4.1 AESTHETICS

This Subsection describes the aesthetic qualities and visual resources present on the Project site and in the site's vicinity and presents an analysis of the potential effects that the Project could have on these resources. Potential aesthetic impacts that could result from implementing the proposed Project are based in part upon on analysis of aerial photography (Google Earth, imagery dated September 2014) (Google Earth, 2015), visual simulations provided by the Project Applicant, photographs taken by T&B Planning in August 2015, and information provided in technical reports appended to this EIR. This Subsection also is based in part on information contained in the City of Lake Elsinore General Plan (City of Lake Elsinore, 2011a) and the City of Lake Elsinore General Plan Update Final Recirculated Program Environmental Impact Report, Section 3.3, Aesthetics (SCH No. 2005121019), certified December 13, 2011 (City of Lake Elsinore, 2011b).

4.1.1 SCOPE OF REVIEW

The Nichols Canyon Mine, as discussed in Section 2.0, Environmental Setting, is an existing, ongoing surface mining operation operating pursuant to vested mining rights and an approved reclamation plan (RP 2006-01A1), which was analyzed in a prior MND. Although the City has chosen to prepare an EIR for the Project here, the scope of review addresses those impacts resulting from the Project as described in Section 3.0, Project Description, and not impacts related to existing, approved operations, which form the environmental baseline, as discussed in Section 2.7, Existing Physical Site Conditions. Accordingly, this Subsection does not analyze aesthetic impacts related to existing, approved operations.

4.1.2 EXISTING CONDITIONS

Pursuant to CEQA Guidelines § 15125, the physical environmental condition for purposes of establishing the setting of an EIR is the environment as it existed at the time the EIR's NOP was released for public review. The NOP for this EIR was released on June 25, 2015. As of that date, approximately 116 acres of the Mine had been mined and/or disturbed, with excavations occurring along the upper portion of a slope. Previous mining activities created a series of progressively lower benches with associated high walls. Under existing conditions, approximately 116 acres of the Mine are currently used for mining activities. The Nichols North site comprises approximately 156 acres and the Nichols South site comprises approximately 43 acres. Under existing conditions, areas that were previously subject to mining on the Nichols North site contain stockpiles, dirt roadways, and processing equipment, while the upper elevations of the hillsides are undisturbed and primarily consist of sagebrush associations. Under existing conditions the Nichols South site consists of a mostly disturbed site where overburden has been removed and much of the area is subject to regular disking as part of on-going fire abatement activities, with a drainage (Stovepipe Creek) traversing the southeastern portion of the Nichols South site.

As required by the approved Conditional Use Permit (CUP 2014-07) for the on-site asphalt batch plant, and since issuance of the Project's Notice of Preparation in June 2015, the Project Applicant has commenced construction on an approximate 14- to 34-foot tall berm located along the western boundary of the mining site, adjacent to I-15 and along the north edge of Nichols Road within the first 550 feet of the I-15 northbound on- and off-ramps..

The EDA is an undeveloped hillside formed in bedrock terrain that includes surface rock outcrops.

To illustrate the existing visual conditions of the EDA in more detail, a photographic inventory was prepared by T&B Planning. Figure 4.1-1, *Site Photograph Key Map*, depicts the locations of five (5) vantage point photographs, each of which are described below. These photographs, shown on Figure 4.1-2, *Site Photographs 1 and 2;* Figure 4.1-3, *Site Photographs 3 and 4*; and Figure 4.1-4, *Site Photograph 5* , provide a representative visual inventory of the Mine's visual characteristics as seen from surrounding public viewing areas and from within the Mine property.

- Site Photograph 1 (Figure 4.1-2): Site Photograph 1 was taken from western edge of the Nichols Canyon Mine just west of I-15, looking east. This photograph depicts the existing vested mining operations as a series of benched slopes, and shows the natural hillsides in the background, which are also a part of the Nichols Canyon Mine property and a portion of which is the EDA. In the foreground is the on-ramp of I-15, with a chain link fence that delineates the western edge of the Nichols Canyon Mine.
- Site Photograph 2 (Figure 4.1-2): Site Photograph 2 was taken from Nichols Road, facing the portion of the Mine site referred to in this EIR as Nichols North. This photograph shows power poles along Nichols Road, beyond which is the vested mining operation. A berm that is constructed on the Mine site beyond the chain link fence obscures views to the Mine's processing area from this view point along Nichols Road. Existing disturbed/mined areas are clearly visible from this location in the middle ground, while undisturbed areas on- and off-site can be seen in the distance in the right portion of the photo.
- Site Photograph 3 (Figure 4.1-3): Site Photograph 3 was taken along Nichols Road, looking northwest and northeast. As shown, in the foreground is the existing driveway access that provides access to trucks into the Mine. Telephone poles along Nichols Road also are visible from this location. In the distance, the existing fencing that controls access to the site is visible, beyond which are numerous piles of large rock. From this vantage, the undisturbed portions of the Mine dominate views, with some disturbances associated with on-going mining activities are visible in the distance in the left portion of the photo. Distant views of the Santa Ana Mountains also can be seen from this vantage.
- Site Photograph 4 (Figure 4.1-3): Site Photograph 4 was taken from the eastern boundary of the Mine, along Nichols Road, looking northwest. Nichols Road is visible in the left portion of the photo, while in the near-ground in the center and right portions of the photo is disturbed natural vegetation. In the distance, and dominating views in the right portion of the photo, are the existing undisturbed slopes located east of the Project's proposed Expanded Development Area (EDA). Disturbances associated with mining activities are visible in the distance in the left portion of the photo. Distant views of the Santa Ana Mountains also can be seen from this vantage.
- Site Photograph 5 (Figure 4.1-4): Site Photograph 5 shows views of the Mine property from the northbound shoulder of I-15, on the approach to the Nichols Road off-ramp. The portion of the Mine site referred to in this EIR as Nichols South is visible to the south of Nichols Road, and the portion of the Mine site referred to as Nichols North is visible north of Nichols Road. Mined and disturbed areas are visible on both portions of the property.

Figure 4.1-1

SITE PHOTOGRAPH KEY MAP

Site Photo 1: From Western Edge of Project Boundary, along Interstate 15, looking Northeast to Southeast.

Site Photo 2: Overview of the Existing Quarry Operation, from Western Corner of Project Boundary looking North to East.

Source(s): Brian F. Smith & Associates, Inc. (07-09-2015), Site Photo Visit (08-26-15)

NOT TO SCALE

Figure 4.1-2

SITE PHOTOGRAPHS 1 AND 2

Site Photo 3: From Southern Edge of Project Boundary, along Nichols Road, looking West to East.

Site Photo 4: From Southeastern Edge of Project Boundary looking West to North.

Source(s): Site Photo Visit (08-26-15)

NOT TO SCALE

Figure 4.1-3

SITE PHOTOGRAPHS 3 AND 4

Site Photo 5: From South of Project Boundary looking Northwest to Northeast.

Source(s): Brian F. Smith & Associates, Inc. (07-09-2015)

Figure 4.1-4

NOT TO SCALE

SITE PHOTOGRAPH 5

Under existing conditions, the Nichols Canyon Mine contains little artificial lighting. Some limited lighting occurs in areas where mining activities occur in the early morning and after dark. Street lights are located near the intersection of Nichols Road and the I-15/Nichols Road off-ramp. In the surrounding area, vehicle headlight illumination affects the Mine site along the I-15 corridor. Artificial lighting also is present at the Lake Elsinore Outlets shopping area to the west, Temescal Canyon High School to the south, and single family homes to the east and southeast.

The Mount Palomar Observatory, located in the northern portion of San Diego County, has noted that the continued urbanization of southwestern Riverside County reduces the usefulness of the observatory due to emission of artificial lighting from streetlights, automobiles, residences, and businesses (CalTech, n.d.). This type of lighting condition is known as "sky glow." Properties located within a 45-mile radius of the Mount Palomar Observatory are considered to have the potential to contribute to lighting impacts at the observatory. The Nichols Canyon Mine is located approximately 37 miles northwest of the Mount Palomar Observatory. Therefore, the EDA is located within a 45-mile distance of the facility, which is referred to as "Zone B" of the "Mt. Palomar Nighttime Lighting Policy Area" (Riverside County, 2003a).

Figure 4.1-5, *Caltrans Scenic Highway Map*, shows that there are no officially designated State or County Scenic Highways in the vicinity of the Nichols Canyon Mine. This figure shows that both I-15 and State Route 74 (SR-74) are State Eligible as scenic highways, but are not designated as scenic.

A. Applicable Regulatory Requirements

1. City of Lake Elsinore General Plan

The City of Lake Elsinore General Plan Section 4.8, Aesthetics, states that "[s]cenic resources within and surrounding the City of Lake Elsinore include the lake, Cleveland National Forest, rugged hills, mountains, ridgelines, rocky outcroppings, streams, vacant land with native vegetation, buildings of historical and cultural significance such as the cultural center, bathhouse and military academy, parks, and trails." (City of Lake Elsinore, 2011a, p. 4-72)

The City of Lake Elsinore General Plan Chapter 4.0, *Resource Protection and Preservation*, addresses sources of light and glare in the City and contains goals, policies, and implementation programs regarding aesthetics, which generally require the following: contour grading along steep slopes; preservation of the City's visual character, in particular the surrounding hillsides, which topographically define the Lake Elsinore region; the application of design strategies for historical buildings; preservation or retention of existing scenic landscape resources, such as existing mature trees, streetscapes, and other landscape elements; the preservation of "valued" public views throughout the City, with particular emphasis on views of Lake Elsinore and local ridgelines; and the regulation of mining activities in a manner that does not adversely affect the City's visual character. Additionally, the General Plan also identifies 15 landscape viewshed units in the City. As depicted in General plan Figure 4.9, *Landscape Viewshed Units*, the Nichols Canyon Mine is located in Landscape Viewshed Unit 12, which is the location of the Lake Elsinore Outlet stores and of which

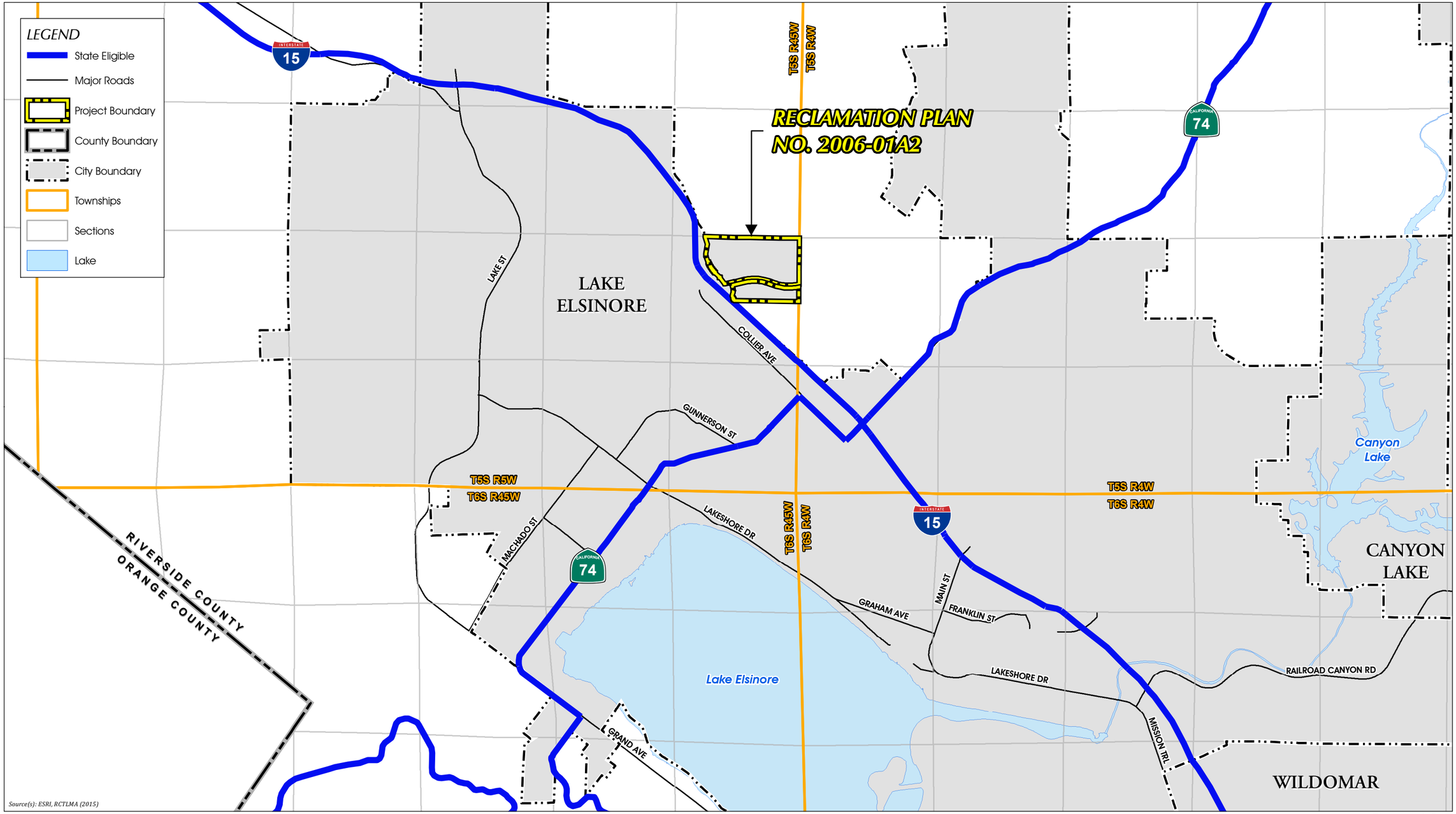

Figure 4.1-5

CALTRANS SCENIC HIGHWAY MAP

"a large portion to the east is vacant for future expansion" (City of Lake Elsinore, 2011a, p. 4-73). The viewshed units identified in the City's General Plan tend to focus on Lake Elsinore. The Nichols Canyon Mine is located approximately 2.0 miles from the lake, and is not visible from the lake due to orientation and intervening development and topography. (City of Lake Elsinore, 2011a, Chapter 4.0)

2. Alberhill Ranch Specific Plan

The Project site falls within the boundaries of the Alberhill Ranch Specific Plan, which was adopted in 1989 and amended several times, with the most recent amendment being Specific Plan Amendment No. 3. (KCT Consultants, 1997, p. 1) Alberhill Ranch Specific Plan Amendment No. 3 provides lighting standards for new development, including standards that address exterior lighting and lighting for parking areas for the properties within the Specific Plan area. The lighting standards set forth in the Alberhill Ranch Specific Plan Amendment No. 3 are not applicable to the proposed Project because the proposed Project is an expansion of existing vested mining operation, which is allowed to continue to operate pursuant to the General Plan's Extractive Overlay land use designation that is applied to the existing and proposed mining and disturbance limits associated with the Mine.

3. City of Lake Elsinore Municipal Code

The City of Lake Elsinore's Zoning Code (Municipal Code Title 17) regulates the character and use of property throughout the various zones in the City (City of Lake Elsinore, 2015). Title 17 of the City's Municipal Code designates overlay zones that affect aesthetic and visual qualities, including the: Scenic Overlay Zone (Chapter 17.16), Lakeshore Overlay Zone (Chapter 17.20), Hillside Planned Development Overlay (Chapter 17.36), and Historic Downtown Elsinore Overlay District (Chapter 17.40). (City of Lake Elsinore, 2011b, p. 3.3-24) The Nichols Canyon Mine site is not located in any of these overlay zones.

City Municipal Code Chapter 17.112.040 identifies outdoor lighting standards for nonresidential development in the City. All outdoor lighting fixtures in excess of 60 watts shall be oriented and shielded to prevent any glare or direct illumination on adjacent properties or streets. Additionally, due to the City's proximity to the Mount Palomar Observatory, the use of low pressure sodium lighting is encouraged. (City of Lake Elsinore, 2011b, p. 3.3-24)

Additionally, City Municipal Code Chapter 17.148.110 addresses potential light and glare issues by providing that "Lighting shall be located and designed so as to preclude the direct glare of light shining onto adjacent property, streets, or into the sky above a horizontal plane passing through the luminaire." (City of Lake Elsinore, 2011b, p. 3.3-24)

4.1.3 BASIS FOR DETERMINING SIGNIFICANCE

The proposed Project would result in a significant impact to aesthetics if the Project or any Project-related component would:

a. Have a substantial adverse effect on a scenic vista.

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

c. Substantially degrade the existing visual character or quality of the site and its surroundings.

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

The above-listed thresholds are derived directly from Section I of Appendix G to the CEQA Guidelines and address typical adverse effects to aesthetics (OPR, 2009).

4.1.4 IMPACT ANALYSIS

Threshold a. Would the Project have a substantial adverse effect on a scenic vista?

Under existing conditions, areas that have been mined on the Nichols North site contain stockpiles, dirt roadways, and processing equipment. The upper elevations of the hillsides and eastern portions of Nichols North are undisturbed. The Nichols South site consists of a mostly disturbed site where overburden has been removed by mining operations and much of the area is subject to regular discing as part of on-going fire abatement activities. Stovepipe Creek traverses the southeastern portion of the Nichols South site. Implementation of the proposed Project would result expanding the approved mining boundaries to accommodate an additional +/- 24 acres of mining area (the EDA). The EDA is visible from off-site locations, and mining of these additional 24 acres would slightly reduce the amount of undisturbed hillside visible from these off-site locations, including views available to the public along Nichols Road and along northbound and southbound I-15.

The photographs provided previously on Figure 4.1-2 through Figure 4.1-4 depict the Nichols Canyon Mine and EDA under existing conditions. As shown, the EDA appears as an undisturbed hillside, higher in elevation than existing mining operations.

The Nichols Canyon Mine property, including the proposed EDA, is not a scenic vista and does not contribute to a scenic vista. The City of Lake Elsinore General Plan EIR states that the City is surrounded by small hills and larger mountains to the south and west. The Santa Ana Mountains in the southwest are visible from much of the City, which are scenic. The Project site is not located in any important hillside areas, which are designated by the General Plan as Hillside Residential in General Plan Figure 2.1A, *City of Lake Elsinore Land Use Plan*. (City of Lake Elsinore, 2011b, p. 3.3-28) The Santa Ana Mountains/Cleveland National Forest are located approximately 3.6 miles northwest, 3.0 miles west, and 3.3 miles southwest of the Project site. The Project proposes to expand mining activities on the Nichols Canyon Mine by 24 acres. No buildings are proposed, nor any structures that would have the potential to block or obscure views to the Santa Ana Mountains; as such, the Project would have no impact on views of the Santa Ana Mountains. (Google Earth, 2015)

Lake Elsinore is considered a scenic resource by the City of Lake Elsinore General Plan. The Nichols Canyon Mine is located approximately 2.3 miles from the lake, and is not prominently visible from the lake due to orientation, distance, and intervening development and topography. As such, the Project would have no impact on scenic views to or from the lake. The City of Lake Elsinore General Plan Chapter 4.0, *Resource Protection and Preservation- Part 2*, focuses on views

to Lake Elsinore, and identifies 15 landscape viewshed units in the City (City of Lake Elsinore, 2011a, p. 4-72) The Nichols Canyon Mine and its proposed EDA are located within Landscape Viewshed Unit 12, which is the location of the Lake Elsinore Outlet stores and of which "a large portion to the east is vacant for future [development] expansion" (City of Lake Elsinore, 2011a, p. 4-73). The proposed Project is compatible with the description for Viewshed Unit 12 because mining and subsequent reclamation would occur on-site, leaving the Mine property available for the future establishment of an end-use east of the Lake Elsinore Outlet stores. Any future development after reclamation of the Nichols Canyon Mine site would be subject to separate review under the California Environmental Quality Act.

Accordingly, and based on the foregoing analysis, the Project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.

Threshold b. Would the Project substantially damage scenic resources, including, but not limited to trees, rock outcroppings and historic buildings within a state scenic highway?

The Nichols Canyon Mine site is not located within or adjacent to a scenic highway corridor, nor is it visible from any state-designated scenic highway corridor. I-15, located immediately to the west of the Mine site, and SR-74, located approximately 1.4 miles south of the Mine site, are identified by Caltrans as "State Eligible" scenic highways (Riverside County, 2003a, Figure C-9) (Caltrans, 2011). The Nichols Canyon Mine, including its proposed 24-acre EDA, is not prominently visible from SR-74 due to distance, intervening development, and topography. (Google Earth, 2015). Although I-15 is not officially designated as a state scenic highway, the proposed expansion of mining limits would be visible to traffic along northbound and southbound I-15, and may occasionally be visible to traffic along SR-74, depending on how clear the sky is. Because the EDA is not visible from an officially designated state scenic highway, the proposed Project would not adversely impact the viewshed within a scenic highway corridor and would not damage important scenic resources within a scenic highway corridor, including trees and historic buildings.

Mining activities within the EDA would impact existing rock outcroppings; however, these rock outcroppings are generally sparse and covered with natural vegetation, which primarily consists of native grasses. There are no trees within the EDA. Further, the Project site is surrounded by other large surface mining operations. Because the City of Lake Elsinore has not identified the sparse rock outcroppings or native grasses on the Project site as being a scenic resource or part of a scenic resource, the Project would have a less-than significant-impact to scenic resources.

Based on the foregoing analysis, the proposed Project would not have an adverse effect on scenic resources visible from a state scenic highway; as such, impacts would be less than significant.

Threshold c. Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

Implementation of the proposed Project would result in the expansion of the existing mining limits to accommodate an additional +/- 24 acres of mining area. The Nichols Canyon Mine site is largely disturbed under existing conditions and the expansion of mining activities would be viewed as an additional area of mining disturbance visible from off-site areas. As detailed in Section 3.0, *Project Description*, during mining activities a variety of equipment would be used, which would be visible

to the immediately surrounding areas during mining activities. The proposed mining activities in the EDA would not be visually different or discernable from existing and vested mining activities at the Nichols Canyon Mine. Therefore, mining activities in the EDA would not substantially degrade the area's visual quality, which is already affected by mining operations on the property and on surrounding properties. As of 2010, six mines were active in the Lake Elsinore area, producing clay, stone/rock, sand, and gravel (City of Lake Elsinore, 2011a, p. 3.12-2) As such, mining is a use that is typical in the area.

Expansion of the permitted mining area by +/- 24 acres would result in a visual change to an undeveloped hillside. The hillside would be mined, and then reclaimed. The proposed mining of these +/- 24 acres is compatible with the visual character of existing mining operations at the Nichols Canyon Mine and mining operations that occur on other properties to the west, southwest, and south of the Project site. Following completion of the mining activities at the Nichols Canyon Mine, all mining equipment would be removed and the mined areas would be reclaimed and revegetated. Project-related changes to local visual character and quality by expanding the mined area by 24 acres would be less than significant in the context of existing, on-going mining activities at the site.

To verify that the proposed Project would not substantially degrade the existing visual character/quality of the site and its surroundings, four visual simulations were prepared showing views of the Nichols Canyon Mine after it is reclaimed, which are described below.

- Figure 4.1-6, *Visual Simulation 1 of 4*: The existing conditions photograph shows power poles and haul trucks in the foreground with on-site trailer and truck ramps in the background under existing conditions. This photograph also depicts the steep terrain located north of Nichols Road. The Proposed conditions shows conditions following the construction of the berm along the west and southwest boundaries of the site and reclamation of the existing slope visible under existing conditions in the right portion of the photo. The berm is currently under construction, and is anticipated to be fully constructed prior to or soon after commencement of mining activities within the EDA. As shown, following construction of the berms views from this location would be similar to existing conditions, except that portions of the existing disturbed areas and the trailer would be obstructed by the berm. The sloped hillside would be graded and designed with slope benching (creating steps in the hillside to create slope stability), and planted to return the hillside to a more natural appearance, compared to existing conditions. From this location, the proposed EDA would not be prominently visible.
- Figure 4.1-7, *Visual Simulation 2 of 4 (Interim Condition)*: Figure 4.1-7 shows existing and interim conditions after the berm that is required by CUP No. 2014-07 and that is currently under construction is completed. This photo location represents views of the Mine from I-15 following completion of the landscaped berm. As shown in Visual Simulation 2, under existing conditions mining areas and equipment are prominently visible from this location. With construction of the tall berm views of the Nichols Canyon Mine site would be blocked from motorists traveling along I-15, as well as motorists traveling on the on-ramp to merge onto the I-15 Freeway, going northbound. The berm would only allow those at the ground level to see views of the hillside in the distance and would block any views of Nichols Canyon Mine. Refer to Visual Simulations 3 and 4, which describes how this portion of the site would be ultimately reclaimed.

EXISTING

PROPOSED

Source(s): VisionScape Imagery (08-11-2015)

Figure 4.1-6

NOT TO SCALE

VISUAL SIMULATION 1 OF 4

EXISTING

PROPOSED

Source(s): VisionScape Imagery (08-11-2015)

Figure 4.1-7

NOT TO SCALE

VISUAL SIMULATION 2 OF 4 (INTERIM CONDITION)

- Figure 4.1-8, *Visual Simulation 3 of 4 (Ultimate Condition)*: Visual Simulation 3 shows existing and proposed conditions, after the Nichols Canyon Mine has been reclaimed and all mining activities on-site have terminated. The existing photograph for Visual Simulation 3 is the same as the existing photograph for Visual Simulation 2, described above. Visual Simulation 3 shows how the site conditions would change after the site has been reclaimed. As shown in Visual Simulation 3, the berm installed in the interim while mining operations were ongoing is removed. As an ultimate condition, the sloped hillside would be graded and planted to return the hillside to a more natural appearing state, compared to existing conditions. Visual Simulation 3 shows the EDA and how the reclaimed slopes would be approximately 440 feet high. This simulation also shows the proposed slope benching (at 25-foot-wide with 25-foot-high inter-bench verticals [faces]), resulting in an overall slope ratio of 1 horizontal to 1 vertical (45 degrees). (CHJ, 2015, p. 2)

  Figure 4.1-9, *Visual Simulation 4 of 4*: Visual Simulation 4 shows existing and proposed conditions, after the Nichols Canyon Mine has been reclaimed and all mining activities on-site have terminated. This photo location was taken along the northbound edge of I-15 looking north and northeast. This photograph shows a four-wire fence in the foreground, with the Nichols North portion of Nichols Canyon Mine in the background. The left-side of the photograph shows the Nichols Road off- ramp from I-15, as well as the portion of Nichols Road that traverses over I-15. Mining operations can be seen in the distance at Nichols North. Visual Simulation 4 shows how the site conditions would change after the site has been reclaimed. As shown in Visual Simulation 4, the stockpiles of materials shown on the left side of the simulation would be removed and the hillsides would be graded and designed with slope benching and planted to return the hillside to a more natural appearance, compared to existing conditions. Additionally, the hills shown in the background, at Nichols North, would also be reclaimed and planted in the same manner.

A. Potential Visual Impacts During Mining Operations

- Views from North of the Project Site: The Project site would not be visible from the north due to the intervening topography that blocks views of the existing mine and EDA, and a lack of public viewing locations.
- Views from South of the Project Site: Mining activities would be visible to those motorists and persons traveling along Nichols Road, although the berm required by CUP No. 2014-07 would partially obstruct views of the mine at the approaches to and from the I-15 off ramps under interim conditions while mining activities are taking place.
- Views from East of the Project Site: The nearest residential land uses to the EDA are the homes located southeast of Nichols Road and Wood Mesa Court, approximately .06 mile from the eastern boundary of the proposed EDA (Google Earth, 2015). Based on the location of the closest home in relation to the eastern boundary of the EDA, mining activities would be visible from the homes adjacent to Nichols Road and the terminus of Wood Mesa Court, and potentially from the home at the southwest corner of El Toro Road and Nichols Road. However for those homes located southeast of the EDA, views from the east would not be substantially affected because mining activities would go into the hillside and thus,

EXISTING

PROPOSED

Source(s): VisionScape Imagery (08-11-2015)

Figure 4.1-8

NOT TO SCALE

VISUAL SIMULATION 3 OF 4 (ULTIMATE CONDITION)

EXISTING

PROPOSED

Source(s): VisionScape Imagery (08-11-2015)

Figure 4.1-9

NOT TO SCALE

VISUAL SIMULATION 4 OF 4

- views of the mining operations would be blocked by the intervening hillside. Thus, views of the mining operations on-site would only be possible at the extreme southeast corner of the EDA.
- Views from West of the Project Site: As depicted in Figure 4.1-7, neither the existing mining operation nor the EDA would be visible from I-15 due to the presence of a tall berm that would be placed along the western boundary of the site as required by CUP No. 2014-07. Thus, during mining operations, views of the Nichols Canyon Mine, including EDA would be blocked by the berm.

B. Potential Visual Impacts After Mining Operations

- Views from North of the Project Site: The Project site would not be visible from the north due to the intervening topography that blocks views of the Nichols Canyon Mine and EDA.
- Views from South of the Project Site: As detailed in Figure 4.1-9, Visual Simulation 4 shows how the site conditions from the south would change after the site has been reclaimed. The stockpiles of materials shown on the left side of the simulation would be removed. The hillsides would be graded and designed with slope benching and would be planted to return the hillside to a more natural appearance. Additionally, the hills shown in the background, at Nichols North, also would be reclaimed and planted in the same manner.
- Views from East of the Project Site: For those homes located southeast of the EDA, views from the east would not be substantially affected because mining activities would go into the hillside and thus, views of the post-mining reclamation would be blocked by the intervening hillside.
- Views from West of the Project Site: As detailed in Figure 4.1-8, Visual Simulation 3 depicts how the EDA would look from I-15 after termination of all mining on-site and with implementation of reclamation. Upon reclamation of the EDA, from the vantage point of I-15, the hillside would more closely resemble pre-Project conditions because the EDA would be seeded such that natural vegetation would return to the slope-benched hillside.

During mining of the EDA, the aesthetics and natural look of the hillside would change from an untouched state to one with active mining and reclamation activities. However, less-than-significant impacts would occur because the Project is a 24-acre expansion of mining activities within an already vested and active mining site. Thus conditions would not change substantially from what already occurs just west of the EDA.

As indicated in the above descriptions, reclamation of the Mine site would change the existing visual character of the Project site from an active mining site to that of a reclaimed site, where mining activities are no longer conducted and the slopes have been stabilized and planted. Although the aesthetic changes to the Project site during mining activities would be noticeable, reclamation of the EDA after mining activities have ceased would result in a less-than-significant alternation to the visual character of the Project site. Therefore, based on the foregoing analysis, implementation of the proposed Project would not result in any significant adverse impacts to the visual character or quality of the Project site.

With respect to the visual character of the surrounding area, the proposed Project would be visually compatible with the existing mining land uses to the west, south, and southwest of the Project site. Thus, mining to the west of the Project site would have similar visual impacts as those that would be created by the proposed Project. Based on the foregoing analysis, expansion of the existing mining operations would not substantially degrade the visual quality or character of the Project site or surrounding area. As such, the Project would result in a less-than-significant impact.

Threshold d. Would the Project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Implementation of the proposed Project would expand the existing mining limits of Nichols Canyon Mine to accommodate an additional +/- 24 acres of mining area, and an increase in the Mine's hours of operation. No new lighting elements would be required in the EDA, however existing lighting would be used over a longer duration to provide light during the expanded hours of operation. There would be no increase in the number of lighting elements on the site; however, the hours of operation for the existing lights would be increased, compared to existing conditions. There would be no new lighting impact to surrounding areas because intervening topography would prevent lights from impacting the homes located to the east of the EDA. The existing lighting elements on-site are required to comply with City of Lake Elsinore Municipal Code § 17.112.040 (Nonresidential Development Standards – Lighting), which requires that all lighting fixtures in excess of 60 watts be oriented and shielded to prevent direct illumination above the horizontal plane passing through the luminaire and prevent any glare or direct illumination on adjacent properties or streets, and requires the use of low-pressure sodium fixtures. Thus, the continued use of the existing lighting elements in the late evening/early morning hours would not adversely affect nighttime views in the surrounding area.

Implementation of the proposed Project would not result in substantial impacts regarding glare because the Project does not propose additional sources of glare such as highly reflective surfaces or buildings with reflective glass. Mining equipment and vehicles associated with the few additional employees at the EDA would not produce substantial glare should sunlight be reflected from their surfaces. Thus, the Project would have a less than significant impact regarding the creation of glare.

As noted previously, the Project site is located within a 45-mile radius of the Mount Palomar Observatory. The 45-mile radius surrounding the Mount Palomar Observatory is defined by Riverside County Ordinance No. 655 as an area in which light pollution may impact the functionality of the observatory. Any development project within a 45-mile radius of the observatory that would add artificial light sources has the potential to contribute to sky glow effects, which could adversely affect operations at the observatory. The Project would have a less-than-significant impact regarding lighting impacts to the Palomar Observatory because the Project would comply with City of Lake Elsinore requirements regarding outdoor lighting standards (such as City Municipal Code Chapter 17.112.040, which states that all outdoor lighting fixtures in excess of 60 watts shall be oriented and shielded to prevent any glare or direct illumination on adjacent properties or streets). (City of Lake Elsinore, 2011b, p. 3.3-24) No new sources of light are proposed as part of the Project. Although the hours for lighting would be extended, there would be a less-than-significant impact because the lights on the Mine site comply with City lighting standards regarding light wattage and shielding of lights, resulting is less than significant impacts to the Palomar Observatory. Mandatory compliance

with applicable City lighting standards would reduce potential impacts regarding lighting and the Palomar Observatory to a less than significant level.

4.1.5 CUMULATIVE IMPACT ANALYSIS

For purposes of analysis herein, the Project's cumulative study area for aesthetics comprises all areas visible from and visible to the Project site. Existing and planned development located outside the Project's viewshed have no potential to cumulatively contribute to visual quality effects.

As noted under the discussion of Threshold a., implementation of the proposed Project would expand permitted mining boundaries to accommodate an additional +/-24 acres of mining area. The expanded mining activities would be visible from off-site locations, and would reduce the amount of undisturbed hillside visible from off-site locations, such as traffic along Nichols Road or along north- or southbound I-15. The Project site is not located in a designated scenic hillside area. The proposed Project would not have an impact to views of the Santa Ana Mountains, because no buildings or other visual obstructions would be caused by the Project. Similarly, the Project would not obstruct views to Lake Elsinore or adversely affect views from the lake, due to the Project's orientation and its distance of approximately 2.0 miles north of the lake. Mining of an additional +/- 24 acres would affect views of the EDA from I-15. However, given that the land directly west, south, and southwest of the Project site has been mined in the past and is currently being mined/disturbed, the general character of the Project area (i.e. the hillside on which mining is currently occurring and would occur with the Project) would not change substantially. Accordingly, the Project would not result in a cumulatively considerable impact to scenic vistas.

As noted under the analysis of Threshold b., the Project site is not located within close proximity to any designated Scenic Routes and does not contain any scenic resources under existing conditions. The EDA does contain sparse rock outcroppings, however the land in the vicinity of the rock outcroppings is vested for mining, and the rock outcroppings on the Project site have not been designated by the City of Lake Elsinore as a visual resource and are not prominently visible from off-site locations. Therefore, the proposed Project would not contribute to a cumulatively significant scenic resource impact to designated scenic routes. As such, a less-than-significant cumulatively considerable impact would occur.

With respect to visual quality and character of the site and surrounding area, under cumulative conditions the geographic area of the Project site includes mining uses on the hillside and single family residential to the southeast. Vested mining operations are also located south of the Project site. Mining is a long-standing use in the City and surrounding area. Expanding the permitted mining hours and expanding the permitted mining area of Nichols Canyon Mine by 24 acres would not significantly and adversely affect the visual quality and character of the area. Thus, the Project's impact would be less than cumulatively considerable and the proposed Project would not considerably contribute to an adverse cumulative impact to the existing visual character or quality of the Project site or its surroundings.

With respect to potential cumulative light and glare impacts, City of Lake Elsinore Municipal Code § 7.112.040 (Nonresidential Development Standards – Lighting), requires that all lighting fixtures in excess of 60 watts shall be oriented and shielded to prevent any glare or direct illumination on adjacent properties or streets, and requires the use of low-pressure sodium fixtures. Cumulative

development projects in the unincorporated areas of Riverside County and City of Murrieta would comply with Riverside County Ordinance No. 655 (Regulating Light Pollution) or City of Murrieta Municipal Code § 16.18.110 (Mount Palomar Lighting Pollution Control Standards). The requirements to shield lighting enforced by these lighting regulations has the effect of minimizing light and glare that would create sky glow. Additionally, development projects with artificial light sources in surrounding jurisdictions would be required to comply with the light reduction requirements applicable in their respective jurisdiction. Therefore, because City of Lake Elsinore Municipal Code § 17.112.040 and the light control regulations of other jurisdictions within the 45-mile radius of the Mount Palomar Observatory would minimize the amount of sky glow that could affect nighttime operations at the observatory the cumulative effect would be less than significant. Because the proposed Project is mandated to comply with the City's Municipal Code, the Project's contribution to sky glow impacts to the Mount Palomar Observatory is determined to be less-than-cumulatively considerable.

4.1.6 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Less-than-Significant Impact. No unique or scenic vistas would be impacted by the Project. The Project site does not contain any scenic vistas, nor does it offer unique views of any visually prominent features; therefore, impacts to scenic vistas resulting from the Project would be less than significant.

Threshold b: Less-than-Significant Impact. The Project has no potential to damage scenic resources within a scenic highway corridor, because the property is not visible from a designated scenic highway corridor.

Threshold c: Less-than-Significant Impact. The Project would not substantially degrade the existing visual character or quality of the site or its surrounding areas during mining operations. Although the Project would expand the permitted limits of mining by 24 acres, the expansion would be viewed as a logical extension of existing mining activities at the Nichols Canyon Mine, and would be visually similar to other mining activities that occur to the west, south, and southwest of the EDA.

Threshold d: Less-than-Significant Impact. The Project would not create substantial amounts of light or glare. Compliance with the City of Lake Elsinore Municipal Code § 17.112.040 would ensure less-than-significant impacts associated with light and glare affecting day or nighttime views in the area.

4.1.7 MITIGATION

Impacts would be less than significant; therefore, no mitigation is required.