CITY OF LAKE ELSINORE
DREAM EXTREME

NOTICE OF AVAILABILITY/NOTICE OF COMPLETION OF A MITIGATED NEGATIVE DECLARATION

DATE: **December 13, 2012**

TO: **Agencies, Organizations and Interested Persons**

FROM: **City of Lake Elsinore**
Community Development Department – Planning Division
130 South Main Street
Lake Elsinore, CA 92530

The City of Lake Elsinore, as lead agency under the California Environmental Quality Act (CEQA), is issuing notification that it has completed a Draft Initial Study/Mitigated Negative Declaration for the project described below and that the completed document is available for review:

PROJECT TITLE: Wake Rider Beach Resort: Commercial Design Review (CDR 2011-03), Conditional Use Permit (CUP 2011-03), Tentative Parcel Map 35869, and Zone Change (ZC 2011-01)

PROJECT LOCATION: Eastside of Grand Avenue between Macy Street and Serena Way in the City of Lake Elsinore, County of Riverside (APN 381-030-005) and located at 33° 39' 37.5" N, 112° 22' 41" W.

PROJECT DESCRIPTION: A commercial mixed use project, which consists of five buildings totaling 62,437 square feet, with associated on-site and off-site improvements, including hardscape and landscaping. More specifically, the on-site Project improvements consists of a 4,327 square foot retail/office building, three (3) buildings 18,303 square feet, 19,274 square feet and 13,511 for a proposed hotel, and a 7,022 square foot restaurant. The Project also includes a dock that will extend into Lake Elsinore (Lake). The dock will be approximately 175'-6" in length, 10 slips, each 14'-7" deep and 9'-9" wide.

POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS: The Initial Study evaluates potentially significant impacts associated with the Proposed Project and concluded that the Proposed Project will have no potentially significant impacts upon Agricultural Resources, Air Quality and Greenhouse Gasses, Hazards/Hazardous Materials, Land Use/Planning, Mineral Resources, Population/Housing, Public Services, Recreation, Utilities/Service Systems, and as a result, no mitigation measures are required for these issue areas. The Initial Study also determined that the following issue areas have potentially significant environmental impacts that will be mitigated to below a level of significance: Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Noise, Transportation/Traffic, and Mandatory Findings of Significance.

HAZARDOUS MATERIALS STATEMENT: The project area (City and its Sphere of Influence) includes sites that have been included on lists of hazardous waste sites enumerated under Section 65962.5 of the California Government Code.

DOCUMENT AVAILABILITY: A copy of the Initial Study is available for review at the locations listed below. An e-copy may be obtained by contacting Kirt Coury at kcoury@lake-elsinore.org

City of Lake Elsinore
130 South Main Street
Lake Elsinore 92530

Lake Elsinore Library
600 W. Graham
Lake Elsinore 92530

PUBLIC REVIEW PERIOD: A 30-day review period has been established for the Initial Study/Mitigated Negative Declaration beginning **Thursday, December 13, 2012** and **ending on Monday, January 14, 2013**. All comments on the Initial Study/Mitigated Negative Declaration may be submitted as soon as possible, but must be received **no later than 4:00 p.m. on Monday, January 14, 2013**. All comments must be submitted in writing to the address listed below:

Mr. Kirt A. Coury, Planning Consultant
Community Development Department – Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530
E-mail: kcoury@lake-elsinore.org
Telephone: 951.674.3124 Ext. 274/Fax: 951.471.1419

PUBLIC HEARINGS: Written and oral comments regarding the Initial Study/Mitigated Negative Declaration may also be submitted at public hearing(s) that will be held before the City of Lake Elsinore Planning Commission. Notification of the date, time, and place of future public hearings will be provided in compliance with City and CEQA requirements.

Date: December 12, 2012

Signature: 
Kirt A. Coury
Title: Planning Consultant
Telephone: 951.674.3124 Ext. 274
E-mail Address: kcoury@lake-elsinore.org

Form A

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, PO Box 3044, Sacramento, CA 95812-3044 916/445-0613

SCH # To Be Assigned

Project Title: Wake Rider Beach Resort: Commercial Design Review (CDR 2011-03), Conditional Use Permit (CUP 2011-03), Tentative Parcel Map 35869, and Zone Change (ZC 2011-01)

Lead Agency: City of Lake Elsinore Contact Person: Kirt A. Coury

Street Address: 130 S. Main Street Phone: (951) 674-3124

City: Lake Elsinore Zip: 92530 County: Riverside

Project Location:

County: Riverside City/Nearest Community: Lake Elsinore

Cross Streets: Grand Avenue (State Route-74)between Macy Street and Serena Zip Code: 92530 Total Acres: 5.4

Assessor's Parcel No. 381-030-005 Section: 11 Twp. 6S Range: 5W Base: Lake Elsinore Quadrangle

Within 2 Miles: State Hwy # 15 Waterways: Lake Elsinore

Airports N/A Railways: N/A Schools: Butterfield Elementary School/Lakeside High School

Document Type:

CEQA: ☐ NOP ☐ Early Cons ☐ Neg Dec ☐ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH No.) ☒ Other MND

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI

Other: ☐ Joint Document ☐ Final Document ☐ Other

Local Action Type:

☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan

☐ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☒ Site Plan

☒ Rezone ☐ Prezone ☒ Use Permit ☐ Land Division (Subdivision, etc.)

☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☒ Other Variance

Development Type:

☐ Residential: *Units* *Acres*

☐ Office: *Sq.ft.* *Acres* *Employees*

☒ Commercial: *Sq.ft.* 62,437 *Acres* 5.4 *Employees* TBD

☐ Industrial: *Sq.ft.* *Acres* *Employees*

☐ Educational

☐ Recreational

☐ Water Facilities: *Type* *MGD*

☐ Transportation: *Type*

☐ Mining: *Mineral*

☐ Power: *Type* *Watts*

☐ Waste Treatment: *Type*

☐ Hazardous Waste: *Type*

☐ Other:

Funding (approx.): Federal $ State $ Total $

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☒ Agricultural Land ☒ Air Quality ☒ Archeological/Historical ☐ Coastal Zone ☒ Drainage/Absorption ☐ Economic/Jobs ☐ Fiscal

☒ Flood Plain/Flooding ☐ Forest Land/Fire Hazard ☒ Geologic/Seismic ☒ Minerals ☒ Noise ☒ Population/Housing Balance ☒ Public Services/Facilities ☐ Recreation/Parks

☐ Schools/Universities ☐ Septic Systems ☒ Sewer Capacity ☒ Soil Erosion/Compaction/Grading ☒ Solid Waste ☒ Toxic Hazardous ☒ Traffic/Circulation ☒ Vegetation

☒ Water Quality ☒ Water Supply/Groundwater ☒ Wetland/Riparian ☒ Wildlife ☒ Growth Inducing ☒ Landuse ☒ Cumulative Effects ☐ Other

Present Land Use/Zoning/General Plan Designation: Vacant/Neighborhood Commercial (C-1), High Density Residential (R-3), and Recreation (R)/Commercial Mixed Use and Recreational.

Project Description: A commercial mixed use project, which consists of five buildings totaling 62,437 square feet, with associated on-site and off-site improvements, including hardscape and landscaping. More specifically,

the on-site Project improvements consists of a 4,327 square foot retail/office building, three (3) buildings 18,303 square feet, 19,274 square feet and 13,511 for a proposed hotel, and a 7,022 square foot restaurant. The Project also includes a dock that will extend into Lake Elsinore (Lake). The dock will be approximately 175'-6" in length, 10 slips, each 14'-7" deep and 9'-9" wide.

Reviewing Agencies Checklist

Form A, Continued

KEY
S = Document sent by lead agency
X = Document sent by SCH
√ = Suggested distribution

X **Resources Agency**
Boating & Waterways
Coastal Commission
Coastal Conservancy
Colorado River Board
X Conservation
X Fish & Game
Forestry & Fire Protection
Office of Historic Preservation
X Parks & Recreation
Reclamation Board
S.F. Bay Conservation & Development Commission
X Water Resources (DWR)

Business, Transportation & Housing
Aeronautics
California Highway Patrol
X CALTRANS District #
Department of Transportation Planning (headquarters)
Housing & Community Development

Food & Agriculture

Health & Welfare
Health Services

State & Consumer Services
General Services
OLA (Schools)

Environmental Protection Agency
Air Resources Board
California Waste Management Board
SWRCB: Clean Water Grants
SWRCB: Delta Unit
SWRCB: Water Quality
SWRCB: Water Rights
X Regional WQCB # 8 (Santa Ana Region)

Youth & Adult Corrections
Corrections

Independent Commission & Offices
Energy Commission
X Native American Heritage Commission
Public Utilities Commission
Santa Monica Mountains Conservancy
State Lands Commission
Tahoe Regional Planning Agency

Other

Public Review Period (to be filled in by lead agency)

Starting Date 12-14-12 Ending Date 1-14-13

Signature Kirt A. Coury Date 12/12/12

Lead Agency (Complete if applicable):
Consulting Firm: City of Lake Elsinore
Address: 130 S. Main Street
City/State/Zip: Lake Elsinore, CA 92530
Contact: Kirt A. Coury
Phone: (951) 674-3124

Applicant: John Gamble
Address: 612 Tranquility Glen
City/State/Zip: Escondido, CA 92027
Phone: (760) 743-8843

For SCH Use Only:
Date Received at SCH
Date Review Starts
Date to Agencies
Date to SCH
Clearance Date
Notes:

State Clearinghouse
Governor's Office of Planning Research
1400 Tenth Street, Room 212
Sacramento, CA 95814

Ms. Leslie MacNair
CA Department of Fish & Game
Inland Desert/Eastern Sierra Region
3602 Inland Empire Blvd., Ste C-220
Ontario, CA 91764

Regional Water Quality Control Board #8
Santa Ana Basin Region
Attn; Mark G. Adelson
3737 Main Street, Ste 500
Riverside, CA 92501-3348

CALTRANS District #8 - Planning
IGR/Local Development Review
464 W. Fourth Street, 6th Floor MS 722
San Bernardino, CA 92401-1400

Native American Heritage Commission
Attn: Dave Singleton, Program Analyst
915 Capitol Mall Room 364
Sacramento, CA 95814

California Emergency Management Agency
Attn: Dennis Castrillo, Environmental Officer
3650 Schriever Avenue
Mather, CA 95655

CEQA Review
California Department of Housing & Community Development
1800 Third Street
Sacramento, CA 95811-6942

CEQA Review
California Air Resources Board
1001 I Street
Sacramento, CA 95812

CEQA Review
Department of Conservation
801 K Street, MS 24-01
Sacramento, CA 95814-3500

Elsinore-Murrieta-Anza Resource Conserv. Dist.
21535 Palomar St. #A
Wildomar Ca. 92595

State of California
Dept. of Toxic Substances Control
5796 Corporate Avenue
Cypress, CA 90630

Federal Highway Administration
650 Capitol Mall, Ste 4-100
Sacramento, CA 95814

US Fish and Wildlife Service
Carlsbad Fish and Wildlife Service
Attn: Kennon A. Corey, Asst. Field Supervisor
6010 Hidden Valley Road, Ste. 101
Carlsbad, CA 92011

US Army Corps of Engineers
Los Angeles District
915 Wilshire Blvd, Ste 980
Los Angeles, CA 90017

Riverside County Transportation Dept.
Attn: Juan Perez
PO Box 1090
Riverside, CA 92502-1090

Cleveland National Forest
Attn: William Metz, Forest Supervisor
10845 Rancho Bernardo Rd., Suite 200
San Diego, CA 92127 -2107

US Postal Service
AIS Coordinator
4150 Chicago Avenue
Riverside, CA 92507-9503

Riverside County Flood Control & Water Conservation District
1995 Market Street
Riverside, CA 92501

Riverside County Clerk
Attn: M. Meyer
2724 Gateway Drive
Riverside, CA 92502-0751

County of Riverside Planning Department
Attn: Carolyn Syms Luna, Director
P. O. Box 1409
Riverside CA 92502-1409

Riverside County Office of Education
Attn: Kenneth M. Young, Superintendent
3939 13th Street
Riverside, CA 92502-0868

Riverside Co. Habitat Conservation Agency
Attn: Carolyn Syms Luna, Director
4080 Lemon Street, 12th Floor
Riverside, CA 92502

Riverside Co. Transportation Commission
Attn: Anne Mayer, Executive Director
4080 Lemon Street, 3rd Floor
PO Box 12008
Riverside, CA 92502-2208

Riverside County Fire Department
Attn: Ben R. Johnson, AICP, Strategic Planning Bureau
210 West San Jacinto Avenue
Perris, CA 92570

Riverside County Waste Management
Attn: Sung Key Ma, Urban/Regional Planner IV
14310 Frederick Street
Moreno Valley, CA 92553

Stanley Sniff, Sheriff
County of Riverside, Sheriff's Department
4095 Lemon Street
Riverside, CA 92501

Captain Dave Fontneau
Lake Elsinore Police Department
333 Limited Avenue
Lake Elsinore, CA 92530

City of Canyon Lake Planning Department
Attn: Russell Brady, City Planner
31516 Railroad Canyon Road
Canyon Lake, CA 92587

Mary Lanier, Community Dev. Director
City of Murrieta Planning Department
1 Towne Square
24601 Jefferson Avenue
Murrieta, CA 92562

Joanne Colletta, Planning Director
City of Corona
400 S. Vicentia Avenue
Corona, CA 92882

Clara Miramontes, Planning Manager
City of Perris
101 N. D street
Perris, CA 92570-1917

Matthew Bassi, Planning Director
City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

City of Menifee
Attn: Lisa Gordon, Senior Planner
29683 New Hub Drive
Menifee, CA 92586

Patrick Richardson, Director of Planning
City of Temecula
43200 Business Park Drive
Temecula, CA 92590

Eric H. Roth, Manager
Southern California Assoc. of Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017-3407

Mr. Ian MacMillan, Program Supervisor
CEQA Inter-Governmental Review
South Coast Air Quality Management Dist.
21865 E. Copley Drive
Diamond Bar, CA 91765-4182

George J. Spiliotis, Executive Director
Riverside Local Agency Formation Commission
3850 Vine Street, Ste. 110
Riverside, CA 92507-4277

Western Riverside Council of Governments
Attn: Rick Bishop, AICP
4080 Lemon Street, 3rd Floor
Riverside, CA 92501-3679

Western Riverside County Regional
Conservation Authority
Attn: Charles Landry, Executive Director
3403 10th Street, Suite 320
Riverside, CA 92501

SAWPA
Attn: Celeste Cantu, General Manager
11615 Sterling Avenue
Riverside, CA 92503

Michael McCoy, Senior Planner
Riverside Transit Authority
1825 Third Street
Riverside, CA 92517-1968

CEQA Review
Metropolitan Water District of So. California
P. O. Box 54153
Los Angeles, CA 90054-0153

Elsinore Valley Municipal Water District
Attn: Ronald Young, General Manager
31315 Chaney Street
Lake Elsinore, CA 92530

Eastern Municipal Water District
Attn: Karen Hackett, Sr. Env. Analyst
PO Box 8300
Perris, CA 92572-8306

Western Municipal Water District
CEQA Review
14205 Meridian Parkway
Riverside, CA, 92518

Southern California Edison Company
Attn: Viet Tran, Regional Manager
24487 Prielipp Road
Wildomar, CA 92595

Southern California Edison Company
Attn: CEQA Review
2244 Walnut Grove Ave., Room 312
Rosemead, CA 91770

Southern California Gas Co.
Attn: Mapping Department
PO Box 3003
Redlands, CA 92374

CR&R
PO Box 1208
Perris, CA 92572

Verizon Engineering
CAE 15 NC
150 South Juanita
Hemet, CA 92543

San Bernardino County Museum
Attn: Kathleen B. Springer
2024 Orange Tree Lane
Redlands, CA 92374

Eastern Information Center
University of California, Riverside, Dept. of Anthropology
1334 Watkins Hall
Riverside, CA 92521

Pechanga Band of Luiseño Indians
Attn: Anna Hoover
PO Box 1477
Temecula, CA 92593

Soboba Band of Luiseño Indians
Attn: Joseph Ontiveros
P. O. Box 487.
San Jacinto, CA 92581

Morongo Band of Mission Indians
Attn: Franklin Dancy, Director of Planning
12700 Pumarra Blvd.
Banning Ca 92220

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670
Anza, CA 92539

Los Coyotes Band of Mission Indians
Attn: Shane Chapparosa, Chairman
PO Box 189
Warner, CA 92086

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P. O. Box 391820
Anza, CA 92539

La Jolla Band of Mission Indians
Attn: Rob Roy, Environmental Director
22000 Highway 76
Pauma Valley, CA 92061

Pauma & Yuima Reservation
Attn: Randall Majel, Chairperson
P. O. Box 369
Pauma Valley, CA 92061

Juaneno Band of Mission Indians
Attn: Alfred Cruz, Cultural Resources Coordinator
P. O. Box 25628
Santa Ana, CA 92799

San Luis Rey Band of Mission Indians
Tribal Council
1889 Sunset Drive
Vista, CA 92081

Cahuilla Band of Indians
Attn: Chairperson
P.O. Box 391760
Anza, CA 92539

Lake Elsinore Unified School District
Attn: Tina Koonce, Director, Facilities and Operations
545 Chaney Street
Lake Elsinore, CA 92530

Lake Elsinore Historical Society
Attn: Ruth Atkins
P.O. Box 84
Lake Elsinore, CA 92531

Lake Elsinore Valley Chamber of Commerce
Attn: Kim Cousins, President
132 W. Graham Avenue
Lake Elsinore, CA 92530

Lake Elsinore & San Jacinto Watersheds Authority
Attn: Mark Norton, Authority Administrator
11615 Sterling Ave
Riverside, CA 92503

Altha Merrifield Memorial Library
600 West Graham Avenue
Lake Elsinore, CA 92530

Vick Knight Community Library
32593 Riverside Drive, Building 200
Lake Elsinore, CA 92530

Endangered Habitats League
Attn: Dan Silver, Executive Director
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

Inland Empire Waterkeepers
Attn: Colin Kelly
6876 Indiana Avenue, Suite D
Riverside 92506

Palomar Audubon Society
P.O. Box 2483
Escondido, CA 92033

Caltech/Mt. Palomar Observatory
Attn: Andrew Boden, Deputy Director
1200 East California Blvd., Mail Code 11-17
Pasadena, CA 91125

Mr. Rick Estes, Conservation Committee
Sierra Club - San Gorgonio Chapter
P. O. Box 1571
Wildomar, CA 92595

Level 3 Communications
Network Relocations Department
1025 Eldorado Blvd., Bldg. 33A-522
Broomfield, CO 80021

Inland Valley Regional Medical Center
36485 Inland Valley Drive
Wildomar, CA 92592

Planning Commissioner Rick Morsch
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Planning Commissioner Michael O'Neal
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Planning Commissioner Shelly Jordan
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Councilmember Steve Manos
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Planning Commissioner David Blake
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Ms. Valerie A. Mosqueda
Briggs Law Corporation
Inland Empire Office
99 East "C" Street, Suite 111
Upland, CA 91786

Planning Commissioner John Gray
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Councilmember Natasha Johnson
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Luebben Johnson & Barnhouse, L.L.P.
Attn: Richard C. Wade, Paralegal
7424 4th Street NW
Los Ranchos de Albuquerque, NM 87107

Mayor Brian Tisdale
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Mayor Pro Tem Daryl Hickman
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Councilmember Robert Magee
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

INITIAL STUDY FOR A

MITIGATED NEGATIVE DECLARATION FOR THE

WAKE RIDER BEACH RESORT

Commercial Design Review (CDR 2011-03)

Conditional Use Permit (CUP 2011-03)

Tentative Parcel Map (TTM 35869)

Zone Change (ZC 2011-01)

Mitigated Negative Declaration (MND 2012-01)

Lead Agency:

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

Prepared By:

MATTHEW FAGAN CONSULTING SERVICES
42011 Avenida Vista Ladera
Temecula, CA 92591

Project Applicant:

JOHN GAMBLE
612 Tranquility Glen
Escondido, CA 92027

December 2012

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Figure 6 – Zone Change (ZC 2011-01)

TECHNICAL APPENDICES
(located on the CD in a pocket at the back of this IS/MND)

- Appendix A1 – Notice of Availability and Intent to Adopt
- Appendix A2 – Notice of Completion
- Appendix A3 – IS/MND Distribution List
- Appendix B – "Air Quality Impact Analysis, Wake Rider Beach Resort, City of Lake Elsinore, California"
- Appendix C1 – "Biological, Land Use & MSHCP Compliance Report, APN# 381-030-005, Prior Developed Lot on Grand Avenue, Lot 5.18+ Acres w/Total Area Surveyed: 10+ Acres"
- Appendix C2 - "Significant Palm Identification Report"
- Appendix C3 - "Wetland Identification, Delineation, and Preliminary Jurisdictional Determination, Wake Riders Beach Resort, Lake Elsinore, Riverside County, California"
- Appendix D1 - "Historical/Archeological Resources Survey Report"
- Appendix D2 - Letter to Greg Daugherty, A.I.A from CRM Tech, dated November 11, 2010, regarding "Historical/Archaeological Resources Survey Report Assessor's Parcel No. 381-030-005, City of Lake Elsinore, Riverside County, California"
- Appendix E1 - "Preliminary Geotechnical Investigation"
- Appendix E2 - Letter from GeoSoils, Inc. to Mr. John Gamble, dated October 17, 2011, regarding "Limited Site Reconnaissance and Geologic Review of Site Conditions, Elsinore Reach Resort, 17512 Grand Avenue, ±4.87-Acre Parcel, APN 381-030-005, City of Lake Elsinore, Riverside County, California"
- Appendix F1 – "Phase I Environmental Site Assessment"
- Appendix F2 - "Updated Phase I Environmental Site Assessment"
- Appendix G1 – "Preliminary Water Quality Management Plan"
- Appendix G2 – "Preliminary Drainage Report for Wake Rider Beach Resort, 15712 Grand Avenue, Lake Elsinore, California"
- Appendix H - "Noise Impact Analysis, Wake Rider Beach Resort, City of Lake Elsinore, California"
- Appendix I - "Wake Rider Beach Resort Traffic Study Lake Elsinore, California"

I. INTRODUCTION

A. PURPOSE

This document is an Initial Study for evaluation of environmental impacts resulting from implementation of a commercial mixed use project, which consists of five buildings totaling 62,437 square feet, with associated on-site and off-site improvements, including hardscape and landscaping. More specifically, the on-site Project improvements consists of a 4,327 square foot retail/office building, three (3) buildings 18,303 square feet, 19,274 square feet and 13,511 for a proposed hotel, and a 7,022 square foot restaurant. Four (4) applications have been submitted to the City of Lake Elsinore in association with the Project:

- Commercial Design Review (CDR 2011-03);
- Conditional Use Permit (CUP 2011-03);
- Tentative Parcel Map (TTM 35869); and
- Zone Change (ZC 2011-01)

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS

As defined by Section 15063 of the State 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 (ND), or Mitigated Negative Declaration (MND) would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to 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. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
- The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

According to Section 15070(a), a Negative Declaration is deemed appropriate if initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment.

According to Section 15070(b), a Mitigated Negative Declaration is deemed appropriate if identifies potentially significant effects, but:

- Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and

- There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

This Initial Study (IS) has determined that the Project will result in potentially significant environmental impacts; however, mitigation measures are proposed that will reduce any potentially significant impact to less than significance levels. As such, a MND is deemed as the appropriate document to provide necessary environmental evaluations and clearance.

This Initial Study and Mitigation Negative Declaration (IS/MND) has been prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, 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 an agency with jurisdiction by law.

The City of Lake Elsinore City Council 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 AND MITIGATED NEGATIVE DECLARATION

This IS/MND is an informational document which is intended to inform City of Lake Elsinore decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the 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 public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Notice of Availability and Intent to Adopt prepared for the MND will be circulated for a period of 30 days for public and agency review. Comments received on the document will be considered by the Lead Agency before it acts on the proposed applications.

D. CONTENTS OF INITIAL STUDY

This IS/MND is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

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 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 Project and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

IV. ENVIRONMENTAL ANALYSIS evaluates 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 recommended, as appropriate,

to reduce adverse impacts to levels of less than significance.

V. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

VI. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this IS/MND.

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:

- **No Impact:** A "No Impact" response is adequately supported if the referenced information sources show that the impact simply does not apply as a result of implementation of the Project.
- **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.
- **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 explain how the measures reduce the effect to a less than significant level.
- **Potentially Significant Impact:** Future implementation will have impacts that are considered significant and additional analysis and possibly an EIR are required to identify mitigation measures that could reduce these impacts to less than significant levels.

This environmental document evaluates impacts resulting from the implementation of the Project during the construction and operational phases. As will be discussed in the next chapter, the applicant is proposing a commercial mixed use project, which consists of five buildings totaling 62,437 square feet, with associated on-site and off-site improvements, including hardscape and landscaping on approximately three acres of a five acre parcel adjacent to Lake Elsinore.

Regarding mitigation measures, it is not the intent of this document to "overlap" or restate conditions of approval or standard Project design features that are established for the Project. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the City's jurisdiction, are also not considered mitigation measures and therefore, may or may not be identified in this document.

F. TIERED DOCUMENTS, INCORPORATION BY REFERENCE, AND TECHNICAL STUDIES

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, and technical studies that have been prepared for the Project, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

For this document, the "*City of Lake Elsinore General Plan Update Final EIR*" (adopted in 2011) serves as the broader document, since it analyzes the entire City area, which includes the Project site. However, as discussed, site-specific impacts which the broader document (*City of Lake Elsinore General Plan Update Final EIR*) cannot adequately address, may occur for certain issue areas. This IS/MND evaluates each of those specific environmental issue area sand will rely upon analysis contained within the *City of Lake Elsinore General Plan Update Final EIR* (General Plan EIR) with respect to remaining issue areas.

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

(1) Were not examined as significant effects on the environment in the prior EIR; or
(2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation By Reference

Incorporation by reference is a procedure for reducing the size of EIRs and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference the document from which it is tiered, the General Plan EIR, prepared in 2011.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR shall be made available, along with

this document, at the City of Lake Elsinore, Community Development Department, 130 South Main Street, Lake Elsinore CA 92530.

- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). This document is available at the City of Lake Elsinore, Community Development Department, 130 South Main Street, Lake Elsinore CA 92530.
- This document must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, this document must describe the relationship between the incorporated information and the analysis in the General Plan EIR (CEQA Guidelines Section 15150[c]). As discussed above, the General Plan EIR addresses the entire City of Lake Elsinore and provides background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- This document must include the State identification number of the incorporated document (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the General Plan EIR is 2005121019.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]).

G. TECHNICAL STUDIES

The following technical studies were prepared for the Project and are available on the CD located in a pocket at the back of this IS/MND.

- "Noise Impact Analysis, Wake Rider Beach Resort, City of Lake Elsinore, California" prepared by Giroux and Associates, dated January 31, 2012.
- "Preliminary Geotechnical Investigation", prepared by GeoSoils, Inc, dated May 25, 2006.
- Letter from GeoSoils, Inc. to Mr. John Gamble, dated October 17, 2011, regarding "Limited Site Reconnaissance and Geologic Review of Site Conditions, Elsinore Reach Resort, 17512 Grand Avenue, ±4.87-Acre Parcel, APN 381-030-005, City of Lake Elsinore, Riverside County, California"
- "Historical/Archeological Resources Survey Report" prepared by CRM Tech., dated January 9, 2008.
- Letter to Greg Daugherty, A.I.A from CRM Tech, dated November 11, 2010, regarding "Historical/Archaeological Resources Survey Report Assessor's Parcel No. 381-030-005, City of Lake Elsinore, Riverside County, California"
- "Air Quality Impact Analysis, Wake Rider Beach Resort, City of Lake Elsinore, California," prepared by Giroux & Associates, dated January 27, 2012.
- "Phase I Environmental Site Assessment, APN 381-030-005, Lake Elsinore, Riverside County, California, 92530", prepared by GeoSoils, Inc, dated January 2, 2008.
- "Update Phase I Environmental Site Assessment, 15712 Grand Avenue (APN 381-030-005), Lake Elsinore, Riverside County, California 92530," prepared by GeoSoils, Inc., dated February 14, 2012.
- "Biological, Land Use & MSHCP Compliance Report, APN# 381-030-005, Prior Developed Lot on Grand Avenue, Lot 5.18+ Acres w/Total Area Surveyed: 10+ Acres," prepared by Manée Consulting, dated May 9, 2012.
- "Significant Palm Identification Report," prepared by Manée Consulting, dated April 9, 2012.
- "Wetland Identification, Delineation, and Preliminary Jurisdictional Determination, Wake Riders Beach Resort, Lake Elsinore, Riverside County, California," prepared by Brian F. Smith and Associates, Inc., May 17, 2012.
- "Preliminary Water Quality Management Plan, Proposed Wake Rider Beach Resort, 15712 Grand Avenue Lake Elsinore, California," prepared by Medofer Engineering, Inc., dated April 9, 2102.
- "Preliminary Drainage Report for Wake Rider Beach Resort, 15712 Grand Avenue, Lake Elsinore," prepared by Medofer Engineering, Inc., dated April 20, 2012.
- "Wake Rider Beach Resort Traffic Study Lake Elsinore, California", prepared by RK Engineering Group, Inc, November 2, 2011.

II. PROJECT DESCRIPTION

A. PROJECT LOCATION AND SETTING

The Project site is located on east side of Grand Avenue adjacent to Lake Elsinore (reference Figure 1, Location Map). The Project site was previously developed but is currently vacant. Site photos are included in Attachment B. The surrounding area consists of mixed or transitional urban scale development. The character of the area is described as transitional because the surrounding land uses consist of older resort and commercial development that is in the process of changing to more newer suburban-style tract development. The property is bounded on the north by an existing mobile home park, on the east by Lake Elsinore, on the south by a concrete drainage channel and single-family dwellings, on the west by Grand Avenue and vacant property. The Assessor's Parcel Number for the Project site is 381-030-005.

B. PROJECT DESCRIPTION

Introduction

The proposed commercial mixed use Project consists of five buildings totaling 62,437 square feet, with associated on-site and off-site improvements, including hardscape and landscaping on 2.8 acres of a 5.4 acre parcel. The remaining 2.6 acres are located within the jurisdictional and high water areas for Lake Elsinore and will not be affected by the Project. The Project includes a dedication of additional right-of-way for Grand Avenue in front of the Project. The site plan/layout for the Project is provided in Figure 2 – Site Plan. The City development approval applications include:

- Commercial Design Review (CDR 2011-03);
- Conditional Use Permit (CUP 2011-03);
- Tentative Parcel Map (TTM 35869); and
- Zone Change (ZC 2011-01)

The Project site slopes down to the northeast toward the shoreline of Lake Elsinore. Site elevations range from less than 1,240 feet above mean sea level (beneath Lake Elsinore) to 1,292 feet above mean sea level adjacent to Grand Avenue. According to the preliminary grading plan, site elevations below 1,260 feet above mean sea level will generally not be effected by the proposed condominium Project. Overall site grading will involve 5,500 cubic yards of cut and 5,500 cubic yards of fill, resulting in balanced earthwork on the site.

The Project site is located within the Lake Edge District (reference Figure LE-1 of the General Plan) of the City of Lake Elsinore General Plan and will be subject to the criteria contained within the General Plan EIR, which contains current and reliable data for an adequate analysis of the Project. Also, studies have been conducted for biological resources, cultural resources, traffic, air quality, noise, water quality, drainage, and geology. The Project site is designated as Commercial Mixed Use and Recreational on the City's General Plan Land Use Map. According to Chapter 2.0 (Community Form) of the General Plan, the Commercial Mixed Use designation provides for a mix of residential and non-residential uses within a single proposed development area, with an emphasis on retail, service, civic and professional office uses. Residential uses are allowed in a subordinate capacity. The FAR for non-residential uses is 1.0:1 and a minimum of 50% of the total floor area shall be commercial uses. Residential uses shall be between 7 and 18 dwelling units per acre.

Per the same Section, Open Space/Recreation designations provide for public and private areas of permanent open space, and allows for passive and/or active private and public recreation. Open Space and passive recreation areas include State and local parks, Bureau of Land Management lands, the Cleveland National Forest and/or private undeveloped lands. Active recreation includes uses such as golf courses and also allows for commercial recreation facilities such as water-oriented recreational uses. All commercial recreation facility development would be required to have exceptional architecture and/or site design and/or amenities and the

FAR shall not exceed 1.0. The FAR for all other uses within the Recreation designation shall not exceed 0.35.

Commercial Design Review (CDR 2011-03)

The City of Lake Elsinore has deemed a quality physical environment as being necessary for the protection of the public's health, safety and welfare and has therefore enacted Chapter 17.184 (DESIGN REVIEW) of the City's Municipal Code in order to establish a design review process for development proposals and design concepts in order to ensure that new development, or the alteration of existing development, occurs in a manner which enhances the character and quality of surrounding properties and that the scale, special relationships and architectural treatment of structures including materials, colors, and design, visually contribute to the area and environment in which they are located. The design review process is also intended to apply to the ancillary elements of projects such as signs and landscaping in order to ensure that the overall development maintains the same integrity of design as approved for the primary structure(s).

Overall Description

Buildings are proposed to cover approximately 33,116 square feet, or approximately 14.0% of the Project site. Hardscape/pavement will cover approximately 69,691 square feet, or approximately 30.0% of the Project site. Landscaping/open space will cover 129,687 square feet, which is approximately 56.0% of the Project site.

The specifics for the five (5) buildings are listed below in Table 1, *Building Descriptions*:

Table 1
Building Descriptions

Building	Square Footage	Maximum Height	Proposed Use(s)
Building A	4,327	32'6"	Drive through restaurant/office
Building B	18,303	37'6"	Hotel – 14 Units
Building C	19,274	37'6"	Hotel – 22 Units
Building D	13,511	37'7"	Hotel – 15 Units
Building E	7,022	37'7"	Retail/Restaurant

Building A is anticipated as a retail coffee shop, with hour of operation of 6:30 a.m. to 10:00 p.m. Monday-Sunday. The second floor is anticipated for professional office uses. Buildings B, C and D are anticipated to be a hotel, with a total of 51 units. Building E is anticipated as a bar and convenience store on the 1st floor (4:00 a.m. to 6:00 p.m., Wednesday – Friday) and a restaurant on the 2nd floor (11:00 a.m. to 9:00 p.m. Tuesday – Saturday).

The project drive lane widths are proposed at 30. Parking will be allowed on both side of the drive lane. Per the City's Development Code, 155 parking spaces are required; and a total of 154 are provided.

Dock and Beach

The Project proposes a dock that will extend into Lake Elsinore (Lake). This dock is depicted on Figure 2A – Site Plan, Lakefront Portion, as well as Figure 3, Dock Detail. The dock will be approximately 175'-6" in length. There will be ten (10) slips, each 14'-7" deep and 9'-9" wide. Access to the dock will be via stairs which descend from the upper (beach) portion of the site. The stairs are 18'-4" long. The dock is similar to that manufactured by EZ dock (http:/www.ez-dock.com). According to the information contained on their web site, these docks are comprised of floating dock sections and are modular. They are beige in color and have a slip-resistant surface. Each dock section is made from heavy-duty polyethylene and has patented flotation chambers on the underside that create pressure and suction on the water; thereby creating stability for the dock. The docks require almost no maintenance and will be held in place with anchors. According to the

manufactures specifications, pipe anchoring is normally driven or imbedded into the bottom of the body of water at a distance of 3 to 8 feet (roughly ¼ to 1/3 the total water depth). The Project will also restore the shoreline with beach sand. The purpose of this is to reduce erosion and restore the previous beach areas lost due to erratic water level occurrences previous to the lake water level stabilization (see discussion in Lake Elevation, below). To achieve this, there will be a discharge to uplands silted loam soil. An import fill with wash sound will be approximately 4,000 cubic yards. Impacts from the dock and restored beach to Regional Water Quality Control Board and Army Corps of Engineers resources are anticipated to be 10,890 square feet (.27 acres).

Building Architecture and Materials

The exterior building design theme for the buildings is a modernized version of a Southern Pacific Polynesian style, consisting of double-pitch roof designs, outlooker beams with knee bracing at roof and bay window elements. The exterior siding deign consists of a combination of wood siding and two toned stucco finish. There is also stone veneer as accents throughout the Project. The structures will be primarily two-story, with three-story elements incorporated to break up the overall mass of the building. Maximum proposed height is 37 feet 6 inches. The maximum height allowed in the zone is 40 feet. Building colors will be earth tones – tan (main body color) with the use of brown siding and roofing and dark green for accent colors (windows, doors, etc.). Refer to Figure 4A – Elevations (Building A), Figure 4B – Elevations (Building B), Figure 4C - Elevations (Building C), Figure 4D - Elevations (Building D), and Figure 4E - Elevations (Building E).

Conditional Use Permit (CUP 2011-03)

The City realizes that certain uses have operational characteristics that, depending upon the location and design of the use, may have the potential to negatively impact adjoining properties, businesses, or residents. Said uses therefore require a more comprehensive review and approval procedure, including the ability to condition the project, in order to mitigate any determined impact. In order to achieve this purpose, the Planning Commission is empowered to grant and to deny applications for conditional use permits and to impose reasonable conditions upon the granting of conditional use permits.

Tentative Parcel Map (TTM 35869)

Before making any division of land, as defined in Chapter 16.08 Lake Elsinore Municipal Code (LEMC), or real property located in the City, a tentative map shall be prepared in accordance with the Subdivision Map Act and Chapter 16.24 (TENTATIVE MAP) of the City's Municipal Code. Final survey of streets and lots within the division of land shall not be made nor shall any grading or construction work be done before the tentative map and improvement plans for such work have been approved as required said Section.

Tentative Tract Map 35869 (TTM 35869) proposes a subdivision of the Project site into a total of three (3) parcels. The gross and net parcel sizes are contained below in Table 2, *Parcel Map Acreages.* Refer to Figure 5*, Tentative Tract Map No. 35869.*

Table 2
Parcel Map Acreages

PARCEL AREA TABLULATION				
	GROSS AREA		NET AREA	
	SQ. FT.	AC.	SQ. FT.	AC.
PARCEL 1	32,429	0.74	29,069	0.66
PARCEL 2	81,862	1.88	81,862	1.88
PARCEL 3	118,771	2.73	118,771	2.73
TOTAL	233,062	5.35	229,702	5.27

Zone Change (ZC 2011-01)

Amendments to the boundaries of districts, whenever the public necessity and convenience and the general welfare require such amendment, shall be made by the procedures contained in Section 17.188.010 of the Municipal Code. The City's General Plan Land Use Plan was updated (adopted) in December, 2011; however, no consistency zoning was performed at that time. The application is proposing a Zone Change in order to be consistent with the current General Plan Land Use Designations of Commercial Mixed Use and Recreational. Should the City's consistency zoning occur prior to Project approval, the proposed zone change would be deemed unnecessary.

The existing and proposed zoning designations are as follows:

Existing Zoning

- Neighborhood Commercial (C-1) - 0.82 acres;
- High Density Residential (R-3) – 2.04 acres: and
- Recreation (R) – 2.49 acres.

Proposed Zoning (ZC 2011-01)

- Commercial Mixed Use

The proposed Zoning designations for the site are depicted on Figure 5, *Zone Change (ZC 2011-01)*.

Circulation

The Project proposes one (1) access point from SR 74. This access point will be on the southwesterly portion of the site. The access drive will traverse northerly from this access point and then traverse easterly along the northerly portion of the project site, along the portion of the site that is slated for development. Parking spaces will be provided on both the northerly and southerly sides of this drive lane. Two (2) small drive lanes/parking areas are proposed, one between Buildings B and C and the other between Buildings D and E.

Based on discussions with City's engineer, three (3) study area intersections have been identified within the Project's sphere of influence. The study area includes the following intersections:

North-South Street	East-West Street
Existing Mobile Home Park Driveway	Grand Avenue
Project Access	Grand Avenue
Serena Way	Grand Avenue

Exhibit C of the TIS shows the City of Lake Elsinore Circulation Element and Exhibit D shows the Roadway Cross Sections. Exhibit E identifies the existing roadway conditions, number of through traffic lanes, and the intersection controls for the study area roadways.

Existing traffic volumes on roadways throughout the study area are shown on Exhibit F. These volumes are based upon weekday peak hour and daily traffic data collected in October 2011 for RK Engineering Group, Inc.

Construction Scenario

The Project is expected to begin construction in Spring 2013 and take approximately one year to complete. For purposes of the analysis contained in this document, site preparation is anticipated to take 2 days, grading 4 days, construction 200 days, and paving 10 days. These are classified as working days. The stages of development and the proposed mix of equipment to be used for each respective phase is summarized in the Table below:

Site Preparation	1 Dozer
	1 Tractor/Loader/Backhoe
Grading	1 Grader
	1 Dozer
	1 Tractor/Loader/Backhoe
Construction	1 Crane
	1 Forklift
	1 Generator Set
	3 Welder
	1 Tractor/Loader/Backhoe
Paving	1 Cement Mortar Mixer
	1 Paver
	1 Paving Equipment
	1 Roller
	1 Tractor/Loader/Backhoe

Utilities

Water, sewer, electric, gas, and telephone services would be extended onto the site from existing main lines. Water and sewer would be provided by the Elsinore Valley Municipal Water District (EVMWD). Gas will be provided by The Gas Company; electricity would be provided by Southern California Edison; and telephone service would be provided by Verizon. The site is located within the boundaries of the Lake Elsinore Unified School District. Municipal or local government services are provided by the City of Lake Elsinore. Fire and security services are provided by the City of Lake Elsinore through contacts with the Riverside County Fire Department and the Riverside County Sheriff's Department.

Lake Elevation

Water levels within Lake Elsinore have fluctuated significantly since the establishment of the community in the 1880's. Recently, to address these extreme fluctuations in water levels, the City of Lake Elsinore and the Elsinore Valley Municipal Water District are currently managing the water levels and water quality conditions within the Lake. An ongoing agreement with the Elsinore Valley Municipal Water District sets a target surface level between 1,240 and 1,249 feet above mean sea level. During low flow conditions, when lake levels fall below 1,240 feet above mean sea level, the District discharges treated water to maintain the water level of the lake. As part of the program, the City of Lake Elsinore operates lake aerators to maintain dissolved oxygen levels in the lake to prevent algal blooms and fish kills and maintain the aesthetic appearance of the lake.

During high flow conditions, lake water is allowed to drain into the outlet channel which flows into Temescal Wash (a tributary to the Santa Ana River). These flows begin to occur when the lake surface level reaches 1,255 feet above mean sea level. When lake water levels reach 1,262 feet above mean sea level, the approved lake management plan allows the lake water to drain into the Back Bay recharge area located at the south end of the lake. The Back Bay area provides additional flood storage and groundwater recharge. The 100-year flood elevation for the lake has been established 1,263.3 feet above mean sea level.

All of the lake level elevations referenced in this Initial Study are based upon the 1929 National Geodetic Vertical Datum. According to Pat Kilroy, the Director of Lake and Aquatic Resources for the City of Lake Elsinore, elevations relying on the 1988 North American Vertical Datum are approximately 2.4 feet higher than the standard 1929 datum. While the 100-year flood level for Lake Elsinore using the 1929 Vertical Datum is 1,263.3 feet above mean sea level; the equivalent flood elevation using the 1988 Vertical Datum would be 1,265.7 feet above mean sea level. On March 8 2008, the Army Corps of Engineers, based upon more recent information, reduced the area of Federal jurisdiction to 1,255 feet above mean sea level. This new information has been incorporated into this Initial Study. This change in Federal jurisdiction may result in changes to the jurisdictional areas of other agencies at some point in the future.

III. ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. **Project Title:** Wake Rider Beach Resort

2. **Lead Agency Name and Address:** City of Lake Elsinore; 130 South Main Street; Lake Elsinore, CA 92530

3. **Contact Person and Phone Number:** Kirt Coury, Planning Consultant, (951) 674-3124, ext 274

4. **Project Location:** On the east side of Grand Avenue (State Route-74) between Macy Street and Serena Grand Avenue (State Route-74) adjacent to Lake Elsinore, within the City of Lake Elsinore; Assessor's Parcel Number of 381-030-005

5. **Project Sponsor's Name and Address:** John Gamble, 612 Tranquility Glen, Escondido, CA 92027

6. **General Plan Designation:** Commercial Mixed Use and Recreational

7. **Zoning:** Neighborhood Commercial (C-1), High Density Residential (R-3), and Recreation (R)

8. **Description of Project:** A commercial mixed use project, which consists of five buildings totaling 62,437 square feet, with associated on-site and off-site improvements, including hardscape and landscaping. More specifically, the on-site Project improvements consists of a 4,327 square foot retail/office building, three (3) buildings 18,303 square feet, 19,274 square feet and 13,511 for a proposed hotel, and a 7,022 square foot restaurant. The Project also includes a dock that will extend into Lake Elsinore (Lake). The dock will be approximately 175'-6" in length, 10 slips, each 14'-7" deep and 9'-9" wide.

9. **Surrounding Land Uses and Setting:** The Project site, while currently vacant, was previously developed as a motel/resort establishment during the 1950's. The buildings associated with this previous use were demolished sometime in the mid-1990's. The surrounding area consists of mixed urban scale development. An existing mobile home park is located to the north, single family homes are located across the improved drainage channel on the south side of the property, the areas across Grand Avenue are vacant, and Lake Elsinore is located to the east of the development area.

10. **Other Public Agencies Whose Approval is Required:**

    - Caltrans;
    - Regional Water Quality Control Board;
    - U.S Army Corps of Engineers; and
    - California Department of Fish and Game (CDFG)

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.

☒ Aesthetics	☐ Agricultural Resources	☐ Air Quality & GHG
☒ Biological Resources	☒ Cultural Resources	☒ Geology/Soils
☐ Hazards/Hazardous Matl's.	☒ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☒ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☒ Transportation/Traffic
☐ Utilities/Service Systems	☒ Mandatory Findings of Significance	

C. DETERMINATION

On the basis of this initial evaluation:

☐ 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 of the incorporated mitigation measures and 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.

Warren Morelion, Planning Manager **Date**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the proposal:				
a) Have a substantial adverse effect on a scenic vista?			✓	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, 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, which would adversely affect day or nighttime views in the area?		✓		
II. AGRICULTURE 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. 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?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓
III. AIR QUALITY & GREENHOUSE GAS EMMISSIONS. Where available, the 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?			✓	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			✓	
d) Expose sensitive receptors to substantial pollutant concentrations?			✓	
e) Create objectionable odors affecting a substantial number of people?			✓	
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	
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?		✓		
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 federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		✓		
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?				✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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?		✓		
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?			✓	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✓		
c) Directly or indirectly destroy a unique paleonto-logical resource or site or unique geologic feature?			✓	
d) Disturb any human remains, including those interred outside of formal cemeteries?		✓		
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to 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?		✓		
ii) Strong seismic ground shaking?		✓		
iii) Seismic-related ground failure, including liquefaction?		✓		
iv) Landslides?			✓	
b) Result in substantial soil erosion or the loss of topsoil?		✓		
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?		✓		

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
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?				✓
VII. 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?			✓	
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, 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?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles or 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) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?		✓		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			✓	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?			✓	
e) 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?		✓		
f) Otherwise substantially degrade water quality?		✓		
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?			✓	
h) Place within 100-year flood hazard area structures, which would impede or redirect flood flows?			✓	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
j) Inundation by seiche, tsunami, or mudflow?			✓	
IX. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?			✓	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			✓	
X. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a 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?				✓
XI. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		✓		
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
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 expose people residing or working in the project area to excessive noise levels?				✓
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			✓	
XII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial 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)?			✓	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
XIII. 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?			✓	
b) Police protection?			✓	
c) Schools?			✓	
d) Parks?				✓
e) Other public facilities?				✓

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. 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?			✓	
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?			✓	
XV. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		✓		
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			✓	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		✓		
e) Result in inadequate emergency access?			✓	
f) Result in inadequate parking capacity?			✓	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			✓	

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?			✓	
e) 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?			✓	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			✓	
XVII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to 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, 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?		✓		

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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.)		✓		
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		✓		

IV. ENVIRONMENTAL ANALYSIS

This section provides an evaluation of the impact categories and questions contained in the Environmental Checklist.

I. AESTHETICS

a) Have a substantial adverse effect on a scenic vista? Less Than Significant Impact

The Project site is located in the northwestern corner of Lake Elsinore (Lake Edge District) and will be visible from the lake, from the west, and from some parts of the community on the eastside of Lake Elsinore. The views of Lake Elsinore and the escarpments of the Santa Ana Mountains (to the west) constitute the most prominent scenic features of the community. This important westerly view is consistent with the City's General Plan which anticipates commercial mixed uses along this portion of Grand Avenue, and recreational open space uses adjacent to the Lake (reference Figure LE-1, Lake Edge District of the General Plan). In addition, development of the Project will not affect the scenic views of the Santa Ana Mountains because the site is adjacent to the Lake and the proposed structures are not tall enough to visually intrude into the face of the mountain escarpment which tower more than 1,500 feet above the surface of Lake Elsinore (the typical elevations of lake surface generally range between 1,240 and 1,255 feet while the mountain escarpments behind the lake range between 2,800 and 3,000 feet in height.). From across the lake, the Project will blend in with the existing buildings and landscaping that is already found along the western edge of the Lake. The colors and materials of the Project are similar to the other new development along Grand Avenue. Because the visual backdrop of the community is not being affected by the Project, the Project will not have a significant impact on any scenic vista.

At a Project level, the Project will be visible from Grand Avenue, adjacent residents, and by recreational users on the lake surface. The view From Grand Avenue will be of the landscaped frontage and building fronts. Views of the Project from the adjacent single family homes will be extremely limited. Mostly the upper building stories over their backyard fences. Views from adjacent mobile home park will be more noticeable. These views will be mitigated by the required site landscaping and the architectural details and colors on the buildings. Any Project-level visual impacts will be addressed through the City's design review process which will ensure compliance with City zoning and design standards regulating building design, mass, bulk, height, colors, etc. In addition, the City has a policy to require that the principles of four-sided architecture be applied to all projects. Project architecture consists of the inclusion of appropriate architectural detailing on all exterior elevations of the building. Implementing four-sided architecture means that the Project will be compatible on all sides with the surrounding area. Based upon this discussion of the large and small scale aesthetic issues, the Project will have a less than significant adverse effect on a scenic vista. As a result, any scenic impacts are considered less than significant and no additional mitigation measures are required.

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 With Mitigation Incorporation

The Project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway since State Route 74 has not been designated a scenic highway adjacent to the Project site. Any potential visual impacts will be addressed through the City's design review process and are discussed in more detail in Sections I.a and I.d. The City of Lake Elsinore has determined that certain species of palm trees (*sp. Palmaceae*) are locally significant resources. The discussion of this issue is contained in Section IV.e. of this Initial Study. Because of the

impact to one significant palm tree, the Project may substantially damage any scenic resources; however, with the incorporation of Mitigation Measure BIO-1, any impacts to this resource will be reduced to a less than significant level. No other significant impacts are anticipated and no additional mitigation measures are required.

c) Substantially degrade the existing visual character or quality of the site and its surroundings? Less Than Significant Impact

The development of the Project site is not expected to degrade the existing visual character of the area. The existing visual character of the area is extremely mixed. The visual character of the area ranges from relatively recent single family subdivisions to older deteriorated structures and resort developments along vacant parcels. The Project site is bordered by an older resort recreational vehicle park on the north, vacant property to the west across Grand Avenue, a concrete drainage channel and a newer single family residential to the south, and Lake Elsinore to the east. The Project consists of two- and three story buildings (retail, hotel and restaurants). Given the current General Plan land use designation and the overall visual character of the surrounding area, the aesthetic character of the area will not be compromised by the Project. This aesthetic and design consistency is ensured through the City's design review process. As a result, no significant impacts are anticipated and no additional mitigation measures are required.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? Less Than Significant Impact with Mitigation Incorporated

Light and glare from new street lights, vehicles, and the future land uses will be generated and will contribute to the amount of light and glare experienced in the Project vicinity. The site is located within an urbanized area which already experiences some levels of light and/or glare from the existing development. However, the site is adjacent to an MSHCP Conservation Area (Lake Elsinore) which means that the potential to adversely affect the conservation area from excess light pollution. Development of the site will require design review approval by the City of Lake Elsinore. The City's design review process is intended to ensure that future development will be designed to ensure design compatibility and to alleviate light and/or glare disturbances outside of the Project boundary and in identified conservation areas. As a result, no impacts are anticipated with the implementation of the mitigation measures contained in this Initial Study.

MITIGATION MEASURES

AES-1. Prior to the issuance of any building permit, the Building Department shall ensure that all exterior light fixtures and outside area lighting is directed away from off-site residences and MSHCP Conservation Areas to comply with City design standards and building codes.

II. AGRICULTURE 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? No Impact

The Project site has not historically been used for agricultural purposes and is not classified as Prime Farmland, Unique Farmland or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program of the California Resources Agency. As a result, no impacts are anticipated and no mitigation measures are required.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? No Impact

The Project will not conflict with the existing zoning or an existing agricultural use, or a Williamson Act contract. The historic use of the site (within the last 50+/- years) has been for resort/urban land uses. At the present time the site is designated as Specific Plan Area I on the General Plan Land Use Map. Specific Plan Area I envisions a combination of urban and recreational land uses in a non-agricultural setting. Because there are no existing agricultural zoning or agricultural land use on the property and no agricultural uses envisioned in the future, no impacts are anticipated and no mitigation measures are required.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? No Impact

The Project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural uses. The Project site and the adjacent parcels are not being utilized for agricultural cultivation. As a result, no impacts are anticipated and no mitigation measures are required.

MITIGATION MEASURES

None required.

III. AIR QUALITY

The following technical study was prepared to address issues related to air quality, and is available on the CD located in the back pocket of this IS/MND:

- "Air Quality Impact Analysis, Wake Rider Beach Resort, City of Lake Elsinore, California," prepared by Giroux & Associates, dated January 27, 2012 (AQ Analysis)

a-d) Conflict with or obstruct implementation of the applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); or expose sensitive receptors to substantial pollutant concentrations? Less Than Significant Impact

The AQ Analysis was prepared in early 2011. The South Coast Air Quality Management District (SCAQMD) emissions model CalEEMod.2011.1.1 was used to determine project impacts. Construction was assumed to start in 2011 and finish in 2012. All construction related pollutants were determined to be less than their respective air quality thresholds.

If the Project is built in the future impacts would become less. Construction equipment is becoming progressively cleaner over time and new regulations require that equipment be retrofit with emission control devices. As old equipment is phased out newer, cleaner equipment is used as a replacement. Therefore, any construction date beyond the modeled 2011/2012 years would meet SCAQMD significance thresholds by even a greater margin or safety.

Implementation of the Project will result in air emissions during construction and the operational phase once constructed and occupied. A discussion on whether implementation of the Project will conflict with or obstruct implementation of the applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation; result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); or expose sensitive receptors to substantial pollutant concentrations is discussed below.

Long-term air quality monitoring near the Project site is carried out by the South Coast Air Quality Management District (SCAQMD) at its Lake Elsinore (Flint Street) air monitoring station. The particulate data is relatively new and the data record is relatively incomplete for PM_{10} and/or $PM_{2.5}$. Table 3 of AQ Analysis summarizes the last five years of monitoring data. The station monitors ozone, carbon monoxide, nitrogen dioxide and fine and coarse particulate matter. The following conclusions can be drawn from this data:

a. Photochemical smog (ozone) levels occasionally exceed standards. The 8-hour state ozone standard has been exceeded slightly more than 17 percent of all days in the past five years. The 1-hour state standard has been violated an average of 9 percent of all days near Lake Elsinore. Year 2010 was the cleanest year of recent years. While ozone levels are still high, they are much lower than 10 to 20 years ago. Attainment of all clean air standards in the Project vicinity is not likely to occur soon, but the severity and frequency of violations is expected to continue to slowly decline during the current decade.
b. Measurements of carbon monoxide and nitrogen dioxide have shown low baseline levels in comparison to the most stringent one- and eight-hour standards.

c. Particulate levels have traditionally been high in western Riverside County; however, there is a steady improvement with distance in moving south from Corona or Riverside. However, as with ozone, the Project's location downwind of emissions sources in coastal regions will likely cause the most stringent PM_{10} standards to be exceeded for well into the current decade.
d. $PM_{2.5}$ levels are chronically elevated in the Riverside area, but again improve substantially in moving south along the I-15/I-215 corridors. The federal $PM_{2.5}$ daily standard has been violated only once since reporting began in 2008.

Although complete attainment of every clean air standard is not yet imminent, extrapolation of the steady improvement trend suggests that such attainment could occur within the reasonably near future.

The Federal Clean Air Act (1977 Amendments) required that designated agencies in any area of the nation not meeting national clean air standards must prepare a plan demonstrating the steps that would bring the area into compliance with all national standards. The South Coast Air Basin (SCAB) could not meet the deadlines for ozone, nitrogen dioxide, carbon monoxide, or PM_{10}. In the SCAB, the agencies designated by the governor to develop regional air quality plans are the SCAQMD and the Southern California Association of Governments (SCAG). The two agencies first adopted an Air Quality Management Plan (AQMP) in 1979 and revised it several times as earlier attainment forecasts were shown to be overly optimistic.

The 1990 Federal Clean Air Act Amendment (CAAA) required that all states with air-sheds with "serious" or worse ozone problems submit a revision to the State Implementation Plan (SIP). Amendments to the SIP have been proposed, revised and approved over the past decade. The most current regional attainment emissions forecast for ozone precursors (ROG and NO_x) and for carbon monoxide (CO) and for particulate matter are shown in Table 4 of the AQ Analysis. Substantial reductions in emissions of ROG, NO_x and CO are forecast to continue throughout the next several decades. Unless new particulate control programs are implemented, PM_{10} and $PM_{2.5}$ are forecast to slightly increase.

The Air Quality Management District (AQMD) adopted an updated clean air "blueprint" in August 2003. The 2003 AQMP was approved by the Environmental Protection Agency (EPA) in 2004. The Air Quality Management Plan (AQMP) outlined the air pollution measures needed to meet federal health-based standards for ozone by 2010 and for particulates (PM_{10}) by 2006. The 2003 AQMP was based upon the federal one-hour ozone standard which was revoked late in 2005 and replaced by an 8-hour federal standard. Because of the revocation of the hourly standard, a new air quality planning cycle was initiated.

With re-designation of the air basin as non-attainment for the 8-hour ozone standard, a new attainment plan was developed. This plan shifted most of the one-hour ozone standard attainment strategies to the 8-hour standard. As previously noted, the attainment date was to "slip" from 2010 to 2021. The updated attainment plan also includes strategies for ultimately meeting the federal $PM_{2.5}$ standard.

Because projected attainment by 2021 requires control technologies that do not exist yet, the SCAQMD requested a voluntary "bump-up" from a "severe non-attainment" area to an "extreme non-attainment" designation for ozone. The extreme designation will allow a longer time period for these technologies to develop. If attainment cannot be demonstrated within the specified deadline without relying on "black-box" measures, EPA would have been required to impose sanctions on the region had the bump-up request not been approved. In April, 2010, the EPA approved the change in the non-attainment designation from "severe-17" to "extreme." This reclassification sets a later attainment deadline, but also requires the air basin to adopt even more stringent emissions controls.

In other air quality attainment plan reviews, EPA has disapproved part of the SCAB $PM_{2.5}$ attainment plan included in the AQMP. EPA has stated that the current attainment plan relies on $PM_{2.5}$ control regulations that have not yet been approved or implemented. It is expected that a number of rules that are pending approval will remove the identified deficiencies. If these issues are not resolved within the next

several years, federal funding sanctions for transportation projects could result.

The Project does not directly relate to the AQMP in that there are no specific air quality programs or regulations governing general development. Conformity with adopted plans, forecasts and programs relative to population, housing, employment and land use is the primary yardstick by which impact significance of planned growth is determined. The SCAQMD, however, while acknowledging that the AQMP is a growth-accommodating document, does not favor designating regional impacts as less-than-significant just because the proposed development is consistent with regional growth projections. Air quality impact significance for the proposed project has therefore been analyzed on a project-specific basis.

Primary Pollutants

Air quality impacts generally occur on two scales of motion. Near an individual source of emissions or a collection of sources such as a crowded intersection or parking lot, levels of those pollutants that are emitted in their already unhealthful form will be highest. Carbon monoxide (CO) is an example of such a pollutant. Primary pollutant impacts can generally be evaluated directly in comparison to appropriate clean air standards. Violations of these standards where they are currently met, or a measurable worsening of an existing or future violation, would be considered a significant impact. Many particulates, especially fugitive dust emissions, are also primary pollutants. Because of the non-attainment status of the South Coast Air Basin (SCAB) for PM-10, an aggressive dust control program is required to control fugitive dust during project construction.

Secondary Pollutants

Many pollutants, however, require time to transform from a more benign form to a more unhealthful contaminant. Their impact occurs regionally far from the source. Their incremental regional impact is minute on an individual basis and cannot be quantified except through complex photochemical computer models. Analysis of significance of such emissions is based upon a specified amount of emissions (pounds, tons, etc.) even though there is no way to translate those emissions directly into a corresponding ambient air quality impact.

Because of the chemical complexity of primary versus secondary pollutants, the SCAQMD has designated significant emissions levels as surrogates for evaluating regional air quality impact significance independent of chemical transformation processes. Projects with daily emissions that exceed any of the following emission thresholds are recommended by the SCAQMD to be considered significant under CEQA guidelines:

Pollutant	**Construction**	**Operations***
ROG	75	55
NOx	100	55
CO	550	550
PM_{10}	150	150
$PM_{2.5}$	55	55
SO_X	150	150
Lead	3	3

Source: SCAQMD CEQA Air Quality Handbook, November, 1993 Rev.
*Project operations have no air quality impacts, only construction was evaluated

Additional Indicators

In its CEQA Handbook, the SCAQMD also states that additional indicators should be used as screening criteria to determine the need for further analysis with respect to air quality. The additional indicators are as follows:

- Project could interfere with the attainment of the federal or state ambient air quality standards by either violating or contributing to an existing or projected air quality violation.
- Project could result in population increases within the regional statistical area which would be in excess of that projected in the AQMP and in other than planned locations for the project's build-out year.
- Project could generate vehicle trips that cause a CO hot spot.
-

The SCAQMD CEQA Handbook also identifies various secondary significance criteria related to toxic, hazardous or odorous air contaminants. Except for the small diameter particulate matter ("PM-2.5") fraction of diesel exhaust generated by heavy construction equipment, there are no secondary impact indicators associated with project construction.

CONSTRUCTION ACTIVITY IMPACTS

Dust is typically the primary concern during construction of new buildings. Because such emissions are not amenable to collection and discharge through a controlled source, they are called "fugitive emissions." Emission rates vary as a function of many parameters (soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation, etc.). These parameters are not known with any reasonable certainty prior to project development and may change from day to day. Any assignment of specific parameters to an unknown future date is speculative and conjectural.

Because of the inherent uncertainty in the predictive factors for estimating fugitive dust generation, regulatory agencies typically use one universal "default" factor based on the area disturbed assuming that all other input parameters into emission rate prediction fall into midrange average values. This assumption may or may not be totally applicable to site-specific conditions on the proposed project site. As noted previously, emissions estimation for project-specific fugitive dust sources is therefore characterized by a considerable degree of imprecision.

Average daily PM_{10} emissions during site grading and other disturbance are shown in the CalEEMod.2011.1.1 computer model to be about 10 pounds per acre. This estimate presumes the use of reasonably available control measures (RACMs). The SCAQMD requires the use of best available control measures (BACMs) for fugitive dust from construction activities.

Current research in particulate-exposure health suggests that the most adverse effects derive from ultra-small diameter particulate matter comprised of chemically reactive pollutants such as sulfates, nitrates or organic material. A national clean air standard for particulate matter of 2.5 microns or smaller in diameter (called "$PM_{2.5}$") was adopted in 1997. A limited amount of construction activity particulate matter is in the $PM_{2.5}$ range. $PM_{2.5}$ emissions are estimated to comprise 10-20 percent of PM_{10}.

In addition to fine particles that remain suspended in the atmosphere semi-indefinitely, construction activities generate many larger particles with shorter atmospheric residence times. This dust is comprised mainly of large diameter inert silicates that are chemically non-reactive and are further readily filtered out by human breathing passages. These fugitive dust particles are therefore more of a potential soiling nuisance as they settle out on parked cars, outdoor furniture or landscape foliage rather than any adverse health hazard. The deposition distance of most soiling nuisance particulates is less than 100 feet from the source (EPA, 1995) under normal wind conditions. There are sensitive receptors within 100 feet from the project construction site perimeter such that enhanced dust nuisance protection must be implemented.

Exhaust emissions will result from on and off-site heavy equipment. The types and numbers of equipment will vary among contractors such that such emissions cannot be quantified with certainty. Default equipment use factors contains in appropriate emissions calculation models have therefore been used.

CalEEMod was developed by the SCAQMD and provides a model by which to calculate both construction emissions and operational emissions from a land use project. It calculates both the daily maximum and annual average for criteria pollutants as well as total or annual greenhouse gas (GHG) emissions.

The CalEEMod 2011.1.1 computer model was used to calculate emissions from the indicated default prototype construction equipment fleet and schedule anticipated by CalEEMod:

Site Preparation (2 days)	1 Dozer
	1 Tractor/Loader/Backhoe
Grading (4 days)	1 Grader
	1 Dozer
	1 Tractor/Loader/Backhoe
Construction (200 days)	1 Crane
	1 Forklift
	1 Generator Set
	3 Welder
	1 Tractor/Loader/Backhoe
Paving (10 days)	1 Cement Mortar Mixer
	1 Paver
	1 Paving Equipment
	1 Roller
	1 Tractor/Loader/Backhoe

Utilizing this indicated equipment fleet the following worst case daily emissions are calculated by CalEEMod:

Construction Activity Emissions
Maximum Daily Emissions (pounds/day)

Activity	ROG*	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$	CO_2 (e)
2011							
Unmitigated	65.4	29.6	21.2	0.0	7.2	4.2	3,335.6
Mitigated	65.4	29.6	21.2	0.0	3.6	2.5	3,335.6
2012							
Unmitigated	65.4	3.2	2.5	0.0	0.4	0.3	357.4
Mitigated	65.4	3.2	2.5	0.0	0.4	0.3	357.4
SCAQMD Thresholds	75	100	550	150	150	55	-

Source: CalEEMod.2011.1.1 output in appendix of AQ Analysis v*primarily from paints and coating

Peak daily construction activity emissions will be below SCAQMD CEQA thresholds. Recommended dust mitigation measures are provided in the appendix, but only the following measures were modeled in CalEEMod for this project:

- Water exposed areas 3 times per day

Construction equipment exhaust contains carcinogenic compounds within the diesel exhaust particulates. The toxicity of diesel exhaust is evaluated relative to a 24-hour per day, 365 days per year, 70-year lifetime exposure. Public exposure to heavy equipment emissions will be an extremely small fraction of the above dosage assumption. Diesel equipment is also becoming progressively "cleaner" in response to air quality

rules on new off-road equipment. Any public health risk associated with project-related heavy equipment operations exhaust is therefore not quantifiable, but small.

LOCAL SIGNIFICANCE THRESHOLDS

Regional Impacts

The SCAQMD has developed analysis parameters to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. These analysis elements are called Localized Significance Thresholds (LSTs). LSTs were developed in response to Governing Board's Environmental Justice Enhancement Initiative 1-4 and the LST methodology was provisionally adopted in October 2003 and formally approved by SCAQMD's Mobile Source Committee in February 2005.

Use of an LST analysis for a project is optional. For the proposed project, the primary source of possible LST impact would be during construction. LSTs are only applicable to the following criteria pollutants: oxides of nitrogen (NOx), carbon monoxide (CO), and particulate matter (PM_{10} and $PM_{2.5}$). LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

LST screening tables are available for 25, 50, 100, 200 and 500 meter source-receptor distances. Because there are sensitive uses immediately adjacent to the site, the closest distance of 25 meter distance was utilized for analysis. LST pollutant concentration data is currently published for 1, 2 and 5 acre sites for varying distances. The project site is approximately 5 acres. Therefore, the following thresholds are determined (pounds per day):

LST and Project Emissions

Lake Elsinore	**CO**	**NOx**	**PM-10**	**PM-2.5**
LST 5 acres, 25 meters	1,804	371	13	8
Max On-Site Emissions				
Site Preparation	14	25	4	2
Grading	17	30	2	2
Construction	17	26	2	2
Paving	12	21	2	2

Source: CalEEMod Output in Appendix (maximum emissions from on-site construction)

LST emissions thresholds were compared to the maximum daily construction activities. On-site construction emissions are provided in the CalEEMod output files and do not include any on-road haul, worker commuting or vendor delivery emissions. All on-site emissions are below the LST for construction.

OPERATIONAL IMPACTS

The project will generate 2,031 average daily trips (ADT). Commercial uses also generate small quantities of "area source emissions" derived from organic compounds from cleaning products, landscape

maintenance, etc. The contribution of these sources is small.

Operational emissions for project-related traffic were calculated using CalEEMod 2011.1.1 for an assumed project build-out year of 2012. As seen below, project development will not cause the SCAQMD's recommended threshold levels to be exceeded. Operational emissions will be at a less-than-significant level.

Wake Rider Daily Operational Impacts

	Operational Emissions (lbs/day)						
Source	**ROG**	**NO_x**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**	**CO_2**
Area	2.2	0.0	0.0	0.0	0.0	0.0	0.0
Energy	0.2	1.9	1.6	0.0	0.2	0.2	2,309.7
Mobile	7.9	15.9	71.4	0.1	8.4	0.8	8,091.9
Total	10.3	17.8	72.9	0.1	8.6	1.0	10.401.6
SCAQMD Threshold	55	55	550	150	150	55	-
Exceeds Threshold?	No	No	No	No	No	No	NA

Source: CalEEMod Output in Appendix of AQ Analysis

MICROSCALE IMPACT ANALYSIS

There is a direct relationship between traffic/circulation congestion and CO impacts since exhaust fumes from vehicular traffic are the primary source of CO. CO is a localized gas that dissipates very quickly under normal meteorological conditions. Therefore, CO concentrations decrease substantially as distance from the source (intersection) increases. The highest CO concentrations are typically found in areas directly adjacent to congested roadway intersections. These areas of vehicle congestion have the potential to create pockets of elevated levels of CO which are called "hot spots."

Micro-scale air quality impacts have traditionally been analyzed in environmental documents when the air basin was a non-attainment area for carbon monoxide (CO). However, the SCAQMD has demonstrated in the CO attainment redesignation request to EPA that there are no "hot spots", i.e., locations where emission concentrations expose individuals to elevated risks of adverse health effects, anywhere in SCAB.

To verify this conclusion, a CO screening analysis was performed at all intersections within the project area for which the project traffic report provided data. One-hour CO concentrations were calculated on the sidewalks adjacent to these intersections. The significance of localized project impacts depends on whether the project would cause substantial concentrations of CO. A project is considered to have significant impacts if project-related mobile-source emissions result in an exceedance of the California one-hour and eight-hour CO standards, which are:

- 1-hour = 20 ppm
- 8-hour = 9 ppm

Calculations were made for existing traffic plus project traffic for the morning and evening peak hours. Combining future project build-out traffic with existing conditions represents a worst-case analysis. The results of the microscale impact analysis are shown below.

One-Hour CO Concentrations (ppm)

Intersections	Existing	Existing + Project
AM Peak Hours		
Grand Ave (SR-74)/ Mobile Home Pk Dwy	1.6	1.7
Grand Ave (SR-74)/ Project Access	NA	1.8
Grand Ave (SR-74)/ Serena Way	1.6	1.7
PM Peak Hours		
Grand Ave (SR-74)/ Mobile Home Pk Dwy	1.7	1.8
Grand Ave (SR-74)/ Project Access	NA	1.9
Grand Ave (SR-74)/ Serena Way	1.7	1.8

8-Hour CO Concentrations (ppm)

Intersections	Existing	Existing + Project
Grand Ave (SR-74)/ Mobile Home Pk Dwy	1.1	1.2
Grand Ave (SR-74)/ Project Access	NA	1.2
Grand Ave (SR-74)/ Serena Way	1.1	1.2

As shown, the existing peak one-hour local CO background level in 2009 in the project area vicinity was 1.0 ppm. With project implementation in the existing time frame, inclusive of the local concentration, maximum one-hour concentration is estimated to be 1.9 ppm, which is well below the one-hour standard of 20 ppm. The maximum ambient 8-hour CO concentration in 2010 was 0.7 ppm. Maximum with project 8-hour CO concentration of 1.2 ppm (inclusive of the background concentration) were compared to the 9 ppm significance threshold. Micro-scale air quality impacts are not significant.

As discussed in this Section, the construction and operation of the Project will not violate air quality standards, exceed AQMD significance thresholds, and by inference, significantly impact air quality. Even though no significant air quality impacts are anticipated, essential air quality mitigation measures addressing particulate matter and volatile organic gases are being incorporated into this Project to ensure construction compatibility with the surrounding area. As a result, the air quality impacts are expected to be less than significant. Mitigation Measure AQ-1 will be implemented during the construction phase of the Project.

e) Create objectionable odors affecting a substantial number of people? Less Than Significant Impact

Implementation of the Project will create objectionable odors both during the construction and operational phases. It should be noted that these impacts will not affect a substantial number of people. Impacts will be most experienced by the adjacent residences. The impacts are discussed below.

Construction Odors

Diesel exhaust has a characteristic odor that can be detectable at a considerable distance from the source. However, the exhaust plume from any piece of equipment is narrow and typically displays considerable meander. Odor impacts are therefore transitory and occur in fairly close proximity to the source.

Odor strength from any source is most simply described in terms of now many dilutions with fresh air are needed to reduce the odorant to undetectable levels. This descriptor is called the "dilution-to-thresholds" (D/T) ratio, or the number of "odor units" (OU) in a sample. Diesel exhaust strength varies with the engine power level, compression temperature, fuel quality and other factors. Reported odor strengths of strongly scented diesel exhaust is around 1,000 OU per cubic foot of exhaust air. The SCAQMD guidance on odor characterization is that a level exceeding 10 OU per cubic foot may be offensive.

Plume dispersion from mobile sources with varying source locations and duty cycles is difficult to estimate. Under steady-state conditions, the "Workbook or Atmospheric Dispersion Estimates" (2nd Ed, 1994) predicts the following impact distances for an exhaust plume during daytime work-day conditions:

Stability	Distance to 10 OU	Distance to 1 OU
Very unstable	60 feet	230 feet
Moderately unstable	100 feet	360 feet
Slightly unstable	160 feet	590 feet

The zone of strong diesel odor impact from construction equipment is therefore typically 160 feet or less. Except where heavy equipment operations occur in very close proximity to occupied dwellings or other odor-sensitive uses (health care, outdoor restaurants, etc.) set-back distances are typically adequate to preclude significant diesel odor impact potential. In the case of the Project, impacts will be of short duration, will not be considered significant and will not require any additional mitigation measures.

Operational Odors

The Project contains two restaurant sites that may generate cooking odors, and possibly from the disposal of biodegradable refuse in outside containers. Most cooking odor is captures by stove/grill hoods that are discharged outside the building. Because charbroilers discharge a combination of smoke particles, reactive organic gases and odors, charbroiler installations usually require use of best available technology (BACT) on new installations.

Most fast food operations are required to comply with SCAQMD Rule 1138 "Control of Emissions from Restaurant Operations." The rule is designed to reduce particulate matter (smoke) and volatile organic compounds (volatized animal fat). A by-product of such control is odor reduction. SCAQMD Rule 402 further prohibits creation of an odor nuisance. If the cooking activity discharge were to create objectionable odor, there is substantial recourse to abate any possible nuisance. The CUP required to be issued by the City will specifically be conditioned that any restaurant operator utilize BACT to control cooking odor. Both the City and SCAQMD have compliance enforcement power. Several control mechanisms exist to effectively treat cooking odor if fan discharge by itself is not adequate to disperse the odor. The SCAQMD staff report on the recommended strengthening of Rule 1138 (2009) reported on emissions control tests that reduced smoke and odor by 85 percent (wet scrubbers). Proper ventilation design will likely maintain restaurant cooking odor impacts at less-than-significant levels. Failing that, additional enforcement mechanisms exist and control equipment are reasonably available to further guarantee that finding. As a result, no significant impacts are anticipated and no additional mitigation measures are required.

f, g) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? Less Than Significant Impact

Greenhouse gases" (so called because of their role in trapping heat near the surface of the earth) emitted by human activity are implicated in global climate change, commonly referred to as "global warming." These greenhouse gases contribute to an increase in the temperature of the earth's atmosphere by

transparency to short wavelength visible sunlight, but near opacity to outgoing terrestrial long wavelength heat radiation in some parts of the infrared spectrum. The principal greenhouse gases (GHGs) are carbon dioxide, methane, nitrous oxide, ozone, and water vapor. For purposes of planning and regulation, Section 15364.5 of the California Code of Regulations defines GHGs to include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of GHG emissions, accounting for approximately half of GHG emissions globally. Industrial and commercial sources are the second largest contributors of GHG emissions with about one-fourth of total emissions.

California has passed several bills and the Governor has signed at least three executive orders regarding greenhouse gases. GHG statues and executive orders (EO) include AB 32, SB 1368, EO S-03-05, EO S-20-06 and EO S-01-07.

AB 32 is one of the most significant pieces of environmental legislation that California has adopted. Among other things, it is designed to maintain California's reputation as a "national and international leader on energy conservation and environmental stewardship." It will have wide-ranging effects on California businesses and lifestyles as well as far reaching effects on other states and countries. A unique aspect of AB 32, beyond its broad and wide-ranging mandatory provisions and dramatic GHG reductions are the short time frames within which it must be implemented. Major components of the AB 32 include:

- Require the monitoring and reporting of GHG emissions beginning with sources or categories of sources that contribute the most to statewide emissions.
- Requires immediate "early action" control programs on the most readily controlled GHG sources.
- Mandates that by 2020, California's GHG emissions be reduced to 1990 levels.
- Forces an overall reduction of GHG gases in California by 25-40%, from business as usual, over the next 13 years (by 2020).
- Must complement efforts to achieve and maintain federal and state ambient air quality standards and to reduce toxic air contaminants.

Statewide, the framework for developing the implementing regulations for AB 32 is under way. Maximum GHG reductions are expected to derive from increased vehicle fuel efficiency, from greater use of renewable energy and from increased structural energy efficiency.

Greenhouse Gas Emissions Significance Thresholds

In response to the requirements of SB97, the State Resources Agency developed guidelines for the treatment of GHG emissions under CEQA. These new guidelines became state laws as part of Title 14 of the California Code of Regulations in March, 2010. The CEQA Appendix G guidelines were modified to include GHG as a required analysis element. A project would have a potentially significant impact if it:

- Generates GHG emissions, directly or indirectly, that may have a significant impact on the environment, or,
- Conflicts with an applicable plan, policy or regulation adopted to reduce GHG emissions.

Section 15064.4 of the Code specifies how significance of GHG emissions is to be evaluated. The process is broken down into quantification of project-related GHG emissions, making a determination of significance, and specification of any appropriate mitigation if impacts are found to be potentially significant. At each of these steps, the new GHG guidelines afford the lead agency with substantial flexibility.

Emissions identification may be quantitative, qualitative or based on performance standards. CEQA

guidelines allow the lead agency to "select the model or methodology it considers most appropriate". The most common practice for transportation/combustion GHG emissions quantification is to use a computer model such as CalEEMod, as was used in the ensuing analysis.

The significance of those emissions then must be evaluated; the selection of a threshold of significance must take into consideration what level of GHG emissions would be cumulatively considerable. The guidelines are clear that they do not support a zero net emissions threshold. If the lead agency does not have sufficient expertise in evaluating GHG impacts, it may rely on thresholds adopted by an agency with greater expertise. On December 5, 2008 the SCAQMD Governing Board adopted an Interim quantitative GHG Significance Threshold for industrial projects where the SCAQMD is the lead agency (e.g., stationary source permit projects, rules, plans, etc.) of 10,000 Metric Tons MT CO_2 equivalent/year. As part of the Interim GHG Significance Threshold development process for industrial projects, the SCAQMD established a working group of stakeholders that also considered thresholds for commercial or residential projects. A recommendation of a significance threshold of 3,000 MT per year of GHG emissions for non-industrial uses was developed, but never formally adopted. This 3,000 MT/year recommendation has been used as a guideline for this analysis.

Construction Activity GHG Emissions

The build-out timetable for this project is estimated by CalEEMod to be approximately 16 months. The CalEEMod defaults to start construction in year 2011 and is very difficult to override. Although equipment becomes progressively cleaner in the future, using 2011 and 2012 for construction years represents a worst case scenario. Future upgrades of CalEEMod will correct this issue.

During project construction, the CalEEMod computer model predicts that the constructions activities will generate the following annual CO_2(e) emissions:

Construction Emissions (metric tons CO_2(e))

Year 2011	319.1
Year 2012	1.0
Overall Total	320.1

*Output provided in appendix of AQ Analysis

SCAQMD GHG emissions policy from construction activities is to amortize emissions over a 30-year lifetime. The amortized level from 320 metric tons CO_2(e) is 10.7 metric tons per year. GHG impacts from construction are therefore considered less-than-significant.

Project Operational GHG Emissions

The input assumptions for operational GHG emissions calculations, and the GHG conversion from consumption to annual regional CO_2(e) emissions are summarized in the CalEEMod output files found in the appendix of the AQ Report.

The total operational and annualized construction emissions are as follows:

Operational Emissions

Consumption Source	MT CO_2(e) tons/year
Area	0.0
Energy	961.1
Mobile Source	1,245.3
Solid Waste	27.6
Water	22.7
Annualized Construction	10.7
Total	**2,267.3**

Total project GHG emissions are less than the proposed significance threshold of 3,000 MT. GHG emissions are not considered significant.

City of Lake Elsinore Climate Action Plan

Lake Elsinore has prepared a draft Climate Action Plan as of August 2011. The CAP is not intended to limit future development or economic growth within Lake Elsinore, nor is it intended to stop any individual project (as prescribed by the City's General Plan) from moving forward. Under forecasted business-as-usual conditions, and accounting for the full extent of the growth permitted under the General Plan, Lake Elsinore's GHG emissions are projected to increase to 1,064,565 MT CO_2e in 2020.

The City has made considerable effort to select viable emissions reduction targets. To meet the emissions reduction targets, the CAP identifies a combination of state-level regulations and local strategies and measures in the focus areas of Transportation and Land Use, Energy, Solid Waste, Water Conservation and Public Education and Outreach.

The relevant reduction strategies for the Project are listed in Mitigation Measure AQ-2 below that will make the Project consistent with the CAP and maintain Project impacts to a less than significant level.

MITIGATION MEASURES

AQ-1: Construction Emissions Mitigation

Construction activities are not anticipated to cause dust emissions to exceed SCAQMD CEQA thresholds. Nevertheless, mitigation through enhanced dust control measures is recommended for use because of the non-attainment status of the air basin and the proximity of existing homes. Recommended mitigation includes:

Fugitive Dust Control

- Apply soil stabilizers or moisten inactive areas.
- Prepare a high wind dust control plan.
- Address previously disturbed areas if subsequent construction is delayed.
- Water exposed surfaces as needed to avoid visible dust leaving the construction site (typically 3 times/day).
- Cover all stock piles with tarps at the end of each day or as needed.
- Provide water spray during loading and unloading of earthen materials.
- Minimize in-out traffic from construction zone.

Similarly, ozone precursor emissions (ROG and NO_x) are calculated to be below SCAQMD CEQA

thresholds. However, because of the non-attainment for photochemical smog, the use of reasonably available control measures for diesel exhaust is recommended. Combustion emissions controls include:

Exhaust Emissions Control

- Utilize well-tuned off-road construction equipment.
- Establish a preference for contractors using upgraded (Tier 3 or better) heavy equipment.
- Enforce 5-minute idling limits for both on-road trucks and off-road equipment.

AQ-2: CAP Relevant Reduction Strategies

Transportation Requirements

- Manage vehicle parking.
- Reduce worker commute trips with incentives to encourage participation.

Energy Requirements

- Increase energy efficiency of new construction.
- Reduce water consumption.
- Increase the use of renewable energy.

Cool Roof Requirements

- Use roofing materials having solar reflectance, thermal emittance or Solar Reflectance Index (SRI)3 consistent with CalGreen Tier 1 values (Table A5.106.11.2.1), and implement through conditions of approval.

Energy Efficient Building Standards

- Exceed the California Energy Code requirements, based on the 2008 Energy Efficiency Standards by 15% (consistent with CalGreen Tier 1), through either the performance based or prescriptive approach described in the California Green Building Code; implement through conditions of approval. Alternately, a solar photovoltaic system and/or solar water heating may be used to assist in meeting all or a portion of the 15% requirement.

Landscaping Requirements

- Utilize drought resistant landscaping.

Tree Planting Requirements

- Plant at minimum one 15-gallon non-deciduous, umbrella-form tree per 30 linear feet of boundary length near buildings.

IV. BIOLOGICAL RESOURCES

The following technical studies were prepared to address issues related to biological issues, and are available on the CD located in the back pocket of this IS/MND:

- "Biological, Land Use & MSHCP Compliance Report, APN# 381-030-005, Prior Developed Lot on Grand Avenue, Lot 5.18+ Acres w/Total Area Surveyed: 10+ Acres," prepared by Manée Consulting
- "Significant Palm Identification Report," prepared by Manée Consulting.
- "Wetland Identification, Delineation, and Preliminary Jurisdictional Determination, Wake Riders Beach Resort, Lake Elsinore, Riverside County, California," prepared by Brian F. Smith and Associates, Inc.

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 Impact With Mitigation Incorporation

According to the "Biological, Land Use & MSHCP Compliance Report, APN# 381-030-005, Prior `Developed Lot on Grand Avenue, Lot 5.18+ Acres w/Total Area Surveyed: 10+ Acres," (MSHCP Compliance Report), the site can be characterized as a 5-acre lakeshore property with roughly .66 acres of the land below the 1265 foot which slopes to the shoreline of the lake where it then extends into the lake. The property then goes into the lake for approximately 150 feet. The remaining 4.3+ acre of the Project site is cleared former development site where one sees: (1) a level site; (2) a site that is cleared of almost all ruderal and ornamental plant growth, and (3) with the removal of almost all debris and building materials gone except for one structure still standing. The eastern portion of the site is often inundated by the lake and contains areas of bare ground and areas covered with sparse ruderal, emergent, and wetland vegetation that can survive in environments that alternate between dry land and lake bottom as lake levels vary throughout the year and between drier and wetter years. Site visits did not identify any significant wildlife habitats or species on the site that would be impacted either directly or indirectly as a result of implementing the Project during the construction or operational phases. As a result, no impacts are anticipated and no mitigation is required.

In addition, the Project site is located with the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) area. The MSHCP provides detailed guidance on addressing potential impacts to plant and animal species of concern. According to the Riverside County Land Information System, the site is not located within the boundary of the Stephens Kangaroo Rat Habitat Conservation Plan. These habitat conservation plans are discussed in more detail in Section IV.f.

According to the "Wetland Identification, Delineation, and Preliminary Jurisdictional Determination, Wake Riders Beach Resort, Lake Elsinore, Riverside County, California," prepared by Brian F. Smith and Associates, Inc., a 1.88-acre portion of the 5.1-acre Project site (study area) was established along the shoreline of the Lake. Wetland identification and delineation determined that approximately 1.73 acres of this study area are wetlands under the jurisdiction of the U.S. Army Corps of Engineers (ACOE) and the California Department of Fish and Game (CDFG). Based on information collected during the wetland delineation a preliminary jurisdictional determination was made. The CDFG has jurisdiction over 1.73 acres of the wetland communities and the ACOE has jurisdiction over 1.27 of the 1.73 acres. The Project proposes a dock within these areas. The dock shall impact these resources during the construction phase, and as a result of the construction of the dock and the placement of anchors for dock stability will result in permanent impacts. In addition, the Project will restore the shoreline with beach sand. The purpose of this is to reduce erosion and restore the previous beach areas lost due to erratic water level occurrences previous to the lake water level stabilization. To achieve this, there will be a discharge to uplands silted

loam soil. An import fill with wash sand will be approximately 4,000 cubic yards. Impacts from the dock and restored beach to Regional Water Quality Control Board and Army Corps of Engineers resources are anticipated to be approximately 10,890 square feet (.27 acres). In order to mitigate any Project impacts, the applicant will need to acquire the necessary permits from the appropriate regulatory agencies, which may include the Regional Water Quality Control Board (RQWCB), U.S Army Corps of Engineers (ACOE) and the California Department of Fish and Game (CDFG). With incorporation of Mitigation Measure BIO-4, and adherence to the requirements mandated of the regulatory agencies, any Project impacts will be reduced to a less than significant level. No additional mitigation is required.

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? Less Than Significant Impact With Mitigation Incorporation

The Project may have an 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. Please reference the discussion in IV.a., above. With incorporation of Mitigation Measure BIO-4, and adherence to the requirements mandated of the regulatory agencies, any potential impacts will be reduced to a less than significant level. No additional mitigation is required.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? Less Than Significant Impact With Mitigation Incorporation

The Project may have an adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Please reference the discussion in IV.a., above. With incorporation of Mitigation Measure BIO-4, and adherence to the requirements mandated of the regulatory agencies, any potential impacts will be reduced to a less than significant level. No additional mitigation is required.

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? No Impact

The Project will not interfere 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. Currently, the shoreline area of this project does not propose any action that would restrict, impair, or block this linkage through this segment of shoreline. Consequently, no impacts are anticipated and no mitigation measures are required.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? Less Than Significant Impact with Mitigation Incorporated

The City of Lake Elsinore has determined that several species of palms are important to maintaining the character of the local community and at protecting the local environment. According to the provisions of Ordinance 1044, no Significant Palm may be removed or relocated without a permit from the Director of Community Services. Significant Palms are defined as any palm taller than five feet in height (as measured from the ground to the base of crown) for the following species: California Date Palm (*washingtonia filifara*), Canary Island Date Palm (*phoenix canariensis*), Mediterranean Fan Palm (*chamaerops humilis)*, Pindo Palm

(*butia capitata*), Pygmy Palm (*phoenix roebelenii*), Senegal Date Palm *(phoenix reclinata*), and Windmill Palm (*trachycarpus fortunei*).

According to the Significant Palm ID Report, The subject site has 8 palms growing on the site for at least 20+ years. Seven of the palms are Queen Palms; these are not listed as "Significant Palms" as listed in the City of Lake Elsinore's Municipal Code Section 5.78 (Ordinance 1044). The one listed Significant Palm is a California Fan Palm (Washingtonia *filifera*). This palm is healthy and is about 20+ years old. It is about 23 feet tall and about 2.7 feet in diameter at 3 feet from ground. To ensure compliance with the Ordinance, the applicant shall be required to obtain approval from the Director of Community Services to relocate or replace the palm. According to the Community Services Department, if relocation on-site is not feasible, the City may be able to assist in finding an appropriate location for significant palms elsewhere in the community. Compliance with Ordinance 1044 is incorporated into Mitigation Measure BIO-1. Compliance with the requirements of Ordinance 1044 address the City's concerns with palm trees within the community and will reduce any impacts to a less than significant level. As a result, no significant impacts are anticipated and no additional mitigation measures are required.

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 with Mitigation Incorporated

The Project is located within the adopted Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) area. The MSHCP is a comprehensive, multi-jurisdictional Habitat Conservation Plan focusing on conservation of species and associated habitats in Western Riverside County. The MSHCP will serve as a HCP pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act of 1973, as amended, as well as a Natural Communities Conservation Plan (NCCP) under the NCCP Act of 2001. The overall goal of the MSHCP is the conservation of 500,000 acres and focuses on the conservation of 146 plant and animal species.

According to the County, the Project is not located with the area of the Stephens Kangaroo Rat Habitat Conservation Area. As a result, the requirements of the Stephens Kangaroo Rat Habitat Conservation Plan do not apply to this Project.

On June 22, 2004, the U.S. Fish and Wildlife Service (USFWS) issued the Section 10(a)(1)(B) permit, and the California Department of Fish and Game (CDFG) issued the Natural Community Conservation Plan permit, collectively referred to as the "Permit." These Permits provide take authorization for those species listed as threatened or endangered and identified in the permits as Covered Species Adequately Conserved. The City of Lake Elsinore is a participating entity and Permittee of the MSHCP. In accordance with the MSHCP, the Project was also reviewed for consistency with the following supplemental policy areas.

- Section 6.1.1 - Property Owner Initiated Habitat Evaluation and Acquisition Negotiation Strategy (In Lake Elsinore, this process is referred to as the Lake Elsinore Acquisition Process, or LEAP)
- Section 6.1.2 - Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools
- Section 6.1.4 - Guidelines Pertaining to the Urban/Wildlands Interface
- Section 6.3.2 - Additional Survey Needs and Procedures
- Section 6.4 – Fuels Management Guidelines
- Section 8.5.1 Local Development Impact Fees

The results of this consistency analysis are described below. The Riverside County Integrated Plan Conservation Summary Report Generator was used to determine the appropriate conservation

requirements for the Project site.

Criteria Area Cells

The MSHCP establishes Criteria Area cells to facilitate the process by which properties are evaluated for inclusion within the MSHCP Conservation Reserve System. The Criteria Area is an analytical tool which assists in determining which properties may need to be acquired and conserved under the MSHCP. The process for evaluating the conservation needs for individual projects are described in Section 6.1.1, the Property Owner Initiated Habitat Evaluation and Acquisition Negotiation Strategy (HANS). The equivalent process in the City is known as the LEAP. According to the information provided by the Riverside County Integrated Plan Conservation Summary Report Generator, the Project site is not located within an acquisition Criteria Area as identified in the MSHCP and is not required to participate in the LEAP. As a result, the Project is consistent with these provisions of the MSHCP.

Riverine/Riparian Protection Policies

Section 6.1.2 of the MSHCP requires that all projects within the Plan Area be assessed for potentially significant effects on riparian and riverine areas as part of the environmental review process. Riparian/Riverine Areas are lands which contain habitats dominated by trees, shrubs, persistent emergents, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby fresh water source; or areas with fresh water flow during all or a portion of the year. The Project site does encompass scattered vegetation which could be considered a riparian resource. However, this vegetation will not be directly or indirectly affected by the Project. Therefore, the Project is consistent with this section of the MSHCP.

Vernal Pool Protection Policies

Section 6.1.2 of the MSHCP requires that all projects within the Plan area be assessed for potentially significant effects on vernal pools as part of the environmental review process. Vernal pools are seasonal wetlands that occur in depression areas that have wetlands indicators for all three parameters (soils, vegetation and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season. Section 6.1.2 of the MSHCP focuses on protection of vernal pool habitats based on their value in the conservation of a number of MSHCP covered species. According to the MSHCP Consistency Analysis, the Project site is not in: a criteria cell, an Area Plan or Subunit, Specific Plan, RCA Acquisition Plan/Gains Area, conserved lands area, a mapped wetlands area, CETA Corridor, a criteria area, CSS Habitat Quality Criteria Area, and/or a Sensitive Soils Area. As a result, the Project is consistent with this section of the MSHCP.

Fairy Shrimp Protection Policies

Sensitive fairy shrimp species are known to be associated with Vernal Pool habitat areas. The three sensitive species, the Riverside, Vernal Pool and Santa Rosa Fairy Shrimp, are known to occur within stock ponds, ephemeral pools, and other large depressional features. These requirements are also located Section 6.1.2 of the MSHCP. According to the MSHCP Consistency Analysis, the Project site is not in: a criteria cell, an Area Plan or Subunit, Specific Plan, RCA Acquisition Plan/Gains Area, conserved lands area, a mapped wetlands area, CETA Corridor, a criteria area, CSS Habitat Quality Criteria Area, and/or a Sensitive Soils Area. Consequently, no impacts are expected to occur to any sensitive fairy shrimp species. As a result, the Project is consistent with this section of the MSHCP.

Urban/Wildland Interface Guidelines

The MSHCP contains requirements to address anticipated urban/wildland interface issues associated with the conservation areas. Section 6.1.4 of the MSHCP sets forth guidelines to address indirect edge effects

associated with locating development adjacent to MSHCP Conservation Areas. These edge effects can adversely affect the biological resources within an identified Conservation Area. The Guidelines provide direction on drainage, the application of toxic chemicals, lighting, noise, invasive plant species, barriers to animal movement, and grading issues. According to the MSHCP Consistency Analysis, there is no justification to conduct an UWIG study. The Urban/Wildlife Interface Guidelines **are not** necessary because the interface and shoreline corridor linkage are not changes as a result of implementing this development proposal.

Additional Survey Needs and Procedures

The MSHCP does not identify the need for any additional surveys on the Project site as required in Section 6.3.2. Consequently, no additional studies were prepared. The Project is consistent with this section of the MSHCP.

Fuels Management Guidelines

Fuels management focuses on the reduction of hazards for humans and their property caused by wildland fires. The Project site is located in an urbanized environment surrounded by other urban and suburban development, and according to the Riverside County Land Information System, the Project site is not located within a potential high fire hazard area where fuels management activities would be required or anticipated. Section 6.4 of the MSHCP addresses the issue of fuels management and the reduction of fire fuel loads in areas adjacent to identified conservation areas. The MSHCP anticipates that fuels management activities will continue in a manner that is compatible with both public safety and conservation of biological resources. According to Section 6.4 of the Multiple Species Plan there four conditions where fuel management activities are expected to interact with the goals and programs of the MSHCP. These four conditions are as follows.

- Where existing reserves occur adjacent to existing developed areas, the brush management zone may encroach into the MSHCP Conservation Area.
- Where reserve assembly proceeds adjacent to existing developed areas, MSHCP Conservation Area boundaries should be established to avoid such encroachment wherever possible. When acquiring lands, the Permittee shall evaluate fire management issues.
- In accordance with existing policies, new development that is planned adjacent to the MSHCP Conservation Area or other undeveloped areas, brush management shall be incorporated in the development boundaries and shall not encroach into the MSHCP Conservation Area.
- Where the Reserve Manager(s) determines that brush management is desirable within the MSHCP Conservation Area, such brush management may occur.

According to Figure 3-7 in the MSHCP, the closest MSHCP Conservation Area to the Project site is Lake Elsinore. Because the closest Conservation Area is a water body surrounded by urban and suburban uses, terrestrial fuels management activities are not expected to affect the lake. Consequently, the Project is consistent with the fuels management provisions of the MSHCP.

Local Development Impact Fees

The City is required to collect local development impact fees for all projects within the MSHCP area. As such, the applicant will be required to pay these fees as mitigation for impacts to species and habitat covered under the MSHCP. With the payment of these fees, the Project is consistent with this section of the MSHCP.

Stephens Kangaroo Rat Habitat Conservation Plan

The Project site is not located within the Fee Area Boundary of the Stephens Kangaroo Rat Habitat

Conservation Plan (HCP). As a result, the Project is not in conflict with the requirements of the HCP (and is not required to pay the mitigation fees prior to the issuance of a grading permit).

Based upon the information provided, the Project implements and is consistent with the requirements of the MSHCP, the Stephens Kangaroo Rat HCP, and the mitigation measures identified in this IS/MND will mitigate any Project impacts. As a result, no significant impacts are anticipated.

MITIGATION MEASURES

BIO-1 Prior to issuance of a grading permit, the developer shall obtain a permit from the Director of Community Services to replace or relocate the one (1) California Date Palm affected by the Project. Any relocation or replacement shall be subject to the approval of the Director of Community Services.

BIO-2 Prior to the approval of the final landscape plans, the Community Development Director shall confirm that none of the Invasive Plant Species identified in Table 6-2 will be planted within the Project.

BIO-3 Prior to the issuance of the grading permit, the applicant shall pay MSHCP mitigation fees.

BIO-4 Prior to restoration of the beach with approximately 4,000 cubic yards of beach sand, and prior to the disturbance of approximately .27 acres of jurisdictional areas, the applicant shall acquire the necessary permits from the appropriate regulatory agencies, which may include the Regional Water Quality Control Board (RQWCB), U.S Army Corps of Engineers (ACOE and the California Department of Fish and Game (CDFG).

V. CULTURAL RESOURCES

The following technical study was prepared to address issues related to cultural resources, and is available on the CD located in the back pocket of this IS/MND:

- "Historical/Archeological Resources Survey Report" prepared by CRM TECH, January 28, 2008 (Historical/Archeological Report); and
- Letter to Greg Daugherty, A.I.A from CRM TECH, dated November 11, 2010, regarding "Historical/Archaeological Resources Survey Report Assessor's Parcel No. 381-030-005, City of Lake Elsinore, Riverside County, California."

The CRM TECH letter dated November 11, 2010 contains the following language:

"This letter certifies that the methods, analysis, recommendations, and conclusions contained within CRM TECH's 2008 report regarding cultural resources remain valid for the Project area covered in our report (APN 381-030-005). In the past 2+ years that have passed since we conducted our investigation, archaeological methods have not changed much. In addition, the landform and the fact that disturbances to the parcel had occurred prior to our 2007-2008 study indicate no new cultural resources would be expected on the surface of the property. Therefore, I am confident that the results of the study would not change and that a new Phase 1 cultural resource study is not necessary for the property at this time."

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? Less Than Significant Impact

The Project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the California Environmental Quality Act. According to the Historical/Archeological Report, no evidence of historic or prehistoric cultural resources were found to exist on the Project site. The records search performed by University of California, Riverside offered the same results. There are a number of identified historic resources in the area consisting of a variety of buildings constructed between 1873 and 1941. Since no historic structures are located on the site or adjacent to the site, no significant impacts to historic resources are anticipated and no additional mitigation measures are required.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? Less Than Significant Impact With Mitigation Incorporation

The Project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. According to the Historical/Archeological Report, no evidence of historic or prehistoric cultural resources were found to exist on the Project site. The records search performed by University of California, Riverside offered the same results. However, because a number of archaeological resource sites have been identified within one-mile of the Project site, there is the potential for the unanticipated discovery of these resources. Since these resources are known to exist in the general area, the mitigation measures listed in this Section (CUL-1 through CUL-6) will insure that any unanticipated discovery will not have a significant impact on archeological resources. With the implementation of these mitigation measures, any impacts are expected to be reduced to a less than significant level.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? Less Than Significant Impact

According to Figure 3.2-3, Paleontological Resources of the General Plan EIR, there is a low probability fir any known unique paleontological resources on-site. Per the Historical/Archeological Report, no evidence of prehistoric cultural resources were found to exist on the Project site. In addition, the geotechnical report prepared for the Project did not identify any fossiliferous soil stratum beneath the

ground surface. The lack of identified paleontological sites and the lack of fossiliferous soil strata beneath the site indicate that these types of resources will probably not occur. As a result, no impacts are anticipated and no additional mitigation measures are required.

d) Disturb any human remains, including those interred outside of formal cemeteries? Less Than Significant Impact With Mitigation Incorporation

According to the Historical/Archeological Report, the site has never been used to bury human remains. Consequently, development of this Project is not expected to disturb any human remains, including those interred outside of formal cemeteries. If during Project grading any human remains are discovered, the provisions of Mitigation Measure CUL-2 are expected to mitigate any impacts. With the mitigation measures listed for this Section, any impacts will be reduced to a less than significant.

MITIGATION MEASURES

Given that significant impacts are not expected, mitigation measures are not required, however, the following are recommended:

CUL-1 An archeological monitor shall be present during all earthmoving to insure protection of any accidentally discovered potentially significant resources. All cultural resources unearthed by Project construction activities shall be evaluated by a qualified archeologist. Any unanticipated cultural resources that are discovered shall be evaluated and a final report prepared. The report shall include a list of the resources recovered, documentation of each site/locality, and interpretation of resources recovered. The City shall designate repositories in the event the significant resources are recovered.

CUL-2 If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made.

CUL-3 At least 30 days prior to seeking a grading permit, the Project applicant shall contact the appropriate Tribe[1] to notify the Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; Project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

CUL-4 The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the Project area to the appropriate Tribe for proper treatment and disposition.

CUL-5 All sacred sites, should they be encountered within the Project area, shall be avoided and preserved as the preferred mitigation, if feasible.

CUL-6 If inadvertent discoveries of subsurface archaeological resources are discovered during grading,

[1] It is anticipated that the Pechanga Band of Luiseño Indians will be the "appropriate" Tribe due to their prior and extensive coordination with the City in determining potentially significant impacts and appropriate mitigation measures.

the Developer, the Project archaeologist, and the appropriate Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of the CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe. Notwithstanding any other rights available under the law, the decision of the Community Development Director shall be appealable to the City of Lake Elsinore.

VI. GEOLOGY AND SOILS

The following technical study was prepared to address issues related to geology and soils, and is available on the CD located in the back pocket of this IS/MND:

- "Preliminary Geotechnical Investigation", prepared by GeoSoils, Inc., May 2006; and
- Letter from GeoSoils, Inc. to Mr. John Gamble, dated October 17, 2011, regarding "Limited Site Reconnaissance and Geologic Review of Site Conditions, Elsinore Reach Resort, 17512 Grand Avenue, ±4.87-Acre Parcel, APN 381-030-005, City of Lake Elsinore, Riverside County, California

The GeoSoils, Inc. letter dated October 17, 2011 contains the following language:

"As a result of our field reconnaissance and geologic mapping, cursory review of the current development plans provided (MEI, 2011; and GDA, undated), and our evaluation, the following conclusions and recommendations are provided:

- Based on our recent site reconnaissance, geologic mapping, and evaluation, the proposed commercial development of the site appears geotechnically feasible, provided the conclusions and recommendations contained herein, and within the referenced report by GSI (2006), are appropriately implemented during remaining planning, design, and construction of the project.
- Based on our recent site reconnaissance and as indicated above, the old pool structure has been removed and the associated excavation subsequently backfilled with undocumented fill materials. It is unknown if the entire pool shell was completely removed during demolition. If the pool shell was not completely removed during demolition, any remaining structures will need to properly removed. All undocumented fill associated with the backfilled pool excavation will need to be removed in its entirety during proposed site grading. The resultant excavation will need to be properly replaced with approved backfill materials, compacted to a least 90 percent relative compaction per ASTM D 1557.
- Based on the relative age of our preliminary investigation (i.e., 2006), it is likely the controlling authorities will require geotechnical, seismic, and foundation updates per current code requirements (i.e., per the 2010, California Building Code [CBC, 2010]) at a later date."

a) Expose people or structures to 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.) <u>Less Than Significant Impact With Mitigation Incorporation</u>

The Project is located within seismically active Southern California and is expected to experience strong ground motions from earthquakes caused by both local and regional faults. According to the geotechnical report, the closest Alquist-Priolo Special Study Zone is for the Elsinore (Wildomar) Fault is located approximately 2.7 miles northeast of the site. The Elsinore Fault Zone is a right-lateral slip fault (like other major north-south faults in Southern California) and is capable of generating earthquakes with Magnitudes of 6.5 to 7.5.

The last major earthquake along the Wildomar Fault was a 6.0 quake located in the Lake Elsinore area in 1910. Analysis of the historic pattern along the Wildomar Fault indicates that Magnitude 6.8 earthquake can be expected to re-occur about every 340 years on average. The Elsinore Fault Zone forms a complex series of pull-apart basins. The largest and most pronounced of these pull-apart basins forms a flat-floored closed depression which is partly filled by Lake Elsinore. This basin forms the terminus for the San Jacinto River. Several of the fault strands which make up the Elsinore fault zone possess their own names such as the Glen Ivy North and Glen Ivy South faults. There are

several mapped traces of the Willard Fault, which runs parallel to the Elsinore Fault along the western side of the valley, have been identified both northwest and southeast of the Project site. However this fault is not located within an Alquist-Priolo Special Study Zone as it does not appear to have been active within the last 10,000 years.

The potential impacts related to the Elsinore Fault Zone (as well as other regional faults) are addressed through compliance with standard measures contained in the Uniform Building Code and City Municipal Code and those recommended mitigation contained in Mitigation Measure GEO-1. Mitigation Measure GEO-1 addressed the geotechnical recommendations contained in the geotechnical report. With the implementation of the standard code provisions and the mitigation measure identified below, the anticipated impacts from regional ground shaking are expected to be reduced to a less than significant level.

ii) Strong seismic ground shaking? Less Than Significant Impact with Mitigation Incorporated

The Project will expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. The Project site is located in an area of high regional seismicity and may experience horizontal ground acceleration during an earthquake along the Elsinore/Wildomar Fault Zone, which is located approximately 2.7 miles away, or other fault zones throughout the region. Because of this, the Project site has been and will continue to be directly affected by seismic activity to some degree. Given that the Project site is not located immediately adjacent to a seismic study area, the project will not be affected by ground shaking anymore than any other area in seismically active Southern California. Compliance with standard measures contained in the UBC and City Municipal Code regarding structures and construction and those recommended mitigation measures contained in this document ensures that any impacts will be less than significant.

iii) Seismic-related ground failure, including liquefaction? Less Than Significant Impact with Mitigation Incorporation

According to the geotechnical report, the Project has a high potential to adversely expose people or structures to substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. The condition is created by a combination of young alluvial sandy soils and shallow groundwater that is found under the site. The geotechnical report contains a number of recommendations are expected to minimize the actual liquefaction hazard once the Project is constructed. Compliance with specific recommendations identified in Mitigation Measure GEO-1 and the standard requirements contained in the most recent Uniform Building Code and City Municipal Code are expected to reduce the impacts associated with ground failure hazards to a less than significant level.

iv) Landslides? Less Than Significant Impact

The Project is not expected expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death from landslides. No landslides were mapped during the field reconnaissance of the property and no ancient landslides are known to exist on the Project site. The standard engineering practices related to slope and site stability are expected to ensure that no unstable slope conditions are created. As a result, no impacts are anticipated; therefore, no additional mitigation measures are required.

b) Result in substantial soil erosion or the loss of topsoil? Less Than Significant Impact with Mitigation Incorporation

As with any development, soil erosion can result during construction, as grading and construction can loosen surface soils and make soils susceptible to effects of wind and water movement across the surface. According to the geotechnical report, the on-site soils have a moderate to high erosions potential unless specific erosion control measures are implemented. The City routinely requires the submittal of detailed Erosion Control Plans with any grading plans. The implementation of this standard requirement is expected to address any erosional issues associated with the grading of the site. As a result, these impacts are not considered to be significant if the implementation of the necessary erosion and runoff control measures required as part of the approval of a grading plan. No additional mitigation measures are required.

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 with Mitigation Incorporation

According to the geotechnical report, the Project is located in an area with a high potential for liquefaction which could create unstable conditions if not properly addressed. As contained in the discussion for Section VI.a.iii, the geotechnical report contains a number of recommendations are expected to minimize the actual liquefaction hazard once the Project is constructed. Compliance with specific recommendation as well as the standard requirements contained in the most recent Uniform Building Code and City Municipal Code are expected to reduce these hazards to a less than significant level.

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

According to the geotechnical report, the Project is not located in an area with highly expansive soil as defined in the Uniform Building Code. However, the site development recommendations to address the potential liquefaction hazard would also address any issues related to highly expansive soils. As a result, to significant impacts are anticipated and specific mitigation measures are required.

e) Have soils capable 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 Project will be connected to the existing public wastewater treatment system and will not be serviced by septic tanks or other alternative wastewater disposal systems; consequently, no impacts are anticipated and no mitigation measures are required.

MITIGATION MEASURES

GEO-1 Comply with the extensive recommendations provided by the "Preliminary Geotechnical Investigation", prepared by GeoSoils, Inc., May 25, 2006, and the recommendations contained in the Letter from GeoSoils, Inc. to Mr. John Gamble, dated October 17, 2011, regarding "Limited Site Reconnaissance and Geologic Review of Site Conditions, Elsinore Reach Resort, 17512 Grand Avenue, ±4.87-Acre Parcel, APN 381-030-005, City of Lake Elsinore, Riverside County, California.

VII. HAZARDS AND HAZARDOUS MATERIALS

The following technical studies have been prepared to address issues related to hazards and hazardous materials, and is available on the CD located in the back pocket of this IS/MND:

- "Phase I Environmental Site Assessment" prepared by GeoSoils, Inc., January 2, 2008.
- "Update Phase I Environmental Site Assessment, 15712 Grand Avenue (APN 381-030-005), Lake Elsinore, Riverside County, California 92530," prepared by GeoSoils, Inc., February 14, 2012.

The GeoSoils, Inc. Update dated January 14, 2012 contains the following language:

Based upon the information obtained during the course of this evaluation, GSI presents the following summary of our findings:

- Based upon our review of historic land use utilizing readily available maps and historical aerial photographs, a previous interview with Mr. Ron Jiron (GSI, 2008), previous property owner, an interview with Mr. John Gamble, current property owner, and our recent site reconnaissance, the subject site appears to have been generally vacant and undeveloped from at least 1938 until at least 1953. Historic aerial photographs indicate the property, as well as surrounding properties, were utilized for agriculture until sometime prior to 1953. According to our previous interview with Mr. Jiron (GSI, 2008), a motel complex was built in 1953 and was demolished sometime in 1994.

- Based upon the historical use of portions of the subject property for agricultural purposes, there is a potential for historically restricted agricultural chemicals (i.e., pesticides and/or herbicides) to have been applied onsite. As is typical in Riverside County and throughout California, this use may have resulted in detectable concentrations of chemical residues to remain within near-surface earth materials. It is likely that significantly high residue concentrations would not be detected unless agricultural chemicals were stored onsite or were accidently spilled, improperly applied, or illegally disposed of onsite. Although a majority of currently banned (i.e., restricted) pesticides have not been used for at least 20 years, there remains a potential for historical farming operations to have utilized restricted agricultural chemicals onsite. This application may have resulted in some persistent chemical residues to remain on the subject property. Under normal conditions, most restricted pesticides/herbicides currently used in California readily degrade, and are not overly persistent in nature. There are, however, certain restricted (and currently banned) agricultural chemicals that were commonly used over 20 years ago throughout California that are known to be a persistent substance in nature.

- Based upon our most recent site reconnaissance conducted on February 8, 2012, the property is currently vacant and undeveloped. A chain-link fence is located at the entrance of the property to limit site access. The previous concrete slabs and swimming pool noted during our initial Phase I ESA (GSI, 2008) have been subsequently demolished and removed from the site. The swimming pool area is now backfilled with native onsite soils. The sewer pump station noted during our initial Phase I ESA (GSI, 2008) is still present on the northern portion of the property, however, the pump, noted previously (GSI, 2008), has been removed. Very minor trash/demolition debris (i.e., concrete and asphalt) was observed across portions of the site. An old boat dock exists at the eastern portion of the property boundary near Lake Elsinore. Power lines were noted onsite, located on the southern margin of the site. Two (2) transformers were noted on the power lines onsite. A Riverside County Flood Control District (RCFCD) drainage channel is located along the southeast border of the property. Septic systems may exist in the locations of the former structures.

- There was no significant visible surficial staining on the property; however, the trash/demolition debris was not disturbed. There does not appear to be significant surficial evidence of onsite hazardous materials/waste and/or petroleum contamination, and asbestos containing materials (ACM's) were not readily observed. With the exception of the old sewer lift station holding tank, and the potential for septic

tank (systems) in the location(s) of the demolished structures, there was no evidence of underground storage tanks observed and no above ground storage tanks were observed on the subject property.

- Properties adjacent to, and surrounding, the site currently consist of the Shore Acres Mobile Home Park to the northwest, Lake Elsinore to the northeast, residential development to the southeast and Grand Avenue and vacant land to the southwest of the property. These properties are not anticipated to represent a significant environmental concern to the subject site, provided lawful procedures for petroleum products and restricted household/agricultural chemical use and storage are and have been followed.

- Depth to groundwater onsite is reported to be ±10 to ±15 feet in depth, based on our geotechnical report (GSI, 2006). Groundwater may be encountered at shallow depths in the form of perched water on resistant strata or rock. Except of Lake Elsinore, no surface water was observed onsite. The local groundwater gradient is estimated to be in a northeasterly direction following topography.

- Based upon review of our agency database records search, there are no listings of permitted above-ground and/or underground tanks on the subject property. There are no database listings regarding the handling, storage, use, or disposal of hazardous materials/waste for the subject site.

- This assessment has revealed no evidence of significant recognized environmental conditions in connection with the property.

Based on these findings, the both the information contained in the January, 2008 Phase I and the 2012 Update will be utilized in this section.

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

The Project may create an additional possible hazard to the public or the environment through the routine transport, use or disposal of hazardous materials; however, due to the quantity and nature of these materials, these impacts will be considered less than significant. During construction and operational phases there is a potential for accidental release of petroleum products in sufficient quantity to pose a hazard to people and the environment. Prior to initiating construction, a Stormwater Pollution Prevention Plan will be approved by the City to address any construction-related spills or accidents. This requirement is included in Mitigation Measure HAZ-1. With Mitigation Measure HAZ-1, the Project is not expected to result in a significant impact on the environment.

In addition, the Project is located immediately adjacent to State Route 74 (Grand Avenue). It is possible that an accident or spill may expose future building occupants to hazardous materials. However, the likelihood of this type of event is rare and it is not considered to be significant. In addition, some hazardous materials will be stored on the premises; however, those used are commonly associated with office, hotel, restaurant, and retail development. No impacts are anticipated beyond those commonly associated with these types of developments.

b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Less Than Significant Impact

The Project may create a hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment; however, due to the quantity and nature of these materials, these impacts will be considered less than significant. An additional discussion is found in Section VII.a. above. No impacts are anticipated beyond those commonly associated with office, hotel, restaurant, and retail development. No additional mitigation

measures are required.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? No Impact

The Project is not expected to result in the release of any hazardous emissions. In addition, there are no schools within a quarter mile radius of the Project site (Butterfield Elementary School is located approximately 9/10 of a mile to the southeast and Lakeside High School is located approximately ¾ of a mile to the northwest). Since there is no opportunity for any school to be potentially impacted, no impacts are anticipated and no mitigation measures are required.

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? No Impact

The Project site is not located on any hazardous materials site as designated by Government Code Section 65962.5. The Project is not expected to result in any unusual health hazards not experienced by occupants in other parts of Southern California. According to the Phase I environmental site assessment, the closest hazardous material location to the Project site a leaking underground storage tank located approximately three-tenths of a mile to the south along Grand Avenue. Given the distance and the direction of groundwater flow in the area, northeasterly toward the lake, no significant impact or hazards are expected and no additional mitigation is required.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles or a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? Less Than Significant Impact

The Project site is not located within any airport land use plan. The closest airport is Skylark Field which is located at the south end of Lake Elsinore. There is no approved airport land use plan for this facility which is located approximately five miles south southeast of the Project site. As a result, no impacts are anticipated and no mitigation measures are required.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? Less Than Significant Impact

The Project site is not located in close proximity to a private airstrip. The closest airport is Skylark Field which is located at the south end of Lake Elsinore, approximately five miles south southeast of the Project site. As a result, no impacts are anticipated and no mitigation measures are required.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? Less Than Significant Impact

The Project will not conflict with any emergency response or evacuation plans. The Project will include an access point off an improved roadway, and include site access sufficient for fire apparatus turning radius. Therefore, implementation of the Project has no potential to cause interference with any emergency response or evacuation plan. No mitigation is required.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? Less Than Significant Impact

The Project site is the located within a substantially built up area about a mile east of the eastern escarpment of the Santa Ana Mountains. This eastern escarpment area has been classified as a high

wildland fire hazard area. According to Figure 3.10-2, Wildfire Susceptibility of the General Plan EIR, the Project site has a moderate potential to be impacted by a wildland fires. Per the General Plan EIR, new development under the GPU would extend into areas of the SOI that are considered highly susceptible to wildfires. A fire that ignites in these areas has the potential to spread to areas within the SOI. Therefore, a substantial risk of loss and damage exists to new developments in these areas. However, with prevention strategies and response programs, these risks can be reduced greatly. Nevertheless, increased development throughout the City and SOI in accordance with the proposed Land Use Plan could expose more people and additional development to potentially significant hazards from wildfires. As indicated, the Project site is not in a High or Very High designation. This moderate designation does not create a potentially significant impact because of the layout of the site, and the proposed building materials are expected to reduce or minimize any the potential hazards. As a result, no significant impacts are anticipated and no additional mitigation measures are necessary.

MITIGATION MEASURES

HAZ-1 All spills or leakage of petroleum products during construction and operational activities shall be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure shall be incorporated into the Stormwater Pollution Prevention Plan prepared for the Project development.

VIII. HYDROLOGY AND WATER QUALITY

The following technical studies were prepared to address issues related to hydrology and water quality, and are available on the CD located in the back pocket of this IS/MND:

- "Preliminary Water Quality Management Plan, Proposed Wake Rider Beach Resort, 15712 Grand Avenue Lake Elsinore, California," prepared by Medofer Engineering, Inc., dated April 9, 2102.

- "Preliminary Drainage Report for Wake Rider Beach Resort, 15712 Grand Avenue, Lake Elsinore," prepared by Medofer Engineering, Inc., dated April 20, 2012.

a) Violate any water quality standards or waste discharge requirements? Less Than Significant Impact with Mitigation Incorporation

According to the General Plan EIR, the Santa Ana Regional Water Quality Control Board (SARWQCB) sets water quality standards for all ground and surface waters within its region. Water quality standards are defined under the Clean Water Act to include both the beneficial uses of specific water bodies and the levels of water quality that must be met and maintained to protect those uses (water quality objectives). The 1995 *Water Quality Control Plan Santa Ana River Basin* documents the water quality standards for all ground and surface waters overseen by the SARWQCB. Beneficial uses consist of all the various ways that water can be used for the benefit of people and/or wildlife. Twenty beneficial uses are recognized within the Santa Ana Region. Nine of these beneficial uses have been designated for surface water bodies and groundwater in the vicinity of the City (reference Table 3.9-2, Beneficial Uses for Water Bodies within City and Sphere of Influence -SOI). All listed water quality objectives governing water quality in inland surface waters were evaluated for potential impacts from development within the City; however, only those numeric and narrative water quality objectives that are most likely to be relevant to the implementation of the General Plan are listed in Table 3.9-3, Water Quality Objectives for Water Bodies within City and SOI and Table 3.9-4, Applicable Narrative Surface Water Quality Objectives, and Table 3.9-5, Applicable Narrative Groundwater Quality Objectives, of the General Plan EIR, respectively. Water quality standards are attained when designated beneficial uses are achieved and water quality objectives are being met. The regulatory program of the SARWQCB is designed to minimize and control discharges to surface and groundwater within the region, largely through permitting, such that water quality standards are effectively attained.

The General Plan EIR indicates that development consistent with the General Plan Update (GPU) could result in increased non–point source and point source contamination from common urban sources, construction activity, and vehicle use. In general, increased development and population growth in the City and SOI may be expected to result in increased generation of urban water contaminants. In addition to increased sediment related to construction activities, development in the City could increase other types of non–point source pollution. Runoff from residential, commercial, and institutional urban uses typically includes sediment, herbicides, pesticides, nutrients from fertilizers, organic debris, coloform, trash, grease, solvents, metals, salts, and other contaminants. Runoff from streets and parking lots contains typical urban pollutants including oil, grease, fuel, rubber, heavy metals, solvents, coloform, and trash. Motor vehicle exhaust also generates lead and particulates that could be picked up by runoff and carried into nearby surface water bodies such as Lake Elsinore. The increased pollutants carried in runoff into the streams, rivers, and lake in and around the City is a potentially significant impact of the implementation of the GPU.

Current site drainage sheet flows across the site from west to east and ultimately ends up in Lake Elsinore which can flow out of Lake Elsinore into the Temescal Wash when lake levels rise above 1,255 feet above mean sea level. Once the Project is completed the site will drain into the existing concrete-lined Ortega Canyon Drainage Channel that is located along the southern edge of the site. Relocating the on-site run-off flows into the existing concrete lined channel will reduce the potential for erosion and sedimentation

along the lake edge from the existing sheet flow conditions.

To ensure water quality standards and discharge requirements will not be violated, the local urban runoff control program mandated by the RQQCB requires the submittal of a Preliminary WQMP with the Project application and the implementation of a Final Water Quality Management Plan (WQMP) prior to the issuance of a grading permit. The WQMP contains best management practices and other measures necessary to protect water quality. These best management practices can include management activities, as well as mechanical and infiltrative treatment measures.

According to the conceptual WQMP, the new development will be designed to ensure that post-develop runoff volumes are the same as the pre-development levels. The conceptual WQMP also identifies Best Management Practices (BMPs) that will reduce pollutants from urban runoff that may affect water quality in Lake Elsinore. The conceptual WQMP identified a number of physical design and activity-based BMPs to address water quality impacts or concerns. The physical design-based practices include the use of vegetative swales, filter trenches, landscaped areas, and the use pervious surfaces. The activity/management-based BMPs include: the education of property owners and employees, car washing restrictions, common area liter control, private street and parking area sweeping, drainage facility inspections and maintenance, MS4 stenciling and signage, and landscape and irrigation system design (to reduce over fertilizing and over-watering).

The implementation of these practices is expected to minimize or eliminate any impacts to water quality. The requirements to obtain City approval of the Final WQMP is incorporated into Mitigation Measure HYD-1. As a result of the best management practices and other measures contained in the Preliminary WQMP, the Project is not expected to violate any water quality standards, waste discharge requirements, or have a significant impact on the environment. The discussion of pre-and post-development flows are discussed in more detail in Section VIII.e of this IS/MND.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Less Than Significant Impact

The proposed Project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g.. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). The proposed Project will not include activities that will substantially deplete groundwater supplies or interfere with regional groundwater recharge. Any impacts are considered less than significant and no mitigation measures are required.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in flooding on- or off-site? Less Than Significant Impact

The Project will not alter the current drainage pattern. The current drainage pattern on the site is from the southwest toward Lake Elsinore in the northeast, and this is expected to remain the same after the Project is constructed. Consequently no impacts are anticipated and mitigation measures are required.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site? Less Than Significant Impact

The Project will not substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site. The current drainage pattern for the Project site is from southwest (adjacent to Grand Avenue) toward the northeast (Lake Elsinore). The proposed drainage pattern would emulate this pattern. The only changes to the existing drainage pattern is the Project would discharge any site runoff into the adjacent storm drainage channel adjacent to the site via a drainage pipe as opposed to an overland flow into Lake Elsinore. This change will reduce the potential for erosion associated with direct sheet flows into the lake. As a result, no significant impacts are anticipated and no mitigation measures are required.

e) 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? Less Than Significant Impact with Mitigation Incorporation

According to the Preliminary Drainage Report, the current 100-year storm runoff flows for the site are approximately 10.3 cubic feet per second (cfs). Based upon the current site plan with additional on-site detention, the proposed post-development flows are expected to be 12.2 cfs. The requirements of the urban runoff program for the Santa Ana River Basin require that post-development flows be similar to the pre-development flows. As a result, the final Project design shall be required to reduce run-off volumes to pre-development levels by a combination of reductions in impervious area, on-site detention, or other methods identified in the Preliminary WQMP, and implemented with the Final WQMP, as approved by the City of Lake Elsinore. This requirement is contained in Mitigation Measure HYD-1. With the implementation of Mitigation Measure HYD-1, any impacts are considered less than significant and no additional mitigation measures are required.

f) Otherwise substantially degrade water quality? Less Than Significant Impact with Mitigation Incorporation

The Project as proposed will not otherwise substantially degrade water quality. Compliance with the requirements of the Stormwater Pollution Prevention Program (Mitigation Measures HAZ-1), Preliminary WQMP (Mitigation Measure HYD-1), and the City's erosion control requirements will ensure that significant water quality impacts and violations of standards and requirements do not occur. With these mitigation measures and standard requirements, any water quality impacts are expected to be less than significant. No additional mitigation measures are required.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map? Less Than Significant Impact

The Project will not place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map. According to EVMWD, the elevation of the 100-year flood hazard area is 1,263.3 feet above mean sea level. The finished floor elevation for the lowest structure is projected to be at 1,268.5 feet. Because the proposed structures are not located within the 100-year flood hazard area, no impacts are anticipated and no mitigation is required.

h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? Less Than Significant Impact

The Project will not place within a 100-year flood hazard area structures and will not place materials within the lake area which would impede or redirect flood flows. As a result, no impacts are anticipated and no mitigation measures are required.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? Less Than Significant Impact

The Project will not construct habitable structures within a designated flood area or within an identified dam inundation area. According to pp. 3.9-6 and -7, inundation of property (City) and the potential loss of life due to failure of the Railroad Canyon Dam is a hazard in the Railroad Canyon Road area and the eastern floodplain of the lake. The Project site is located on the western floodplain of the lake; therefore, it is not in proximity to inundation. Consequently, the Project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. No impacts are anticipated and no mitigation required.

j) Inundation by seiche, tsunami, or mudflow? Less than Significant Impact

The Project is located along near the northwest corner of Lake Elsinore and is not located in an area that is subject to mudflows or tsunamis. A seiche is a standing wave in an enclosed or partially enclosed body of water (similar to the sloshing of water in a bathtub). Seiches have been observed on larger lakes, reservoirs, harbors and bays, and in smaller ocean areas that are substantially surrounded by land (such as the Gulf of California or the Adriatic Sea). In contrast to these larger bodies of water, Lake Elsinore is relatively small rectangular lake (less than 2 miles in width and about 3 miles in length). Because the Project site is located along the shore of Lake Elsinore, there a potential a potential that a seismic event could result in a seiche. There is also the potential for larger boat wakes to create a wave event similar to a seiche. Larger seiche events could cause damage to walls and docks or structures located too close to the water. Seiche waves occurring on a lake of this size would be expected to be about the size of some of the larger boat wakes. Through the Project design process, the City has requiring an additional vertical separation between the 100-year flood elevation and the finished floor elevation of the lowest inhabited structure. With this design change, no significant impacts are anticipated and no additional mitigation measures are required.

MITIGATION MEASURES

HYD-1 Prior to the approval of the grading permit, the City shall review and approve the Final Water Quality Management Plan as required by the program requirements in effect at that time. The Final Water Quality Management Plan shall further demonstrate that post-development runoff flows are no greater that pre-development run-off flows.

IX. LAND USE AND PLANNING

a) Physically divide an established community? Less Than Significant Impact

The Project site is located between Grand Avenue (State Highway 74), the shore of Lake Elsinore, an existing single-family residential development (which is located across an improved county drainage channel), and an existing mobile home park/resort. The Project represents a small in-fill development which is consistent with the scale of development of its type and generally consistent with the development that is found in the area. The Project will neither physically divide nor improve connections within the surrounding neighborhood. As a result, no significant impacts are anticipated and no mitigation measures are required.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? Less Than Significant Impact

The Project site is identified for a combination of commercial mixed use and recreation/open space uses on the City of Lake Elsinore General Plan Land Use Map. These are the same types of land uses proposed with the Project. Therefore, the Project will not conflict with any applicable land use plan, policy, or regulation. As a result, no impacts are anticipated and no mitigation measures are required.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? Less Than Significant Impact

The Project will not conflict with the provisions of the adopted Multi-Species Habitat Conservation Plan (MSHCP). A more detailed discussion on the Project's compliance and consistency with the MSHCP is found in Section IV.f. of this IS/MND. As a result, no impacts are anticipated and no mitigation measures are required over and above the payment of MSHCP fees, discussed in Section IV.f above.

MITIGATION MEASURES

None required.

X. MINERAL RESOURCES

a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state? No Impact

According the soils information contained in the Project's geotechnical study, the Project site is not located atop any significant mineral resources. Consequently, the Project will not result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state. As a result, no impacts are anticipated and no mitigation measures are required.

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? No Impact

According to Figure 3.12-1 (City of Lake Elsinore Mineral Resource Zones) of the GP EIR, the Project site is located in an area designated MRZ3. According to the GP EIR, MRZ-3 is defined as areas containing known mineral deposits that may qualify as mineral resources. Further exploration work within these areas could result in the reclassification of specific localities into the MRZ-2a or MRZ-2b categories. As shown in Table 3.12-1 of the GP EIR, MRZ-3 is divided on the basis of knowledge of economic characteristics of the resources. MRZ-3a areas are considered to have a moderate potential for the discovery of economic mineral deposits. MRZ-3b is applied to land where geologic evidence leads to the conclusion that it is plausible that economic mineral deposits are present. According the soils information contained in the Project's geotechnical study, the Project site is not located atop any significant mineral resources. The Project will not result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. As a result, no impacts are anticipated and no mitigation measures are required.

MITIGATION MEASURES

None required.

XI. NOISE

The following technical study was prepared to address issues related to noise, and is available on the CD located in the back pocket of this IS/MND:

- "Noise Impact Analysis, Wake Rider Beach Resort, City of Lake Elsinore, California" prepared by Giroux and Associates, dated January 31, 2012 (Noise Analysis).

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Less Than Significant Impact with Mitigation Incorporation

The Project has the potential to result in the exposure of persons to noise levels in excess of standards established in the General Plan and local noise ordinance. The City of Lake Elsinore considers noise compatibility standards in evaluating land use projects. A proposed land use must be shown to be compatible with the ambient noise environment, particularly for noise sources over which direct City control is preempted by other agencies. Such sources include vehicle traffic on public streets, aircraft or trains. Since the City cannot regulate the noise level from the source, it exercises its land use decision authority to insure that noise/land use incompatibility is minimized.

Table 1 of the Noise Analysis (City of Lake Elsinore Noise and Land Use Compatibility Matrix), shows the noise/land use compatibility guideline for the City of Lake Elsinore, as contained in the Noise Element of the City of Lake Elsinore General Plan. The City of Lake Elsinore considers noise exposures for hotel use to be "clearly compatible" if the maximum exterior noise level is 60 dB CNEL or less. Exterior noise levels at hotel occupancies of up to 70 dB CNEL are allowed if exterior levels have been mitigated and interior noise exposures meet the interior noise standard of 45 dB CNEL as shown in Table 2 of the Noise Analysis (Interior and Exterior General Plan Noise Standards). Noise levels above 70 dB CNEL are considered normally unacceptable except in unusual circumstances.

Because retail/commercial uses are not occupied on a 24-hour basis, the exterior noise exposure standard or less sensitive land uses are generally less stringent. Unless commercial projects include noise-sensitive uses such as outdoor dining, noise exposure is generally not considered a commercial facility siting constraint for typical project area noise exposures. The City of Lake Elsinore noise compatibility guidelines recommend 70 dB CNEL as "clearly compatible" and 80 dB CNEL as a "normally compatible" exterior noise exposure for commercial uses such as the proposed restaurant uses.

Three characteristic noise sources are typically identified with land use intensification such as that proposed for the development of the Wake Rider Beach Resort Project. Construction activities, especially heavy equipment, will create short-term noise increases near the Project site. Such impacts would be important for any nearby noise-sensitive receptors, such as any existing residential uses. Upon completion, Project-related traffic will cause an incremental increase in area-wide noise levels throughout the Project area. Traffic noise impacts are generally analyzed both to insure that the Project does not adversely impact the acoustic environment of the surrounding community, as well as to insure that the Project site is not exposed to an unacceptable level of noise resulting from the ambient noise environment acting on the Project. Finally, the Project analysis needs to examine noise from the proposed commercial uses upon adjacent existing residential uses. Because of the close proximity of the adjacent residences, the possible conflict of on-site noise generation to off-site existing residences is possibly the most critical noise issue.

According to the current CEQA Appendix G Guidelines, noise impacts are considered potentially significant if they cause:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Noise levels exceeding the City of Lake Elsinore Noise Standards would be considered significant.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

c. A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

d. A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project.

The CEQA Guidelines also identify potential impact significance due to aircraft noise. There are no airports in proximity to the site where aircraft noise would be an issue.

The term "substantial increase" is not defined by any responsible agency. The limits of perceptibility by ambient grade instrumentation (sound meters) or by humans in a laboratory environment is around 1.5 dB. Under ambient conditions, people generally do not perceive that noise has clearly changed until there is a 3 dB difference. A threshold of 3 dB is commonly used to define "substantial increase." An increase of +3 dBA CNEL in traffic noise would be consistent a significant impact. Similarly, noise generation possibly exceeding City of Lake Elsinore noise ordinance standards would also be considered as a potentially significant impact.

CONSTRUCTION NOISE STANDARDS

Construction noise is typically governed by ordinance limits on allowable times of equipment operations. CEQA Appendix G Guidelines state that if an impact is regulated by a rule or regulation specifically designed to control a given type of impact (such as construction noise), and if the rule meets certain criteria about promulgation and applicability, then compliance with that rule may be used in support of a finding that the impact is less-than-significant. The Lake Elsinore Municipal Code restricts and regulates hours of construction operation and levels of construction noise. In Chapter 17.78, Section 17.78.080 (F), construction noise is restricted from 7:00 p.m. to 7:00 a.m. weekdays and at any time on weekends or holidays when it creates a noise disturbance across a residential or commercial property line. Section 17.78.080 (F) (2) regulates construction activity noise levels as follows:

A. Noise Restrictions at Affected Structures. When technically and economically feasible, the contractor shall conduct construction activities in such a manner that the maximum noise levels at the affected buildings will not exceed those listed in the following schedule:

1. At Residential Structures.

a. Mobile Equipment. Maximum noise levels for non-scheduled, intermittent, and short-term operation (less than 10 days) of mobile equipment:

	Single-family Residential (dBA)	**Multi-family Residential (dBA)**	**Semi-residential/ Commercial (dBA)**
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	75	80	85
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays.	60	65	70

b. Stationary Equipment Maximum noise level for repetitively scheduled and relatively long-term operation (period of 10 days or more) of stationary equipment:

	Single-family Residential (dBA)	**Multi-family Residential (dBA)**	**Semi-residential/ Commercial (dBA)**
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	60	65	70
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays.	50	55	60

2. At Business Structures.

   a. Mobile equipment. Maximum noise levels for non-scheduled, intermittent, short-term operation of mobile equipment: Daily, including Sunday and legal holidays, all hours: maximum of 85 dBA.

CONSTRUCTION NOISE IMPACTS

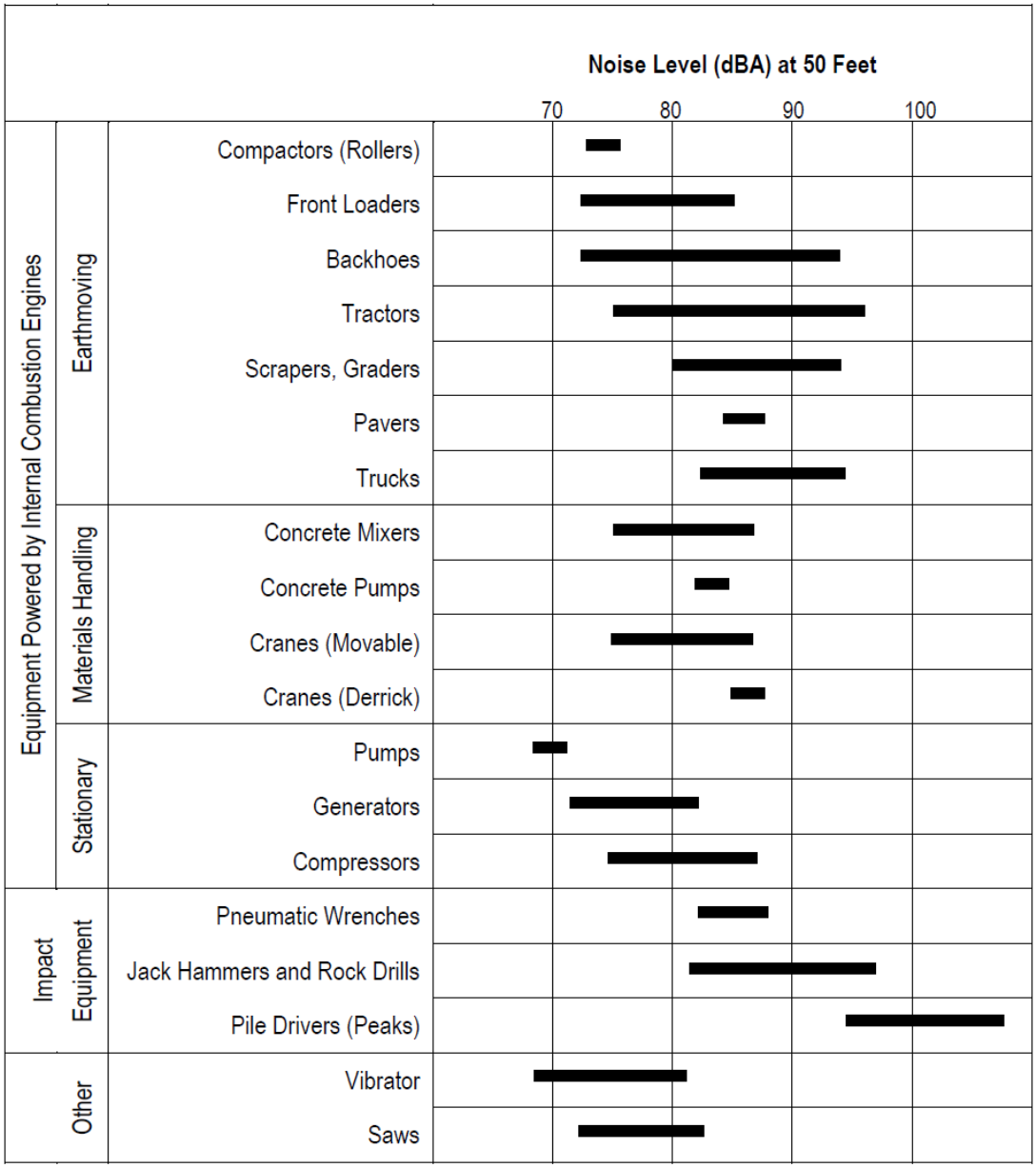
Temporary construction noise impacts vary markedly because the noise strength of construction equipment ranges widely as a function of the equipment used and its activity level. Short-term construction noise impacts tend to occur in discrete phases dominated initially by earth-moving sources, then by foundation and parking area construction, and finally for finish construction.

Figure XI-1, *Typical Construction Equipment Noise Generation Levels,* shows the typical range of construction activity noise generation as a function of equipment used in various building phases. Because of the limited earthworks on this relatively flat site, there will be limited use of heavy grading equipment.

The earth-moving sources are seen to be the noisiest with equipment noise ranging up to about 90 dB(A) at 50 feet from the source. The noise ordinance standard for mobile equipment to be used during grading is 75 dBA at the nearest residence. There is no feasible alternative equipment that can move earth in economical quantity without creating peak noise levels near 90 dBA. Spherically radiating point sources of noise emissions are atmospherically attenuated by a factor of 6 dB per doubling of distance, or about 20 dB in 500 feet of propagation. The loudest earth-moving noise sources will therefore sometimes be detectable above the local background beyond 1,000 feet from the construction area. An impact radius of 1,000 feet or more pre-supposes a clear line-of-sight and no other machinery or equipment noise that would mask Project construction noise. With buildings and other barriers to interrupt line-of-sight conditions, the potential "noise envelope" around individual construction sites is reduced.

FIGURE XI-1

TYPICAL CONSTRUCTION EQUIPMENT NOISE GENERATION LEVELS



Source: EPA PB 206717, Environmental Protection Agency, December 31, 1971, "Noise from Construction Equipment and Operations."

Construction noise impacts are, therefore, somewhat less than that predicted under idealized input conditions. However, because of distance separation to the site, construction noise impacts are likely to provide a temporary annoyance for site adjacent sensitive receptors since the closest residences are only 50 feet from the Project boundary. Construction noise impacts may temporarily exceed the City of Lake Elsinore construction noise standards. Because of the small construction site, noise mitigation through berms or temporary noise walls is not considered feasible. Short-term construction activity noise generation impacts are considered temporarily significant.

CONSTRUCTION ACTIVITY VIBRATION

Construction activities generate ground-borne vibration when heavy equipment travels over unpaved surfaces or when it is engaged in soil movement. The effects of ground-borne vibration include discernible movement of building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. Within the "soft" sedimentary surfaces of much of Southern California, ground vibration is quickly damped out. Because vibration is typically not an issue, very few jurisdictions have adopted vibration significance thresholds. Vibration thresholds have been adopted for major public works construction projects, but these relate mostly to structural protection (cracking foundations or stucco) rather than to human annoyance.

Vibration is most commonly expressed in terms of the root mean square (RMS) velocity of a vibrating object. RMS velocities are expressed in units of vibration decibels. The range of vibration decibels (VdB) is as follows:

65 VdB - threshold of human perception
72 VdB - annoyance due to frequent events
80 VdB - annoyance due to infrequent events
100 VdB - minor cosmetic damage

To determine potential impacts of the Project's construction activities, estimates of vibration levels induced by the construction equipment at various distances are presented below:

	Approximate Vibration Levels (VdB)*			
Equipment	**25 feet**	**50 feet**	**100 feet**	**200 feet**
Large Bulldozer	87	81	75	69
Loaded Truck	86	80	74	68
Jackhammer	79	73	67	61
Small Bulldozer	58	52	46	40

* (FTA Transit Noise & Vibration Assessment, Chapter 12, Construction, 1995)

The on-site construction equipment that will create the maximum potential vibration is a large bulldozer. The stated vibration source level in the FTA Handbook for such equipment is 87 VdB at 25 feet from the source. By 50 feet the vibration level dissipates to 81VdB.

The nearest residential structures to the Project site, are to approximately 50 feet from occasional heavy equipment activity. Vibration levels from heavy equipment could thus occasionally be at the 80 VdB annoyance threshold for infrequent/temporary events at the nearest off-site homes. However, vibration levels will not exceed the building damage threshold and will be perceived as being "barely perceptible". Construction activity vibration impacts are judged as less-than-significant.

OFF-SITE PROJECT-RELATED VEHICULAR NOISE IMPACTS

Long-term noise concerns from the increase of commercial uses at the Project site are primarily based on vehicular operations on Project area roadways. These concerns were addressed using the California specific vehicle noise curves (CALVENO) in the federal roadway noise model (the FHWA Highway

Traffic Noise Prediction Model, FHWA-RD-77-108). The model calculates the Leq noise level for a reference set of input conditions, and then makes a series of adjustments for site-specific traffic volumes, distances, speeds, or noise barriers.

Table XI-2 *Traffic Noise Impact Analysis (dBA CNEL at 50 feet from centerline)*, summarizes the 24-hour CNEL level at 50 feet from the roadway centerline along seven roadway segments. The noise analysis utilizes data from the Project traffic analysis, prepared by the traffic consultant for this Project. Two traffic scenarios were evaluated; existing and existing with Project.

Table IX-2
Traffic Noise Impact Analysis
(dBA CNEL at 50 feet from centerline)

Segment	Existing	Existing w/Project
Grand Ave (SR-74)/NW of MHP Dwy/	70.1	70.5
MHP Dwy-Project Access	70.1	70.4
Project Access-Serena Way	70.1	70.2
SE of Serena Way	70.0	70.2
Mobile Home Pk Dwy/NE of Grand Ave	49.3	49.3
Project Access/NE of Grand Ave	NA	59.6
Serena Way/NE of Grand Ave	53.8	53.8

As shown in Table XI-3, *Project Only Impact (dBA CNEL at 50 feet from centerline),* Project implementation in the opening year does little to change the traffic noise environment. The largest Project related impact is +0.4 dB CNEL at 50 feet from the roadway centerline along Grand Avenue at the Project access roadway. This increase is much less than the +3 dB significance threshold. Project related traffic noise increases are less-than-significant.

Table XI-3
Project Only Impact
(dBA CNEL at 50 feet from centerline)

Segment	Project Impact
Grand Ave (SR-74)/NW of MHP Dwy/	0.4
MHP Dwy-Project Access	0.4
Project Access-Serena Way	0.1
SE of Serena Way	0.1
Mobile Home Pk Dwy/NE of Grand Ave	0.0
Project Access/NE of Grand Ave	NA
Serena Way/NE of Grand Ave	0.0

MHP=Mobile Home Park

SITE OPERATIONAL NOISE

Operation of the Wake Rider Resort will generate a variety of potential noise sources. In areas where commercial and residential uses share a common property line, it is often not the overall magnitude of the noise that leads to conflict. It is more typically some unique aspect of the noise event that causes conflicts. Early morning deliveries and back-up alarms are sources that can create noise conflicts in a mixed use environment. Care must be taken to ensure that the residential uses adjacent to the Project area are adequately shielded from the on-site commercial noise.

Similarly, late evening commercial activities can create a noise nuisance to adjacent sleeping residences. Drive-through restaurant menu board speakers can be a late-evening nuisance. If sit-down quality restaurant have patio seating, or audible music or voices, they can also create land use conflicts if such activities extend into late evening hours. The largest potential noise conflict from proposed restaurant uses and adjacent residences is from late-evening operation. If the restaurant proposes amplified music or voice, that conflict could occur throughout the evening. Noise conflict from restaurant uses can also occur during clean-up operations late in the evening when trash is dumped, water is sprayed under pressure for removing waste and employees interact with raised voices or "boom box" music. As noted above, the CUP process is designed to restrict noise-related land use conflict. Rescission of a CUP, however, can be a cumbersome process. The most effective noise nuisance control mechanism is to place a relatively short CUP renewal time-table to provide ample opportunity to confirm compliance with intended noise nuisance abatement measures.

The City of Lake Elsinore Municipal Code, Chapter 17.176, restricts refuse collection vehicles to between the hours of 7 a.m. and 7 p.m. adjacent to a residential or noise sensitive area. The Municipal Code also regulates loading or boxes, crates and building materials to between the hours of 7 a.m. and 10 p.m. adjacent to a residential property line. Therefore, the Wake Rider Beach Resort shall restrict deliveries to shops and restaurants to these hours.

All residential uses require sufficient distance separation from commercial buildings to prevent HVAC mechanical equipment on building roofs from being a nuisance. If this is not possible, the HVAC equipment will need to be shielded. These details also must be dealt with during the design stage. A typical HVAC equipment noise level is 50 dB at 10 feet from the source. The City's daytime noise standard is 50 dB. However, the nocturnal residential ordinance standard is 40 dB. That standard is met approximately 30 feet from a single mechanical equipment source. Multiple units may have a larger noise impact "envelope." The operation of multiple HVAC or other mechanical equipment units must therefore be screened from a direct line-of-sight to any off-site residences.

Commercial uses with a potential for noisy activities such food establishments, particularly if an entertainment venue is planned, typically require a conditional use permit (CUP). The CUP contains measures specifically designed to minimize impacts, including noise. Mechanisms, such a permit conditions, are in place to ensure that the Project site will maintain compatibility with respect to noise generation.

The City of Lake Elsinore limits noise exposure at the property lines residential uses. Residential noise exposure is limited to a 50 dB L_{50} daytime and 40 dB L_{50} nocturnal maximum. The maximum allowable single-event noise at any residential property line is 70 dB from 7 a.m. to 10 p.m., and 60 dB from 10 p.m. to 7 a.m. On-site commercial uses must be able to demonstrate that these thresholds are met at the nearest property lines unless levels are shown to exceed the most stringent standards.

PARKING LOT NOISE

Wake Rider parking will be located at the northern Project perimeter adjacent to the mobile home park. All mobile homes are single story. A 6-foot block wall built at the Project perimeter would provide

approximately 6 dB of noise protection for the single story mobile park uses.

The Project traffic report estimates that the peak traffic hour will be in the afternoon and that there will be a total of 150 vehicles both entering and leaving the site. The noise level associated with 150 vehicles traveling at a speed of 25 mph is 52 dB Leq at 50 feet from the drive aisle if a single receiver were exposed to all 150 vehicles. The proposed 6-foot wall would provide at least 6 dB of noise protection such that noise levels would be less than the daytime noise standard. Very little traffic would be generated past 10 p.m. at the Wake Rider Beach Resort.

All noise generated in the parking lot would be of short duration. Experience has shown that parking activity noise tends more to be a nuisance rather than causing any violation of standards. Parking lot activities may be audible from time to time but are generally not perceived as being loud. The proposed 6-foot block wall will assist in mitigating any parking lot nuisance noise generated by the Project.

Drive-thru Menu Board

The most significant noise generator at a commercial use facility such as the proposed fast food restaurant is the menu board. The menu board will be located on the northern side of the restaurant along Grand Avenue. The nearest single family use to the east is approximately 91 feet from the order board and the nearest mobile home to the west is approximately 115 feet. However, few homes will have direct line-of-sight to the order board. Intervening buildings will reduce the direct noise for all but a few residences.

Data was obtained from a representative menu board manufacturer, HM Electronics though this vendor has not been selected for use at this Project site. The data is presented in terms of Sound Pressure Levels (SPL). SPL is the noise generated when the menu sound board is operating.

An option offered by the manufacturer incorporates automatic volume control (AVC). AVC will adjust the outbound volume based on the outdoor ambient noise level. When ambient noise levels naturally decrease at night, AVC will reduce the outbound volume on the system. The following data are provided by the manufacturer for different distances from the speaker post, with and without AVC:

Distance from Speaker	Decibel Level of Standard System with 45 dB of outside noise without AVC	Decibel Level of Standard System with 45 dB of outside noise with AVC
1 foot	84 dBA	60 dBA
2 feet	78 dBA	54 dBA
4 feet	72 dBA	48 dBA
8 feet	66 dBA	42 dBA
16 feet	60 dBA	36 dBA
32 feet	54 dBA	-
50 feet	50 dBA	-

The vendor data assumes that the menu board is operating continuously and is therefore higher than actual noise levels from typical use. In reality, the speaker operates for a short time and then there is a delay while the cars queue.

Utilizing the vendor data, soundboard noise decays to 45 dB Leq at 91 and to 43 dB at 115 feet (distances to the closest sensitive uses). Although the single family homes to the east are closer than the mobile homes, in reality, the menu board would face away from the homes and face towards the mobile home park. Therefore, the noise level experienced at the nearest single family home would be less than 45 dB. However, this could exceed the City of Lake Elsinore 40 dB L_{50} nocturnal noise standard without the use of AVC. With an AVC system, menu-board noise levels will be well within City of Lake Elsinore nocturnal noise standards.

Restaurant Dining Patio Noise Impacts

Outdoor dining generally has soft background music and muted conversation. Larger assemblies of people can create a "cocktail party" effect where voices become progressively raised to be heart above a rising background level. This effect can be further fueled by alcohol consumption that frees normal inhibition. If amplified music is included in celebrations such as weddings or special days of celebration, noise conflicts may occur with the closest neighbors.

Depending upon location and orientation, our noise measurements for special outdoor events has observed noise levels of 80 dB at 20 feet from amplified loudspeakers. The City of Lake Elsinore noise ordinance standard could be exceeded to a distance of 600 feet under worst-case (direct line-of-sight) conditions. If the event lasted past 10 p.m., the noise impact zone could extend well over 1,000 feet from the event. However, any impacts can be minimized by temporary shielding, by orientation of any amplification and by activity time limits. With mitigation, these impacts can be reduced to less-than-significant levels. Noise protection measures will be incorporated into conditional use permit (CUP) conditions which any restaurant use must obtain prior to operation. CUP conditions should include periodic verification that special event sound control is adequate to meet City noise ordinance standards. Similarly, any late-night maintenance shall be conducted in a manner to preclude noise intrusion into adjacent off-site residences.

Mitigation Measures NOI-1 through NOI-5 will be implemented to reduce Project impacts to a less than significant level. No additional mitigation is required.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? Less Than Significant Impact with Mitigation Incorporation

Groundborne vibrations and noise can result from both the construction and grading of the site as well as operation and use of the property. The Project site has residential neighbors to the north and south. This means that there are adjacent residents to the proposed Project that could be exposed to groundborne vibration or noise. These adjacent residents could be bothered or adversely affected by the development of the Project site. According to the geotechnical study, there are no soil conditions on the site that require the use of unusual grading equipment or blasting which would result in the creation of excessive groundborne vibrations. However, development of the site may require some over-excavation to meet the building code requirements for a safe structural foundation. However it these impacts are considered to be less than significant because impacts because they should be of short duration and not a long term impact. In addition, people working near the heavy equipment will be exposed to high noise levels for short periods of time. This level, however, is below the Occupational Safety and Health Administration (OSHA) noise exposure limit of 90 dBA for 8 hours per day. The City and its private contractor are required to comply with OSHA requirements for employee protection during construction. Based upon these anticipated impacts and site development requirements, no significant impacts are anticipated and with the implementation of Mitigation Measure NOI-2 any impacts are expected to be further reduced to a non-significant level.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? Less Than Significant Impact

The Project will result in increase in ambient noise levels above existing levels without the Project. The site is currently vacant and does not noticeably contribute to ambient noise levels. Once constructed, the attached residential Project will result in a minor incremental increase in ambient noise levels. However any future noise generated by the Project will most likely be overshadowed by the roadway noise generated by vehicular traffic on Grand Avenue. Consequently any increase in ambient noise levels from the Project is not expected to be noticeable over any future roadway noise generated by vehicular traffic. As a result, no significant impacts are anticipated and mitigation measures are required.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? Less Than Significant Impact with Mitigation Incorporated

The Project will result in temporary increase in ambient noise levels above existing levels without the Project during Project construction. The site is currently vacant and does not noticeably contribute to ambient noise levels. Noise generated by construction equipment can reach high levels and there are a large number of residents in the mobile home park immediately located north of the Project that may be bothered by some of the construction noise. In many cases, there may be construction activities within a few feet of some of these residences. The residents of the single family homes south of the Project site are farther way and better insulated from any potential noise impacts. However, any potential impacts are expected to be mitigated to a level of insignificance through compliance with the provisions of the Municipal Code. Section 17.78.080.F of Lake Elsinore Municipal Code requires that all construction activities (except in emergencies) shall be limited to the hours of 7:00 a.m. to 7:00 p.m. and prohibited on Sundays and all legal holidays, that all construction activities shall comply with the noise ordinance performance standards where technically and economically feasible, and that all construction equipment shall use properly operating mufflers. The Project will result in a temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project; however these increases are be considered less than significant with the implementation of Mitigation Measure NOI-2.

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 expose people residing or working in the project area to excessive noise levels? No Impact

The Project site is not located within the influence area for any airport. The closest airfield is a private airstrip, Skylark Airport, which is located approximately 5 miles to the southeast of the site. Skylark Airport is use primarily by skydiving aircraft. As a result, no impacts are anticipated and no mitigation measures are required.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? Less Than Significant Impact

Skylark Field is located approximately 5 miles to the southeast of the Project site. Skylark Airport is used primarily by skydiving aircraft. Given the type of aircraft that routinely use the airfield and the distance to the Project site, no significant impacts are anticipated and no mitigation measures are required.

MITIGATION MEASURES

NOI-1 An automatic volume control (AVC) option should be mandated for use by the fast-food restaurant menu board.

NOI-2 Possible entertainment activities at any project restaurant shall be required to obtain a CUP to maintain compatibility with respect to noise generation and the CUP shall contain conditions to periodically verify compliance with applicable noise ordinance thresholds.

NOI-3 Any installed HVAC equipment must meet the City of Lake Elsinore noise ordinance standard at the residential project boundary through a selection of quiet equipment and physical shielding as needed.

NOI-4 Project related operational hours for loading activity and refuse collection is regulated by the City of Lake Elsinore Municipal Code as follows:

- Refuse collection vehicles shall restrict activity to between the hours of 7 a.m. and 7 p.m.
- Loading or boxes, crates and building materials is restricted to between the hours of 7 a.m. and 10 p.m. adjacent to a residential property line.

NOI-5 Short-term construction noise intrusion shall be mitigated by compliance with the City of Lake Elsinore Noise Ordinance. The allowed hours of construction are from 7 a.m. to 7 p.m. Monday through Friday. Because of the distance between the project and adjacent residential receivers, construction may be noisier than prescribed limits on occasion but are minimized by the following conditions:

- All equipment shall be equipped with properly operating and maintained mufflers.
- Equipment and materials shall be staged in areas that will create the greatest distance between construction-related noise sources and the noise-sensitive receptors nearest the project site during all project construction.
- All construction-related activities shall be restricted to the construction hours outlined in the City's Noise Ordinance.
- Haul truck and other construction-related trucks traveling to and from the project site shall be restricted to the same hours specified for the operation of construction equipment. To the extent feasible, haul routes shall not pass directly by sensitive land uses or residential dwellings.

XII. POPULATION AND HOUSING

a) Induce substantial 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

This mixed use commercial and recreational in-fill Project will not add any permanent people to the community's population. Any small increment as an indirect affect from the Project does not constitute the induction substantial 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). The existing General Plan designations for the Project site anticipates that commercial mixed uses and recreational uses would ultimately be constructed on the developable portions of the Project site. The proposed Project will result in an additional increment of areawide population growth consistent with the adopted General Plan. As a result, any impacts are considered less than significant and no additional mitigation measures are required.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? No Impact

The Project site is currently vacant. As a result, the Project will not displace any existing housing or residents. Consequently no impacts are anticipated; therefore, no mitigation measures are required.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? No Impact

Because the Project site is vacant, the Project will not displace a substantial numbers of people, necessitating the construction of replacement housing elsewhere. As a result, no impacts are anticipated; and no mitigation measures are required.

MITIGATION MEASURES

None required.

XIII. 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 Riverside County Fire Department provides fire protection and safety services to the City. The nearest fire station is Station No. 11, located at 33020 Maiden Lane, southwest of the Project site in Lakeland Village. Ambulance and paramedic services are provided by Goodhew Ambulance Service. The Project will participate in the Development Impact Fee Program as adopted by the City of Lake Elsinore to mitigate impacts to fire protection resources. This will provide funding for capital improvements such as land, equipment purchases, and fire station equipment. As a result, the Project will not result in activities that create significant impacts. Any impacts will be considered incremental and can be offset through the payment of the appropriate Development Impact Fee. This is a standard condition, and not considered unique mitigation under CEQA. Impacts are considered less than significant and no additional mitigation is required.

b) Police protection? Less Than Significant Impact

Police protection services are provided by the City's Police Department as part of the Riverside County Sheriff's Department. The nearest sheriff's station is located at 333 Limited Street in Lake Elsinore. Traffic enforcement is provided for Riverside County in this area by the California Highway Patrol with additional support from the local County Sheriff's Department. The Project shall participate in the Development Impact Fee Program as adopted by the City of Lake Elsinore to mitigate impacts to police protection resources. As a result, the Project will not result in activities that create significant impacts. Any impacts will be considered incremental and can be offset through the payment of the appropriate Development Impact Fee. This is a standard condition, and not considered unique mitigation under CEQA. Impacts are considered less than significant and no additional mitigation is required.

c) Schools? Less Than Significant Impact

The Project is commercial and recreational in nature and will not directly increase student enrollment at schools within the Lake Elsinore Unified School District (LEUSD). Based upon its current enrollment pattern, LEUSD has calculated typical student enrollment factors for elementary, middle and high schools within the District. To offset any potential impacts, the commercial development component of the Project is required to pay appropriate school. These fees, which are considered a standard condition, are payable prior to building permit issuance. As a result, any impacts are considered less than significant level after the payment of school mitigation fees. No other mitigation measures are required.

d) Parks? No Impact

The Project will not increase the areas permanent population and associated burden on parks in the area; thereby, resulting in the demand for parks and recreational facilities. Private recreational facilities will be provided on-site. It is not anticipated that persons patronizing the site will impact any adjacent parks. No impacts are anticipated and no mitigation measures are required.

e) Other public facilities? No Impact

The Project will not permanently increase the local population and subsequently result in an increase for the demand for other governmental services such as the library and the other community support services

commonly provided by the City of Lake Elsinore. No impacts are anticipated and no mitigation measures are required.

MITIGATION MEASURES

None required.

XIV. 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 Project will result in an 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; however, due to the commercial and recreational nature of the Project, these impacts are considered small and incremental. The Project will provide on-site recreational uses for use by patrons visiting the site; thereby, serving to mitigate any Project impacts and also filling the need for additional recreational resources in the City. Any impacts to existing facilities are considered less than significant and no additional mitigation is required.

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

The Project includes recreational amenities that are intended to meet a portion of the recreational demands of future, on-site visitors. Even though on-site recreational amenities are provided, with the influx of visitors to the site, implementation of the Project may still result in a very small increment of demand for park and recreation facilities that would need to be constructed within the community. This increment is considered less than significant and no mitigation measures are required.

MITIGATION MEASURES

None required.

XV. TRANSPORTATION/TRAFFIC

The following technical study was prepared to address issues related to traffic, and is available on the CD located in the back pocket of this IS/MND:

- "Wake Rider Beach Resort Traffic Study Lake Elsinore, California", prepared by RK Engineering Group, Inc, November 2, 2011 (Traffic Study)

a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? Less Than Significant Impact with Mitigation Incorporation

The Project is located on the east side of Grand Avenue which is also State Route 74. According to the General Plan, Grand Avenue is categorized as an Urban Arterial. The typical Urban Arterial is located within a 120 foot right-of-way and, at build-out, is expected to consist of three lanes in each direction separated by a 14 foot raised median. Additional turn/acceleration lanes may be provided at key intersections. The Project will result in additional vehicle trips on the citywide road network.

RK Engineering Group, Inc. (RK) prepared a Traffic Study for the Project in order to evaluate the Project from a traffic and circulation standpoint and to determine its impact on the existing and future street network.

The Project access point will be constructed between the existing mobile home park driveway and Serena Way, which are spaced approximately 400 feet apart. The Traffic Study determined if vehicle queuing at any of the three study area intersections will interfere with each other by blocking access.

The study area includes the following intersections:

North-South Street	East-West Street
Existing Mobile Home Park Driveway	Grand Avenue
Project Access	Grand Avenue
Serena Way	Grand Avenue

Existing Conditions

Exhibit C of the Traffic Study shows the City of Lake Elsinore Circulation Element and Exhibit D shows the Roadway Cross Sections. Exhibit E identifies the existing roadway conditions, number of through traffic lanes, and the intersection controls for the study area roadways. Grand Avenue (SR-74) is a 2-lane, undivided roadway in proximity to the Project site. There are stop signs at the mobile home park driveway and Serena Way, controlling access from these streets to Grand Avenue.

Existing traffic volumes on roadways throughout the study area are shown on Exhibit F of the Traffic Study. These volumes are based upon weekday peak hour and daily traffic data collected in October 2011 for RK. The Average Daily Trips (ADT) along Grand Avenue (SR-74) adjacent to the Project site is approximately 19,300 trips. The traffic count worksheets are included in Appendix A of the Traffic Study.

Trip Generation

Trip generation represents the amount of traffic that is produced and attracted by a development. Trip generation rates have been developed by the ITE (Institute of Transportation Engineers) in their Trip Generation Manual. Trip generation rates for the Project's land uses are shown in Table 1 of the Traffic Study. Trip generation rates are specific to the individual uses that are proposed for the Project. Both peak hour and daily trip generation, for the proposed, Project are shown in Table 2. The Project is projected to generate a total of 2,031 trip-ends per day, with 132 vehicles per hour during the AM peak hour and 150 vehicles per hour during the PM peak hour.

Trip Distribution

Trip distribution represents the directional orientation of traffic to and from a particular development. Trip distribution is heavily influenced by the geographical location of the site, the location of employment, commercial and recreational opportunities, and the proximity to the regional freeway system. The directional orientation of traffic was determined by evaluating existing and proposed land uses and highways within the community and existing traffic volumes. The trip distribution for this analysis has been based upon Existing conditions, based upon those highway facilities that are in place. Detailed routing assumptions are included on Exhibits G-1 (Project Inbound Traffic Distribution) and G-2 (Project Outbound Traffic Distribution). The assumptions used for inbound trips are: 60% arriving from the northwest making a left hand turn into the Project site, and 40% of these inbound trips arriving from the southeast, making a right hand turn into the Project site. Outbound movements show 100% of the departing trips making a right hand turn out of the Project site, with 60% of these outbound trips proceeding northwesterly along Grand Avenue beyond Macy Street and 40% of these outbound trips making a u-turn in order to proceed southeasterly on Grand Avenue.

Trip Assignment

The assignment of traffic from the site to the adjoining roadway system has been based upon the site's trip generation, trip distributions, and existing arterial highway and local street systems. Based upon the proposed Project trip generation and distribution, the traffic volumes attributable to the proposed Project are presented on Exhibit H (Project Traffic Volumes) of the Traffic Study. According to Figure H of the Traffic Study, the Project will add 812 ADTs on Grand Avenue southeasterly of the Project Access and 2,437 ADT on Grand Avenue northwesterly of the Project Access. Approximately 2,031 ADTs will be generated at the Project Access.

Existing Plus Project Traffic Volumes

Existing Plus Project traffic conditions include existing traffic volumes on surrounding roadways and Project traffic. The AM and PM peak hour intersection turning movement volumes and Average Daily Traffic (ADT) are shown on Exhibit I (Existing Plus Project Traffic Volumes) of the Traffic Study for Existing Plus Project traffic conditions. Whereas the existing Average Daily Trips (ADT) along Grand Avenue (SR-74) adjacent to the Project site is approximately 19,300 trips, according to Exhibit I, 20,100 ADTS are anticipated along Grand Avenue, southeasterly of the Project Access and 21,700 ADTs are anticipated along Grand Avenue, northwesterly of the Project Access.

Synchro/SimTraffic Analysis for Existing Plus Project Conditions

A capacity and queuing analysis was performed using Synchro, a deterministic and macroscopic signal analysis software program, and SimTraffic, a microscopic and stochastic simulation program. Both these are deemed as appropriate for analysis per the City of Lake Elsinore Engineering Division. The analysis was performed for the three study area intersections listed above on Grand Avenue (which includes the Project access point). The Synchro/SimTraffic analysis studied the Existing Plus Project conditions.

The Synchro/SimTraffic models are useful in analyzing closely spaced intersections and roadway corridors. Synchro helps to determine operational impacts and potential queuing problems from one intersection to the next. This queuing can adversely affect traffic operations, even though an individual intersection may be operating at an acceptable Level of Service (LOS).

The Synchro/SimTraffic analysis evaluates the operations at each of the three study area intersections and the progression of traffic flow along Grand Avenue adjacent to the proposed site based upon existing lane geometry and traffic controls. The analysis assumes restricted turning movements are allowed at the Project access and an exclusive left-turn lane into the site on Grand Avenue.

For Existing Plus Project conditions, the Synchro analysis indicates that all three study area intersections are projected to operate at an acceptable LOS, with minimal queuing. Grand Avenue eastbound left turns at all three (3) of the study area intersections are expected to operate at LOS B or better during the peak hours. Southbound turns onto Grand Avenue are expected to operate at LOS D or better at the mobile home park driveway and Serena Way. Levels of Service for each study intersection are shown on Table 3 of the Traffic Study. In addition, vehicle queues at each of the three locations are expected to be one vehicle in length during both of the peak hours studied.

The SimTraffic model shows efficient progression and movement of the traffic along the roadway segment, with minimal queuing or delay. Turning movements at each of the three access points are not expected to interfere with each other, nor are they expected to have an adverse impact to traffic flow along Grand Avenue.

As described above, an exclusive left-turn lane is recommended on the Grand Avenue eastbound approach to the proposed Project access. The left-turn lane would improve safety operations at the proposed intersection by separating vehicles slowing and waiting to turn left from the mainline traffic. Due to the expected queue length at the proposed Project access intersection with Grand Avenue, a minimum left-turn pocket of 50 feet is recommended, which provides sufficient storage for two vehicles and an area of deceleration.

Level of Service (LOS)

The current technical guide to the evaluation of traffic operations is the *Highway Capacity Manual* (HCM2000). The HCM defines level of service as a qualitative measure that describes operational conditions within a traffic stream, generally in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety. The criteria used to evaluate LOS conditions vary based on the type of roadway and whether the traffic flow is considered interrupted or uninterrupted.

Study area intersections that are stop sign controlled with stop control on the minor street only have been analyzed using the unsignalized intersection methodology of the HCM. For these intersections, the calculation of LOS is dependent on the occurrence of gaps occurring in the traffic flow of the main street. Using data collected describing the intersection configuration and traffic volumes at these locations, the LOS has been calculated. The LOS is determined based on the worst individual movement or movements sharing a single lane.

The analysis shows that left turn movements exiting the Project site will create conflict at the Project access intersection and result in an unacceptable LOS in the PM peak hour. It is recommended that left-turns not be allowed for traffic exiting the site in order to ensure an acceptable LOS of D or better. It is recommended that an eastbound exclusive left-turn lane on Grand Avenue be striped, as shown on the attached Conceptual Striping Plan (Exhibit J of the Traffic Study), for vehicles entering the Project site. Also, traffic exiting the Project site should be restricted to right turns only. A painted channelized median and proper signage should be installed to restrict left turns out, as shown in Exhibit J of the Traffic Study. Mitigation Measure TR-1 requires that prior to occupancy, street improvements, signing and striping on

Grand Avenue along the Project frontage shall be installed as directed by Caltrans and the City.

In addition, the developer will be required to mitigate any Project impacts by paying its fair share toward the City of Lake Elsinore's Development Impact Fee program and the regional Transportation Uniform Mitigation Fee (TUMF) program. These requirements are included in Mitigation Measures TR-2 and TR-3. With the inclusion of the three mitigation measures, any impacts are anticipated to remain at a less than significant level.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? Less Than Significant Impact

The Project will not exceed, when analyzed cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways. Please reference the discussion under Item XV.a. above. Grand Avenue in front of the Project site is not designated as a Congestion Management Program (CMP) roadway. Consequently, the Project will not significantly affect the designated CMP road network. As a result, no significant impacts are anticipated.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? No Impact

The Project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. None exist on-site or are proximate to this site. No impacts are foreseen; therefore, no mitigation measures are required.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? Less Than Significant Impact With Mitigation Incorporation

The Project will not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Access and roadway improvements will be designed to comply with design criteria contained in the Caltrans Design Manual and other City requirements and standards. Sight distance and signing and pavement striping to and at the Project driveways will be reviewed at the time of final grading, landscape and street improvement plans. Mitigation Measure TR-1 requires street improvements, signing and striping on Grand Avenue along the Project frontage shall be installed as directed by Caltrans and the Cit Prior to occupancy. With the implementation of this mitigation measure, Project impacts will be considered less than. No additional mitigation is required.

e) Result in inadequate emergency access? Less Than Significant Impact

The Project has no potential to result in inadequate emergency access. Access to and from the Project will be provided via Grand Avenue (State Route 74) via a single driveway. While there is always the potential for access problems when relying on a single driveway to access an arterial street, the potential for inadequate emergency access is considered to be minimal and non-significant. As a result, no significant impacts are anticipated and no mitigation is required.

f) Result in inadequate parking capacity? Less Than Significant Impact

The Project will not result in inadequate parking capacity. On-site parking spaces will be required in accordance with the City's Zoning Code requirements for multi-family residences. The Zoning Ordinance requires the Project to provide 154 spaces. The Project will provide a total of 155 parking spaces. As a result, no impacts are anticipated and no mitigation is required.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? Less Than Significant Impact

The General Plan requires that a Class II bikeway be provided along Grand Avenue in front of the Project. The Class II bikeway is incorporated into the standard street cross-section for Urban Arterial roadways. In addition, the Riverside Transit Agency (RTA) Route 8 bus travels along this section of Grand Avenue as part of its route around the west side of Lake Elsinore between Outlet Center and the community of Wildomar.
(http://www.riversidetransit.com/home/images/stories/DOWNLOADS/ROUTES/008.pdf)

This route offers daily services between the hours of 5:45 a.m. and approximately 7:45 p.m. on weekdays and between the hours of approximately 6:30 a.m. and 6:30 p.m. on weekends. The Project is not in conflict with other transit policies or programs. As a result, no significant impacts are expected and no mitigation is required.

MITIGATION MEASURES

TR-1 Prior to occupancy, street improvements, signing and striping on Grand Avenue along the Project frontage shall be installed as directed by Caltrans and the City.

TR-2 Prior to the issuance of any building permit, the developer shall pay the appropriate locally designated Development Impact Fees.

TR-3 Prior to issuance of any building permit, the developer shall pay the appropriate Transportation Uniform Mitigation Fee.

XVI. UTILITIES AND SERVICE SYSTEMS

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Less Than Significant Impact

The Santa Ana RWQCB regulates wastewater discharges within the drainage area around Lake Elsinore. The proposed residential Project will be connecting to the wastewater treatment system operated by the EVMWD. As discussed in Sections XVI.b. and XVI.e, the sewer services provided by EVMWD are currently available in Grand Avenue adjacent to the Project site and the Project site is within the anticipated service area for the District. The development of the Project is not expected to create any exceedances in wastewater treatment standards. While the Project will contribute an additional increment of wastewater flow to EVMWD's wastewater treatment facilities, the Project will also contribute connection fees to address infrastructure impacts and monthly service charges to address operational impacts. As a result, no significant impacts are anticipated and no additional mitigation measures are required. (Urban runoff-related water quality impacts associated with Project construction and operation are discussed in Section VIII of this Initial Study.)

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Less Than Significant Impact

The Project is within the service boundary for the Elsinore Valley Municipal Water District (EVMWD) which has indicated an ability to provide water and wastewater service to the Project. Service Planning Letter #2430-0, dated April 24, 2012 was obtained from EVMWD indicates that EVWMD has the capacity and intent to service the water and wastewater needs of the Project. Therefore, , the Project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities; the construction of which could cause significant environmental effects. As a result, any potential impacts are considered incremental and less than significant. Other than the standard requirements to connect to the District's water supply and wastewater treatment networks and the payment of connection fees, no additional mitigation is required.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Less Than Significant Impact

The Project will not result in the construction or expansion of new areawide storm drainage facilities. The Project will connect to the existing drainage facility located immediately adjacent to the site. These connections would convey on-site runoff into the existing drainage system after treatment by the best management practices identified in the Water Quality Management Plan (and discussed in Section VIII of this Initial Study). Since no new or expanded storm drain facilities are proposed, no significant impacts are anticipated and mitigation measures are required.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? Less Than Significant Impact

Reference Response XVI. B. The Project will create additional demand for potable water supplies, however this additional increment is considered to be less than significant, as EVWMD has the capacity and intent to service the water and wastewater needs of the Project. Other than the standard mandatory connection and services fees and installation of onsite utility infrastructure, no additional mitigation is required.

e) 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

As described above, the Project will result in an additional increment of demand for wastewater treatment capacity. According to the best available data, there is expected to be sufficient wastewater treatment capacity to handle the additional increment generated by this Project within the existing system. The collection and treatment systems are also addressed in responses XVI.a and XVI.b above. Because impacts are minor and incremental, they are considered to be less than significant. Other than the standard mandatory connection and services fees and installation of onsite utility infrastructure, no additional mitigation is required.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Less Than Significant Impact

The proposed Project will generate demand for solid waste service system capacity and has a potential to contribute to potentially significant cumulative demand impacts on the solid waste system. The proposed Project will generate demand for solid waste service system capacity.

According to the Section 3.16 (Utilities and Service systems) of the General Plan EIR, implementation of the General Plan will result in population increases and increases in commercial, industrial and other non-residential uses which would potentially impact solid waste disposal services and the capacity of landfill facilities that serve the City. As shown in Table 3.16-12 (Projected Increase in Solid Waste Generation – General Plan Buildout - 2030), implementation of the General Plan would generate an additional 719 tons per day of solid waste, or 175,493 tons of solid waste per year at buildout. However, pursuant to the Integrated Waste Management Act, the State of California has established 50 percent as the minimum waste reduction rate for all cities. According to the California Department of Resources Recycling and Recovery's "Jurisdictional Profile for City of Lake Elsinore", the City had a diversion rate of 50 percent in 2006. Compliance with State law will result in a minimum of 50 percent of the estimated increase in City's generated solid waste being diverted from landfills.

Therefore, the maximum estimated increase in solid waste that would be placed into landfills at General Plan buildout (2030) would be 87,747 tons per year. This represents approximately 2.1 percent of the current combined daily permitted capacity (25,054 tons per day) of all landfills currently serving the City. Although buildout of the General Plan will result in an increase in the amount of solid waste that is sent to landfills, the remaining combined capacity at the landfills is sufficient to accommodate buildout of the General Plan.

The Project is not expected to create solid wastes other than typical municipal solid waste consistent with the General Plan expectations for the area. Combined with the City's mandatory source reduction and recycling program, the Project is not forecast to cause any significant adverse impact to the solid waste management system. Impacts, while incremental, are considered less than significant and no additional mitigation is required.

g) Comply with federal, state, and local statutes and regulations related to solid waste? Less Than Significant Impact

The Project will comply with federal, state, and local statutes and regulations related to solid waste. Please refer to Response XVI.f., above. The Project does not any propose activities that would conflict with the any applicable programmatic requirements. In addition, any future development shall comply with construction and debris removal and recycling requirements and shall contract with the City's waste hauler/franchisee for all bins and their removal in accordance with City Ordinance. As a result, the Project will comply with all of the applicable requirements and any impacts will be less than significant. No additional mitigation measures are required.

MITIGATION MEASURES

None required.

V. MANDATORY FINDINGS OF SIGNIFICANCE

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

a) Does the project have the potential to 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, 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? Less Than Significant Impact with Mitigation Incorporation

Based on evaluations and discussions contained in this IS/MND, the Project has a very limited potential to incrementally degrade the quality of the environment because the site was previously developed, is not in an environmentally sensitive location, and is consistent with the City General Plan. As a result, the Project will not significantly affect the environment with mitigation measures contained in this IS/MND.

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.) Less Than Significant Impact with Mitigation Incorporation

The Project will have impacts that are individually limited but are not cumulatively considerable with mitigation measures. No cumulative environmental impacts have been identified in association with the Project that cannot be mitigated to a less than significant impact level or that were not identified through the City's General Plan program. Given that the Project's impacts are less than significant, cumulative impacts are also not foreseen to be significant.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? Less Than Significant Impact with Mitigation Incorporation

The Project does not have the potential to significantly adversely affect humans, either directly or indirectly with mitigation measures. While a number of the Project impacts were identified as having a potential to significantly impact humans, with the identified mitigation measures and standard requirements these impacts are expected to be less than significant. With implementation of the identified measures, the Project is not expected to cause significant adverse impacts to humans. All significant impacts are avoidable and the City will ensure that measures imposed to protect humans are implemented.

VI. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. CITY OF LAKE ELSINORE

- Kirt Coury, Planning Consultant
- Pat Kilroy, Director of Lake and Aquatic Resources
- Ken Seumalo, Director of Public Works, City Engineer

B. ENVIRONMENTAL CONSULTANTS

- RK (Traffic)
- Mike Medofer (Hydrology, WQMP)
- Manée Consulting (General Biological and Palm Tree)
- Brian F. Smith and Associates, Inc. (Jurisdictional delineation)
- CRM Tech (Cultural)
- Geosoils, Inc. (Geotechnical and Phase 1 Environmental)
- Giroux & Associates (AQ, GHG and Noise)

C. OTHER AGENCY REPRESENTATIVES

None.

MITIGATED NEGATIVE DECLARATION 2012-12– City of Lake Elsinore

The following Mitigated Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.

Project Name: Wake Rider Beach Resort: Commercial Design Review (CDR 2011-03), Conditional Use Permit (CUP 2011-03), Tentative Parcel Map 35869, and Zone Change (ZC 2011-01)

Project Applicant: John Gamble, 612 Tranquility Glen, Escondido, CA 92027

Project Location: Eastside of Grand Avenue between Macy Street and Serena Way in the City of Lake Elsinore, County of Riverside (APN 381-030-005) and located at 33° 39' 37.5" N, 112° 22' 41" W.

Project Description: A commercial mixed use project, which consists of five buildings totaling 62,437 square feet, with associated on-site and off-site improvements, including hardscape and landscaping. More specifically, the on-site Project improvements consists of a 4,327 square foot retail/office building, three (3) buildings 18,303 square feet, 19,274 square feet and 13,511 for a proposed hotel, and a 7,022 square foot restaurant. The Project also includes a dock that will extend into Lake Elsinore (Lake). The dock will be approximately 175'-6" in length, 10 slips, each 14'-7" deep and 9'-9" wide.

FINDING

This is to advise that the City of Lake Elsinore, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environmental and is proposing this Mitigated Negative Declaration based upon the following findings:

☐ The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ The Initial Study identifies potentially significant effects but:

(1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

(2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.

(3) Mitigation measures are required to ensure all potentially significant impacts are reduced to a less than significance level.

A MITIGATED NEGATIVE DECLARATION will be prepared.

If adopted, the Mitigated Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the City of Lake Elsinore, Planning Division, 130 South Main Street, Lake Elsinore, CA 92530.

NOTICE

The public is invited to comment on the proposed Mitigated Negative Declaration during the review period.

Date of Determination **Warren Morelion, Planning Manager**

ATTACHMENT A - FIGURES

Figure 1 – Location Map

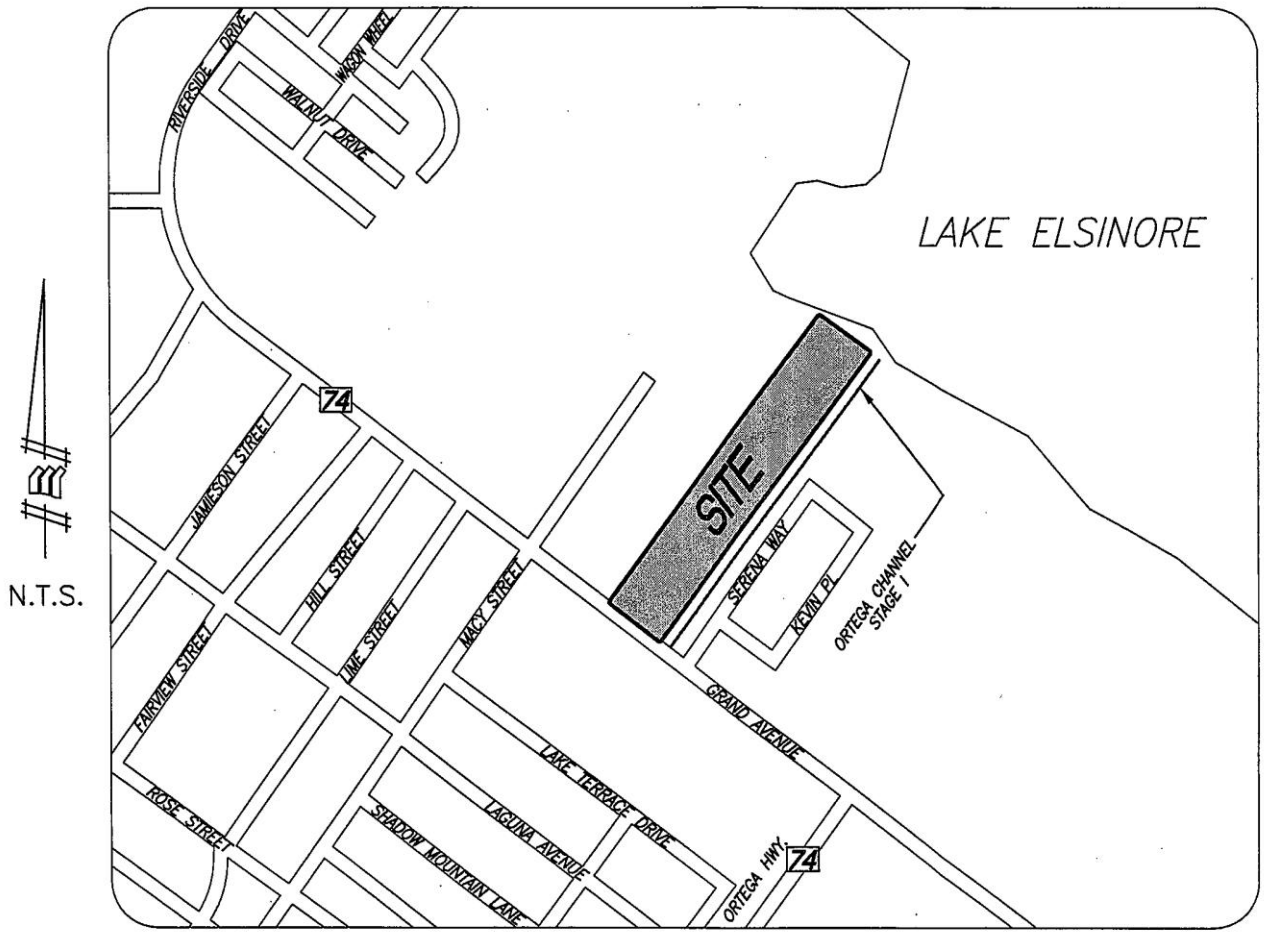


Figure 2A – Site Plan, Lakefront Portion

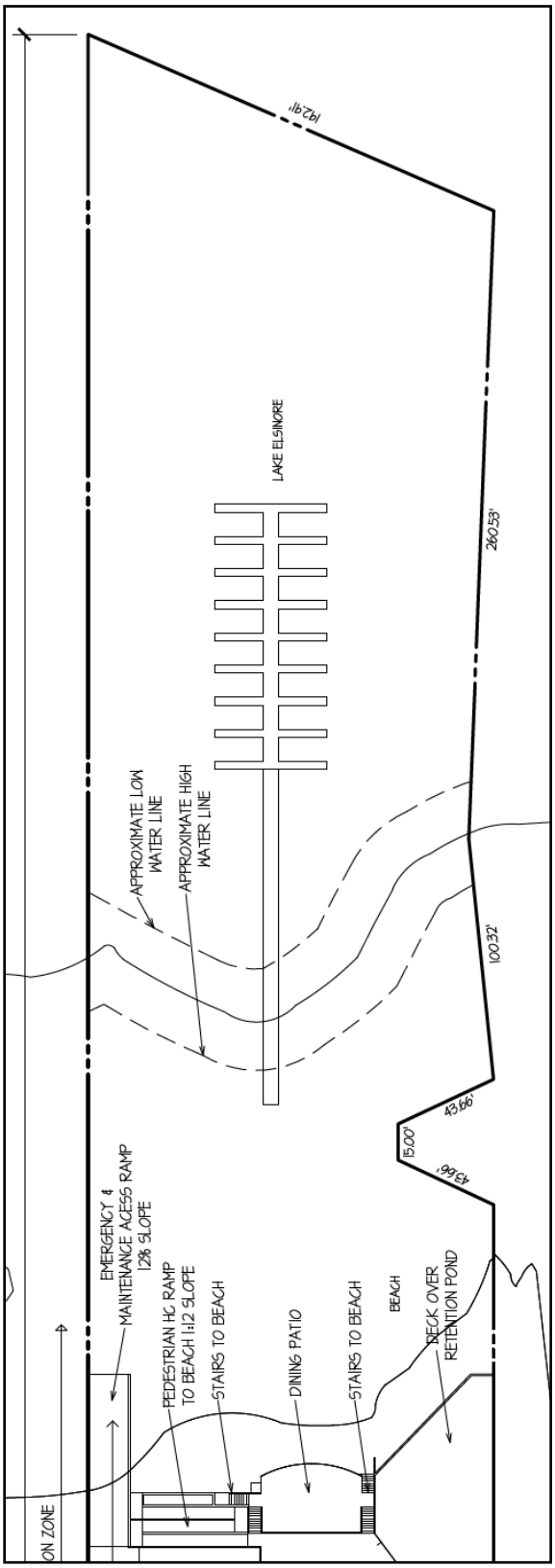


Figure 2B – Site Plan, Grand Avenue Fronting Portion

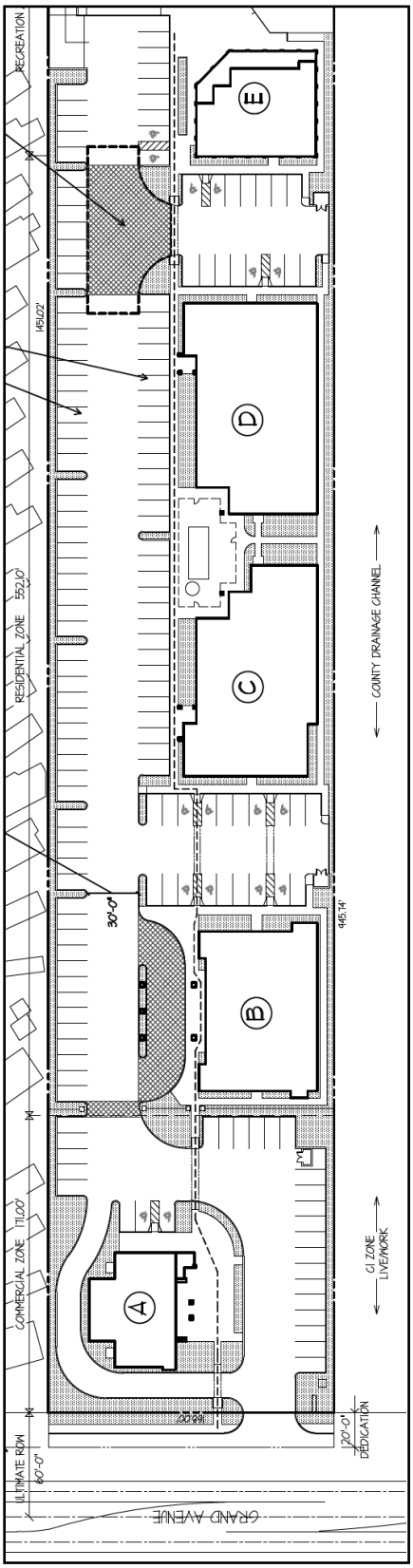


Figure 3 – Dock Detail

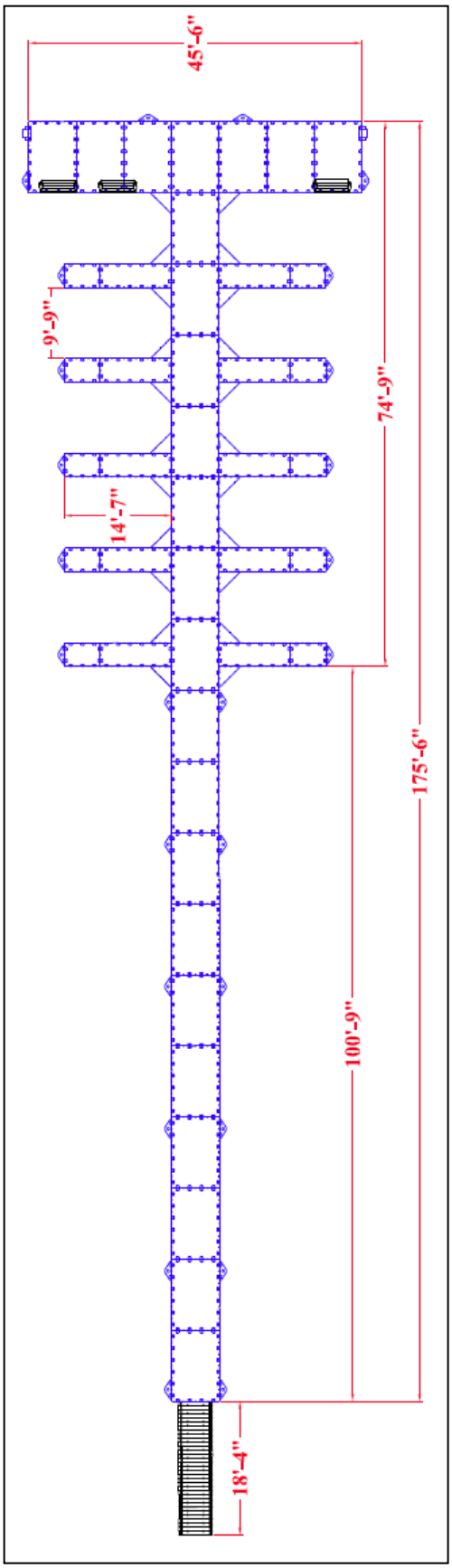


Figure 4A – Elevations (Building A)

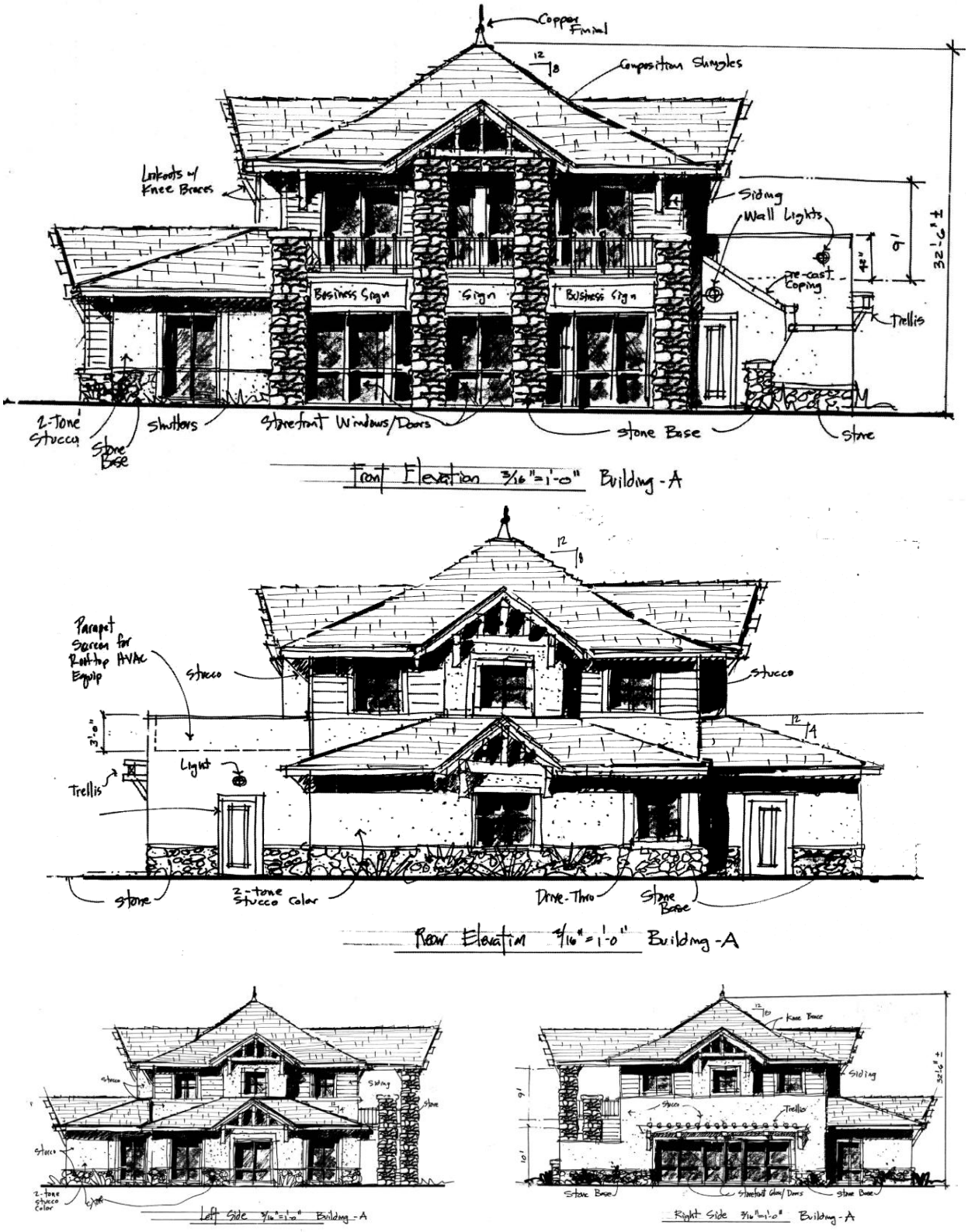


Figure 4B – Elevations (Building B)

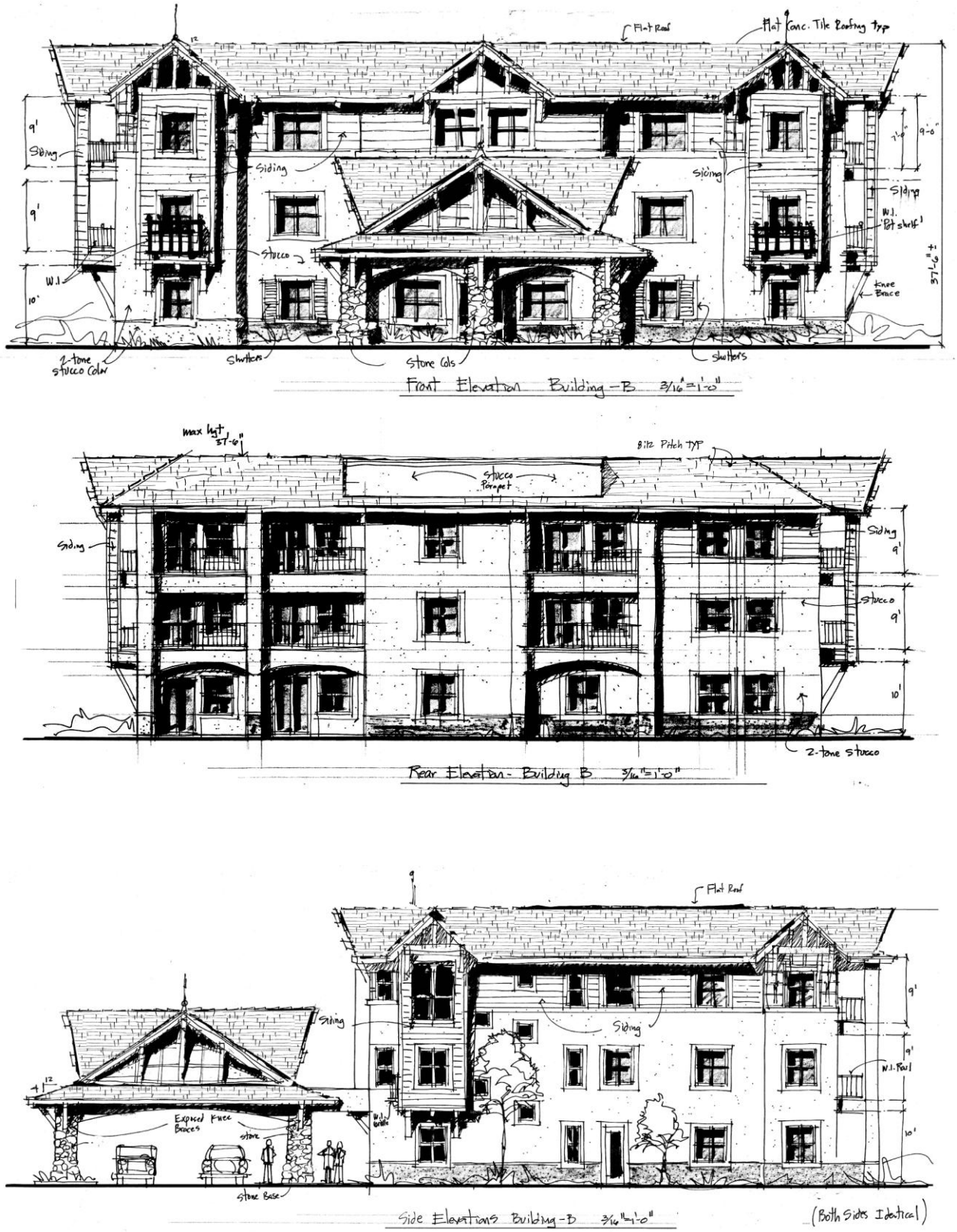


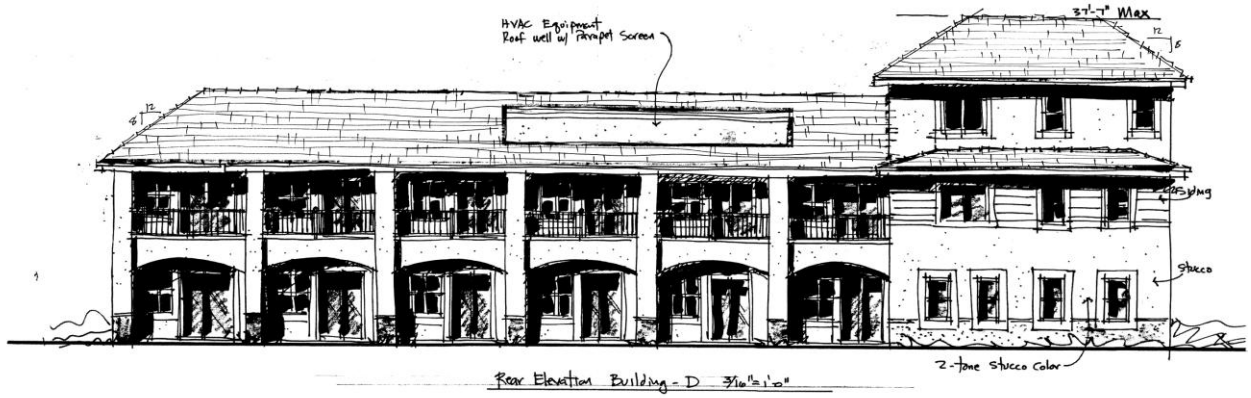
Figure 4C – Elevations (Building C)

Front Elevation Building - C 3/16"=1'-0"

Rear Elevation Building - C 3/16"=1'-0"

Building - C Left Side 3/16" = 1'-0"
(Right Side Similar

Figure 4D – Elevations (Building D)



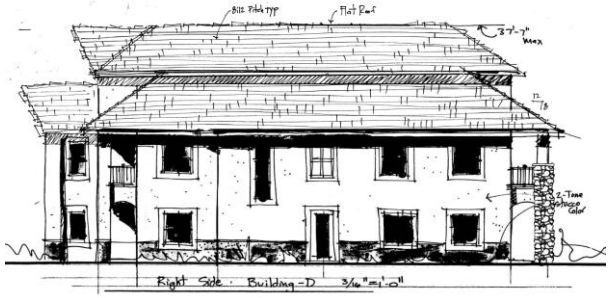
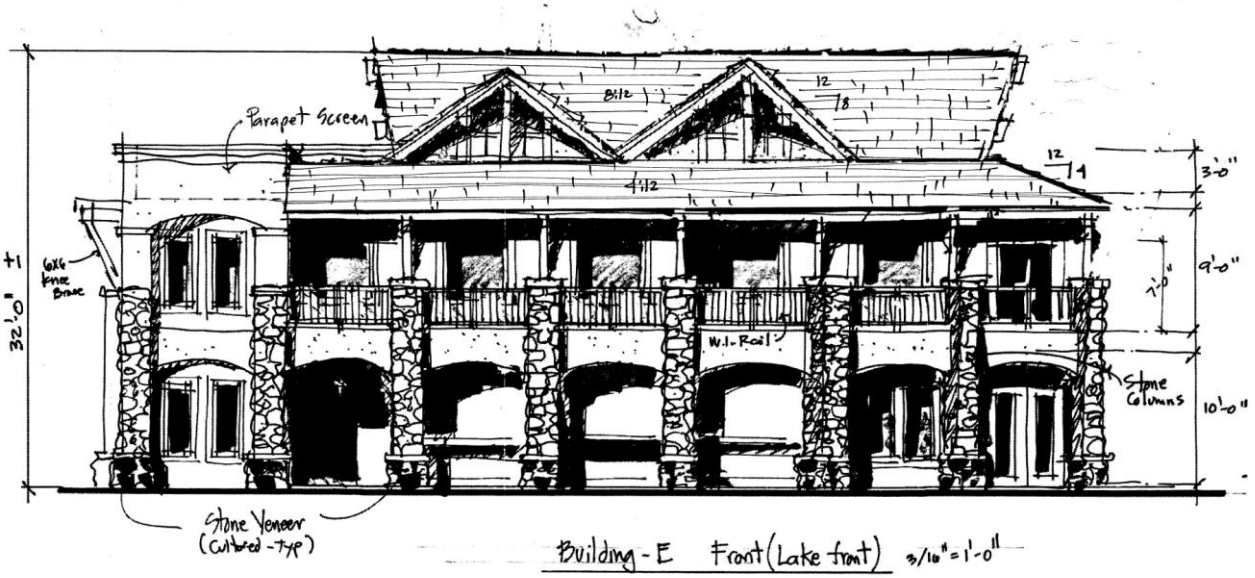
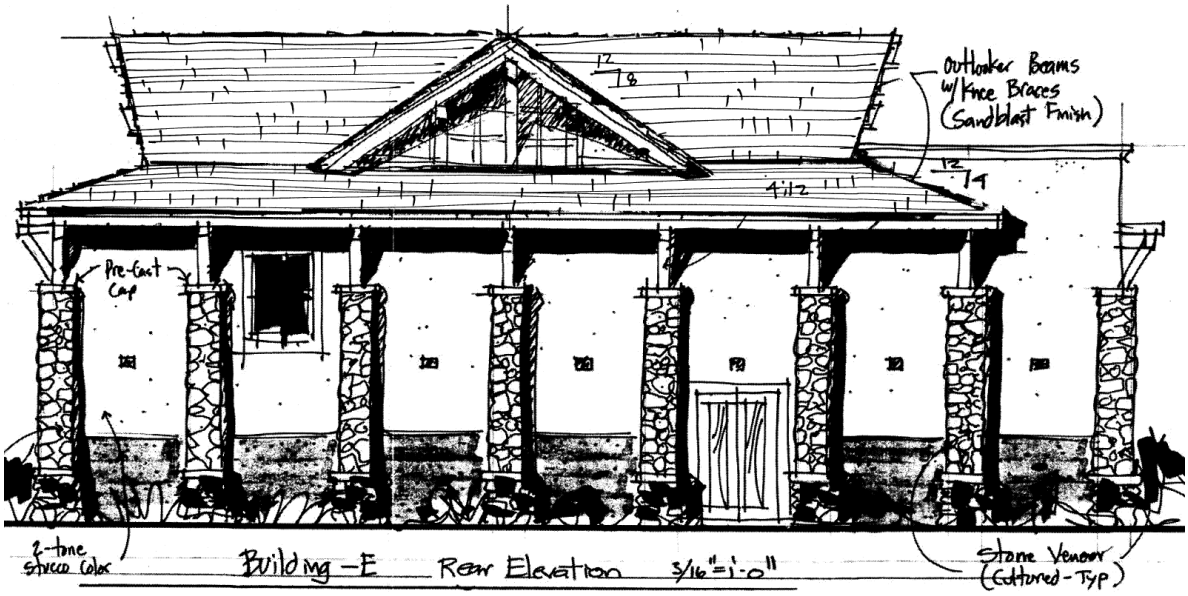
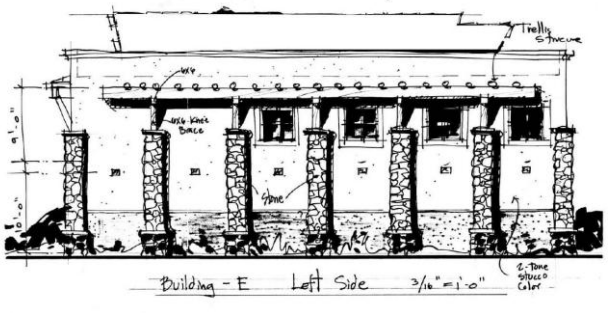


Figure 4E – Elevations (Building E)







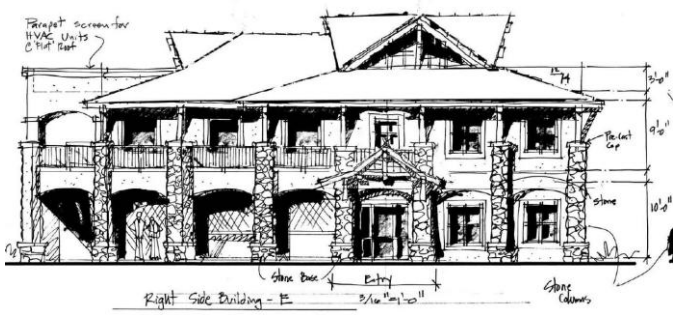


Figure 5 – Tentative Parcel Map (TTM 35869)

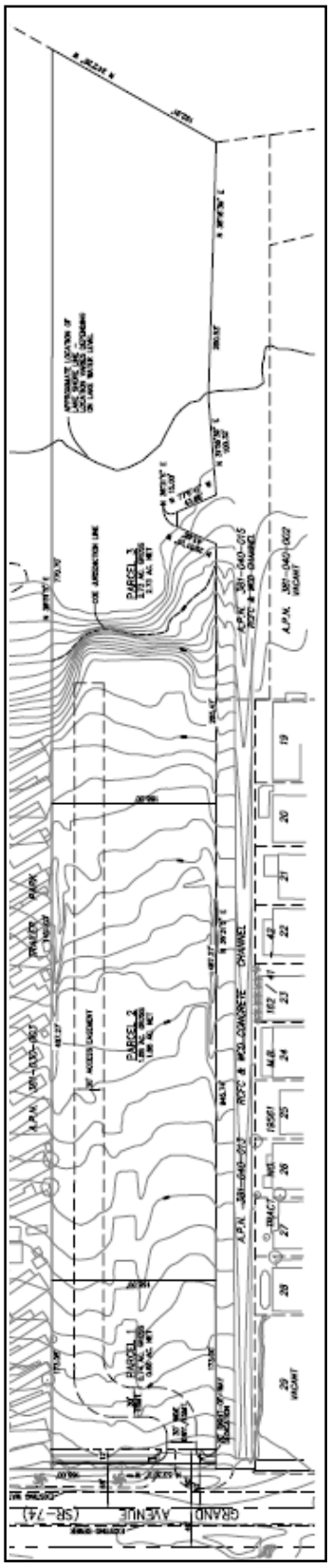
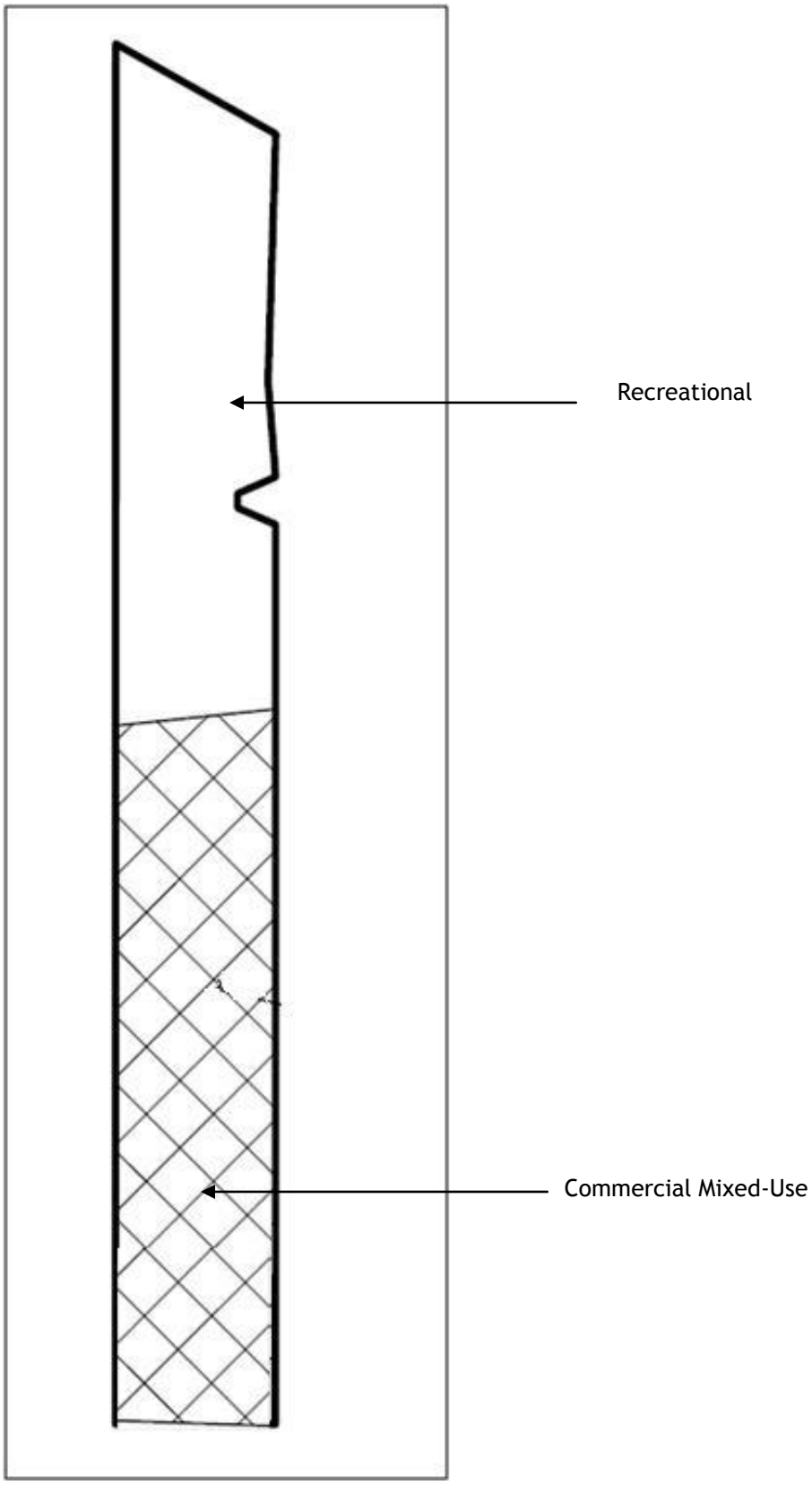


Figure 6 – Zone Change (ZC 2011-01)



ATTACHMENT B - SITE PHOTOGRAPHS

Site Photos
December 2011

Key Map

1 County drainage channel south of property

1 Western property line

1 View facing east

1 View facing east

1 View facing west

1 View facing south

3 View facing east

3 View facing southeast

2 View facing northeast

1 Property line adjacent to drainage channel

2 View facing west

2 View facing west

2 View facing south

2 View facing east

2 View facing north

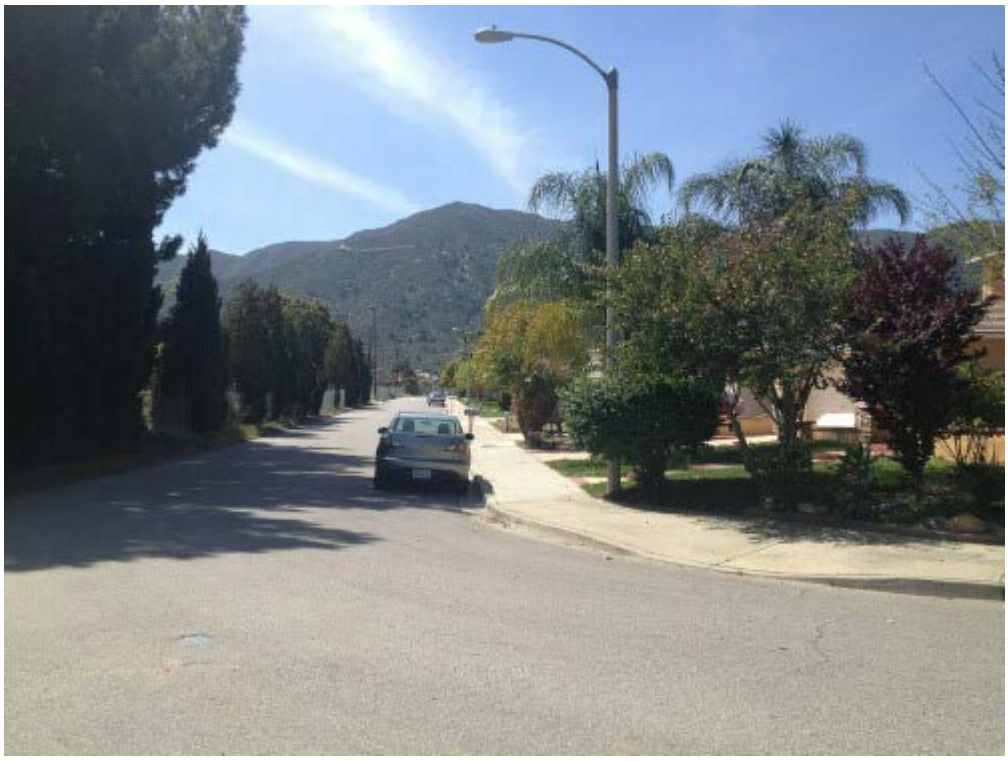
3 View facing northeast

3 View facing northeast

3 View facing east

Site Photos
March 2013

Key Map



1 facing west

1 facing north

1 facing northeast

1 facing east

2 facing east

2 facing south

3 facing northeast

3 facing east

3 facing southeast

3 facing southwest

3 facing west

3 facing northwest

4 facing north

4 facing northwest

4 facing southeast

4 facing south

4 facing south

5 facing northwest

5 facing west

5 facing southwest