

SECTION 2.0 INTRODUCTION

2.1 Purpose of the EIR

2.1.1 Authority

An Environmental Impact Report (EIR) is an informational document prepared pursuant to the California Environmental Quality Act (CEQA, see Public Resources Code Section 21000 et seq.). This revised Draft EIR (revised DEIR) was prepared pursuant to the provisions of CEQA) and the State CEQA Guidelines (CEQA Guidelines, see California Code of Regulations, Title 14, Section 15000 et seq.).

An EIR provides decision-makers, public agencies, and the public with detailed information about the potentially significant environmental effects of a proposed project. It also lists the ways in which the significant effects of a project might be avoided or minimized, including through the application of mitigation measures or the consideration of alternatives to the project. CEQA requires that an EIR contain at a minimum, certain specific information, including but not limited to: a clear, concise project description; a description of the environmental setting; discussion of potential environmental impacts; mitigation measures that can minimize or reduce the potentially significant environmental impacts of the project to less than significant levels; effects found not to be significant; alternatives designed to avoid or minimize the potentially significant impacts of the project; and cumulative impacts. This information is required pursuant to Sections 15120 through 15130 of the CEQA Guidelines.

In accordance with Section 15168 of the CEQA Guidelines, this document is intended to serve as a “Program EIR” that examines the environmental impacts of several discretionary approvals to implement the proposed Project. A discretionary approval is an action taken by a government agency that calls for the exercise of judgment in deciding whether to approve or how to carry out a project. For this EIR and Project, the lead agency is the City of Lake Elsinore (City). The analysis contained in this document focuses on the changes in the environment that would result from the implementation of the proposed Project.

In cases where a project would have potentially significant environmental impacts that cannot be reduced to less than significant, CEQA expressly grants lead agencies the authority to approve such projects, should it choose to do so, so long as the lead agency makes a fully informed and publicly disclosed decision that includes a statement of the considerations that the agency finds will override the significant effects of the project (See CEQA Guidelines Sections 15043 and 15093).

2.1.2 Intended Uses of the EIR

This EIR evaluates the potential environmental impacts associated with the approval of the proposed East Lake Specific Plan Amendment No. 11 (ELSPA No. 11), herein referred to in this environmental document as the “proposed Project” or “Project”, which is located within the City of Lake Elsinore. Pursuant to the requirements of CEQA, the EIR is intended to provide information regarding the environmental consequences of, mitigation measures for, and alternatives to, the proposed Project and related entitlements. It is also meant to facilitate discussions with other agencies regarding implementation of

mitigation measures. CEQA is specific about providing disclosure where “the EIR is to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action ...” (Guidelines Section 15003 [d].) CEQA also requires consideration of the whole or entirety of an action or project. With these guiding principles in mind, the intended uses of this EIR include, but are not limited, to:

- Informing the decision-makers, public, and agencies about the Project and providing the public and agencies with an opportunity to comment;
- Analyzing the environmental impacts of the proposed Project; and
- Providing notice and opportunity for comment to Responsible/Trustee Agencies regarding required permits under their jurisdiction and to allow these Responsible/Trustee Agencies to utilize the EIR for their discretionary actions.

This EIR may also be used by Responsible/Trustee Agencies to support subsequent discretionary approvals needed to implement the proposed Project.

2.1.3 Discretionary Approvals

A two-tier implementation process would be used for future development within the Project site to control the build-out of sports and recreation venues, commercial, hotel and residential uses allocated for each planning area. The two-tier administration process consists of: 1) adoption of the ELSPA No. 11; and 2) implementing actions/approval authority for future implementing development projects per Section 10.4.3 of the ELSPA No. 11. This EIR would be used to support discretionary approvals by the City of Lake Elsinore for the proposed Project and future implementing development projects in the Project site, including but not limited to approvals listed in Table 2-1. Also, included in Table 2-1 are responsible agencies that may utilize this document for future approvals within or serving the Project site that are pertinent to their jurisdiction.

Table 2-1. Required Approvals

Permit/Approval	Agency	Purpose
Required Approvals Related to the Adoption of ELSPA No. 11		
General Plan Amendment to Land Use & Circulation Elements, Zone Change and Specific Plan Amendment	City of Lake Elsinore	Modify the existing land uses within the current boundary of the existing ELSP; to make minor modifications to the ELSP boundaries and add general plan land use designations for properties removed from the ELSP; amend the circulation element to revise the ELSP backbone roadway. <u>Change the zoning of the Inlet Channel from Auto Center Drive (north) to the Lake (west) into the ELSP Project site from F (Floodway) to SP (Specific Plan). Change the zoning of the two Limited Industrial properties along Corydon that are being removed from the ELSPA 11 Project site from SP (Specific Plan) to M-1 (Limited Manufacturing). This zoning is the same as that of the adjacent developed properties that are not within the East Lake Specific Plan.</u>

Permit/Approval	Agency	Purpose
Required Approvals Related to Future Implementing Development Projects (Where Applicable)		
Development Plan	City of Lake Elsinore	Specifies greater details regarding the type of development that would occur within the Project site.
Subdivision Maps	City of Lake Elsinore	Create legal lots.
Site Plans/Design Review	City of Lake Elsinore	Review specific details regarding the placement of proposed development on individual properties and the development's architectural details.
Right-of-Way Permits	City of Lake Elsinore	Work in public right-of-way.
Grading Permits	City of Lake Elsinore	Site preparation.
Final Map	City of Lake Elsinore	Final mapping of approved subdivision lots.
Drainage Plans	City of Lake Elsinore, RCFC&WCD	Plans for Storm Drains and Detention Plans within the Back Basin.
Encroachment Permits	RCFC&WCD	Work within RCFC&WCD facilities.
Improvement Plans	City of Lake Elsinore	Plans for roads.
Sewer and Water Plans	EVMWD	Plans for Backbone Sewer, Water and Reclaimed Master Planned Water Facilities.
Building Permits	City of Lake Elsinore	Construction of buildings.
National Pollutant Discharge Elimination System (NPDES) Permit	SARWQCB	Discharge approval.
<u>Water Quality Management Plan (WQMP)</u>	<u>City of Lake Elsinore</u>	<u>Construction and operation water pollution control</u>
<u>Stormwater Pollution Prevention Plan (SWPPP)</u>	<u>City of Lake Elsinore</u>	<u>Construction and operation water pollution control</u>
General Construction Stormwater Permit	SARWQCB	Stormwater runoff.
Waste Discharge Requirements Permit	SARWQCB	Waste discharge.
Water District Approval	EVMWD	Water infrastructure, connection and service.
Sewer District Approval	EVMWD	Sewer infrastructure, connection and service.
School District Approval	LEUSD	School service.
Fire District Approval	Riverside County Fire	Fire service.
Caltrans Approval	California Department of Transportation	Encroachment permits and roadway improvements.
Utilities Approval	PUC; SCE; SGE	Power, gas and communication line infrastructure, connection and service.
<u>MSHCP Consistency Determination; MSHCP JPR; MSHCP DBESP; HANS/LEAP process</u>	<u>City of Lake Elsinore and/or RCA and/or California Department of Fish and Wildlife and/or United States Fish and Wildlife Service (Wildlife Agencies)</u>	<u>Project implementation; Major Amendments and/or Minor Amendments to the MSHCP.</u>

Permit/Approval	Agency	Purpose
Other Discretionary Permit/Approvals Include (Where Applicable)		
CRWQCB 401 Water Quality Permit	California Regional Water Quality Control Board	Discharges into ‘waters of the U.S.’
CDFW 2081 or 1600 Permits	California Department of Fish and Wildlife	Incidental take and streambed or lake alteration.
USACE 404 or 408 Permits	US Army Corp of Engineers; RCFC&WCD	Construction activities within the ‘waters of the U.S.’ or within a USACE owned or maintained facility.

2.1.4 Incorporation by Reference

As permitted by Section 15150 of the CEQA Guidelines, this EIR has referenced several technical studies, analyses, and reports. Information from the documents that has been incorporated by reference has been briefly summarized in the appropriate section(s) that follow and the relationship between the incorporated part of the referenced document and the EIR has been described. The documents and other sources, which have been used in the preparation of this EIR, are identified in Section 9.0, Bibliography. In accordance with Section 15150(b) of the CEQA Guidelines, the location where the public may obtain and review these referenced documents and other sources used in the preparation of the EIR is also identified in Section 9.0. The City of Lake Elsinore’s General Plan; General Plan EIR; existing East Lake Specific Plan and Amendments No. 1 through No. 10; the East Lake Specific Plan EIR and Supplemental EIRs have been used in the preparation of this EIR. The information and analysis incorporated by reference have been summarized in the appropriate sections of this document.

2.2 Scoping Comments and Public Participation

Pursuant to Section 15082 of the CEQA Guidelines, the City prepared and distributed a Notice of Preparation (NOP) of an EIR. The City distributed the NOP on November 10, 2016 for a 30-day review period. The NOP was distributed to the State Clearinghouse Office of Planning and Research, public agencies, utility and service providers, Riverside County Clerk/Recorder, adjacent jurisdictions, and interested parties in the Project vicinity. Copies of the NOP and the distribution list are provided in Appendix A of this EIR. A public scoping meeting was held on December 1, 2016 at 5:00 PM to provide the public and agencies an opportunity to comment on the proposed Project and provide input on the scope of analysis for the EIR.

The City received eleven (11) letters/e-mails with comments and (5) five comment cards during the December 1, 2016, scoping meeting. The NOP comments were used to establish the scope of the issues addressed in this EIR. Copies of the comments received on the NOP are included in Appendix B.

2.3 Areas of Controversy

Table 2-2 below briefly summarizes the comments and issues raised by agencies and the public during the Notice of Preparation (NOP) public comment period and at the Public Scoping Meeting held December 1, 2016. The section(s) of the EIR that address the comment are also included.

Table 2-2. Areas of Potential Controversy

Individual, Group or Agency	Comment	EIR Section
2016 NOP Comments: Copies of comments received by the City are also included in Appendix B.		
California Native American Heritage Commission	Standard recommendations for Cultural Resources Assessments, on Tribal Consultation and complying with AB 52 and SB 18.	Section 5.4, Cultural, Paleontological and Tribal Resources
Department of Toxic Substances Control	Standard recommendations, including that the EIR should identify and determine whether current or historic uses of site resulted in release of hazardous substances and require proper sampling and remedial actions.	Section 5.7, Hazards and Hazardous Materials
County of Riverside Transportation and Land Management Agency – Transportation Department	Standard recommendations for traffic study.	Section 5.14, Transportation and Circulation
Rodney Agnew	Requests zoning change for 96 Eleanor Street from residential to commercial.	Section 5.9, Land Use
Rosemary Agnew	Requests zoning change for 96 Eleanor Street from residential to commercial.	Section 5.9, Land Use
Debbie Fitzpatrick	Requests zoning change for 96 Eleanor Street from residential to commercial.	Section 5.9, Land Use
Van C. Nguyen	Commenter expresses support for protecting natural resources, maintaining open space with predominantly sports and recreation uses and making Lake Elsinore the “Action Sports Capitol of the World”.	Section 5.3, Biological Resources; Section 5.9, Land Use
South Coast Air Quality Management District	Standard recommendations for performing air quality analysis, siting of incompatible land uses and potential permitting requirements.	Section 5.2, Air Quality
Bruce Keeton	Requests addition of Industrial and Multi-Family Residential zoning designations to his property.	Section 5.9, Land Use
California Department of Fish and Wildlife	Standard recommendations on assessment of biological resources, analysis of impacts to biological resources, alternatives analysis, mitigation measures, compliance with the CA Endangered Species Act, the Western Riverside County MSHCP and the Lake and Streambed Alteration Program.	Section 5.3, Biological Resources

Individual, Group or Agency	Comment	EIR Section
Paul Pribble	Comment on proposed land use designation for parcel #370-020-003.	Section 5.9, Land Use
Terri Mullins	Commenter stated that Project description in NOP was vague and misleading and that NOP notice distribution and Scoping Meeting announcement were inadequate.	Section 2.2, Scoping Comments and Public Participation
Leonard Leichnetz/Lumos Communities	Commenter requests the following: • Clarify uses allowed under “Action Sports, Tourism, Commercial and Recreation (ASTCR)” • Clarify whether uses allowed under ASTCR designation would be allowed on ALL properties with this designation • Model the most intensive use allowed for each category of ASTCR • Air Quality ○ Air quality modeling for Active Sports and Recreation should be analyzed carefully and separately from traffic air quality modeling ○ Particulate matter from intensive Active Sports (i.e., motocross on dirt) should be carefully modeled and analyzed • Describe economic uses allowed under “preservation/mitigation” use • Provide detailed information on airport impacts and on sewer, water, storm drain and water quality systems • Written permission for consulting team to enter private property must be requested one week in advance • Provide detailed analysis of buildout traffic/circulation possibilities • Clarify potential permitting and construction of Cereal Street and Lucerne Street below elevation of 1234 feet • Provide analysis of Project’s economic feasibility	Section 5.9, Land Use; Section 5.2, Air Quality; Section 5.7, Hazards and Hazardous Materials; Section 5.15, Utilities; Section 5.14, Transportation and Circulation; Section 5.8, Hydrology and Water Quality
Southern California Association of Governments	Provides recommendations for evaluating consistency with SCAG’s Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS)	Section 5.9, Land Use; Section 5.2, Air Quality; Section 5.6, Greenhouse Gas Emissions
Riverside County Fire Department	Presents necessary measures to be included in EIR for reducing potential impacts to Fire services.	Section 5.12, Public Services
Lake Elsinore Police Department	Presents necessary measures to be included in EIR for reducing potential impacts to Police services.	Section 5.12, Public Services

2.4 Availability of the Draft EIR

The ~~Draft EIR~~DEIR has been distributed to public agencies and to interested organizations and individuals for review and comment. The EIR and all related technical studies are also available for review at the locations listed below.

- Online at: <http://www.lake-elsinore.org/city-hall/city-departments/community-development/planning/ceqa-documents-available-for-public-review/east-lake-specific-plan-amendment-no-11>
- City of Lake Elsinore Community Development Department, 130 South Main Street, Lake Elsinore, CA 92530
- Lake Elsinore Branch Library, 600 W. Graham Avenue, Lake Elsinore, CA 92530
- Lakeside Library, 32593 Riverside Drive, Lake Elsinore, CA 92530

Agencies, organizations and individuals are invited to comment on the EIR during the 45-day public review period. Specifically, comments are requested on the scope and adequacy of the environmental analysis. Commenters may also provide or identify additional environmental information that they think is germane to the analysis of the Project.

2.5 Certification of the EIR

After the circulation of the EIR, the City of Lake Elsinore will prepare responses to all written comments received on the EIR and will prepare the Final Environmental Impact Report (FEIR) for consideration by the City's decision-making body. The FEIR will consist of the EIR, revised as appropriate based on comments received during the public comment period, the EIR Appendices and the Responses to Comments. The FEIR, including the Responses to Comments, will be available for public review at the City of Lake Elsinore Community Development Department, 130 South Main Street, Lake Elsinore, CA 92530.

The City of Lake Elsinore Planning Commission will review the EIR for adequacy and make recommendations to the City Council regarding certification of the FEIR. Prior to considering the proposed Project, the City Council will consider certification of the FEIR. CEQA Guidelines Section 15090 requires the lead agency to certify that the FEIR has been completed in compliance with CEQA, that it was presented to the decision-making body of the lead agency (the City Council) and that the City Council reviewed and considered the information in the FEIR prior to acting on the proposed Project, and that the FEIR reflects the independent judgment and analysis of the City.

2.6 Methodology and Format

Each environmental resource analyzed in Section 5 of this EIR generally follows the format described below.

2.6.1 Existing Conditions

This introductory section describes the existing environmental conditions, or “baseline” related to each environmental resource analyzed in the EIR. In accordance with Section 15125 of the CEQA Guidelines, the local and regional settings are discussed as they exist at the time the NOP was published.

2.6.2 Impact Significance Criteria

Section 15126 of the CEQA Guidelines requires that an EIR “identify and focus on the significant environmental effects” of a proposed project. “Effects” and “impacts” mean the same under CEQA and are used interchangeably within this EIR. A “significant effect” or “significant impact” on the environment means “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project.” (CEQA Guidelines Section 15382).

In determining whether an impact is “significant” under CEQA, emphasis has been given to the basic policies of CEQA with respect to a particular subject matter, as well as to specific criteria for significance found in the CEQA Guidelines (refer to Appendix G of the CEQA Guidelines). An effort has been made to avoid overly subjective significance criteria that are not based in specific CEQA policies and/or generally accepted thresholds upon which significance can be determined. For each subject area addressed within this EIR, significance thresholds are identified that have been applied in analyzing the potential effects of the proposed Project.

2.6.3 Impact Analysis

The impact analysis presented in the EIR identifies specific Project-related impacts. As described above, the significance criteria provide the basis for distinguishing between impacts that are determined to be significant (i.e., impact exceeds the threshold of significance) and those that are less than significant. The existing environmental setting (i.e., existing conditions) is the basis for documenting the nature and extent of impacts anticipated to result from Project implementation. Because this EIR is a “program level” document, this EIR examines the potential impacts based on buildout of the Project site as contemplated by the ELSPA No. 11 proposed land-uses and development intensities designated for each planning area presented in Section 3.0 (Project Description). As required by Section 15161 of the CEQA Guidelines, each phase of the Project, including planning, construction and operation of the proposed Project are evaluated.

In assessing the impacts of the proposed Project and the various CEQA alternatives, the City of Lake Elsinore has conducted the following analysis:

"Potential effects" of the Project have been identified. Initially, these potential effects are identified on a cursory level. No determination is made that the potential effects are "significant," "adverse," or "substantial." This process merely identifies issues and impacts, which, at an initial level, may seem possible. "Potential effects" include issues identified in the EIR as well as those raised by the public, landowners, the City, and other public agencies.

With respect to each potential effect, an analysis has been conducted to determine if, in fact:

- The Project produces the identified "effect"; and
- The effect produces a substantial, or potentially substantial, change in the physical conditions within the area affected by the Project (i.e., "significant"); and
- The changed conditions are "adverse."

Where the investigation of a potential effect concludes the effect is too speculative for evaluation, that conclusion is noted and the discussion of that effect is ended. (Per Section 15145 of the CEQA Guidelines) Where the investigation demonstrates a potential effect does or may (without undue speculation) occur, but is beneficial, that conclusion is noted. Where the investigation demonstrates a potential effect is not significant or not adverse, that conclusion is noted.

2.6.4 Mitigation Measures

Where the analysis described in Section 2.3.3 above demonstrates that a potential effect does or may (without undue speculation) occur and is found to have a substantial or potentially substantial and adverse impact on physical conditions within the area affected by the Project, even where Project Design Features and/or Standard Conditions have been incorporated into the Project, that conclusion is noted and:

- Mitigation measures are provided which would minimize or avoid the significant effects and, in most cases, reduce them to less than significant levels; and/or
- Where feasible mitigation measures are not identified, which can reduce or avoid the significant effect(s) to less than significant levels, the significant effects are identified as those that would result in "significant unavoidable adverse impacts".

2.6.5 Unavoidable Significant Impacts

Unavoidable significant adverse impacts (i.e., those effects that either cannot be feasibly mitigated or remain significant even after mitigation) are identified in this section of the EIR if the mitigation measures prescribed cannot reduce the significant impacts to a less than significant level, the mitigation measures are infeasible, or their implementation cannot be guaranteed because they are the responsibility of another public agency. For significant unavoidable impacts identified herein, the City Council will be required to adopt a Statement of Overriding Considerations as described in Section 15093 of the CEQA Guidelines that identifies and describes the public benefit(s) associated with the proposed Project that

outweigh the significant unavoidable adverse environmental impact(s) identified in the EIR prior to approving the Project.

The EIR has determined that a significant unavoidable adverse impact would occur to Air Quality, Greenhouse Gas Emissions, Noise, Transportation and Circulation. These significant unavoidable adverse impacts would occur after implementation of mitigation measures as detailed in Section 5 of the EIR and as summarized in Table 6-1 Summary of Proposed Project's Significant Unavoidable Impacts.

2.6.6 Format of the Revised Draft EIR/DEIR

This revised DEIR/Draft EIR is organized as follows:

Section 1.0 – Executive Summary. The executive summary summarizes the proposed Project and the Project alternatives. In addition, a table is included in this section that summarizes the potential environmental impacts, mitigation measures and level of significance after mitigation.

Section 2.0 – Introduction. This section provides relevant information regarding context and background of the CEQA process; discretionary approvals sought by the proposed Project; a summary of comments received during the EIR scoping period following distribution of the Notice of Preparation; and the location of where those comments are addressed in the revised Draft EIR/DEIR.

Section 3.0 – Project Description. This section provides a detailed Project description and the implementation/phasing associated with the proposed Project, and identifies the Project objectives.

Section 4.0 – Impacts Determined to be Less than Significant. This section summarizes the environmental impacts found not to be significant based on the analysis undertaken for the proposed Project during the preparation of the EIR. Topic areas include Agriculture and Forestry Resources, and Mineral Resources.

Section 5.0 – Environmental Analysis. This section describes the existing conditions, the thresholds of significance, the analytical methodology, the impacts of the proposed Project, General Plan consistency impacts, cumulative impacts, mitigation to reduce or avoid any significant impacts, and the level of significance of the impacts after mitigation for each of the environmental topic areas, which include:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural, Paleontological and Tribal Resources
- Geology, Soils and Seismicity
- Greenhouse Gases
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise

- Population and Housing
- Public Services
- Recreation
- Transportation and Circulation
- Utilities
- Energy
- Growth-Inducing Impacts

Section 6.0 – Significant Unavoidable Adverse Impacts. This section summarizes the potential significant unavoidable adverse impacts of the proposed Project, after mitigation, based on the analysis documented in Section 6.0.

Section 7.0 – Alternatives. This section provides a qualitative analysis of the potential environmental impacts associated with the Alternatives to the Project, including the No Project Alternative.

Section 8.0 – Organizations and Persons Consulted. This section lists the City of Lake Elsinore staff and/or departments and other persons/organizations consulted during the preparation of the EIR as well as consultant personnel who were consulted during or are responsible for the preparation of this EIR.

Section 9.0 – Bibliography. This section lists the references used in the preparation of this EIR.

Section 10.0 – Glossary of Terms. This section provides a comprehensive glossary of terms and acronyms used in the EIR.

Appendices. The Appendices to this EIR include the NOP, the responses to the NOP and technical reports prepared to analyze the potential impacts of the proposed Project as listed below.

Appendix A	NOP and the Distribution List
Appendix B	NOP Comments
Appendix C	DEIR Comments
Appendix D	Eastlake Specific Plan Amendment No. 11
Appendix E	Air Quality and Greenhouse Gas Analysis
Appendix F	Biological Resource Technical Report
Appendix F.1	California Department of Fish and Wildlife, Lake Elsinore Back Basin Letter, October 17, 2013
Appendix G	Cultural and Paleontological Assessment and Native American Consultation
Appendix H	Limited Environmental Site Assessment (LESA) and Phase 1 ESA
Appendix I	Noise Study Report
Appendix J	Correspondence with the Lake Elsinore Police Department and the Riverside County Fire Department

Appendix K Revised Traffic Impact Analysis Report

Appendix K.1 East Lake Specific Plan Amendment – Potential Impact to Traffic Analysis (Changes to Roadway Classifications) memorandum

Appendix L Water Supply Assessment