearby urban development further reduces the project site's ability to facilitate wildlife movement. The project site is not identified as a regionally important dispersal or seasonal migration corridor. Impacts would be less than significant and no mitigation measures would be required.

The project site is located within the Western Riverside County MSHCP Burrowing Owl Survey Area and therefore has the potential to support burrowing owls. Burrowing Owl Surveys were conducted in 2005 pursuant to MSHCP requirements. No burrowing owl individuals or burrowing owl signs were observed during

the 2005 burrowing owl surveys, nor were any burrowing owl individual or signs observed during the on-site field surveys in 2006, 2008, and 2019. Though the potential for burrowing owl to inhabit the project site is low, the proposed project would be required to conduct additional burrowing owl surveys prior to construction.

Because burrowing owl and other nesting birds as migratory species, there is a potential that these animal species could migrate onto the site and be present at the time construction activity for the project commences. Absent mitigation, the project could potentially disturb burrowing owl and other nesting birds if construction activities were to occur during the burrowing owl breading season (March 1 to August 31) or during nesting season (February 1 through August 31). Accordingly, construction-related impacts to nesting birds and to burrowing owl would be significant if the species are present during construction activities. Implementation of Mitigation Measure BIO-1 and Mitigation Measure BIO-2 would reduce impacts to burrowing owl and other nesting birds on-site to less than significant by requiring pre-construction surveys and identifying protocols in the event construction activities are determined to impact any burrowing owl or nesting bird.

Mitigation Measures: Mitigation Measures BIO-1 and BIO-2 apply to this Impact.

Significance after Mitigation: Less-than-significant

Impact 4.3--5: Would the proposed project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The City of Lake Elsinore has in place a palm tree preservation program (Chapter 5.116 of the Lake Elsinore Municipal Code). The purpose of the program is for the protection of the City's plant life heritage for the benefit of all citizens in Lake Elsinore. All residents who wish to remove a significant palm tree, as defined in Chapter 5.116, that exceeds five feet in height measured from the ground at the base of the trunk to the base of the crown must obtain a palm tree removal permit prior to removal of the tree. Although there are trees within the project site, including palm trees, any tree removal would be subject to and comply with Chapter 5.116 of the Lake Elsinore Municipal Code; therefore, the project would result in a less than significant impact associated with a local policy protecting biological resources.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant

Impact 4.3-6: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The Western Riverside County MSHCP is a comprehensive, multi-jurisdictional effort that includes unincorporated County of Riverside lands and multiple cities in the western portion of the County, including the City. Rather than address sensitive species on an individual basis, the MSHCP focuses on the conservation of 146 species, proposing a reserve system of approximately 500,000 acres and a mechanism to fund and implement the reserve system. The MSHCP allows participating entities to issue take permits for listed species so that individual applicants need not seek their own permits from USFWS and/or CDFW. The MSHCP was adopted on June 17, 2003 by the County Board of Supervisors. The Incidental Take Permit was issued by both the USFWS and CDFW on June 22, 2004.

Pursuant to the provisions of the MSHCP, all discretionary development projects within a Criteria Area are to be reviewed for compliance with the "Property Owner Initiated Habitat Evaluation and Acquisition Negotiation Strategy" (LEAP) process or equivalent process. The LEAP process "ensures that an early determination will be

made of what properties are needed for the MSHCP Conservation Area, that the owners of property needed for the MSHCP Conservation Area are compensated, and that owners of land not needed for the MSHCP Conservation Area shall receive Take Authorization of Covered Species Adequately Conserved through the Permits issues to the County and Cities pursuant to the MSHCP" (Riverside County, 2004). A formal and complete LEAP application (LEAP 2020-03) was submitted to the City on October 26, 2020 and a JPR (21-02-04-01) was completed by the RCA on June 1, 2021. Concurrence from CDFW and USFWS (collectively, the Wildlife Agencies) was received on June 11, 2021.

A portion of the project site (5.79 acres) is located within Cell 4155. Conservation within this Cell will contribute to assembly of Proposed Core 1 (PC-1). Conservation within this Cell will focus on coastal sage scrub and chaparral habitat. Areas conserved within this Cell will be connected to coastal sage scrub habitat proposed for conservation in Cell Group T to the north and in Cell 4156 to the east. Conservation within this Cell will range from 20% to 30% of the Cell focusing in the northeastern portion of the Cell. Because of the location of the proposed project site outside of the area described for Conservation, and because the mid-range goal of Cell 4155 can be achieved, development of the proposed project would not impede the conservation goals for PC-1 nor result in issues relative to fragmentation.

A portion of the project site (0.28-acre) is located within Cell 4156. Conservation within this Cell will contribute to assembly of Proposed Core 1 (PC-1). Conservation within this Cell will focus on coastal sage scrub and chaparral habitat. Areas conserved within this Cell will be connected to coastal sage scrub habitat proposed for conservation in Cell 4155 to the west and to coastal sage scrub and chaparral habitat proposed for conservation in Cell Group U to the north and in Cell 4157 to the east. Conservation within this Cell will range from 65% to 75% of the Cell focusing in the northeastern portion of the Cell. The proposed project site is located within the southwestern portion of the Cell, outside of the area described for Conservation and separated from PC-1 by a large housing development and covered roads. The 0.28-acre portion of proposed project that occurs in this Cell would not provide any functions and values to PC-1.

The project has been reviewed for MSHCP consistency, including consistency with "Other Plan Requirements" that include Section 6.1.2 (Riverine/Riparian, Vernal Pools and Fairy Shrimp); Section 6.1.3 (Protection of Narrow Endemic Plant Species); Section 6.1.4 (Urban/Wildlands Interface Guidelines); and, Section 6.3.2 (Additional Survey Needs and Procedures) of the MSHCP, which are described below.

Section 6.1.2 - Riverine/Riparian, Vernal Pools and Fairy Shrimp: The project site has been assessed for riverine/riparian and vernal pools habitat and none were determined to be present on-site. Evidence for this conclusion was provided by the lack of riverine/riparian vegetation, vernal pools and in particular, clay soils. The project is determined to be compliant with Section 6.1.2 of the MSHCP.

Section 6.1.3 - Protection of Narrow Endemic Plant Species: The site has been assessed for Narrow Endemic Plant Species. No Species were found on the site nor does this project require protection of these species. The project is determined to be compliant with Section 6.1.3 of the MSHCP.

Section 6.1.4 - Urban/Wildland Interface Guidelines: The guidelines in Section 6.1.4 of the MSHCP are intended to address indirect effects associated with development near MSHCP Conserved Areas. Developments in proximity to MSHCP Conserved Areas may result in "edge effects" that might adversely affect biological resources within MSHCP Conserved Areas.

Section 6.3.2 - Additional Survey Needs and Procedures: The MSHCP indicates that additional surveys may be needed for certain species in conjunction with MSHCP implementation in order to achieve coverage for these

species. Surveys for the Burrowing Owl are required under this section for the project area in question; the surveys have been completed, indicating that the Burrowing Owl does not use this site. The property is not within a Criteria Area Species Survey Area (CASSA), and CASSA surveys are not required. It is also not within survey areas for amphibian species (MSHCP Figure 6-3) or mammal species (MSHCP Figure 6-5) and surveys for those species are not required. However, a narrow sliver on the eastern side of the project site, adjacent to Lake Street, is located in the survey area for burrowing owls. California Ground Squirrel (Spermophilus beecheyi) burrows that could serve as potential burrows for the Burrowing Owl are scarce in all areas surveyed during the past 16 years. There are a few piles of brush and debris scattered about the site that could potentially serve as Burrowing Owl habitat. There is a culvert under Mountain Road adjacent to the southwest corner of the site. Both of these features are outside the required mapped survey area but, as was mentioned, all potential habitat in the original and present project area was assessed for Burrowing Owl habitat. All potential areas and their close environs were examined for such evidence of Burrowing Owl presence as molted feathers, cast pellets, prey remains, eggshell fragments, and excrement. There are several piles of spoil in an adjacent vacant lot, overgrown with tall weeds, off-site to the west. Other than this off-site area, no other evidence was observed on or within 500 feet of the site. Impacts to burrowing owl are not anticipated and the potential for impacts to occur would be further minimized through a pre-construction clearance survey for burrowing owl, as required per the MSHCP and included herein as Mitigation Measure BIO-1. Impacts to nesting birds protected under the MBTA would be avoided through implementation of Mitigation Measure BIO-2 which requires pre-construction surveys to be conducted if site-preparation activities are to occur during the nesting season (between February 1 and August 31).

Mitigation Measures: Mitigation Measures BIO-1 through BIO-4 apply to this impact.

Significance after Mitigation: Less-than-significant

4.3.7 Cumulative Impacts

This cumulative impact analysis for biological resources considers development of the proposed project in conjunction with other development projects in the vicinity of the project site.. The cumulative impact evaluation also takes into consideration the geographic area covered by the Western Riverside County MSHCP, which is the prevailing habitat conservation plan applicable to the project site.

As discussed under Impact 4.3-1, the project site does not contain any special-status plant species or special-status animal species, and the project would not result in an impact to such species. The project site is located within the Western Riverside County MSHCP Burrowing Owl Survey Area; however, burrowing owl surveys did not identify any burrowing owl individuals or burrowing owl sign on the project site. Nevertheless, the project site has the potential to support burrowing owl species. With implementation of Mitigation Measure BIO-1, the project's potential impacts to burrowing owl species would be reduced to levels that are less than significant. Other cumulative development projects would also be subject to the requirements of the Western Riverside County MSHCP (or other applicable habitat conservation plan) as it relates to candidate, sensitive, or special status species (including burrowing owl), and would also be required to implement sufficient mitigation measures in order to reduce impacts to such species to levels that are less than significant. Additionally, the project would implement Mitigation Measure BIO-2 in order to avoid potentially significant impacts to nesting birds. Therefore, the proposed project would not result in a cumulatively-considerable impacts associated with vegetation or wildlife communities.

As discussed under Impact 4.3-2 and 4.3-3, the proposed project would not impact riparian habitat or other sensitive natural community, or wetland habitat; therefore, the project would not result in a cumulative-considerable impact associated with riparian habitat or sensitive natural community, or wetland habitat.

As discussed under Impact 4.3-4, the project site has the potential to support burrowing owl species, and implementation of the project could result in potentially significant impacts on burrowing owl species if construction activities occur during the breeding season (March 1 to August 31). Additionally, the project site contains non-native trees that may be considered habitat for nesting birds; should project construction activities occur during the nesting season (February 1 to August 31), the project could result in potentially significant impacts on nesting birds. Implementation of Mitigation Measure BIO-1 would require preconstruction presence/absence surveys for burrowing owls which would reduce the project's potential impacts to burrowing owl species to a level below significance. Implementation of Mitigation Measure BIO-2 would require vegetation clearing and ground disturbing activities occur outside of the nesting season (February 1 to August 31), and requires a preconstruction nesting bird survey if avoidance of the nesting season is infeasible. Implementation of Mitigation Measure BIO-2 would reduce the project's impacts to nesting birds to a level below significance. Other cumulative development projects would also be subject to the requirements of the Western Riverside County MSHCP (or other applicable habitat conservation plan) as it relates to burrowing owl and would also be subject to compliance with the requirements of the MBTA. Accordingly, with implementation of Mitigation Measures BIO-1 and BIO-2, the project would have a less than cumulatively-considerable impact with respect to migratory wildlife.

As discussed under Impact 4.3-5, the project would not conflict with any local policies or ordinances protecting biological resources. Other cumulative development projects would also be required to comply with applicable local policies (i.e., General Plan policies and Municipal Code regulations) and regional policies (i.e., HCPs). Accordingly, the project would not result in cumulatively considerable impacts related to a conflict with local policies or ordinances protecting biological resources.

As discussed under Impact 4.6-6, the project would have a less than significant impact due to a conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, including the MSHCP. Other cumulative development projects would also be subject to compliance with the requirements of applicable adopted habitat conservation plans. Therefore, the project would have less than cumulatively-considerable impacts associated with a conflict with an applicable conservation plan.

4.4 Cultural Resources

This section of the Draft Environmental Impact Report (EIR) addresses the potential impacts of the proposed project to cultural resources in accordance with the significance criteria established in Appendix G of the California Environmental Quality Act (CEQA) Guidelines. This section of the Draft EIR is based on the *Phase I Cultural Report for the Commercial/Retail NWC Mountain and Lake Streets Project* (BFSA, 2019) found in EIR Technical Appendix D. The following sections describe the environmental setting for cultural resources, the applicable regulatory framework, potential impacts of the proposed project, and mitigation measures to reduce potential impacts to a level of less than significant, as necessary.

4.4.1 Environmental Setting

Regional Setting

The project site is located in an area developed by residential uses of the City of Lake Elsinore in Riverside County. Riverside County lies in the Peninsular Ranges Geologic Province of southern California. The range, which lies in a northwest to southeast trend through the county, extends approximately 1,000 miles from the Raymond-Malibu Fault Zone in western Los Angeles County to the southern tip of Baja California. Regional geographic features include Lake Elsinore to the southeast and the Cleveland National Forest to the west and south. The project site is located just east of the foothill and the Santa Ana Mountains, west of Interstate 15, and between Alberhill and the city center of Lake Elsinore. Elevations within the project area range from approximately 1,485 to 1,520 feet above mean sea level.

Cultural Setting

Paleo Indian Period (Late Pleistoscene: 11,500 to 9,000 years before present (YBP)): The Paleo Indian Period is associated with terminus of the late Pleistocene (12,000 to 10,000 YBP). The environment during the late Pleistocene was cool and moist, which allowed for glaciation in the mountains and the formation of deep, pluvial lakes in the deserts and basin lands. Paleo Indians were likely attracted to multiple habitat types, including mountains, marshlands, estuaries, and lakeshores. These people likely subsisted using a more generalized hunting, gathering, and collecting adaption utilizing a variety of resources including birds, mollusk, and both large and small mammals.

Archaic Period (Early and Middle Holocene: 9,000 to 1,300 YBP): Between 9,000 and 8,000 YBP, a widespread complex was established in the Southern California region, primarily along the coast. This complex is locally known as the La Jolla Complex, which is regionally associated with the Encinitas Tradition and shares cultural components with the widespread Milling Stone Horizon. The coastal expression of this complex appeared in the southern California coastal areas and focused upon coastal resources and the development of deeply stratified shell middens that were primarily located around bays and lagoons. The older sites associated with this expression are located at Topanga Canyon, Newport Bay, Agua Hedionda Lagoon, and some of the Channel Islands. Radiocarbon dates from sites attributed to this complex span a period of over 7,000 years in this region, beginning over 9,000 YBP.

Late Prehistory Period (Late Holocene: 1,300 YBP to 1790): Archaeological and anthropological evidence suggests that at approximately 1,350 YBP, Takic-speaking groups from the Great Basin region moved into Riverside County, marking the transition to the Late Prehistoric Period. An analysis of the Takic expansion indicates that inland southern California was occupied by “proto-Yuman” populations before 1,000 YBP. As a

result, it is believed that Takic expansion occurred starting around 3,500 YBP moving toward southern California, with the Gabrielino language diffusing south into neighboring Yuman (Hokan) groups around 1,500 to 1,000 YBP, possibly resulting in the Luiseño dialect.

Protohistoric Period (Late Holocene: 1790 to Present): Ethnohistoric and ethnographic evidence indicates that three Takic-speaking groups occupied portions of Riverside County: the Cahuilla, the Gabrielino, and the Luiseno. The geographic boundaries between these groups in pre and proto-historic time are difficult to place, but the project is located within the borders of ethnographic Luiseno territory. The primary settlements of Late Prehistoric Luiseno Indians in the San Jacinto Plain were represented by Ivah and Saboba near Saboba Springs, Jusipah near the town of San Jacinto, Ararah in Wesbster's Canon en route to Idyllwild, Pahsitha near Big Springs Ranch southeast of Hemet, Corova in Castillo Canyon. These locations share features such as the availability of food and water resources. Features of this land use include petroglyphs and pictographs, as well as widespread milling, which is evident in bedrock and portable implements. Groups in the vicinity of the project site, neighboring in the Luiseno, include the Cahuilla and the Gabrielino.

4.4.2 Regulatory Setting

Federal Regulations

National Historic Preservation Act (1981)

The National Historic Preservation Act (NHPA) (16 U.S. Code §470 et. seq.) created the National Register of Historic Places (NRHP) program under the Secretary of the Interior. In addition to enticing state and local municipalities with federal funding, the NHPA provides the legal framework for most state and local preservation laws. Significant historical or archaeological resources are listed in the National Register of Historic Places, which is a program maintained by the Keeper of the National Register. The National Register program also includes National Historic Landmarks, which is limited only to properties of significance to the nation.

The NHPA established the Section 106 review procedure to protect historic and archaeological resources listed in or eligible for listing in the National Register from the impact of projects by a federal agency or project funded or permitted by a federal agency. The National Register is an authoritative guide to be used by governments, private groups, and citizens to identify the nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment. Listing of private property on the National Register does not prohibit by law any actions which may otherwise be taken by the property owner with respect to the property.

National Register of Historic Places (NRHP)

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the NPS's National Register of Historic Places (NRHP) is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

To be considered eligible, a property must meet the National Register Criteria for Evaluation. This involves examining the property's age, integrity, and significance, as follows:

- Age and Integrity. Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?
- Significance. Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archeological investigation about our past?

Nominations can be submitted to a SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the National Park Service (NPS) for a Determination of Eligibility (DOE). Listing in the NRHP provides formal recognition of a property's historical, architectural, or archeological significance based on national standards used by every state.

Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting. National Register listing does not lead to public acquisition or require public access.

National Historic Landmarks Program

National Historic Landmarks (NHLs) are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States. Today, just over 2,500 historic places bear this national distinction. Working with citizens throughout the nation, the National Historic Landmarks Program draws upon the expertise of National Park Service staff who guide the nomination process for new Landmarks and provide assistance to existing Landmarks.

Federal Antiquities Act

The Antiquities Act is the first law to establish that archeological sites on public lands are important public resources. It obligates federal agencies that manage the public lands to preserve for present and future generations the historic, scientific, commemorative, and cultural values of the archaeological and historic sites and structures on these lands. It also authorizes the President to protect landmarks, structures, and objects of historic or scientific interest by designating them as National Monuments.

State Regulations

California implements the NHPA through comprehensive cultural resources surveys and preservation programs. The California Office of Historic Preservation (OHP) implements the policies of the NHPA and maintains the California Historical Resources Inventory.

California Environmental Quality Act

The CEQA, Section 21084.1 states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. Additionally, State CEQA Guidelines Section 15064.5 recognizes that a historical resource includes: (1) a resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (California Register); (2) a resource included in a local register of historical resources, as defined in PRC Section 5020.1(k) or identified as significant in a historical resource survey meeting the

requirements of PRC Section 5024.1(g); and (3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California by the lead agency, provided the lead agency's determination is supported by substantial evidence in light of the whole record. The fact that a resource does not meet the three criteria outlined above does not preclude the lead agency from determining that the resource may be an historical resource as defined in PRC Sections 5020.1(j) or 5024.1.

As described by Section 21084.1 of CEQA and Section 15064.5 of the CEQA Guidelines, should a project cause a substantial adverse change (defined as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired) in the significance of an historical resource, the lead agency must identify potentially feasible measures to mitigate these effects (State CEQA Guidelines Sections 15064.5(b)(1) and 15064.5(b)(4).

Archaeological resources are defined in CEQA Section 21083.2, which states that a "unique" archaeological resource is an archaeological artifact, object, or site that has a high probability of meeting any of the following criteria:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information;
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Unique archaeological resources as defined in Section 21083.2, may require reasonable efforts to preserve resources in place (Section 21083.1(a)). If preservation in place is not feasible, mitigation measures shall be required. Additionally, the State CEQA Guidelines state that if an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment (State CEQA Guidelines Section 15064.5(c)(4)).

California Health and Safety Code Section 7050.5

California Health and Safety Code Section 7050.5 requires in the event human remains are discovered, the County Coroner be contacted to determine the nature of the remains. In the event the remains are determined to be Native American in origin, the Coroner is required to contact the California Native American Heritage Commission (NAHC) within 24 hours to relinquish jurisdiction.

California Public Resources Code Section 5097.98

Section 5097.98, as amended by Assembly Bill 2641, provides procedures in the event human remains of Native American origin are discovered during project implementation. Section 5097.98 requires that no further disturbances occur in the immediate vicinity of the discovery, that the discovery is adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. Section 5097.98 further requires the NAHC, upon notification by a County Coroner, designate and notify a Most Likely Descendant (MLD) regarding the discovery of Native American human remains. Once the MLD has been granted access to the site by the landowner and inspected the discovery, the MLD then has 48 hours to provide recommendations to the landowner for the treatment of the human remains and any associated grave goods.

In the event that no descendant is identified, or the descendant fails to make a recommendation for disposition, or if the landowner rejects the recommendation of the descendant, the landowner may, with appropriate dignity, reinter the remains and burial items on the property in a location that will not be subject to further disturbance.

City of Lake Elsinore Regulations

City of Lake Elsinore General Plan

The City of Lake Elsinore General Plan (2011) contains the following cultural resources goals, policies, and implementation measures that are relevant to the proposed project.

Goal 6: Preserve, protect, and promote the cultural heritage of the City and surrounding region for the education and enjoyment of all City residents and visitors, as well as for the advancement of historical and archeological knowledge.

Policy 6.1: Encourage the preservation of significant archeological, historical, and other cultural resources located within the City.

Policy 6.2: The City shall consult with the appropriate Native American tribes for projects identified pursuant to Senate Bill 18 (SB-18) (Traditional Tribal Cultural Places).

Policy 6.3: When significant cultural/archeological sites or artifacts are discovered on a site, coordination with professional archeologists, relevant state and, if applicable, federal agencies, and the appropriate Native American tribes regarding preservation of sites or professional retrieval and preservation of artifacts or by other means of protection, prior to development of the site shall be required. Because ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices, developers shall waive any and all claims to ownership and agree to return all Native American ceremonial items and items of cultural patrimony that may be found on a project site to the appropriate tribe for treatment. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act.

Policy 6.4: If archeological excavations are recommended on a project site, the City shall require that all such investigations include Native American consultation, which shall occur prior to project approval.

Goal 7: Support state-of-the-art research designs and analytical approaches to archeological and cultural resource investigations while also acknowledging the traditional knowledge and experience of the Native American tribes regarding Native American culture.

Policy 7.1: Consult with California Native American tribes prior to decision-making processes for the purpose of preserving cultural places located on land within the City's jurisdiction that may be affected by the proposed plan, in accordance with State or Federal requirements.

Policy 9.1: Require the developer to obtain a professional, qualified historian to conduct a literature search and/or survey for any project that entails demolition or modification of an existing structure that may be of historical value in relation to the City's cultural heritage.

4.4.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, the proposed project could have a potentially significant impacts with respects to cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?
- Disturb any human remains, including those interred outside of formal cemeteries?

4.4.4 Methodology

The cultural resources program for the project consisted of an institutional records search, an intensive pedestrian survey of the project site, review of two previously evaluated resources (P-33-007208 and P-33-017352) within the project site, the assessment of any newly identified resources, and the preparation of a technical study. The archaeological study conformed to the City of Lake Elsinore guidelines and the statutory requirements of CEQA and subsequent legislation (Section 15.064.5).

Archaeological Records Search

The records search conducted by the EIC at UCR was reviewed for an area of one mile surrounding the project site in order to determine the presence of any previously recorded sites. The EIC also provided the standard review of the NRHP and the Office of Historic Preservation Historic Property Directory. Land patent records were also reviewed for pertinent project information as well as relevant historical information.

Field Methodology

In accordance with the City of Lake Elsinore CEQA review requirements, an intensive pedestrian reconnaissance was conducted that employed a series of parallel survey transects spaced at five-meter intervals to locate any cultural resources within the project. The archaeological survey of the project was conducted on September 10, 2019. Photographs were taken to document project conditions during the survey. Ground visibility throughout the property ranged from good within the southern half of the project to poor, as sense non-native vegetation and prior development obscured the natural ground surface within the northern half of the project. The survey resulted in the relocation of two previously studied cultural resources (P-33-007208 and P-33-017352), both of which were previously evaluated as not eligible for the CRHR. Additionally, a previously unidentified cistern associated with P-33-007208 was located during the survey. All cultural resources were recorded as deemed necessary to the Office of Historic Preservation's manual.

4.4.5 Impact Analysis

Impact 4.4-1: Would the project cause a substantial adverse change in the significance of a historical resource resource as defined in CEQA Guidelines Section 15064.5?

Impact 4.4-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

An archaeological records search for the project site and the area within a one-mile radius was conducted as part of the Phase I Cultural Resources Study prepared for the project. The records search identified 20

resources within one mile of the project site. Among the 20 resources, two (2) of the previously recorded resources (Sites P-33-007208 and P-33-017352) are located within the project site. Each of these sites is described below.

Site P-33-007208

Site P-33-007208 was first recorded as a historic single-family residence in 1982 as part of a large county-wide inventory of historic structures. The recorder estimated a construction date of 1902 and only recorded the main residence within APN 389-030-018. During the time of recordation the residence was in disrepair and was evaluated as not eligible for the CRHR. Per a 2006 Phase I Cultural Resources Survey Report that included the project site and Site P-33-007208, it was recommended that if the resources was to be impacted in the future, a formal evaluation of the residence should be completed to determine whether it is eligible for either the CRHR or the NRHP.

In 2008, a survey crew revisited the originally recorded location of P-33-007208 and noted that the residence had been demolished. Property-specific research revealed that permit was issued by the City of Lake Elsinore in 2004 to demolish the residence. During the 2008 site reconnaissance, three ancillary features were identified, which included a two-story water tower, a concrete lined pit, and a brick outdoor chimney. The chimney and the pit were both identified on the southeast corner of the project site (APN 389-030-018), in the general location where the residence was located. The water tower was noted approximately 350 feet to the northwest on APN 389-030-015) along the property line within the neighboring parcel (APN 389-030-014). Although the original 1902 residence had been demolished, CRM Tech researched the ownership of the property and evaluated all the ancillary features, concluding that the site was not eligible for the CRHR.

Site P-33-017352

Site P-33-017352 is a 1931 residence within the relative center of the project (APN 389-030-014). The residence was documented, researched, and evaluated in 2008, which was found ineligible for listing in the CRHR. During the survey the presence of a prefabricated home was noted, however it was not evaluated further as the residence does not meet the age threshold to be considered a historic resource.

Field Survey

An archaeological survey of the project site was conducted on September 10, 2019. The survey of the project site was an intensive reconnaissance consisting of several parallel survey transects spaced at approximately five (5) meter intervals. At the time of the survey, the ground cover consisted predominantly of non-native weeds and grasses. During the survey, an unrecorded cistern was identified within the project site. Based on visual observation, the cistern appears to have been lined with brick and stone and is approximately five (5) to six (6) feet in diameter. At the time of the survey, the cistern appeared to be cleared out, indicating it is unlikely to contain any artifacts; however, two (2) isolated glass bottles were visible within the eastern side wall of the cistern, alongside broken pieces of mortar. The bottles appeared to be beer or alcohol bottles.

Significance Evaluation

The archaeological survey of the project site and subsequent historical research confirmed the elements of various structures constructed within the project site over several decades. The historical structures located on the project site have previously recorded and evaluated as not eligible for listing on the CRHR. Although the survey identified a cistern that had not been previously recorded, this addition did not affect the evaluation status of the historical sites. The two sites recorded within the project site (P-33-007208 and P-33-017352) do not possess the level of integrity or association with historical events or locally important individuals to meet

the significance criteria under CEQA; therefore, no significant historical or archaeological resources are located on the project site. The recorded historic sites will be directly impacted by implementation of the project; however, these impacts are not significant as the affected resources are not significant.

Based on the foregoing analysis, the archeological studies and the literature review, it is highly unlikely that archaeological resources exist on the project site; however, it is possible for unknown archaeological resources to be located on the project site. Therefore, the project shall implement Mitigation Measures CULT-1 through CULT-5. Implementation of CULT-1 through CULT-5 would reduce any potential impact to less than significant.

Mitigation Measures:

CULT-1: Unanticipated Resources. The developer/permit holder or any successor in interest shall comply with the following for the life of this permit. If during ground disturbance activities, unanticipated cultural resources are discovered, the following procedures shall be followed:

1. All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the Project Archaeologist, the Native American tribal representative(s) from consulting tribes (or other appropriate ethnic/cultural group representative), and the Community Development Director or their designee to discuss the significance of the find.
2. The developer shall call the Community Development Director or their designee immediately upon discovery of the cultural resource to convene the meeting.
3. At the meeting with the aforementioned parties, the significance of the discoveries shall be discussed and a decision is to be made, with the concurrence of the Community Development Director or their designee, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resource.
4. Further ground disturbance shall not resume within the area of the discovery until a meeting has been convened with the aforementioned parties and a decision is made, with the concurrence of the Community Development Director or their designee, as to the appropriate mitigation measures.

CULT-2: Archaeologist/CRMP. Prior to issuance of grading permits, the applicant/developer shall provide evidence to the Community Development Department that a Secretary of Interior Standards qualified and certified Registered Professional Archaeologist (RPA) has been contracted to implement a Cultural Resource Monitoring Program (CRMP) that addresses the details of all activities that must be completed and procedures that must be followed regarding cultural resources associated with this project. The CRMP document shall be provided to the Community Development Director or their designee for review and approval prior to issuance of the grading permit. The CRMP provides procedures to be followed and are to ensure that impacts on cultural resources will not occur without procedures that would reduce the impacts to less than significant. These measures shall include, but shall not be limited to, the following:

Archaeological Monitor - An adequate number of qualified monitors shall be present to ensure that all earth-moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and

features. The frequency and location of inspections will be determined by the Project Archaeologist, in consultation with the Tribal monitor.

Cultural Sensitivity Training - The Project Archaeologist and a representative designated by the consulting Tribe(s) shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all Construction Personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

Unanticipated Resources - In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor(s) shall determine the significance of the discovered resources. The Community Development Director or their designee must concur with the evaluation before construction activities will be allowed to resume in the affected area. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods.

Phase IV Report - A final archaeological report shall be prepared by the Project archaeologist and submitted to the Community Development Director or their designee prior to grading final. The report shall follow County of Riverside requirements and shall include at a minimum: a discussion of the monitoring methods and techniques used; the results of the monitoring program including any artifacts recovered; an inventory of any resources recovered; updated DPR forms for all sites affected by the development; final disposition of the resources including GPS data; artifact catalog and any additional recommendations. A final copy shall be submitted to the City, Project Applicant, the Eastern Information Center (EIC), and the Tribe.

CULT-3: Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the Community Development Department:

1. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
2. Relocation of the resources on the Project property. The measures for relocation shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts by means of a deed restriction or other form of protection (e.g., conservation easement) in order to demonstrate avoidance in perpetuity.

Relocation shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.

3. If relocation is not agreed upon by the Consulting Tribes then the resources shall be curated at a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

CULT 4: Tribal Monitoring. Prior to the issuance of a grading permit, the applicant shall contact the consulting Native American Tribe(s) that have requested monitoring through consultation with the City during the AB 52 and/or the SB 18 process ("Monitoring Tribes"). The applicant shall coordinate with the Tribe(s) to develop individual Tribal Monitoring Agreement(s). A copy of the signed agreement(s) shall be provided to the City of Lake Elsinore Community Development Department, Planning Division prior to the issuance of a grading permit. The Agreement shall address the treatment of any known tribal cultural resources (TCRs) including the project's approved mitigation measures and conditions of approval; the designation, responsibilities, and participation of professional Tribal Monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains/burial goods discovered on the site per the Tribe(s) customs and traditions and the City's mitigation measures/conditions of approval. The Tribal Monitor will have the authority to stop and redirect grading in the immediate area of a find in order to evaluate the find and determine the appropriate next steps, in consultation with the Project archaeologist.

CULT-5: Phase IV Report. Upon completion of the implementation phase, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the County website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting.

Significance after Mitigation: Less-than-significant

Impact 4.4-3: Would the project disturb any human remains, including those interred outside of formal cemeteries?

The project site does not contain a cemetery and no known cemeteries are located within the immediate site vicinity. Field surveys conducted on the project site did not identify the presence of any human remains and no human remains are known to exist beneath the surface of the project site. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with project construction. Therefore, the project shall implement Mitigation Measures CULT-6 and CULT-7. Implementation of CULT-6 and CULT-7 would reduce any potential impact to less than significant.

Mitigation Measures:

CULT-6: Discovery of Human Remains. In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project applicant shall then inform the Riverside County Coroner and the City of Lake Elsinore Community Development Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains and that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. If human remains are determined to be Native American, the applicant shall comply with the state law relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC within 24 hours and the NAHC will make the determination of most likely descendant. The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resource Code Section 5097.98. In the event that the applicant and the MLD are in disagreement regarding the disposition of the remains. State law will apply and the mediation process will occur with the NAHC, if requested (see PRC Section 5097.98(e) and 5097.94(k)).

According to the California Health and Safety Code, six or more human burial at one location constitutes a cemetery (Section 81 00), and disturbance of Native American cemeteries is a felony (Section 7052).

CULT-7: **Non-Disclosure of Reburial Location.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

Significance after Mitigation: Less-than-significant

4.4.6 Cumulative Impacts

This cumulative impact analysis examines development of the proposed Project in conjunction with planned development and other development projects in the vicinity of the Project site.

As noted above under Threshold 4.4-1, a total of 20 resources within a mile of the project site were identified. Among the 20 resources, two (2) of the previously recorded resources are located within the subject property. The first site was identified as P-33-007208 a main residence that was constructed in the year 1902. The second site was noted as P-33-017352 another residence that was constructed within the project site boundaries. Both of these residences and their ancillary features were evaluated for eligibility for listing under the CRHR. Although other development projects in western Riverside County may impact significant historical and archaeological resources that have the potential to lead to a cumulative effect, due to the lack of significant historical and archaeological resources on the project site, there is no potential for the Project to contribute towards a significant cumulative impact to the significance of a historical resource, archaeological resource, or collection of resources as defined in California Code of Regulations § 15064.5.

Due to mandatory compliance required of all ground-disturbing construction activities with the provisions of the California Health and Safety Code § 7050.5 as well as Public Resources Code § 5097 et. seq., human remains would be assured proper treatment if encountered. Because all other development projects within the City of Lake Elsinore and elsewhere in the region similarly would be required to comply with State law, any cumulative impact associated with the discovery of human remains would be less than significant.

4.5 Energy

This section of the Draft Environmental Impact Report (EIR) addresses the potential impacts of the proposed project on energy resources in accordance with the significance criteria established in Appendix G of the California Environmental Quality Act (CEQA) Guidelines. This section of the Draft EIR is based on the Energy Analysis for the Lake and Mountain (Urban Crossroads, 2020) found in Appendix E of this EIR. The following sections describe the environmental setting for energy, the applicable regulatory framework, potential impacts of the proposed project, and mitigation measures to reduce potential impacts to a level of less than significant, as necessary.

4.5.1 Existing Conditions

This section provides an overview of the existing energy conditions in the project region.

Overview

The most recent data for California's estimated total energy consumption is from 2017 and natural gas consumption is from 2018, released by the United States (U.S.) Energy Information Administration's (EIA) California State Profile and Energy Estimates in 2020 and include:

- Approximately 7,881 trillion British Thermal Unit (BTU) of energy was consumed;
- Approximately 683 million barrels of petroleum;
- Approximately 2,137 billion cubic feet of natural gas;
- Approximately 1 million short tons of coal

The California Energy Commission's (CEC) Transportation Energy Demand Forecast 2018-2030 was released in order to support the 2017 Integrated Energy Policy Report. The Transportation energy Demand Forecast 2018-2030 lays out graphs and data supporting their projections of California's future transportation energy demand. The projected inputs consider expected variable changes in fuel prices, income, population, and other variables. Predictions regarding fuel demand included:

- Gasoline demand in the transportation sector is expected to decline from approximately 15.8 billion gallons in 2017 to between 12.3 billion and 12.7 billion gallons in 2030
- Diesel demand in the transportation sector is expected to rise, increasing from approximately 3.7 billion diesel gallons in 2015 to approximately 4.7 billion in 2030
    - Data from the Department of Energy states that approximately 3.9 billion gallons of diesel fuel were consumed in 2017

The most recent data provided by the EIA for energy use in California by demand sector is from 2017 and is reported as follows:

- Approximately 40.3% transportation;
- Approximately 23.1% industrial;
- Approximately 18.0% residential; and
- Approximately 18.7% commercial

In 2018, total system electric generation for California was 285,488 gigawatt hours (GWh). California's massive electricity in-state generation system generated approximately 194,842 GWh which accounted for approximately 68% of the electricity it uses; the rest was imported from the Pacific Northwest (14%) and the U.S. Southwest (18%). Natural gas is the main source for electricity generation at 47% of the total in-state electric generation system power as shown in Table 4.5-1, below.

Table 4.5-1 - Total Electricity System Power (California 2018)

Fuel Type	California In-State Generation	Percent of California In-State	Northwest Imports (GWh)	Southwest Imports (GWh)	California Power Mix (GWh)	Percent California Power Mix
Coal	294	0.15%	399	8,740	9,433	3.30%
Large Hydro	22,096	11.34%	7,418	985	30,499	10.68%
Natural Gas	90,691	46.54%	49	8,904	99,644	34.91%
Nuclear	18,268	9.38%	0	7,573	25,841	9.05%
Oil	35	0.02%	0	0	35	0.01%
Other	430	0.22%	0	9	439	0.15%
Renewables	63,028	32.35%	14,074	12,400	89,502	31.36%
Biomass	5,909	3.03%	772	26	6,707	2.35%
Geothermal	11,528	5.92%	171	1,269	12,968	4.54%
Small Hydro	4,248	2.18%	334	1	4,583	1.61%
Solar	27,265	13.99%	174	5,094	32,533	11.40%
Wind	14,078	7.23%	12,623	6,010	32,711	11.46%
Unspecified Sources of Power	N/A	N/A	17,576	12,519	30,095	10.54%
Total	194,842	100%	39,517	51,130	285,488	100%

Source: https://www.energy.ca.gov/almanac/electricity_data/total_system_power.html

Electricity

Electricity is provided to the project by Southern California Edison (SCE). SCE derives electricity from varied sources including natural gas, coal, nuclear, biomass, geothermal, solar, wind, and hydroelectric. Table 4.5-2, below, identifies SCE's specific proportional shares of electricity sources in 2018. As indicated in Table 4.5-2, the 2018 SCE Power Mix lists renewable energy as 36% of the overall energy resources. Power content mixes are generally released in July each year, though 2019 data is not available at this time.

Table 4.5-2 - SCE 2018 Power Content Mix

Energy Resources	2018 SCE Power Mix
Eligible Renewable	**36%**
Biomass & waste	1%
Geothermal	8%
Eligible Hydroelectric	1%
Solar	13%
Wind	13%
Coal	**0%**
Large Hydroelectric	**4%**
Natural Gas	**17%**
Nuclear	**6%**
Other	**0%**
Unspecified Sources of power*	37%
Total	**100%**

* "Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources.

Natural Gas

The project site is located within the service area of the Southern California Gas Company (SoCalGas) which is regulated by the California Public Utilities Commission (CPUC). The CPUC regulates natural gas utility service for approximately 11 million customers and oversees utility purchases and transmission of natural gas to ensure reliable and affordable natural gas deliveries to existing and new consumers throughout the State of California. Natural gas is available from a variety of in-state and out-of-state sources and is provided throughout the state in response to market supply and demand. Complementing available natural gas resources, biogas may soon be available via existing delivery systems, thereby increasing the availability and reliability of resources in total. The CPUC oversees utility purchases and transmission of natural gas to ensure reliable and affordable natural gas deliveries to existing and new consumers throughout the State.

Transportation Energy Resources

The project would generate additional vehicle trips with resulting consumption of energy resources, predominantly gasoline and diesel fuel. In March 2019, the Department of Motor Vehicles (DMV) identified 36.4 million registered vehicles in California, and those vehicles consume an estimated 17.8 billion gallons of fuel each year. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the project patrons and employees via commercial outlets.

California's on-road transportation system includes 394,383 land miles, more than 27.5 million passenger vehicles and light trucks, and almost 8.1 million medium- and heavy-duty vehicles. While gasoline consumption has been declining since 2008 it is still by far the dominant fuel. Petroleum comprises about 91% of all transportation energy use, excluding fuel consumed for aviation and most marine vessels. Nearly 17.8 billion gallons of on-highway fuel are burned each year, including 14.6 billion gallons of gasoline (including ethanol) and 3.2 billion gallons of diesel fuel (including biodiesel and renewable diesel). In 2019, Californians also used 194 million cubic feet of natural gas as a transportation fuel, or the equivalent of 183 billion gallons of gasoline.

4.5.2 Regulatory Setting

Federal Regulations

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

The Transportation Equity Act for the 21st Century (TEA-21)

The Transportation Equity Act for the 21st Century (TEA-21) was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

State Regulations

Integrated Energy Policy Report

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the CEC to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety (Public Resources Code § 25301a]). The California Energy Commission prepares these assessments and associated policy recommendations every two years, with updates in alternate years, as part of the Integrated Energy Policy Report.

The 2019 IEPR was adopted January 31, 2020, and continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. The 2019 IEPR focuses on a variety of topics such as the environmental performance of the electricity generation system, landscape-scale planning, the response to the gas leak at the Aliso Canyon natural gas storage facility, transportation fuel supply reliability issues, updates on Southern California electricity reliability, methane leakage, climate adaptation activities for the energy sector, climate and sea level rise scenarios, and the California Energy Demand Forecast. The 2020 IEPR Update is currently in progress but is not anticipated to be adopted until February 2021.

State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet

operators and encouragement of urban designs that reduce Vehicle Miles Traveled (VMT) and accommodate pedestrian and bicycle access.

California Code Title 24, Part 6, Energy Efficiency Standards

California Code of Regulations (CCR) Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas (GHG) emissions. The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020 and as such is applicable to building permit applications submitted on or after that date. The 2019 Title 24 standards require solar PV systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand responsive technologies for residential buildings, and update indoor and outdoor lighting for nonresidential buildings. The CEC anticipates that single-family homes built with the 2019 standards will use approximately 7% less energy compared to the residential homes built under the 2016 standards. Additionally, after implementation of solar PV systems, homes built under the 2019 standards will about 53% less energy than homes built under the 2016 standards. Nonresidential buildings will use approximately 30% less energy due to lighting upgrades.

California's Renewable Portfolio Standard (RPS)

First established in 2002 under Senate Bill (SB) 1078, California's Renewable Portfolio Standards (RPS) requires retail sellers of electric services to increase procurement from eligible renewable resources to 33 percent of total retail sales by 2020.

AB 1493 Pavley Regulations and Fuel Efficiency Standards

California AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and consequently a reduction in fuel consumption.

SB 350 – Clean Energy and Pollution Reduction Act of 2015

In October 2015, the legislature approved, and the Governor signed, SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the renewables portfolio standard (RPS), higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 45 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the CPUC, the CEC, and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electricity transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

City of Lake Elsinore Regulations

City of Lake Elsinore Climate Action Plan

The City of Lake Elsinore developed their climate action plan in 2011. The City of Lake Elsinore Climate Action Plan (CAP) sets service level based GHG emission reductions targets and provides the City GHG reduction goals beyond 2020 to 2030.

Chapter 5 of the CAP contains measures that promote energy efficiency and renewable energy for municipal operations and the community.

4.5.3 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the proposed project could have a potentially significant impact with respect to energy if it would:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.5.4 Methodology

Information from the California Emissions Estimator Model (CalEEMod) 2016.3.2 outputs for the Air Quality Impact Analysis prepared for the project (Appendix B) was utilized in this analysis, detailing project related construction equipment, transportation energy demands, and facility energy demands.

California Emissions Estimator Model

On October 17, 2017, the SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the CalEEMod v2016.3.2. The purpose of this model is to calculate construction-source and operational-source criteria pollutant (VOCs, NOX, SOX, CO, PM10, and PM2.5) and GHG emissions from direct and indirect sources as well as energy usage. Accordingly, the latest version of CalEEMod has been used to determine the proposed project's anticipated transportation and facility energy demands. Output from the model runs for construction and operational activity are provided in Appendix 4.1 of the Energy Analysis (Appendix E).

Emission Factors Model

On August 19, 2019, the EPA approved the 2017 version of the Emission Factor model (EMFAC) web database for use in State Implementation Plan and transportation conformity analyses. EMFAC2017 is a mathematical model that was developed to calculate emission rates, fuel consumption, and VMT from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by the CARB to project changes in future emissions from on-road mobile sources. This Energy Analysis utilizes summer, winter, and annual EMFAC2017 emission factors in order to derive vehicle emissions associated with project operational activities, which vary by season.

4.5.5 Impact Analysis

Impact 4.5-1: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction Energy Use

The anticipated construction schedule assumes that the proposed project would be constructed over an approximately 14-month period, and would require site preparation, grading, building construction, paving, and architectural coating during construction. Energy consumed during the construction period would be required for the manufacture and transportation of building materials and for preparation of the project site for grading activities and building construction. Petroleum fuels (e.g., diesel, gasoline) would be the primary sources of energy for these activities.

In general, the construction processes promote conservation and efficient use of energy by reducing raw materials demands, with related reduction in energy demands associated with raw materials extraction, transportation, processing and refinement. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations.

Therefore, construction activities are not anticipated to result in an inefficient use of energy, as gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs constructing the project. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources; therefore, construction energy impacts would be less than significant and no mitigation would be required.

Operational Energy Use

Energy consumption in support of or related to project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the project site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

Transportation Energy Demands

Energy that would be consumed by proposed project-generated traffic is a function of total VMT and the estimated vehicle fuel economies of vehicles accessing the project site. The following analysis is consistent with CalEEMod, EMFAC, and the Caltrans ITS Transportation Project-Level Carbon Monoxide Protocol.

As described in the Energy Analysis (Appendix E), annual vehicular trips and related VMT generated by the operational of the project would result in an estimated 171,341 gallons of fuel consumption per year for light duty automobiles (LDAs) for the year 2021.

Fuel would be provided by current and future commercial vendors. Trip generation and VMT generated by the project are consistent with other commercial uses of similar scale and configuration, as reflected respectively in the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Ed., 2017), and CalEEMod. Therefore, the project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption.

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of LDAs to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. The project would implement sidewalks, facilitating and encouraging pedestrian access. Facilitating pedestrian and bicycle access would reduce VMT and associated energy consumption. In compliance with the California Green Building Standards Code, the project would promote the use of bicycles as an alternative mean of transportation by providing short-term and/or long-term bicycle parking accommodations. As supported by the preceding discussions, project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Facility Energy Demands

As described in the Energy Analysis (Appendix E), project facility operational energy demands are estimated at: 2,021,438 kBTU/year of natural gas; and 392,632 kWh/year of electricity. Natural gas would be supplied to the project by SoCalGas; and electricity would be supplied by SCE. The project proposes conventional commercial uses reflecting contemporary energy efficient/energy conserving designs and operational programs. Uses proposed by the project are not inherently energy intensive, and the project energy demands in total would be comparable to, or less than, other commercial projects of similar scale and configuration. Implementation of existing regulations requiring efficient use of energy, including required Title 24 standards will ensure that the project energy demands would not be considered inefficient, wasteful, or otherwise unnecessary.

Based on the foregoing analysis, the proposed project would result in a less than significant associated with wasteful, inefficient, or unnecessary consumption of energy resources, during both the construction and operation phases of the project.

Mitigation Measure: None required

Significance after Mitigation: Less- than-significant

Impact 4.5-2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The project's consistency with the applicable state and local plans is discussed below.

Consistency with IEPR

Electricity would be provided to the project by SCE and natural gas is provided by SoCalGas. SCE's Clean Power and Electrification Pathway (CPEP) white paper and SoCalGas 2018 Corporate Sustainability Report builds on existing state programs and policies. As such, the project is consistent with, and would not otherwise interfere with, nor obstruct implementation the goals presented in the 2019 IEPR.

Additionally, the project will comply with the applicable Title 24 standards which would ensure that the project energy demands would not be inefficient, wasteful, or otherwise unnecessary. As such, development of the proposed project would support the goals presented in the 2019 IEPR.

Consistency with State of California Energy Plan

The project site is located along major transportation corridors with proximate access to the Interstate freeway system which would serve to reduce VMT in the project's service area. Additionally, the project site is consistent with the existing retail/commercial land use and general commercial zoning designation. Therefore, the project is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.

Consistency with California Code Title 24, Part 6, Energy Efficiency Standards

The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. The analysis herein assumes compliance with the 2019 Title 24 Standards.

Consistency with RPS

California's Renewable Portfolio Standard is not applicable to the project as it is a statewide measure that establishes a renewable energy mix. No feature of the project would interfere with implementation of the requirements under RPS.

Consistency with AB 1493

AB 1493 is not applicable to the project as it is a statewide measure establishing vehicle emissions standards. No feature of the project would interfere with implementation of the requirements pursuant to AB 1493.

Consistency with SB 350

This measure is not directly applicable to development projects, however the proposed project would use energy provided by SCE, which has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. No feature of the project would interfere with implementation of SB 350. Refer to Tables 3-2 and 3.3 in the Greenhouse Gas Analysis Report for an analysis of the project's consistency with SB 350.

Consistency with City of Lake Elsinore CAP

The project would implement energy-saving features and operational programs, consistent with the reduction measures set forth in the City of Lake Elsinore CAP.

Based on the foregoing analysis, implementation of the proposed project would not project conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

4.5.6 Cumulative Impacts

The proposed project and cumulative development projects would be required to comply with all of the same applicable federal, State, and local regulatory measures aimed at reducing fossil fuel consumption and the conservation of energy. Accordingly, the project would not cause or contribute to a significant cumulatively-considerable impact related to conflicts with a State or local plan for renewable energy or energy efficiency.

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4.6 Geology and Soils

This section of the Draft Environmental Impact Report (EIR) is based on information from the Initial Geotechnical Engineering Investigation Report prepared by Earth Strata Geotechnical Services, Inc. (September 2019) and included as Appendix F to this EIR. The section identifies the existing geology, soils and seismicity environment in the project vicinity, potential impacts that could be created by the project, and recommends mitigation measures to reduce impacts to a less than significant level.

4.6.1 Environmental Setting

Regional Conditions

The project site is regionally located in the Peninsular Ranges Geomorphic Province of California. These ranges are characterized by northwest trending steep mountain ranges that are separated by sediment filled elongated valleys. Within the regional area of the project faults are present which include the San Jacinto Fault, Newport-Inglewood, and the Whittier-Elsinore Fault that are associated with and subparallel to the San Andreas Fault. Near the project site are the Santa Ana Mountains that borders the west side of the Elsinore Fault while the Perris Block forms the other side of the fault zone to the east. In addition, the Perris Block is bounded to the east by the San Jacinto Fault. The Los Angeles basin forms part of a northerly dipping blind thrust fault at the boundary between the Peninsular Ranges Province and the Transverse Range Province.

The Peninsular Ranges Province consist of Pre-Cretaceous, metasedimentary, and metavolcanic rocks and cretaceous plutonic rock of the Southern California Batholith. The low-lying areas are primarily comprised of Tertiary and Quaternary non-marine alluvial sediments consisting of alluvial deposits, sandstones, claystones, siltstones, conglomerates, and occasional volcanic units.

Local Geology

The earth materials on the project site are primarily comprised of Quaternary Young Alluvial Valley materials as was determined during the subsurface explorations associated with the Preliminary Geotechnical Investigation, the Quaternary Young Alluvial Valley deposits were encountered to the maximum depth of 16.5 feet. These alluvial deposits were found to consist predominately of interlayered yellow brown to dark yellow brown, fine to coarse grained silty sand, and occasional sandy silt. Further, these deposits were generally noted to be in a dry to slightly moist, dense to very dense state.

Regional Faults

The project site is located in a seismically active region that as a result can be prone to significant ground shaking that could impact the project site within the design life of the proposed project. Southern California is dominated by northwest-trending faults that are associated with the San Andreas Fault System, which is responsible for most of the right lateral movement associated with the relative motion between the Pacific and North American tectonic plates. As previously mentioned, active faults within the system include the San Jacinto Fault, Newport-Inglewood, San Andreas Fault, and the Whittier-Elsinore Fault.

According to the Preliminary Geotechnical Investigation, there are no active faults projecting through the project site. In addition, the project site in not located within an Alquiest-Priolo Earthquake Fault Zone, which restricts the construction of new habitable structures across identifiable traces of known active faults.

However, the County Fault Zone establishes that the Glen Ivy Fault Zones does trend northwest to southeast at the bottom half of the subject sites.

An active fault is defined by the State of California as having surface displacement within the past 11,000 years or during the Holocene geologic time period. Based on review of regional geologic maps and applicable computer programs (USGS 2008 Interactive Deaggregation, Caltrans ARS online, and USGS Earthquake Hazard Programs), the Preliminary Geotechncial Investigation found that the Elsinore Fault, which is approximately 0.2 mile from the project site, is the closest known active fault anticipated to produce the highest ground accelerations, with an anticipated maximum modal magnitude of 7.7.

Liquefaction and Lateral Spreading

Liquefaction occurs as a result of a substantial loss of shear strength or shearing resistance in loose, saturated, cohesionless earth materials subjected to earthquake induced ground shaking. Potential impacts from liquefaction include loss of bearing capacity, liquefaction related settlement, lateral movements, and surface manifestation such as sand boils. Seismically induced settlement occurs when loose sandy soils become denser when subjected to shaking during an earthquake. The three factors determining whether a site is likely to be subject to liquefaction include seismic shaking, type and consistency of earth materials, and groundwater level. The Preliminary Geotechnical Investigation found the potential liquefaction and lateral spreading to be low across the project site.

Landslides

Topographic relief at the project site is relatively low with the terrain being generally sloping to flat. During the onsite survey associated with the Preliminary Geotechnical Investigation, landslide debris was not observed and no ancient landslides are known to exist on the project site. In addition, no landslides are known to exist, or have been mapped in the vicinity of the project site.

Earthquake Induced Flooding/Seiches/Tsunamis

Seismically induced flooding is normally a consequence of a tsunami (seismic sea wave), a seiche (i.e., a wave-like oscillation of surface water in an enclosed basin that may be initiated by a strong earthquake) or failure of a major reservoir or retention system up gradient of the site. Since the project site is at an elevation of more than 1,400 feet above mean sea level and is located more than 30 miles inland from the nearest coastline of the Pacific Ocean, the potential for seismically induced flooding due to a tsunami is considered nonexistent. Since no enclosed bodies of water lie adjacent to or up gradient of the site, the likelihood for induced flooding due to a dam failure or a seiche overcoming the dam's freeboard is considered nonexistent.

Settlement

Seismically induced settlement occurs when loose sandy soils become denser when subjected to shaking during an earthquake. Based on the settlement characteristics of the earth materials that underlie the project site, the Preliminary Geotechnical Investigation concluded that the maximum total settlement would be less than approximately ¾ inch. It is anticipated that the majority of the settlement would occur during construction or shortly after the initial application of loading.

4.6.2 Regulatory Setting

Federal

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Action of 1977 is a statute formulating a notional policy that would assist in diminishing the immediate danger of earthquakes in the United States. In order for this to be effective, the Act established the National Earthquake Hazards Reduction Program (NEHRP), which improved understanding, characterization and prediction of hazards and vulnerabilities, improvement of building codes and land use practices, risk reduction through post-earthquake investigations and education, development and improvement of design and construction techniques, improvement of mitigation capacity, and accelerated application of research results.

State

California Building Code

The California Building Code (CBC) is the building Code for the State of California, and Title 24 of the California Code of Regulations (CCR). The Building Code is maintained by the California Building Standards Commission, which oversees processes related to the California Building codes by California Building Standards Law. Title 24 establishes several criteria that sets standards adopted by states based on national model codes, national model codes adapted to meet California conditions. The purpose of the CBC is to establish these standards for the protection of public health, safety and general welfare. This is done through structural strength, means of egress, and general stability by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all building and structures within its jurisdiction.

Paleontological Resources

Paleontological resources are also afforded protection pursuant to the CEQA. Appendix G (Part V) of the CEQA Guidelines provides guidance relative to significant impacts on paleontological resources, stating that a project will normally result in a significant impact on the environment if it will "…disrupt or adversely affect a paleontological resource or site or unique geologic feature, except as part of a scientific study." Section 5097.5 of the Public Resources Code specifies that any unauthorized removal of paleontological remains is a misdemeanor. Further, the California Penal Code Section 622.5 sets the penalties for the damage or removal of paleontological resources.

City of Lake Elsinore Regulations

City of Lake Elsinore Municipal Code

Title 15 (Buildings and Construction)

The City of Lake Elsinore has incorporated into their code Title 15, *Buildings and Construction,* which sets chapters related to the regulation of all buildings and constructions for projects that are within the City. This chapter sets minimum standards that include specific requirements for seismic safety, excavation, foundations, retaining walls and site demolition. In addition to this, it also regulates grading activities including drainage and erosion control.

City of Lake Elsinore General Plan

Public Safety and Welfare Element

Goal 6: Minimize the risk of loss of life, injury, property damage, and economic and social displacement due to seismic and geological hazards resulting from earthquakes and geological constraints.

Policy 6.1: Encourage the pursuit of federal and state programs that assist in the seismic upgrading of buildings to meet building and safety codes.

Policy 6.2: Continue to require Alquist-Priolo and other seismic analyses be conducted for new development to identify the potential for ground shaking, liquefaction, slope failure, seismically induced landslides, expansion and settlement of soils, and other related geologic hazards for areas of new development in accordance with the Fault Rupture Hazard Overlay District adopted by the City of Lake Elsinore Zoning Code. The City may require site-specific remediation measures during permit review that may be implemented to minimize impacts in these areas.

4.6.3 Threshold of Significance

According to Appendix G of the CEQA Guidelines, the proposed project could have a potentially significant impact with respect to geology, soils and seismicity if it would:

1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving:
    a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.
    b. Strong seismic ground shaking
    c. Seismic-related ground failure, including liquefaction
    d. Landslides.
2. Result in substantial soil erosion or the loss of topsoil.
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.
5. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

4.6.4 Methodology

The determination for geology and soils analysis for this project is based on a review of existing literature as well as the Preliminary Geotechnical Interpretive Report prepared by Earth Strata Geotechnical Services, Inc., and included as Appendix F of this EIR. The assessment presents field exploration, findings, conclusions and recommendations, and seismic design considerations based on the analysis in the geotechnical report. Additional resources reviewed include the City's General Plan, General Plan EIR, and the California Department of Conservation. The sections that follow describe the identified impacts and the measures that would be incorporated to mitigate significant impacts.

4.6.5 Impact Analysis

Impact 4.6-1a: Would the project result in exposure people or structure to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

The project is located in a seismically active region and as a result, significant ground shaking will likely impact the project site within the design life of the proposed project. The geologic structure of the entire southern California area is dominated by northwest-trending faults associated with the San Andreas Fault system, which accommodates for most of the right lateral movement associated with the relative motion between the Pacific and North American tectonic plates.

As was concluded in the Preliminary Geotechnical Investigation (Appendix F), no active faults are known to project through the project site and the site is not located within an Alquist-Priolo Earthquake Fault Zone, which was established by the State of California to restrict the construction of new habitable structures across identifiable traces of known active faults. Although no Alquist-Priolo Fault Zones are located within the project site, the County Fault Zone established for the Glen Ivy Fault Zone does trend northwest to southeast through the southwest portion of the project site; however, fault investigations with trenching and subsequent geotechnical mapping found no evidence of faulting near the project site. To date, no faults have been identified by previous fault zone studies.

Based on review of regional geologic maps and applicable computer programs, the Elsinore Fault with an approximate source to project site distance of approximately 0.2 mile is the closest known active fault anticipated to produce the highest ground accelerations, with an anticipated maximum modal magnitude of 7.7. Although the project site is near an active fault, all structures associated with the proposed project are required to be designed and constructed to resist the effects of seismic activity as provided in the California Building Standards Code Title 24 (CALGreen) and Title 15, Buildings and Construction, of the City of Lake Elsinore Municipal Code. Compliance with applicable requirements of CALGreen and the City of Lake Elsinore, which are designed to attenuate the effects of strong ground shaking, would be assured through City review of grading and building permits which would ensure that seismic ground shaking effects are attenuated. The requirements identified in the CALGreen regulations are designed to ensure that buildings are able to withstand the levels of seismic groundshaking to which the proposed project would be subject. Accordingly, the project would result in a less than significant impact associated with seismically-induced ground shaking and mitigation is not required.

Based on the foregoing analysis, the proposed project would result in less than significant impacts associated with the exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known fault.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

Impact 4.6-1b: Would the project result in exposure people or structure to potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking?

As previously mentioned under Impact 4.6-1, the project site is located in seismically active region which can result in significant ground shaking; however, there are no active faults within the project site. Based on review of regional geologic maps and applicable computer programs, the Elsinore Fault with an approximate source to project site distance of 0.2 mile is the closest known active fault anticipated to produce the highest ground accelerations, with an anticipated maximum modal magnitude of 7.7.

The design and construction of the proposed project would be subject to the mandatory requirements and standards of the California Building Standards Code Title 24 (CALGreen) and Title 15, Buildings and Construction, of the City of Lake Elsinore Municipal Code, which are designed to attenuate the effects of strong ground shaking. Compliance with applicable requirements of CALGreen and the City of Lake Elsinore would be assured through City review of grading and building permits which would ensure that seismic ground shaking effects are attenuated. The requirements identified in the CALGreen regulations are designed to ensure that buildings are able to withstand the levels of seismic groundshaking to which the proposed project would be subject. Accordingly, the project would have a less than significant impact associated with seismically-induced ground shaking and mitigation is not required.

Based on the foregoing analysis, the proposed project would result in less than significant impacts associated with strong seismic groundshaking.

Mitigation Measures: None required

Significance after Mitigation: Less-than-significant.

Impact 4.6-1c: Would the project result in exposure people or structure to potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction?

The City of Lake Elsinore has identified areas known and suspected of liquefaction hazard in Figure 3.4 of the City's General Plan. The project site is identified within Figure 3.4 as located within an areas of moderate risk for liquefaction; the Preliminary Geotechnical Investigation prepared for the project site, indicates that the potential for earthquake induced liquefaction and lateral spreading at the proposed site is considered very low to remote. This is due to the relatively low groundwater level and the dense nature of the deeper onsite earth materials. Therefore, the proposed project would result in impacts associated with the potential for seismic-related ground failure such as liquefaction that would be less than significant.

Mitigation Measures: None required

Significance after Mitigation: Less-than-significant.

Impact 4.6-1d: Would the project result in exposure people or structure to potential substantial adverse effects, including the risk of loss, injury or death involving landslides?

According to the California Department of Conservation (CDC) landslide inventory, the proposed project is located in the Alberhill Quadrangle; however, no landslide information is available for the project site. The Preliminary Geotechnical Investigation prepared for the project site indicated that landslide debris was not observed during the subsurface exploration and no ancient landslides are known to exist on the site. No landslides are known to exist, or have been mapped, in the vicinity of the project site. Additionally the project site is relatively flat. Therefore, the proposed project would result in an impact that would be less than significant and no mitigation is required.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

Impact 4.6-2: Would the project result in substantial soil erosion or the loss of topsoil?

The project site is comprised of approximately 5.63 acres of largely undeveloped land that has not been graded. The project site is currently sitting on a slope with elevations that range from approximately 1,480 to 1,520 feet above mean sea level (msl), for a difference of about +/- 40 feet across the entire site. Currently, drainage within the project site generally flows to the east. In addition, the project site currently has sparse vegetation onsite that includes trees including both eucalyptus and pepper trees as well as areas of exposed soil. Development of the project site would remove the existing vegetation during the grading and construction process. This process would expose the underlying soils, increasing the rate of water runoff, which would increase erosion susceptibility that would result in potential short-term soil erosion impacts. However, during construction, erosion control best management practices (BMPs) would be incorporated as part of a Storm Water Pollution Prevention Plan (SWPPP) prepared in compliance with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. The BMPs incorporated would assist in preventing the exposure of soils to wind and water and reduce the threat of erosion during the construction phase. The City's Engineering Department will also review the SWPPP and the BMPs for compliance prior to the issuance of a building and grading permit. Therefore, with implementation of the above requirements, erosion related to construction activities would be less than significant.

Following construction, wind and water erosion on the project site would be minimized, as the areas disturbed during construction would be landscaped or covered with impervious surfaces (i.e., building foundations and paved parking areas). Only nominal areas of exposed soil, if any, would occur in the project site's landscaped areas. The only potential for erosion effects to occur during project operation would be indirect effects from stormwater discharged from the project site. As discussed in the Hydrology Report (Appendix K) prepared for the proposed project, runoff from the project site during operational conditions was calculated to be 16% higher than the existing condition. The excess runoff from the project site would be retained and filtered on-site via biofiltration with underdrain. Retention of excess stormwater would ensure that indirect effects from stormwater discharge do not result in substantial erosion or topsoil loss; therefore, impacts associated with erosion related to operation of the proposed project would be less than significant. No mitigation is required.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

Impact 4.6-3: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

As discussed above under Impact 4.6-1c and 4.6-1d, impacts associated with liquefaction and lateral spreading, and landslides would be less than significant. Additionally, risk factors associated with collapse due to seismic instability is discussed in Impact 6.6-1a and 4.6-1b.

According to the County of Riverside, portions of the project site are located in areas identified as potentially susceptible to subsidence (County of Riverside, 2020); however, the Preliminary Geotechnical Investigation prepared for the project determined the project site to be located in an area with negligible risk of subsidence

(Earth Strata Geotechnical Services, 2019). Therefore, impacts associated with subsidence would be less than significant and no mitigation is required.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

Impact 4.6-4: Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

The Preliminary Geotechnical Investigation prepared for the project site indicated that onsite earth materials exhibit an expansion potential of lows classified in accordance with 2016 CBC Section 1803.5.3 and ASTM D4829-03. Additionally, the design and construction of the proposed project would be subject to the mandatory requirements and standards of the California Building Standards Code Title 24 (CALGreen) and Title 15, Buildings and Construction, of the City of Lake Elsinore Municipal Code, which are designed to minimize impacts due to seismic activity. Compliance with applicable requirements of CALGreen and the City of Lake Elsinore would be assured through City review of grading and building permits. Accordingly, the project would have a less than significant impact associated with expansive soils and no mitigation is required.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

Impact 4.6-5: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

According to the City's General Plan (2011), the southwest portion of the project site has 'Low Potential' and the remaining northwest portion has 'High A Potential' to yield nonrenewable paleontological resources. The General Plan defines areas assigned with a High A "is based on geologic formations or mappable rock units that are known to contain or have the correct age and depositional conditions to contain significant paleontological resources. These include rocks of Silurian or Devonian age and younger that have potential to contain remains of fossil fish and Mesozoic and Cenozoic rocks that contain fossilized body elements, and trace fossils such as tracks, nests, and eggs" (City of Lake Elsinore, 2011).

A Paleontological Assessment was prepared for the project (BSFA, 2020) and is included as EIR Appendix G. The assessment concluded that based on the nearby presence of mapped outcrops of Quaternary (early to late Pleistocene), Pauba Fanglomerate (Qpf), and alluvial sediments (Qoa), there is a potential for these sedimentary units to underlie the Holocene deposits mapped at the surface at the project. On the basis of this criterion, as well as the High A paleontological resource sensitivity locally assigned to these Pleistocene sediments (City of Lake Elsinore, 2011), and nearby large mammal fossil localities that typically occur in these types of Pleistocene deposits, implementation of the project would result in a potentially significant impact to paleontological resources. Therefore, the project would implement mitigation measure GEO-1 in order to reduce potential impacts to paleontological resources to less than significant.

Mitigation Measures:

> **GEO-1**: Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources by a qualified paleontologist or paleontological monitor. Full-time monitoring of grading or excavation activities should be performed starting at a depth of 10 feet, or

when Pleistocene-aged sediments are encountered during excavation activities, whichever is shallowest, in undisturbed areas of Quaternary (early to late Pleistocene) sedimentary deposits within the project boundaries. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface or, if present, are determined by qualified paleontological personnel upon exposure and examination to have a low potential to contain or yield fossil resources.

Significance after Mitigation: Less-than-significant.

4.6.6 Cumulative Impacts

With exception of erosion hazards, potential effects to geology and soils are inherently restricted to the areas planned for development and would not contribute to cumulative impacts related with other planned, proposed, or existing development. Particularly, thresholds including liquefaction, seismic ground shaking, expansive soils, fault rupture, landslides, and other geologic hazards would involve effects to (and not from) the proposed development and are specific to conditions on-site. Subsequently, addressing these potential hazards for the proposed development would involve steps to conform to current requirements, and/or construction efforts and site-specific design that have no relationship to, or impact on, off-site areas. Due to the site-specific nature of these potential hazards and the measures to address them, there would be no connection to similar potential issues or cumulative effects to or from other properties. Cumulatively considerable impacts would be less than significant.

For purposes of studying possible erosion hazards, the cumulative study area is defined as the Santa Ana River Watershed, as areas outside this watershed have no ability to contribute to any erosion impacts that may result from the Project. All projects in the cumulative study area also would be required to demonstrate that measures have been incorporated, such as BMPs associated with a SWPPP, to ensure that development does not result in substantial increases in the amount or rate of runoff, which could in turn increase soil erosion. Therefore, because the Project would not result in significant erosion impacts, and because other projects within the cumulative study area would be subject to similar requirements to control erosion hazards during construction and long-term operation, cumulatively considerable impacts associated with wind and water erosion hazards are evaluated as less than significant.

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4.7 Greenhouse Gas Emissions

This section of the Draft Environmental Impact Report (EIR) addresses the potential impacts of the proposed project from greenhouse gas (GHG) emissions as well as a discussion about the global impact of climate change and regulatory conditions associated with global climate change. GHG emissions related impacts as well as global climate change impacts are analyzed, and mitigation measures to reduce potential impacts from potentially significant impacts to a level of less than significant are provided. This section of the Draft EIR is based on the Greenhouse Gas Analysis prepared by Urban Crossroads (2019) and is provided in Appendix H.

4.7.1 Environmental Setting

Introduction to Climate Change

Global climate change (GCC) is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other significant changes in climate (e.g., precipitation or wind) that last for an extended period of time. The term "global climate change" is often used interchangeably with the term "global warming," but "global climate change" is referred to as "global warming" because it helps convey that there are other changes in addition to rising temperatures.

Climate change refers to any change in measures of weather lasting for an extended period (decades or longer). Climate change may result from natural factors, such as a change in sun intensity; natural processes within the climate system, such as changes in ocean circulation; or human activities, such as the burning of fossil fuels, land clearing, or agriculture. The primary observed effect of GCC has been a rise in the average global tropospheric temperature of 0.36°F per decade, determined from meteorological measurements worldwide between 1990 and 2005. Climate change modeling shows that further warming may occur, which may induce additional changes in the global climate system during the current century. Changes to the global climate system, ecosystems, and the environment of the State of California could include higher sea levels, drier or wetter weather, changes in ocean salinity, changes in wind patterns, or more energetic aspects of extreme weather, including droughts, heavy precipitation, heat waves, extreme cold, and increased intensity of tropical cyclones. Specific effects in the State might include a decline in the Sierra Nevada snowpack, erosion of the State's coastline, and seawater intrusion in the San Joaquin Delta.

Global surface temperatures have risen by approximately 1.33°F over the last 100 years (1906 to 2005). The rate of warming over the last 50 years is almost double that over the last 100 years. The latest projections, based on state-of-the-art climate models, indicate that temperatures in the State are expected to rise by 3–10.5°F by the end of the 21st century. The prevailing scientific opinion on climate change is that "most of the warming observed over the last 60 years is attributable to human activities." Increased amounts of carbon dioxide (CO2) and other greenhouse gasses (GHGs) are the primary causes of the human-induced component of warming. The observed warming effect associated with the presence of GHGs in the atmosphere is often referred to as "the greenhouse effect."

Greenhouse Gases

GHGs trap heat in the atmosphere, creating a GHG effect that results in global warming and climate change; many gases demonstrate these properties. The most common greenhouse gases are discussed in detail below:

Water Vapor

Water vapor is the most abundant, important, and variable GHG in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. The feedback loop in which water is involved is critically important to projecting future climate change. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to "hold" more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop will continue is unknown as there are also dynamics that put the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it would eventually also condense into clouds, which are more able to reflect incoming solar radiation (thus allowing less energy to reach the Earth's surface and heat it up).

Carbon Dioxide

The natural production and absorption of carbon dioxide (CO_2) is achieved through the terrestrial biosphere and the ocean. However, humankind has altered the natural carbon cycle by burning coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700s, each of these activities have increased in scale and distribution. CO_2 was the first GHG demonstrated to be increasing in atmospheric concentration with the first conclusive measurements being made in the last half of the 20th century. Prior to the industrial revolution, concentrations were fairly stable at 280 parts per million (ppm). The International Panel on Climate Change (IPCC Fifth Assessment Report, 2014) Emissions of CO_2 from fossil fuel combustion and industrial processes contributed to about 78 percent of the total GHG emissions increase from 1970 to 2010. Globally, economic and population growth continued to be the most important drivers of increases in CO_2 emissions from fossil fuel combustion. The contribution of population growth between 2000 and 2010 remained roughly identical to the previous three decades, while the contribution of economic growth has risen sharply.

Methane

Methane (CH_4) is an extremely effective absorber of radiation, although its atmospheric concentration is less than that of CO_2. Its lifetime in the atmosphere is brief (10 to 12 years), compared to some other GHGs (such as CO_2, N_2O, and Chlorofluorocarbons (CFCs). CH_4 has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other anthropocentric sources include fossil-fuel combustion and biomass burning.

Nitrous Oxide

Concentrations of Nitrous Oxide (N_2O) also began to rise at the beginning of the industrial revolution. In 1998, the global concentration of this GHG was documented at 314 parts per billion (ppb). N_2O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is also commonly used as an aerosol spray propellant, (i.e., in whipped cream bottles, in potato chip bags to keep chips fresh, and in rocket engines and in race cars).

Chlorofluorocarbons

Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source but were first synthesized in 1928. It was used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and in 1989 the European Community agreed to ban CFCs by 2000 and subsequent treaties banned CFCs worldwide by 2010. This effort was extremely successful, and the levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CFCs would remain in the atmosphere for over 100 years.

Hydrofluorocarbons

Hydrofluorocarbons (HFCs) are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 (CHF3), HFC-134a (CF3CH2F), and HFC-152a (CH3CHF2). Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant. Concentrations of HFC-23 and HFC-134a in the atmosphere are now about 10 parts per trillion (ppt) each. Concentrations of HFC-152a are about 1 ppt. HFCs are manmade for applications such as automobile air conditioners and refrigerants.

Perfluorocarbons

Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). Concentrations of CF_4 in the atmosphere are over 70 ppt. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing.

Sulfur Hexafluoride

Sulfur Hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF_6 has the highest global warming potential of any gas evaluated; 23,900 times that of CO_2. Concentrations in the 1990s were about 4 ppt. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

Aerosols

Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols. Sulfate aerosols are emitted when fuel containing sulfur is burned. Black carbon (or soot) is emitted during biomass burning due to the incomplete combustion of fossil fuels. Particulate matter regulation has been lowering aerosol concentrations in the United States; however, global concentrations are likely increasing.

Global Warming Potential

GHGs have varying Global Warming Potential (GWP) values. GWP of a GHG indicates the amount of warming a gas causes over a given period of time and represents the potential of a gas to trap heat in the atmosphere. CO_2 is utilized as the reference gas for GWP, and thus has a GWP of 1. Carbon dioxide equivalent (CO_2e) is a

term used for describing the different GHGs in a common unit. CO_2e signifies the amount of CO_2 which would have the equivalent GWP.

The atmospheric lifetime and GWP of selected GHGs are summarized at Table 4.7-1. As shown in the table below, GWP for the Second Assessment Report, the Intergovernmental Panel on Climate Change (IPCC)'s scientific and socio-economic assessment on climate change, range from 1 for CO_2 to 23,900 for SF6. The GWP for the IPCC's 5th Assessment Report range from 1 for CO_2 to 23,500 for SF_6.

Table 4.7-1 - Global Warming Potential and Atmospheric Lifetime Of Select GHGs

Gas	Atmospheric Lifetime (years)	Global Warming Potential (100-year time horizon)	
		Second Assessment Report	5th Assessment Report
CO2	See*	1	1
CH4	12 .4	21	28
N2O	121	310	265
HFC-23	222	11,700	12,400
HFC-134a	13.4	1,300	1,300
HFC-152a	1.5	140	138
SF6	3,200	23,900	23,500

*As per Appendix 8.A. of IPCC's 5th Assessment Report, no single lifetime can be given.
Source: Urban Crossroads, 2019.

Greenhouse Gas Emissions Inventories

Global

Worldwide anthropogenic (human) GHG emissions are tracked by the IPCC for industrialized nations (referred to as Annex I) and developing nations (referred to as Non-Annex I). Human GHG emissions data for Annex I nations are available through 2017. Based on the latest available data, the sum of these emissions totaled approximately 29,216,501 Gg CO_2e as summarized on Table 4.7-1.

United States

As noted in Table 4.7-2, below, the United States, as a single country, was the number two producer of GHG emissions in 2017.

Table 4.7-2 - Top GHG Producing Countries and the European Union [2]

Emitting Countries	GHG Emissions (Gg CO2e)
China	11,911,710
United States	6,456,718
European Union (28-member countries)	4,323,163

Emitting Countries	GHG Emissions (Gg CO2e)
India	3,079,810
Russian Federation	2,155,470
Japan	1,289,630
Total	**29,216,501**

Note: Gg – gigagram

State of California

California has significantly slowed the rate of growth of GHG emissions due to the implementation of energy efficiency programs as well as the adoption of strict emission controls but is still a substantial contributor to the U.S. emissions inventory total. The California Air Resource Board (CARB) compiles GHG inventories for the State of California. Based upon the 2018 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2016 GHG emissions period, California emitted an average 429.4 million metric tons of CO_2e ($MMTCO_2e$) per year including emissions resulting from imported electrical power in 2015.

Effects of Climate Change in California

Public Health

Higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35 percent under the lower warming range to 75 to 85 percent under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. The Climate Scenarios report indicates that large wildfires could become up to 55 percent more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

Water Resources

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the state from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90 percent. Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. It could also adversely affect winter tourism. Under the lower warming range, the ski season at

lower elevations could be reduced by as much as a month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing and snowboarding.

The State's water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply.

Agriculture

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25 percent of the water supply needed. Although higher CO_2 levels can stimulate plant production and increase plant water-use efficiency, California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts.

In addition, continued GCC could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued GCC could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

Forests and Landscapes

GCC has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55 percent, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks will not be uniform throughout the state. In contrast, wildfires in northern California could increase by up to 90 percent due to decreased precipitation.

Moreover, continued GCC has the potential to alter natural ecosystems and biological diversity within the state. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80 percent by the end of the century as a result of increasing temperatures. The productivity of the state's forests has the potential to decrease as a result of GCC.

Rising Sea Levels

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the state's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate low-lying coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. Under the lower warming range scenario, the sea level could rise 12-14 inches.

4.7.2 Regulatory Setting

International

Kyoto Protocol

The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its Parties by setting internationally binding emission reduction targets. Recognizing that developed countries are principally responsible for the current high levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities."

The Kyoto Protocol was adopted in Kyoto, Japan, on December 11, 1997 and entered into force on February 16, 2005. The detailed rules for the implementation of the Protocol were adopted at Conference of the Parties (COP) in Marrakesh, Morocco, in 2001, and are referred to as the "Marrakesh Accords." Its first commitment period started in 2008 and ended in 2012.

In Doha, Qatar, on December 8, 2012, the "Doha Amendment to the Kyoto Protocol" was adopted. The amendment includes:

- New commitments for Annex I Parties to the Kyoto Protocol who agreed to take on commitments in a second commitment period from January 1, 2013 to December 31, 2020;
- A revised list of GHGs to be reported on by Parties in the second commitment period; and
- Amendments to several articles of the Kyoto Protocol which specifically referenced issues pertaining to the first commitment period and which needed to be updated for the second commitment period.

On December 21, 2012, the amendment was circulated by the Secretary-General of the United Nations, acting in his capacity as Depositary, to all Parties to the Kyoto Protocol in accordance with Articles 20 and 21 of the Protocol.

During the first commitment period, 37 industrialized countries and the European Community committed to reduce GHG emissions to an average of five percent against 1990 levels. During the second commitment period, Parties committed to reduce GHG emissions by at least 18 percent below 1990 levels in the eight-year period from 2013 to 2020; however, the composition of Parties in the second commitment period is different from the first.

Paris Agreement

The Paris Agreement builds upon the Convention and – for the first time – to bring nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so. As such, it charts a new course in the global climate effort.

The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework.

The Paris Agreement requires all Parties to put forward their best efforts through "nationally determined contributions" (NDCs) and to strengthen these efforts in the years ahead. This includes requirements that all Parties report regularly on their emissions and on their implementation efforts.

In 2018, Parties will take stock of the collective efforts in relation to progress towards the goal set in the Paris Agreement and to inform the preparation of NDCs. There will also be a global stock-taking every five years to assess the collective progress towards achieving the purpose of the Agreement and to inform further individual actions by Parties.

The Paris Agreement entered into force on November 4, 2016, thirty days after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55% of the total GHG emissions have deposited their instruments of ratification, acceptance, approval, or accession with the Depositary. It is expected that the United States will withdraw from the Paris Agreement on November 4, 2020.

Federal

Clean Air Act

Coinciding with the 2009 meeting of international leaders in Copenhagen, on December 7, 2009, the EPA issued an Endangerment Finding under § 202(a) of the Clean Air Act (CAA), opening the door to federal regulation of GHGs. The Endangerment Finding notes that GHGs threaten public health and welfare and are subject to regulation under the CAA. To date, the EPA has not promulgated regulations on GHG emissions, but it has begun to develop them.

Previously the EPA had not regulated GHGs under the CAA because it asserted that the Act did not authorize it to issue mandatory regulations to address GCC and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. In Massachusetts v. Environmental Protection Agency et al. (127 S. Ct. 1438 [2007]); however, the U.S. Supreme Court held that GHGs are pollutants under the CAA and directed the EPA to decide whether the gases endangered public health or welfare. The EPA had also not moved aggressively to regulate GHGs because it expected Congress to make progress on GHG legislation, primarily from the standpoint of a cap-and-trade system. However, proposals circulated in both the House of Representative and Senate have been controversial and it may be some time before the U.S. Congress adopts major climate change legislation. The EPA's Endangerment Finding paves the way for federal regulation of GHGs with or without Congress.

State

Title 24 Building Standards

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The latest revisions (2013 Building Energy Efficiency Standards) were adopted in 2012 and became effective on July 1, 2014. The 2013 Building Energy Efficiency Standards are 25 percent more efficient than the previous Building Energy Efficiency Standards for residential construction and 30 percent more efficient than the previous Standards for nonresidential construction.

Part 11 of Title 24 is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code.

Executive Order S-3-05

The California Governor issued Executive Order S-3-05, GHG emission, in June 2005, which established the following reduction targets:

- 2010: Reduce greenhouse gas emissions to 2000 levels.
- 2020: Reduce greenhouse gas emissions to 1990 levels.
- 2050: Reduce greenhouse gas emissions to 80 percent below 1990 levels.

The Executive Order directed the secretary of CalEPA to coordinate a multi-agency effort to reduce GHG emissions to the target levels. To comply with the Executive Order, the secretary of CalEPA created the California Action Team (CAT), made up of members from various state agencies and commissions. The team released its first report in March 2006. The report proposed to achieve the targets by building on the voluntary actions of businesses, local governments, and communities and through State incentive and regulatory programs.

Executive Order B-30-15

On April 29, 2015, Governor Brown issued Executive Order B-30-15, which sets a goal to reduce GHG emissions in California to 40 percent below 1990 levels by 2030. The 2030 target serves as a benchmark goal on the way to achieving the GHG reductions goal set by former Governor Schwarzenegger via Executive Order S-3-05 (i.e., 80 percent below 1990 greenhouse gas emissions levels by 2050).

Assembly Bill 32 – California Global Warming Solutions Act

In 2006, the California State Legislature adopted Assembly Bill 32 (AB 32), the *California Global Warming Solutions Act of 2006*. AB 32 requires CARB, to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020 through an enforceable statewide emission cap which would be phased in starting in 2012. Emission reductions shall include carbon sequestration projects that would remove carbon from the atmosphere and best management practices that are technologically feasible and cost effective.

On December 6, 2007, CARB released the calculated Year 1990 GHG emissions of 427 million metric tons of CO_2 emitted ($MMTCO_2e$). The 2020 target of 427 $MMTCO_2e$ requires the reduction of 169 $MMTCO_2e$, or approximately 30 percent from the State's projected 2020 business as usual emissions of 596 $MMTCO_2e$ and the reduction of 42 $MMTCO_2e$, or almost 10 percent from the 2002-2004 average GHG emissions. Under AB 32, CARB was required to adopt regulations by January 1, 2011 to achieve reductions in GHGs to meet the 1990 cap by 2020. Early measures CARB took to lower GHG emissions included requiring operators of the largest industrial facilities that emit 25,000 metric tons of CO_2 in a calendar year to submit verification of GHG emissions by December 1, 2010. The CARB Board also approved nine discrete early action measures that

include regulations affecting landfills, motor vehicle fuels, refrigerants in cars, port operations and other sources that became enforceable on or before January 1, 2010.

On December 11, 2008 the CARB Board approved a Scoping Plan, with final adoption May 11, 2009 that proposed a variety of measures including direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, a market-based cap-and-trade system, and a fee regulation to fund the program. In current pending litigation, *Association of Irritated Residents v. California Air Resources Board*, a California State trial court found that the analysis of the alternatives identified in the *AB 32 Scoping Plan Functional Equivalent Document (FED)* was not sufficient for informed decision-making and public review under CEQA. In response, CARB has appealed the decision. In addition, CARB prepared the *Supplement to the AB 32 Scoping Plan Functional Equivalent Document,* June 13, 2011. On August 24, 2001 CARB recertified the complete *AB 32 Scoping Plan Functional Equivalent Environmental Document* revised by the Final Supplement. In December 2011 the Final Supplement was accepted as sufficient to fulfill the trial court's March order.

While local government operations were not accounted for in achieving the 2020 emissions reduction, local land use changes are estimated to result in a reduction of five metric tons of CO_2e, which is approximately three percent of the 2020 GHG emissions reduction goal. In recognition of the critical role local governments will play in successful implementation of AB 32, CARB is recommending GHG reduction goals of 15 percent of 2010 levels by 2020 to ensure that municipal and community-wide emissions match the state's reduction target. According to the *Measure Documentation Supplement to the Scoping Plan*, local government actions and targets are anticipated to reduce vehicle miles by approximately two percent through land use planning, resulting in a potential GHG reduction of two metric tons of CO_2e (or approximately 1.2 percent of the GHG reduction target).

In May 2014, CARB released its *First Update to the Climate Change Scoping Plan* (CARB 2014). This *Update* identifies the next steps for California's leadership on climate change. While California continues on its path to meet the near-term 2020 greenhouse gas limit, it must also set a clear path toward long-term, deep GHG emission reductions. This report highlight's California's success to date in reducing its GHG emissions and lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050.

On January 20, 2017, CARB announced its release of a proposed plan to reduce greenhouse gas emissions by 40 percent below 1990 levels by 2030 – the most ambitious target in North America. The plan builds on the State's successful efforts to reduce emission and outlines the most effective ways to reach the 2030 goal, including continuing California's Cap-and-Trade Program. The *Final 2017 Scoping Plan Update* will be released in late March and be considered for approval by CARB's Board in late April.

Executive Order S-1-07

Executive Order S-1-07 was issued in 2007 and proclaims that the transportation sector is the main source of GHG emissions in the State, since the transportation sector generates more than 40 percent of the State's GHG emissions. Executive Order S-1-07 establishes a goal to reduce the carbon intensity of transportation fuels sold in the State by at least ten percent by 2020. This Order also directs CARB to determine whether this Low Carbon Fuel Standard (LCFS) could be adopted as a discrete early-action measure as part of the effort to meet the mandates in AB 32.

On April 23, 2009 CARB approved the proposed regulation to implement the low carbon fuel standard. The low carbon fuel standard is anticipated to recue GHG emissions by about 16 MMT per year by 2020. The low carbon fuel standard is designed to provide a framework that uses market mechanisms to spur the steady introduction

of lower carbon fuels. The framework establishes performance standards that fuel producers and importers must meet each year beginning in 2011. Separate standards are established for gasoline and diesel fuels and the alternative fuels that can replace each. The standards are "back-loaded", with more reductions required in the last five years, than during the first five years. This schedule allows for the development of advanced fuels that are lower in carbon than today's fuels and the market penetration of plug-in hybrid electric vehicles, battery electric vehicles, fuel cell vehicles, and flexible fuel vehicles. It is anticipated that compliance with the low carbon fuel standard would be based on a combination of both lower carbon fuels and more efficient vehicles.

Reformulated gasoline mixed with corn-derived ethanol at ten percent by volume and low sulfur diesel fuel represent the baseline fuels. Lower carbon fuels may be ethanol, biodiesel, renewable diesel, or blends of these fuels with gasoline or diesel as appropriate. Compressed natural gas and liquefied natural gas also may be low carbon fuels. Hydrogen and electricity, when used fuels for the low carbon fuel standard.

Senate Bill 375

Senate Bill 375 (SB 375) was adopted in September 2008 and aligns regional transportation planning efforts, regional GHG emission reduction targets, and land use and housing allocation. SB 375 requires Metropolitan Planning Organizations (MPO) to adopt a Sustainable Communities Strategy (SCS) or alternate planning strategy (APS) that would prescribe land use allocation in that MPO's Regional Transportation Plan (RTP). CARB, in consultation with each MPO, provided each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets would be updated every eight years but can be updated every four years if advancements in emission technologies affect the reduction strategies to achieve the targets. CARB is also charged with reviewing each MPO's SCS or alternate planning strategy for consistency with its assigned targets.

The DLVSP is located within the Southern California Association of Governments (SCAG) jurisdiction, which has authority to develop the SCS or APS. For the SCAG region, the targets set by CARB are at eight percent below 2005 per capita GHG emissions levels by 2020 and 13 percent below 2005 per capita GHG emissions levels by 2035. On April 4, 2012, SCAG adopted the 2012-2035 Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS), which meets the CARB emission reduction requirements. The Housing Element Update is required by the State to be completed within 18 months after RTP/SCS adoption or by October 2013.

On April 7, 2016, SCAG's Regional Council adopted the 2016-2040 Regional Transportation Plan / Sustainable Communities Strategy (2016 RTP/SCS). The 2016 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. It charts a course for closely integrating land use and transportation — so that the region can grow smartly and sustainably. It outlines more than $556.5 billion in transportation system investments through 2040. The 2016 RTP/SCS was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura. In June 2016, SCAG received its conformity determination from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) indicating that all air quality conformity requirements for the 2016 RTP/SCS and associated 2015 FTIP Consistency Amendment through Amendment 15-12 have been met.

Senate Bill 97 (SB 97)

The CEQA Guideline amendments do not identify a quantitative threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures. Instead, they call for a "good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas

emissions resulting from a project." The amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies' discretion to make their own determinations based upon substantial evidence. The amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses. The GHG analysis thresholds incorporated into the CEQA Guidelines' Environmental Checklist (Guidelines Appendix G) are addressed in this EIR. The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010.

City of Lake Elsinore Regulations

City of Lake Elsinore Climate Action Plan

The Climate Action Plan (CAP), which was adopted by the City Council on December 13, 2011, is the City of Lake Elsinore's long-range plan to reduce local greenhouse gas emissions that contribute to climate change. The CAP identifies the activities in Lake Elsinore that generate GHGs, quantifies these emissions, and projects their future trends. It also describes local greenhouse gas emissions targets for the years 2020 and 2030, consistent with the State of California's emissions reduction targets that were in effect at the time the CAP was adopted in 2011 and includes strategies and measures to meet these targets. Implementation of the CAP is intended to guide Lake Elsinore's actions to reduce its contribution to climate change and to support the State of California's emissions reduction targets. The CAP is also intended to support tiering and streamlining of future projects within Lake Elsinore pursuant to CEQA Guidelines §§ 15152 and 15183.5. Individual development projects such as the proposed Project are required to demonstrate consistency with applicable measures from the CAP. Implementation of the City's CAP would result in a City-wide reduction of GHGs by 33% below 1990 Business as Usual (BAU) conditions by 2030.

4.7.3 Thresholds of Significance

According to Appendix G of the California Environmental Quality Act (CEQA) Guidelines, the proposed project could have a potentially significant impact with respect to GHG emissions if it would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

4.7.4 Methodology

The CEQA Guidelines § 15064.4(b)(1) states that a CEQA lead agency may use a model or methodology to quantify GHG emissions associated with a project. The SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) maintains the California Emissions Estimator Model (CalEEMod). The purpose of this model is to estimate air quality and GHG emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. As such, the latest version of CalEEMod (Version 2016.3.2) was used to calculate estimated Project-related air pollutant emissions. Modeling output data for both Project-related construction and operational activity are provided in Appendix 3.1 of the Greenhouse Gas Analysis (Appendix H). Additional information regarding the methodology used in the construction and operational GHG emissions analyses is provided below.

Estimating Construction-Related GHG Emissions

In accordance with SCAQMD recommendations and for purposes of analysis, the Project's construction-related GHG emissions were quantified, amortized over a 30-year period, and then added to the Project's annual, operational GHG emissions. As such, the Project's construction-related GHG emissions are accounted for in the quantification of the Project's annual, operational GHG emissions.

Estimating Operational GHG Emissions

Project-related GHG emissions would include emissions from direct and indirect sources. The proposed project would result in direct and indirect emissions of CO_2, N_2O, and CH_4, and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, the GHG analysis focuses on these three forms of GHG emissions. Direct Project-related GHG emissions include emissions from area sources, and mobile sources, while indirect sources include emissions from electricity consumption, water demand, and solid waste generation. Operational GHG estimations are based on energy emissions from natural gas usage and automobile emissions. Project-related area source and mobile source GHG emissions were calculated using CalEEMod, which relies on trip generation data, and specific land use information to calculate emissions. Additionally, CalEEMod was used to calculate the indirect Project-related sources of GHG emissions, including energy consumption, solid waste generation, and water demand. Modeling output data for Project-related operational activity is provided in Appendix 3.1 of the Project-specific Greenhouse Gas Analysis (Appendix H).

4.7.5 Impact Analysis

Impact 4.1-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The City of Lake Elsinore has not adopted its own numeric threshold of significance for determining impacts with respect to GHG emissions. A screening threshold of 3,000 MTCO2e per year to determine if additional analysis is required is an acceptable approach for small projects. This approach is a widely accepted screening threshold used by the County of Riverside and numerous cities in the South Coast Air Basin and is based on the SCAQMD staff's proposed GHG screening threshold for stationary source emissions for non-industrial projects, as described in the SCAQMD's *Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans* ("SCAQMD Interim GHG Threshold"). The SCAQMD Interim GHG Threshold identifies a screening threshold to determine whether additional analysis is required.

The project would result in approximately 431.23 $MTCO_2e$ per year from construction, area, energy, waste, and water usage. In addition, the project has the potential to result in an additional 1,852.95 $MTCO_2e$ per year from mobile sources if the assumption is made that all of the vehicle trips to and from the project are "new" trips resulting from the development of the project. As shown in Table 4.7-3, below, the project has the potential to generate a total of approximately 2,284.18 $MTCO_2e$ per year. As such, the project would not exceed the SCAQMD's recommended numeric threshold of 3,000 $MTCO_2e$ if it were applied. Thus, project-related emissions would not have a significant direct or indirect impact on GHG emissions and climate change and no mitigation is required.

Based on the foregoing analysis, the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; therefore, this impact is less than significant.

Table 4.7-3 - Total Project Greenhouse Gas Emissions (Annual)

Emission Source	Emissions (MT/yr)			
	CO2	CH4	N2O	Total CO2E
Annual construction-related emissions amortized over 30 years	23.34	0.004	0	23.44
Area	7.4E-04	0	0	7.9E-4
Energy	300.71	9.9E-3	3.6E-3	302.04
Mobile	1,847.85	0.20	0	1,852.95
Waste	24.19	1.43	0	59.94
Water Usage	37.63	0.25	6.2E-3	45.81
Total CO2E (All Sources)	**2,284.18**			
SCAQMD Threshold	**3,000**			
Threshold Exceeded?	**NO**			

Source: CalEEMod™ model output, See Appendix 3.1 for detailed model outputs.
Note: Totals obtained from CalEEMod™ and may not total 100% due to rounding.
Table results include scientific notation. *e* is used to represent *times ten raised to the power of* (which would be written as x 10^{b}") and is followed by the value of the exponent.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.1-2: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Consistency with the applicable plans, policies, or regulations for which the proposed project must demonstrate compliance is discussed below.

City of Lake Elsinore Climate Action Plan (CAP)

In 2006, California adopted AB 32, which requires the state to reduce statewide GHG emissions to 1990 levels by 2020, a reduction target that was introduced in EO S-3-05. In 2016, California adopted SB 32, which requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was introduced in EO B-30-15.

AB 32 and SB 32 codified state targets and directed State regulatory agencies to develop rules and regulations to meet the targets; AB 32 and SB 32 do not stipulate project-specific requirements. Specific requirements are codified in rules and regulations developed by regulatory agencies such as CARB and SCAQMD, and local City actions such as the City of Lake Elsinore CAP.

The City's CAP, adopted in 2011, certified that the City's target is consistent with AB 32's 2020 goals. The City CAP ensures that the City will be providing local GHG reductions that will complement state efforts to reduce GHG emissions to the AB 32 target. The proposed project would not conflict with the applicable CAP reduction

measures, as shown in Table 3-2 of the Greenhouse Gas Analysis (Appendix H). Although the CAP was prepared prior to the adoption of SB 32, it is still the applicable plan.

Assembly Bill 32 (AB 32)

Section 3.8 of the Greenhouse Gas Analysis discusses the proposed projects consistency with SB 32. ARB's Scoping Plan identifies strategies to reduce California's greenhouse gas emissions in support of AB 32. Many of the strategies identified in the Scoping Plan are not applicable at the project level, such as long-term technological improvements to reduce emissions from vehicles; however, some measures are applicable and supported by the project, such as energy efficiency. Finally, while some measures are not directly applicable, the project would not conflict with their implementation.

Table 3-3 of the Greenhouse Gas Analysis summarizes the proposed project's consistency with the State Scoping Plan. As summarized in Table 3-3, the proposed project would not conflict with any of the provisions of the Scoping Plan and in fact supports the action categories: energy efficiency, water conservation, recycling, and landscaping.

Senate Bill 32 (SB 32)

Senate Bill 32 (SB 32) requires the state to reduce statewide greenhouse gas emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide greenhouse gas reduction target of 80% below 1990 levels by 2050.

According to research conducted by the Lawrence Berkeley National Laboratory and supported by the CARB, California, under its existing and proposed GHG reduction policies, is on track to meet the 2020 reduction targets under AB 32 and could achieve the 2030 goals under SB 32.

The proposed project reduces its GHG emissions to the maximum extent feasible. Additionally, the project applicant would not actively interfere with any future County-mandated, state-mandated, or federally-mandated retrofit obligations enacted or promulgated to legally require development County-wide, state-wide, or nation-wide to assist in meeting state-adopted greenhouse gas emissions reduction targets, including that established under Executive Order S-3-05, Executive Order B-30-15, or SB 32.

The proposed project does not interfere with the state's implementation of (i) Executive Order B-30-15 and SB 32's target of reducing statewide GHG emissions to 40% below 1990 levels by 2030 or (ii) Executive Order S-3-05's target of reducing statewide GHG emissions to 80% below 1990 levels by 2050 because it does not interfere with the state's implementation of GHG reduction plans described in the CARB's Updated Scoping Plan, including the state providing for 12,000 MW of renewable distributed generation by 2020, the California Building Commission mandating net zero energy homes in the building code after 2020, or existing building retrofits under AB 758. Therefore, the project's impacts on GHG emissions in the 2030 and 2050 horizon years are less than significant.

The proposed project would not conflict with any of the 2017 Scoping Plan elements as any regulations adopted would apply directly or indirectly to the project. Further, as discussed above the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030.

Based on the foregoing analysis, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs; therefore, this impact is less than significant.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-Significant.

4.7.6 Cumulative Impacts

Global Climate Change (GCC occurs as the result of global emissions of GHGs. An individual project such as the proposed Project does not have the potential to lead to direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines also emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines § 15130[f]).

Respectively, the Project-specific impact analysis provided within this Section reflects a cumulative impact analysis of the proposed project's GHG emissions and concludes that the proposed project would produce total annual GHG emissions (2,284.18 MTCO2e per year) at Opening Year (2021) that would not exceed the SCAQMD screening threshold of 3,000 MTCO2e; therefore, the proposed project is consistent with the Lake Elsinore CAP, which is intended to reach the GHG reduction targets established by AB 32. Additionally, the Project would not result in a cumulatively-considerable impact due to a conflict with the GHG reduction targets established by SB 32. Thus, the Project's GHG emission impacts would not be cumulatively considerable.

4.8 Hazards and Hazardous Materials

This section of the Draft Environmental Impact Report (EIR) is based on information from the Phase I Environmental Site Assessment prepared by TA-GROUP DD (September, 2019) and included as Appendix I to this EIR. The following section discusses the presence or absence of hazardous materials on the project site under existing conditions and any potential impacts associated with hazards and hazardous materials due to implementation of the proposed project.

4.8.1 Environmental Setting

Definitions of Toxic Substances and Hazardous Waste

For the purposes of this analysis, the term "toxic substance" is defined as a substance which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances.

For purposes of this EIR, the term "hazardous material" is defined as a substance which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness.

Hazardous waste is defined in the California Code of Regulations, Title 22, § 66261.3. The defining characteristics of hazardous waste are: ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the United States Environmental Protection Agency (USEPA) as capable of inducing systemic damage to humans or animals.

Certain wastes are called "Listed Wastes" and are found in the California Code of Regulations, Title 22, §§ 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

Historical Use Review

Aerial photographs and historical topographical maps were reviewed to identify historical land development and any surface conditions which may have impacted the subject property. Based on review of historical photographs, it was determined the project site was developed with residences from at least 1938. Several residences were built on the overall property through the 1980's, after which a northern residence was removed, and by the early 2000's the residence on the southeast was removed.

City and County Directories Search

Directory listings associated with the project site and the adjacent and surrounding streets (Pedley Road and Limonite Avenue), were obtained from ERIS®, an environmental information/database retrieval service. Directory listings were found dating to 1951. According to the information reviewed, the project site address, 6501 Clay Street, was as occupied by pipe manufacturing facilities in directories searched dating from 1970 through 2008. The occupants were listed as United Concrete Pipe Corporation (1970, 1977, and 1981);

California Steel Pressure Pipe Company (1996); Northwest Pipe Company (2001, 2002, and 2003); and California Steel Pressure Pipe Company (again and most recently in 2008). Listings for Alcorn Fence started in 1986. Plaza Cleaners was listed on Limonite Avenue starting in the 2006 Directory. No other dry cleaners, service stations, or other release cases discussed elsewhere were listed. A copy of the directory report is included in Appendix C of the Phase I ESA (Appendix I).

Regulatory Database Search

The Phase I ESA included an electronic database report from ERIS®, an environmental information/database retrieval service. Facilities were identified by county, state, or federal agencies that generate, store, or dispose of hazardous materials or which have or have had releases from underground storage tanks, industrial uses, or related sites. A copy of the ERIS® radius report is provided in Appendix D of the Phase I ESA, along with a description of the individual databases. The project site was not listed on any of the regulatory databases reviewed.

Site Reconnaissance

On September 4, 2019 a project site reconnaissance was conducted to visually observe the project site and adjoining properties for conditions indicating a potential environmental concern. Environmental concerns would include any evidence of contamination, distressed vegetation, petroleum-hydrocarbon staining, waste drums, illegal dumping, or improper waste storage and/or handling. The northernmost portion was determined to be vacant and undeveloped, and grass covered. In general, the northern portion of the project site was found to contain several power poles which run east-west towards the western project site boundary.

The residential parcel was accessed through the dirt driveway off Lake Street. The main residence, which sits on a concrete foundation, appears to be a mobile home. Two open sheds/garages immediately north of the main residence were observed; the contents of both appear to be trash and old household items. Gallon paint cans are present, the floors are dirt, and no spills or odors were present.

The smaller, vacant home immediately east of the main residence was observed during the site reconnaissance. The building is wood framed, with concrete or lath/plaster walls, wooden floors, and a concrete perimeter foundation. A plastic shed is located between the residences. The floor is covered with at least a foot of undetermined organic materials. Trash and debris are scattered in the area north of the residence from the sheds to the east along the chain link fence. No petroleum products were noted in the trash; however, several trucks and cars are parked along the fence.

The remainder of the project site was accessed on foot, proceeding clockwise around the property, walking transects as needed to thoroughly survey the site. South of the entrance drive there are two apparent abandoned wells with pressure tanks. A small, tall wooden building is present southwest of the aforementioned residence.

With the exception of the paint cans within the sheds and the trash/debris noted near the residence, no evidence of contamination, distressed vegetation, petroleum-hydrocarbon surface staining, waste drums, underground storage tanks (USTs), above-ground storage tanks (ASTs), illegal dumping, or improper waste storage/handling was noted during the site reconnaissance.

4.8.2 Regulatory Setting

Federal

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the U.S. Environmental Protection Agency (EPA) was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup.

The EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, the EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. The EPA also recovers costs from financially viable individuals and companies once a response action has been completed.

The EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies.

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA).

Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) gives the EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

Hazardous Materials Transportation Act (HMTA)

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property."

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172

- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177

The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts State and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.

Hazardous Materials Transformation Uniform Safety Act of 1990

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property.

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

Occupational Safety and Health Act (OSHA)

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions.

In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states.

Toxic Substances Control Act

The Toxic Substances Control Act of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

Various sections of the TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture.
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found.
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.

- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law but are submitted by industry and public interest groups for a variety of reasons.

State

Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace.

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the state, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances. Cal/OSHA is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards or orders. In addition, the Standards Board maintains standards for certain things not covered by federal standards or enforcement, including: elevators, aerial passenger tramways, amusement rides, pressure vessels and mine safety training. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries, or illnesses.

California Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Article 2, Section 25100, et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the state. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law; by the RCRA.

California Code of Regulations (CCR), Titles 22 and 26

A variety of California Code of Regulation (CCR) titles address regulations and requirements for generators of hazardous waste. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 CFR 260, et seq.) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of state and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as "Title 22."

Regional Policies

Certified Unified Program Agency (CUPA)

Federal and state hazardous materials regulations require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials to obtain a hazardous materials permit and submit a business plan to its local Certified Unified Program Agency (CUPA). The CUPA also ensures local compliance with all applicable hazardous materials regulations. The CUPA with responsibility for the City of Lake Elsinore is Riverside County Department of Environmental Health (RCDEH). The RCDEH oversees six hazardous materials programs in the County of Riverside, including inspecting facilities that handle hazardous materials, generate hazardous waste, treat hazardous waste, own/operate underground storage tanks, own/operate aboveground petroleum storage tanks, or handle other materials subject to the California Accidental Release Program. Riverside County Ordinance No. 615 "Hazardous Waste Generation, Storage, Handling and Disposal" was promulgated for the purpose of monitoring establishments where hazardous waste is generated, stored, handled, disposed, treated or recycled and to regulate the issuance of permits and the activities of establishments where hazardous waste is generated.

City of Lake Elsinore Regulations

City of Lake Elsinore General Plan

Public Safety and Welfare Element

Goal 3: Reduce the level of risk associated with the use, transport, treatment, and disposal of hazardous material to protect the community's safety, health, and natural resources.

> **Policy 3.1:** Continue to require hazardous waste generators to implement a waste reduction program per the Riverside County Hazardous Waste Management Plan with necessary inspections per the Riverside County Hazardous Materials Handlers Program.
>
> **Policy 3.2:** Require any proposed development within close proximity to an active and/or inactive landfill to complete a technical analysis that focuses on public safety and hazard issues. The analysis shall be prepared by a professional consultant.

Policy 3.5: Evaluate new development on or adjacent to the Santa Ana Regional Interceptor (SARI) line requiring extensive subsurface components or containing sensitive land uses such as schools on a project-by-project basis to determine impacts if an accident occurs.

Goal 4: Adhere to an integrated approach to minimizing the threat of wildland fires to protect life and property using pre-fire management, suppression, and post-fire management.

Policy 4.1: Require on-going brush clearance and establish low fuel landscaping policies to reduce combustible vegetation along the urban/wildland interface boundary.

Policy 4.3: Establish fire resistant building techniques for new development such as non-combustible wall surfacing materials, fire-resistant treated wood, heavy timber construction, glazing enclosed materials and features, insulation without paper-facing, and automatic fire sprinklers.

4.8.3 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the proposed project could have a potentially significant impact with respect to hazards and hazardous materials if it would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

4.8.4 Methodology

The project site and surrounding areas were assessed to determine the potential presence of hazardous materials. A Phase I ESA was prepared by TA-GROUP DD (Appendix I) in accordance with ASTM E1527-13 which included a review of environmental records, a review of historical records, a site reconnaissance, and interviews with representatives of the Project site and adjoining properties to evaluate the presence of hazardous substances at the project site. In order to prepare this EIR Section, additional relevant information was also obtained from the City of Lake Elsinore General Plan, and the Riverside County GIS database.

4.8.5 Impact Analysis

Impact 4.8-1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Based on the Phase I ESA conducted by TA-GROUP DD (Appendix I), and based on a review of regulatory databases, past conditions of the Project site, and a site reconnaissance, the project site does not contain any hazards. No unusual or noxious odors, pools of liquid or potentially hazardous substances, hazardous materials storage structures, stained soil, aboveground storage tanks, pits, or ponds were observed. The Phase I ESA did not identify any environmental concerns associated with the historical land uses at the project site. No RECs or HRECs were identified that would negatively impact the environment. Based on the findings of the project's Phase I ESA, there are no conditions associated with the Project site's existing condition that would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Accordingly, no impact would occur associated with the Project site's existing conditions.

Heavy equipment that would be used during construction of the proposed project would be fueled and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquid materials that would be considered hazardous if improperly stored or handled. In addition, materials such as paints, roofing materials, solvents, and other substances typically used in building construction would be located on the project site during construction. Improper use, storage, or transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. The potential for accidental releases and spills of hazardous materials during construction is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with future development that would be a reasonably consequence of the proposed Project than would occur on any other similar construction site. Thus, impacts due to construction activities would not cause a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and a less than significant impact would occur.

Based on the facilities and uses proposed at the project site, hazardous materials (i.e., gasoline, diesel, biodiesel fuels, and oil) would be used during the course of daily operations. Federal and State Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals that may be used by the businesses that would operate at the project site. Laws also are in place that require businesses to plan and prepare for possible chemical emergencies. Any business that operates any of the facilities at the project site and that handles and/or stores substantial quantities of hazardous materials (as defined by Riverside County Ordinance or § 25500 of California Health and Safety Code, Division 20, Chapter 6.95) would be required to prepare and submit a HMBEP to the RCDEH in order to register the business as a hazardous materials handler. Such business is also required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which require immediate reporting to Riverside County Fire Department and State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business.

The operation of the Project would be required to comply with all applicable federal, State, and local regulations to ensure the proper transport, use, and disposal of hazardous substances (as described in Section 4.8.2 above). With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the project is not expected to pose a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, nor would the Project increase the potential for accident operations which could result in the release of hazardous materials into the environment.

With mandatory regulatory compliance with federal, State, and local laws (as described above), potential hazardous materials impacts associated with operation of the project are regarded as less than significant and mitigation is not required.

Mitigation Measures: None required

Significance after Mitigation: Less-than-significant.

Impact 4.8-2: Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

As discussed under Impact 4.8-1, the proposed project would be required to comply with all applicable federal, state and local laws and regulations pertaining to the transport, use, disposal, handling, and storage of hazardous waste during the construction phase to reduce the likelihood and severity of accidents during transit. Thus, the hazard due to the foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

Operation of the proposed project would not result in any significant adverse effects associated with hazardous materials handling or disposal. Proper handling of the use and disposal of hazardous materials associated with the gas station would reduce the potential for exposure. Once the fuel storage tanks are constructed, there would be continued routine maintenance. SCAQMD Rule 461 governs the operation of gasoline stations and requires that all underground storage tanks are equipped with a "CARB certified" enhanced vapor recovery system, all fill tubes are equipped with vapor tight caps, all dry breaks are equipped with vapor tight seals, a spill box shall be installed to capture any gasoline spillage, and all equipment is required to be properly maintained per CARB regulations. Proper handling of the use and disposal of hazardous materials would reduce the potential for exposure. Therefore, potential impacts associated with accidental release of hazardous materials into the environment would be less than significant.

Aside from the proposed gas station, operation of the proposed project would not include any components associated with the transport, use, or disposal of hazardous materials beyond those typical of a similar land use, which would be conducted in accordance with all applicable local, State, and federal regulations. Household goods associated with general cleaning activities on-site that contain toxic substances are usually low in concentration and small in amount; therefore, there is no significant risk to humans or the environment from the use of such household goods. Accordingly, the proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts would be less than significant. No mitigation is required.

Mitigation Measures: None required

Significance after Mitigation: Less-than-significant.

Impact 4.8-3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The nearest existing school to the project site is Terra Cotta Middle School, located approximately 0.25-mile south of the project site (Google Earth Pro, 2020). Additionally, there are no schools planned within 0.25-mile of the project site. As discussed under Impact 4.8-1 and 4.8-2, implementation of the project would not result

in the routine transport, use, or disposal of hazardous materials and would not create a significant hazard to the public. Additionally, the proposed project would be required to comply with all applicable federal, state and local laws and regulations pertaining to the transport, use, disposal, handling, and storage of hazardous waste during the construction phase to reduce the likelihood and severity of accidents during transit. Accordingly, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of an existing or proposed school. Thus, a less than significant impact would occur.

Mitigation Measures: None required

Significance after Mitigation: Less-than-significant.

Impact 4.8-4: Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

As part of the Phase I ESA prepared for the project, a review of regulatory agency databases was conducted. The DTSC online database, EnviroStor, was reviewed and it was determined that the project site, or any adjacent properties, was not listed. Additionally, the State Water Resources Control Board database, GeoTracker, which provides records on leaking underground storage tanks (LUSTs) and Spills, Leaks, Investigation and Cleanup (SLIC) sites, was reviewed. The review determined that the project site was not listed in the GeoTracker database. As the site is not identified as a hazardous materials site pursuant to Government Code Section 65962.5, the proposed project would result in a less than significant impact.

Mitigation Measures: None required

Significance after Mitigation: Less-than-significant.

Impact 4.8-5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The project site is not within two miles of an airport and the project site is not identified as within an Airport Influence Area for airports in Riverside County (Riverside County, 2020). The nearest airport is the Perris Valley Airport, approximately 10.5 miles to the east of the project site (Google Earth, 2020). As such, no impact would occur.

Mitigation Measures: None required

Significance after Mitigation: No impact

Impact 4.8-6: 6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, the proposed project would be required to maintain adequate access for emergency vehicles. As part of the City's discretionary review process, the City reviewed the proposed project to ensure appropriate emergency ingress and egress would be available to project site, and determined that the proposed project would not substantially impede emergency response routes in the local

area. Accordingly, the project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan. Thus, no impact would occur and mitigation is not required.

Mitigation Measures: None required

Significance after Mitigation: No impact.

Impact 4.8-7: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Implementation of the proposed project would include development of structures within the project site and could expose more people and additional development to potentially significant hazards from wildfires. The project site is located within a Local Responsibility Area within a High Fire Hazard Severity Zone (Riverside County, 2020). Additionally, the General Plan identifies the project site as being within a high fire hazard zone (City of Lake Elsinore, 2011). In order to reduce the risk of wildland fires, the project would comply with various regulations adopted by the City. The Lake Elsinore Local Hazard Mitigation Plan, for which the proposed project would comply, includes various policies including on-going brush clearance, low fuel landscaping, fire resistant building techniques, and creation of fuel modification zones around development to address the risk of wildfire (City of Lake Elsinore, 2017). Additionally, the project would comply with the goals and policies identified in Section 3.4.1 of the City's General Plan (City of Lake Elsinore, 2011). Compliance with the Local Hazard Mitigation Plan and General Plan would reduce the risk of loss, injury or death involving wildland fires; therefore, the proposed project would result in a less than significant impact.

Mitigation Measures: None required

Significance after Mitigation: Less-than-significant.

4.8.6 Cumulative Impacts

Because the issue of hazards and hazardous materials tend to be site-specific in nature, the cumulative study area includes existing and planned developments within a one-mile radius of the project site. A one-mile radius is appropriate because that is the standard distance used in regulatory database searches of properties that may generate or store toxic materials.

There are no known hazards located on the project site under existing conditions. During project construction and operation, mandatory compliance with federal, state, and local regulations would ensure that the project as proposed would not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials. Accordingly, impacts associated with the routine transport, use, or disposal of hazardous materials, and impacts associated with reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, would be less-than-cumulatively considerable.

The project site is located 0.25 mile from Terra Cotta Middle School. The only component of the project that would have the potential to emit hazardous emissions or handle hazardous materials on-site would be the proposed gas station. The proposed gas station would handle hazardous materials within one-quarter mile of a school; however, the gas station's hazardous emissions would be below the cancer-related hazardous risk threshold established by SCAQMD. The remaining proposed uses for the project site are not associated with

the transport, use, or disposal of significant quantities of hazardous materials. Thus, the project's impact due to emitting hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school would be less than significant. Other developments would be required to demonstrate that any hazardous emissions that would result from the development is below the established hazardous risk threshold. Therefore, impacts would be less-than-cumulatively-considerable.

The project site is not located on the list of hazardous materials sites compiled pursuant to Government Code § 65962.5. Therefore, the project would not contribute to a cumulatively-considerable hazardous materials impact associated with a listed hazardous materials site.

The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. As such, the project's potential to expose people residing or working in the area to safety hazards associated with public airports, and impacts would be less-than-cumulatively-considerable.

The project site does not contain any emergency facilities nor would it impact an emergency evacuation route. Other cumulative developments would be reviewed by the City of Lake Elsinore to ensure no interference with emergency access and evacuation routes would occur. Accordingly, the project would result in less-than cumulatively-considerable impacts due to a conflict with emergency evacuation plans and evacuation routes.

As discussed above under the analysis of Impact 4.8-7, the project site is located within a High Fire Hazard Severity Zone. However, the project site would be developed in a manner consistent with jurisdictional requirements for fire protection, and would generally decrease fire hazards in the local area. Other developments within the area also would be subject to the jurisdictional requirements for fire protection. As such, within the cumulative context of the project vicinity, fire hazards are anticipated to decline over time, and the project has no potential to contribute to cumulatively significant impacts associated with wildland fire hazards.

4.9 Hydrology and Water Quality

This section of the Draft Environmental Impact Report (EIR) is based on information contained in the Project-Specific Water Quality Management Plan, (Plump Engineering, 2019a) Appendix J of this Draft EIR Preliminary Hydrology Report (Plump Engineering, 2019b) Appendix K of this Draft EIR.

4.9.1 Environmental Setting

The project site is located within the San Ana Region of California, which is within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB).

Regional Setting

The project site is located within the Santa Ana River watershed, which drains a 2,840 square-mile area and is the principal surface flow water body within the region. The Santa Ana River headwaters originate in the southern San Bernardino Mountains and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. The Project site is within the Elsinore Hydrologic Subarea of the Elsinore Valley Hydrologic Area of the Santa Ana River Hydrologic Unit.

Site Hydrology

The project site currently consists of vacant, undeveloped land with non-native grasses and weeds across the entire site. The overall topography of the project site slopes to the southwest at a gradient of approximately less than 8.50 percent. Elevation differential across the entire project site is estimated at ±40 feet. The northern portion of the project site, under existing conditions, generally drains east towards Lake Street and the southern portion of the project site generally drains to the south towards Mountain Street.

Flood Hazards

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06065C2009G, dated August 28, 2008, the majority of the portions of the project site that are proposed for development are not within a 100-year flood hazard area. The only portion of the project site located within the 500-year flood hazard area is the southwest portion of the project site. This area of the project site is located within 'Zone X' of the FEMA FIRM, which indicates that the area has a 0.2 percent chance of flooding (FEMA, 2020).

Water Quality

Water pollutants sources in the City of Lake Elsinore have been cause by agricultural operation that used chemicals and fertilizers on their land. In compliance with the Clean Water Action Section 303(d), the State Water Resources Control Board (SWRCB) maintains a list of impaired water bodies in the state. Lake Elsinore is included in the list of impaired water bodies due to the presence of four pollutants or stressors, which include high nutrient levels from unknown point sources, organic enrichment/low dissolved oxygen from unknown point sources, sedimentation/saltation form local urban runoff and storm sewers, and toxicity form non-point sources. Sedimentation and siltation within Lake Elsinore is from urban runoff and storm sewers.

Groundwater

According to Figure 6-1 of the Elsinore Valley Municipal Water District's (EVMWD) Urban Water Management Plan (UWMP), the project site is located within the Elsinore Groundwater Basin (EVMWD, 2016). The Elsinore Groundwater Basin is the major source of potable groundwater supply for EVMWD.

Inflows to the Elsinore Groundwater Basin include infiltration of local precipitation, runoff from the surrounding watershed, infiltration from the San Jacinto River prior to reaching Lake Elsinore, and return flows from either irrigation or domestic use. Groundwater inflows are estimated to average 5,500 acre-feet per year. The natural inflow is roughly equal to the average yield of the basin because there are no natural outflows from the basin; therefore, EVMWD has limited pumping (approximately 5,550 acre-feet/year) to be consistent with the safe yield of the Elsinore Basin. Groundwater pumping to meet water demands accounts for essentially the entire outflow from the basin. Active groundwater management and conjunctive use programs have been implemented by EVMWD to balance the Elsinore Basin inflows and outflows (EVMWD, 2016)

4.9.2 Regulatory Setting

Federal Regulations

Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was significantly reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry and has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters unless a permit was obtained. The EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

State Regulations

Porter-Cologne Water Quality Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code § 13000 et seq.), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Quality Control Boards (RWQCBs), based on hydrogeologic barriers, and the State Water Resources Control Board (SWRCB), which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the RWQCBs and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. The project site and vicinity are located in the Santa Ana River Watershed, which is within the purview of the Santa Ana RWQCB. The Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* is the governing water quality plan for the region.

California Water Code

The California Water Code is the principal State law regulating water quality in California. Water quality provisions must be complied with as contained in numerous code sections including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies. The California Department of Fish and Wildlife (CDFW), through provisions of the Fish & Game Code (§§ 1601 - 1603) is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW.

Surface water quality is the responsibility of the RWQCB; water supply and wastewater treatment agencies; and city and county governments. The principal means of enforcement by the RWQCB is through the development, adoption, and issuance of water discharge permits. RWQCB basin plans establish water quality objectives that are defined as the limits or levels of water quality constituents or characteristics for the reasonable protection of beneficial uses of water.

Sustainable Groundwater Management Act

The 2014 Sustainable Groundwater Management Act (SGMA) requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. The DWR categorizes the priority of groundwater basins. For critically over-drafted basins, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline. The SGMA also requires local public agencies and Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs. GSPs are detailed road maps for how groundwater basins will reach long term sustainability.

Local Regulations

City of Lake Elsinore General Plan

Goal 4: Improve water quality and ensure the water supply is not degraded as a result of urbanization of the City.

Policy 4.1: Encourage developers to provide clean water systems that reduce pollutants being discharged into the drainage system to the maximum extent feasible and meet required federal National Pollutant Discharge Elimination System (NPDES) standards.

Policy 4.2: Support public education and awareness programs to reduce pollutant discharges into the drainage system.

Policy 4.3: Require Best Management Practices through project conditions of approval for development to meet the Federal NPDES permit requirements

City of Lake Elsinore Municipal Code

Lake Elsinore Municipal Code (LEMC) – Title 14, Chapter 14.08

City of Lake Elsinore Municipal Code Chapter 14.08, Stormwater/Urban Runoff Management and Discharge Controls, intends to protect and enhance the water quality of City watercourses, water bodies, groundwater, and wetlands in a manner pursuant to and consistent with the California Water Code Section 13000 et seq. (Porter-Cologne Water Quality Control Act), Title 33 U.S.C. Sections 1251 et seq. (Federal Clean Water Act).

Lake Elsinore Municipal Code (LEMC) – Title 15, Chapter 15.64

City of Lake Elsinore Municipal Code Chapter 15.64, Flood Damage Prevention, includes flood load and flood-resistant construction requirements of the building codes and is intended to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas.

4.9.3 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the proposed project could have a potentially significant impact with respect to hydrology and water quality if it would:

1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    a) Result in substantial erosion or siltation on- or off-site;
    b) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite
    c) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
    d) Impede or redirect flood flows?
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

4.9.4 Methodology

The following hydrology and water quality analysis is based on review of existing literature as well as the Project- Specific Water Quality Management Plan (Plump Engineering, 2019a), included as Appendix J of this Draft EIR and the Preliminary Hydrology Report (Plump Engineering, 2019b) and the City of Lake Elsinore General Plan (2011). The assessment presents findings, conclusions, and recommendations concerning development of the project site based on the hydraulics analysis of current drainage patterns at the site and in the surrounding area. The resources reviewed also include the City's General Plan EIR and available information from the RWQCB's Basin Plan for the Santa Ana Region. The sections that follow describe the identified impacts and the measures that would be incorporated to mitigate impacts.

4.9.5 Impact Analysis

Impact 4.9-1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Construction

Development of the proposed project would involve site preparation, grading, building construction, paving, and architectural coating, which have the potential to generate water quality pollutants such as silt, debris, organic waste, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during project construction in the absence of any protective or avoidance measures.

Pursuant to the requirements of the Santa Ana RWQCB, the Project Applicant would be required to obtain a NPDES Municipal Stormwater Permit for construction activities. The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, and disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The

SWPPP will specify the Best Management Practices (BMPs) that would be required to be implemented during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Mandatory compliance with the SWPPP would ensure that implementation of the project would not result in a violation of any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

Operation

Under operating conditions, water runoff from the project site may contain pollutants such as petroleum products, pesticides, fertilizers, paints, litter, etc. These pollutants could be discharged into the water during storm events, which can degrade water quality if discharged from the project site.

To meet the requirements of the City's NPDES permit requirements, the Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP), which is a Project site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. The Project's Preliminary WQMP, prepared by Plump Engineering, is included as Appendix J to this EIR. As identified in the Preliminary WQMP, the Project is designed to include on-site structural source control BMPs consisting of an underground chamber system and two biofiltration with drain systems. In addition, operational source control BMPs would be implemented, including but not limited to: the installation of water-efficient landscape irrigation systems, street sweeping, and implementation of a trash and waste storage areas. The identified measures would minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows before they are discharged from the Project site. Compliance with the Preliminary WQMP and long-term maintenance of proposed on-site water quality control features would be required by the City to ensure the long-term effectiveness of all on-site water quality features.

Compliance with the NPDES permit and implementation of BMPs identified in the WQMP would ensure that water quality and waste discharge requirements are not violated; therefore, the project would result in less than significant impacts associated with a water quality standards violation or waste discharge requirements.

Based on the foregoing analysis, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality during construction or operation and this impact would be less than significant.

Mitigation Measure: None required.

Significance after Mitigation: Less than Significant.

Impact 4.9-2: Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The project site does not contain any groundwater wells and the proposed project does not include the development of a groundwater well. The project site would receive potable water from the Elsinore Valley Municipal Water District (EVMWD), which relies primarily upon water that is imported from the Metropolitan

Water District through the Western Municipal Water District (EVMWD, 2016). Local potable groundwater from Elsinore Groundwater Basin and the Coldwater Groundwater Basin accounts for approximately 33% of the water supply. It is anticipated that water demands as a result of future development would be met through a combination of additional surface water, groundwater, recycled water, and through enhanced water conservation. The additional groundwater sources would be sufficient to meet the projected demand through the year 2040, and no additional groundwater sources beyond those previously identified would be required to meet water demands (EVMWD, 2016). Thus, the project would not substantially deplete groundwater and impacts would be less than significant.

The project site is underlain by the Elsinore Groundwater Basin. Implementation of the proposed project would convert the project site from undeveloped to that of a commercial development. As a result, impervious surfaces would be introduced to the project site which could adversely affect groundwater recharge that occurs under existing conditions; however, as discussed in the project's Hydrology Report (Plump Engineering, 2019b), the post-development runoff conditions from the site will replicate the pre-development runoff due to implementation on-site detention and retention of excess stormwater. These design features would attenuate post-development runoff in a manner consistent with Riverside County Flood Control and Water Conservation District (RCFCWCD) requirements that are applicable to the project site. Accordingly, the proposed project would not substantially decrease groundwater supplies, substantially interfere with groundwater recharge, result in substantial changes in the rate or amount of surface runoff, or interfere with sustainable groundwater management of the Elsinore Groundwater Basin, and a less-than-significant impact would occur.

Based on the foregoing analysis, the proposed project would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin and this impact would be less than significant.

Mitigation Measure: None required.

Significance after Mitigation: Less than Significant.

Impact 4.9-3a: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

Development of the proposed project would alter existing ground contours of the project site and would increase the impervious surface area on the project site, both of which would result in minor changes to the existing drainage patterns of the project site.

The project would include the installation of an integrated, on-site system of underground storm drain pipes, catch basins, two underground biofiltration with drain systems, and an underground chamber system. The integrated storm water system is designed to capture on-site stormwater runoff flows, convey the runoff across the project site, and treat the runoff to minimize the amount of water-borne pollutants transported from the project site. The proposed storm water system is designed to capture and convey runoff from the project site to the storm drain in Mountain Avenue. As discussed above under Impact 4.9-2, the post-development runoff volume of the project site would replicate the pre-development runoff volume, per SWRCB requirements.

Furthermore, as summarized in the Preliminary WQMP (Appendix J), the treatment controls proposed for the Project site are effective at removing sediment from stormwater runoff during long-term operation (Plump, 2019a). Compliance with the WQMP, and long-term maintenance of on-site stormwater conveyance and retention infrastructure by the property owner or operator to ensure their long-term effectiveness, would be required by the City. Therefore, stormwater runoff flows leaving the project site would not carry substantial amounts of sediment. Impacts would be less than significant and no mitigation is required.

Based on the foregoing analysis, the proposed project would not result in substantial erosion or siltation on- or off-site and this impact would be less than significant.

Mitigation Measure: None required.

Significance after Mitigation: Less than Significant.

Impact 4.9-3b: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

As previously noted, the majority of the portions of the project site that are proposed for development are not within a 100-year flood hazard area. The only portion of the project site located within the 500-year flood hazard area is the southwest portion of the project site. This area of the project site is located within 'Zone X' of the FEMA FIRM, which indicates that the area has a 0.2 percent chance of flooding (FEMA, 2020).

Further, as discussed above under Impact 4.9-2, the post-development runoff volume of the project site would match the pre-development runoff volume, per SWRCB requirements.

Based on the foregoing analysis, the proposed project would not result in increased risk of flooding on- or off-site and this impact would be less than significant.

Mitigation Measure: None required.

Significance after Mitigation: Less than Significant.

Impact 4.9-3c: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Please refer to the response provided under Impact 4.9-1 and 4.9-2. As previously discussed, mandatory compliance with the SWPPP would ensure that implementation of the project would not result in substantial sources of polluted runoff. As a result, post-development runoff volume of the project site would match the pre-development runoff volume, per SWRCB requirements.

Based on the foregoing analysis, the proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff and this impact is less than significant.

Mitigation Measure: None required.

Significance after Mitigation: Less than Significant.

Impact 4.9-3d: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

Please refer to the response provided under Impact 4.9-3b. As previously discussed, the project site is not within a 100-year floodplain as delineated by FEMA. Additionally, as discussed under Impact 4.9-2, post-development runoff volume of the project site would replicate the pre-development runoff volume, per SWRCB requirements.

Based on the foregoing analysis, the proposed project would not impede or redirect flood flows and this impact would be less than significant.

Mitigation Measure: None required.

Significance after Mitigation: Less than Significant.

Impact 4.9-4: Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The Pacific Ocean is located more than 20 miles southwest of the project site; consequently, there is no potential for the project site to be inundated by a tsunami. The nearest large body of surface water is Lake Elsinore, located approximately 2 miles south of the project site (Google Earth, 2020). Due to the distance and the lower elevation of the lake, the project site would not be subject to seiche associated with Lake Elsinore. Additionally, the project site is located outside of the 100-year floodplain (FEMA, 2020). Accordingly, implementation of the project would not risk release of pollutants due to inundation. The proposed project would result in no impacts.

Mitigation Measure: None required.

Significance after Mitigation: No impact.

Impact 4.9-5: Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As previously mentioned, the project site is located within the Santa Ana River watershed, which is regulated by the Santa Ana RWQCB. The RWQCB has developed a "Water Quality Control Plan" for the Santa Ana River Basin (herein, "Basin Plan"), which was last updated in June 2019. The Basin Plan establishes water quality standards for the ground and surface waters of the region. The Basin Plan includes an implementation plan describing the actions by the RWQCB and others that are necessary to achieve and maintain the water quality standards. The RWQCB regulates waste discharges to minimize and control their effects on the quality of the region's ground and surface water. Permits are issued under a number of programs and authorities. The terms and conditions of these discharge permits are enforced through a variety of technical, administrative, and legal means. The RWQCB ensures compliance with the Basin Plan through its issuance of NPDES Permits, issuance of WDR, and Water Quality Certifications pursuant to Section 401 of the CWA. In conformance with these requirements, the Project Applicant has prepared a WQMP and hydrology study, which are included as

Technical Appendices J and K, respectively, which demonstrates that the Project's proposed drainage plan would meet all applicable requirements of the Basin Plan, including requirements and conditions of approval associated with NPDES permits, issuance of WDRs, and Water Quality Certifications. As such, the project would not conflict with the Basin Plan, and impacts would be less than significant.

Based on the foregoing analysis, the proposed project would not conflict with or obstruct implementation of a WQMP or sustainable groundwater management plan and this impact would be less than significant.

Mitigation Measure: None required.

Significance after Mitigation: Less than Significant.

4.9.6 Cumulative Impacts

The cumulative impact analysis considers operation and construction of the proposed project in conjunction with other development projects around the project area could result in impacts to flooding and water quality; however, projects in the area disturbing more than one acre during construction would be subject to Construction General Permit requirements, involving implementation of a SWPPP as mentioned in Threshold 4.9-1. The SWPPP would then identify BMPs that would be implemented as part of the project and protect water quality during the construction phase of the project. During operation of the project a project specific WQMP has been prepared for the proposed project that would include also include BMPs to be implemented. In addition, Treatment Control BMPs have also been incorporated and according to the WQMP, will have a high potential for removal of potential pollutant runoff. Therefore, mandatory compliance with SWRCB's Construction General Permit requirements and implementation of the BMPs from the project-specific WQMPs would ensure the that the project would result in less than significant cumulatively considerable impacts to water quality.

As indicated in Threshold 4.9-2, runoff from the post-development project site would replicate the pre-development runoff; therefore, the proposed project would not contribute to a cumulatively-considerable impact associated with interfering with groundwater recharge. Additionally, as discussed in Impact 4.9-3a through 4.9-3d, the proposed project would not result in significant impacts associated with an altered drainage pattern which could exacerbate erosion and/or siltation, flood hazards, and pollutant loads; therefore, implementation of the project would not result in cumulatively-considerable impacts.

As discussed above in Impact 4.9-4, the project site is not located within an inundation area associated with seiches, tsunamis, or flooding. The project has no potential – on either a direct or cumulative level – to result in adverse water quality effects due to inundation.

As discussed in Impact 4.9-5, the proposed project would implement the project specific WQMP and adhere to all applicable water quality standards. Furthermore, the project would implement the recommended BMPs that would comply with the applicable water quality control plan. As such, cumulative-considerable impacts would be less than significant.

4.10 Land Use and Planning

This section of the Draft EIR evaluates the existing and planned land use in the project vicinity, identifies potentially significant land use impacts created by the project, and recommends mitigation measures to reduce the significance of impacts, if necessary. The proposed project has been evaluated to determine its consistency with relevant goals and policies of the City of Lake Elsinore General Plan, consistency with the City's zoning code, and land use compatibility.

4.10.1 Environmental Setting

Existing On-site Land Uses

As shown on Exhibit 3-3, *Project Site Map*, and Exhibit 3-4, *Site Photos*, the project site is currently vacant with the exception of a single-family residential building located on the northern portion of the project site. The undeveloped areas of the project site (making up a majority of the site) consists of sloping terrain that is covered by grasses, weeds, brush, several non-native ornamental trees, and a dirt road utilized to access the residential building. The project site has been designated as General Commercial by the City's General Plan as shown in Exhibit 3-5, Existing Land Use Designations and zoned C-2 General Commercial as shown in Exhibit 3-6, Existing Zoning Designations. Table 3-1, located in Chapter 3 of this EIR, provides the assessor's parcel numbers (APNs), acreage, zoning and land use designations of each parcel within the project site.

Topographic relief at the project site is relatively steep and slopes in various parts of the project site. The project site elevation ranges from approximately 1,480 to 1,520 feet above mean sea level for a difference of about +/- 40 feet across the entire site.

Surrounding Land Uses

Land uses surrounding the project site include the following:

North: Directly adjacent to the north of the project site is a single-family residential lot which is designated as Low-Medium Residential by the City's General Plan and zoned R1-Single Family Residential.

South: Adjacent to the south of the project site (on the south side of Mountain Street) are existing single-family residential homes located on land that is designated Low-Medium Residential by the City's General Plan and zoned R-1 Single Family Residential.

East: Located directly to the east (on the east side of Lake Street) are existing single- family residential homes that are under a Specific Plan land use designation according to the City's General plan and zoning map.

West: Directly to the west of the project site is a single- family residential lot with one existing home that is designated Low-Medium Residential by the City's General Plan and zoned R1-Single Family Residential.

City of Lake Elsinore General Plan

The City's General Plan is the planning document that guides future development within the City limits and within the City's Sphere of Influence (SOI). The general and specific policies of the General Plan serve as the basis for the City's land use decisions and provides a practical and implementable policy vision for the future. The General Plan is organized into four overall chapters, including: Introduction; Community Form; Public

Safety and Welfare; and, Resource Protection and Preservation. Each General Plan chapter is instrumental to achieving the City's long-term development goals. Each chapter contains a series of policies that guide the course of action the City must take to achieve the City's vision for future development. The Community Form, Public Safety and Welfare, and Resource Protection and Preservation chapters are discussed in further detail below.

Community Form

The General Plan Community Form Chapter provides a guide to planners, the general public, and decision makers as to the ultimate pattern of development within the City. The Community Form Chapter contains a "Strategic Framework for 2030" which provides an overall structure to identify polices that guide the City. The Strategic Framework provides a mechanism to explain how the individual elements of the General Plan fit together, how the General Plan is to be implemented through regulatory framework to achieve its policies, and provides a vision for the foreseeable future. The Strategic Framework includes the following Elements: Land Use; Circulation; Growth Management; Housing Element; Community Facilities and Protection Services (included in Chapter 2 of the General Plan); Parks and Recreation; and Historic Preservation (included in Chapter 4 of the General Plan).

The Land Use Element designates the general distribution, general location, and extent of land uses, such as housing, business, industry, open space, agriculture, natural resources, recreation, and public/quasi-public uses. For each of the various land use designations, the General Plan provides standards for residential density and non-residential intensity, and provides specific policies intended to ensure that residential product types, densities, and intensities respond to a multitude of market segments. The Land Use Element governs how land is to be utilized; therefore, many of the issues and policies contained in other plan elements are interconnected with this element.

The purpose of the Circulation Element is to provide for the movement of goods and people, including pedestrians, bicycles, transit, train, air, and automobile traffic flows within and through the community. The Circulation Element designates future road improvements and extensions; addresses non-motorized transportation alternatives; and identifies funding options. The various roadway improvements and extensions contemplated by the Circulation Element are reflected on the General Plan Circulation Plan. The various roadway classifications depicted on the Circulation Plan correspond to specific roadway cross-sections, which provide specific standards for right-of-way widths, lane configurations, medians, and landscaping requirements. The only roadway adjacent to the project site that is designated as part of the General Plan Circulation Element is Lake Street, which is classified as an "Urban Arterial (6-Lanes/120-foot ROW)." The Circulation Element also identifies the location of all existing and planned trails in the Project's vicinity and includes a bikeway plan. The Circulation Element identifies a "Lake Street Historical Trail" adjacent to the project site. The Circulation Element also identifies a Class II bike lane along Ash Street, which is located directly east of the project site.

The Growth Management Element provides goals and policies to ensure that public services do not lag behind population growth and the concomitant demands created by a larger population. The Growth Management Element aids in anticipating the demands for public services and infrastructure to establish adequate services and infrastructure at a rate that meets the rate of new construction in the City. The goals and policies in this section are designed to provide the framework for a growth management strategy that promotes and maximizes mobility, livability, prosperity, and sustainability in the City.

The 2014-2021 Housing Element identifies and establishes City policies intended to fulfill the housing needs of existing and future residents in the City of Lake Elsinore. It establishes policies that guide City decision making

and set forth an action plan to implement its housing goals. The Housing Element includes policies, programs, and incentives including: identification of existing and projected housing needs; resources and constraints; a statement of goals, policies, quantified objectives and scheduled programs for preservations, improvements, and development of housing; adequate provision for existing and projected needs of all economic segments of the community; and identification of adequate sites for housing.

The Parks and Recreation Element includes goals and polices designed to provide the City with the tools and opportunities necessary to create a recreational destination and foster community building for the City of Lake Elsinore. The City acknowledges the relationship of recreation to aspects of social, cultural, and economic benefits to the community and the role of these benefits in the planning process for parks and recreational facilities and programs. Historically, Lake Elsinore has been regarded as a recreational destination for the Inland Empire partly because of the City's natural resources such as the lake, mountains, and rugged hillsides. The goals and policies in this section are designed to provide adequate parks and recreational facilities for residents and visitors.

Public Safety and Welfare

The safety and welfare of a community and its residents are vital to its growth and quality of life. This chapter of the General Plan addresses public safety and welfare issues, including: air quality, fire and police/law enforcement, community facilities and services, hazards, and noise within the City limits and within the City's SOI. The focus is on maintaining a healthy and safe physical environment and ensuring community welfare through access to effective and efficient high-quality public services.

Resource Protection and Preservation

The Resource Protection and Preservation Chapter of the General Plan addresses resource protection and preservation issues within the City limits and within the City's SOI related to biological resources; open space; water resources; cultural and paleontological resources; and aesthetic resources. The Resource Protection and Preservation Chapter also contains discussion and figures that detail the locations of water resources, vegetation communities, mineral resources, and cultural resources within the City. The Resources Protection and Preservation chapter seeks to preserve and protect identified resources in order to maintain or improve environmental quality.

General Plan District Plans

In addition, the General Plan divides the City into 16 District Plans. The purpose of these District Plans is to provide more detailed land use and policy direction regarding local issues such as land use, circulation, open space, and other topical areas. The project site is within the Alberhill District. The following sections provides a summary of the Alberhill District Plan.

Alberhill District Plan

The Alberhill District is a component of the Lake Elsinore General Plan, bordered by the Lake View District, Country Club Heights District, and Business District to the south; the North Central Sphere to the east; and Northwest Sphere District to the west and north. The Alberhill District is planned to transition from a concentrated mining area into a network of residential, commercial, industrial, and mixed-use communities. The main concept of the Alberhill District Plan is a coordinated and balanced set of communities with supporting uses that maintain a high quality of life. The goals and policies contained within the Alberhill District Plan reflect the general intentions of the City adopted specific plans for those areas.

As shown on Alberhill District Plan Figure AH-1, Alberhill District Land Use Plan, the portion of the project site within the Alberhill District Plan is designated for General Commercial (Lake Elsinore, 2013).

City of Lake Elsinore Zoning Ordinance

The City of Lake Elsinore Zoning Ordinance, which is part of the LEMC, assigns a zoning classification to all properties inside the City's boundaries. The Zoning Ordinance is intended to implement the City of Lake Elsinore General Plan's Land Use Plan. As previously indicated and as shown on Exhibit 3-6, *Existing Zoning Designations*, the City of Lake Elsinore Zoning Map designates the project site as General Commercial.

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is a regional agency established pursuant to CA Gov. Code § 6500, Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). SCAG serves as an area-wide clearinghouse for regionally significant projects. SCAG reviews the consistency of local plans, projects, and programs with regional plans. Guidance provided by this review process is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

The project site is located within the Western Riverside Council of Governments (WRCOG) sub-region of SCAG. The applicable SCAG policy documents include the Regional Comprehensive Plan and Guide (2016), the Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), and Compass Growth Vision.

South Coast Air Quality Management District

California Health & Safety Code § 40702 et seq., the California Clean Air Act, requires that an Air Quality Management Plan (AQMP) be developed and then updated every three years for air basins with non-attainment status. As discussed in EIR Section 4.2, *Air Quality*, the project site is located in the South Coast Air Basin (SCAB). The SCAB is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD), the agency charged with bringing air quality in the SCAB into conformity with federal and State air quality standards. Air quality within the SCAB is regulated by the SCAQMD and standards for air quality are documented in the SCAQMD's 2016 AQMP. Although air quality in the SCAB has improved over the past several decades, according to the SCAQMD, the SCAB currently does not meet the National Air Quality Standards (NAAQS) attainment status for ozone (O_3) and particulate matter less than 2.5 microns (PM2.5). The SCAB's designation for lead is currently nonattainment (partial) and a revaluation of attainment status was requested, with the final determination pending. The SCAB does not meet the California Ambient Air Quality Standards (CAAQS) attainment status for ozone (O3), particulate matter <2.5 microns (PM2.5), and particulate matter <10 microns (PM10) as nonattainment.

The SCAQMD AQMP is a plan for the regional improvement of air quality. Projects such as the proposed project relate to the air quality planning process through the growth forecasts that were used as inputs into the regional transportation model. If a proposed project is consistent with these growth forecasts, and if all available emissions reduction strategies are implemented as effectively as possible on a project-specific basis, then the project is consistent with the AQMP.

4.10.2 Regulatory Setting

California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is set forth in the California Planning and Zoning Law, §§ 65000 - 66499.58. Under State of California planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include the inclusion of seven mandatory elements described in the Government Code, including a section on land use. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

Office of Planning and Research General Plan Guidelines

Each city and county in California must prepare a comprehensive, long term general plan to guide its future. To assist local governments in meeting this responsibility, the Governor's Office of Planning and Research (OPR) is required to adopt and periodically revise guidelines for the preparation and content of local general plans pursuant to Government Code § 65040.2. The General Plan Guidelines is advisory, not mandatory. Nevertheless, it is the state's only official document explaining California's legal requirements for general plans. Planners, decision-making bodies, and the public depend upon the General Plan Guidelines for help when preparing local general plans. The courts have periodically referred to the General Plan Guidelines for assistance in determining compliance with planning law. For this reason, the General Plan Guidelines closely adheres to statute and case law. It also relies upon commonly accepted principles of contemporary planning practice.

Regional Regulations

SCAG Regional Transportation and Regional Comprehensive Plan

The Southern California Association of Governments (SCAG) is a Joint Powers Authority (JPA) under California state law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under state law as a Regional Transportation Planning Agency and a Council of Governments. The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura) and 191 cities in an area covering more than 38,000-square miles. SCAG develops long-range regional transportation plans including sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations, and other plans for the region.

As a MPO and public agency, SCAG develops transportation and housing plans that transcend jurisdictional boundaries that affect the quality of life for southern California as a whole. SCAG's 2008 Regional Comprehensive Plan (RCP) and 2020-2045 Connect SoCal Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) serve as advisory documents to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance. The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way.

SCAG's most recent 2008 RCP is a holistic, strategic plan for defining and solving inter-related housing, traffic, water, air quality, and other regional challenges. The RCP ties together SCAG's role in transportation, land use,

and air quality planning and recommends key roles and responsibilities for public and private sector stakeholders and invites them to implement reasonable policies that are within their control.

SCAG adopted their most recent RTP/SCS in September 2020. The RTP/SCS sets forth the long-range regional plan, policies, and strategies for transportation improvements and regional growth throughout the SCAG region through the horizon year of 2045.

City of Lake Elsinore Regulations

Lake Elsinore Municipal Code Chapter 17

The Lake Elsinore Municipal Code (LEMC) Chapter 17, Zoning regulates the location and uses of specific uses within the City, including residences, businesses, trades, industries, use of buildings, structures, and land, the location, height, bulk, and size of buildings and structures. The zoning standards are implemented to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, comfort and general welfare.

Lake Elsinore Municipal Code Title 15 (Building Code)

The California Building Code has been amended and adopted as Title 15 (Building Code) of the LEMC. Title 15 regulates all building and construction projects within the City limits and implements a minimum standard for building design and construction. These minimum standards include specific requirements for seismic safety, excavation, foundations, retaining walls and site demolition. It also regulates grading activities including drainage and erosion control.

4.10.3 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the proposed project could have a potentially significant impact with regard to land use and planning if it would:

- Physically divide an established community; or
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

4.10.4 Methodology

The purpose of an analysis of land use consistency impacts helps determine if the proposed project would be in substantial conformance with regional and local plans, policies and regulations that are applicable to the proposed project and project site. For this section, the discussion primarily focuses on the goals and policies that relate to the avoidance or mitigation of environmental impacts, and an assessment of whether any consistency with these standards creates a significant physical impact on the environment. State CEQA Guidelines Section 15125(d) requires that an EIR discuss inconsistencies with applicable plans that the decision-makers should address. A project need not be consistent with each and every policy and every objective in a planning document. Rather, a project is considered consistent with the provisions of the identified regional and local plans if it meets the general intent of the plans and would not preclude the attainment of the primary goals of the land use plan or policy.

4.10.5 Impact Analysis

Impact 4.10-1: Would the project physically divide an established community?

Under existing conditions, the project site is currently vacant and undeveloped with the exception of a single-family residential building located on the northern portion of the project site. The undeveloped areas of the project site (making up a majority of the site) consists of sloping terrain that is covered by grasses, weeds, brush, several non-native ornamental trees, and a dirt road utilized to access the residential building. Future development as proposed by the project would not result in the physical division of any of the existing nearby residential neighborhoods surrounding the project site. Implementation of the project would include development of infrastructure to facilitate access to and through the proposed project site. Accordingly, the proposed project would have no potential to physically divide an established community, and no impact would occur.

Mitigation Measure: None required

Significance after Mitigation: No impact

Impact 4.10-2: Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed Project has the potential to conflict with the City of Lake Elsinore General Plan, City of Lake Elsinore Zoning Ordinance, and the SCAG 2016-2040 RTP/SCS. Each is discussed below. Project consistency with the SCAQMD AQMP was addressed under EIR Section 4.2, Air Quality, under the discussion and analysis of Impact 4.2-1, and is not discussed below.

Lake Elsinore General Plan

Community Form-Land Use Element

The Land Use Element designates the general distribution, general location, and extent of land uses, such as housing, business, industry, open space, agriculture, natural resources, recreation, and public/quasi-public uses. The General Plan Land Use Map (General Plan Figure 2.1A) designates the project site as General Commercial. The project proposes development of approximately 32,695 square feet (SF) of commercial retail development, which includes a 3,400 SF convenience store with an attached 1,525 SF Quick-Serve Restaurant (QSR), a 4,089 SF gas fueling canopy, a 3,150 SF express car wash, two (2) 4,850 SF retail buildings, a 3,320 SF drive-through restaurant with an attached 1,600 SF retail building, and a 2,520 SF drive-through restaurant with an attached 2,400 SF retail building. The proposed project includes a Conditional Use Permit (CUP No. 2019-19) and a Commercial Design Review (CDR No. 2019-27) to allow for the uses within the project site. Environmental impacts associated with CUP No. 2019-19 and CDR No. 2019-27 have been evaluated under the relevant issue areas throughout this EIR. Under each of these topics, the project's impacts are determined to be less than significant, or mitigation measures have been imposed to reduce impacts to the maximum feasible extent. There are no components of CUP No. 2019-19 and CDR No. 2019-27 that have not already been addressed and accounted for throughout this EIR.

Thus, there are no adverse environmental effects associated with such changes that have not already been evaluated and addressed throughout this EIR. The project would be consistent with all of the policies contained

within the Land Use Element. Accordingly, the Project would not conflict with the General Plan Land Use Element exhibits or policies, and impacts would be less than significant.

Community Form-Circulation Element

The purpose of the Circulation Element is to provide for the movement of goods and people, including pedestrians, bicycles, transit, train, air and automobile traffic flows within and through the community. The Circulation Element designates future road improvements and extensions; addresses non-motorized transportation alternatives; and identifies funding options. The various roadway improvements and extensions contemplated by the Circulation Element are reflected on Figure 2.3 of the Community Form Chapter. Roadway facilities in the immediate project vicinity that are designated as part of the General Plan Circulation Element include Lake Street, which is classified as an "Urban Arterial (6-Lanes/120-foot ROW). The project proposes the development of two driveways along Lake Street and two driveways along Mountain Street. The project does not propose any improvements that would conflict with the General Plan Circulation Element facility; therefore, the project would be fully consistent with Figure 2.3 of the Community Form Chapter.

The Circulation Element also contemplates improvements to bicycle and pedestrian facilities, which are reflected in Figure 2.5 and 2.6 of the Community Form Chapter, respectively. The General Plan Circulation Element identified a Class II bicycle lane along Ash Street, east of the project site. Additionally, the Circulation Element identifies a "Lake Street Historic Trail" along the eastern boundary of the project site. Implementation of the proposed project would not impact the Class II bike lane along Ash as it is separated by active residential land uses; therefore, the project would be consistent with Figure 2.5 of the Community Form Chapter. Implementation of the project would include construction of pedestrian walkways along the project site's frontage with Lake Street, thus facilitating safe pedestrian travel along Lake Street; therefore, the project would be consistent with Figure 2.6 of the Community Form Chapter.

The Project would be consistent with or otherwise would not conflict with the goals and policies set forth in the Circulation Element. Accordingly, the Project would not conflict with the Circulation Element, and impacts would be less than significant.

Community Form-Growth Management Element

The Growth Management Element provides goals and policies to ensure that public services do not lag behind population growth and the concomitant demands created by a larger population. The Growth Management Element aids in anticipating the demands for public services and infrastructure to establish adequate services and infrastructure at a rate that meets the rate of new construction in the City. The project's impacts to public services have been evaluated in EIR Subsection 4.13, Public Services, and where potential impacts associated with public services are identified, the EIR identifies mitigation measures and/or standard regulatory requirements that would reduce impacts to less-than-significant levels. There are no potential impacts to public services affecting the project site that have not already been discussed by this EIR.

Additionally, the project would be consistent with or otherwise would not conflict with the goals and policies of the Growth Management Element. Therefore, impacts due to a conflict with the Growth Management Element would be less than significant.

Community Form-Housing Element

The 2014-2021 Housing Element identifies and establishes City policies intended to fulfill the housing needs of existing and future residents in the City of Lake Elsinore. The Housing Element is separated into five key sections Community Profile and Housing Needs Assessment; Housing Constraints Analysis; Housing Resources-Site Inventory and Analysis; Housing Element Plan; and Review of Past (2008-2014) Accomplishments. The

proposed project would not result in the development of housing within the City and is assumed to create jobs for current residents of the City or surrounding jurisdictions; therefore, the project would not conflict with any of the adopted Housing Element goals. Accordingly, the Project would not conflict with the Housing Element, and impacts would be less than significant.

Community Form-Parks and Recreation Element

The Parks and Recreation Element includes goals and polices designed to provide the City with the tools and opportunities necessary to create a recreational destination and foster community building for the City of Lake Elsinore. The proposed project would not result population growth that would increase the use of and deterioration of any parks within the City; therefore, the project would not conflict with the goals and policies of the Parks and Recreation Element, and impacts would be less than significant.

Public Safety and Welfare

The Public Safety and Welfare Chapter of the General Plan addresses public safety and welfare issues, including: air quality; fire and police/law enforcement; community facilities and services; hazards; and noise within the City and the Sphere of Influence. These topical areas have been evaluated throughout this EIR, and where potential impacts associated with safety hazards are identified the EIR identifies mitigation measures and/or standard regulatory requirements that would reduce impacts to less-than-significant levels. There are no potential safety hazards affecting the project site or surrounding areas that have not already been addressed by this EIR. Additionally, the project would be consistent with or otherwise would not conflict with the goals and policies of the Public Safety and Welfare Chapter. Therefore, impacts due to a conflict with the Public Safety and Welfare Chapter would be less than significant.

Resource Protection and Preservation

The Resource Protection and Preservation Chapter of the General Plan addresses resource protection and preservation issues related to biological resources; open space; water resources; cultural and paleontological resources; and aesthetic resources within the City and the SOI. These topical areas have been evaluated throughout this EIR, and where potential impacts associated with resource protection and preservation are identified, the EIR identifies mitigation measures and/or standard regulatory requirements that would reduce impacts to the maximum feasible extent. There are no potential resource protection and preservation policies affecting the project site or surrounding areas that have not already been addressed by this EIR. Additionally, the project would be consistent with or otherwise would not conflict with the goals and policies of the Resource Protection and Preservation Chapter. Therefore, impacts due to a conflict with the Resource Protection and Preservation Chapter would be less than significant.

Alberhill District Plan

The main concept of the Alberhill District Plan is a coordinated and balanced set of communities with supporting uses that maintain a high quality of life. The goals and policies contained within the Alberhill District Plan reflect the general intentions of the City adopted specific plans for those areas. The eastern portion of the project site located within the Alberhill District Plan is designated for “General Commercial”. Implementation of the proposed project would not conflict with the goals and policies of the Alberhill District Plan. Therefore, impacts due to a conflict with the Alberhill District Plan would be less than significant.

Based on the foregoing analysis, the project would not conflict with any General Plan goals, policies, or requirements. Additionally, the project would not result in any significant environmental impacts resulting from a conflict with the General Plan. Accordingly, impacts due to a conflict with the General Plan would be less than significant.

Lake Elsinore Municipal Code

The proposed project site is zoned General Commercial (C-2). Furthermore, implementation of the project would not require a Zone Change; however, the project includes a Conditional Use Permit (CUP No. 2019-19). Environmental impacts associated with CUP No. 2019-19 have been evaluated under the relevant issue areas throughout this EIR. Under each of these topics, the project's impacts are determined to be less than significant, or mitigation measures have been imposed to reduce impacts to the maximum feasible extent. There are no components of CUP No. 2019-19 that have not already been addressed and accounted for throughout this EIR. Accordingly, impacts due to a conflict with the LEMC would be less than significant.

SCAG 2020-2045 RTP/SCS

The SCAG Regional Council adopted the 2020-2045 RTP/SCS in September 2020. The 2020 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The goals included in the 2020 RTP/SCS are pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. An analysis of the project's consistency with the relevant goals of the 2020 RTP/SCS are presented below in Table 4.10-1, Analysis of Consistency with SCAG 2020-2045 RTP/SCS Goals. As indicated the project would not conflict with any of the RTP/SCS goals and impacts due to a conflict would be less than significant.

Table 4.10-1 - Analysis of Consistency with SCAG 2020-2045 RTP/SCS Goals

RTP/SCS Goal	Goal Statement	Project Consistency Discussion
G1	Encourage regional economic prosperity and global competitiveness.	Not Applicable: This policy would be implemented by cities and the counties within the SCAG region as part of comprehensive local and regional planning efforts. The development of the proposed project would be consistent with General Plan and Zoning Code standards reflecting the planned and orderly growth of commercial development with the City of Lake Elsinore. Accordingly, the proposed Project would not impede economic prosperity and global competitiveness.
G2	Improve mobility, accessibility, reliability, and travel safety for people and goods	Consistent: As disclosed in EIR Subsection 4.14, Transportation, there are no components of the proposed Project that would result in a substantial safety hazards to motorists.
G3	Enhance the preservation, security, and resilience of the regional transportation system	Consistent: EIR Subsection 4.14, Transportation, evaluates project-related traffic impacts and specifies mitigation measures to reduce the potential for impacts to intersections within the City of Lake Elsinore to the extent feasible.
G4	Increase person and goods movement and travel	Not Applicable: The project would develop the subject property with an employment-generating land use that would

RTP/SCS Goal	Goal Statement	Project Consistency Discussion
	choices within the transportation system	provide local job opportunities to existing and future residents of the City that would be accessible with active transportation. No portion of the proposed project includes goods movement or alterations to the transportation system.
G5	Reduce greenhouse gas emissions and improve air quality	Consistent. An analysis of the project's environmental impacts is provided throughout this EIR, and mitigation measures are specified where warranted. Air quality is addressed in EIR Subsection 4.2, Air Quality, and mitigation measures are specified to reduce the project's air quality impacts to the maximum feasible extent. Additionally, and as discussed in EIR Subsections 4.7, Greenhouse Gas Emissions, and 4.5, Energy, the project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy.
G6	Support healthy and equitable communities	Not Applicable: This goal directs the City to develop a strategy to that encourages healthy and equitable communities. The proposed project develops the subject property with land uses in accordance with the General Plan.
G7	Adapt to a changing climate and support an integrated regional development pattern and transportation network	Not Applicable: See responses to G5 and G6.
G8	Leverage new transportation technologies and data-driven solutions that result in more efficient travel	Not Applicable. This policy provides guidance to the City of Lake Elsinore to utilize technology and data to increase travel efficiencies.
G9	Encourage development of diverse housing types in areas that are supported by multiple transportation options	Not Applicable: The project would develop the subject property with an employment-generating land use that would provide local job opportunities to existing and future residents of the City
G10	Promote conservation of natural and agricultural lands and restoration of habitats	Not Applicable: The project would develop the subject property with commercial uses, as prescribed in the General Plan and Zoning Code.

Based on the foregoing analysis, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the project would result in a less than significant impact.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

4.10.6 Cumulative Impacts

This cumulative impact analysis considers development of the proposed project in conjunction with other development projects and planned development in the vicinity of the project site, including build-out of the City of Lake Elsinore General Plan Land Use Plan.

There are no components of the proposed project with the potential to physically divide any of these existing communities. As such, the Project has no potential to result in cumulatively-considerable impacts associated with the physical arrangement of an established community. Therefore, the proposed project would result in no impacts.

As discussed in the analysis discussion under Threshold 4.10b, above, the project would be consistent or otherwise not conflict with SCAG's 2020 RTP, and the policies of the City of Lake Elsinore General Plan. Other projects in the vicinity would also be required to be consistent with SCAG's RTP/SCS and the policies of the Lake Elsinore General Plan or the general plans of other jurisdictions. As such, the Project has no potential to result in cumulatively-considerable impacts due to a conflict with applicable land use policies, and impacts would be less than significant.

4.11 Noise

This section of the Draft EIR evaluates the existing noise environment in the project vicinity, identifies potential significant impacts created by the project, and recommends mitigation measures to reduce the significance of impacts, if necessary. The analysis is this section is based on the findings of the *Noise Impact Analysis* study prepared by Urban Crossroads (2019), which is included as Appendix L of this EIR.

4.11.1 Environmental Setting

Fundamentals

Noise had been defined as "unwanted sound" when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. The sound of noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. The dBA are adjusted to reflect only those frequencies which are audible to the human ear. As seen in Table 4.11-1, a summary of typical noise levels and their subjective loudness and effects are shown.

Table 4.11-1 - Typical Noise Levels

COMMON OUTDOOR ACTIVITIES	COMMON INDOOR ACTIVITIES	A - WEIGHTED SOUND LEVEL dBA	SUBJECTIVE LOUDNESS	EFFECTS OF NOISE
THRESHOLD OF PAIN		140	INTOLERABLE OR DEAFENING	HEARING LOSS
NEAR JET ENGINE		130		
		120		
JET FLY-OVER AT 300m (1000 ft)	ROCK BAND	110		
LOUD AUTO HORN		100	VERY NOISY	
GAS LAWN MOWER AT 1m (3 ft)		90		
DIESEL TRUCK AT 15m (50 ft), at 80 km/hr (50 mph)	FOOD BLENDER AT 1m (3 ft)	80		SPEECH INTERFERENCE
NOISY URBAN AREA, DAYTIME	VACUUM CLEANER AT 3m (10 ft)	70	LOUD	
HEAVY TRAFFIC AT 90m (300 ft)	NORMAL SPEECH AT 1m (3 ft)	60		
QUIET URBAN DAYTIME	LARGE BUSINESS OFFICE	50	MODERATE	SLEEP DISTURBANCE
QUIET URBAN NIGHTTIME	THEATER, LARGE CONFERENCE ROOM (BACKGROUND)	40		
QUIET SUBURBAN NIGHTTIME	LIBRARY	30	FAINT	NO EFFECT
QUIET RURAL NIGHTTIME	BEDROOM AT NIGHT, CONCERT HALL (BACKGROUND)	20		
	BROADCAST/RECORDING STUDIO	10	VERY FAINT	
LOWEST THRESHOLD OF HUMAN HEARING	LOWEST THRESHOLD OF HUMAN HEARING	0		

Range of Noise

Since the range of intensities that the human ear can detect is so large, the scale frequently used to measure intensity is a scale based on multiples of 10, the logarithmic scale. The scale for measuring intensity is the decibel scale. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA at approximately 100 feet, which can cause serious discomfort. Another important aspect of noise is the duration of the sound and the way it is described and distributed in time.

Noise Descriptors

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most commonly used figure is the equivalent level (Leq). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in A-weighted decibels (dBA). The equivalent sound level (Leq) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period and is commonly used to describe the "average" noise levels within the environment.

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time of day corrections require the addition of 5 decibels to dBA Leq sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 decibels to dBA Leq sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and night hours when sound appears louder. CNEL does not represent the actual sound level heard at any time, but rather represents the total sound exposure. The City of Lake Elsinore relies on the 24-hour CNEL level to assess land use compatibility with transportation related noise sources.

Sound Propagation

When sound propagates over a distance, it changes in level and frequency content. The way noise reduces with distance depends on the following factors.

Geometric Spreading

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source.

Ground Absorption

The propagation path of noise from a highway to a receiver is usually very close to the ground. Noise attenuation from ground absorption and reflective wave canceling adds to the attenuation associated with geometric spreading. Traditionally, the excess attenuation has also been expressed in terms of attenuation per doubling of distance. This approximation is usually sufficiently accurate for distances of less than 200 ft. For

acoustically hard sites (i.e., sites with a reflective surface between the source and the receiver, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between the source and the receiver such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the cylindrical spreading, the excess ground attenuation results in an overall drop-off rate of 4.5 dB per doubling of distance from a line source.

Atmospheric Effects

Receivers located downwind from a source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Sound levels can be increased at large distances (e.g., more than 500 feet) due to atmospheric temperature inversion (i.e., increasing temperature with elevation). Other factors such as air temperature, humidity, and turbulence can also have significant effects.

Shielding

A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Shielding by trees and other such vegetation typically only has an "out of sight, out of mind" effect. That is, the perception of noise impact tends to decrease when vegetation blocks the line-of-sight to nearby residents. However, for vegetation to provide a substantial, or even noticeable, noise reduction, the vegetation area must be at least 15 feet in height, 100 feet wide and dense enough to completely obstruct the line-of sight between the source and the receiver. This size of vegetation may provide up to 5 dBA of noise reduction. The FHWA does not consider the planting of vegetation to be a noise abatement measure.

Noise Control

Noise control is the process of obtaining an acceptable noise environment for an observation point or receiver by controlling the noise source, transmission path, receiver, or all three. This concept is known as the source-path- receiver concept. In general, noise control measures can be applied to these three elements.

Noise Barrier Attenuation

Effective noise barriers can reduce noise levels by up to 10 to 15 dBA, cutting the loudness of traffic noise in half. A noise barrier is most effective when placed close to the noise source or receiver. Noise barriers, however, do have limitations. For a noise barrier to work, it must be high enough and long enough to block the path of the noise source.

Land Use Compatibility with Noise

Some land uses are more tolerant of noise than others. For example, schools, hospitals, churches, and residences are more sensitive to noise intrusion than are commercial or industrial developments and related activities. As ambient noise levels affect the perceived amenity or livability of a development, so too can the mismanagement of noise impacts impair the economic health and growth potential of a community by reducing the area's desirability as a place to live, shop and work. For this reason, land use compatibility with the noise environment is an important consideration in the planning and design process. The FHWA encourages State and Local government to regulate land development in such a way that noise-sensitive land uses are either prohibited from being located adjacent to a highway, or that the developments are planned, designed, and constructed in such a way that noise impacts are minimized.

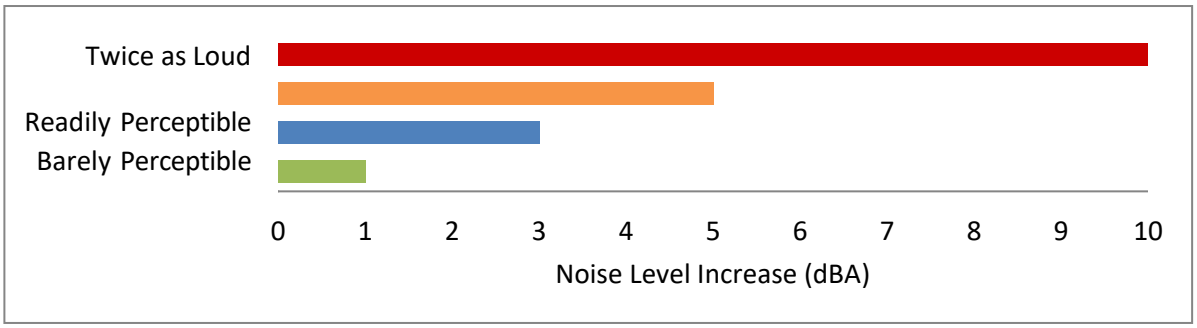
Community Response to Noise

Community responses to noise may range from registering a complaint by telephone or letter, to initiating court action, depending upon everyone's susceptibility to noise and personal attitudes about noise. Several factors are related to the level of community annoyance including:

- Fear associated with noise producing activities;
- Socio-economic status and educational level;
- Perception that those affected are being unfairly treated;
- Attitudes regarding the usefulness of the noise-producing activity;
- Belief that the noise source can be controlled.

Approximately ten percent of the population has a very low tolerance for noise and will object to any noise not of their making. Consequently, even in the quietest environment, some complaints will occur. Another twenty-five percent of the population will not complain even in very severe noise environments. Thus, a variety of reactions can be expected from people exposed to any given noise environment. (7) Surveys have shown that about ten percent of the people exposed to traffic noise of 60 dBA will report being highly annoyed with the noise, and each increase of one dBA is associated with approximately two percent more people being highly annoyed. When traffic noise exceeds 60 dBA or aircraft noise exceeds 55 dBA, people may begin to complain. Despite this variability in behavior on an individual level, the population can be expected to exhibit the following responses to changes in noise levels as shown on Table 4.11-2. A change of 3 dBA is considered barely perceptible, and changes of 5 dBA are considered readily perceptible.

Table 4.11-2 - Noise Level Preception



Vibration

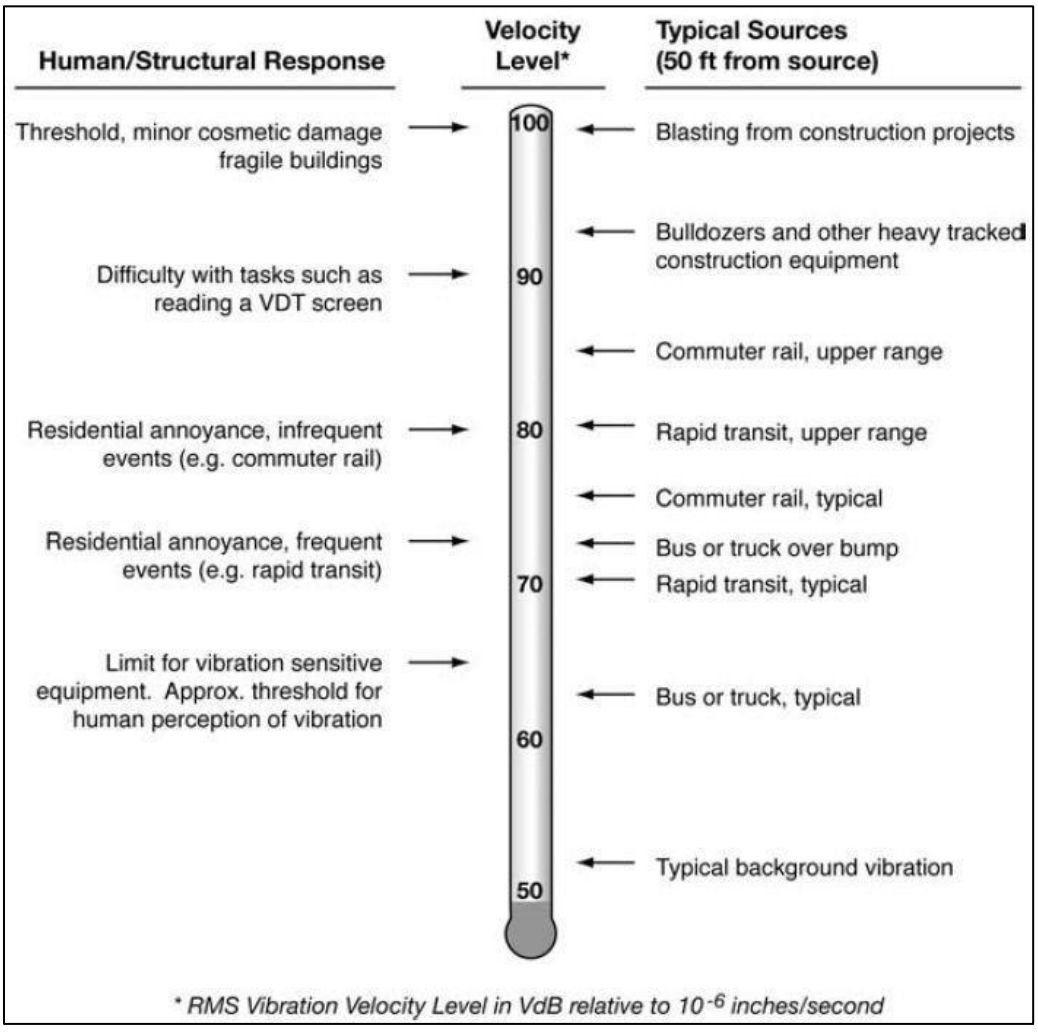
Per the Federal Transit Administration (FTA) Transit Noise Impact and Vibration Assessment (8), vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure-borne noise. Sources of ground-borne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, ground-borne vibrations may be described by amplitude and frequency.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings but is not always suitable for evaluating human response (annoyance)

because it takes some time for the human body to respond to vibration signals. Instead, the human body responds to average vibration amplitude often described as the root mean square (RMS). The RMS amplitude is defined as the average of the squared amplitude of the signal and is most frequently used to describe the effect of vibration on the human body. Decibel notation (VdB) is commonly used to measure RMS. Decibel notation (VdB) serves to reduce the range of numbers used to describe human response to vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receivers for vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment and/or activities.

The background vibration-velocity level in residential areas is generally 50 VdB. Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. Table 4.11-3, below illustrates common vibration sources and the human and structural response to ground-borne vibration.

Table 4.11-3 – Typical Levels of Ground-Borne Vibration



4.11.2 Regulatory Setting

To limit population exposure to either physically and/or psychologically damaging as well as intrusive noise levels, the federal government, and the State of California, county governments, and most municipalities in the state have established standards and ordinances to control noise. Traffic activity generally is a produces an average sound level that remains constant, and in most areas automobile and truck traffic is the major source of environmental noise. In addition, air and rail traffic, and commercial and industrial activities are area also a major source of noise in some areas. Federal, state, and local agencies regulate different aspects of environmental noise. While federal and State agencies regulate noise standards for mobile (i.e., motor and vehicles), while stationary sources are left local agencies.

State

Noise Requirements

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared per guidelines adopted by the Governor's Office of Planning and Research (OPR). The purpose of the Noise Element is to maintain an environment for all City residents and visitors free of unhealthy, obtrusive, or otherwise excessive noise. In addition, the California Environmental Quality Act (CEQA) requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

California Green Building Standards Code

The State of California's Green Building Standards Code contains mandatory measures for non-residential building construction in Section 5.507 on Environmental Comfort. These noise standards are applied to new construction in California for controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when non-residential structures are developed in areas where the exterior noise levels exceed 65 dBA CNEL, such as within a noise contour of an airport, freeway, railroad, and other areas where noise contours are not readily available. If the development falls within an airport or freeway 65 dBA CNEL noise contour, the combined sound transmission class (STC) rating of the wall and roof-ceiling assemblies must be at least 50. For those developments in areas where noise contours are not readily available, and the noise level exceeds 65 dBA Leq for any hour of operation, a wall and roof-ceiling combined STC rating of 45, and exterior windows with a minimum STC rating of 40 are required (Section 5.507.4.1).

City of Lake Elsinore General Plan

The City of Lake Elsinore has adopted Section 3.7, Noise, of the Public Safety and Welfare Element of the General Plan to control and abate environmental noise, and to protect the citizens of Lake Elsinore from excessive exposure to noise. The Noise section specifies the maximum allowable exterior noise levels for new developments impacted by transportation noise sources such as arterial roads, freeways, airports, and railroads. In addition, the Noise section identifies noise polices designed to protect, create, and maintain an environment free from noise that may jeopardize the health or welfare of sensitive receivers, or degrade quality of life. To protect City of Lake Elsinore residents from excessive noise, the Noise section contains the following goal related to the Project:

Goal 7: Maintain an environment for all City residents and visitors free of unhealthy, obtrusive, or otherwise excessive noise.

Policy 7.1: Apply the noise standards set forth in the Lake Elsinore Noise and Land Use Compatibility Matrix (see Table 3-1) and Interior and Exterior Noise Standards (see Table 3-2) when considering all new development and redevelopment proposed within the City.

Policy 7.2: Require that mixed-use structures and areas be designed to prevent transfer of noise and vibration from commercial areas to residential areas.

Policy 7.3: Strive to reduce the effect of transportation noise on the I-15.

Policy 7.4: Consider estimated roadway noise contours based upon Figure 3.6, Noise Contours, when making land use design decisions along busy roadways throughout the City.

Policy 7.5: Participate and cooperate with other agencies and jurisdictions in the development of noise abatement plans for highways.

Land Use Compatibility

The City of Lake Elsinore General Plan has a *Noise and Land Use Compatibility Matrix,* which is a tool that provides guidelines in order to evaluate land uses within the City for compatibility of transportation related noise. Table 4.11-4 provides compatibility criteria and it provides the City with a planning tool to gauge the compatibility of land uses relative to existing and future exterior noise levels.

The *Noise and Land Use Compatibility Matrix* describes categories of compatibility and not specific noise standards. According to these categories of compatibility, sensitive residential land use in the Project Study area is considered clearly compatible with exterior noise levels below 60 dBA CNEL and normally compatible with exterior noise levels below 70 dBA CNEL. For normally compatible land use, new construction or development should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.

Table 4.11-4 – Noise and Land Use Compatibility Matrix

Land Use Categories		Day-Night Noise Level (LDN)						
Categories	**Uses**	**≤55**	**60**	**65**	**70**	**75**	**80≥**	
Residential	Single, Family, Duplex, Multiple Family	A	A	B	B	C	D	D
Residential	Mobile Homes	A	A	B	C	C	D	D
Commercial Regional District	Hotel, Motel, Transient Lodging	A	A	B	B	C	C	D
Commercial Regional Village, District Special	Commercial, Retail, Bank, Restaurant, Movie Theatre	A	A	A	A	B	B	C
Commercial Industrial Institutional	Office Building, Research and Development, Professional Offices, City Office Building	A	A	A	B	B	C	D
Commercial Regional Institutional Civic Center	Amphitheatre, Concert Hall Auditorium, Meeting Hall	B	B	C	C	D	D	D
Commercial Recreation	Children's Amusement Park, Miniature Golf Course, Go-cart Track, Equestrian Center, Sports Club	A	A	A	B	B	D	D
Commercial General, Special Industrial Institutional	Automobile Service Station, Auto Dealership, Manufacturing, Warehousing, Wholesale, Utilities	A	A	A	A	B	B	B
Institutional General	Hospital, Church, Library, Schools, Classroom	A	A	B	C	C	D	D
Open Space	Parks	A	A	A	B	C	D	D
Open Space	Golf Course, Cemeteries, Nature Centers, Wildlife Reserves, Wildlife Habitat	A	A	A	A	B	C	C
Agriculture	Agriculture	A	A	A	A	A	A	A

Interpretation	
Zone A Clearly Compatible	Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.
Zone B Normally Compatible	New construction or development should be undertaken only after detailed analysis of the noise reduction requirements are made and needed nose insulation features in the design are determined. Conventional construction, with closed windows and fresh air supply systems or air conditioning, will normally suffice.
Zone C Normally Incompatible	New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made and needed noise insulation features included in the design.
Zone D Clearly Incompatible	New construction or development should generally not be undertaken.

Operational Noise Standards

In order to analyze noise impacts originating from a designated fixed location or private property such as the proposed project, stationary-source (operational) noise such as roof-top air conditioning units, drive-thru speakerphones, trash enclosures, parking lots, gas station activity, car wash tunnels and car wash vacuum activity are typically evaluated against standards established under a Lake Elsinore Municipal Code (LEMC).

Section 17.176.060 of the LEMC states the following: No person shall, operate or cause to be operated, any source of sound at any location within the incorporated City or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person which causes the noise level when measured on any other property, either incorporated or unincorporated to exceed…the maximum permissible sound levels by receiving land use. For residential land use, the LEMC identifies base exterior noise level limits for the daytime (7:00 a.m. to 10:00 p.m.) hours of 50 dBA L50 and 40 dBA L50 during the nighttime (10:00 p.m. to 7:00 a.m.) hours. These standards shall apply for a cumulative period of 30 minutes in any hour (L_{50}), as well as the standard plus 5 dBA cannot be exceeded for a cumulative period of more than 15 minutes in any hour (L_{25}), or the standard plus 10 dBA for a cumulative period of more than 5 minutes in any hour (L8), or the standard plus 15 dBA for a cumulative period of more than 1 minute in any hour (L2), or the standard plus 20 dBA for any period of time (Lmax). Table 4.11-5 shows the City of Lake Elsinore noise standards by land use.

Table 4.11-5 – Operational Exterior Noise Level Standards

Land Use	Condition	Based Exterior Noise Level Standards (dBA)2				
		L^{50} (30 mins)	L^{25} (15 mins)	L^{8} (5 mins)	L^{2} (1 min)	L^{max} (Anytime)
Single-Family Residential	Daytime	50	55	60	65	70
	Nighttime	40	45	50	55	60
Multi-Family Residential	Daytime	50	55	60	65	70
	Nighttime	45	50	55	60	65
Public Space/ Light Comm.	Daytime	60	65	70	75	80
	Nighttime	55	60	65	70	75
General Commercial	Daytime	65	70	75	80	85
	Nighttime	60	65	70	75	80
Light Industrial	Anytime	70	75	80	85	90
Heavy Industrial	Anytime	75	80	85	90	95

[1] Source: City of Lake Elsinore Municipal Code, Section 17.176.060(A)(2) & Table 1 (Appendix 3.1).
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Construction Noise Standards

In order to analyze noise impacts originating from the construction of the proposed project, noise from construction activities is typically limited to the hours of operation established under the LEMC. The City of Lake Elsinore has set restrictions to control noise impacts associated with the construction of the proposed project. In the LEMC Section 17.176.080 (F), Construction/Demolition indicates that operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the weekday hours of 7:00 p.m. and 7:00 a.m., or at any time on weekends or holidays, such that the sound therefrom creates a noise disturbance across a residential or commercial real property line, except for emergency work by public service utilities or by variance issued by the City is prohibited. In addition to this,

the LEMC further requires that construction activities be conducted in a manner that the maximum (Lmax) noise levels at affected residential and commercial properties will not exceed the mobile (less than 10-day duration) and stationary equipment (greater than 10-day duration) noise standards provided below on Table 4.11-6 and Table 4.11-7.

Table 4.11-6 – Mobile Equipment Noise Level Limits

Type	Receiving Land Use Category	Time Period	Maximum Noise Levels (dBA Lmax)[1]
I	Single-Family Residential	Daytime (7:00 a.m. - 7:00 p.m.)	75
		Nighttime (7:00 p.m. - 7:00 a.m.)	60
II	Multi-Family Residential	Daytime (7:00 a.m. - 7:00 p.m.)	80
		Nighttime (7:00 p.m. - 7:00 a.m.)	65
III	Semi-Residential/ Commercial	Daytime (7:00 a.m. - 7:00 p.m.)	85
		Nighttime (7:00 p.m. - 7:00 a.m.)	70

[1] *Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment, City of Lake Elsinore Municipal Code 17.176.080 (F) (Appendix 3.1).*

Table 4.11-7 – Stationary Equpment Noise Level Limits

Type	Receiving Land Use Category	Time Period	Maximum Noise Levels (dBA Lmax)[1]
I	Single-Family Residential	Daytime (7:00 a.m. - 7:00 p.m.)	60
		Nighttime (7:00 p.m. - 7:00 a.m.)	50
II	Multi-Family Residential	Daytime (7:00 a.m. - 7:00 p.m.)	65
		Nighttime (7:00 p.m. - 7:00 a.m.)	55
III	Semi-Residential/ Commercial	Daytime (7:00 a.m. - 7:00 p.m.)	70
		Nighttime (7:00 p.m. - 7:00 a.m.)	60

[1] *Maximum noise levels for repetitively scheduled and relatively long-term operation (period of 10 days or more) of stationary equipment, City of Lake Elsinore Municipal Code 17.176.080 (F) (Appendix 3.1).*

Construction Vibration Standards

Vibration construction activities are evaluated against standards established under the LEMC. The LEMC, Section 17.176.080(G), states that operating or permitting the operation of any device that creates a vibration which is above the vibration perception threshold of any individual at or beyond the property boundary of the source if on private property or at 150 feet (46 meters) from the source if on public space or public right-of-way is prohibited. The LEMC defines the vibration perception threshold to be a motion velocity of 0.01 in/sec over the range of one to 100 Hz, as shown on Table 4.11-8.

Table 4.11-8 – Construction Vibrations Standards

Jurisdiction	Root-Mean-Square (RMS) Velocity (in/sec)
City of Lake Elsinore[1]	0.01

[1] *Source: City of Lake Elsinore Municipal Code, Section 17.176.080(G) (Appendix 3.1).*

4.11.3 Threshold of Significance

According to Appendix G of the State CEQA Guidelines, the proposed project could have a potentially significant impact with respect to noise it would:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- Generation of excessive groundborne vibration or groundborne noise levels?
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Noise-Sensitive Receivers

Noise level increases resulting from the proposed project are evaluated based on the Appendix G CEQA Guidelines described above at the closes sensitive receiver locations. Consideration must be given to the magnitude of the increase, the existing ambient noise levels, and the location of noise-sensitive receivers to determine if a noise increase represents a significant adverse environmental impact. This approach is recognized that there is no single noise increase that renders the noise impact significant.

There is no complete satisfactory way to measure subjective effects of noise or the corresponding human reactions of annoyance and dissatisfaction. This is due to the wide variation of individual thresholds of individuals. Therefore, determining a person's subjective reaction to new noise is the comparison of it to the existing environment to which one has adapted or what is known as ambient environment.

The Federal Interagency Committee on Noise (FICON) (14) developed guidance to be used for the assessment of project-generated increases in noise levels that consider the ambient noise level. FICON identifies a readily perceptible 5 dBA or greater project-related noise level increase is considered a significant impact when noise criteria for a given land use is exceeded. In areas where the without project noise level range from 60 to 65 dBA, a 3 dBA *barely perceptible* noise level increases appears to be appropriate for most people. Additionally, when the without project noise level already exceeds 65 dBA, any increase in community noise louder than 1.5 dBA or greater is considered a significant impact if the noise criteria for a given land use is exceeded. Table 4.11-9 provides a summary of the potential noise impact significant criteria.

Table 4.11-9 – Significance of Noise Impacts At Noise-Sensitive Receivers

Without Project Noise Level	Potential Significant Impact
< 60 dBA	5 dBA or more
60 - 65 dBA	3 dBA or more
> 65 dBA	1.5 dBA or more

Federal Interagency Committee on Noise (FICON), 1992.

Noise impacts shall be considered significant if any of the following occur as a direct result of the proposed project.

Off-Site Traffic Noise

- When the noise levels at existing and future noise-sensitive land uses (e.g. residential, school, etc.):
  - are less than 60 dBA and the Project creates a readily perceptible 5 dBA or greater Project-related noise level increase; or
  - range from 60 to 65 dBA and the Project creates a barely perceptible 3 dBA or greater Project-related noise level increase; or
  - already exceed 65 dBA, and the Project creates a community noise level increase of greater than 1.5 dBA (FICON, 1992).

Operational Noise

- If Project-related operational (stationary-source) noise levels exceed the exterior noise level standard at nearby sensitive receiver locations identified on Table 3-1 by land use category (LEMC, Chapter 17.176 Noise Control);
- If the existing ambient noise levels at the nearby noise-sensitive receivers near the Project site:
  - are less than 60 dBA and the Project creates a readily perceptible 5 dBA or greater Project-related noise level increase; or
  - range from 60 to 65 dBA and the Project creates a barely perceptible 3 dBA or greater Project-related noise level increase; or
  - already exceed 65 dBA, and the Project creates a community noise level increase of greater than 1.5 dBA (FICON, 1992).

Construction Noise and Vibration

- If Project-related construction activities generate noise levels which exceed the mobile or stationary equipment noise level limits described on Tables 3-2 and 3-3 (LEMC, Section 17.176.080(F)).
- If short-term Project generated construction vibration levels exceed the City of Lake Elsinore maximum acceptable vibration standard of 0.01 in/sec (RMS) at sensitive receiver locations (LEMC, Section 17.176.080(G)).

4.11.4 Methodology

FHWA Traffic Noise Prediction Model

The estimated roadway impacts from vehicular traffic were calculated using a computer program that replicated the FTA Traffic Noise Predication Model- FHWA-RD-77-108. This model arrives at a predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL).

Off-site Traffic Noise Prediction Model Inputs

Roadway parameters were used to assess the proposed projects off-site transportation noise impacts. Eight study area roadway segments where identified, the distance from the centerline to adjacent land use based on the functional roadway classifications per the City's GP and posted vehicle speeds. The *Noise Impact Analysis,* utilized soft site conditions to analyze the traffic noise impacts within the project study area. These soft site conditions account for the sounds propagation loss over natural surfaces such as normal earth and ground vegetation. Table 4.11-10 – *Off-Site Roadway Parameters,* shows the roadway parameters used.

Table 4.11-10 – Off-Site Roadway Parameters

ID	Roadway	Segment	Adjacent Planned Land Use[1]	Distance from Centerline to Nearest Adjacent Land Use (Feet)[2]	Vehicle Speed (mph)[3]
1	Lake St.	n/o Nichols Rd.	Commercial	60'	50
2	Lake St.	s/o Nichols Rd.	Commercial	60'	50
3	Lake St.	s/o Alberhill Ranch Rd.	Commercial/Residential	60'	50
4	Lake St.	n/o Mountain St.	Residential	60'	50
5	Lake St.	s/o Mountain St.	Residential	60'	50
6	Lake St.	s/o Lakeshore Dr.	Residential/School	50'	50
7	Lincoln St.	s/o Grand Av.	Residential	50'	40
9	Nichols Rd.	e/o Lake St.	Commercial/Residential	60'	50
10	Alberhill Ranch Rd.	e/o Lake St.	Residential	39'	40
11	Lakeshore Drive	e/o Lake St.	Residential	60'	50
12	Lakeshore Drive	e/o Terra Cotta Rd.	Residential	60'	50
13	Grand Av.	w/o Lincoln St.	Residential	50'	45
14	Grand Av.	e/o Lincoln St.	Residential	50'	45

[1] *Sources: City of Lake Elsinore General Plan, Community Form Element, Figure 2.1A Land Use Plan and Google Earth aerial imagery.*
[2] *Distance to adjacent land use is based upon the right-of-way distances for each functional roadway classification.*
[3] *Source: Lake and Mountain Shopping Center Traffic Impact Analysis, Urban Crossroads, Inc.*

Construction Vibration Assessment Methodology

Groundborne vibration levels from vehicle traffic are generally overshadowed by vibration generated by heavy trucks that roll over the same uneven roadway surfaces. Due to the rapid drop-off rate of groundborne vibration and the short duration of the associated events, vehicular traffic-induced groundborne vibration is rarely perceptible beyond the roadway right-of-way, and rarely results in vibration levels that cause damage to buildings in the vicinity. Additionally, construction has the potential to result in varying degrees of temporary ground vibration, which depends on the specific construction activity and equipment used. Ground vibration levels associated with various types of construction equipment are shown in Table 4.11-11, below:

Table 4.11-11 – Vibration Source Levels For Construction Equipment

Equipment	PPV (in/sec) at 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment

4.11.5 Impact Analysis

Impact 4.11-1: Would the project generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Construction Noise Source Level

As described in the *Noise Impact Analysis* (Appendix X) prepared for the proposed project, noise generated by proposed project construction would temporarily increase localized noise levels that are associated with construction equipment. These include but are not limited to trucks, power tools, concrete mixers, and portable generators that when combined can reach high noise levels. The number and mix of construction mobile and stationary equipment expected to occur in stages that include, site preparation, grading, building construction, paving, and architectural coating.

The use of a reference noise level measurement was utilized to describe typical construction noise levels for each stage of the proposed project construction. The noise levels that can be generated by heavy construction equipment can range from approximately 68dBA to in excess of 80dBA when measured at 50 feet. Per the *Noise Impact Analysis,* hard site conditions were used in the analysis which results in noise levels that decrease at a rate of 6dBA for each doubling of distance from a point source. Thus, a noise level of 80dBA measured at 50 feet from the noise source to the receiver would be reduced to 74dBA at 100 feet from the source to the receiver and further reduced to 68dBA at 200 feet from the source of the receiver.

Construction Reference Noise Levels

Per *Noise Impact Analysis,* construction noise levels measurements were collected for similar activities at several construction sites. A summary of construction reference noise level measurements in shown in Table 4.11-12 – *Construction Reference Noise Levels,* these construction noise level measurements have been adjusted to describe a common reference distance of 50 feet, given that the reference noise levels were collected at varying distances.

Table 4.11-12 – Construction Reference Noise Levels

ID	Noise Source	Reference Distance From Source (Feet)	Reference Noise Levels @ Reference Distance (dBA L_{eq})	Reference Noise Levels @ 50 Feet (dBA L_{eq})[5]	Reference Noise Levels @ Reference Distance (dBA L_{max})	Reference Noise Levels @ 50 Feet (dBA L_{max})[5]
1	Truck Pass-Bys & Dozer Activity[1]	30'	64'	59'	68.1	63.7
2	Dozer Activity[1]	30'	69'	64'	76.4	72.0
3	Construction Vehicle Maintenance Activities[2]	30'	72'	67'	74.8	70.4
4	Foundation Trenching[2]	30'	73'	68'	74.9	70.5
5	Framing[3]	30'	67'	62'	76.7	72.3
6	Concrete Paver Activities[4]	30'	70'	66'	75.7	71.3
7	Concrete Mixer Pour & Paving Activities[4]	30'	70'	66'	76.3	71.9

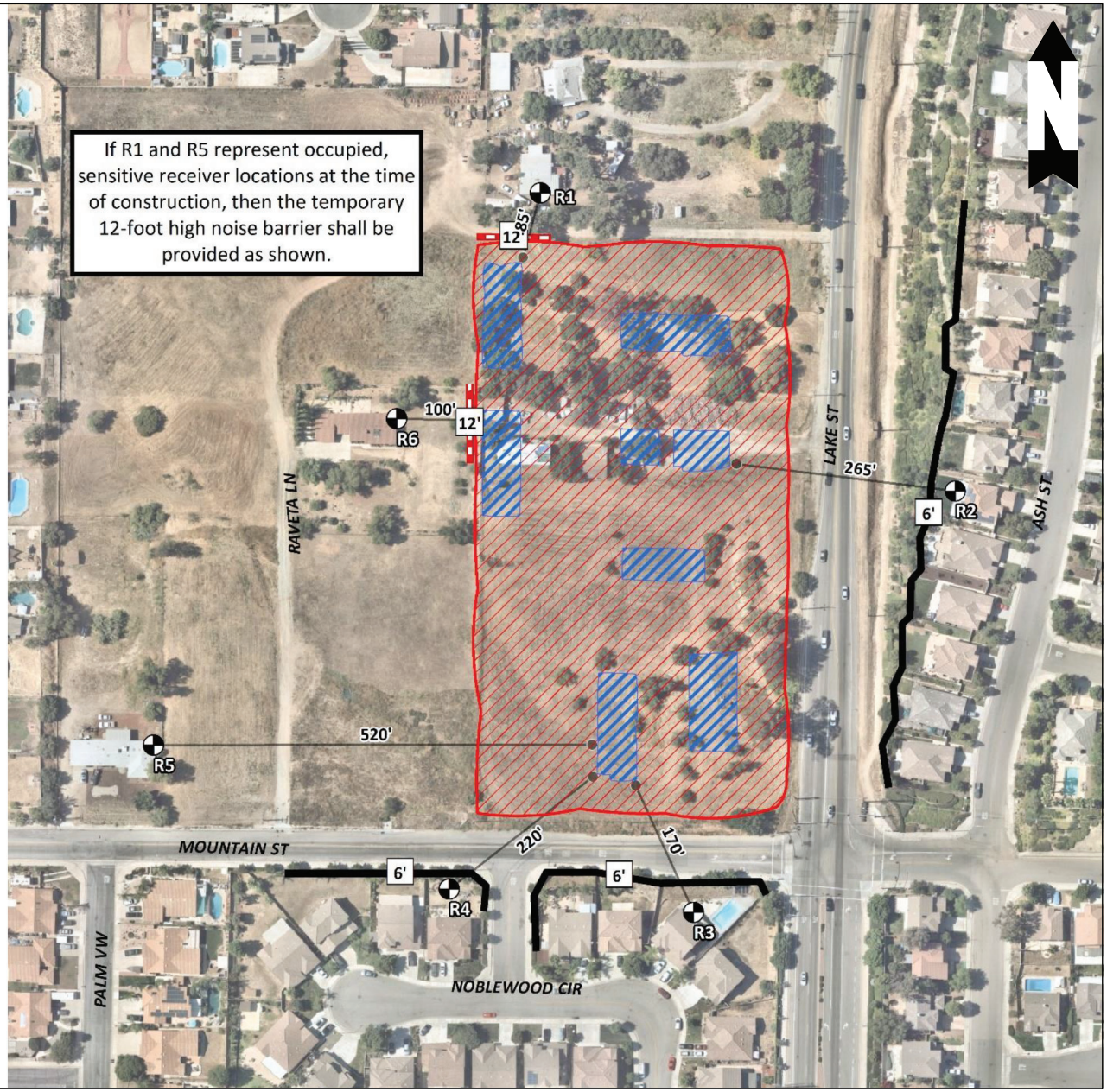
[1] As measured by Urban Crossroads, Inc. on 10/14/15 at a business park construction site located at the northwest corner of Barranca Parkway and Alton Parkway in the City of Irvine.
[2] As measured by Urban Crossroads, Inc. on 10/20/15 at a construction site located in Rancho Mission Viejo.
[3] As measured by Urban Crossroads, Inc. on 10/20/15 at a residential construction site located in Rancho Mission Viejo.
[4] Reference noise level measurements were collected from a nighttime concrete pour at an industrial construction site, located at 27334 San Bernardino Avenue in the City of Redlands, between 1:00 a.m. to 2:00 a.m. on 7/1/15.
[5] Reference noise levels are calculated at 50 feet using a drop off rate of 6 dBA per doubling of distance (point source).

Construction Noise Analysis

The following tables, Table 4.11-13 and Table 4.11-14, show the proposed project construction stages and the reference construction noise level used for each stage. Exhibit 4-1, *Construction Activity and Receiver Locations*, identifies the locations of the noise receivers is relation to the location of construction activity.

LEGEND:

- 6' Existing Barrier Height (in feet)
- Existing Barrier
- Stationary Construction Activity
- Mobile Construction Activity
- Distance from receiver to stationary construction activity (in feet)
- 12' Temporary Noise Barrier Height (in feet)
- Temporary Noise Barrier



Source: Urban Crossroads

Table 4.11-13 – Site Preparation Equipment Noise Levels

Reference Construction Activity[1]				Reference Noise Level @ 50 Feet (dBA L_{max})
Truck Pass-Bys & Dozer Activity				63.7
Dozer Activity				72.0
			Highest Reference Noise Level at 50 Feet:	72.0
Receiver Location	**Distance to Construction Activity (Feet)[2]**	**Distance Attenuation (dBA)[3]**	**Estimated Noise Barrier Attenuation (dBA)[4]**	**Construction Noise Level (dBA L_{max})**
R1	70'	-2.9	0.0	69.1
R2	205'	-12.3	-5.0	54.7
R3	120'	-7.6	-5.0	59.4
R4	105'	-6.4	-5.0	60.6
R5	390'	-17.8	0.0	54.2
R6	100'	-6.0	0.0	66.0

[1] Reference construction noise level measurements taken by Urban Crossroads, Inc.
[2] Distance from the nearest point of construction activity to the nearest receiver.
[3] Point (stationary) source drop off rate of 6.0 dBA per doubling of distance.
[4] Estimated barrier attenuation from existing barriers in the Project study area.

Table 4.11-14 – Grading Equipment Noise Levels

Reference Construction Activity[1]				Reference Noise Level @ 50 Feet (dBA L_{max})
Truck Pass-Bys & Dozer Activity				63.7
Dozer Activity				72.0
			Highest Reference Noise Level at 50 Feet:	72.0
Receiver Location	**Distance to Construction Activity (Feet)[2]**	**Distance Attenuation (dBA)[3]**	**Estimated Noise Barrier Attenuation (dBA)[4]**	**Construction Noise Level (dBA L_{max})**
R1	70'	-2.9	0.0	69.1
R2	205'	-12.3	-5.0	54.7
R3	120'	-7.6	-5.0	59.4
R4	105'	-6.4	-5.0	60.6
R5	390'	-17.8	0.0	54.2
R6	100'	-6.0	0.0	66.0

[1] Reference construction noise level measurements taken by Urban Crossroads, Inc.
[2] Distance from the nearest point of construction activity to the nearest receiver.
[3] Point (stationary) source drop off rate of 6.0 dBA per doubling of distance.
[4] Estimated barrier attenuation from existing barriers in the Project study area.

Table 4.11-15 – Building Construction Equipment Noise Levels

Reference Construction Activity[1]	Reference Noise Level @ 50 Feet (dBA L_{max})
Construction Vehicle Maintenance Activities	70.4
Foundation Trenching	70.5
Framing	72.3
Highest Reference Noise Level at 50 Feet:	72.3

Receiver Location	Distance to Construction Activity (Feet)[2]	Distance Attenuation (dBA)[3]	Estimated Noise Barrier Attenuation (dBA)[4]	Construction Noise Level (dBA L_{max})
R1	85'	-4.6	0.0	67.7
R2	265'	-14.5	-5.0	52.8
R3	170'	-10.6	-5.0	56.7
R4	220'	-12.9	-5.0	54.4
R5	390'	-17.8	0.0	54.5
R6	100'	-6.0	0.0	66.3

[1] Reference construction noise level measurements taken by Urban Crossroads, Inc.
[2] Distance from the nearest point of construction activity to the nearest receiver.
[3] Point (stationary) source drop off rate of 6.0 dBA per doubling of distance.
[4] Estimated barrier attenuation from existing barriers in the Project study area.

Table 4.11-16 – Paving Equipment Noise Levels

Reference Construction Activity[1]	Reference Noise Level @ 50 Feet (dBA L_{max})
Concrete Paver Activities	71.3
Concrete Mixer Pour & Paving Activities	71.9
Highest Reference Noise Level at 50 Feet:	71.9

Receiver Location	Distance to Construction Activity (Feet)[2]	Distance Attenuation (dBA)[3]	Estimated Noise Barrier Attenuation (dBA)[4]	Construction Noise Level (dBA L_{max})
R1	70'	-2.9	0.0	69.0
R2	205'	-12.3	-5.0	54.6
R3	120'	-7.6	-5.0	59.3
R4	105'	-6.4	-5.0	60.5
R5	390'	-17.8	0.0	54.1
R6	100'	-6.0	0.0	65.9

[1] Reference construction noise level measurements taken by Urban Crossroads, Inc.
[2] Distance from the nearest point of construction activity to the nearest receiver.
[3] Point (stationary) source drop off rate of 6.0 dBA per doubling of distance.
[4] Estimated barrier attenuation from existing barriers in the Project study area.

Table 4.11-17 – Architectural Coating Equipment Noise Levels

Reference Construction Activity[1]	Reference Noise Level @ 50 Feet (dBA L_{max})
Construction Vehicle Maintenance Activities	70.4
Framing	72.3
Highest Reference Noise Level at 50 Feet:	72.3

Receiver Location	Distance to Construction Activity (Feet)[2]	Distance Attenuation (dBA)[3]	Estimated Noise Barrier Attenuation (dBA)[4]	Construction Noise Level (dBA L_{max})
R1	85'	-4.6	0.0	67.7
R2	265'	-14.5	-5.0	52.8
R3	170'	-10.6	-5.0	56.7
R4	220'	-12.9	-5.0	54.4
R5	390'	-17.8	0.0	54.5
R6	100'	-6.0	0.0	66.3

[1] Reference construction noise level measurements taken by Urban Crossroads, Inc.
[2] Distance from the nearest point of construction activity to the nearest receiver.
[3] Point (stationary) source drop off rate of 6.0 dBA per doubling of distance.
[4] Estimated barrier attenuation from existing barriers in the Project study area.

Unmitigated Project Construction Noise Levels

The highest construction noise level will occur when construction activities take place at the closes point form the center of the proposed project construction activity to each of the nearby receiver locations. Table 4.11-18 – *Unmitigated Construction Equipment Noise Level Summary,* shows the proposed project related short term construction noise levels. These levels are expected to approach 69.1dBA Lmax during mobile equipment grading and paving stages, and 67.0dBA Lmax during stationary equipment building construction and architectural coating stages.

Table 4.11-18 – Unmitigated Construction Equipment Noise Level Summary

Receiver Location[1]	Construction Stage Hourly Noise Level (dBA Lmax)						
	Mobile Equipment			Stationary Equipment		Highest Noise Levels[2]	
	Site Preparation	Grading	Paving	Building Construction	Architectural Coating	Mobile Equipment	Stationary Equipment
R1	69.1	69.1	69.0	67.7	67.7	69.1	67.7
R2	54.7	54.7	54.6	52.8	52.8	54.7	52.8
R3	59.4	59.4	59.3	56.7	56.7	59.4	56.7
R4	60.6	60.6	60.5	54.4	54.4	60.6	54.4

Receiver Location[1]	Construction Stage Hourly Noise Level (dBA Lmax)						
	Mobile Equipment			Stationary Equipment		Highest Noise Levels[2]	
	Site Preparation	Grading	Paving	Building Construction	Architectural Coating	Mobile Equipment	Stationary Equipment
R5	54.2	54.2	54.1	54.5	54.5	54.2	54.5
R6	66.0	66.0	65.9	66.3	66.3	66.0	66.3

[1] *Noise receiver locations are shown on Exhibit 10-A.*
[2] *Estimated construction noise levels during peak operating conditions.*

Unmitigated Project Construction Noise Levels

The *Noise Impact Analysis,* identified that the highest construction noise levels at the potentially impacted receiver locations are expected to approach 69.1dBA Lmax form mobile equipment. In addition, noise levels from stationary equipment are expected to reach 67.0dBA Lmax. These noise levels satisfy the LEMC construction noise standards of 75dBA Lmax for mobile equipment, however, it exceeds the noise level standard for stationary equipment of 60dBA Lmax. As shown in Table 4.11-19 – *Unmitigated Construction Equipment Noise Level Compliance,* the effected receivers would include R1 and R5. Through implementation of Mitigation Measure NOI-1, the proposed project will adhere to all mitigation measures outlined in Section 10.3.3 of the *Noise Impact Analysis* (Appendix L) regarding the reduction of construction noise. Therefore, with compliance with the LEMC and implementation of Mitigation Measure NOI-1, construction noise impacts would be less than significant.

Table 4.11-19 – Unmitigated Construction Equipment Noise Level Compliance

Receiver Location[1]	Highest Construction Activity Noise Levels[2]		Threshold[3]		Threshold Exceeded?[4]	
	Mobile	Stationary	Mobile	Stationary	Mobile	Stationary
R1	69.1	67.7	75	60	No	Yes
R2	54.7	52.8	75	60	No	No
R3	59.4	56.7	75	60	No	No
R4	60.6	54.4	75	60	No	No
R5	54.2	54.5	75	60	No	No
R6	66.0	66.3	75	60	No	Yes

[1] *Noise receiver locations are shown on Exhibit 10-A.*
[2] *Highest construction noise levels as shown on Table 10-7.*
[3] *Construction noise standards as shown on Tables 3-1 and 3-2.*
[4] *Do the estimated Project construction noise levels meet the construction noise level thresholds*

Reference Noise Levels

To estimate the proposed project's operational noise impacts, reference noise levels measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed project. This include noise generators such as roof-top air conditioning units, drive-thru speakerphones, trash enclosures, parking lots, gas station activity, car wash tunnels and car wash vacuum activity. The noise resources generated by the proposed project could adversely affect nearby sensitive receptors, which include residential uses adjacent to the south, east, west, and north. These noise levels will

vary through the day and according to the *Noise Impact Analysis,* noise sources were molded assuming peak operation activity with no period of inactivity while also operating simultaneously. Table 4.11-20 – *Reference Noise Level Measurement,* shows the reference noise level measurements used to estimate the proposed projects operation noise impacts. A detailed evaluation of noise levels for the above mentioned noise generators is described in detail in Section 9.1 of the *Noise Impact Analysis.* Exhibit 4-2, Operational Noise Source and Receiver Locations, identifies the locations of the noise receivers is relation to the location of operational noise sources.

Table 4.11-20 - Reference Noise Level Measurements

Noise Source	Measurement Duration (hh:mm:ss)	Distance From Source (Feet)	Noise Source Height (Feet)	Reference Noise Levels (dBA L_{50})	
				@ Ref. Dist.	@ 50 Feet
Roof-Top Air Conditioning Units[1]	96:00:00	5'	5'	74.4	54.4
Drive-Through Speakerphone[2]	00:03:00	15'	3'	60.9	50.4
Trash Enclosure Activity[3]	00:00:32	5'	5'	69.0	49.0
Commercial Parking Lot[4]	00:00:13	5'	5'	56.7	36.7
Gas Station Activities[5]	01:00:00	5'	5'	65.6	45.6
Car Wash Tunnel[6]	00:03:04	10'	8'	81.6	67.6
Car Wash Vacuum[7]	00:01:02	5'	3'	74.2	54.2

[1] *As measured by Urban Crossroads, Inc. on 7/27/2015 at the Santee Walmart located at 170 Town Center Parkway.*
[2] *As measured by Urban Crossroads, Inc. on 12/19/2014 at a Panera Bread drive-thru in the City of Brea.*
[3] *As measured by Urban Crossroads, Inc. on 5/3/2018 at trash enclosure in a parking lot in the City of Costa Mesa.*
[4] *As measured by Urban Crossroads, Inc. on 5/30/2012 at the Laguna Niguel Walmart located at 27470 Alicia Parkway.*
[5] *As measured by Urban Crossroads, Inc. on 4/26/2016 at an ARCO gas station located at 6501 Quail Hill Parkway in the City of Irvine.*
[6] *As measured by Urban Crossroads, Inc. on 6/6/2016 at the Audi Mission Viejo Dealership located at 28451 Marguerite Parkway.*
[7] *As measured by Urban Crossroads, Inc. on 5/27/2011 at an express car wash located at 1195 Baker Street in Costa Mesa.*

Unmitigated Project Operational Noise Levels

Unmitigated combined project operational noise levels associated with roof-top air conditioning units, drive-thru speakerphones, trash enclosures, parking lots, gas station activity, car wash tunnels and car wash vacuum activity are expected to range from 39.6 to 46.9dBA L50 at the noise-sensitive off-site receiver locations. The table below, Table 4.11-21, shows thus unmitigated noise levels. Figure 4-2, Operational Noise Source and Receiver Locations, shows the location of the noise receivers in reference to the sources of operation noise.

Table 4.11-21 - Unmitigated Project Operational Noise Levels

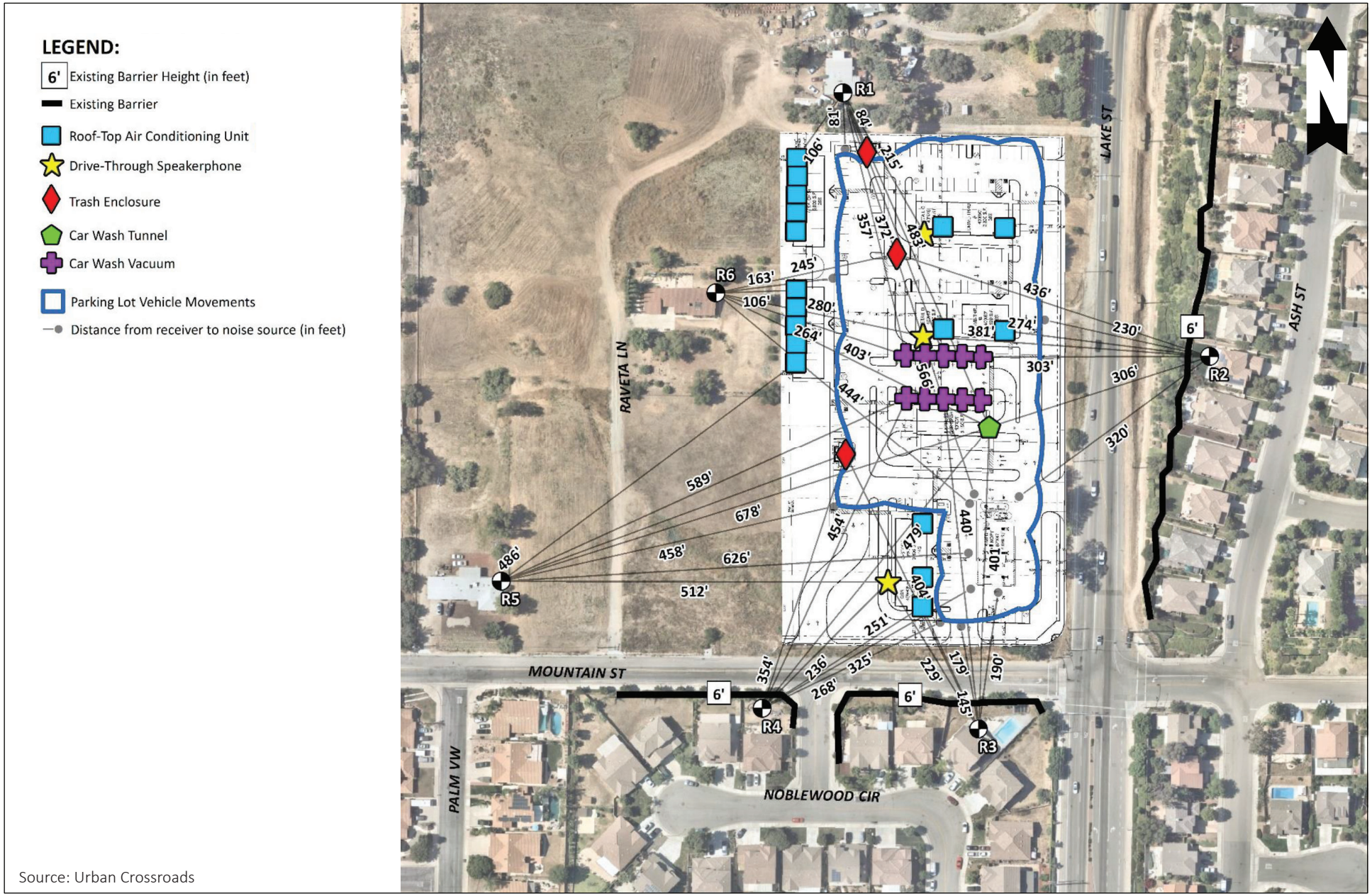
Receiver Location[1]	Noise Sources[2]	Operational Noise Levels (dBA)[3]				
		L50 (30 mins)	L25 (15 mins)	L8 (5 mins)	L2 (1 min)	L_{max} (Anytime)
	Air Conditioning Unit (Roof-Top)	35.4	37.1	38.4	38.7	39.2
	Drive-Through Speakerphone	24.4	25.6	27.1	28.8	29.9
	Trash Enclosure	29.5	35.5	42.5	47.5	49.0
	Parking Lot	32.5	36.5	39.5	42.9	55.3

Receiver Location[1]	Noise Sources[2]	Operational Noise Levels (dBA)[3]				
		L50 (30 mins)	L25 (15 mins)	L8 (5 mins)	L2 (1 min)	L_{max} (Anytime)
R1	Gas Station Activity	24.5	25.8	28.4	33.3	41.3
	Car Wash Tunnel	39.0	49.4	50.0	50.7	51.2
	Car Wash Vacuum Activity	23.2	24.4	26.2	27.0	27.8
	Combined Noise Level:	41.7	50.1	51.3	53.1	57.6
R2	Air Conditioning Unit (Roof-Top)	31.5	33.2	34.5	34.8	35.3
	Drive-Through Speakerphone	26.8	28.0	29.5	31.2	32.3
	Trash Enclosure	19.6	25.6	32.6	37.6	39.1
	Parking Lot	16.9	20.9	23.9	27.3	39.7
	Gas Station Activity	23.3	24.6	27.2	32.1	40.1
	Car Wash Tunnel	46.0	56.4	57.0	57.7	58.2
	Car Wash Vacuum Activity	38.6	39.8	41.6	42.4	43.2
	Combined Noise Level:	46.9	56.5	57.2	57.9	58.5
R3	Air Conditioning Unit (Roof-Top)	34.1	35.8	37.1	37.4	37.9
	Drive-Through Speakerphone	30.9	32.1	33.6	35.3	36.4
	Trash Enclosure	20.9	26.9	33.9	38.9	40.4
	Parking Lot	19.6	23.6	26.6	30.0	42.4
	Gas Station Activity	26.6	27.9	30.5	35.4	43.4
	Car Wash Tunnel	44.1	54.5	55.1	55.8	56.3
	Car Wash Vacuum Activity	30.1	31.3	33.1	33.9	34.7
	Combined Noise Level:	44.9	54.6	55.3	56.1	56.9

[1] See Exhibit 9-A for the receiver and noise source locations.
[2] Reference noise sources as shown on Table 9-1.
[3] Stationary source noise level calculations are provided in Appendix 9.1

Unmitigated Project Operational Noise Level Compliance with Applicable Standards

Project operational noise sources are expected to range from 39.6 to 46.9dBA L50 at sensitive off-site sensitive receiver locations. Table 4.11-22 – *Unmitigated Operational Noise Level Compliance,* shows that the proposed project operational-source noise levels at potentially affected receivers exceed the City of Lake Elsinore daytime and nighttime exterior noise level standards without mitigations. These unmitigated project operation noise level impacts are considered to be potentially significant. However, through implementation of Mitigation Measure NOI-2, the proposed project will adhere to all mitigation measures outlined in Section 9.2.3 of the *Noise Impact Analysis* (Appendix L) regarding the reduction of operational noise. Therefore, with implementation of Mitigation Measure NOI-2, operational noise impacts would be less than significant.



Source: Urban Crossroads

The Altum Group

Operational Noise Source and Receiver Locations

Lake and Mountain Commercial Center Project

Exhibit

4-2

Table 4.11-22 - Unmitigated Operational Noise Level Compliance

Receiver Location[1]	Land Use	Noise Level at Receiver Locations (dBA)[2]					Threshold Exceeded?[3]	
		L50 (30 mins)	L25 (15 mins)	L8 (5 mins)	L2 (1 min)	Lmax (Anytime)	Daytime	Nighttime
Exterior Noise Level Standards	Daytime Residential	50	55	60	65	70	-	-
	Nighttime Residential	40	45	50	55	60	-	-
R1	Residential	41.7	50.1	51.3	53.1	57.6	No	Yes
R2	Residential	46.9	56.5	57.2	57.9	58.5	Yes	Yes
R3	Residential	44.9	54.6	55.3	56.1	56.9	No	Yes
R4	Residential	39.6	48.6	49.3	50.1	50.8	No	Yes
R5	Residential	45.4	55.5	56.1	56.8	57.4	Yes	Yes
R6	Residential	40.1	49.2	50.5	52.5	54.8	No	Yes

[1] See Exhibit 9-A for the receiver and noise source locations.
[2] Estimated Project operational noise levels as shown on Table 9-2.
[3] Do the Project operational noise levels satisfy the operational noise level standards? "Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Mitigation Measure:

NOI-1: The following practices shall be implemented by the project applicant during construction activities:

- If R1 and R5 represents occupied residential use at the time of Project construction, install a minimum 12-foot high temporary construction noise barrier as shown on Exhibit ES-B, for the duration of Project construction. The noise control barriers must have a solid face from top to bottom. The noise control barrier must meet the minimum height and be constructed as follows:
    - The temporary noise barrier shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts. Example photos are provided in Appendix 10.2.;
    - The noise barrier must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired;
    - The noise control barrier and associated elements shall be completely removed, and the site appropriately restored upon the conclusion of the construction activity.
- Prior to approval of grading plans and/or issuance of building permits, plans shall include a note indicating that noise-generating Project construction activities shall only occur between the hours of 7:00 a.m. to 7:00 p.m. daily, or at any time on weekends or holidays, such that the sound therefrom creates a noise disturbance across a residential or commercial real property line, except for emergency work by public service utilities or by variance issued by the City is prohibited. (LEMC, Section 17.176.080 (F).

- During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project site.
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the Project site during all Project construction activities (i.e., to the center).
- The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 7:00 p.m. daily, with no activity allowed on Sundays or holidays). The contractor shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.
- The contractor shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.

NOI-2: To satisfy the applicable local noise standards the project shall implement the following operational noise mitigation measures:

- No car wash activities shall be permitted during the nighttime hours of 10:00 p.m. to 7:00 a.m.
- Reduce the car wash air blower and dryer equipment noise by locating the equipment inside the tunnel and/or utilize sound rated air blower and dryer equipment measuring no more than 71 dBA L50 at 10 feet.
- Incorporate parapet walls where appropriate
- Incorporate on-site noise barriers, landscaping, or similar physical features that would act to generally attenuate noise emanating from the Project related noise sources.
- If an outdoor speaker system is being used in conjunction with a Project, the outdoor speaker system shall be oriented away from sensitive receivers and the volume set at a level not readily audible past the property line.

Significance after Mitigation: Less-than-significant.

Impact 4.11-2: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction Vibration Impacts

Per the Federal Transit Administration (FTA) Transit Noise Impact and Vibration Assessment (8), vibration is the periodic oscillation of a medium object. The rumbling sound caused by the vibration of room surfaces is called structure-bore noise. Sources of ground-borne vibrations include natural phenomena or human-made causes which include things such as explosions, machinery, traffic, trains, and construction equipment. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affect structures and soils. It is expected that ground-borne vibration from the proposed project construction activities would cause only intermitted, localized intrusion. According to the *Noise Impact Analysis*, these construction activities would have the potential to generate low levels of ground-bore vibration within the project site including grading.

The proposed project is expected to produce ground-borne vibration form construction activities and would cause only intermittent, localized intrusion. These anticipated vibrations during construction activities are

expected to be caused by heavy construction equipment and trucks that would haul building materials. The *Noise Impact Analysis,* utilized vibration source level of construction equipment shown in Table 4.11-23 – *Unmitigated Construction Equipment Vibration Levels,* and the construction vibration assessment methodology published in by the FTA.

Table 4.11-23 - Unmitigated Construction Equipment Vibration Levels

Receiver Location[1]	Distance to Const. Activity (Feet)	Receiver PPV Levels (in/sec)[2]					RMS		
		Small Bulldozer (<80k lbs)	Jack-hammer	Loaded Trucks	Large Bulldozer (>80k lbs)	Peak Vibration (PPV)	Velocity Levels (in/sec)[3]	Threshold (RMS)	Threshold Exceeded?[4]
R1	85'	0.000	0.006	0.012	0.014	0.014	0.010	0.01	No
R2	265'	0.000	0.001	0.002	0.003	0.003	0.002	0.01	No
R3	170'	0.000	0.002	0.004	0.005	0.005	0.004	0.01	No
R4	220'	0.000	0.001	0.003	0.003	0.003	0.002	0.01	No
R5	390'	0.000	0.001	0.001	0.001	0.001	0.001	0.01	No

[1] *Receiver locations are shown on Exhibit 10-A.*
[2] *Based on the Vibration Source Levels of Construction Equipment included on Table 6-5.*
[3] *Vibration levels in PPV are converted to RMS velocity using a 0.71 conversion factor identified in the Caltrans Transportation and Construction Vibration Guidance Manual, September 2013.*
[4] *Does the peak vibration exceed the maximum acceptable vibration threshold shown on Table 3-4*

The proposed project's construction vibration velocity levels are expected to approach 0.01 in/sec root-mean-square (RMS) at the nearby receiver locations at distances ranging from 85 to 390 feet. According to the City of Lake Elsinore, the vibration threshold is 0.01 in/sec RMS, which indicates that construction-related vibration impacts are considered less than significant and no mitigation measures are required.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.11-3: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project site is not located near a private airstrip or a public airport. The nearest small private airport located within the vicinity of the project is located approximately 10 miles southeast of the site. In addition, the project site is not located within the Influence Area of this airport. Due to the distance of the airport it is not anticipated that they proposed project would expose employees and visitors to excessive aircraft-related noise. No impact would occur.

Mitigation Measure: None required

Significance after Mitigation: No Imapct

4.11.6 Cumulative Impacts

As evaluated in Threshold 4.11-1, the highest construction noise level will occur when construction activities take place at the closes point from the center of the proposed project construction activity to each of the nearby receiver locations. Using sample reference noise levels to represent the planned construction activities of the Lake and Mountain shopping Center site, the analysis from the *Noise Impact Analysis,* estimated the project construction levels at nearby receiver locations. The project related construction equipment noise levels satisfy the LEMC construction noise level standards of 75 dBA Lmax for mobile equipment, the noise Project noise levels will exceed the 60 dBA Lmax standards for stationary equipment during temporary Project construction activities at receiver locations R1 and R5. Noise impacts due to unmitigated Project construction noise levels is considered as a potentially significant impact at receiver locations R1 and R5. However, as mentioned in Threshold 4.11-1 mitigation measures would be implemented to reduce the impact of noise levels to these receptors. Therefore, impacts related to substantial temporary or permanent increase in ambient noise levels in the vicinity would be less than cumulatively considerable.

Per the evaluation of performed in Threshold 4.11-2, based on the reference levels provided by the FTA, project-related construction vibration velocity levels are expected to approach 0.01 in/sec root-mean-square (RMS) at the nearby receiver locations at distances ranging from 85 to 390 feet. Base on the City of Lake Elsinore vibration threshold of 0.01 in/sec RMS, the impacts would be less than significant. Therefore, projects related vibration impacts would be less than cumulatively considerable.

As noted in Threshold 4.11-3, the project site would not be subject to substantial noise associated with aircraft or airport operations and the nearest airport is located approximately 10 miles southeast. Therefore, has no potential to result in cumulatively-considerable impacts associated with aircraft- or airport-related noise.

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4.12 Public Services

This following section describes the existing public services for fire protection, police protection, schools, parks, libraries, and other facilities, and evaluates impacts to the environment that may result from the demand the project would have on such services. The information is based on various sources of information which is included in Chapter 8.0, *References*.

4.12.1 Environmental Setting

Fire Protection and Emergency Services

The City of Lake Elsinore contracts with the Riverside County Fire Department (RCFD). The level of service provided is dependent on response times, travel distance, and staffing workload levels established in the Riverside County Fire Protection and Emergency Medical Aid Plan. There are a total of four (4) located within the City. The nearest fire station (Station No. 97) is located at Rosetta Canyon, which is located approximately 5.8 miles east of the project site. The fire station that could serve the project site is staffed full time, 24 hours per day, 7 days per week, with a minimum four-person crew, including paramedics. The Project site is located in a Local Response Area (LRA) Very High Fire Hazard Severity Zone of Riverside County (County of Riverside, 2020).

Police Protection

The Lake Elsinore Police Department (LEPD) is contracted through the Riverside County Sheriff's Department. The LEPD is responsible for local, state and federal statutes, public safety, traffic enforcement and maintaining public order. Additionally, the Police Department utilizes Reserve Police Officers, who are volunteers that are fully trained as police officers and offer an additional level of service and cost savings to the City.

The nearest Sheriff's station is located approximately 4.2 miles south of the project site at 333 Limited Avenue. The City has a minimum service ratio of approximately 0.85 officers per 1,000 residents with a goal of 1.0 office per 1,000 residents (Lake Elsinore, 2011). At this time, the Lake Elsinore Police Department has sufficient officers to satisfy the minimum service ratio.

Schools

The project site is located in the Lake Elsinore Unified School District (LEUSD) for elementary through high school services. The project site is currently within the attendance boundary of Rice Canyon Elementary School, located at 29535 Westwind Dr., Lake Elsinore, CA 92530; Terra Cotta Middle School, located at 29291 Lake Street, Lake Elsinore, CA 92530; and Temescal Canyon High School, located at 28755 El Toro Road, Lake Elsinore, CA 92532.

Parks

The City of Lake Elsinore's Parks and Recreation Master Plan established the standard of 5.3 acres of usable park land per 1,000 population. Currently, the City is not deficient in park land.

4.12.2 Regulatory Setting

State Regulations

Public Resources Code Sections 4290-4299

This portion of the Public Resources Code (PRC) requires minimum statewide fire safety standards pertaining to: road standards for fire equipment access; standards for signs identifying streets, roads, and buildings; minimum private water supply reserves for emergency fire use; and fuel breaks and greenbelts. With certain exceptions, all new construction in potential wildland fire areas is required to meet the statewide standards. State requirements, however, do not supersede more restrictive local regulations.

California Code of Regulations (CCR) Title 24, Parts 2 and 9 – Fire Codes

Part 2 of Title 24 of the CCR refers to the California Building Code which contains complete regulations and general construction building standards of State of California adopting agencies, including administrative, fire and life safety and field inspection provisions. Part 2 was updated in 2008 to reflect changes in the base document from the Uniform Building Code to the International Building Code. Part 9 refers to the California Fire Code, which contains other fire safety-related building standards. In particular, Chapter 7A, "Materials and Construction Methods for Exterior Wildfire Exposure," in the 2010 California Building Code addresses fire safety standards for new construction and Section 701A.3.2 addresses "New Buildings Located in Any Fire Hazard Severity Zone."

CGC Section 51182 – Defensible Space

Pursuant to this code, a person who "owns, leases, controls, operates or maintains an occupied dwelling or occupied structure in, upon or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land or land that is covered with flammable material" in a very high fire hazard severity zone designated by the local agency pursuant to § 51179, shall at all times maintain a specified amount of "defensible space" to protect structures in high fire hazard areas.

PRC Section 4213 - Fire Prevention Fees

Pursuant to PRC Section 4213, in July of 2011, the State of California began assessing an annual "Fire Prevention Fee" for all habitable structures within the State's Responsibility Area (SRA) to pay for fire prevention services. The SRA is the portion of the state where the State of California is financially responsible for the prevention and suppression of wildfires. The SRA does not include lands within incorporated city boundaries, Tribal or federally owned land. As of 2013, the fee is up to $150 per habitable structure (i.e., a building that can be occupied for residential use, which does not include incidental buildings such as detached garages, barns, outdoor bathrooms, sheds, etc.).

Assembly Bill (AB) 16

In 2002, AB 16 created the Critically Overcrowded School Facilities program, which supplements the new construction provisions within the School Facilities Program (SFP). The SFP provides State of California funding assistance for new facility construction projects and modernization projects. The Critically Overcrowded School Facilities program allows school districts with critically overcrowded school facilities, as determined by the California Department of Education (CDE), to apply for new construction projects in advance of meeting all SFP new construction program requirements. Districts with SFP new construction eligibility and school sites included on a CDE list of source schools may apply.

Regional Regulations

Riverside County Fire Department Strategic Plan 2009-2029

The RCFD Strategic Plan (Strategic Plan) was prepared in order to set goals and priorities anticipating future growth and considering limited financial resources. The Strategic Plan includes strategies and implementation of action plans centered on goals that include fiscal sustainability, efficient and effective performance, quality facilities and the provision of cost effective services while maintaining a high level of customer service.

The Strategic Plan lists several factors that are projected to affect fire protection services, including building code improvements, an aging population, technological innovations, legislative and regulatory changes, changing climate and decreased water supply. As such, structure fires are decreasing, while medical emergencies and wildfires are increasing.

City of Lake Elsinore Regulations

Lake Elsinore General Plan

Goal 4: Adhere to an integrated approach to minimizing the threat of wildland fires to protect life and property using pre-fire management, suppression, and post-fire management.

Policy 4.1: Require on-going brush clearance and establish low fuel landscaping policies to reduce combustible vegetation along the urban/wildland interface boundary.

Policy 4.2: Create fuel modification zones around development within high hazard areas by thinning or clearing combustible vegetation within 100 feet of buildings and structures. The fuel modification zone size may be altered with the addition of fuel resistant building techniques. The fuel modification zone may be replanted with fire-resistant material for aesthetics and erosion control.

Policy 4.3: Establish fire resistant building techniques for new development such as non-combustible wall surfacing materials, fire-resistant treated wood, heavy timber construction, glazing enclosed materials and features, insulation without paper-facing, and automatic fire sprinklers.

Policy 4.4: Encourage programs that educate citizens about the threat of human wildfire origination from residential practices such as outdoor barbeques and from highway use such as cigarette littering.

Goal 8: Provide efficient and effective public safety services for the community.

Policy 8.1: Continue to follow Riverside County Fire Department most current guidelines to achieve standard response times and staffing levels.

Policy 8.2: Coordinate with the County of Riverside to provide adequate police services and staffing levels.

Lake Elsinore Municipal Code

Fire Code

According to Chapter 15.56, *Fire Code*, of the LEMC, the City has adopted the California Fire Code as published by the California Building Standards Commission and the International Code Council (with City-specific amendments). The California Fire Code is Title 24, Part 9 of the California Code of Regulations, and regulates new structures, alterations, additions, changes in use or changes in structures. The Code includes specific

information regarding safety provisions, emergency planning, fire-resistant construction, fire protection systems, means of egress and hazardous materials.

Burning and Fire Hazards
Chapter 8.20, Burning and Fire Hazards, of the LEMC, includes policies pertaining to the prevention of inflammables accumulation and allowed burning and incinerator use.

Development Impact Fees
Chapter 16.74 of the LEMC states the following regarding a program: a "program for the adoption and administration of development impacts fees by the City for the benefit of the citizens whereby as a condition to the issuance of a building permit or certificate of occupancy by the City, the property owner or land developer will be required to pay development impact fees or provide other consideration to the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which will benefit such new development." (Section 16.74.010). This chapter establishes an "Animal shelter facilities fee" (Section 16.74.048) to mitigate the additional burdens created by new development for animal facilities and a "Fire facilities fee" (16.74.049) to mitigate the additional burdens created by new development for City fire facilities.

Lake Elsinore Municipal Code (LEMC) – Title 16, Chapter 16.12 and Chapter 16.34

Title 16 of the LEMC sets for rules, regulations and specifications to control the division of land within the City. Through Section 16.12.060, the City Council reserves the right to set aside portions of a proposed land division for public schools and other public buildings, other than park and recreational facilities, that will be required for the population which is intended to occupy the land division under the plan of proposed property uses therein and for the general public.

Section 16.34.060 in Chapter 16.34 (Required Improvements) requires that prior to the issuance of a building permit, the applicant pay fees for the purposes set forth in that section. Paragraph B of Section 16.34.060 describes the City's Library Mitigation Fee and states that "Upon the recommendation of the Community Services Director and the concurrence of the City Manager, an in-lieu fee for future construction of library improvements shall be paid to the City of Lake Elsinore to assure the necessary library facilities are provided the community. Such facilities are to meet the Riverside City/County Library standards. An in-lieu fee as established by resolution shall be paid to the City at the time of building permit issuance. That amount shall be determined by the Community Services Director and transmitted to the Community Development Department for collection."

4.12.3 Thresholds of Significance

According to Appendix G of the California Environmental Quality Act (CEQA) Guidelines, the proposed project could have a potentially significant impact with respect to public services if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

1) Fire Protection
2) Police Protection

3) Schools
4) Parks; and
5) Other Governmental institutions

4.12.4 Methodology

The threshold of significance for this topic focuses on whether there would be adverse physical impacts associated with new or altered facilities for the provision of fire or law enforcement services. The methodology, therefore, evaluates the ability to serve the City and proposed project using the existing fire and police facilities and the potential need for new or physically altered facilities.

4.12.5 Impact Analysis

Impact 4.12-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services?

Prior to approval, the proposed project would be required to demonstrate compliance with all mandatory local, State, and federal laws, ordinances, and standards relating to fire safety. Among other items, these requirements include conformance with the Uniform Building Code Section 1503, which requires that all buildings be constructed with fire retardant roofing material. Alternative/secondary access routes would be required to be maintained throughout construction and buildout of the Project.

As indicated above under Section 4.12.1, the project site is located in the Local Responsibility Area "Very High Fire Hazard Severity Zone." As a condition of project approval, the project also would be required to conform to the special construction provisions contained in the LEMC Section 15.56.020(P), Title 14, the California Building Code, California Fire Code, and Riverside County Fire Department Information Bulletin #08-05 Fuel Modification Standard. As part of the Project's conditions of approval, plans would be required to be submitted for the Fire Department for review and approval prior to building permit issuance in order to demonstrate compliance with the applicable construction provisions.

Implementation of the proposed project would impact fire services by placing an additional demand on existing County Fire Department resources and personnel, and provide an adequate level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures and traffic. The project is required to adhere to LEMC Section 16.74.049, which requires payment of a DIF to assist the City in providing for fire protection facilities, including fire stations. Payment of the DIF fee would ensure that funds are available for capital improvements, such as land/equipment purchases and fire station construction. Accordingly, project-related impacts to fire protection services are evaluated as less than significant and no mitigation beyond payment of DIF fees would be required.

Based on the foregoing analysis, the project would have a less than significant impact associated with fire protection services.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

Impact 4.12-2: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services?

The proposed project would result in an increase in the cumulative demand for services from the Riverside County Sheriff's Department (RCSD), which provides police protection services to the project site. Although implementation of the proposed project would not directly result in an increase in population, the project would result in the creation of additional employment opportunities within the City. In order to reduce any potential impact on RCSD resources and service times, the project would be required to comply with the LEMC, which requires a development impact fee (DIF) payment to the City for impacts to public services and facilities, including sheriff facilities and services. Payment of the DIF fee would ensure that funds are available for either the purchase of new equipment and/or the hiring of additional sheriff personnel to maintain the County's desired level of service for sheriff protection.

Implementation of the project would not result in the need for new or expanded sheriff facilities, and impacts would be less than significant. The project's incremental demand for sheriff protection services also would be less than significant because the project would be required to contribute DIF fees. Accordingly, a less-than-significant impact would occur with respect to sheriff protection services or facilities as a result of implementation of the proposed project.

Based on the foregoing analysis, the project would have a less than significant impact associated with police protection services.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

Impact 4.12-3: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for school services?

The proposed project does not include the development of any land uses that would directly induce population growth; therefore, the proposed project would not result in an increase in school-aged children within the City. The proposed project would have no impact on school services.

Mitigation Measures: None required.

Significance after Mitigation: No impact.

Impact 4.12-4: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for park facilities?

The proposed project does not include the development of any land uses that would directly induce population growth; therefore, the proposed project would not result in an increase in the number of people utilizing City park space and contributing to its deterioration. However, the proposed project would be required to pay park

fees per the LEMC Section 16.74 that would contribute to the maintenance and improvement costs of parks and associated facilities within the City.

Based on the foregoing analysis, the project would have a less than significant impact associated with park facilities.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

Impact 4.12-5: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other governmental institutions?

The proposed project does not include the development of any land uses that would directly induce population growth. The City of Lake Elsinore is part of the Riverside County Library System. Section 16.34.060 in Chapter 16.34, Required Improvements, of the LEMC requires that prior to the issuance of a building permit, the applicant pay fees for the purposes set forth in that section:

- Paragraph B of Section 16.34.060 describes the City's Library Mitigation Fee and states that an in-lieu fee for future construction of library improvements shall be paid to the City to assure the necessary library facilities are provided the community.

The proposed Project does not include any housing that could generate additional residents who would use library services. Therefore, any impacts to library services would be incremental and would be offset through the payment of the appropriate library mitigation fee. Therefore, impacts related to libraries would be less than significant.

Other Public Services

Chapter 16.74 of the LEMC establishes a program for the adoption and administration of DIFs by the City for the purpose of defraying the costs of public expenditures for capital improvements and operational services to the extent allowed by law which will benefit such new development:

- Section 16.74.048 includes an "Animal Shelter Facilities Fee" to mitigate the additional burdens created by new development for animal facilities.
- In addition, the proposed Project will be required to pay City Hall & Public Works fees, Community Center Fees, and Marina Facilities Fees prior to the issuance of building permits. Payment of the above fees is a standard requirement and not considered unique mitigation under CEQA.

Based on the foregoing analysis, the project would have a less than significant impact associated with other governmental institutions.

Mitigation Measures: None required.

Significance after Mitigation: Less-than-significant.

4.12.6 Cumulative Impacts

The geographic context for cumulative public is the City of Lake Elsinore, which is the service area relative to the City's contracts for services with the Riverside County Fire and Sheriff's Departments and the area currently served by existing fire and police facilities within the City.

As described above, the project would comply with the applicable fire and public safety related regulations and provide on-site measures, such as security and fire resistant building materials to reduce demands related to fire and police services. Additionally, the project would be served by existing law enforcement and fire facilities. However, increased development within the City, could eventually require additional service facilities, such as a sheriff's substation. As a result, both the project and cumulative projects would be required to pay DIF fees to offset potential future demands for fire and police services. Further, cumulative project resulting in impacts to other public services (i.e. parks, schools, and libraries) would be required to pay DIF to offset the increased demands on services. Therefore, the project would not result in a cumulative-considerable impact associated with public services.

4.13 Transportation and Traffic

This section of the Draft Environmental Impact Report (EIR) addresses the existing transportation and traffic environment around the project site, investigated the potential significant impacts caused by the project, and suggests mitigation measures to reduce potential impacts to a level of less than significant. This Section of the EIR is based on the Traffic Impact Analysis prepared by Urban Crossroads (2020) and is included as Appendix M to this EIR. The Traffic Impact Analysis prepared by Urban Crossroads includes analysis of the following scenarios:

- Existing Conditions
- Existing Plus Project (E+P) Conditions
- Existing Plus Ambient Growth Plus Project (EAP) (2021)
- Existing Plus Ambient Growth Plus Project Plus Cumulative Projects (EAPC) (2021)

Additionally, the following eleven (11) intersections were selected for analysis in the Traffic Impact Analysis. There intersections constitute the study area for the Traffic Impact Analysis:

- Driveway 1/Ginger Root Way and Mountain Street
- Driveway 2 and Mountain Street - Future Intersection
- Lake Street and Nichols Road
- Lake Street and Alberhill Ranch Road
- Lake Street and Driveway 3 – Future Intersection
- Lake Street and Driveway 4 – Future Intersection
- Lake Street/Mountain Street
- Lake Street/Grand Avenue and Lakeshore Drive
- Lincoln Street and Grand Avenue
- Terra Cotta Road (N) and Lakeshore Drive
  Terra Cotta Road (S) and Lakeshore Drive

The Project is proposing to construct the following improvements as design features in conjunction with development of the site.

- Driveway 1/Ginger Root Way and Mountain Street (#1) – Project to install a stop control on the southbound approach and construct a southbound shared left-through-right turn lane.
- Driveway 2 and Mountain Street (#2) – Project to install a stop control on the southbound approach and construct a southbound right turn lane. Project will construct a pork chop island to restrict access to right-in/right-out only.
- Lake Street and Driveway 3 (#5) – Project to install a stop control on the eastbound approach and construct an eastbound right turn lane. Project will construct a raised median on Lake Street to restrict access at this driveway to right-in/right-out only.
- Lake Street and Driveway 4 (#6) – Project to install a stop control on the eastbound approach and construct an eastbound right turn lane. Project will construct a raised median on Lake Street to restrict access at this driveway to right-in/right-out only.
- Lake Street and Mountain Street (#7) – Maintain the existing traffic control and lane geometrics, however, the Project should modify the existing median on Lake Street to accommodate a 285-foot northbound left turn lane.

- Mountain Street – Mountain Street is an east-west oriented roadway located at the southern Project boundary. Construct Mountain Street to its ultimate half-section along the Project's frontage on the north side as a Local Street (60-foot right-of-way) in compliance with applicable City of Lake Elsinore standards. The Project will construct a pork chop island to restrict access to right-in/right-out access only for Driveway 2.
- Lake Street – Lake Street is a north-south oriented roadway located at the eastern Project boundary. Construct Lake Street to its ultimate half-section along the Project's frontage on the west side as an Urban Arterial Highway (120-foot right-of-way) in compliance with applicable City of Lake Elsinore standards. The Project will construct the raised median on Lake Street to restrict access to right-in/right-out access only at the two driveways on

4.13.1 Environmental Setting

Roadway Network

Regional Roadways

Interstate 15 (I-15): I-15 is a major north–south interstate highway connecting Riverside, San Bernardino, and San Diego Counties. To the north, I-15 connects with the Pomona Freeway (State Route 60), the Riverside Freeway (State Route 91), and the San Bernardino Freeway (Interstate 10) and is the link to the Inland Empire and greater Los Angeles. To the south, I-15 connects with the Escondido Freeway (I-215) and is the link to San Diego County. Currently, I-15 has three lanes in each direction within the Lake Elsinore Sphere of Influence (City of Lake Elsinore, 2011).

State Route 74 (SR 74): SR 74 is a west-east state highway connecting the City Palm Desert with the City of San Juan Capistrano, passing through the City of Lake Elsinore as Central Avenue.

Local Access Roadways

The two local roadways adjacent to the project site include Mountain Street and Lake Street. Lake Street is a north-south oriented roadway at the eastern project boundary and is classified as an Urban Arterial" roadway. Mountain Street is an east-west oriented roadway located at the southern project boundary and is classified as a "Local Street". There are currently no driveways to access the project site, except for a dirt path off Lake Street to access the residence located in the northern portion of the project site.

Pedestrian and Bicycle Facilities

The City of Lake Elsinore Bikeway Plan is shown on Figure 2.5 and Lake Elsinore Area Trails System is shown on Exhibit 2.6 of the General Plan. There is currently a historic trail along Lake Street within the study area, identified as "Lake Street Historical Trail". Nichols Road, Lake Street, Lakeshore Drive, and Lincoln Avenue (south of Grand Avenue) are designated as Class II bike facilities per the City of Lake Elsinore General Plan. There is also a planned Class II bike path along Lakeshore Drive within the study area. Existing pedestrian facilities within the study area are shown on Exhibit 3-6 of the Traffic Impact Analysis. Field observations associated with the Traffic Impact Analysis and conducted in September 2019 indicate nominal pedestrian and bicycle activity within the study area.

Transit Service

The Riverside Transit Authority (RTA) currently serves the City of Lake Elsinore. Transit service is reviewed and updated by RTA periodically to address ridership, budget, and community demand needs. RTA Route 8 runs

along Lakeshore Drive and Riverside Drive and RTA Route 9 and Route 205/206 run along Collier Avenue and the I-15 Freeway. However, there are currently no transit routes within the vicinity of the Project site.

Existing Traffic Conditions

The Traffic Impact Analysis included an analysis of existing intersection LOS based on the traffic volumes observed during the peak hour conditions using traffic count data collected on Thursday, September 19, 2019. The following peak hours were selected for analysis:

- Weekday AM Peak Hour (peak hour between 7:00 AM and 9:00 AM)
- Weekday PM Peak Hour (peak hour between 4:00 PM and 6:00 PM)

The weekday AM and weekday PM peak hour count data were representative of typical weekday peak hour traffic conditions near the project site. There were no observations made in the field that would indicate atypical traffic conditions on the count dates, such as construction activity or detour routes and near-by schools were in session and operating on normal schedules. Existing weekday Average Daily Traffic (ADT) volumes are shown on Exhibit 3-8 of the Traffic Impact Analysis. Additionally, existing weekday AM and weekday PM peak hour intersection volumes are also shown on Exhibit 3-8.

Intersection Operations Near Project Site

Existing peak hour traffic operations have been evaluated for the eleven (11) intersections that constitute the study area based on the analysis methodologies presented in Section 2.2 Intersection Capacity Analysis of the Traffic Impact Analysis. The intersection operations analysis results are summarized in Table 4.13-1, *Intersection Analysis for Existing Conditions*, which indicates that all the study area intersections are currently operating at an acceptable LOS during the peak hours under existing traffic conditions.

Table 4.13-1 - Intersection Analysis for Existing (2019) Conditions

#	Intersection	Traffic Control[3]	Intersection Approach Lanes[1]				Delay[2]		Level of Service	
			North bound L T R	South bound L T R	East bound L T R	West bound L T R	AM	PM	AM	PM
1	Driveway 1/Ginger Root Wy. & Mountain St.	CSS	0 1 0	0 0 0	0 1 0	0 1 0	9.9	8.8	A	A
2	Driveway 2 & Mountain St.	T	Future Intersection							
3	Lake St. & Nichols Rd.	S	1 1 1	1 1 0	0 1 0	0 1 0	18.6	21.3	B	C
4	Lake St. & Alberhill Ranch Rd.	T	0 1 1	1 1 0	0 0 0	1 0 1	12.5	8.1	B	A
5	Lake St. & Driveway 3	S	Future Intersection							
6	Lake St. & Driveway 4	TS	Future Intersection							
7	Lake St. & Mountain St.	TS	1 1 1	1 1 0	1 1 0	1 1 0	19.6	11.6	B	B
8	Lake St./Grand Av. & Lakeshore Dr.	TS	1 2 1	2 2 d	0 2 0	1 1 2>	34.9	20.5	C	C
9	Lincoln St. & Grand Av.	CS	1 2 0	1 2 0	1 2 1	1 2 d	28.2	18.5	C	B
10	Terra Cotta Rd. (N) & Lakeshore Dr.	S	0 0 0	1 0 d	1 2 0	0 1 0	16.6	12.5	C	B
11	Terra Cotta Rd. (S) & Lakeshore Dr.	TS	0 1 0	0 0 0	0 1 1	1 1 0	9.2	8.4	A	A

[1] *When a right turn is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be sufficient width for right turning vehicles to travel*

outside the through lanes.

L = Left; T = Through; R = Right; > = Right-Turn Overlap Phasing; d= Defacto Right Turn Lane

[2] *Per the Highway Capacity Manual (6th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown. HCM delay reported in seconds.*

[3] *CSS = Cross-street Stop; TS = Traffic Signal*

Consistent with Table 4.13-1, a summary of the peak hour intersection LOS for existing traffic conditions is shown on Exhibit 3-9 of the Traffic Impact Analysis. As shown in Table 4.13-1, the study area intersections are currently operating at an acceptable LOS during the peak hours under existing traffic conditions.

Traffic Signal Warrants

Traffic signal warrants for existing traffic conditions are based on existing peak hour intersection turning volumes. There are no unsignalized study area intersections that currently warrant a traffic signal under existing traffic conditions.

4.13.2 Regulatory Setting

State Regulations

Assembly Bill 1358 – Complete Streets Act

In September 2008, Gov. Arnold Schwarzenegger signed into law Assembly Bill 1358, the Complete Streets Act. AB 1358 requires that the legislative body of a city or county, upon any substantive revision of the circulation element of the general plan, modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan. By requiring new duties of local officials, AB 1358 imposes a state-mandated local program.

AB 1358 required the Office of Planning and Research (OPR) to prepare or amend guidelines for a legislative body to accommodate the safe and convenient travel of users of streets, roads, and highways in a manner that is suitable to the rural, suburban, or urban context of the general plan, and in doing so to consider how appropriate accommodation varies depending on its transportation and land use context. It authorizes OPR, in developing these guidelines, to consult with leading transportation experts, including, but not limited to, bicycle transportation planners, pedestrian planners, public transportation planners, local air quality management districts, and disability and senior mobility planners.

Senate Bill 743 and VMT-Based Analyses

Senate Bill 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA Guidelines regarding the analysis of transportation impacts. As one appellate court explained: “During the last 10 years, the Legislature has charted a course of long-term sustainability based on denser infill development, reduced reliance on individual vehicles and improved mass transit, all with the goal of reducing greenhouse gas emissions. Section 21099 is part of that strategy…” (Covina Residents for Responsible Development v. City of Covina (2018) 21 Cal.App.5th 712, 729.) Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” (Id., subd. (b)(1); see generally, adopted CEQA Guidelines, § 15064.3, subd. (b) [Criteria for Analyzing Transportation Impacts].) To that end, in developing the criteria, OPR has proposed, and the California Natural

Resources Agency (Agency) has certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by "level of service" and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA, once the revised requirements go into effect Statewide on July 1, 2020. (Pub. Resources Code, § 21099, subd. (b)(3).)

Regional Regulations

Senate Bill 743 and VMT-Based Analyses

Senate Bill 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA Guidelines regarding the analysis of transportation impacts. As one appellate court explained: "During the last 10 years, the Legislature has charted a course of long-term sustainability based on denser infill development, reduced reliance on individual vehicles and improved mass transit, all with the goal of reducing greenhouse gas emissions. Section 21099 is part of that strategy…" (Covina Residents for Responsible Development v. City of Covina (2018) 21 Cal.App.5th 712, 729.) Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (Id., subd. (b)(1); see generally, adopted CEQA Guidelines, § 15064.3, subd. (b) [Criteria for Analyzing Transportation Impacts].) To that end, in developing the criteria, OPR has proposed, and the California Natural Resources Agency (Agency) has certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by "level of service" and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA, once the revised requirements go into effect Statewide on July 1, 2020. (Pub. Resources Code, § 21099, subd. (b)(3).)

Western Riverside County Transportation Uniform Mitigation Fee Program

The Western Riverside Transportation Uniform Mitigation Fee (TUMF) Program funds large regional infrastructure improvements, i.e., interchanges, major regional roadways, etc. The Western Riverside Council of Governments (WRCOG) is designated as the program administrator for the TUMF program. As administrator, WRCOG receives all fees generated from the TUMF collected by the local jurisdictions. WRCOG invests, accounts for, and expends the funds in accordance with the TUMF ordinance, the administrative plan, and applicable state laws. The proposed project will be required to contribute to its fair share of TUMF fees.

City of Lake Elsinore Regulations

Lake Elsinore General Plan

The policies, goals, and implementation measures in the Lake Elsinore General Plan Circulation Element for traffic and transportation that are applicable to the project are provided below. The Lake Elsinore General Plan contains additional policies, goals, and implementation measures that are more general in nature and are not specific to a particular development. Therefore, they are not listed below, but all policies, goals, and implementation measures in the Lake Elsinore General Plan are incorporated by reference. Level of service standards for different areas of the City are described below under Threshold of Significance.

4.13.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, the proposed project could have a significant impact with respect to transportation and traffic if it would:

1) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.
2) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision(b).
3) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment).
4) Result in inadequate emergency access.

4.13.4 Methodology

The methodologies utilized in the Traffic Impact Analysis are generally consistent with City of Lake Elsinore traffic study guidelines.

Level of Service

Traffic operations of roadway facilities are described using the term "Level of Service" (LOS). LOS is a qualitative description of traffic flow based on several factors such as speed, travel time, delay, and freedom to maneuver. Six levels are typically defined ranging from LOS A, representing completely free-flow conditions, to LOS F, representing breakdown in flow resulting in stop-and-go conditions. LOS E represents operations at or near capacity, an unstable level where vehicles are operating with the minimum spacing for maintaining uniform flow.

Intersection Capacity Analysis

The definitions of LOS for interrupted traffic flow (flow restrained by the existence of traffic signals and other traffic control devices) differ slightly depending on the type of traffic control. The LOS is typically dependent on the quality of traffic flow at the intersections along a roadway. The Highway Capacity Manual (HCM), 6th Edition, methodology expresses the LOS at an intersection in terms of delay time for the various intersection approaches. The HCM uses different procedures depending on the type of intersection control.

Signalized Intersections

The City of Lake Elsinore requires signalized intersection operations analysis based on the methodology described in the HCM. Intersection LOS operations are based on an intersection's average control delay. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. For signalized intersections LOS is directly related to the average control delay per vehicle and is correlated to a LOS designation (see Table 2-1 of the Traffic Impact Analysis). Intersection near the project site have been evaluated using the Synchro (Version 10) analysis software package.

Synchro is a macroscopic traffic software program that is based on the signalized intersection capacity analysis as specified in the HCM. Macroscopic level models represent traffic in terms of aggregate measures for each movement at the study intersections. Equations are used to determine measures of effectiveness such as delay and queue length. The level of service and capacity analysis performed by Synchro takes into consideration optimization and coordination of signalized intersections within a network.

The peak hour traffic volumes were adjusted using a peak hour factor (PHF) to reflect peak 15-minute volumes. Common practice for LOS analysis is to use a peak 15-minute rate of flow. However, flow rates are typically expressed in vehicles per hour. The PHF is the relationship between the peak 15-minute flow rate and the full hourly volume (e.g. PHF = [Hourly Volume] / [4 x Peak 15-minute Flow Rate]). The use of a 15-minute PHF produces a more detailed analysis as compared to analyzing vehicles per hour. Existing PHFs have been used for all near-term analysis scenarios. Per the HCM, PHF values over 0.95 often are indicative of high traffic volumes with capacity constraints on peak hour flows while lower PHF values are indicative of greater variability of flow during the peak hour.

Unsignalized Intersections

The City of Lake Elsinore requires the operations of unsignalized intersections be evaluated using the methodology described in the HCM. The LOS rating is based on the weighted average control delay expressed in seconds per vehicle (see Table 2-2 of the Traffic Impact Analysis).

At two-way or side-street stop-controlled intersections, LOS is calculated for each controlled movement and for the left turn movement from the major street, as well as for the intersection as a whole. For approaches composed of a single lane, the delay was computed as the average of all movements in that lane. For all-way stop controlled intersections, LOS is computed for the intersection as a whole.

Traffic Signal Warrant Analysis

The term "signal warrants" refers to the list of established criteria used by Caltrans and other public agencies to quantitatively justify or ascertain the potential need for installation of a traffic signal at an otherwise unsignalized intersection. This TIA uses the signal warrant criteria presented in the latest edition of the Caltrans' California Manual on Uniform Traffic Control Devices (CA MUTCD), for all study area intersections.

The signal warrant criteria for existing study area intersections are based upon several factors, including volume of vehicular and pedestrian traffic, frequency of accidents, and location of school areas. The CA MUTCD indicates that the installation of a traffic signal should be considered if one or more of the signal warrants are met. Specifically, the TIA utilizes the Peak Hour Volume-based Warrant 3 as the appropriate representative traffic signal warrant analysis for existing traffic conditions. Warrant 3 is appropriate to use for this TIA because it provides specialized warrant criteria for intersections with rural characteristics (e.g. located in communities with populations of less than 10,000 persons or with adjacent major streets operating above 40 miles per hour). For the purposes of this study, the speed limit was the basis for determining whether Urban or Rural warrants were used for a given intersection.

As shown in Table 2-3 of the Traffic Impact Analysis, traffic signal warrant analyses were performed for the following unsignalized study area intersections during the peak weekday conditions wherein the project is anticipated to contribute the highest trips:

- Driveway 1/Ginger Root Way & Mountain Street.
- Terra Cotta Road (N) & Lakeshore Drive

Traffic signal warrant analyses were not performed for Driveway 2, Driveway 3, or Driveway 4 as these locations are proposed to be restricted to right-in/right-out access only and would not be suitable for signalization.

It is important to note that a signal warrant defines the minimum condition under which the installation of a traffic signal might be warranted. Meeting this threshold condition does not require that a traffic control signal be installed at a particular location, but rather, that other traffic factors and conditions be evaluated in order to determine whether the signal is truly justified. It should also be noted that signal warrants do not necessarily correlate with LOS. An intersection may satisfy a signal warrant condition and operate at or above acceptable LOS or operate below acceptable LOS and not meet a signal warrant.

Minimum Acceptable Level of Service and Intersection Deficiency Criteria

The City, pursuant to its 2011 General Plan, requires that peak hour intersection operations be at LOS D or better to be considered acceptable. Therefore, City intersections operating at LOS E or F would be considered deficient.

4.13.5 Impact Analysis

Impact 4.13-1: Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

This section presents the traffic volumes estimated to be generated by the project's trip assignment onto the roadway network surrounding the project site. It is anticipated that the Project would be developed in a single phase with an anticipated Opening Year of 2021. For the purpose of this analysis, the following driveways will provide access to the project site:

- Driveway 1 via Mountain Street – Full Access
- Driveway 2 via Mountain Street – Right-in/Right-out access only
- Driveway 3 via Lake Street – Right-in/Right-out access only
- Driveway 4 via Lake Street – Right-in/Right-out access only

Project Trip Generation

Trip generation represents the amount of traffic which is both attracted to and produced by a development. Determining traffic generation for a specific project is therefore based upon forecasting the amount of traffic that is expected to be both attracted to and produced by the specific land uses being proposed for a given development.

The trip generation rates used for this analysis are based upon information collected by the ITE as provided in their Trip Generation Manual (10th Edition, 2017) for Shopping Center (ITE Land Use Code 820), Fast-Food Restaurant with Drive- Through Window (ITE Land Use Code 934), Super Convenience Market/Gas Station (ITE Land Use Code 960), and Automated Car Wash (ITE Land Use Code 948). A summary of the project's trip generation is shown in Table 14.13-2, Project Trip Generation Summary, below. The

As the project is proposed to include shopping center, gas station, and other complementary uses, pass-by percentages have been obtained from the ITE Trip Generation Handbook (3rd Edition, 2017). Patrons of the gas station may also visit other uses on-site, including the restaurants, car wash, and retail uses, without leaving the site. The ITE Trip Generation Handbook has been utilized to determine the internal capture for the applicable mix of uses. Pass-by trip reductions at the project driveways and site adjacent intersection of Lake Street and Mountain Street are shown on Exhibit 4-2 of the Traffic Impact Analysis.

As the trip generation for the project site was conservatively estimated based on individual land uses as opposed to the average ITE Shopping Center rate, an internal capture reduction was applied to recognize the interactions that would occur between the various complementary land uses. The internal capture is based on the National Cooperative Highway Research Program's (NCHRP Report 684) internal capture trip capture estimation tool.

As shown in Table 4.13-2, the proposed project is anticipated to generate a net total of 3,696 trip-ends per day with 380 AM peak hour trips and 319 PM peak hour trips.

Table 4.13-2 - Project Trip Generation Summary

Project Land Uses	Quantit	Units[1]	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Daily
Shopping Center	13.200	TSF	98	60	158	58	63	121	1,517
Internal Capture (Retail to Restaurant)[2]:			-1	-1	-2	-5	-4	-9	-113
Net External Trips:			97	59	156	53	59	112	1,404
Pass-by Reduction (PM/Daily: 34%)[3]:			0	0	0	-18	-18	-36	-478
Shopping Center Total:			*97*	*59*	*156*	*35*	*41*	*76*	*926*
Gasoline/Service Station w/Convenience Mkt.	3.400	TSF	141	141	282	118	118	236	2,848
Internal Capture (Retail to Restaurant)[2]:			-18	-25	-43	-42	-32	-74	-894
Net External Trips:			123	116	239	76	86	162	1,954
Pass-by Reduction (AM: 62%; PM/Daily: 56%)[3]:			-72	-72	-144	-43	-43	-86	-1,094
Gasoline/Service Station w/Conven. Mkt. Total:			*51*	*44*	*95*	*33*	*43*	*76*	*860*
Fast-Food Restaurant with Drive-Through Window	7.365	TSF	151	145	296	125	115	240	3,470
Internal Capture (Restaurant to Retail)[2]:			-26	-19	-45	-36	-47	-83	-1,202
Net External Trips:			125	126	251	89	68	157	2,268
Pass-by Reduction (AM: 49%, PM: 50%, Daily: 50%)[3]:			-61	-61	-122	-34	-34	-68	-1,134
Fast-Food Restaurant with Drive-Through Window Total:			*64*	*65*	*129*	*55*	*34*	*89*	*1,134*
Automated Car Wash	1.000	TUN	N/A	N/A	N/A	39	39	78	776
Total Net Trips			***212***	***168***	***380***	***162***	***157***	***319***	***3,696***

[1] *TSF = thousand square feet; TUN = Tunnels*

[2] *Internal capture calculated from NCHRP 684 Internal Trip Capture Estimation Tool.*

[3] *Source: ITE Trip Generation Handbook, 3rd Edition, 2017.*

Project Trip Distribution

The project trip distribution and assignment process represents the directional orientation of traffic to and from the project site. The trip distribution pattern is heavily influenced by the geographical location of the site, the location of surrounding uses, and the proximity to the regional freeway system. The Project trip distribution pattern is graphically depicted on Exhibit 4-2 of the Traffic Impact Analysis.

Modal Split

The potential for project trips to be reduced by the use of public transit, walking or bicycling have not been included as part of the project's estimated trip generation. Essentially, the project's traffic projections are "conservative" in that these alternative travel modes would reduce the forecasted traffic volumes.

Project Trip Assignment

The assignment of traffic from the project area to the adjoining roadway system is based upon the project trip generation, trip distribution, and the arterial highway and local street system improvements that would be in place by the time of initial occupancy of the project. Based on the identified project traffic generation and trip

distribution patterns, project only ADT and peak hour intersection turning movement volumes are shown on Exhibit 4-3 of the Traffic Impact Analysis.

Background Traffic

Future year traffic forecasts have been based upon background (ambient) growth of 4.04% (2% per year compounded annually over two years) for 2021 traffic conditions. This ambient growth rate is added to existing traffic volumes to account for area-wide growth not reflected by cumulative development projects. Ambient growth has been added to daily and peak hour traffic volumes on surrounding roadways, in addition to traffic generated by the development of future projects that have been approved but not yet built and/or for which development applications have been filed and are under consideration by governing agencies.

Cumulative Development Traffic

A cumulative project list, included as Table X, was developed for the purposes of this analysis through consultation with planning and engineering staff from the City of Lake Elsinore. Table X includes a summary of cumulative development projects and their proposed land uses. If applicable, the traffic generated by individual cumulative projects was manually added to the EAP (2021) forecasts to ensure that traffic generated by the listed cumulative development projects in Table X are reflected as part of the background traffic to estimate EAPC (2021) traffic forecasts.

For the purposes of this study, an absorption percentage has been applied to the cumulative development traffic. It is unlikely that each cumulative development project will be fully constructed and occupied by the year 2021. As such, 15% of the cumulative development traffic is added on top of EAP (2021) traffic volumes. Cumulative ADT and peak hour intersection turning movement volumes are shown on Exhibit 4-5 of the Traffic Impact Analysis.

Existing Plus Project (E+P) Conditions

This section discusses the traffic forecasts for Existing plus Project (E+P) conditions and the resulting intersection operations and traffic signal warrant analyses.

E+P Project Traffic Volume Forecasts

This scenario includes existing traffic volumes plus project traffic. The ADT volumes and weekday AM and PM peak hour intersection turning movement volumes which can be expected for E+P traffic conditions are shown on Exhibit 5-1 of the Traffic Impact Analysis.

Intersection Operations Analysis

E+P peak hour traffic operations have been evaluated for the study area intersections based on the analysis methodologies presented the Methodologies Section, above. The intersection analysis results are summarized in Table 4.13-3, Intersection Analysis for E+P Conditions, below, which indicates that there are no study area intersections anticipated to operate at an unacceptable LOS with the addition of project traffic, consistent with existing traffic conditions.

Table 4.13-3 - Intersection Analysis for E+P Conditions

#	Intersection	Traffic Control[2]	Existing (2019) Delay[1] (Secs.)		Existing (2019) Level of Service		E+P Delay[1] (secs.)		E+P Level of Service	
			AM	PM	AM	PM	AM	PM	AM	PM
1	Driveway 1/Ginger Root Wy. & Mountain St.	CSS	9.9	8.8	A	A	21.8	23.0	C	C
2	Driveway 2 & Mountain St.	**CSS**	Future Intersection				10.0	10.7	B	B
3	Lake St. & Nichols Rd.	TS	18.6	21.3	B	C	19.3	22.2	B	C
4	Lake St. & Alberhill Ranch Rd.	TS	12.5	8.1	B	A	13.1	8.8	B	A
5	Lake St. & Driveway 3	**CSS**	Future Intersection				12.9	24.2	B	C
6	Lake St. & Driveway 4	**CSS**	Future Intersection				10.8	14.6	B	B
7	Lake St. & Mountain St.	TS	19.6	11.6	B	B	32.6	42.9	C	D
8	Lake St./Grand Av. & Lakeshore Dr.	TS	34.9	20.5	C	C	37.1	21.4	D	C
9	Lincoln St. & Grand Av.	TS	28.2	08.5	C	B	29.3	18.8	C	B
10	Terra Cotta Rd. (N) & Lakeshore Dr.	CSS	16.6	12.5	C	B	17.8	13.0	C	B
11	Terra Cotta Rd. (S) & Lakeshore Dr.	TS	9.2	8.4	A	A	10.6	9.2	B	A

[1] Per the Highway Capacity Manual (6th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown. HCM delay reported in seconds.

[2] CSS = Cross-street Stop; TS = Traffic Signal; **CSS** = Improvement

Traffic Signal Warrant Analysis

With the addition of project traffic, the following unsignalized study area intersection is anticipated to warrant a traffic signal for E+P traffic conditions:

- Driveway 1/Ginger Root Way & Mountain Street

The intersection of Driveway 1/Ginger Root Way and Mountain Street is anticipated to operate at an acceptable LOS during the peak hours as an unsignalized, cross-street stop-controlled intersection under E+P traffic conditions. As such, a traffic signal has not been recommended at this intersection.

Existing Plus Ambient Growth Plus Project (EAP)

This section discusses the traffic forecasts for EAP conditions and the resulting intersection operations and traffic signal warrant analyses.

EAP Project Traffic Volume Forecasts

This scenario includes Existing traffic volumes plus an ambient growth factor of 4.04% (2% per year compounded annually for two years). The weekday ADT and weekday AM and PM peak hour volumes which can be expected for EAP (2021) traffic conditions are shown on Exhibit 6-1 of the Traffic Impact Analysis.

Intersection Operations Analysis

LOS calculations were conducted for the study intersections to evaluate their operations under EAP (2021) traffic conditions with the roadway and intersection geometrics. As shown in Table 4.13-4, Intersection

Analysis for EAP (2021) Conditions, below, there are no study area intersections anticipated to operate at an unacceptable LOS during the peak hours under EAP (2021) traffic conditions, consistent with existing traffic conditions.

Table 4.13-4 Intersection Analysis for EAP (2021) Conditions

#	Intersection	Traffic Control[2]	Existing (2019) Delay[1] (Secs.)		Existing (2019) Level of Service		EAP (2021) Delay[1] (secs.)		EAP (2021) Level of Service	
			AM	PM	AM	PM	AM	PM	AM	PM
1	Driveway 1/Ginger Root Wy. & Mountain St.	CSS	9.9	8.8	A	A	22.6	23.8	C	C
2	Driveway 2 & Mountain St.	**CSS**	Future Intersection				10.0	10.7	B	B
3	Lake St. & Nichols Rd.	TS	18.6	21.3	B	C	20.1	23.5	C	B
4	Lake St. & Alberhill Ranch Rd.	TS	12.5	8.1	B	A	13.9	9.2	B	A
5	Lake St. & Driveway 3	**CSS**	Future Intersection				13.2	25.9	B	D
6	Lake St. & Driveway 4	**CSS**	Future Intersection				10.9	15.0	B	C
7	Lake St. & Mountain St.	TS	19.6	11.6	B	B	33.4	44.5	C	D
8	Lake St./Grand Av. & Lakeshore Dr.	TS	34.9	20.5	C	C	38.6	21.9	D	C
9	Lincoln St. & Grand Av.	TS	28.2	08.5	C	B	30.0	19.0	C	B
10	Terra Cotta Rd. (N) & Lakeshore Dr.	CSS	16.6	12.5	C	B	18.4	13.2	C	B
11	Terra Cotta Rd. (S) & Lakeshore Dr.	TS	9.2	8.4	A	A	11.0	9.3	B	A

[1] *Per the Highway Capacity Manual (6th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown. HCM delay reported in seconds.*

[2] *CSS = Cross-street Stop; TS = Traffic Signal; **CSS** = Improvement*

Traffic Signal Warrant Analysis

There are no additional unsignalized study area intersections that are anticipated to warrant a traffic signal for EAP (2021) traffic conditions, in addition to the intersection identified under E+P traffic conditions.

Existing Plus Ambient Growth Plus Project Plus Cumulative Projects (EAPC)

This section discusses the methods used to develop EAPC (2021) traffic forecasts, and the resulting intersection operations and traffic signal warrant analyses.

EAPC Project Traffic Volume Forecasts

This scenario includes existing traffic volumes plus an ambient growth factor of 4.04% (2% per year compounded annually for two years) plus traffic from pending and approved but not yet constructed known development projects in the area, in conjunction with project traffic. The weekday ADT and weekday AM and PM peak hour volumes which can be expected for EAPC (2021) traffic conditions are shown on Exhibit 7-1 of the Traffic Impact Analysis.

Intersection Operations Analysis

LOS calculations were conducted for the study intersections to evaluate their operations under EAPC (2021) traffic conditions with the roadway and intersection geometrics consistent with Section 7.1 Roadway

Improvements. As shown in Table 4.13-5, Intersection Analysis for EAPC (2021) Conditions, below, there are no study area intersections anticipated to operate at an unacceptable LOS during the peak hours under EAPC (2021) traffic conditions, consistent with existing (2019) traffic conditions.

Table 4.13-5 Intersection Analysis for EAPC (2021) Conditions

#	Intersection	Traffic Control[2]	EAPC (2021) Delay[1] (secs.)		EAPC (2021) Level of	
			AM	PM	AM	PM
1	Driveway 1/Ginger Root Wy. & Mountain	CSS	22.8	24.4	C	C
2	St. Driveway 2 & Mountain St.	**CSS**	10.0	10.7	B	B
3	Lake St. & Nichols Rd.	TS	23.7	34.1	C	C
4	Lake St. & Alberhill Ranch	TS	15.1	10.7	B	B
5	Rd. Lake St. & Driveway 3	**CSS**	13.7	27.9	B	D
6	Lake St. & Driveway 4	**CSS**	11.1	15.4	B	C
7	Lake St. & Mountain	TS	33.9	46.3	C	D
8	St.	TS	39.6	23.0	D	C
9	Lake St./Grand Av. & Lakeshore	TS	30.3	19.0	C	B
10	Dr. Lincoln St. & Grand Av.	CSS	18.6	13.4	C	B
11	Terra Cotta Rd. (N) & Lakeshore Dr.	TS	11.3	9.4	B	A

[1] *Per the Highway Capacity Manual (6th Edition), overall average intersection delay and level of service are shown for intersections with a traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown. HCM delay reported in seconds.*

[2] *CSS = Cross-street Stop; TS = Traffic Signal; **CSS** = Improvement*

Traffic Signal Warrant Analysis

There are no additional unsignalized study area intersections that are anticipated to warrant a traffic signal for EAPC (2021) traffic conditions, in addition to the intersection identified under E+P traffic conditions.

Conclusion

Based on the foregoing analysis, none of the study area intersections would operate at a deficient LOS or warrant a traffic signal under any of the analyzed scenarios. Additionally, the proposed project would be required to participate in the City of Lake Elsinore Transportation Impact Fee Program, the Transportation Uniform Mitigation Fee Program, and also contribute funds through the Fair Share Program. Participation would insure that implementation of the project would not result in impacts to the local roadways in the future. This impact is less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.13-2: Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

The City of Lake Elsinore Transportation Impact Analysis Guidelines provides details on appropriate "screening thresholds" that can be used to identify when a proposed land use project is anticipated to result in a less than

significant impact associated with vehicle miles travelled (VMT). City Guidelines list the screening thresholds in the following three steps:

- Step 1: Transit Priority Area (TPA) Screening
- Step 2: Low VMT Area Screening
- Step 3: Project Type Screening

A land use project need only to meet one of the above screening thresholds to result in a less than significant impact.

Step 1: TPA Screening

Projects located within a Transit Priority Area (TPA) (i.e., within ½ mile of an existing "major transit stop" or an existing stop along a "high-quality transit corridor") may be presumed to have a less than significant impact absent substantial evidence to the contrary. However, the presumption may not be appropriate if a project:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

The Project is not within a TPA nor does it meet the secondary FAR ratio requirement of greater than 0.75 FAR; therefore, the TPA threshold is not met.

Step 2: Low VMT Screening Area

As noted in the City Transportation Impact Analysis Guidelines, residential and office projects located within a low VMT-generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. The Screening Tool uses the sub-regional travel demand model Riverside Transportation Analysis Model to estimate VMT for individual traffic analysis zones (TAZ's) for areas throughout the Western Riverside Council of Governments region. A low VMT area is defined as an individual TAZ where total daily VMT per service population is lower than the City average total daily VMT per service population. The project site was selected in the Screening Tool to determine the VMT per service population for the TAZ containing the project. Based on the Screening Tool results, the project TAZ (TAZ 3,419) is shown to generate 33.08 average daily VMT per service population, while the City of Lake Elsinore average daily VMT per service population is shown to be 36.29. Consistent with City Transportation Impact Analysis Guidelines, before a final determination can be made based on low VMT area screening, the traffic engineer should also review the underlying land use assumptions and associated socio-economic data (SED) contained in the low VMT generating TAZ to ensure the proposed Project's land use is consistent with that of the low VMT generating TAZ. However, based on a review of the underlying SED contained within TAZ 3,419 there is 2,727 population (i.e., residential uses), 1 retail employee and 121 educational employees contained in the zone. The proposed Project does not appear to be consistent with the underlying land uses contained in the low VMT generating TAZ; therefore, Low VMT Area screening threshold is not met.

Step 3: Project Type Screening

The City Transportation Impact Analysis Guidelines describe that projects consisting of local-serving retail less than 50,000 square feet may be presumed to cause a less than significant impact absent substantial evidence to the contrary. Local serving retail generally improves the convenience of shopping close to home and has the effect of reducing vehicle travel. The proposed project consists of 13,200 square feet of shopping center use, a gasoline service station with a 3,400 square foot convenience market, 7,365 square feet of fast-food restaurant with drive-through window use, and an automated car wash tunnel and is assumed to be local serving. The project proposes local-serving retail less than 50,000 square feet; therefore, the Project Type Screening threshold is met and the project is assumed to have a less than significant impact with regards to VMT.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.13-3: Would the project substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

The proposed project would have an internal circulation system and would also consist of a total of four (4) driveways, two (2) located along Mountain Street, and the other two (2) located along Lake Street. Other design features that include sight distance design requirements, access points, pedestrian and bicycle facilities would comply with all applicable City codes, policies and standards. During the City's review process for the proposed project, the City of Lake Elsinore reviewed the proposed design plans to ensure that no hazardous roadway features would be implemented. The proposed project would not include any components that would result in incompatible uses on roadways, including heavy equipment, etc. Accordingly, the proposed project would not create or substantially increase safety hazards due to a geometric design feature or incompatible use. Impacts associated with this issue would be less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.13-4: Would the project result in inadequate emergency access?

The proposed project would have an internal circulation system and would also consist of a total of four (4) driveways, two (2) located along Mountain Street, and the other two (2) located along Lake Street. Other design features that include sight distance design requirements, access points, pedestrian and bicycle facilities would comply with all applicable City codes, policies and standards. During the City's review of the proposed project, the City reviewed the proposed design plans to ensure that adequate emergency access would be available at the site. Accordingly, the proposed project would not result in inadequate emergency access during long-term operation of the Project and impacts would be less than significant.

Due to temporary lane closures that may occur during the project's construction phase, project-related construction activities may conflict with emergency access routes and access to nearby uses during frontage improvements along Lake Street and Mountain Street. Project-related construction traffic would be required to comply with a temporary traffic control plan that meets the applicable requirements of the California Manual on Uniform Traffic Control Devices. Although it is anticipated a less-than- significant impact would occur with the requirement to implement a temporary traffic control plan during construction, out of an

abundance of caution, a significant impact is identified. Accordingly, near-term impacts to emergency access would be significant prior to mitigation.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

4.13.6 Cumulative Impacts

The project contribution to a cumulative impact in analyzed under EAPC conditions within Impact 4.13-1. As shown in Table 4.13-5, Intersection Analysis for EAPC (2021) Conditions, there are no study area intersections anticipated to operate at an unacceptable LOS during the peak hours under EAPC (2021) traffic conditions, consistent with existing (2019) traffic conditions. Additionally, there are no additional unsignalized study area intersections that are anticipated to warrant a traffic signal for EAPC (2021) traffic conditions, in addition to the intersection identified under E+P traffic conditions. Therefore, implementation of the proposed project would not result in a cumulative considerable impacts associated with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

As discussed under Impact 4.13-2, the project would result in a less than significant impact associated with VMT generation. The project was screened out due to the type of project (commercial) and size (less than 50,000 square feet); therefore, the project would not have a cumulatively-considerable impact associated with VMT.

As detailed under the discussion of Impact 4.13-2, the proposed project would not create or substantially increase safety hazards due to a design feature or incompatible use. All project-related construction traffic would be required to comply with a temporary traffic control plan that meets the applicable requirements of the California Manual on Uniform Traffic Control Devices. Accordingly, cumulatively-considerable impacts due to design features or incompatible uses would not occur.

As noted under Impact 4.13-4, the project would improve the project's frontage with Lake Street and Mountain Street. Although these improvements could temporarily disrupt traffic, any construction-related traffic impacts resulting from the project would be addressed through the requirement to comply with a temporary traffic control plan that meets the applicable requirements of the California Manual on Uniform Traffic Control Devices. As a result, impacts during the Project's construction would be less-than-cumulatively considerable.

4.14 Tribal Cultural Resources

This section of the Draft Environmental Impact Report (EIR) analyzes the impacts to tribal cultural resources that would result due to implementation of the project. Information in this section is based on the "Phase 1 Cultural Resources Survey Report for the Commercial/Retail NWC Mountain and Lake Streets Project" prepared by Brian F. Smith and Associates, Inc. (BFSA), dated October 2, 2019. The report is included as *Technical Appendix D* to this EIR. Additionally, the following analysis is based on correspondence between the City of Lake Elsinore and the Native American tribes that have cultural significance in the Project area.

Written and oral communication between Native American tribes and the City of Lake Elsinore is considered confidential in respect to places that have tribal cultural significance (Gov. Code § 65352.4), and although all communications pertaining to the Project site that occurred between the Native American tribes and the City pertaining to the Project site were relied upon to inform the preparation of this Draft EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (Cal. Code Regs. § 15120[d]). All references used in this Section are listed in Draft EIR Section 8.0, *References*.

4.14.1 Environmental Setting

The Paleo Indian, Archaic Period Milling Stone Horizon, and the Late Prehistoric Takic groups are the three general cultural periods represented in Riverside County, which are briefly in Section 4.4 of this EIR. The cultural history of Riverside County involves the San Dieguito Complex, Encinitas Tradition, Milling Stone Horizon, La Jolla Complex, Pauma Complex, and San Luis Rey Complex cultural sequences that have been used to describe archaeological manifestations in the region. The Late Prehistoric component present in Riverside County area was represented by the Cahuilla, Gabrielino, and Luiseno Indians, although absolute chronological information is uncertain, but incorporated where possible in the discussion. The culture chronology of the subject area is divided into four segments: the late Pleistocene (20,000 to 10,000 YBP [years before present]), the early Holocene (10,000 to 6,650 YBP), the middle Holocene (6,650 to 3,350 YBP), and the late Holocene (3,350 to 200 YBP). Refer to Section 4.4 *Cultural Resources* of this EIR or Section 2.3 *Cultural Setting* of the project's cultural resources assessment (Appendix D) for a more detailed discussion.

4.14.2 Regulatory Setting

Federal Regulations

Native American Graves Protection and Repatriation Act (NAGPRA)

The Native American Graves Protection and Repatriation Act (NAGPRA; Public Law 101-601; 25 U.S.C. 3001-3013) describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation.

One major purpose of this statute is to require that federal agencies and museums receiving Federal funds inventory holdings of Native American human remains and funerary objects and provide written summaries of other cultural items. The agencies and museums must consult with Indian Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects. Once lineal descent or cultural affiliation has been established, and in some cases the right of possession also has been demonstrated, lineal descendants, affiliated Indian Tribes, or affiliated Native Hawaiian organizations normally make the final determination about the disposition of cultural items. Disposition may take many forms from reburial to long term curation, according to the wishes of the lineal descendent(s) or culturally affiliated Tribe(s).

The second major purpose of the statute is to provide greater protection for Native American burial sites and more careful control over the removal of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony on Federal and tribal lands. NAGPRA requires that Indian tribes or Native Hawaiian organizations be consulted whenever archeological investigations encounter, or are expected to encounter, Native American cultural items or when such items are unexpectedly discovered on Federal or tribal lands. Excavation or removal of any such items also must be done under procedures required by the Archaeological Resources Protection Act. This NAGPRA requirement is likely to encourage the in-situ preservation of archaeological sites, or at least the portions of them that contain burials or other kinds of cultural items.

Other provisions of NAGPRA: (1) stipulate that illegal trafficking in human remains and cultural items may result in criminal penalties; (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Indian Tribes in complying with certain requirements of the statute; (3) requires the Secretary of the Interior to establish a Review Committee to provide advice and assistance in carrying out key provisions of the statute; authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute; and, (5) directs the Secretary to develop regulations in consultation with this Review Committee.

National Historic Preservation Act

The National Historic Preservation Act (NHPA) (16 U.S. Code §470 et. seq.) created the National Register of Historic Places program under the Secretary of the Interior. In addition to enticing state and local municipalities with federal funding, the NHPA provides the legal framework for most state and local preservation laws. Significant historical or archaeological resources are listed in the National Register of Historic Places, which is a program maintained by the Keeper of the National Register. The National Register program also includes National Historic Landmarks, which is limited only to properties of significance to the nation.

The NHPA established the Section 106 review procedure to protect historic and archaeological resources listed in or eligible for listing in the National Register from the impact of projects by a federal agency or project funded or permitted by a federal agency. The National Register is an authoritative guide to be used by governments, private groups, and citizens to identify the nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment. Listing of private property on the National Register does not prohibit by law any actions which may otherwise be taken by the property owner with respect to the property.

State Regulations

Assembly Bill 52

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code,

relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code § 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources. These rules apply to projects that have a notice of preparation for an environmental impact report or negative declaration or mitigated negative declaration filed on or after July 1, 2015.

Section 21074 of the Public Resources Code defines "tribal cultural resources." In brief, to be considered a "tribal cultural resource," a resource must be either:

(1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or
(2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe.

California Public Resources Code § 30244

California Public Resources Code § 30244 requires reasonable mitigation for impacts on paleontological resources that occur as a result of development on public lands.

California Public Resources Code § 5097.5

California Public Resources Code § 5097.5 prohibits "knowing and willful" excavation, removal, destruction, injury, and defacement of any paleontological feature on public lands (lands under state, county, city, district or public authority jurisdiction, or the jurisdiction of a public corporation), except where the agency with jurisdiction has granted express permission.

California Register of Historic Places (1993)

As a recipient of federal funding, the California Office of Historic Preservation administers the California Register of Historical Resources (CA Pub. Res. Code §5020 et. seq.). The purpose of the California Register is to develop and maintain an authoritative guide to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate which properties are to be protected, to the extent prudent and desirable, from substantial adverse change. The State Historic Preservation Officer enforces a

designation and protection process, has a qualified historic preservation review commission, maintains a system for surveys and inventories, and provides for adequate public participation in its activities. Sites, places, or objects that are eligible to the National Register, are automatically included in the California Register.

California Health and Safety Code Provisions - Human Remains

The California Health and Safety Code §7050.5, as well as the Public Resources Code §5097 et. seq., require that in the event of discovery or recognition of any human remains in any location other than a formal cemetery, no further excavation of disturbance of the site or site vicinity can occur until the County Coroner has examined the remains and makes a report. The Native American Heritage Commission is required to be notified within 24 hours if the Coroner determines or suspects the remains to be of Native American descent.

Traditional Tribal Cultural Places Act (SB 18)

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. SB 18 also requires the Governor's Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments for how to conduct these consultations.

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government.

SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code § 65300 et seq.) and specific plans (defined in Government Code § 65450 et seq.). Although SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, existing state planning law requires local governments to use the same processes for adoption and amendment of specific plans as for general plans (see Government Code § 65453). Therefore, where SB 18 requires consultation and/or notice for a general plan adoption or amendment, the requirement extends also to a specific plan adoption or amendment.

Traditional Tribal Cultural Places (2004)

The Traditional Tribal Cultural Places Bill of 2004 (CA Government Code §65352 et. seq.) directs local governments to consult with Native American tribes early in the land use planning process. The intent of the consultation process is to allow for meaningful dialogue regarding potential means to preserve places of prehistoric, archaeological, cultural, spiritual, and ceremonial importance to Native American tribes.

City of Lake Elsinore Regulations

The City of Lake Elsinore General Plan, Chapter 4, Resource Protection and Preservation, addresses resource protection and preservation issues related to biological resources, open space, water resources, cultural and paleontological resources, and aesthetics resources. Section 4.6.8, Cultural and Paleontological Resource Goals, Policies, and Implementation Programs, and Section 4.7.3, Historical Preservation Goals, Policies and Implementation Programs, details policies, implementation programs, and responsible agencies and departments in support of the following goals regarding cultural resources:

Goal 6: Preserve, protect, and promote the cultural heritage of the City and surrounding region for the education and enjoyment of all City residents and visitors, as well as for the advancement of historical and archaeological knowledge.

Goal 7: Support state-of-the-art research designs and analytical approaches to archaeological and cultural resource investigations while also acknowledging the traditional knowledge and experience of the Native American tribes regarding Native American culture.

Goal 9: Assure the recognition of the City's heritage through preservation of the City's significant historical sites and structures.

Goal 10: Encourage the preservation, protection, and restoration of historical and cultural resources.

4.14.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, the proposed project could have a potentially significant impacts with respects to tribal cultural resources if it would:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:
    - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
    - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth is subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.14.4 Methodology

As part of the mandatory AB 52 consultation process required by State law, the City sent notification of the Project to the Native American tribes with possible traditional or cultural affiliation to the area that previously requested consultation. On March 4, 2020, the City sent notification letters of the proposed Project to the Agua Caliente Band of Cahuilla Indians, the Morongo Band of Mission Indians, the Pechanga Band of Luiseno Indians, the Rincon Band of Luiseno Indians, the Soboba Band of Luiseno Indians, and the Torres Martinez Desert Cahuilla Indians. A summary of the AB 52 consultation process is provided under the Impact Analysis.

4.14.5 Impact Analysis

Impact 4.14-1: Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or, a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth is subdivision (c) of Public Resources Code Section 5024.1. In applying the

criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

An archaeological records search for the project site and the area within a one-mile radius was conducted as part of the Phase I Cultural Resources Study prepared for the project. The records search identified 20 resources within one mile of the project site. Of the 20 resources, two (2) of the previously recorded resources (Sites P-33-007208 and P-33-017352) are located within the project site. These sites are described in detail in Section 4.4, *Cultural Resources*, of this EIR.

The archaeological survey of the project site and subsequent historical research confirmed the elements of various structures constructed within the project site over several decades. The historical structures located on the project site have previously recorded and evaluated as not eligible for listing on the CRHR. Although the survey identified a cistern that had not been previously recorded, this addition did not affect the evaluation status of the historical sites. The two sites recorded within the project site (P-33-007208 and P-33-017352) do not possess the level of integrity or association with historical events or locally important individuals to meet the significance criteria under CEQA; therefore, no significant historical or archaeological resources are located on the project site. The recorded historic sites will be directly impacted by implementation of the project; however, these impacts are not significant as the affected resources are not significant.

Based on the foregoing analysis, the archeological studies and the literature review, it is highly unlikely that archaeological resources exist on the project site; however, it is possible for unknown archaeological resources to be located on the project site. Therefore, the project would implement Mitigation Measures CULT-1 and CULT-2. Implementation of CULT-1 and CULT-2 would reduce any potential impact to less than significant.

As part of the mandatory AB 52 consultation process required by State law, the City sent notification to the Native American tribes with possible traditional or cultural affiliation to the area that previously requested consultation pursuant to AB 52 requirements. On March 4, 2020, the City sent notification letters of the proposed Project to the Agua Caliente Band of Cahuilla Indians, the Morongo Band of Mission Indians, the Pechanga Band of Luiseño Indians, the Rincon Band of Luiseño Indians, the Soboba Band of Luiseño Indians, and the Torres Martinez Desert Cahuilla Indians. Of the tribes sent notification letters, the Pechanga Band of Luiseño Indians, the Rincon Band of Luiseño Indians, and the Soboba Band of Luiseño Indians requested consultation. As per standard City practice, the Pechanga Band of Luiseño Indians, the Rincon Band of Luiseño Indians, and the Soboba Band of Luiseño Indians were informed that the City would require implementation of their standard mitigation measure for tribal cultural resources (Mitigation Measures CULT-1 through CULT-7). The City concluded consultation with the Rincon Band of Luiseño Indians on April 24, 2020 and within Soboba Band of Luiseno Indians on April 23, 2020. The AB 52 consultation is still ongoing with the Pechanga Band of Luiseño Indians.

The City completed mandatory compliance with Public Resources Code § 21074 associated with the environmental review of the proposed project. Because the Project site has not been identified as a location that is known to contain significant tribal cultural resources and due to the previously disturbed condition of the project site it can be reasonably assured that implementation of the project would not affect tribal cultural resources. However, there is a remote potential that resources could be encountered during ground-disturbing construction activities that occur in native soil. Accordingly, there is a potential for significant impacts to occur if significant resources are discovered during the Project's construction process. Implementation of Mitigation Measures CULT-1 through CULT-7 would ensure that impacts to tribal cultural resources are reduced to less than significant.

Based on the foregoing analysis, implementation of the proposed project would not result in a substantial adverse effect on tribal cultural resources with implementation of Mitigation Measures CULT-1 through CULT-7.

Mitigation Measure: Mitigation Measures CULT-1 through CULT-7 apply to this impact; see Section 4.4, *Cultural Resources*)

Significance after Mitigation: Less-than-significant

4.14.6 Cumulative Impacts

As noted above under Threshold 4.4-1, under Cultural Resources, a total of 20 resources within a mile of the project were identified. Of the 20 resources, two (2) of the previously recorded resources are located within the subject property. Both of these resources and their ancillary features were evaluated for eligibility for listing under the California Register of Historical Resources (CRHR). Although other development projects in western Riverside County may impact significant historical and archaeological resources that have the potential to lead to a cumulative effect, due to the lack of significant historical and archaeological resources on the project site, there is no potential for the Project to contribute towards a significant cumulative impact to the significance of a historical resource or archaeological resource.

Although other development projects in the traditional use area for Agua Caliente Band of Cahuilla Indians, the Morongo Band of Mission Indians, the Pechanga Band of Luiseno Indians, the Rincon Band of Luiseno Indians, the Soboba Band of Luiseno Indians, and the Torres Martinez Desert Cahuilla Indians may impact significant tribal cultural resources leading to a cumulative effect, the project itself would have no impact on tribal cultural resources within the project site; accordingly, there is no potential for the proposed project to contribute towards a significant cumulative impact to the significance of an tribal resource or a collection of resources pursuant to California Code of Regulations § 15064.5. Other projects will also be required to comply with SB 18 and/or AB 52.

As discussed under Threshold 4.14-1, with implementation of Mitigation Measures CULT-1 through CULT-7, impacts to tribal cultural resources would be less than significant. Therefore, with mitigation, the project would have no direct or cumulative impacts on tribal cultural resources.

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4.15 Utilities and Service Systems

This section of the Draft Environmental Impact Report (EIR) analyzes the impacts to utilities and service systems that could occur with implementation of the proposed project. The following analysis is based on information obtained from the technical report entitled, Preliminary Hydrology Study, prepared in October 2019 for the project site by Plump Engineering Inc. (Plump, 2019a) (Appendix K); the Project Specific Water Quality Management Plan, prepared in October 2019 by Plump Engineering Inc. (Plump, 2019b) (Appendix J); and the City of Lake Elsinore General Plan (City of Lake Elsinore, 2011).

4.15.1 Environmental Setting

Water Service

The project site is located within the service area of the Elsinore Valley Municipal Water District (EVMWD), within the District's Regional Collection System. The project site is located within the Elsinore Division, an approximately 96-squaremile area. The Elsinore Division has approximately 42,700 service accounts (EVMWD, 2016). Under existing conditions, the project site has only a nominal demand for water resources, as the project site is currently vacant and largely undeveloped.

The sources of potable water supply for EVMWD is groundwater extracted from the Elsinore Basin (33 percent of supply), surface water from the Canyon Lake Reservoir (10 percent of supply), and imported water (57 percent of supply). In addition, EVMWD has access to additional water sources through the acquisition of Temescal Water Company assets in 1989, these include: groundwater from the Bunker Hill, Rialto-Colton, Riverside North, Bedford, Coldwater, and Lee Lake Basins, and surface water from Temescal Creek and several tributary creeks (EVMWD, 2016).

In June of 2016, the EVMWD adopted the 2016 Urban Water Management Plan (UWMP), which details EVMWD's current and future water supply. The document concludes that, based on the existing and planned water supplies, the EVMWD can meet 100 percent of the projected water demand through 2040, even with the recurrence of a severe drought. The UWMP calculates that the district's water demand (both potable and non-potable water) for the year 2040 is anticipated to be approximately around 53,605 acre-feet (EVMWD, 2016).

Wastewater Service

The EVMWD Sewer District provides service for the City of Lake Elsinore. EVMWD's current service area is delineated into four separate collection systems, which include the Regional, Canyon Lake, Horsethief, and Southern collection systems. The flows conveyed in the Regional, Canyon Lake, and Horsethief collection systems are treated by EVMWD's Regional, Railroad Canyon, and Horsethief Water Reclamation Facilities (WRF), respectively. Wastewater discharged into the Southern collection system is conveyed through the Rancho California Water District's (RCWD's) wastewater collection system to the RCWD operated Santa Rosa WRF for treatment (City of Lake Elsinore, 2011b).

Under existing conditions, the project site has only a nominal generation of wastewater, as the project site is currently vacant and largely undeveloped.

Wastewater flows within the project area are conveyed to the Regional WRF, located approximately 2.7 miles southeast of the project site. The Regional WRF treats the majority of flow generated in the service area, and primarily treats flows from the City of Lake Elsinore. The plant was constructed in 1986 with a capacity of 2 million gallons per day (mgd). Several expansions and improvements were completed over the years, and currently the plant has a maximum capacity of 8 mgd. Additionally, an expansion of the Regional WRF was recently approved (2020) that will expand the capacity of the Regional WRF to 12 mgd (EVMWD, 2020).

Solid Waste

Trash disposal services is provided to the City by CR&R. Solid waste in the project area is collected by CR&R and delivered to the CR&R Perris Transfer Station/Material Recovery Facility. Solid waste is then conveyed primarily to the El Sobrante Landfill for disposal, although waste also may be delivered to the Badlands and Lamb Canyon Landfills. The following is a description of the landfills that serve the Project area under existing conditions:

The El Sobrante Landfill is located east of I-15 and Temescal Canyon Road, south of the city of Corona at 10910 Dawson Canyon Road. The landfill is the only private landfill in Riverside County and is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc. The existing landfill encompasses 1,322 acres, of which 468 acres are permitted for landfilling (City of Lake Elsinore, 2011). The landfill has a total capacity of approximately 91 million cubic yards. As of April 2018, the landfill had a remaining total capacity of approximately 143.98 million cubic yards. The landfill is expected to reach capacity by approximately 2051 (CalRecycle, 2018).

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, with a total permitted disturbance area of 278 acres, of which 150 acres are permitted for refuse disposal (City of Lake Elsinore, 2011). The landfill has a total capacity of approximately 34.4 million cubic yards. As of January 2015, the landfill had a remaining total capacity of approximately 15.75 million cubic yards. The landfill is expected to reach capacity by approximately 2022 (CalRecycle, 2015a).

The Lamb Canyon Landfill is located between the City of Beaumont and the City of San Jacinto. The landfill encompasses approximately 1,088 acres, of which 144.6 acres are permitted for waste disposal (City of Lake Elsinore, 2011). The landfill has a total capacity of approximately 38.94 million cubic yards. As of January 2015, the landfill had a remaining total capacity of approximately 19.24 million cubic yards. The landfill is expected to reach capacity by approximately 2029 (CalRecycle, 2015b).

Electricity

Southern California Edison (SCE) provides electricity services to a large majority of southern and central California, including the project site. SCE serves 180 cities across 50,000 square miles of service area. Existing overhead power lines occur along Lake Street and Mountain Street that are aligned in a north-south direction along the eastern boundary of the project site and east-west along the southern boundary of the project site.

Natural Gas

The Project site is located in the natural gas service area of Southern California Gas Company (SoCal Gas), which maintains local underground service lines in the City. Existing gas lines adjacent to the project site are located within Lake Street and Mountain Street.

4.15.2 Regulatory Setting

Federal Regulations

Clean Water Act

The Clean Water Act (CWA), as amended by the Water Quality Act of 1987, is the major federal legislation governing water quality. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Important applicable sections of the CWA are as follows:

- Section 301 prohibits the discharge of any pollutant by any person, except as in compliance with Sections 302, 306, 307, 318, 402, and 404 of the CWA. Sections 303 and 304 provide for water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for any federal permit that proposes an activity which may result in a discharge to "waters of the United States" to obtain certification from the State that the discharge will comply with other provisions of the Act. Certification is provided by the Regional Water Quality Control Boards (RWQCB).
- Section 402 establishes the National Pollution Discharge Elimination System (NPDES) a permitting system for the discharge of any pollutant (except for dredge or fill material) into waters of the United States. This permit program is administered by the RWQCB.
- Section 404 establishes a permit program for the discharge of dredge or fill material into waters of the United States. This permit program is administered by United States Army Core of Engineers (USACE).

Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) was established to protect the quality of drinking water in the U.S. This law focuses on all waters actually or potentially designed for drinking use, whether from above ground or underground sources. The Act authorizes EPA to establish minimum standards to protect tap water and requires all owners or operators of public water systems to comply with these primary (health-related) standards. The 1996 amendments to SDWA require that EPA consider a detailed risk and cost assessment, and best available peer-reviewed science, when developing these standards. State governments, which can be approved to implement these rules for EPA, also encourage attainment of secondary standards (nuisance-related). Under the Act, EPA also establishes minimum standards for state programs to protect underground sources of drinking water from endangerment by underground injection of fluids.

State Regulations

Urban Water Management Planning Act

The Urban Water Management Planning Act was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The Urban Water Management Planning Act requires water agencies to develop Urban Water Management Plans over a 20-year planning horizon, and further required Urban Water Management Plans to be updated every five years. Urban Water Management Plans are exempt from compliance with CEQA.

The Urban Water Management Plans provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands. This part of the California Water Code (CWC) requires urban water suppliers to report, describe, and evaluate:

- Water deliveries and uses;
- Water supply sources;
- Efficient water uses;
- Demand management measures; and
- Water shortage contingency planning.

The Urban Water Management Planning Act has been modified over the years in response to the State's water shortages, droughts, and other factors. A significant amendment was made in 2009, after the drought of 2007-2009 and as a result of the governor's call for a statewide 20 percent reduction in urban water use by the year 2020. This was the Water Conservation Act of 2009, also known as SB X7-7. This Act required agencies to establish water use targets for 2015 and 2020 that would result in statewide savings of 20 percent by 2020. Beginning in 2016, retail water suppliers are required to comply with the water conservation requirements in SB X7-7 in order to be eligible for State water grants or loans. Retail water agencies are required to set targets and track progress toward decreasing daily per capita urban water use in their service area, which will assist the State in meeting its 20 percent reduction goal by 2020.

California Porter Cologne Water Quality Control Act

The State of California's Porter-Cologne Water Quality Control Act (California Water Code Section 13000, et seq.) provides the basis for water quality regulation within California. The Act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or otherwise) to land or surface waters that may impair a beneficial use of surface or groundwater of the State. Waste discharge requirements (WDR) resulting from the Report are issued by the RWQCB. In practice, these requirements are typically integrated with the NPDES permitting process.

The State Water Control Board (SWCB) carries out its water quality protection authority through the adoption of specific Water Quality Control Plans (Basin Plans). These plans establish water quality standards for particular bodies of water. California water quality standards are composed of three parts: the designation of beneficial uses of water, water quality objectives to protect those uses, and implementation programs designed to achieve and maintain compliance with the water quality objectives.

The Santa Ana RWQCB is responsible for the Basin Plan that covers this portion of Riverside County including the project site. The RWQCB implements management plans to modify and adopt standards under provisions set forth in section 303(c) of the Federal CWA and California Water Code (Division 7, Section 13240). Under Section 303(d) of the 1972 CWA, the State is required to develop a list of waters with segments that do not meet water quality standards.

Executive Order B-29-15

Governor Brown issued Executive Order B-29-15 on April 25, 2015. The Executive Order called for actions that would save water, increase enforcement to prevent wasteful water use, streamline the state's drought response and invest in technologies that will make California more drought resilient. The Governor directed the State Water Resources Control Board to implement mandatory water reductions in areas across California to reduce water usage by 25 percent (in comparison to the water usage in the year 2013) through February 2016.

Executive Order B-37-16

Signed on May 9, 2016, EO B-37-16 established a new water use efficiency framework for California. The order bolstered the state's drought resilience and preparedness by establishing longer-term water conservation

measures that include permanent monthly water use reporting, new urban water use targets, reducing system leaks and eliminating clearly wasteful practices, strengthening urban drought contingency plans, and improving agricultural water management and drought plans.

Executive Order B-40-17

Signed on April 7, 2017, EO B-40-17 ended the drought state of emergency in all California counties except Fresno, Kings, Tulare, and Tuolumne, where emergency drinking water projects will continue to help address diminished groundwater supplies. It maintains water reporting requirements and prohibitions on wasteful practices. The order was built on actions taken in Executive Order B-37-16, which remains in effect. In a related action, state agencies, including the Department of Water Resources (DWR), released a plan to continue making water conservation a way of life.

Sustainable Groundwater Management Act (SGMA)

The Sustainable Groundwater Management Act (SGMA) established a new structure for managing California's groundwater resources at a local level by local agencies. SGMA required, by June 30, 2017, the formation of locally-controlled groundwater sustainability agencies (GSAs) in the State's high- and medium-priority groundwater basins and sub-basins (basins). A GSA is responsible for developing and implementing a groundwater sustainability plan (GSP) to meet the sustainability goal of the basin to ensure that it is operated within its sustainable yield, without causing undesirable results. The GSP Emergency Regulations for evaluating GSPs, the implementation of GSPs, and coordination agreements were adopted by DWR and approved by the California Water Commission on May 18, 2016.

California Integrated Waste Management Act of 1989

The California Integrated Waste Management Act of 1989 (AB 939) redefined solid waste management in terms of both objectives and planning responsibilities for local jurisdictions and the State. This Act was adopted in effort to reduce the volume and toxicity of solid waste by requiring local governments to prepare and implement plans to improve the management of waste resources. AB 939 required each of the cities and unincorporated portions of the counties to divert a minimum of 25 percent of the solid waste sent to landfills by 1995 and 50 percent by the year 2000. To attain goals for reductions in disposal, AB 939 established a planning hierarchy using new integrated solid waste management practices. These practices include source reduction, recycling and composting, and environmentally safe landfill disposal and transformation. Other state statutes pertaining to solid waste include compliance with the California Solid Waste Reuse and Recycling Act of 1991 (AB 1327), which requires adequate areas for collecting and loading recyclable materials within a project site.

2016 California Green Building Standards Code (CAL Green; Part 11 of Title 24, California Code of Regulations)

CALGreen became effective January 1, 2017, and is applicable to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout the State of California (including residential structures and elementary schools). Section 5.408.3 of CALGreen requires that 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on-site until the storage site is developed.

City of Lake Elsinore Regulations

Lake Elsinore Municipal Code – Title 16, Chapter 16.34 and 16.56

Section 16.34.040 (Requirements for Building Permit Issuance) of the Municipal Code requires that prior to the issuance of a building permit, utilities such as water and sewer, when requiring extensions to serve any parcel to be developed, shall be constructed by the owner's licensed contractor and that parcels shall be deemed served by City water and sewer if the distance in feet from the closest property line to the facility to be extended shall be 200 times the number of lots to be developed.

Section 16.56 (Improvements – Sanitary Sewer Facilities) requires that all sewer facilities shall be installed in accordance with the City standards and that the sewer facilities shall be of such size and design to adequately serve each lot within the land division and all existing or future tributary areas. Where sanitary sewer service is not available, a private sewage disposal system for each lot as required by the ordinance establishing standards for private sewage disposal systems shall be constructed.

Lake Elsinore Municipal Code – Title, Chapter 19.08

Chapter 19.08 (Water Efficient Landscaping Requirements) of the Lake Elsinore Municipal Code was adopted in order to implement the requirements necessary to meet the State of California Efficiency in Landscaping Act and the California Code of Regulations Title 23, Division 2, Chapter 2.7. The purpose and intent of this Chapter is also to:

- establish provisions for water management practices and water waste prevention;
- establish a structure for planning, designing, installing, maintaining, and managing water efficient landscapes in new construction and rehabilitated projects;
- reduce the water demands from landscapes without a decline in landscape quality or quantity;
- retain flexibility and encourage creativity through appropriate design;
- assure the attainment of water efficient landscape goals by requiring that landscapes not exceed a maximum water demand of 70 percent of their reference evapotranspiration (ETo) or any lower percentage as may be required by water purveyor policy or state legislation, whichever is stricter;
- eliminate water waste from overspray and/or runoff; and
- achieve water conservation by raising the public awareness of the need to conserve water through education and motivation to embrace an effective water demand management program.

Lake Elsinore Municipal Code – Title 14, Chapter 14.12

The purpose and intent of Chapter 14.12 (Construction Waste and Demolition Waste Management) of the Lake Elsinore Municipal Code is to "reduce the amount of waste generated within the City of Lake Elsinore and ultimately disposed of in landfills, by requiring the project applicant for every project covered by the chapter to divert a minimum of 50 percent of the construction and demolition debris resulting from that project, in compliance with State and local statutory goals and policies, and to create a mechanism to secure compliance with the stated diversion requirements." (Section 14.12.010) The diversion of a minimum 50 percent of construction and demolition debris will be imposed as a condition of approval on permits for each covered project. Covered projects include residential additions of 1,500 square feet or more of gross floor area, new detached and attached single-family residential dwellings, tenant improvements affecting 1,500 square feet or more of gross floor area, new commercial buildings, demolition of 1,000 or more square feet of gross floor area, operations that result in the export of earth, soil, rocks, gravel or other materials and all City public works and City public construction projects.

City of Lake Elsinore General Plan

Water Resources Element

The City's General Plan addresses water resources in Chapter 4.0 (Water Resources Goal, Policies and Implementation Program). The following goals, policies, and implementation programs apply to the proposed project:

Goal 4: Improve water quality and ensure the water supply is not degraded as a result of urbanization of the City.

Policy 4.1: Encourage developers to provide clean water systems that reduce pollutants being discharged into the drainage system to the maximum extent feasible and meet required federal National Pollutant Discharge Elimination System (NPDES) standards.

Policy 4.3: Require Best Management Practices through project conditions of approval for development to meet the Federal NPDES permit requirements.

Implementation Program: The City shall support the implementation of Best Management Practices to protect the City's water resources.

4.15.3 Thresholds of Significance

The criteria for establishing the significance of potential impacts on visual resources came from Appendix G of the State CEQA guidelines and apply to the proposed project. A significant impact would occur if the project would:

1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;
2) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
4) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals;
5) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

4.15.4 Methodology

The evaluation of impacts of the project is based on professional judgement, analysis of the City's land use policies, and significant criteria established in Appendix G of the State CEQA Guidelines, which have been determined appropriate for this EIR by the City.

4.15.5 Impact Analysis

Impact 4.15-1: Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

No existing water or wastewater lines would be relocated or upsized as part of the project. The project would include the installation of water and wastewater lines within the project site, connecting to existing EVMWD water and wastewater facilities within Lake Street and Mountain Street. Installation of water and wastewater lines on the project site is considered an inherent component of the project's construction process, and no significant impacts have been identified throughout this EIR specifically related to installation of the water and sewer lines.

The project also would entail the installation of storm drain lines and a detention/water quality basin on the project site. Implementation of the project was determined to result in a hydraulic condition of concern due to the 16 percent increase in post development runoff. The excess runoff would be retained and filtered onsite via biofiltration with underdrain (Plump, 2019a). Installation of storm water and water quality infrastructure on the project site is considered an inherent component of the project's construction process, and no significant impacts have been identified throughout this EIR specifically related to installation of the onsite drainage system.

The project also would require the installation of natural gas lines that connect the project to the existing natural gas lines within Lake Street. The project would involve utility connections to provide electric power and telecommunications services to the project site. Installation of dry utilities on the project site is considered an inherent component of the Project's construction process, and no significant impacts have been identified throughout this EIR specifically related to their installation.

In summary, the installation of the utility and service system infrastructure improvements proposed by the Applicant would result in physical environmental impacts inherent in the Project's construction process; however, these impacts have already been included in the analyses of construction-related effects presented throughout this EIR. In instances where the project's construction phase would result in specific, significant impacts, feasible mitigation measures are provided. The construction of infrastructure necessary to serve the project would not result in any significant physical effects on the environment that are not already identified and disclosed elsewhere in this this EIR.

Based on the foregoing analysis, implementation of the proposed project would not result in a substantial adverse effect associated with the relocation or construction of new or expanded utility infrastructure and impacts are less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.15-2: Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

EVMWD is responsible for supplying water to the project site. Implementation of the project would require water at a rate of 2,500 gallons per acre per day (City of Lake Elsinore, 2011b). As the project site is a total of

approximately 6.07 acres, the project would require approximately 15,175 gallons of water per day. This is equivalent to approximately 5.54 million gallons of water per year, or approximately 17 acre-feet of water per year.

As discussed in the EVMWD's UWMP, water supplies are projected to exceed demand through 2040 under normal, historic single-dry and historic multiple-dry year conditions. Under each water planning scenario (normal year, single dry year, multiple dry years) EVMWD water supply is projected to exceed demand (EVMWD, 2016). EVMWD forecasts for projected water demand are based on the population projections of the Southern California Association of Governments (SCAG), which rely on adopted general plan land use maps land use designations. As the project is consistent with the existing land use designation, and a General Plan Amendment would not be required, buildout of the project site with commercial uses is previously considered in the SCAG population projections and the UWMP. As stated above, the EVMWD expects to have adequate water supplies to meet all its demands until at least 2040; therefore, sufficient water supplies available to serve the project from existing entitlements/resources and no new or expanded entitlements are needed.

Based on the foregoing analysis, implementation of the proposed project would not result in a substantial adverse effect associated with water resources and impacts are less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.15-3: Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

EVMWD is responsible for supplying wastewater services to the project site. Implementation of the project would generate wastewater at a rate of approximately 1,500 gallons per day per acre (City of Lake Elsinore, 2011). As the project site is a total of approximately 6.07 acres, the project would generate approximately 9,105 gallons of wastewater per day. The daily amount of wastewater generated would result in an annual generation of approximately 3.32 million gallons of wastewater per year that will be conveyed to the EVMWD Regional WRF, which is located in the City of Lake Elsinore. The Regional WRF currently has a capacity of 8 million gallons per day and has plans to expand its facilities by 4 million gallons per day to meet a capacity of 12 million gallons a day (EVMWD, 2020). The discharge rate of 9,105 gallons per day would utilize a nominal (approximately 0.003%) portion of the overall capacity of the Regional WRF.

Based on the foregoing analysis, implementation of the proposed project would not result in a substantial adverse effect associated with wastewater generated by the project and impacts are less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.15-4: Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Construction and operation of the proposed project would result in the generation of solid waste, requiring disposal at a landfill. During construction of the project, solid waste in the form of demolition material and

remnants of unused construction materials would require disposal at a landfill. Waste also would be generated by the construction process, primarily consisting of discarded materials and packaging. Section 5.408 of the 2016 California Green Building Standards Code (CALGreen; Part 11 of Title 24, California Code of Regulations) requires that 65 percent of construction/demolition waste be diverted from landfills, and 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting from land clearing be reused or recycled.

Solid waste from the Project site will be hauled by CR&R and transferred to the CR&R Perris Transfer Station/Material Recovery Facility. From the Perris Transfer Station/Material Recovery Facility, non-recyclable materials will likely be disposed at El Sobrante Landfill; alternative, the Badlands or Lamb Canyon Landfill will receive solid waste generated from the project. As noted above, in Section 4.15.1, these landfills all have significant remaining capacity and the most likely landfill to receive solid waste generated from the project.

The current solid waste generation rates are anticipated to be six pounds of solid waste per 1,000 square feet (s.f.) of building space (City of Lake Elsinore, 2011b). The project currently proposes 32,695 s.f. of commercial building space which would result in approximately 196 pounds of solid waste per day, or approximately 0.09 tons per day ((32,695s.f./1,000) x 6)/2204.62 pounds). The El Sobrante Landfill has a permitted disposal capacity of 16,054 tons per day, the Badlands Landfill has a permitted disposal capacity of 4,800 tons per day, and the Lamb Canyon Landfill has a permitted disposal capacity of 5,000 tons per day (CalRecycle, 2018; CalRecycle, 2015a; CalRecycle, 2015b). Since the project is estimated to generate approximately 0.09 tons of solid waste per day, this amount represents a nominal portion of the landfill's capacity and would not contribute significantly to the daily landfill capacity, and the landfill facilities are sufficient.

Based on the foregoing analysis, implementation of the proposed project would not result in a substantial adverse effect associated with generation of solid waste and impacts are less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

Impact 4.15-5: Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The proposed project would be required to coordinate with CR&R, the waste hauler, to develop collection of recyclable material for the project on a common schedule as set forth in applicable local, regional, and state programs. Recyclable materials that could be recycled by the project include paper products, glass, aluminum, and plastic.

Additionally, the project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Act of 1991) and other applicable local, state, and federal solid waste disposal standards. This would ensure that the solid waste stream to regional landfills are reduced in accordance with existing regulations.

Based on the foregoing analysis, implementation of the proposed project would not result in a substantial adverse effect associated with solid waste regulations and impacts are less than significant.

Mitigation Measure: None required

Significance after Mitigation: Less-than-significant

4.15.6 Cumulative Impacts

The project site is located in the service area of the EVMWD. The 2015 Urban Water Management Plan (UWMP) was adopted by the EVMWD in June of 2016, which details EVMWD's current and future water supply. The document found that, based on the existing and planned supplies, the EVMWD can meet 100 percent of the projected water demand through 2040, even with the recurrence of a severe drought. The UWMP predicts that the District's water demand (both potable and non-potable water) for the year 2040 is anticipated to be approximately 54,702 acre-feet (EVMWD, 2016). Because the demand for water services can be met through 2040, including the recurrence of a severe drought, cumulative impacts to water services would be less than significant.

The cumulative area for wastewater-related issues is the EVMWD service area and the City of Lake Elsinore. The project anticipates to discharge approximately 9,105 gallons of wastewater per day of sewer discharge will be conveyed to the EVMWD Regional WRF, which is located in the City of Lake Elsinore. The Regional WRF currently has a capacity of 8 million gallons per day and anticipates an expansion of its facilities to meet a capacity of 12 million gallons a day (EVMWD, 2020). The discharge rate of 9,105 gallons per day is a nominal increase to the overall capacity of the Regional WRF, as such, cumulative impacts would be less than significant.

The cumulative area for stormwater drainage is the watershed. Development within the watershed will result in an increase in impervious surfaces in addition to changes in land use and associated pollutant runoff characteristics. Increased impervious surfaces are likely to alter existing hydrology and increase potential pollutant loads. However, all future development in the City and throughout the Santa Ana RWQCB will be required to comply with the requirements of the NPDES permit program and implemented BMPs. Therefore, the proposed project, would not make a significant contribution to any cumulatively considerable impacts related to drainage or water quality on a local or regional basis.

AB 341 mandates the reduction of solid waste disposal in landfills. Development according to the City General Plan, such as the project, would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant.

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4.16 Wildfire

This section of the Draft Environmental Impact Report (EIR) analyzes the wildfire impacts that could occur with implementation of the proposed project. This analysis identifies the existing wildfire risk associated with the project site and determines the potential for implementation of the project to exacerbate the underlying wildfire risk. The analysis of this section relies upon observations made during the field visit, project area photographs as seen in Exhibit 3-4, *Site Photographs*, and the City of Lake Elsinore General Plan (2011).

4.16.1 Environmental Setting

Wildfire susceptibility in the City of Lake Elsinore is defined generally as moderately high. The combination of southern California's Mediterranean climate, with its winter and spring rainfall and hot, dry summers, and the frequency of high wind velocity creates optimum conditions for wildfires. The annual rainfall pattern supports grasses, shrubs, and trees, and the hot arid summers result in dry vegetation. This readily combustible material can be easily ignited and will burn hot and fast, especially during high wind conditions.

The City of Lake Elsinore is known for periodic high-velocity wind conditions through the Temescal Valley. Such winds are due mostly to the area's topography, which forms a natural wind tunnel along the valley and through the canyons. The area is also subject to occasional Santa Ana conditions.

The approximately 6.07-acre project site, located on the northeast corner of the Lake Street and Mountain Street within the City of Lake Elsinore, is vacant sloping approximately 20 feet downward from southwest. Although the site evidences signs of grading and disking, grasses cover portions of the property and several trees are located in the southerly and southwesterly areas of the project site.

As shown on Figure 3.1 of the General Plan, Wildfire Susceptibility, the project site is located within an area identified as a 'Very High' Fire Hazard Zone, as determined by the City of Lake Elsinore, the County of Riverside, and the California Department of Forestry and Fire Protection (City of Lake Elsinore, 2011).

The City of Lake Elsinore contracts with the Riverside County Fire Department (RCFD). The nearest fire station (Station No. 97) to the project site is located at Rosetta Canyon, which is located approximately 5.8 miles east of the project site. The fire station that could serve the project site is staffed full time, 24 hours per day, 7 days per week, with a minimum four-person crew, including paramedics.

4.16.2 Regulatory Setting

State Regulations

California Fire Code and the California Building Code

The City of Lake Elsinore and the Riverside County Fire Department have adopted the California Building Standards Code, which includes the most current version of the California Fire Code and the California Building Code (CBC). The Uniform Fire Code established by the International Fire Code Institute and the Uniform Building Code (UBC) established by the International Conference of Building Officials, both prescribe performance characteristics and materials to be used to achieve acceptable levels of fire protection. The Riverside County Fire Department Chief is authorized and directed to enforce the provisions of the California Fire Code throughout the County. The California Fire Code contains standards for access to a site, building

design, water supply, storage of hazardous materials and brush clearance. The California Building Code prescribes performance characteristics and materials to be used to achieve acceptable levels of fire protection based on building use and occupancy. The construction requirements are a function of building size, purpose, type, materials, location, proximity to other structures, and the type of fire suppression systems installed.

City of Lake Elsinore Regulations

City of Lake Elsinore General Plan

Public Safety and Welfare Element

The City's General Plan addresses Wildfire in Chapter 3.0 (Wildfire Hazards Goals, Policies and Implementation Programs 3.4.1). The following goals, policies, and implementation programs apply to the proposed project:

Goal 4: Adhere to an integrated approach to minimizing the threat of wildland fires to protect life and property using pre-fire management, suppression, and post-fire management.

Policy 4.1: Require on-going brush clearance and establish low fuel landscaping policies to reduce combustible vegetation along the urban/wildland interface boundary.

Policy 4.2: Create fuel modification zones around development within high hazard areas by thinning or clearing combustible vegetation within 100 feet of buildings and structures. The fuel modification zone size may be altered with the addition of fuel resistant building techniques. The fuel modification zone may be replanted with fire-resistant material for aesthetics and erosion control.

Policy 4.3: Establish fire resistant building techniques for new development such as non-combustible wall surfacing materials, fire-retardant treated wood, heavy timber construction, glazing, enclosed materials and features, insulation without paper-facing, and automatic fire sprinklers.

Policy 4.4: Encourage programs that educate citizens about the threat of human wildfire origination from residential practices such as outdoor barbeques and from highway use such as cigarette littering.

Implementation Program: The City shall condition project to comply with Fire Department requirements, and work with the California Department of Forestry and the County Fire Department supporting public fire education and prevention programs

4.16.3 Thresholds of Significance

The criteria for establishing the significance of potential impacts associated with wildfire came from Appendix G of the State CEQA guidelines and apply to the proposed project. If located in or near a State Responsibility Area ("SRA") or lands classified as very high fire hazard severity zone, a significant impact would occur if the proposed project would:

1) Substantially impair an adopted emergency response plan or emergency evacuation plan.
2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

4.16.4 Methodology

The evaluation of impacts of the project is based on professional judgement, analysis of the City's land use policies, and significant criteria established in Appendix G of the State CEQA Guidelines, which have been determined appropriate for this EIR by the City.

4.16.5 Impact Analysis

Impact 4.16-1: Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

The project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, the proposed project would be required to maintain adequate access for emergency vehicles. As part of the City's discretionary review process, the City reviewed the proposed project to ensure appropriate emergency ingress and egress would be available to project site, and determined that the proposed project would not substantially impede emergency response routes in the local area. Accordingly, the project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan. Thus, no impact would occur and mitigation is not required.

Based on the foregoing analysis, implementation of the proposed project would not impair an adopted emergency response plan and impacts are less than significant.

Mitigation Measures: None required

Significance after Mitigation: No impact.

Impact 4.16-2: Would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

As noted above in Section 4.16.1, the project site is relatively flat. The City's General Plan identifies the project site as located within a 'Very High' Fire Hazard Area. Fire potential for the region is greatest in August, September and October, when dry vegetation occurs simultaneously with hot, dry Santa Ana winds; however, wildfire risk occurs throughout the year. Widespread fires that follow an earthquake, coupled with Santa Ana winds, constitute a worst-case fire suppression scenario for the region. Nonetheless, the post-development danger from wildland fire would be reduced through development of the property. Implementation of the project would replace the existing vacant site containing weeds and grasses with structures built in compliance with State and City Fire Code requirements and other impervious surfaces among irrigated landscaping.

Based on the foregoing analysis, implementation of the proposed project would not result in an exacerbated wildfire risk due to slope, prevailing winds, and other factors and impacts are less than significant.

Mitigation Measures: None required

Significance after Mitigation: No impact.

Impact 4.16-3: Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The improvements to the project site, together with project building design/materials and compliance with State and City regulations, will ensure project development and operation will not result in a requirement for installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. As noted above, under Impact 4.16-2, the project site is currently vacant and contains grasses and weeds. The post-development danger from wildland fire would be reduced through development of the property. Implementation of the project would replace the existing vacant site containing weeds and grasses with structures built in compliance with State and City Fire Code requirements and other impervious surfaces among irrigated landscaping. Additionally, the utility lines located along the western project boundary would be undergrounded as part of the project.

Based on the foregoing analysis, implementation of the proposed project would not require the development of infrastructure that may exacerbate wildfire risk and impacts are less than significant.

Mitigation Measures: None required

Significance after Mitigation: No impact.

Impact 4.16-4: Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

As noted above, in Section 4.16.1, the project site is relatively flat, sloping approximately 20 feet downward from southwest. Additionally, as discussed in Section 4.6.1, and further under Impact 4.6-1d, the Preliminary Geotechnical Investigation prepared for the project site indicated that landslide debris was not observed during the subsurface exploration and no ancient landslides are known to exist on the site. No landslides are known to exist, or have been mapped, in the vicinity of the project site.

Based on the foregoing analysis, implementation of the proposed project would not expose people or structures to risk due to slope instability following a wildfire and impacts are less than significant.

Mitigation Measures: None required

Significance after Mitigation: No impact.

4.16.6 Cumulative Impacts

The project site and vicinity are located within a designated 'Very High' Fire Hazard Area. The project site is vacant, as is much of the area surrounding project site to the north and east. Project development and continuing development throughout the vicinity of the project would be accompanied by roadway improvements, utility and services improvements and structural safety measures that will reduce danger to persons and structures from fires; therefore, the project would not result in a cumulatively considerable impact.

Other CEQA Required Sections

This chapter discloses the evaluation of other types of environmental impacts required by CEQA, which are not included within the chapters of this EIR. The other CEQA considerations include environmental effects that were found not to be significant, significant irreversible environmental changes that would be caused by the project, and growth-inducing impacts.

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a project which cannot be avoided if the proposed project is implemented (CEQA Guidelines § 15126(b)). As described in detail in Section 4.0 of this EIR, the proposed project would not result in impacts to the environment that cannot be reduced to below a level of significance after compliance with applicable laws and regulations and/or application of feasible mitigation measures.

5.1 Significant Irreversible Changes

As a requirement of the CEQA Guidelines, EIRs shall address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented (CEQA Guidelines § 15126.2(c)). An environmental change would fall into this category if: a) the project would involve a large commitment of nonrenewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).

Determination of whether the proposed Project would result in significant irreversible environmental changes requires an analysis of whether key non-renewable resources would be degraded or destroyed in such a way that there would be minimal possibility of restoring them. Natural resources in the form of construction materials and energy resources would be utilized in the construction of the proposed Project, however development of the Project site would not have measurable adverse effect on the availability of such resources, including resources that may be non-renewable, such as fossil fuels. Construction and operation of the proposed Project would not involve the use of large quantities or sources of non-renewable energy. Additionally, the Project is required by law to comply with the California Building Standards Code (CALGreen), which reduces a building operation's energy volume that is produced by fossil fuels. The Project would be subject to regulations that reduce the Project's reliance on non-renewable energy sources. The Project would also be subject to the Energy Independence and Security Act of 2007, which contains provisions designed to increase energy efficiency and availability of renewable energy. The Project also would be subject to Title 24 (California Energy Code). Title 24 contains measures to reduce natural gas and electrical demand, therefore requiring less non-renewable energy resources. The Project would avoid the inefficient, wasteful, and unnecessary consumption of energy during Project construction, operation, maintenance, and/or removal.

With mandatory compliance to the energy efficiency regulations and mitigation measures, the Project would not involve the use of large quantities or sources of non-renewable energy.

An analysis of the proposed Project's potential transport or handle of hazardous materials is included in subsection 4.8, Hazards and Hazardous Materials, which discusses if such hazardous materials released into the environment, could result in irreversible damage to the environment. The analysis concluded, compliance with federal, state, and local regulation associated with hazardous materials would be required of all contractors working within the property during the Project's construction. As such, the construction and operation of the proposed Project would not cause significant irreversible damage to the environment.

5.2 Growth Inducing Impacts

This section evaluates the potential for the proposed project to affect "economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment" (CEQA Guidelines, 15126.2[d]). To assess either of the two types of growth-inducing impacts, direct and indirect, the Project characteristics that may encourage and facilitate activities that individually or cumulatively may affect the environment must be evaluated.

Direct growth-inducing impacts occur when the development of a project imposes new burdens on community that directly induces population growth or the construction of additional developments in the same area of the Project, thereby causing related growth-associated impacts. This analysis includes discussion regarding projects that would remove physical obstacles to population growth (such as a new road into an undeveloped area or a wastewater treatment plant that could allow more construction in the service area). Construction of these types of infrastructure projects cannot be considered isolated from the development they trigger. In contrast, projects that physically remove obstacles to growth and projects that indirectly induce growth are those which may provide a catalyst for future unrelated development in an area (such as a new residential community that requires additional commercial uses to support residents).

Construction of the Project would indirectly result in growth inducement, as it will not require new public service facilities. Per the SCE Will Serve Letter (Appendix P), the project site is located within the service area of Southern California Edison (SCE) and electric power for the proposed project will be provided by SCE. The project site is located within the service area of the Elsinore Valley Municipal Water District (EVMWD), within the District's Regional Collection System. The proposed project would install connections to existing EVMWD water and wastewater conveyance lines within the street right-of-way on Lake Street and Mountain Street. Additionally, the proposed project would not require any new roadways within the project vicinity. Therefore, while it is recognized that the proposed project will induce growth within the project vicinity, such growth is in concurrence with the City's planned growth policies and will not result in any potentially significant growth-inducing impacts.

5.3 Effects Found not to be Significant

The City of Lake Elsinore has determined through the Initial Study (IS) process that the proposed project has the potential to cause or result in significant environmental impacts, and warranted further analysis, public review, and disclosure through the preparation of an EIR. The IS and associated EIR Notice of Preparation (NOP), dated August 2020, were forwarded to the California Office of Planning and Research, State Clearinghouse (SCH), and circulated for public review and comment. The State Clearinghouse established the

public comment period for the IS/NOP as August 28, 2020 through September 28, 2020. The assigned State Clearinghouse reference for the Project is SCH No. 2020080538. The IS, NOP, and NOP responses are presented as Appendix A of this EIR.

The following discussion is a summary of environmental impacts that were determined in the IS/NOP and public review processes to present no potentially significant impacts. Specific issues considered to present no potentially significant impacts were not extensively discussed within the body of this EIR. Please also refer to related discussions and analyses included within the IS, EIR Appendix A.

5.3.1 Agriculture and Forestry Resources

According to the California Department of Conservation (CDOC), the project site is not designated Prime Farmland, Unique Farmland or Farmland of Statewide Importance. In addition, the project site is not under a Williamson Contract. According to the City's General Plan the project site is not designated for timberland or timberland production. The development of the proposed project would not result in the loss of forest land or the conversion of forest land to non-forest use. Furthermore, the project site land use and zoning has been designated as C-2 (General Commercial) which allows for the development of commercial centers. Land adjacent to the project site is designated as Urban and Built-Up Land and is zoned for single-family residential development. Therefore, there would be no impact to agriculture and forestry resources from the development of the proposed project and no further analysis is warranted in this EIR.

5.3.2 Mineral Resources

According to the City of Lake Elsinore General Plan EIR, the project site is located within the Mineral Resources Zone (MRZ) 3, which is defined as an area containing known or interred mineral occurrences of undetermined mineral resources significance. Additionally, there are no active mines located on the project site. There are no known locally-important mineral resource recovery sites as delineated by the City's General Plan, or any other relevant land use plan for the project area. Therefore, the proposed project is not expected to cause adverse effects to any known mineral resources. Therefore, the proposed project would result in a less than significant impact and no further analysis is warranted in this EIR.

5.3.3 Population and Housing

The proposed project does not include the construction of new residential development that would directly contribute to population growth in the City. The proposed project would consist of a commercial/retail development that would service customers within the project vicinity. The project site is currently located in an area of the City that has existing roads, which include Mountain Street and Lake Street. The project is not proposing the extension of roads. In addition, the project site has been planned and zoned for general commercial development and would be serviced by existing water and sewer, telephone, electricity, and gas lines. The project would not include the extension of City infrastructure that could spur indirect growth that could induce substantial population growth. Therefore, the project would have a less than significant impact and no further analysis is warranted in this EIR.

The proposed project would not result in the displacement of people or housing, since the proposed project is currently vacant and zoned for general commercial development. There is currently no housing developments on the project site and the construction of the project would not displace existing housing developments or

require construction of new housing elsewhere. The proposed project is for commercial/retail that would temporarily bring people in and not permanently or for extended periods of time. Therefore, the project would have no impact with respect to these issues and no further analysis is warranted in this EIR.

5.3.4 Recreation

The proposed project would consist of a commercial development and does not propose the construction of new residential development that would result in the increase use of existing neighborhood and regional parks and other recreations facilities. In addition, the proposed project employment is anticipated to be filled by existing residents or neighboring communities. In addition, the use of neighborhood and regional parks by employees would be limited to their breaks. Therefore, the potential for the proposed project to result in increased demands on neighborhood or regional parks or other recreational facilities would be less than significant. As is consistent with all commercial projects, the proposed retail center project would be required to pay park fees to the City for the purpose of establishing, improving and maintaining park land within the City. Overall, construction and operation of the proposed project would not result in the increase in use of park facilities that would be substantial, such that new or physically altered park facilities would be needed. Therefore, project impacts related to parks are less than significant and, and no further analysis is warranted in this EIR.

As stated in Section XVI (a), the proposed project would consist of a commercial/retail development that does not include the development of recreational facilities or require the construction or expansion of recreation facilities. The construction and operation of the proposed project are not anticipated to negatively impact the surrounding recreational facilities. Furthermore, the development of the proposed project would not cause any additional environmental impacts beyond what is analyzed for the project within this document. Therefore, the proposed project would have a less than significant impact and no further analysis is warranted in this EIR.

Chapter 6 Alternatives to the Proposed Project

6.1 Introduction

This Chapter identifies alternatives to the proposed project pursuant to the provisions of Section 15126.6 of the State CEQA Guidelines, as amended. Section 15126.6(a) of the State CEQA Guidelines states that:

> *"An EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR needs to not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation....There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason."*

6.1.1 Consideration in Selecting Alternatives to the Proposed Project

State CEQA Guidelines Sections 15126.6 (b) through (f) articulates the key considerations pertaining to, and requirements for, the preparation of the alternatives analysis in an EIR. Key components of the State CEQA Guidelines sections that are relevant to the proposed project addressed in this EIR are summarized below:

- Section 15126.6(b) of the State CEQA Guidelines, as amended, states:
  "*… the discussion of alternatives shall focus on alternatives to the project or its location,… even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly…*"
- Section 15126.6(c) of the State CEQA Guidelines, as amended, states:
  "*The EIR should also identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the Lead Agency's determination*…"
- Section 15126.6(d) of the State CEQA Guidelines, as amended, states:
  "*The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed,*

the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed..."

- Section 15126.6(e)(1) of the State CEQA Guidelines, as amended, states:
  "*The specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project…"*
- Section 15126.6(e)(2) of the State CEQA Guidelines, as amended, states:
  "The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published… as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved … If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives..."
- State CEQA Guidelines Section 15126.6(e)(3)(A) states:
  "*When the project is the revision of an existing ongoing operation, the "no project" alternative will be the continuation of the existing operation into the future..."*
- State CEQA Guidelines Section 15126.6(f)(3) states:
  "*Rule of reason. An EIR need not consider an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative."*

6.1.2 Development of Alternatives for Analysis

Pursuant to the provisions of the aforementioned sections of the State CEQA Guidelines, as amended, a range of feasible alternatives to the proposed Lake and Mountain Commercial Center is considered and evaluated in this EIR. The discussion in this chapter provides the following:

1. A description of the alternatives considered and rejected.
2. A description of the alternatives considered as feasible and evaluated herein.
3. Comparative analysis of each alternative that focuses on the potentially significant unavoidable environmental impacts of the proposed project. The purpose of this analysis is to determine whether alternatives are capable of eliminating or substantially reducing the project's significant environmental impacts.
4. Conclusions regarding the ability of an alternative to: a) avoid or substantially lessen the significant unavoidable impacts of the project; b) the ability of an alternative to attain most of the basic project objectives; and c) the merits and feasibility of an alternative compared to the merits of the proposed project.

The alternatives to the proposed project discussed in this EIR are:

- No Project Alternative
- Alternative 1: Alternative Site Plan Alternative

6.2 Project Objectives

The following project objectives have been established; they serve as a basis for comparing the alternatives, and for the evaluation of associated environmental impacts:

- Develop a new commercial and retail center along an Arterial street and within close proximity to other major roadways in a location that will serve the local community within the City of Lake Elsinore.
- Develop a project site of roughly 5 to 8 acres for commercial/retail uses, on a site where proposed development would be consistent with the existing General Plan land use and zoning designation, and in a manner that will fully utilize its development potential.
- Develop a new retail and commercial center which will serve the local community.
- Develop a project that will provide local employment opportunities and that will provide economic benefits to the community and City.
- Develop a new commercial/retail center with sustainable project features that reduces project impacts on the environment.
- Develop a cohesive commercial center that allows shoppers to enjoy eating facilities as well as shopping opportunities in one stop thereby reducing the number of traffic trips residents would take.

6.3 Impacts of the Proposed Project

As discussed throughout Section 4.0, Environmental Analysis, the proposed project would not result in significant adverse environmental effects that cannot be mitigated to below levels of significance after the implementation of project design features, mandatory regulatory requirements, and feasible mitigation measures.

6.4 Alternatives Considered and Rejected

An EIR is required to identify any alternatives that were considered by the Lead Agency but were rejected as infeasible. Among the factors described by CEQA Guidelines § 15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR are: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the proposed Project, CEQA Guidelines § 15126.6(f)(1) notes:

> *"Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…"*

In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, and/or 3) they were considered infeasible to construct or operate. A summary of the alternatives that were considered buy rejected are described below.

6.4.1 Alternative Sites

CEQA does not require that an analysis of alternative sites always be included in an EIR. However, if the surrounding circumstances make it reasonable to consider an alternative site then this alternative should be considered and analyzed in the EIR. In making the decision to include or exclude analysis of an alternative site, the "key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid

or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR" (CEQA Guidelines § 15126.6(f) (2)).

Development of the project at a different location would shift the Project's near-term impacts to a different location, and it is likely that similar or more severe near-term impacts could occur at off-site locations due to the timing of implementation of the project. Additionally, the Applicant does not currently have ownership of any additional properties within the City and acquiring additional land for an alternative site would be economically infeasible. For these reasons, the City of Lake Elsinore finds that evaluation of an alternative site location is not required for the project because alternative site locations would not reduce or avoid the project's significant environmental effects and would be infeasible for the Applicant.

6.5 Alternatives Under Consideration

6.5.1 No Project Alternative

The No Project Alternative considers no new development/disturbance on the project site. As such, the 6.07-acre project site would consist of undeveloped and vacant land that is routinely disced as part of ongoing fire abatement activities. Under this Alternative, no improvements would be made to the project site and none of the project's roadway, utility, and other infrastructure improvements would occur. Under the No Project Alternative, the project site would remain vacant and undeveloped, although it is expected that it would be developed at some time in the future consistent with the underlying general plan and zoning designations. The specific alternative development options at the project site in the foreseeable future are too speculative. This Alternative was selected by the City to compare the environmental effects of the proposed project with an alternative that would leave the Project site in its existing (i.e., post-reclamation) conditions, in conformance with CEQA Guidelines § 15126.6(e)(3)(B).

6.5.2 Alternative #1: Alternative Site Plan

The alternative project would consist of a commercial/retail center that includes a quick-serve drive-thru restaurant, a convenience store, express car wash, and gas station land uses on a total of 6.07 acres (proposed lot size). The project site is designated General Commercial by the City of Lake Elsinore General Plan and it is zoned C-2 (General Commercial).

As shown on Exhibit 6-1, Alternative Site Plan, Alternative #1 will consist of a 3,400 s.f. C-Store (convenience store) with an attached 1,525 s.f. Quick-Serve Restaurant (QSR), 4,089 s.f. gas fueling canopy, a 3,150 s.f. express car wash, and a 17,500 s.f. retail building with drive-thru lane. This Alternative would provide vehicle ingress/egress along Mountain Street, in addition to two (2) additional ingress/egress along Lake Street. This three-access point to the site are proposed to be full-access. Parking has been accommodated throughout the site with approximately 170 parking stalls, including 11 ADA stalls, 20 vacuum stalls, and seven (7) electric vehicle charging stalls. Landscaping features will be incorporated along the boundary of the project site and in the interior of the site. Trees will provide shade to the alternative parking stalls and landscaping along the east and south side of the property will prevent flow runoff towards Lake Street and Mountain Street. Alternative #1 has also been designed with a bio filtration system designed to retain and treat a designated volume stormwater runoff that is located on the northern portion of the project site.

UTILITIES

WATER:
EASTERN MUNICIPAL WATER DISTRICT
951-928-3777

SEWER:
EASTERN MUNICIPAL WATER DISTRICT
951-928-3777

GAS:
SOUTHERN CALIFORNIA GAS CO.
1-800-427-2200

ELECTRICAL:
SOUTHERN CALIFORNIA EDISON
1-800-655-4555

TELEPHONE / CABLE:
SPECTRUM
1-833-694-9259

FRONTIER
1-800-921-8101

WASTE:
WASTE MANAGEMENT
1-866-909-4458

APPLICABLE BUILDING CODES

ALL CONSTRUCTION TO COMPLY WITH:

BUILDING CODE:	2016 CALIFORNIA BUILDING CODE
PLUMBING CODE:	2016 CALIFORNIA PLUMBING CODE
ELECTRICAL CODE:	2016 CALIFORNIA ELECTRIC CODE
MECHANICAL CODE:	2016 CALIFORNIA MECHANICAL CODE
ENERGY CODE:	2016 CALIFORNIA ENERGY CODE
GREEN BUILDING:	2016 CALIFORNIA GREEN BUILDING CODE
FIRE CODE:	2016 CALIFORNIA FIRE CODE (2015 IFC)

*THE PROJECT SHALL COMPLY WITH THE DEVELOPMENT STANDARDS AS OUTLINED IN THE C-2 ZONE AND THE LEMC

PROJECT DESCRIPTION (SOW)

1. CONDITIONAL USE PERMIT AND COMMERCIAL DESIGN REVIEW.
2. THE PROJECT INVOLVES (7) SEVEN PARCELS TOTALING APPROXIMATELY 5.60 NET ACRES.
3. ONSITE IMPROVEMENTS CONSIST OF ON-SITE PARKING, WQMP AREAS, SITE CIRCULATION, LANDSCAPING AND SITE LIGHTING.
4. OFFSITE IMPROVEMENTS CONSIST OF NEW UTILITY CONNECTIONS, RIGHT OF WAY DEDICATIONS, DRIVEWAY APPROACHES, A PROPOSED MEDIAN, AND UNDERGROUNDING OF EXISTING TELEPHONE/POWER POLES FRONTING PROJECT SITE.

APPLICANT

DANNY SINGH
TIGER PETROLEUM, INC.
3017 E. EDINGER AVE.
TUSTIN, CA 92780
CELL PHONE: (949) 630-5345
E-MAIL: dannysingh9@gmail.com

ARCHITECT / EXHIBIT PREPARER

EMPIRE DESIGN GROUP, INC.
PO BOX 944
MURRIETA, CA 92564
PHONE: (951) 696-1490
FAX: (951) 696-1443
CELL PHONE: (951) 809-7601
E-MAIL: ghann@empiregr.biz
CONTACT: GREGORY HANN, ARCHITECT

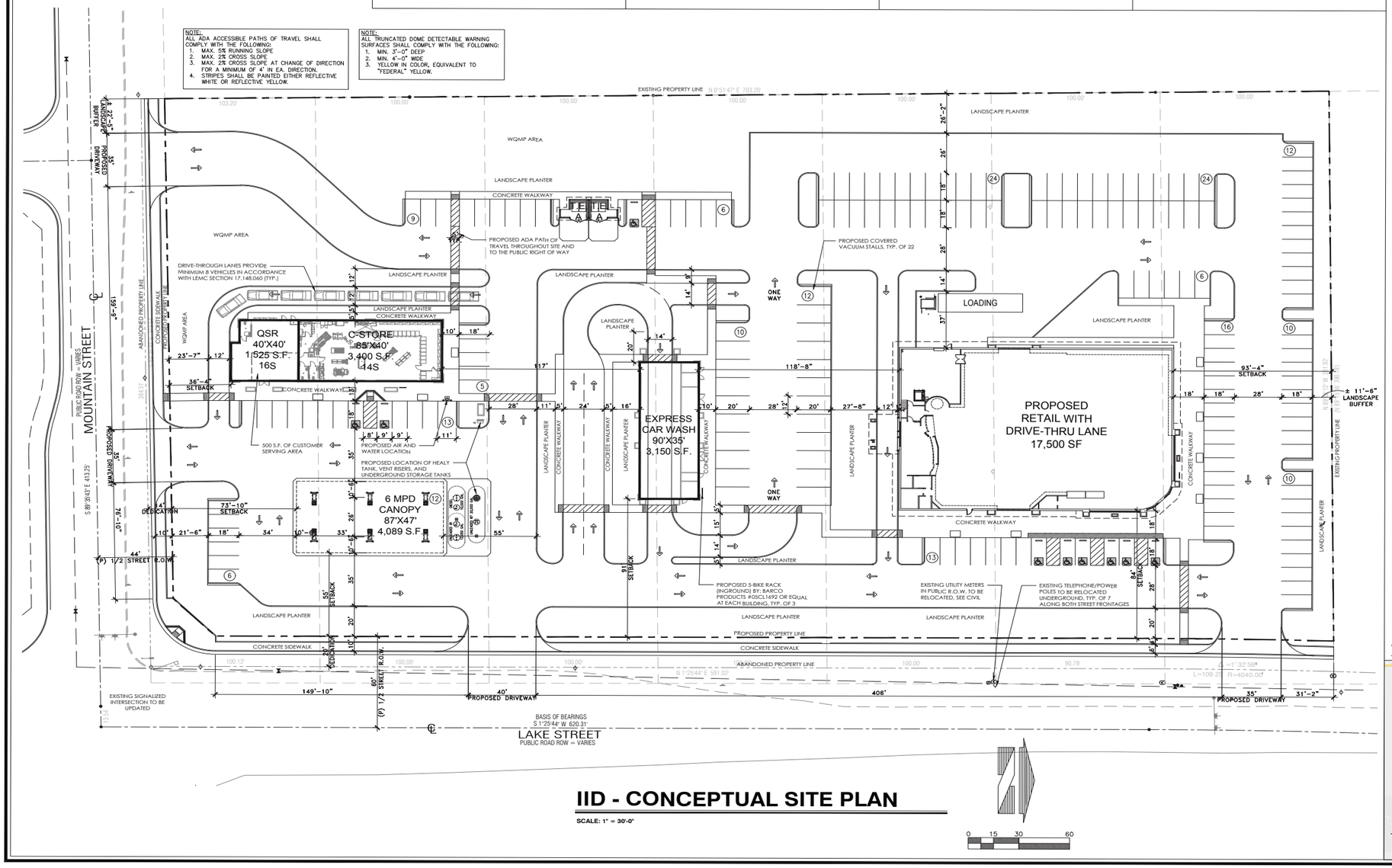
PHYSICAL ADDRESS:
24861 WASHINGTON AVE.
MURRIETA, CA 92562

SITE DATA

ADDRESS:	NWC MOUNTAIN ST. & LAKE ST, LAKE ELSINORE, CA 92530
PERMIT NUMBER:	TBD
APN:	389-030-012, 013, 014, 015, 016, 017, 018
LOT SIZE:	EXISTING: 6.07 ACRES (264,583 S.F.) PROPOSED: 5.63 ACRES (245,324 S.F.)
BUILDING AREAS:	C-STORE: 3,400 S.F. QSR: 1,525 S.F. CANOPY: 4,089 S.F. EXPRESS CAR WASH: 3,150 S.F. RETAIL: 17,500 S.F. TRASH ENCLOSURE A: 176 S.F. (TYP. OF 2)
FLOOR AREA RATIO:	.12
BUILDING HEIGHT:	MAX HEIGHT: 45'-0"
COUNTY:	RIVERSIDE
CONSTRUCTION TYPE:	V-B/SPRINKLERED
OCCUPANCYS:	M
SPECIFIC PLAN:	N/A
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	RETAIL / COMMERCIAL
EXISTING ZONE:	C2 - GENERAL COMMERCIAL
PROPOSED ZONE:	C2 - GENERAL COMMERCIAL
HAZARDOUS FIRE AREA:	VERY HIGH FIRE HAZARD SEVERITY ZONE COMPLY WITH LEMC & CBC
SURROUNDING LAND USE AND ZONING:	NORTH: C2 - GENERAL COMMERCIAL SOUTH: R1 - SINGLE FAMILY RESIDENTIAL EAST: MURDOCK ALBERHILL RANCH SPECIFIC PLAN WEST: R1 - SINGLE FAMILY RESIDENTIAL

NOTE:
ALL ADA ACCESSIBLE PATHS OF TRAVEL SHALL COMPLY WITH THE FOLLOWING:
1. MAX. 5% RUNNING SLOPE
2. MAX. 2% CROSS SLOPE
3. MAX. 2% CROSS SLOPE AT CHANGE OF DIRECTION FOR A MINIMUM OF 4' IN EA. DIRECTION.
4. STRIPES SHALL BE PAINTED EITHER REFLECTIVE WHITE OR REFLECTIVE YELLOW.

NOTE:
ALL TRUNCATED DOME DETECTABLE WARNING SURFACES SHALL COMPLY WITH THE FOLLOWING:
1. MIN. 3'-0" DEEP
2. MIN. 4'-0" WIDE
3. YELLOW IN COLOR, EQUIVALENT TO "FEDERAL" YELLOW.



IID - CONCEPTUAL SITE PLAN

SCALE: 1" = 30'-0"

VICINITY MAP

EMPIRE DESIGN GROUP Inc.
24861 Washington Ave.
Murrieta, Calif. 92562
Tel 951-696-1490 Fax 951-696-1443

CLIENT:
TIGER PETROLEUM, INC.

COMMERCIAL RETAIL
APN: 389-030-012 - 018
NWC MOUNTAIN ST. & LAKE ST.
LAKE ELSINORE, CA 92530

Architect of Record:
GREGORY S. HANN, AIA
24861 WASHINGTON AVE.
MURRIETA, CA 92562
TEL: 951-696-1490
CEL: 951-809-7601
FAX: 951-696-1443
E-MAIL: ghann@empiregr.biz

SEAL:
STATE OF CALIFORNIA
GREGORY SCOTT HANN
C-26663
REN. 9/30/21
LICENSED ARCHITECT

Date: OCTOBER 3, 2019
Project Number: EDG#04589

NO.	DATE	REVISION DESCRIPTION
1	1-31-20	1ST CUP CORRECTIONS

DESIGNED BY: GH
CHECKED BY: GH
DRAWN BY: AH
DRAWING TITLE:
IID - CONCEPTUAL SITE PLAN

SHEET NO:
AS 1.0

Implementation of Alternative #1 would result in a reduction of overall retail square footage compared to the proposed project by approximately 2,040 s.f. Additionally, Alternative #1 proposes one drive-thru lane instead of two proposed under the project.

6.6 Alternative Impact Evaluation

6.6.1 No Project Alternative

The No Project/No Build Alternative assumes that the proposed project is not developed. The project site would remain in its current condition and would remain vacant.

Aesthetics

The No Project Alternative considers no development or disturbance on the project site beyond that which occurs under existing conditions. As such, the 6.07-acre site would remain undeveloped and vacant land that is routinely disced for fire abatement purposes. Thus, the project's less-than-significant impacts to scenic vistas would be avoided under this Alternative. Although the project is not expected to degrade the existing visual character or quality of the site or its surroundings, implementation of the No Project Alternative would retain the areas visual character and impacts would be reduced in comparison to the project. There would be no new sources of light or glare under the No Project Alternative, and impacts associated with light and glare would be reduced in comparison to the proposed project. Impacts to aesthetics would be reduced under the No Project Alternative.

Air Quality

Under the No Project Alternative, no development would occur on the project site; therefore, there would be no potential sources of short-term (construction) or long-term (operational) emissions. There also would be no potential sources of construction-related odors associated with this Alternative. With respect to construction-related emissions, the No Project Alternative would avoid the project's near-term construction-related less than significant impacts. Additionally, the NDA would avoid the project's long-term operational-related less than significant impacts. Additionally, the less than significant odor impacts would be eliminated. Impacts to air quality would be reduced under the No Project Alternative.

Biological Resources

The No Project Alternative would leave the project site in its existing (undeveloped/vacant) condition and no development would occur on the site. Thus, the No Project Alternative would avoid the project's impacts to sensitive species, including burrowing owl, native bird nests, and bat species. Similar to the proposed project, the No Project Alternative would result in no impacts to riparian habitat or other sensitive species and federally or state protected wetlands. Additionally, the No Project Alternative would avoid the less than significant impacts due to potential conflicts with Chapter 5.116 of the Lake Elsinore Municipal Code (Palm Tree Preservation Policy) and the MSHCP. Impacts to biological resources would be reduced under the No Project Alternative.

Cultural Resources

Under the No Project Alternative, no substantial changes nor disturbances would occur. As such, the No Project Alternative would avoid the project's potentially significant but mitigable impacts to cultural resources. Impacts to cultural resources would be reduced under the No Project Alternative.

Energy

Under the No Project Alternative, energy would not be consumed onsite as the project site is currently vacant and undeveloped. As such, the No Project Alternative would avoid the project's less than significant impacts to energy resources. Impacts to energy resources would be reduced under the No Project Alternative

Geology and Soils

Under the No Project Alternative, no grading and/or earthmoving activities would occur and no structures would be constructed on the project site; therefore, there would be no potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, and/or seismic-related ground failure. Under this Alternative, on- or off-site landslide, lateral spreading, subsidence, liquefaction, collapse, soil instability, or expansive soils could occur as a result of natural forces; however, because no development would occur, there would be no structures located on a geologic unit or soil that is unstable. Since no grading activities would occur under the No Project Alternative and no cut and fill slopes would be created, hazards associated with unstable soils would not occur. No substantial changes to the site topography would occur under this Alternative, since it does not propose to alter the site from its current condition. Impacts to on- or off-site landslide, lateral spreading, subsidence, liquefaction, collapse, soil instability, and expansive soils would be reduced under the No Project Alternative.

Under the No Project Alternative, because no development would occur, soil erosion and the loss of topsoil due to natural forces (wind and rain) would continue in the absence of regulations such as a NPDES, a SWPPP, and SCAQMD Rule 403, Fugitive Dust, which would regulate the project so that potential impacts associated with soil erosion and the loss of topsoil would be managed. Accordingly, any potential impacts associated with geology and soils, with the exception of soil erosion and the loss of topsoil that would occur as a result of natural processes, would be avoided under the No Project Alternative. Impacts associated with soil erosion and the loss of topsoil would be slightly increased under the No Project Alternative, but would remain less than significant.

Greenhouse Gas Emissions

As noted in EIR Section 4.7, Greenhouse Gas Emissions, an individual project such as the project does not have the potential to result in direct and significant GHG-related impacts in the absence of cumulative sources of GHGs. Under the No Project Alternative, no development would occur on the project site; therefore, there would be no new potential sources of cumulative near-term or long-term GHG emissions. Accordingly, because no development would occur under this Alternative, the project's less-than-significant impact would be avoided under this Alternative. Neither the No Project Alternative nor the Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Impacts due to GHGs would be reduced under the No Project Alternative.

Hazards and Hazardous Materials

Because no development would occur under the No Project Alternatives, no potential impacts associated with the routine transport, use, or disposal of hazardous materials or foreseeable upset or accident conditions involving the release of hazardous materials into the environment, would occur. Although project impacts due to the emission of hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (i.e., Terra Cotta High School), because no development would occur impacts to schools would be reduced under this alternative. The Project site is not listed on any list of hazardous materials sites compiled

pursuant to Government Code Section 65962.5; therefore, neither the proposed project nor the No Project Alternative have the potential to result in impacts associated with hazardous materials sites. Neither the project nor the No Project Alternative would be inconsistent with an Airport Land Use Consistency Plan. Because the Project site is not identified as part of an emergency response plan or emergency evacuation plan, neither the NDA nor the Project would result in significant impacts due to impairment of evacuation or emergency plans.

The Project site is located in an area identified to have a 'Very High' Fire Hazard Area according to the City's General Plan (2011). Implementation of the proposed project would include development of structures within the project site and could expose more people and additional development to potentially significant hazards from wildfires. Under the No Project Alternative, there would be no structures developed on the project site; however, the site would require routine discing as part of fire abatement activities in order to reduce wildfire risk. Nonetheless, because the No Project Alternative would retain the site in its existing condition, the risk of the project site contributing to wildfire hazards in the area would be increased as compared to the proposed project.

Hydrology and Water Quality

Because no grading or development of the project site would occur under the No Project Alternative, no changes to existing hydrology and drainage conditions would occur. No storm water improvements would be constructed and rainfall would continue to exit the site as sheet flow, as occurs under existing conditions. Because this Alternative would not implement mandatory SWPPP and NPDES measures to reduce erosion and sedimentation, erosion and sedimentation would be greater under this Alternative. Accordingly, the proposed project's potential impacts associated with hydrology and water quality, with the exception of uncontrolled erosion and sedimentation and its potential impacts on water quality, would be avoided under this Alternative.

The No Project Alternative would allow for greater on-site groundwater recharge compared to the proposed project due to the reduction in impervious surfaces; therefore, the project's less-than-significant impact due to groundwater recharge would be reduced under this alternative.

The proposed project would install a comprehensive system of storm drain improvements and water quality retention basins that would convey storm water runoff off-site in a manner that would not cause substantial flooding on- or off-site, resulting in a reduction in peak flows from the project site. Thus, downstream erosion impacts would be reduced under the proposed project as compared to the No Project Alternative. Compared to the proposed project, the No Project Alternative also would increase impacts to the capacity of existing or planned storm water drainage systems as well as polluted runoff because it would not result in the storm drain improvements and water quality retention basins that are proposed by the project.

Neither the proposed project nor the No Project Alternative would result in the construction of housing or structures within a mapped flood hazard area. Thus, impacts associated with housing or structures in flood plains would not occur under the No Project Alternative or the proposed project.

Land Use and Planning

Under the No Project Alternative, as with the proposed project, there would be no applications for a General Plan Amendment, Change of Zone, Specific Plan Amendment, or Specific Plan; however, the No Project Alternative would not result in an impact associated with MSHCP compliance as there is no resulting alteration of the project site. Thus, the No Project Alternative would result in a reduced impact associated with MSHCP

compliance. Neither the No Project Alternative nor the proposed project would have the potential to physically divide an established community.

Noise

Under the No Project Alternative, no construction or development would occur on site. Thus, although the Project would result in less-than-significant impacts with mitigation to nearby sensitive receptors during both construction and operation, the No Project Alternative would not result in any noise increase and thus impacts due to the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies would be avoided under this Alternative. Similarly, the project's less-than-significant impacts due to ground borne vibration or ground borne noise levels would be avoided under this Alternative. There also would be no substantial permanent or temporary increase in ambient noise levels in the project vicinity under the No Project Alternative, and would avoid the project's less-than-significant impacts (with mitigation). The Project site is not located within two miles of any public or private airports. The project site is not located within any known Airport Influence Area or Airport Safety Zone for any public airports. Thus, neither the No Project Alternative nor the proposed Project would expose sensitive receptors to excessive aircraft-related noise.

Public Services

The proposed project's impacts to public services would be less than significant or have no impact. The No Project Alternative would not result in any new development within the project site, and would not result in any increase in demand for public services. Accordingly, the proposed project's less-than-significant impacts associated with public services would be avoided under this Alternative.

Transportation

Under the No Project Alternative, no new development would occur; therefore, no traffic impacts would occur. As a result, the project's direct and cumulatively-considerable impacts to transportation would be avoided under the No Project Alternative.

Tribal Cultural Resources

Under the No Project Alternative, no new ground disturbance would occur. As such, the No Project Alternative would avoid the project's significant but mitigable impacts to Tribal Cultural Resources (TCRs) that may be buried beneath the site's surface and that could be impacted during grading and ground-disturbing activities. No impact would occur under the No Project Alternative.

Utilities and Service Systems

The proposed project's impacts associated with utilities and service systems would be less than significant. Because no development would occur under the No Project Alternative, no potential impacts would occur associated with utilities and service systems. Accordingly, implementation of the No Project Alternative would avoid the proposed project's less-than-significant impacts to utilities and service systems.

Wildfires

The Project site is located in an area identified to have a 'Very High' Fire Hazard Area according to the City's General Plan (2011). Implementation of the proposed project would include development of structures within the project site and would reduce wildfire risk due to installation of impervious surfaces and irrigated

landscaping. Under the No Project Alternative, there would be no structures developed on the project site; however, the site would require routine discing as part of fire abatement activities in order to reduce wildfire risk. Nonetheless, because the No Project Alternative would retain the site in its existing condition, the risk of the project site contributing to wildfire hazards in the area would be increased as compared to the proposed project.

Conclusion

Implementation of the No Project Alternative would result in no physical environmental impacts beyond those that have historically occurred on the undeveloped and vacant property. Almost all effects of the proposed project would be avoided or lessened by the selection of this Alternative, although a few new impacts, such as sedimentation and wildfire impacts, would be increased under this Alternative. Because this Alternative would avoid almost all of the project's impacts, it warrants consideration as the "environmentally superior alternative." However, pursuant to CEQA Guidelines § 15126.6(e)(2), if a no project alternative is identified as the environmentally superior alternative," then the EIR shall also identify an environmentally superior alternative among the other alternatives. Accordingly, Alternative #1, as discussed in subsection 6.5.2, is identified as the environmentally superior alternative.

The No Project Alternative would fail to meet all the Project Objectives. The No Project Alternative would not develop a new commercial and retail center along an Arterial street and within close proximity to other major roadways in a location that will serve the local community within the City of Lake Elsinore. The No Project Alternative would not develop a project site of roughly 5 to 8 acres for commercial/retail uses, on a site where proposed development would be consistent with the existing General Plan land use and zoning designation, and in a manner that will fully utilize its development potential. The No Project Alternative would not develop a new retail and commercial center which will serve the local community. The No Project Alternative also would fail to develop a project that will provide local employment opportunities and that will provide economic benefits to the community and City. The No Project Alternative would fail develop a new commercial/retail center with sustainable project features that reduces project impacts on the environment. Finally, the No Project Alternative also would not develop a cohesive commercial center that allows shoppers to enjoy eating facilities as well as shopping opportunities in one stop thereby reducing the number of traffic trips residents would take.

6.6.2 Alternative 1: Alternative Site Plan

The alternative project would consist of a commercial/retail center that includes a quick-serve drive-thru restaurant, a convenience store, express car wash, and gas station land uses on a total of 6.07 acres (proposed lot size). The project site is designated General Commercial by the City of Lake Elsinore General Plan and it is zoned C-2 (General Commercial).

As shown on Exhibit 6-1, Alternative Site Plan, Alternative #1 will consist of a 3,400 s.f. C-Store (convenience store) with an attached 1,525 s.f. Quick-Serve Restaurant (QSR), 4,089 s.f. gas fueling canopy, a 3,150 s.f. express car wash, and a 17,500 s.f. retail building with drive-thru lane.

Implementation of Alternative #1 would result in a reduction of overall retail square footage compared to the proposed project by approximately 2,040 s.f. This amounts to an approximately 10 percent. Additionally, Alternative #1 proposes one drive-thru lane instead of two proposed under the project.

Aesthetics

Areas proposed for development under Alternative #1 would be identical to the proposed project, although there would be an approximate 10 percent reduction in retail square footage and elimination of one drive-thru lane under the Alternative #1. For both Alternative #1 and the proposed project, the project site would be converted from undeveloped land to a mixed-use community. Consistent with the findings for the proposed project, the Alternative #1 would not have a substantial adverse effect on a scenic vista, as views of regional scenic resources would continue to be available in the surrounding areas. As such, impacts to scenic vistas would be similar under the proposed Project and the Alternative #1, and would be less than significant.

The project site is not visible from any officially-designated scenic highways. Both Alternative #1 and the proposed project would have similar less-than-significant impacts on any eligible facility because development of the project site would simply appear as a continuation of existing urban development patterns in the area.

Both the design of the project and Alternative #1 would be subject to City review to ensure that the site is developed in a manner that is not visually offensive either on-site or within the context of surrounding uses and planned development. As such, impacts to visual character and quality would be similar under Alternative #1 and proposed project and would be less than significant.

The project and Alternative #1 both would be subject to the lighting requirements set forth in the Lake Elsinore Municipal Code. Thus, impacts due to lighting and glare would be similar under the project and Alternative #1 and would be less than significant.

Air Quality

Implementation of Alternative #1 would result in less construction activity overall due to the reduction in the retail square footage across the project site. Additionally, Alternative #1 would result in a reduction in operational emissions, associated with traffic, due to the elimination of one of the proposed drive-thru lanes. As such, Alternative #1 would result in a reduction in emissions of air quality pollutants as compared to the proposed project. Similar to the proposed project, Alternative #1 would result in a less than significant impact associated with South Coast Air Quality Management District (SCAQMD) Regional Thresholds for criteria pollutants.

Areas proposed for grading under Alternative #1 would be similar to the proposed project. As such, both Alternative #1 and proposed project would result in similar less than significant emissions impacts during construction. With respect to other phases of construction, the RPA proposes reduced retail area as compared to the proposed project; therefore, air quality emissions associated with this phase of construction would be reduces as compared to the project. Nonetheless, both the project and Alternative #1 would result in less than significant emissions during construction.

For long-term operation, Alternative #1 would result in a reduction in traffic as compared to the proposed project due to the reduction in retail square footage and the elimination of one drive-thru lane. As such, air quality emissions associated with Alternative #1 would be reduced in comparison to the proposed project. Nonetheless, both the project and Alternative #1 would result in less than significant emissions during long-term operation.

As noted above, areas proposed for development are similar between the Alternative #1 and proposed project, and the same amount of grading would be required. Thus, both the Project and the RPA would result in less than significant localized air quality impacts during construction.

Neither the project nor Alternative #1 would result in impacts due to odors during long-term operation or construction; thus, impacts would be less than significant and would be similar.

Biological Resources

Areas proposed for physical disturbance by the Alternative #1 are identical to the proposed project. As such, the Alternative #1 and the proposed project would result in identical significant impacts to sensitive species, and mitigation would be required to reduce these impacts to below a level of significance. For both projects, implementation of mitigation measures BIO-1 and BIO-2 (specified in Section 4.3) would reduce impacts to sensitive species, including burrowing owl, native bird nests, and bat species.

Neither the project nor Alternative #1 would result in impacts to riparian habitat or federally or state protected wetlands, or wildlife corridors.

Under both Alternative #1 and the proposed project, the project Applicant would be required to comply with all applicable local policies and ordinances protecting biological resources, including the City's palm tree preservation program (Chapter 5.116 of the Lake Elsinore Municipal Code) and the MSHCP. Impacts would be less than significant, and would be similar for both the Alternative #1 and the proposed project.

Cultural Resources

Areas subject to physical disturbance by Alternative #1 would be identical to the proposed project. Both the project and Alternative #1 would impact two (2) previously recorded resources (Sites P-33-007208 and P-33-017352) on the project site; however, both previously recorded resources were not determined significant pursuant to the criteria given in CEQA Guidelines § 15064.5. Also, there are no other known archaeological resources at the project site. Accordingly, the project and Alternative #1 would result in less-than-significant impacts to known significant historical resources. Regardless, there is a potential that historical resources may be buried beneath the surface of the site that meet the CEQA definition of a significant resource which could not be unearthed during the project's construction process. If such resources are unearthed and are not properly identified and treated, the impact would be significant on both a direct and cumulative basis for both Alternative #1 and proposed project. With implementation of the mitigation measures identified in EIR Section 4.4, impacts would be reduced to less-than-significant levels.

Additionally, there is a potential that archaeological resources may be buried beneath the surface of the site that meet the CEQA definition of a significant resource which could be unearthed during construction of the proposed project or Alternative #1. If such resources are unearthed and are not properly identified and treated, the impact would be significant. With implementation of the mitigation measures identified in EIR Section 4.4, impacts would be reduced to less-than-significant levels.

The project site does not contain a cemetery and no known cemeteries are located within the immediate site vicinity. In the unlikely event that human remains are discovered during grading or other ground-disturbing activities associated with the project or Alternative #1, the project and Alternative #1 would be required to comply with the applicable provisions of California Health and Safety Code § 7050.5 and California Public Resources Code § 5097 et. seq. Mandatory compliance with State law would ensure that human remains, if encountered, are appropriately treated and would preclude the potential for significant impacts to human remains.

Energy

Energy resources used within the site under Alternative #1 would be reduced compared to the project due to the reduction in retail space and the elimination of one drive-thru lane. As discussed in EIR Section 4.5, the proposed project would be compliant with CRR Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings. Additionally, the project was determined to be compliant with the City of Lake Elsinore Climate Action Plan to reduce local GHG emissions in accordance with State law, including energy consumption. Implementation of Alternative #1 would also be consistent with these plans and similar to the project would not result in the inefficient use of energy resources. Therefore, due to the reduced site intensity, Alternative #1 would result in a reduced less than significant impact with respect to energy resources compared to the proposed project.

Geology and Soils

Construction and development characteristics associated with Alternative #1 are very similar to the proposed project. Both the project and the Alternative #1 would be subject to compliance with the project's geotechnical study which would reduce any potential impacts associated with geology and soils to less than significant. Thus, both the Project and Alternative #1 would result in similar less-than-significant impacts associated with the exposure of people or structures to adverse effects, including loss, injury, or death as a result of strong seismic ground shaking, lateral spreading, liquefaction, and collapse.

The project site has a "High Potential" to yield nonrenewable paleontological resources. As the project and Alternative #1 would impact the same ground area, both the project and Alternative #1 would result in similar impacts. Both the project and Alternative #1 would require implementation of mitigation measure GEO-1 in order to reduce impacts to paleontological resources to less than significant.

Greenhouse Gas Emissions

Under Alternative #1, emissions of greenhouse gases (GHGs) would be reduced in comparison to the proposed project due to the reduction in retail building space and elimination of one drive-thru lane. As discussed in EIR Section 4.7, implementation of the project would result in less than significant impacts associated with GHG emissions; therefore, implementation of Alternative #1 would result in would result in a reduced less than significant impact compared to the project.

Hazards and Hazardous Materials

During construction and operation of both the project and Alternative #1, mandatory compliance with federal, state, and local regulations would reduce to less-than-significant levels impacts due to a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials; however, because Alternative #1 would implement a reduced retail footprint and fewer vehicles due to the elimination of one drive-thru lane than the proposed project, potential impacts would be reduced under Alternative #1 in comparison to the proposed project.

Under existing conditions, no hazards were found on the project site; thus, no impacts due to existing site contamination would occur under the project or Alternative #1. During construction and operation, mandatory compliance with federal, state, and local regulations would ensure that the project and Alternative #1 would not create a significant hazard to the public or the environment through accident conditions involving the release of hazardous materials. Thus, the project and Alternative #1 would not create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials in the environment. However, due to the reduction in retail building area and

elimination of one drive-thru lane, Alternative #1 would have slightly reduced impacts in comparison to the proposed project.

The project site is located approximately 0.25 mile north of Terra Cotta High School; however, impacts due to emitting hazardous emissions or handle hazardous materials within one-quarter mile of an existing or proposed school would be less than significant under both the project. Alternative #1 would result in reduced less than significant impact compared to the proposed project due to the reduction is retail building area and elimination of one drive-thru lane.

The project site is not located on any list of hazardous materials sites compiled pursuant to Government Code § 65962.5. Accordingly, no impact would occur under Alternative #1 or the proposed project, and impacts would be similar.

The project site is not within the Airport Influence Area for any airport in Riverside County. As such, neither the proposed project nor Alternative #1 would expose people residing or working in the area to safety hazards associated with public airports, and impacts would be less than significant and similar under both alternatives.

Neither the project nor Alternative #1 would impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. No emergency facilities exist on the project site, and the site does not serve as an emergency evacuation route and the project would be required to maintain access during construction. Thus, both the project and Alternative #1 would result in similar less-than-significant impacts.

According to the City of Lake Elsinore General Plan, the project site is located within a 'Very High' Fire Hazard Area. As the project site is vacant and undeveloped, future development under both the project and Alternative #1 would be developed in a manner consistent with jurisdictional requirements for fire protection and would generally decrease the fire hazard in the local area. As such, impacts regarding wildland fires would be similar less than significant under both Alternative #1 and the proposed project.

Hydrology and Water Quality

With implementation of the BMPs from the SWPPP and the WQMP prepared for the project (which would also apply to Alternative #1) as well as implementation of the drainage plan for both the project and Alternative #1, impacts would be less than significant. Because areas proposed for development are similar, impacts under Alternative #1 and project would be similar.

The project and Alternative #1 would have a reliable source of domestic water and would not require any new potable water wells that would directly extract groundwater. The project and Alternative #1 would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, and the impact would be less than significant. However, because Alternative #1 would require less water than the proposed project due to the reduction in retail building area, impacts to groundwater would be reduced under Alternative #1 as compared to the proposed project.

Implementation of the BMPs from the required SWPPP and the on-site drainage basins would ensure that construction and operation of the project and Alternative #1 would not result in substantial erosion or siltation on/or off-site or contribute runoff storm water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Accordingly, impacts would be less than significant and would be similar under Alternative #1 and proposed project.

With implementation of the drainage plan included as an applicable City Regulation, which would be similar under the project and Alternative #1, the project and Alternative #1 would result in the reduction of peak storm water discharge flows compared to existing conditions. Because the proposed project and Alternative #1 would be designed to attenuate post-development runoff from the site, runoff from the project and Alternative #1 would not substantially increase the rate or amount of surface runoff in downstream areas in a manner that would result in flooding on- or off-site. A less-than-significant impact would occur, and impacts would be similar under Alternative #1 and proposed project.

Implementation of the project or Alternative #1 would not require construction or expansion of storm water drainage facilities that are not already addressed herein. Construction of the proposed storm drainage improvements is an integral component of the construction phase for both the project and Alternative #1, impacts for which have been evaluated throughout this subsection. In each case, impacts are found to be less than significant. There are no components of the on-site drainage improvements that would result in environmental effects not addressed in this EIR. Thus, a less-than-significant impact would occur under both the project and Alternative #1, and impacts would be similar.

The FEMA FIRM for the project site indicates that the project site is not located within a special flood hazard area; therefore, neither the project nor Alternative #1 would result in potential impacts associated with placing housing or structures within a 100-year flood zone. Additionally, the project site was determined to be outside an area at risk of inundation. Impacts and would be similar under Alternative #1 and proposed project.

Land Use and Planning

The project and Alternative #1 would not physically disrupt or divide any established communities, and no impact would occur under either alternative. Additionally, under both the project and Alternative #1, the project site would be developed in compliance with the underlying General Plan designation and Zoning. Additionally, similar to the project, Alternative #1 would comply with the MSHCP requirements for the project site. Impacts due to a conflict with the land use designations and policies of the General Plan and other planning documents would be less than significant and would be similar under both Alternative #1 and proposed project.

Noise

Both the project and Alternative #1 would result in construction-related noise levels that exceed the City of Lake Elsinore stationary construction equipment noise level standards; however, these impacts would be reduced to less-than-significant levels with implementation of the mitigation measures specified in EIR Subsection 4.11. Although Alternative #1 includes a reduction in the amount of retail square footage and the elimination of one drive-thru lane, it is assumed the construction noise impacts would be similar between the project and Alternative #1.

Additionally, under the project and Alternative #1, operational noise levels affecting sensitive off-site receiver locations have the potential to exceed the nighttime exterior noise level standards established by General Plan Policy 7.1. Such impacts would be reduced to less-than-significant levels with implementation of the mitigation measures identified in EIR Subsection 4.11. However, due to the reduction in retail square footage and elimination of one drive-thru lane, such impacts would be reduced under Alternative #1 as compared to the proposed project.

Public Services

With payment of mandatory DIF fees, potential direct and cumulatively-considerable impacts to the RCFD and LEPD under the project and Alternative #1 would be reduced to less-than-significant levels, and neither the project nor Alternative #1 would result in or require the construction of new fire or police protection facilities that could result in a significant impact to the environment. The project and Alternative #1 would result in similar impacts.

Similar to the project, Alternative #1 would not have an impact on school, park, or other government facilities.

Transportation

As discussed in EIR Section 4.14, the project result in less than significant to study area transportation facilities. Impacts associated with Alternative #1 would be reduced under as compared to the proposed project due to the reduction in retail square footage and the elimination of one drive-thru lane. Therefore, Alternative #1 would result in a reduced less than significant impacts as compared to the project.

As the project was determined to result in less than significant VMT impacts, Alternative #1 would result in a reduced less than significant impact, as compared to the project, due the reduction in retail square footage and the elimination of one drive-thru lane.

Neither the proposed project nor Alternative #1 create or substantially increase safety hazards due to a design feature or incompatible use, and impacts would be less than significant and similar under both alternatives.

Due to temporary lane closures that may occur during the construction phase for both the Project and Alternative #1, such construction activities may conflict with emergency access routes and access to nearby uses. Construction traffic would be required to comply with a temporary traffic control plan that meets the applicable requirements of the California Manual on Uniform Traffic Control Devices, as required by the mitigation specified in EIR Section 4.14. Because improvements under the Project and Alternative #1 would be similar, temporary construction-related impacts would be similar under both alternative.

Tribal Cultural Resources

Areas proposed for disturbance under Alternative #1 would be identical to the proposed project. Although neither the project nor Alternative #1 would impact any known TCRs, both the project and Alternative #1 have the potential to impact TCRs that may be buried beneath the project site's surface and that could be impacted during grading or ground-disturbing activities. As with the project, Alternative #1 would be subject to mitigation measures CULT-1 through CULT-5, which would ensure that grading and other ground-disturbing activities during construction are monitored by a qualified archaeologist as well as tribal monitors. The mitigation further requires the proper treatment of any resources that may be uncovered, and the avoidance of disturbance in areas where potential resources are uncovered. With implementation of the required mitigation, impacts would be reduced to less-than-significant levels under both Alternative #1 and proposed project, and the level of impact would be the same.

Utilities and Service Systems

Neither the project nor Alternative #1 would exceed wastewater treatment requirements of the Santa Ana RWQCB. The EVMWD would provide wastewater treatment and collection services to the site, and the EVMWD is required to operate all of its treatment facilities in accordance with applicable waste treatment and discharge

standards and requirements set forth by the RWQCB. Thus, a less-than-significant impact would occur under both Alternative #1 and proposed project, and impacts would be similar.

Neither the project nor Alternative #1 would require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, impacts due to water demand would be less than significant under both the project and Alternative #1, although impacts would be reduced under Alternative #1 as compared to the project due to a reduction in retail square footage.

During both construction and operation of the project or Alternative #1, the amount of solid waste generated be would represent a nominal increase in the existing available disposal capacity of the El Sobrante Landfill, the Badlands Landfill, and the Lamb Canyon Landfill. Thus, the project and Alternative #1 would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs and impacts would be less than significant. However, due to the reduction in retail square footage and elimination of one drive-thru lane, Alternative #1 would result in reduced impacts as compared to the proposed project.

The Project and Alternative #1 would be required to comply with all applicable solid waste statutes and regulations; as such, impacts would be less than significant under either alternative.

Impacts associated with the construction of utility connections to provide electricity, natural gas, and telecommunication facilities service to the site are inherent to the construction phase, and have been evaluated herein. There are no components of the proposed utility connections that would result in significant environmental effects not already addressed herein. Accordingly, impacts under Alternative #1 and proposed project would be less than significant and would be similar.

Wildfires

Construction and development characteristics associated with Alternative #1 are very similar to the proposed project. According to the City of Lake Elsinore General Plan, the project site is located within a 'Very High' Fire Hazard Area. As the project site is vacant and undeveloped, future development under both the project and Alternative #1 would be developed in a manner consistent with jurisdictional requirements for fire protection and would generally decrease the fire hazard in the local area. As such, impacts regarding wildland fires would be similar less than significant under both Alternative #1 and the proposed project.

Conclusion

As compared to the proposed Project, the RPA would not result in increased impacts to any of the issue areas analyzed above, and would result in similar or decreased impacts to all of the issue areas analyzed above. Specifically, as compared to the proposed Project, the RPA would result in reduced impacts associated with air quality, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality (groundwater supplies), noise, population/housing, public services, recreation, transportation/traffic, and utilities/service systems. Impacts under the issues of aesthetics, biological resources, geology/soils, historic/archaeological resources, hydrology/water quality (for all but groundwater supplies), land use/planning, paleontological resources, and tribal cultural resources would be similar under the Project and the RPA.

Alternative #1 generally would meet the Project Objectives, but less effectively than the proposed project due to the reduction in retail space and elimination of one drive-thru lane. Alternative #1 would be less effective in developing a new commercial and retail center along an Arterial street and within close proximity to other major roadways in a location that will serve the local community within the City of Lake Elsinore. Both the

project and Alternative #1 would develop a project site of roughly 5 to 8 acres for commercial/retail uses, on a site where proposed development would be consistent with the existing General Plan land use and zoning designation, and in a manner that will fully utilize its development potential. Both the project and Alternative #1 would develop a new retail and commercial center which will serve the local community. Alternative #1 would be less effective in providing local employment opportunities and that will provide economic benefits to the community and City. Both the project and Alternative #1 would develop a new commercial/retail center with sustainable project features that reduces project impacts on the environment. Finally, Alternative #1 would be less effective in developing a cohesive commercial center that allows shoppers to enjoy eating facilities as well as shopping opportunities in one stop thereby reducing the number of traffic trips residents would take.

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Chapter 7 EIR Preparation

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Pacific Southwest Biological Services, Inc.

- Habitat Assessment for Critical Area and Narrow Endemic Plan Species, and Burrowing Owl Survey (Phase I and Phase II Burrow Survey) and Discussion of Multiple Species Habitat Conservation Plan Issues

Urban Crossroads

- Air Quality Analysis
- Greenhouse Gas Analysis
- Energy Analysis
- Noise Impact Analysis
- Traffic Impact Analysis
- Vehicle Miles Travelled Screening Analysis

Brain F. Smith and Associates

- Phase I Cultural Resources Survey Report
- Paleontological Assessment

TA-Group DD

- Phase I Environmental Site Assessment

Earth Strata Geotechnical Services

- Preliminary Geotechnical Interpretive Report

Plump Engineering

- Preliminary Water Quality Management Plan
- Preliminary Hydrology Study

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