
Appendix A

Initial Study and Notice of Preparation



NOTICE OF PREPARATION CITY OF LAKE ELSINORE

TO: Interested Agencies, Organizations, and Individuals

FROM: City of Lake Elsinore
Attn: Ms. Damaris Abraham, Senior Planner
130 South Main Street
Lake Elsinore, CA 92530

DATE: 8/28/2020

SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LAKE AND MOUNTAIN COMMERCIAL CENTER PROJECT (PLANNING APPLICATION NO. 2019-34, TENTATIVE TRACT MAP NO. 37922, CONDITIONAL USE PERMIT NO. 2019-19, AND COMMERCIAL RESIGN REVIEW NO. 2019-27)

The CITY OF LAKE ELSINORE will be the Lead Agency and will prepare an environmental impact report (EIR) for the project described below. In compliance with Section 15082 of the CEQA Guidelines, the City of Lake Elsinore is sending this Notice of Preparation (NOP) to responsible agencies, interested parties, and other agencies which may be involved in approving or permitting the project, and to trustee agencies responsible for natural resources affected by the project. A copy of the project's Initial Study, which contains detailed information about the project and its potential environmental effects, is available for public review at the City of Lake Elsinore Planning Division, 130 South Main Street, Lake Elsinore, CA and online at:

<http://www.lake-elsinore.org/city-hall/community-development/planning/ceqa-documents-available-for-public-review/lake-and-mountain-commercial-center-project>

The purpose of this NOP is to solicit the views of agencies, organizations, and individuals as to the scope and content of the EIR. A 30-day review and comment period for this NOP is provided under State law. Please have your response postmarked by 9/28/20. Please send your response to Ms. Damaris Abraham at the address shown above. Please provide contact information including name, phone number, and e-mail address.

PROJECT LOCATION

The proposed project is located in the northwestern portion of the City of Lake Elsinore (City), in Riverside County, California at the northwest corner of Mountain Street and Lake Street. The project encompasses Assessor's Parcel Numbers (APNs) 389-030-012, 013, 014, 015, 016, 017, and 018.

PROJECT DESCRIPTION

The proposed project would consist of a 32,695 SF commercial/retail center on approximately 5.63 acres of land. 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, and 170 parking stalls including 11 ADA and 20 vacuum 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 proposed parking stalls and landscaping along the east and south side of the property will prevent flow runoff towards Lake Street and Mountain Street.

ENVIRONMENTAL REVIEW

Based upon technical analysis and supporting information, the City has determined that the proposed project could result in potentially significant environmental impacts, and an EIR is the appropriate CEQA document. The environmental topics that will be addressed in the Draft EIR are as follows:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Energy;
- Geology/Soils;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Hydrology/Water Quality;
- Land Use/Planning;
- Noise;
- Public Services;
- Transportation;
- Tribal Cultural Resources;
- Utilities/Services Systems;
- Wildfire; and
- Mandatory Findings of Significance

The EIR will also identify alternatives to the proposed project that would be capable of reducing or eliminating one or more of the significant environmental effects of the proposed project.

The following issue areas will not be discussed in the EIR because less-than-significant impacts have been identified, and more fully discussed in the project's Initial Study: Agricultural Resources, Population/Housing, Mineral Resources, and Recreation.

PUBLIC SCOPING MEETING

A SCOPING SESSION has been scheduled in order to bring together and resolve the concerns of affected federal, state and local agencies, the proponent of the proposed project, and other interested persons; as well as inform the public of the nature and extent of the proposed project, and to provide an opportunity to identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the EIR and help eliminate from detailed study issues found not to be important. The Scoping Session is not a public hearing on the merit of the proposed project and NO DECISION on the project will be made. Public testimony is limited to identifying issues regarding the project and potential environmental impacts. The project proponent will not be required to provide an immediate response to any concerns raised. The project proponent will be requested to address any concerns expressed at the Scoping Session, through revisions to the proposed project and/or completion of a Final Environmental Impact Report, prior to the formal public hearing on the proposed project. Mailed notice of the public hearing will be provided to anyone requesting such notification.

DATE OF SCOPING SESSION: Thursday, September 17, 2020

TIME OF SCOPING SESSION: 6:00 p.m. or as soon as possible thereafter.

PLACE OF SCOPING SESSION: Zoom Meeting. To participate in the meeting, please register by using the following link before 5:00 p.m. on the day of the meeting:

https://us02web.zoom.us/webinar/register/WN_3Hu0blxFRsCowUV2--FFYQ

As indicated above, please have your response postmarked by 9/28/2020 and send to Ms. Damaris Abraham at the City of Lake Elsinore Planning Division, 130 South Main Street, Lake Elsinore, CA.

Signature:



Name: Ms. Damaris Abraham, Senior Planner

Date: 8/28/20

Phone: (951) 674-3124, ext. 913



LAKE AND MOUNTAIN COMMERCIAL CENTER

INITIAL STUDY/ NOTICE OF PREPARATION

PLANNING APPLICATION No. 2019-34
TENTATIVE TRACT MAP No. 37922
CONDITIONAL USE PERMIT No. 2019-19
COMMERCIAL DESIGN REVIEW No. 2019-27

Prepared By:
CITY OF LAKE ELSINORE
130 South Main Street
Lake Elsinore, CA 92530

Applicant:
TIGER PETROLEUM, INC.
Attn. Danny Singh
3017 E. Edinger Avenue
Tustin, CA 92780

Environmental Consultant:
The Altum Group
73-710 Fred Waring Drive, Ste. 219, Palm Desert, CA 92260

August 24, 2020

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I. INTRODUCTION

A. PURPOSE

This document is an Initial Study for evaluation of environmental impacts resulting from implementation of the **Lake and Mountain Commercial Center project**. For purposes of this document, this application will be called the “proposed project”.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As defined by Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to CEQA Guidelines Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The project has the potential to: substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory.
- The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The project has possible environmental effects that are individually limited but cumulatively considerable.
- The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

According to CEQA Section 21080(c)(1) and CEQA Guidelines Section 15070(a), a **Negative Declaration** can be adopted if it can be determined that the project will not have a significant effect on the environment.

According to CEQA Section 21080(c)(2) and CEQA Guidelines Section 15070(b), a **Mitigated Negative Declaration** can be adopted if it is determined that although the **Initial Study** identifies that the project may have potentially significant effects on the environment, revisions in the project plans and/or mitigation measures, which would avoid or mitigate the effects to below the level of significance, have been made or agreed to by the applicant.

This Initial Study has determined that the proposed project may result in potentially significant environmental effects. Therefore, a Environmental Impact Report is deemed the appropriate document to provide the necessary environmental evaluations and clearance.

This Initial Study has been prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 *et seq.*); the State Guidelines for Implementation of the California Environmental Quality Act (“CEQA Guidelines”), as amended

(California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000, *et seq.*); applicable requirements of the City of Lake Elsinore; and the regulations, requirements, and procedures of any other responsible public agency or agency with jurisdiction by law.

The City of Lake Elsinore is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for carrying out or approving a project which may have significant effects upon the environment.

C. INTENDED USES OF INITIAL STUDY

This Initial Study is an informational document which is intended to inform the City of Lake Elsinore decision-makers, other responsible or interested agencies, and the general public of the potential environmental effects of the proposed project. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible agencies must balance adverse environmental effects against other public objectives, including economic and social goals (CEQA Guidelines Section 15021).

D. CONTENTS OF INITIAL STUDY

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed project.

I. INTRODUCTION presents an introduction to the entire report. This section identifies City of Lake Elsinore contact persons involved in the process, scope of environmental review, environmental procedures, and incorporation by reference documents.

II. PROJECT DESCRIPTION describes the proposed project. A description of discretionary approvals and permits required for project implementation is also included.

III. ENVIRONMENTAL CHECKLIST FORM contains the City's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed project and those areas that would have either a potentially significant impact, a less than significant impact with mitigation incorporated, a less than significant impact, or no impact.

IV. ENVIRONMENTAL ANALYSIS provides the background analysis supporting each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation. In this section, mitigation measures are also set forth, as appropriate, that would reduce potentially significant adverse impacts to levels of less than significance.

V. MANDATORY FINDINGS presents the background analysis supporting each response provided in the environmental checklist form for the Mandatory Findings of Significance set forth in Section 21083(b) of CEQA and Section 15065 of the CEQA Guidelines.

VI. REFERENCES lists bibliographical materials used in preparation of this document.

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is stated and responses are provided according to the analysis undertaken as part of the Initial Study. All responses will take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Project impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A “No Impact” response is adequately supported if the referenced information sources show that the impact simply does not apply to the proposed project. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. **Less Than Significant Impact:** Development associated with project implementation will have the potential to impact the environment. These impacts, however, will be less than the levels of thresholds that are considered significant and no additional analysis is required.
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”. The Lead Agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
4. **Potentially Significant Impact:** There is substantial evidence that the proposed project may have impacts that are considered potentially significant and an EIR is required.

F. DOCUMENTS INCORPORATED BY REFERENCE/TECHNICAL STUDIES

a. As permitted in § 15150 of the CEQA Guidelines, environmental documents can incorporate by reference all or portions of other documents that are a matter of public record. The information presented in this document is based upon other environmental documents. Information and data from the following documents are incorporated by reference. These documents are available for review at the Lake Elsinore City Hall, Planning Division; 130 South Main Street: Lake Elsinore, California 92530.

The following document(s) is/are incorporated by reference:

- General Plan Update (GPU), City of Lake Elsinore, December 13, 2011.
- GPU EIR; City of Lake Elsinore, December 13, 2011.

b. Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Initial Study.

- Air Quality Impact Analysis, 2019. Urban Crossroads. (Appendix A)
- Habitat Assessment for Critical Area and Narrow Endemic Plan Species, and Burrowing Owl Survey (Phase I and Phase II Burrow Survey) (Appendix B)
- Phase I Cultural Resources Survey Report for the Commercial/Retail NWC Mountain and Lake Streets Project, 2019. Brian F. Smith and Associates, Inc. (Appendix C)
- Preliminary Geotechnical Interpretive Report, 2019. Earth Strata Geotechnical Services. (Appendix D)
- Preliminary Geotechnical Interpretive Report – Response Letter, 2020. Earth Strata Geotechnical Services. (Appendix E)
- Supplemental – Preliminary Geotechnical Investigation Proposed Commercial Development “Lake Street Marketplace” NWC Mountain Street and Lake Street City of Lake Elsinore, California, 2007.

Leighton Consulting, Inc. (Appendix F)

- Greenhouse Gas Analysis, 2019. Urban Crossroads. (Appendix G)
- Phase I Environmental Site Assessment, 2019. TA-GROUP DD. (Appendix H)
- Hydrology Study. Plump Engineering, Inc., 2019. (Appendix I)
- Noise Impact Analysis, 2019. Urban Crossroads. (Appendix J)
- Traffic Impact Analysis, 2020. Urban Crossroads. (Appendix K)
- Traffic Impact Analysis Appendices, 2020. Urban Crossroads. (Appendix L)
- Water Quality Management Plan, 2019. Plump Engineering. (Appendix M)
- RCA Joint Project Review, LEAP 06-05/Lake Street Marketplace, 2008. Western Riverside County Regional Conservation Authority. (Appendix N)
- SCE Will Serve Letter, 2020. Southern California Edison. (Appendix O)
- EVMW Service Planning Letter, 2020. Elsinore Valley Municipal Water District. (Appendix P)

c. The above-listed documents and technical studies are available for review at:

City of Lake Elsinore
Planning Division
130 S. Main Street
Lake Elsinore, California 92530

Hours: Mon-Thurs: 8 a.m. - 5 p.m.
Friday: 8 a.m. - 4 p.m.
Closed Holidays

II. PROJECT DESCRIPTION

A. PROJECT LOCATION AND SETTING

As shown in Exhibit 1, *Regional Location*, the proposed project is in the northwestern portion of the City of Lake Elsinore (City), in Riverside County, California. As shown in Exhibit 2, *Project Site Vicinity*, the project site is located at the northwest corner of Mountain Street and 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).

The project site is surrounded by several roadways including Mountain Street to the south and Lake Street to the east directly abutting the project site. Other streets within close proximity to the site include Raveta Lane to the west and Running Deer Road to the north. Adjacent to the east and south of the project site are single-family residential homes. Individual large lot single-family residential homes are located to the west and north of the project site. As shown in Exhibit 3, *Site Photos*, the project site is partially developed and disturbed. A single-family residential home is located near the center of the project site (APN 389-030-14). The parcels in the northern portion of the project site (APNs 389-030-12 and -013) are not developed and vacant, while the remaining parcels (APNs 389-030-015, -016, -017, and -018) in the southern portion of the project site are characterized as vacant cleared land that previously contained a rural residence. Vegetation within the project site mainly consists of non-native weeds and grasses.

B. 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 5.63 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). 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.

As shown on Exhibit 4, *Conceptual Site Plan*, the proposed 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 proposed project 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 proposed project 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 proposed parking stalls and landscaping along the east and south side of the property will prevent flow runoff towards Lake Street and Mountain Street. The proposed project 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. Construction of the proposed project is anticipated to begin in the first quarter of 2022 with an approximate 12 month construction period.

III. ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Project Title: Lake and Mountain Commercial Center

2. Lead Agency Name and Address:

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

3. Contact Person and Phone Number:

Damaris Abraham, Senior Planner

City of Lake Elsinore

(951) 674-3124, ext. 913

4. Project Location:

The proposed project is located in the northwestern portion of the City of Lake Elsinore in Riverside County, California. The project site is located at the northwest corner of Mountain Street and Lake Street. The corresponding APNs for the proposed project is 389-030-012 through 389-030-018.

5. Project Sponsor's Name and Address:

Tiger Petroleum, Inc.
Attn: Danny Singh
3017 E. Edinger Avenue
Tustin, CA 92780

6. General Plan Designation:

General Commercial

7. Zoning:

C-2 (General Commercial)

8. Description of Project:

The proposed 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 total building area for the proposed project will consist of approximately 32,695 SF of commercial and retail uses on a total of 5.63 acres of the 6.07 acre project site.

9. Surrounding Land Uses and Setting:

As shown on Exhibit 2, adjacent to the east and south of the project site are single-family residential homes. Individual large lot single-family residential homes are located to the west and north of the

project site. As shown in Exhibit 3, the project site is partially developed and disturbed. A single-family residential home is located near the center of the project site (APN 389-030-14). The parcels in the northern portion of the project site (APNs 389-030-12 and -013) are not developed and vacant, while the remaining parcels (APNs 389-030-015, -016, -017, and -018) in the southern portion of the project site are characterized as vacant cleared land that previously contained a rural residence. Vegetation within the project site mainly consists of non-native weeds and grasses.

10. Lead Agency Approvals:

The following City approvals and permits are anticipated:

- Environmental Impact Report (EIR) certification
- Tentative Tract Map Approval
- Conditional Use Permit Approval
- Commercial Design Review Approval

11. Other Public Agencies Whose Approval is Required:

- Permitting may be required by/through the South Coast Air Quality Management District (SCAQMD) for certain aspects of the proposed project operations and its associated equipment.
- 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.

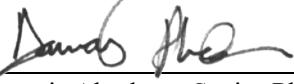
B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Agricultural and Forestry Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Energy
<input checked="" type="checkbox"/> Geology/Soils	<input type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Hazards & Hazardous Materials
<input checked="" type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources
<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input checked="" type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Tribal Cultural Resources
<input checked="" type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfire	<input checked="" type="checkbox"/> Mandatory Findings of Significance

C. DETERMINATION

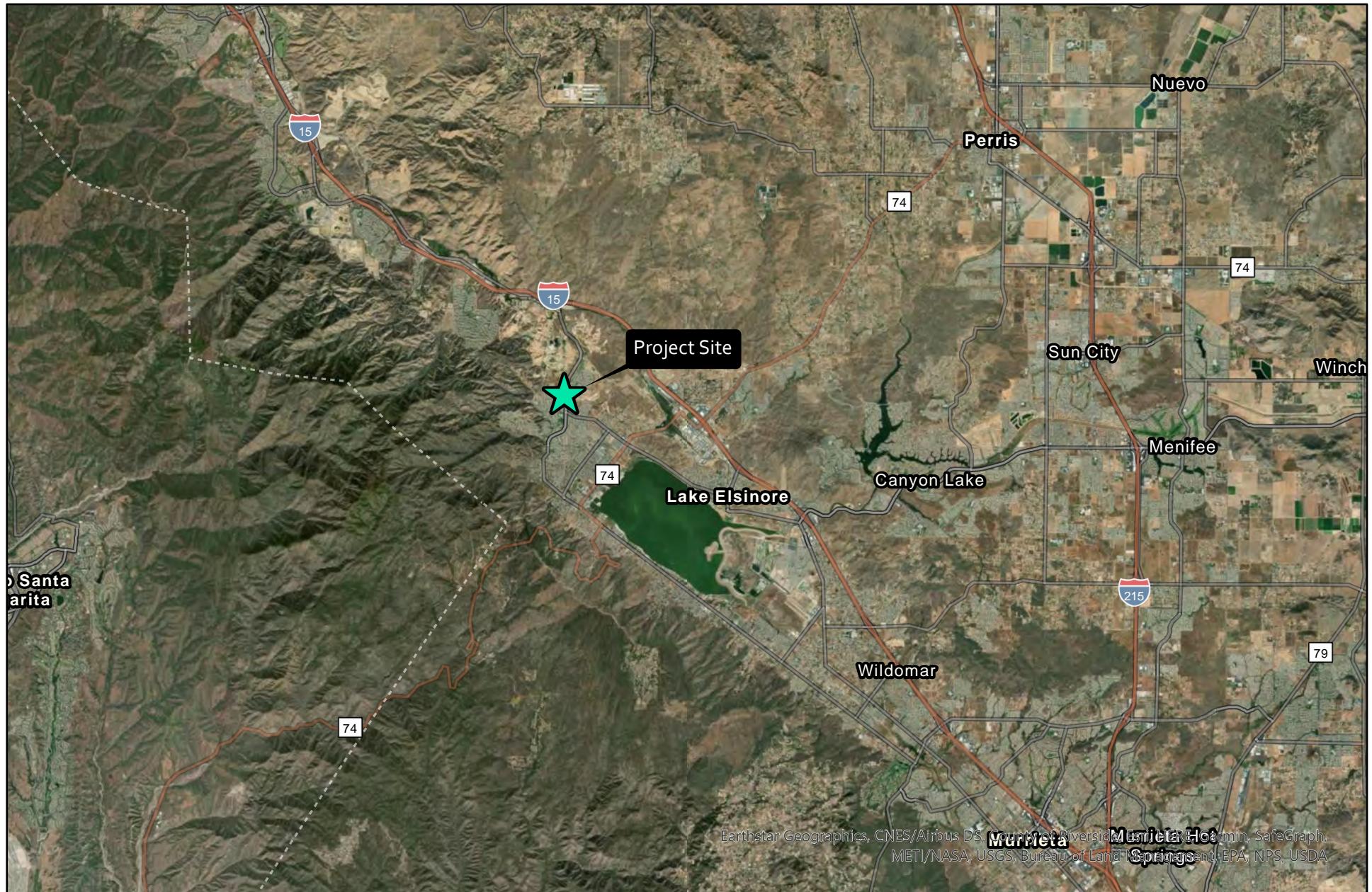
- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



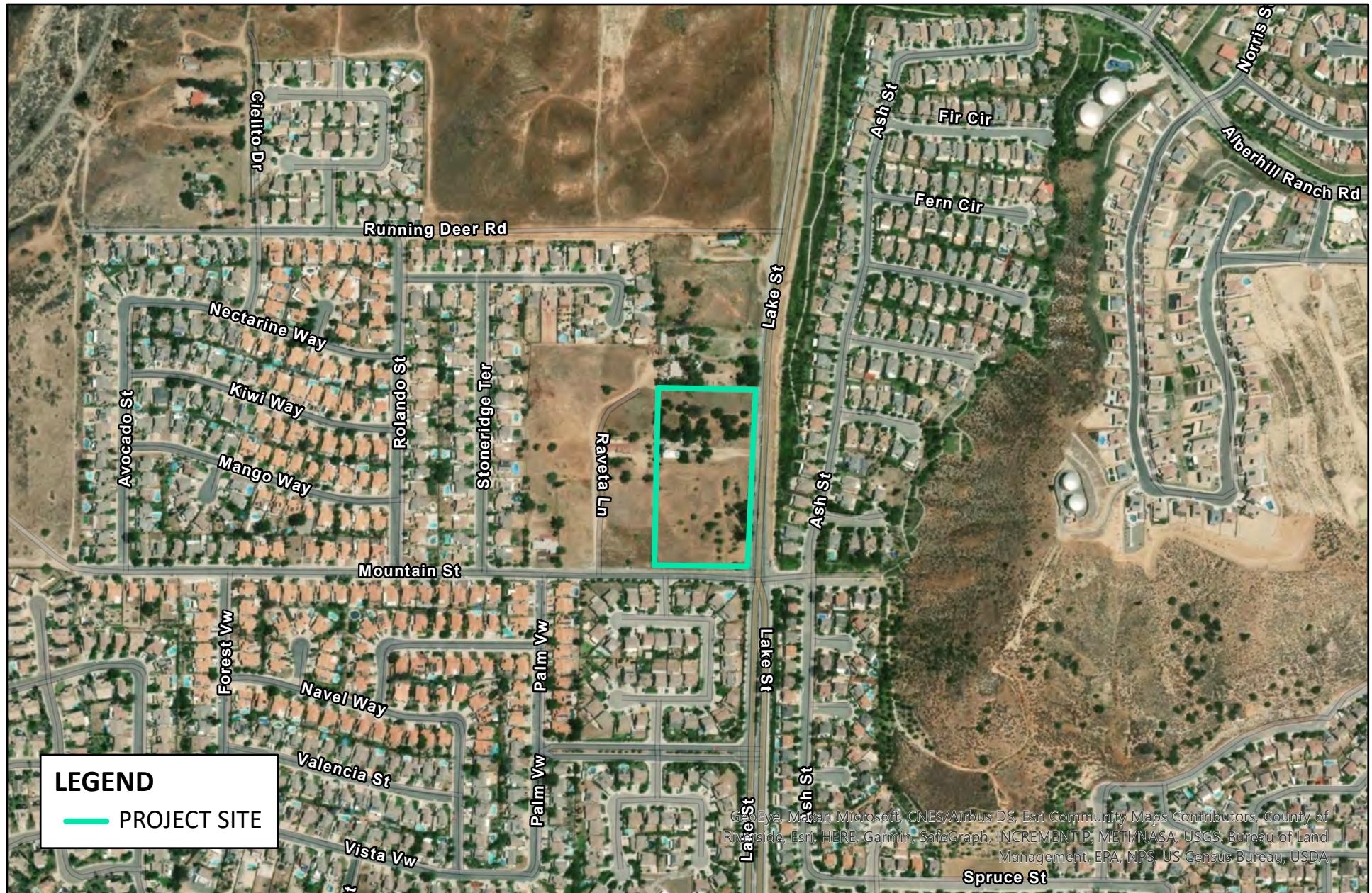
Damaris Abraham, Senior Planner

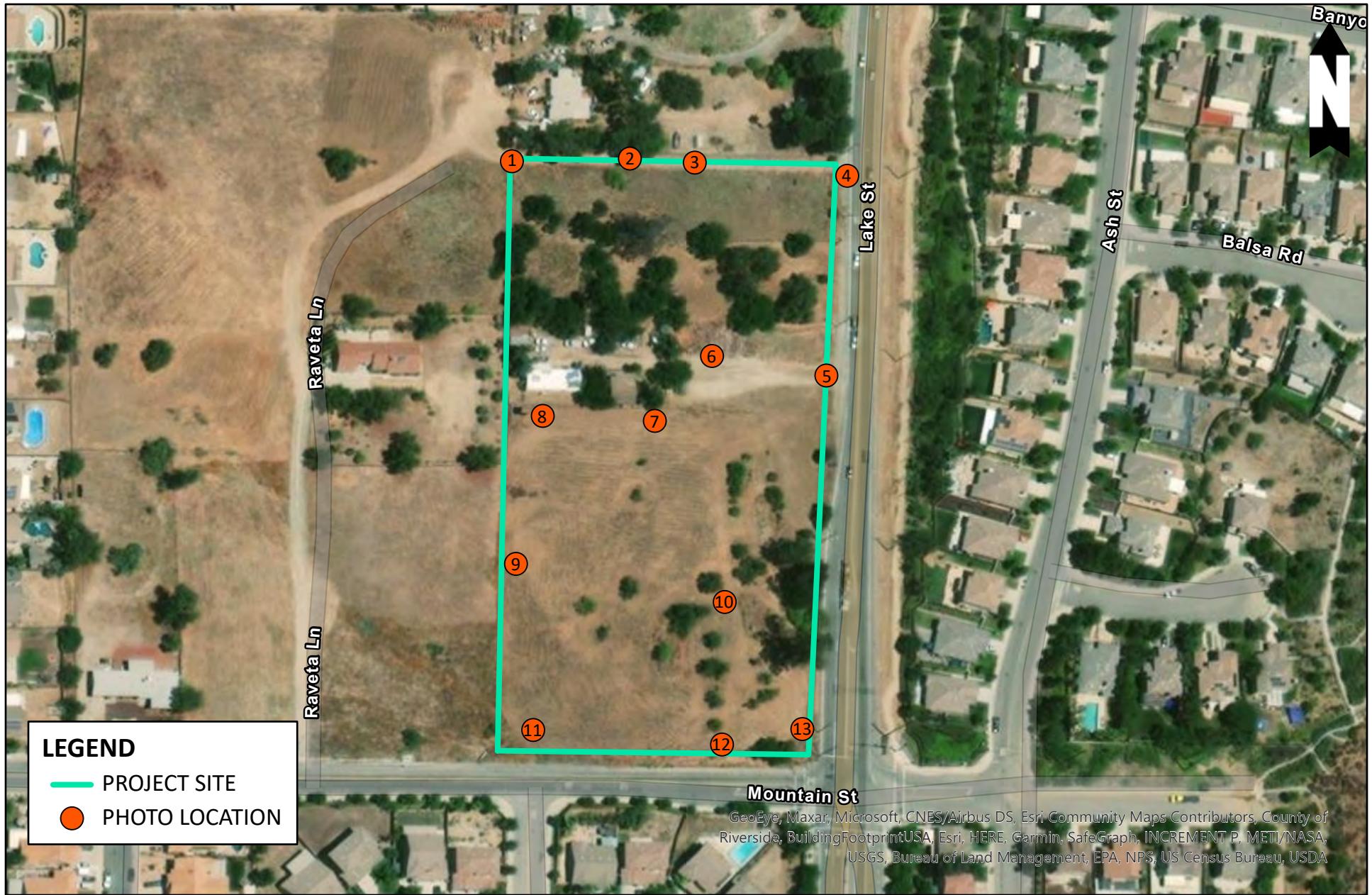
August 27, 2020

Date



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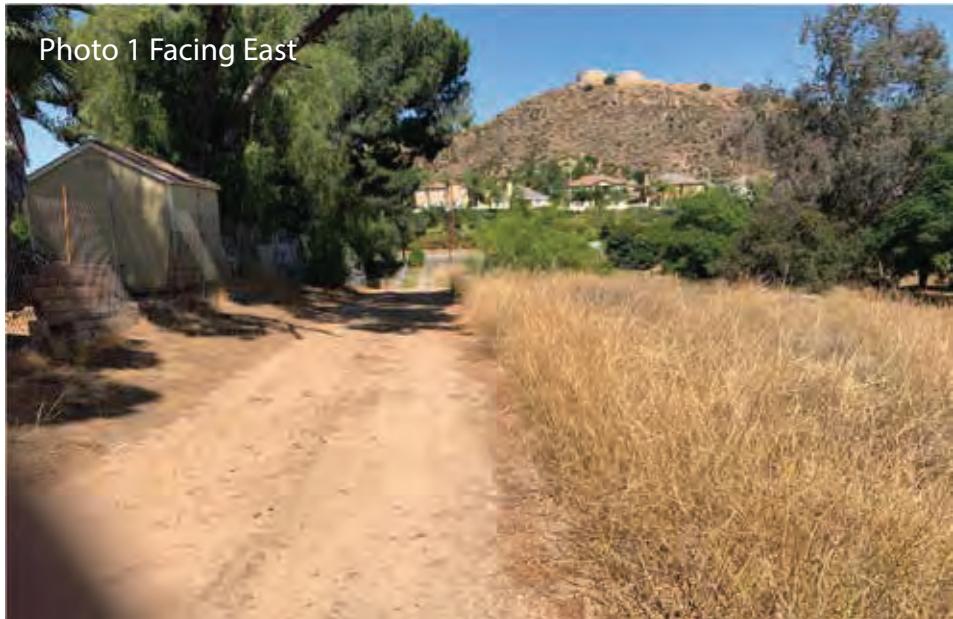


Photo5 Facing South



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

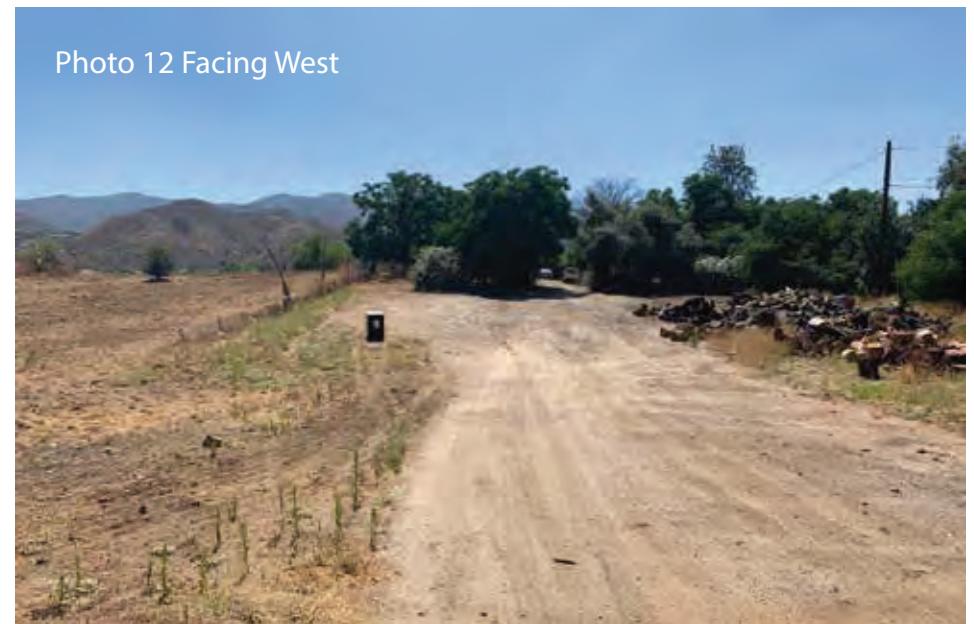


Photo 13 Facing South



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

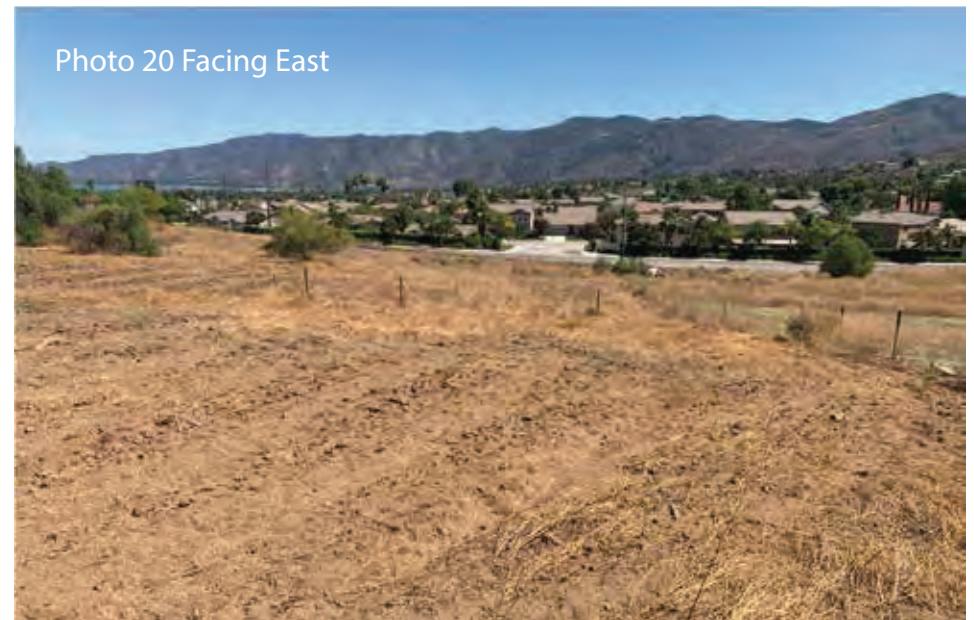


Photo 21 Facing South



Photo 22 Facing East

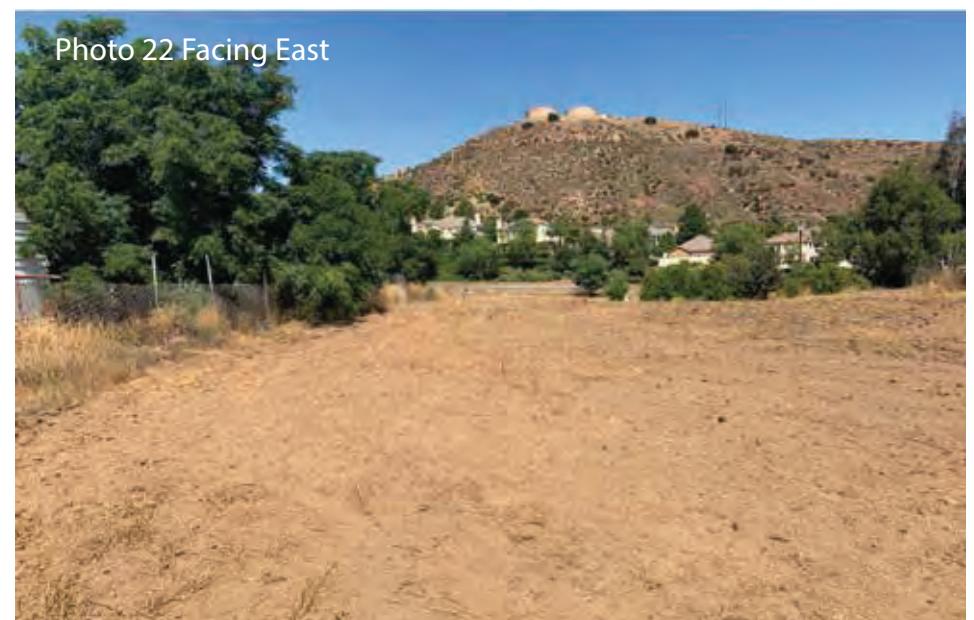


Photo 23 Facing East

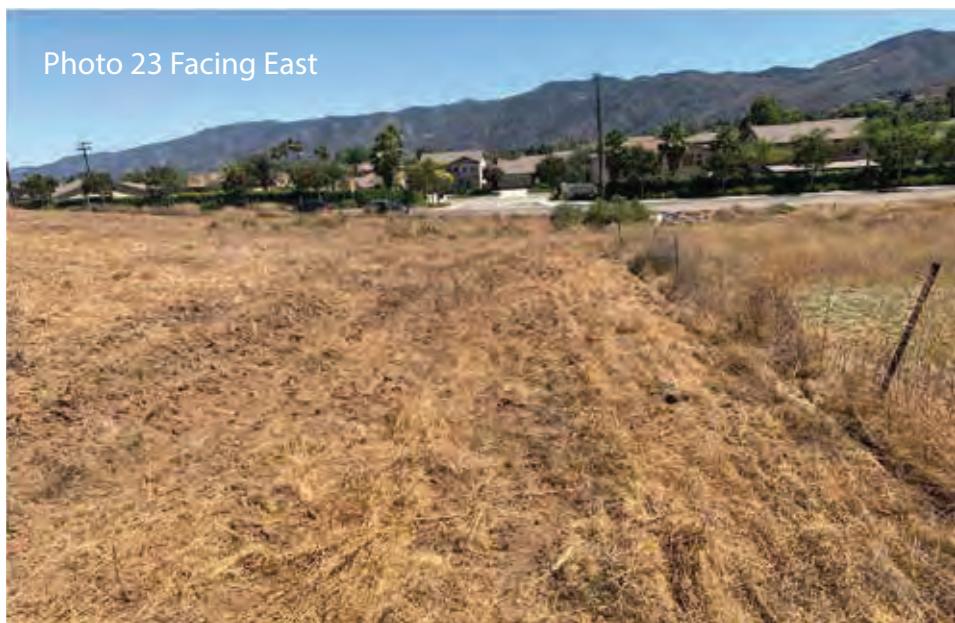


Photo 24 Facing Northeast



Photo 25 Facing North



Photo 26 Facing Southeast



Photo 27 Facing Southwest



Photo 28 Facing North



Photo 29 Facing East



Photo 30 Facing North



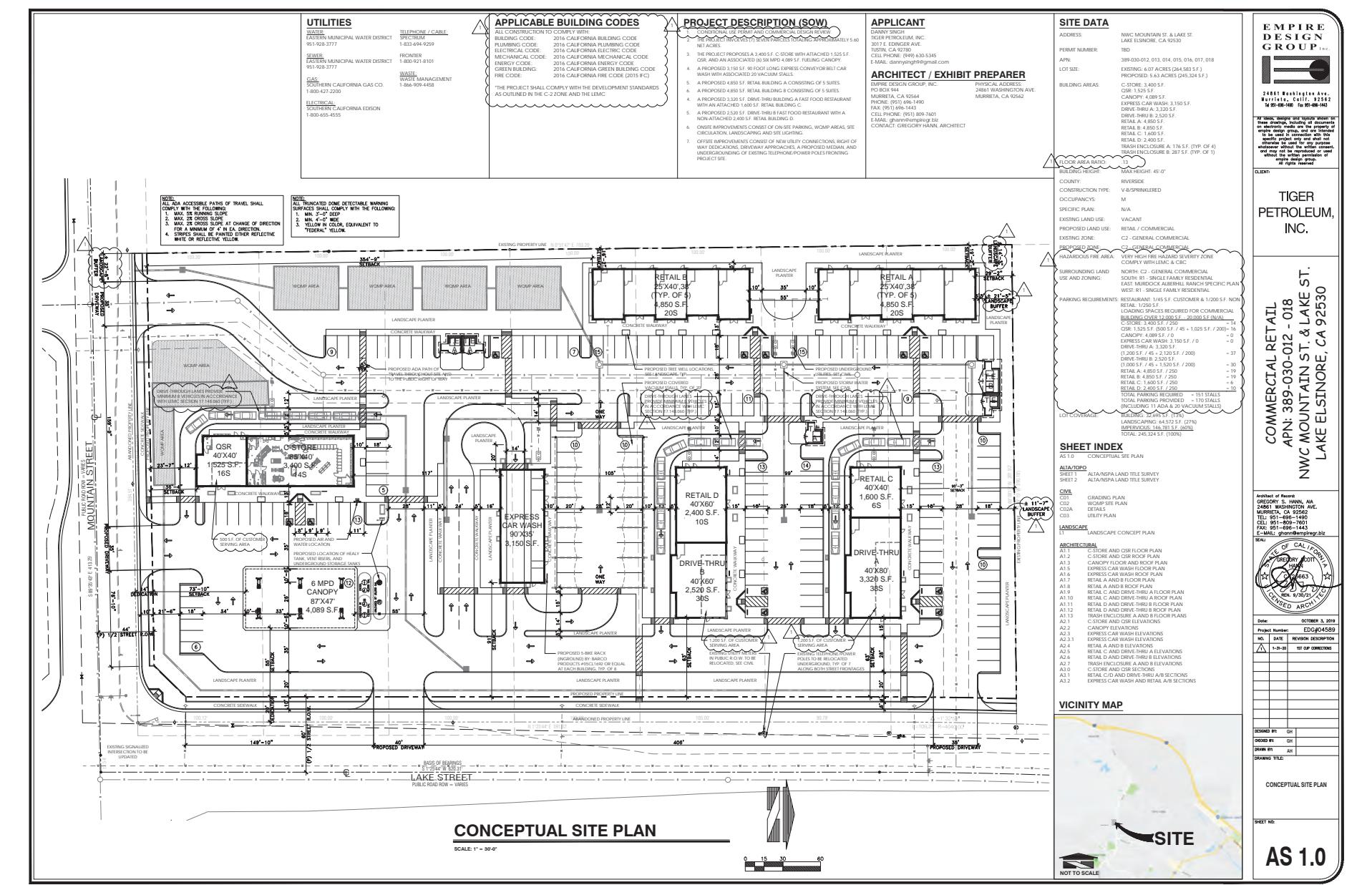
Photo 31 Facing North



Photo 32 Facing West







Conceptual Site Plan

Lake and Mountain Commercial Center

Exhibit

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. AIR QUALITY. Where available, significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IV. BIOLOGICAL RESOURCES. Would the project:

a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

V. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VI. ENERGY. Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VII. GEOLOGY AND SOILS. Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) 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? Refer to Division of Mines and Geology Special Publication 42.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. GREENHOUSE GAS EMISSIONS. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous materials or acutely hazardous materials,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

substances, or waste within one-quarter mile of an existing or proposed school?				
d) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

X. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge, such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XI. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XII. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XIII. NOISE. Would the project result in:

a) 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 other applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. POPULATION AND HOUSING. Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. PUBLIC SERVICES. 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 any of the public services:

a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public services/facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XVI. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XVII. TRANSPORTATION. Would the project:

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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:

a) 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).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

provider's existing commitments?				
d) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV. ENVIRONMENTAL ANALYSIS

This section provides an evaluation of the impact categories and questions contained in the Environmental Checklist. A complete list of the reference sources applicable to the following source abbreviations is contained in Section VII, References, of this document.

I. AESTHETICS

a) Have a substantial adverse effect on a scenic vista?

Less than Significant. The City's General Plan identifies viewsheds or landscape viewshed units of scenic vistas, which include Lake Elsinore, urban areas around Lake Elsinore, and the rugged vacant hills in the northern and eastern portion of the City. The project site is located in Viewshed 3, which is determined to be a site mainly developed with residential, commercial, and recreation land uses. In addition, the project site is also not identified as a vantage point, which would provide a view of Lake Elsinore. Lake Elsinore is located approximately 3.0 miles to the southwest and cannot be seen from the project site or any of the adjacent streets. No impacts to viewsheds or landscape viewshed units of scenic vistas are anticipated and no further analysis is warranted in the EIR.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less Than Significant Impact. According to the California Department of Transportation (Caltrans), there are no designated State Scenic Highways within the City of Lake Elsinore. However, Highway 74 (Central Avenue), which is located approximately 2.0 miles to the southeast, is eligible for designation as a State Scenic Highway but is not officially designated. Highway 74 is not visible from the project site or any of the adjacent streets which include Mountain Street and Lake Street. 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, or other natural features. Therefore, impacts to scenic resources within a state scenic highway would be less than significant and no further analysis is warranted in the EIR.

c) In non-urbanized areas, substantially degrade the existing visual character or quality 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?

Less Than Significant Impact. The project site is currently vacant with the exception of an existing home located near the center of the project site. Located on the northern portion of the project site are existing eucalyptus and pepper trees and other sparse vegetation. Development of the proposed project would require the removal of the existing trees and vegetation. The project site is currently zoned as General Commercial and with approval of Conditional Use Permit (CUP) No. 2019-19, the proposed project would not conflict with the General Commercial zone and would adhere to all applicable regulations governing scenic quality within the City's Municipal Code. Therefore, impacts related to the visual character or quality of the site and its surroundings are expected to be less than significant and will be further analyzed in the EIR.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Potentially Significant Impact. The project site is located in a suburban area of Lake Elsinore. As seen in Exhibit 2, *Project Vicinity*, the project site is surrounded by single-family residential homes to the south

and east. In addition, there are individual single-family residential lots to the north and west of the project with additional residential homes further to the west. The proposed project would introduce several new sources of lighting to the area. This would include lighting from the proposed drive-thru, carwash, retail, gas station, and the convenience store. The proposed project would be required to comply with standards of the City's Municipal Code lighting standards. Due to the new light sources being introduced into the area, impacts related to lighting would be potentially significant and will be further analyzed in the EIR.

II. AGRICULTURE AND FORESTRY RESOURCES

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- d) Result in the loss of forest land or conversion of forest land to non-forest uses?
- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

a-e. No Impact. 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 the EIR.

III. AIR QUALITY

- a) Conflict with or obstruct implementation of the applicable air quality plan?

Potentially Significant Impact. 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. As such, an *Air Quality Impact Analysis* (Appendix A) has been prepared and the required EIR shall evaluate the proposed project's potential to conflict with the adopted SCAQMD's AQMP. Mitigation measures, if required, will be specified in the required EIR.

b) 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?

Potentially Significant Impact. 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 the required EIR will evaluate 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. Mitigation measures, if required, will be specified in the required EIR.

c) Expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Impact. As previously mentioned, the proposed project is located within the SCAB which is currently classified as a federal nonattainment area for ground-level ozone (O3) and PM 2.5 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* has been prepared and the required EIR will evaluate whether the proposed project would expose nearby sensitive receptors to substantial pollutant concentrations. Mitigation measures, if required, will be specified in the required EIR.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact. 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. 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. Per the *Air Quality Impact Analysis*, the proposed project does not contain land uses typically associated with emitting objectionable odors as mentioned above. Therefore, the impacts of objectionable odors would be less than significant. This will be further analyzed in the project EIR.

IV. BIOLOGICAL RESOURCES

- a) **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?**

Less than Significant. Based on the *Habitat Assessment* (Appendix B) for the proposed project, a biological resource site assessment was conducted for the project site on August 23, 2019. The project site is currently vacant with the exception of a residential home located near the center of the project site. Presently on site there is scattered shrubs, vegetation, and trees. The site visit conducted assessed that habitat for the Burrowing Owl on and adjacent to the site was of poor quality. California Ground Squirrel burrows that could serve as potential burrows for the Burrowing Owl were also not observed on site. All other potential areas and their close environs were examined for such evidence of Burrowing Owl presence as molted feathers, cast pellets, prey remains, eggshell, and excrement. No such evidence was observed on or within 500 feet of the site and the Burrowing Owl was not observed on or near the property during any of the surveys. The project site is located within the Western Riverside County Multiple Species Habitat Plan (WRMSHCP) and per the *RCA Joint Project Review* (Appendix N), the project site is also within MSHCP Criteria Cell No. 4155 and 4156. Per the *RCA Joint Project Review*, the proposed project is consistent with both Criteria Cell and other MSHCP requirements. Furthermore, according to the *Habitat Assessment*, since the project site is occupied by disturbed habitat, existing residences and other structures, devoid of any natural vegetation community, and is surrounded by existing development, the proposed project would not impact any special status species within the WRMSHCP. As such, impacts to special status species would be less than significant. This will be further examined in the EIR.

- b) **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?**
- c) **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?**

b-c. No Impact. The project site was assessed for riverine/riparian and vernal pools habitat and none of these were determined to be present on-site. According to the *Habitat Assessment* prepared for this project, evidence for this conclusion was provided by the lack of riverine/riparian vegetation, vernal pools and in particular, clay soils. Therefore, impacts to riparian habitat, other sensitive natural communities, or wetlands are not anticipated. This will be further examined in the EIR.

- d) **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?**

Potentially Significant Impact. The project site lies within the MSHCP Subunit 2, Alberhill of the Elsinore Area Plan and the site parcels lie within Cell #4155 and #4156. Since the project site is characterized by Disturbed Habitat, which includes the existing residence and other structures, is devoid of any natural vegetation community, and is virtually surrounded by existing development and agriculture, the project site does not contribute to the MSHCP conservation effort. In addition, the project site is not adjacent to any Multiple Species Habitat Conservation Plan Conservation Area, and it is sufficiently distant from it that restriction germane to the urban/wildlands interface are not relevant. According to the *Habitat Assessment*, species listed within the MSHCP Subunit indicate that none of those species were observed on the property or are expected to occur either because of an absence of appropriate habitat, the Disturbed and

Urban/Developed character of the property, or a combination of both. In addition, the Cooper's Hawk, White-tailed Kite, and Bobcat may occasionally forage through the project site; however, none are expected to nest or breed on the property, and the site does not exhibit any high value for any of these species. Due to the nesting/migratory birds being protected under the Migratory Bird Treaty Act (MBTA) of 1918 and suitable nesting bird habitat existing on site, a preconstruction nesting bird survey will be required to mitigate any potential impacts to protected nesting bird species. Therefore, potential impacts regarding the movement of migratory wildlife (e.g. migratory birds) is considered potentially significant. This will be further evaluated in the EIR. Mitigation measures, if required, will be specified in the required EIR.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

No Impact. The applicant of the proposed project is required to act in accordance with the City of Lake Elsinore's Zoning Code Chapter 5.120, *Tree Preservation*, regarding duties and responsibilities. The proposed project would be consistent with the City of Lake Elsinore 2011 General Plan and the proposed project would be consistent with General Plan goals and policies protecting biological resources. Therefore, the proposed project would have no impact and no mitigation is required. This will be further evaluated in the EIR.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less than Significant Impact. As discussed in Section IV (a) above, the proposed project is located within the boundaries of the WRMSHCP and MSHCP Criteria Cells No. 4155 and 4156. Per the *RCA Joint Project Review*, the proposed project is consistent with both Criteria Cell and other MSHCP requirements. The proposed project is subject to payment of the MSHCP Habitat Conservation Fee as Commercial/Industrial, which would mitigate potential impacts to covered species. In addition, no native plant communities persist on site, plants observed on the site are largely associated with the present or past cultivation of the land or residential planning. Native elements are those which have been able to persist or re-establish following cessation of cultivation activities. Due to the lack of proper substrate or prior disturbance of the soils on the site, none of these have meaningful potential for occurrence on the project site. Therefore, impacts are anticipated to be less than significant and will be further evaluated in the project EIR.

V. CULTURAL RESOURCES

a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?

a-b. Potentially Significant Impact. The project site is currently vacant with the exception of a residential home located in the northern portion of the project site. According to the *Phase 1 Cultural Report* (Appendix C), 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. The first site was first recorded as a historic single-family residence in 1982 as part of a large county-wide inventory of historic structures. In 1982, the house was in disrepair and was evaluated as not eligible for listing under the California Register of Historical Resources (CRHR). Three ancillary features were also evaluated, which included a two-story water tower, a concrete lined pit, and a brick outdoor chimney. The evaluation was completed concluding that the site was not eligible for the CRHR. The second resource was a residence located within the relative center of the project site. The residence was documented, researched, and

evaluated, which was found ineligible for listing in the CRHR. Although there are no known historical resources located within the project site, it is possible for the proposed project to uncover the presence of significant subsurface cultural and/or historical resources during future project grading activities. As such, impacts to historical resources would be potentially significant and the required EIR shall evaluate whether project implementation would cause a substantial adverse change to any historical resources. Mitigation measures, if required, will be specified in the required EIR.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Potentially Significant Impact. There is no evidence that the project site is located within an area that would be likely of containing human remains. However, because archaeological survey of the property and subsequent historic research has confirmed that the project contains elements of an early twentieth century rural homestead with various structures added to the compound over several decades, there is potential for human remains. Therefore, ground-disturbing activities associated with the development of the proposed project have potential to disturb undiscovered human remains. Thus, impacts related to disturbance of human remains will be further evaluated in the EIR, and appropriate mitigation measures will be identified, as necessary.

VI. ENERGY

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Potentially Significant Impact. Energy resources that would be potentially impacted include both electricity and natural gas for building uses and transportation fuel for vehicle trips. The proposed project would also be compliant with CRR Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings. This was a response to a legislative mandate to reduce California's energy consumption. In addition, California Code of Regulations, Title 24 Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that is administered by the California Building Standards Commission. The proposed project is subject to comply with the CALGreen standards in order to reduce energy consumption. An energy use technical report will be prepared for the proposed project, which would analyze potential energy consumption associated with the construction and operations of the proposed project. This would determine if any energy utilized by the proposed project is wasteful, inefficient, or unnecessary consumptions of energy resources. This will be further discussed in the required project EIR. Mitigation measures, if required, will be specified in the required EIR.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Potentially Significant Impact. As previously mentioned in Section 3.6(a), the proposed project would comply with CRR Title 24 Part 6 and Part 11. In addition, the City of Lake Elsinore has adopted a Climate Action Plan to reduce local GHG emissions in accordance with State law, including energy consumption. The proposed project is anticipated to be consistent with these and all other applicable energy-related policies and regulations. Nonetheless, an energy use technical report will be prepared for the proposed project and will evaluate if the proposed project would conflict with a state or local plan for renewable energy or energy efficiency. Mitigation measures, if required, will be specified in the required EIR. This will be further evaluated in the required EIR.

VII. GEOLOGY AND SOILS.

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) 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? Refer to Division of Mines and Geology Special Publication 42.

ii) Strong seismic ground shaking?

a.i-a.ii. Potentially Significant Impact. 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. However, no active faults are known to occur at the project site and the site is not located within an Alquist-Priolo Earthquake Fault Zone. Nonetheless, since the project site is located in a seismically active area, the project site may experience strong seismic ground shaking. A *Preliminary Geotechnical Report* (Appendix D) has been prepared for the proposed project and impacts from the rupture of an earthquake fault and strong seismic ground shaking will be analyzed further in the EIR. Mitigation measures, if required, will be specified in the required EIR.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. The City of Lake Elsinore has identified areas known and suspected of liquefaction hazard. Figure 3.4 of the City's General Plan identifies as very low, low, moderate, high, and very high. The project site is located in an area that has been identified as being in a moderate zone for liquefaction hazard. Liquefaction occurs as a result of a substantial loss of shear strength or shearing resistance in loose saturated, cohesion less earth materials subjected to earthquake induced ground shaking. A *Geotechnical Investigation Report* was prepared for the proposed project, which indicated that the potential for earthquake induced liquefaction and lateral spreading beneath the proposed structures is considered very low. Therefore, there would be less than significant impact and the determination will be further evaluated in project EIR.

iv) Landslides?

Less than Significant Impact. Landslides are large movements of the underlying ground that include rock falls, shallow slumping and sliding of soil, as well as deep rotational or transitional movement of soil or rock. The *Geotechnical Investigation Report* 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 site. A minor slope (1530 amsl to 1750 amsl) is located approximately 0.1 miles to the east of the project site, but is located at a distance where landslides would have a less than significant impact to the project site. The *Geotechnical Investigation Report* will assess soil stability at the site and will be discussed in the required EIR.

b) Result in substantial soil erosion or the loss of topsoil?

Potentially Significant Impact. The project site consists of mostly disturbed and non-native grass land habitat 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 *Geotechnical Investigation Report* (Appendix X) assessed the risk for erosion on the project site and the required EIR will evaluate the proposed project's potential to result in substantial soil erosion and the loss of topsoil. Mitigation measures, if required, will be specified in the required EIR.

- c) 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?**

Less than Significant Impact. Refer to the discussion of Section VII (a)(iii) and (iv) for a discussion of hazards associated with liquefaction and landslides. As noted, the required EIR will examine the implementation of the proposed project would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides or liquefaction. Lateral spreading is caused by the lateral displacement of surficial blocks of sediment, as a result liquefaction in subsurface layers. Lateral spreading is associated with areas that are prone to liquefaction. As mentioned above, the project site is located in an area of the City that has been identified as a zone for moderate liquefaction hazard. As identified in the *Geotechnical Investigation Report*, the project site has a very low potential for earthquake induced liquefaction and subsidence is expected to be negligible. Therefore, impacts are expected to be less than significant and will be discussed further in the required EIR.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

Less than Significant Impact. Expansive soils contain minerals that are capable of absorbing water, which causes the soils to increase in volume. Expansive soils can cause damage to foundations of buildings, underground utilities, pipelines, and infrastructure. The *Geotechnical Investigation Report* prepared for the project site indicated that onsite earth materials exhibit an expansion potential of Low as classified in accordance with 2016 CBC Section 1803.5.3 and ASTM D4829-03. However, testing for expansive soil should be conducted upon completion of rough grading. Therefore, due to the "Low" expansive soil classification of project site soils, the proposed project is expected to result in a less than significant impact relating to the potential of being located on expansive soils, and creating substantial direct or indirect risks to life or property. The proposed project's potential to expose the future structure and workers on-site to hazards associated with expansive soils will be evaluated in the required EIR.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

No Impact. The proposed project would connect to existing sewer lines that are located within the vicinity of the project site. Therefore, no septic tanks are proposed and no impact is anticipated in regard to having soils incapable of supporting proposed septic systems. This will be further evaluated in the required EIR.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact There are no unique geologic features on the project site. According to the City's General Plan EIR Figure 3.2-3, *Paleontological Resources*, the project site has a "low" potential for paleontological resources to be uncovered. Although unlikely, it is possible for the proposed project to uncover significant subsurface paleontological resources and shall be evaluated in the required EIR. Mitigation measures, if required, will be specified in the required EIR.

VIII. GREENHOUSE GAS EMISSIONS

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact. A *Greenhouse Gas Analysis* (Appendix G) was prepared for the proposed project that evaluates greenhouse gas (GHG) emissions and its level of significance. In this report it is indicated that the City of Lake Elsinore has not adopted its own numeric threshold of significant when it comes to determining impacts with respect to GHG emissions. Therefore, a 3,000 metric tons of CO₂ equivalents (MTCO₂e) screening threshold to determine if additional analysis is required is an acceptable approach for small projects. This is a widely accepted screening threshold used by the County of Riverside and numerous cities in the South Coast Air Basin (SCAB) and is based on the South Coast Air Quality Management District (SCAQMD) staff's proposed GHG screening threshold for stationary source emissions for non-industrial projects. The proposed project would not exceed the 3,000 MTCO₂e threshold and GHG emissions impacts would be less than significant. No mitigation is required. Proposed project GHG emissions impacts will be further discussed in the required EIR.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact. California adopted Assembly Bill (AB) 32 (adopted in 2006), 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. California also adopted Senate Bill (SB) 32 (adopted in 2016), which requires the state to reduce statewide GHG emissions to 40 percent below 1990 levels by 2030, a reduction target that was introduced in EO B-30-15. In addition, the City has also adopted a Climate Action Plan (CAP), which certified that the City's target is consistent with AB 32's 2020 goals. The adopted 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 was analyzed for consistency with AB32, SB 32, and the City's CAP and will not conflict with any applicable measure. Therefore, the impacts are anticipated to be less than significant. Consistency with the City's CAP will be further discussed in the required EIR.

IX. HAZARDS AND HAZARDOUS MATERIALS

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Potentially Significant Impact. During construction, the proposed project would entail the transport of fuels, oil, gasoline, hydraulic fluid, lubricants, and various other liquids necessary for the operation of heavy equipment utilized for construction at the project site. Namely, the substances would be considered hazardous if improperly stored and/or handled. In addition, materials such as paint, solvents, concrete, adhesives, roofing materials, and other substances of typical use in building construction would be present at the project site during construction. A direct impact to human health and the environment could

potentially occur from accidental spills or releases through improper use, storage, or transportation of hazardous materials. The construction process for this proposed project poses a standard risk as any other construction site similar in size. As such, hazardous materials related impacts associated with all construction activities of the proposed project would be less than significant.

Existing federal and state law regulates the handling, storage and transport of hazardous materials and hazardous wastes. At the federal level, the Resource Conservation and Recovery Act (RCRA; 42 USC 6901 et seq.) requires businesses with substantial quantities of hazardous materials (including fuels, lubricants, solvents, and paints) to adhere to strict requirements in handling, transporting, and storing supplies. Pursuant to the federal Hazardous Materials Transportation Act, 49 U.S.C. § 5101 et seq., the United States Department of Transportation promulgated strict regulations applicable to all trucks transporting hazardous materials. Occupational safety standards have been established in federal and state laws to minimize worker safety risks from both physical and chemical hazards in the workplace, including construction sites. The California Division of Occupational Safety and Health has primary responsibility for developing and enforcing standards for safe workplaces and work practices in California in accordance with regulations specified in CCR Title 8. Due to these existing regulations, impacts during construction of the proposed project would be less than significant.

The proposed project consists of the development of retail, convenience store, drive-thru restaurant, car wash, and gas station uses. All uses with the exception of the gas station, which will require a routine transport of gasoline, are not associated with the transport, use, or disposal of significant quantities of hazardous materials. Nonetheless, due to the gas station land use, impacts related to the routine transport of hazardous materials is initially identified as a potentially significant impact. A *Phase I Environmental Site Assessment* (Appendix H) has been prepared for the project site. The required EIR will further discuss the potential exposure of hazardous materials to the public and environment.

- b) 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?**
- d) 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?**

b/d. Potentially Significant Impact. According to the *Phase I Environmental Site Assessment*, the Riverside County Department of Environmental Health (RCDEH), California Department of Toxic Substances Control (DTSC), and State Water Resources Control Board (SWRCB) were contacted in conjunction with the review of state and federal hazardous materials databases. At this time neither the project site nor surrounding properties are found to have any recorded environmental concerns (RECs). Furthermore, a site reconnaissance was conducted which concluded no evidence of contamination, distressed vegetation, petroleum-hydrocarbon surface staining, waste drums, USTs, ASTs, illegal dumping, or improper waste storage/handling. Nonetheless, due to the proposed construction of a gas station, impacts related to accidental release of hazardous materials is initially identified as potentially significant and further analysis on this topic is warranted in the required EIR.

- c) Emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

No Impact. The nearest school is the Terra Cotta Middle School, which is located 0.5 miles south of the project site. The proposed project includes commercial land uses, including a gas station, that may be associated with the emissions or handling of hazardous materials or acutely hazardous, substances, or waste. Because the project site is not located within one-quarter mile of an existing or proposed school, there would be no impact for this issue. Nonetheless, the emission of hazardous emissions or materials from the

proposed project will be further analyzed in the EIR, specifically in respect to the proposed gas station land use.

- e) 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 for people residing or working in the project area?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

e/f. No Impact. Skylark Field, a small private airport in the City of Lake Elsinore, is located ten (10) miles south of the project site. Additionally, the project site is located outside of the Influence Area of this airport as shown in Figure 5.7-1 of the revised Hazards and Hazardous Materials (section 5.7) of the City's General Plan. There are no other private or public airports within the project vicinity. Therefore, the project would not result in a safety hazard for people residing or working in the project area.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant Impact. The proposed project does not propose any changes to the City's Emergency Preparedness Plan or the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan. The proposed project is not identified as an emergency access route in any of the City's local nor regional plans and would not interfere with any adopted emergency response or evacuation plan. However, according to the City's General Plan EIR Figure 3.10-2, *Wildfire Susceptibility*, the project site is located within a moderate to very high wildfire hazard zone. As such, adherence to the City's Emergency Preparedness Plan would ensure that any risk to people or structures on the project site from wildland fires would be less than significant. This will be further discussed in the required EIR.

X. HYDROLOGY AND WATER QUALITY

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Potentially Significant Impact. Construction activities could potentially expose soils to erosion from rainfall, runoff, and wind. Erosion from rainfall and runoff is problematic because pollutants from heavy equipment or construction-related materials, such as diesel, gasoline, oil, grease, solvents, lubricants, or other petroleum products could mix with the water and run offsite. In addition, construction activities such as grading, earth moving, installation of roads and subsurface infrastructure, and other activities can result in temporary upset of surface sediments. Furthermore, possible rainfall and storm events could cause surficial sediment and construction related pollutants that could mix with stormwater flows. The proposed project will comply with federal, state, and local water quality requirements with agencies such as the State Water Resource Control Board's (SWRCB's) Construction General Permit. This permit would require that the proposed project have a Stormwater Pollution Prevention Plan (SWPPP) prepared for all construction activities. The preparation of the SWPPP would assist in identifying the various Best Management Practices (BMPs) that would be implemented during construction in order to avoid pollutants from entering the natural waterways.

Under long-term operating conditions, water runoff from the project site may contain pollutants associated with ongoing operations 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 site. A project specific *Water Quality Management Plan* (WQMP) (Appendix M) has been prepared for the proposed project that would include BMPs to be implemented during post

construction operations at the project site to ensure compliance federal, State, and local regulations. The EIR would assess the proposed BMPs that were identified in the WQMP for impacts. Impacts to water quality would be potentially significant and further analysis is warranted in the EIR.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge, such that the project may impede sustainable groundwater management of the basin?

Less than Significant. The proposed project does not propose the installation of any water wells that would directly extract groundwater. With implementation of the proposed project, all runoff from the project site would be treated by biofiltration with underdrain. Overflow from the biofiltration system will discharge to the curb and gutter on Mountain Street. Therefore, the total amount of water within the Elsinore Groundwater Basin would not be affected by the proposed project. Accordingly, impacts related to sustainable groundwater management of the Elsinore Groundwater Basin would be less than significant and will be further analyzed in the required EIR.

c) 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:

- i). Result in substantial erosion or siltation on- or off-site?**
- ii). Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**
- iii). 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;**
- iv) Impede or redirect flood flows?**

Less than Significant Impact. The proposed project would involve grading of the approximate 6-acre project site. There are no streams or rivers that exist on site, but impervious surfaces would be added to the site which would alter on-site drainage patterns as a result. The proposed construction would include grading activities that would disturb the soil which would potentially expose it to on-site erosion during a storm event. However, the conversion of pervious to impervious surfaces as proposed would reduce the potential for on-site erosion and loss of topsoil in the long-term. A *Water Quality Management Report* was prepared for the project site that identified existing drainage patterns. The drainage pattern of the southwest corner of the property will mostly remain the same as the existing condition. In addition, the proposed grading and drainage are designed to maintain a similar flow pattern to the existing conditions. Landscaping along the east and south of the property will prevent flow towards Lake Street and Mountain Street. Based on the elevation on the north side of the property, runoff will flow away from the adjacent properties to the north and west of the project site. Furthermore, the *Preliminary Hydrology Study* (Appendix I) concluded that approximately 28% of the project site will be developed for landscaping, including the biofiltration system with underdrain. Run-off from the site will be treated with this biofiltration with underdrain, which will be located to the west and south portion of the project site. The biofiltration system will be designed to retain and treat a designated volume stormwater runoff. The proposed drainage pattern will direct runoff to the infiltration trench located at the southwest corner of the property for treatment. As such, implementation of the proposed project is anticipated to have a less than significant impact in regards to altering the existing drainage pattern, increasing surface runoff, creating additional runoff water, or impeding or redirecting flood flows of the project site. The required project EIR will further evaluate the hydrology study and the WQMP and the results will be summarized and incorporated into the required EIR.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. According to the City's General Plan, the project site is not located within the 100-year floodplain. Additionally the Federal Emergency Management Agency (FEMA) flood map service center

identifies the southwest portion of the site as Zone X an Area of Minimal Flood Hazard, which has a 0.2% annual chance flood hazard and areas of 1% annual flood chance with an average depth less than one foot or with drainage areas of less than one square mile. The nearest body of water is Lake Elsinore which is approximately 3 miles from the project site. The project site is located approximately 25 miles from the Pacific Ocean and is not within a Coastal Zone where tsunamis would be a risk and has no potential to be affected by tsunamis. As noted in the City's General Plan EIR, Lake Elsinore lacks significant potential for a damaging seiche because it is very shallow, in addition to flood control devices constructed by the U.S Army Corps of Engineers existing at the southern end of the lake. Therefore, there would be a low risk of flood hazards such as tsunami, or seiche zones. No further analysis is warranted in the required EIR.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact. As described in Section X (a), the proposed project will adhere to all applicable water quality standards and will implement a WQMP approved by the City and the RWQCB for both construction and operational activities. Therefore, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts are expected to be less than significant. This will be further examined in the required EIR.

IX. LAND USE AND PLANNING

a) Physically divide an established community?

Less than Significant Impact. The proposed project site would not divide an established community. The site is currently vacant and consists of trees, sparse vegetation, and an unoccupied residence. The project site is surrounded by residential land uses to the north, south, west, and east. However, the project site is zoned for general commercial development and will be developed on vacant land. In addition, due to the lack of connecting features to the project site, the surrounding residential areas would not be divided. Therefore, impact of the proposed project would be less than significant.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact. The proposed project would include the development of commercial uses in an area of the City that is zoned C-2 General Commercial and is designated General Commercial by the City of Lake Elsinore General Plan. Therefore, the proposed project is consistent with the existing zoning and land use designation per the City's General Plan. There are no specific plans, precise plans, overlay zones, or other similar plans or zones that are applicable to the project site, and the proposed project would therefore not conflict with any such plans. Therefore, the proposed project is not anticipated to conflict with any applicable land use plan, policy, or regulation and no impact is anticipated.

XII. MINERAL RESOURCES

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

a-b. Less than Significant Impact. 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.

XIII. NOISE

- a) 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 other applicable standards of other agencies?**

Potentially Significant Impact. As described in the *Noise Impact Analysis* (Appendix J) 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. 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. Therefore, the project-related noise impacts will be further evaluated in the required EIR.

- b) Generation of excessive groundborne vibration or groundborne noise levels?**

Potentially Significant Impact. 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-borne 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 intermittent, 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 required EIR will further evaluate the noise study and the results will be summarized and incorporated into the required EIR.

- c) 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?

No Impact. 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 the proposed project would expose employees and visitors to excessive aircraft-related noise.

XIV. POPULATION AND HOUSING

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less than Significant Impact. 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.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. 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 the required EIR.

XV. PUBLIC SERVICES

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 any of the public services:

- a) Fire protection?

Less than Significant Impact. The nearest fire station is located at Rosetta Canyon, which is approximately 5.8 miles east of the project site. The proposed project may increase demand for fire services as well as interfere with the response times that are established by RCFD guidelines due to the increase of buildings, employees, visitors, and residential population on-site. Per the City's Municipal Code Section 16.74.049, Fire Facilities Fee, the applicant will be required to pay Development Impact Fees (DIF) for proposed development.

Pursuant to the Fire Department's standard conditions of approval regarding adequate emergency access, street widths, etc., and the applicant's payment of the applicable DIFs, impacts would be less than significant. This will be further discussed in the required EIR.

b) Police protection?

Less than Significant Impact. The nearest Sheriff's station is located approximately 4.2 miles south of the project at 333 Limited Avenue. The proposed project may increase demand for law enforcement services due to the increase of buildings, employees, and visitors. The proposed project does not consist of permanent residential uses that would substantially increase population. The applicant is required to pay DIFs in accordance with the City's Municipal Code Section 16.74.

In addition, the Police Department will review and comment on the site plans submitted with the application for the development of the commercial components of the proposed project. The Police Department would require standard conditions of approval regarding adequate emergency access, lighting and landscaping, etc. Therefore, with compliance of standard conditions of approval and the applicant's payment of the DIF, impacts would be less than significant. This will be further discussed in the required EIR.

c) Schools?

No Impact. The development of the proposed project does not include residential land uses therefore not affecting student enrollment within the Lake Elsinore Unified School District (LEUSD). The proposed project will be required to pay DIFs as levied by LEUSD. With payment of the LEUSD DIFs, the development of the proposed project would have no impact to school facilities and no further analysis is warranted in the EIR.

d) Parks?

Less than Significant. The development of the proposed project does not include residential land uses therefore not increasing direct park uses within the City of Lake Elsinore. The proposed project will be required to pay park fees per the City's Municipal Code Section 16.74 that would contribute to the maintenance and improvement costs of parks and associated facilities within the City. The development of the proposed project would incur less than significant impacts to park facilities.

e) Other public services/facilities?

No Impact. The proposed project does not have the potential to increase the use of library services of other public facilities due to the type of facility being constructed which does not include permanent residential uses. The applicant is required to pay the DIFs in accordance with City's Municipal Code Section 16.74. Therefore, with payment of the applicable DIFs, there would be no impact to other public services and facilities and no further analysis is warranted in the required EIR.

XVI. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less than Significant Impact. 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 recreation 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 the required EIR.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less than Significant Impact. 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 the required EIR.

XVII. TRANSPORTATION

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than Significant. The proposed project consists of the development of retail centers, drive-thru restaurants, gas station, car wash, and convenience store, which would generate vehicle trips to and from the currently vacant project site that would increase vehicular traffic volumes. The increase in these new vehicular traffic volumes could generate impacts to the existing intersections and roadway segments, and could result in conflicts with an adopted plan, ordinance or policy addressing the circulation system. A *Traffic Impact Analysis* (Appendix K) has been prepared according to the Riverside County Transportation Department's Traffic Impact Analysis Preparation Guide, which is utilized by the City to evaluate potential traffic impacts from new development. As detailed in Section 1.5 and 1.6 of the *Traffic Impact Analysis*, the proposed project would not conflict with a program plan, ordinance or policy addressing the circulation system with implementation of proposed design features and impacts are expected to be less than significant. This will be further evaluated in the required EIR.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Potentially Significant Impact. The proposed project will be required to complete a Vehicle Miles Traveled (VMT) analysis to demonstrate consistency with CEQA Guidelines section 15064.3, subdivision (b). As such, impacts regarding VMT are initially anticipated to be potentially significant and will be evaluated further in the required EIR.

c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

Less than Significant Impact. 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, and would be reviewed and approved by the City's Engineering Department. With compliance of all applicable codes and regulations the project would be free of sharp curves and dangerous intersections and would not include any hazardous traffic features. Therefore, the impacts would be less than significant.

d) Result in inadequate emergency access?

Less than Significant Impact. The proposed project would consist of a commercial/retail center on a site that is currently vacant and surrounded by existing streets that would be improved, if necessary, by the proposed project. The project site is not identified as an emergency access route on any local or regional plans. Furthermore, as part of the review process of the proposed project, the Riverside County Fire Department would review proposed project plans to ensure they adequately accommodate emergency access upon buildout. Therefore, there would be no impact due to interference with an adopted emergency response plan or emergency evacuation plan and no further analysis is warranted in the required EIR.

XVIII. TRIBAL CULTURAL RESOURCES

a) 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).

Less than Significant Impact. As described in the *Phase I Cultural Resources Survey*, two resources, P-33-007208 and P-33-017352, are located within the project site which have been previously determined as ineligible for listing on the CRHR. A survey conducted by Brian F. Smith and Associate (BFSA) relocated both P-33-007208 and P-33-017362 and determined that both resources within the project site remain not eligible for the CRHR. Therefore, no historical resources exist within the project site are listed or eligible for listing for the CRHR and impacts would be less than significant. This will be further evaluated in the required EIR.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of 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.

Potentially Significant Impact. The provisions of Public Resources Code § 21074 were established pursuant to Assembly Bill 52 (AB 52) and the provisions of AB 52 apply to projects, such as the proposed Project, that have a notice of preparation (NOP) after July 1, 2015. Pursuant to AB 52, the City of Lake Elsinore as Lead Agency is required to conduct consultation with any interested Tribes regarding the Project's potential impacts to cultural resources, including tribal cultural resource as defined in Public Resources Code § 21074. The required EIR shall document the results of the AB 52 processes and shall evaluate whether implementation of the Project would result in adverse effects to tribal cultural resources. Therefore, proposed project impacts to tribal cultural resources are anticipated to be potentially significant and will be evaluated further in the required EIR.

XIX. UTILITIES AND SERVICE SYSTEMS

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact. Per the *SCE Will Serve Letter* (Appendix O), 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 EVMWD water and wastewater conveyance lines within the street right-of-way on Lake Street and Mountain Street. The applicant would be required to pay for utility rates and connection fees to reduce the impacts from increased demands to water and wastewater services to a less than significant impact. Therefore, with payment of applicable utility connection fees, impacts would be less than significant. This will be examined further in the required EIR.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant Impact. Domestic water is provided to the project site by the EVMWD. The EVMWD has adopted an Urban Water Management Plan (UWMP) dated June 2016. The 2016 EVMWD UWMP describes that the EVMWD would be able to provide water service within its boundaries during normal, dry and multiple dry year conditions. In addition, per the *EVMWD Service Planning Letter* (Appendix P), EVMWD has determined that water services are available to serve the proposed project. Furthermore, the proposed project does not require a Water Supply Assessment under Senate Bill 610, effective January 1, 2002, criteria. As such, the proposed project would have sufficient water supplies available during normal, dry and multiple dry years and impacts would be less than significant. This will be further analyzed in the required EIR.

c) 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?

Less than Significant Impact. Wastewater service will be provided to the project site by the EVMWD. Per the *EVMWD Service Planning Letter*, EVMWD has determined that wastewater services are available to serve the proposed project. As such, impacts to wastewater capacity are initially identified as less than significant and will be further addressed in the required EIR.

d) 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?

Potentially Significant Impact. The construction and operation of the proposed project would generate solid waste requiring off-site disposal. The required EIR will evaluate whether the proposed project's incremental contribution of solid waste to local landfill facilities would result, on a direct or cumulative basis, in an exceedance to the available capacity of the landfills. The required EIR will also evaluate whether any new or expanded solid waste facilities would be required to serve the proposed project.

g) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact. The proposed project would be required to comply with City and County waste reduction programs pursuant to the State's Integrated Waste Management Act and Chapter 14.12 of the City's Municipal Code. Solid waste generated from the proposed project would be conveyed to one of several landfills operated or managed by the Riverside County Waste Management Department (RCMWD). These existing landfills are required to comply with federal, state, and local statutes and regulations related to solid waste. Compliance with federal, state, and local statutes would reduce the amount of solid waste

generated by the proposed project. The proposed project will comply with all applicable solid waste statutes and regulations. Therefore, impacts would be less than significant and no further analysis is required in the EIR.

XX. WILDFIRES

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The proposed project would comply with all policies and regulations set forth in the Riverside County Operational Area (OA) Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP) and the City's Emergency Preparedness Plan. All applicable local and State regulatory standards for adequate emergency access will be met. The proposed project would be reviewed by the City Fire Department to determine the specific fire requirements applicable to the proposed project and ensure compliance with these requirements. As such, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No further analysis is required in the EIR.

b) 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?

c) 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?

b-c. Potentially Significant Impact. According to the City's General Plan EIR Figure 3.10-2, *Wildfire Susceptibility*, the project site is located within a moderate to very high wildfire hazard zone. The proposed project will require the installation of infrastructure that may result in temporary or ongoing impacts to the environment. As such, impacts regarding wildfire risk are initially identified as potentially significant and will be examined further in the required EIR.

V. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 21083 of CEQA and Section 15065 of the CEQA Guidelines.

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Potentially Significant Impact. The proposed project has the potential to alter the quality of the existing physical environment. The introduction of the proposed project has the potential to reduce the habitat for sensitive plant or animal species. A site-specific biological investigation has been conducted to determine whether sensitive animals, sensitive plant species, and/or sensitive plant communities occur on the project site. Conversion of the project site from undeveloped to developed has the potential to impact major period of California prehistory. No historic resources are known to be present on the site. These issues shall be evaluated in the required EIR.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

Potentially Significant Impact. The proposed project has the potential to result in cumulatively considerable impacts in regards to the following areas: air quality; traffic and transportation; hydrology and water quality; and noise. The required EIR will evaluate the proposed projects potential to result in cumulatively significant impacts.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

Potentially Significant Impact. The potential for the proposed project to directly or indirectly affect human beings will be evaluated in the required EIR with respect to air quality, traffic and transportation, and noise.

VII. REFERENCES

The following documents were used as information sources during preparation of this document. Except as noted, they are available for public review at the City of Lake Elsinore, Community Development Department, 130 South Main Street, Lake Elsinore, CA 92530, ph. (951) 674-3124.

Air Quality Impact Analysis, 2019. Urban Crossroads. (Appendix A)

California Department of Transportation (Caltrans). 2020. California Scenic Highway Program. Available online at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

California Department of Conservation (CDOC). 2020. Farmland Mapping & Monitoring Program. Available online at: <https://www.conervation.ca.gov/dlfp/fmmp>

City of Lake Elsinore, Lake Elsinore Municipal Code

City of Lake Elsinore, 2011. City of Lake Elsinore General Plan

City of Lake Elsinore, 2011. City of Lake Elsinore General Plan EIR

City of Lake Elsinore, 2012. Local Hazard Mitigation Plan

Elsinore Valley Municipal Water District (EVMWD). 2020. 2015 Urban Water Management Plan. Available online at: <https://www.emwd.org/post/urban-water-management-plan>

EVMWD Service Planning Letter, 2020. Elsinore Valley Municipal Water District. (Appendix P)

Greenhouse Gas Analysis, 2019. Urban Crossroads. (Appendix G)

Habitat Assessment for Critical Area and Narrow Endemic Plan Species, and Burrowing Owl Survey (Phase I and Phase II Burrow Survey) (Appendix B)

Hydrology Study. Plump Engineering, Inc., 2019. (Appendix I)

Noise Impact Analysis, 2019. Urban Crossroads. (Appendix J)

Phase I Environmental Site Assessment, 2019. TA-GROUP DD. (Appendix H)

Preliminary Geotechnical Interpretive Report, 2019. Earth Strata Geotechnical Services. (Appendix D)

Preliminary Geotechnical Interpretive Report – Response Letter, 2020. Earth Strata Geotechnical Services. (Appendix E)

Preliminary Geotechnical Investigation Proposed Commercial Development “Lake Street Marketplace” NWC Mountain Street and Lake Street City of Lake Elsinore, California, 2007. Leighton Consulting, Inc. (Appendix F)

RCA Joint Project Review, LEAP 06-05/Lake Street Market Place, 2008. Western Riverside County Regional Conservation Authority. (Appendix N)

SCE Will Serve Letter, 2020. Southern California Edison. (Appendix O)

Traffic Impact Analysis, 2020. Urban Crossroads. (Appendix K)

Traffic Impact Analysis Appendices, 2020. Urban Crossroads. (Appendix L)

Water Quality Management Plan, 2019. Plump Engineering. (Appendix M)



NATIVE AMERICAN HERITAGE COMMISSION

August 31, 2020

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Damaris Abraham
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Lake Elsinore, CA 92530

Re: 2020080538, Lake and Mountain Commercial Center Project, Riverside County

Dear Mr. Abraham:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides 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). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:

A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
- c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

From: [Damaris Abraham](#)
To: [Beck, Carly@Wildlife](#); [Tricia A. Campbell \(tcampbell@wrcrca.org\)](#)
Cc: [Chris Moore](#); [Pert, Heather@Wildlife](#)
Subject: RE: [External]NOP SCH-2020080538, Lake and Mountain Commercial Center Project
Date: Friday, September 4, 2020 2:27:08 PM
Attachments: [image002.jpg](#)
[image003.png](#)

Hi Carly,

Yes, the JPR will be amended to include the changes.

Thanks,

Damaris Abraham
Senior Planner
City of Lake Elsinore
(951) 674-3124, ext. 913



From: Beck, Carly@Wildlife <Carly.Beck@wildlife.ca.gov>
Sent: Friday, September 4, 2020 2:18 PM
To: Tricia A. Campbell (tcampbell@wrcrca.org) <tcampbell@wrcrca.org>; Damaris Abraham <dabraham@lake-elsinore.org>
Cc: chris.moore@thealtumgroup.com; Pert, Heather@Wildlife <Heather.Pert@wildlife.ca.gov>
Subject: [External]NOP SCH-2020080538, Lake and Mountain Commercial Center Project

Message from external sender. Use Caution.

Mrs. Campbell and Ms. Abraham,

CDFW was recently sent a Notice of Preparation for the Lake and Mountain Commercial Center Project (SCH-2020080538). Upon review it seems that some of the Assessor's Parcel Numbers (APN), see list of APNs below, have previously been approved for development under JPR 08-08-20-01 (which was previously 06-08-31-01). The provided project description describes impacts to additional APNs and excludes others. Can either the City of Lake Elsinore or the RCA confirm if the JPR will be amended to include the changes to the project's footprint? Or provide the number of a separate JPR that may have been processed for the APN's not addressed in JPR 08-08-20-01. Any update you can provide on the project's MSHCP status would greatly be appreciated.

APNs:

389-030-012 (new)

389-030-013

389-030-014

389-030-015
389-030-016
389-030-017
389-030-018
389-030-020 (not included)
389-030-021 (not included)
389-030-022 (not included)

Cheers,

Carly Beck

Environmental Scientist
Inland Deserts Region
California Department of Fish and Wildlife
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 945-3294

Logo



From: [Damaris Abraham](#)
To: [Gregory Hann](#); [Danny Singh \(dannysingh9@gmail.com\)](#)
Cc: [Chris Moore](#); [Max Antono](#)
Subject: FW: NOP of a draft EIR for the Lake and Mountain Commercial Center Project (plan app # 2019-34, etc)
Date: Friday, September 11, 2020 2:03:27 PM

FYI

From: Araceli Jimenez <abejaqueen3@gmail.com>
Sent: Friday, September 11, 2020 12:25 AM
To: Damaris Abraham <dabraham@lake-elsinore.org>
Subject: Re: NOP of a draft EIR for the Lake and Mountain Commercial Center Project (plan app # 2019-34, etc)

Dear Ms. Damaris Abraham,

Please make a note of the following:

<https://www.pe.com/2020/09/10/man-rescued-from-100-foot-deep-well-in-lake-elsinore/>

<https://www.nbclosangeles.com/news/local/man-becomes-trapped-inside-abandoned-well-in-lake-elsinore/2426442/>

<https://www.kesq.com/news/2020/09/10/man-rescued-after-falling-into-an-abandoned-100-foot-deep-well/>

<https://patch.com/california/lakeelsinore-wildomar/man-falls-100-foot-well-lake-elsinore>

The proposed Lake and Mountain Commercial Center Project site already causing major PROBLEMS!!

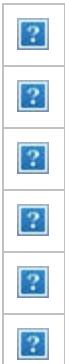
An alarmingly abandoned 100 foot deep well sits on the above mentioned site and could have caused a tragic death yesterday, Thursday, August 10, 2020. Just shows the lack of planning, precaution, consideration, safety — simply reckless, dangerous and negligent on behalf of the responsible party....

Your attention to this serious matter is appreciated.

Regards,

Araceli Jimenez

On Wed, Sep 2, 2020 at 2:24 AM Araceli Jimenez <abejaqueen3@gmail.com> wrote:



Mrs. Araceli Jimenez (& concerned family)
28885 Raveta Lane
Lake Elsinore, California
92530-1700
abejaqueen3@gmail.com

September 02, 2020

Ms. Damaris Abraham
City of Lake Elsinore Planning Division
130 South Main Street
Lake Elsinore, California 92530
dabraham@lake-elsinore.org

Dear Ms. Damaris Abraham,

I received your NOP (plan app #2019-34, etc) dated August 28, 2020. Thank you for soliciting our views regarding the scope and content of the EIR.

In order to address the above, I need to bring up this most crucial date:

January 20, 2009.

On the above date, a public planning commission meeting took place. I was present and I voiced my concerns.

In addition, I submitted doctor's letters on behalf of my husband, Hector Jimenez.

***Please note attached Planning Commission Agenda**

(01-20-2009) ITEM #3,

doctor's letters, an audio clip furnished by the City of Lake Elsinore (on CD originally),

web links to relevant news articles that documented this incident and a "vicinity map" of the proposed project site area similar to the location in your recent NOP mentioned above.

https://www.sandiegouniontribune.com/sdut-lake-elsinore-divided-commission-endorses-2009jan20-story.html?_amp=true

<https://checkorphan.org/news/riverside-county-not-immune-valley-fever/>

<https://www.sandiegouniontribune.com/sdut-lake-elsinore-shopping-center-opponents-win-case-2010jun28-story.html>

<https://www.pe.com/2010/08/11/lake-elsinore-council-rescinds-shopping-centers-approval/>

The above proposed shopping center did not proceed as planned -- in violation of

CEQA 15065 (a) (4) "The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly."

Which brings me to the Lake and Mountain Commercial Center Initial Study/Notice of Preparation (54pp) on page 5, I.B, bullet 4 and Page 53, V.C....

This proposed commercial center has a different name, but is located in the almost exact area as previously applied for in 2009 -- literally on the other side of my fence.

I live on the following 2 acres:
389-030-020 & 389-030-021 (APNs).

The Lake and Mountain Commercial Center project location:
389-030-012 thru 018.

Please note per my husband's doctor:
My husband continues with his life-long chronic Coccidioidomycosis Meningitis and this proposed commercial center will cause substantial

adverse effects on my husband.

Please review this email carefully. I will follow up with a response by regular mail.

I appreciate your attention to this serious matter.

Regards,

Araceli Jimenez

From: [Damaris Abraham](#)
To: [Chris Moore](#)
Cc: [Max Antono](#)
Subject: FW: [External]Email contact from CitMountain/lake project of Lake Elsinore
Date: Tuesday, September 8, 2020 8:07:14 AM

FYI

From: Angelo fallara <Angsel1@ymail.com>
Sent: Monday, September 7, 2020 6:07 PM
To: Damaris Abraham <dabraham@lake-elsinore.org>
Subject: [External]Email contact from CitMountain/lake project of Lake Elsinore

Message from external sender. Use Caution.

I am firmly opposed to this project as it will cause undue traffic and congestion for me to be able to get to my house as there is no other ingress or egress to avocado way other than mountain also the availability of property across from the junior high school at Lake and Lake shore and The project going up at the freeway exit at Lake Street please keep me informed as to any progress on this project or any petitions that I can sign against it thank you Angelo Fallara

29043 Avocado Way, Lake Elsinore CA 92530
928-706-4019



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

233449

September 8, 2020

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

Attention: Damaris Abraham

Re: PA 2019-34, Tract 37922, CUP 2019-19
APNs 389-030-012 through 018

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

The District's review is based on the above-referenced project transmittal, received September 1, 2020. The District has not reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, _____. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- This project is located within the limits of the District's West Elsinore Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

September 8, 2020

City of Lake Elsinore

Re: PA 2019-34, Tract 37922, CUP 2019-19
APNs 389-030-012 through 018

233449

- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, _____. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments are still valid.

GENERAL INFORMATION

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

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

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

Very truly yours,

Deborah de Chambeau

DEBORAH DE CHAMBEAU
Engineering Project Manager

cc: Riverside County Planning Department
Attn: John Hildebrand

SLJ:blm



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

dabraham@lake-elsinore.org

Damaris Abraham, Senior Planner
City of Lake Elsinore, Planning Division
130 South Main Street
Lake Elsinore, CA 92530

September 15, 2020

Notice of Preparation of a Draft Environmental Impact Report for the Lake and Mountain Commercial Center Project (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

Responsible Agency and South Coast AQMD Permits

South Coast AQMD is a Responsible Agency for the Proposed Project (CEQA Guidelines Section 15381) since implementation of the gasoline service station portion of the Proposed Project requires permits from South Coast AQMD. It is important to note that the assumptions in the air quality analysis in the Final EIR will be used as the basis for evaluating the permits under CEQA and imposing permit conditions and limits. In order to ensure that impacts from the permits are fully and adequately evaluated as required under CEQA Guidelines Section 15096(b), it is recommended that the Lead Agency initiate consultation with South Coast AQMD by contacting Jillian Wong, Ph.D., Manager, at jwong1@aqmd.gov.

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*⁶ is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory⁷.

The Proposed Project would include, among other things, a gasoline service station with 12 pumps. Benzene, which is a toxic air contaminant, may be emitted from the operation. To ensure that sensitive receptors are not going to be adversely affected by the exposure to benzene, it is recommended that the Lead Agency evaluate, quantify, and perform a health risk assessment for the Proposed Project in the Draft EIR⁸.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook¹, South Coast AQMD's Mitigation Monitoring and

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>.

⁷ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁸ South Coast AQMD. Guidance for performing a gasoline dispensing station health risk assessment can be found here: <http://www.aqmd.gov/home/permits/risk-assessment>.

Reporting Plan for the 2016 Air Quality Management Plan⁹, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy¹⁰.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

RVC200901-15

Control Number

⁹ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

¹⁰ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at:
https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

ENRICO NELSON

4129 Poplar Cir.
Lake Elsinore, Ca. 92530
Phone: (951)818-3732
E-mail: eknelson@live.com

► **Ms. Damaris Abraham**
Senior Planner

130 South Main Street
Lake Elsinore, Ca.92530

Ms. Abraham:

I am writing this letter regarding the Lake and Mountain Commercial Center Project.

My family and I have lived here in Lake Elsinore for 9 years. When we moved out here from Los Angeles, my wife and I had to make decisions about our jobs, my wife was able to relocate, and I decided to commute to Los Angeles from Lake Elsinore. This was because we did not have to deal with the heavy traffic, loud noises of living in a big city, and most important the high crime rate. Yes, I do understand crime is everywhere, however we love the feel and peace of living in a small-town atmosphere. Knowing that my wife and children can experience this makes it especially important to us. The effects of gas stations and convenient stores so close to our neighborhood will always have horrific consequences.

I hope that you will listen to my concerns and make the best decisions for our community

Thank You



ENRICO NELSON
09/25/2020

From: [Damaris Abraham](#)
To: [Chris Moore](#); [Max Antono](#)
Subject: FW: [External]Lake & Mountain Commercial Center
Date: Monday, September 14, 2020 12:57:56 PM

FYI

From: Mauricio Alvarez <malvarez@riversidetransit.com>
Sent: Monday, September 14, 2020 11:40 AM
To: Damaris Abraham <dabraham@lake-elsinore.org>
Subject: [External]Lake & Mountain Commercial Center

Message from external sender. Use Caution.

Good Morning Ms. Abraham,

RTA has reviewed the plans you have sent and have one comment:

1. ADA compliant, connected sidewalk on both Mountain St and Lake St.

Thank you for considering this comment.

Mauricio Alvarez, MBA
Planning Analyst
Riverside Transit Agency
p: 951.565.5260 | e: malvarez@riversidetransit.com
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)
1825 Third Street, Riverside, CA 92507