ENVIRONMENTAL FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF LAKE ELSINORE ALBERHILL VILLAGES SPECIFIC PLAN

SCH #2012061046

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LAKE ELSINORE ALBERHILL VILLAGES SPECIFIC PLAN ENVIRONMENTAL FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS.

1. BACKGROUND AND INTRODUCTION

1.1. Project Overview

The City of Lake Elsinore (City) has completed an Environmental Impact Report (EIR) (State Clearinghouse Number 2012061046) for the Alberhill Villages Specific Plan Project. The City is the Lead Agency for the purposes of preparing and certifying this EIR pursuant to Sections 15050 and 15367 of the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.).

The purpose of this EIR is to evaluate the potential environmental impacts of the proposed Alberhill Villages Specific Plan Project. In compliance with Section 21002.1 of CEQA and Section 15002 of the State CEQA Guidelines, the City, as Lead Agency, has prepared this EIR in order to (1) inform the general public, the local community, responsible and interested public agencies and the City's decision-making bodies and other organizations, entities, and interested persons of the potential environmental effects of the proposed project, feasible measures to reduce potentially significant environmental effects, and alternatives that could reduce or avoid the significant effects of the proposed project, (2) enable the City to consider environmental consequences when deciding whether to approve the proposed project and (3) to satisfy the substantive and procedural requirements of CEQA.

1.2. Public Involvement and EIR Scoping

This document complies with the provisions of CEQA (California Public Resources Code, Sections 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.) and the City's Procedures for Implementing the State CEQA Guidelines. In compliance with CEQA, the City has solicited and considered comments from Responsible and Trustee Agencies, members of the public, and other interested parties during the proposed project's various environmental review processes:

- In accordance with CEQA Guidelines Section 15082, the City prepared and distributed a Notice of Preparation (NOP) of an EIR. The NOP was distributed on or about June 13, 2012.
- In compliance with Section 21083.9 of CEQA and Section 15082 (c)(1) of the State CEQA Guidelines, the City held a public scoping meeting on July 17, 2012, to receive public and agency comments.
- Comments received from the public and agencies during the public review period for the NOP and the public scoping meeting were considered in the preparation of the EIR prepared for the proposed project.

In November 2015, a DEIR was prepared for the proposed project in accordance with CEQA regulations and guidelines. The DEIR was circulated for a 55-day public review period on or about November 3, 2015. Notification was provided to the State Clearinghouse (SCH), responsible and trustee agencies, and all interested parties and jurisdictions pursuant to the requirements of Section 15087 of the State CEQA Guidelines. Approximately 18 comments were received by the City

during this 55-day review period and an additional 9 were received after the review period. These comments were evaluated and responded to in accordance with Section 15088 of the State CEQA Guidelines.

1.3. Final EIR Certification and Project Approval Process

a. Findings Required Under CEQA

The City Council (the decision-making body) of the City (the CEQA Lead Agency) certifies the Final EIR. The Final EIR, as required by State CEQA Guidelines Sections 15089 and 15132, consists of the Draft Environmental Impact Report ("DEIR") (SCH No. 2012061046), comments and recommendations received on the DEIR, a list of persons, organizations, and public agencies commenting on the DEIR, the responses of the City as "Lead Agency" to significant environmental points raised in the review and consultation process and any other information added by the City. Since the DEIR identified potentially significant environmental impacts, the City Council must also prepare "findings" as part of its action to certify that the Final EIR has been completed in compliance with CEQA and to approve the proposed project. Pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, no public agency shall approve or carry out a project for which an environmental impact report has been certified, which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant effects, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

1. Changes or alterations have been required in or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

b. Significant Effects and Mitigation Measures

The DEIR identified several significant environmental effects (or "impacts") resulting from implementation of the proposed project. Some of these significant effects can be fully avoided/mitigated through the adoption of feasible mitigation measures. For those significant impacts that cannot be mitigated to below a level of significance, the City Council is required to balance, as applicable, the economic, legal, social, technological, or other benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. The State CEQA Guidelines at Section 15093(a) provide that if specific economic, legal, social, technological, or other benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

As indicated in Section 5.1 (CEQA Findings and Statement of Overriding Considerations) of the DEIR, certain environmental effects of the proposed project cannot be reduced to less than significant levels by the adoption of feasible mitigation measures or feasible environmentally superior alternatives. Project-level and cumulative Air Quality and project-level and cumulative Traffic and Circulation impacts have been identified as significant and unavoidable and require the preparation of a Statement of Overriding Considerations. Section 3.0, below, describes those effects and outlines the City's findings with respect to the environmental effects of the proposed project.

c. Mitigation Monitoring and Reporting Program

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared to monitor and report the implementation of the mitigation measures identified for the proposed project. The MMRP will be adopted by the City Council concurrently with these findings, and will be implemented by the City during the proposed project's planning horizon, and through the project review, construction and post-construction periods of individual development projects. To the extent that these findings conclude that all mitigation measures outlined in the Final EIR are feasible and have not been modified, superseded, or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect if the City Council formally approves the proposed project.

d. Certification of the Final EIR and Adoption of Findings

The City Council will review and consider the information contained in the Final EIR, as well as submissions from public officials, public agencies and the general public. Prior to considering project approval, the City Council shall certify that the Final EIR reflects the City's independent judgment and analysis. Having considered the foregoing information, as well as any and all other information in the record, the City Council shall make findings pursuant to CEQA Section 21081. In accordance with the provisions of CEQA and the State CEQA Guidelines, the City Council shall adopt the Findings as part of its certification of the Final EIR for the proposed project.

e. No Recirculation Required

The City Council finds that none of the circumstances that trigger the requirement for recirculation of the EIR under CEQA Guidelines Section 15088.5 have occurred. Specifically, there was no significant new information (as defined in CEQA Guideline Section 15088.5(a)) added to the EIR after the public review period.

2. PROJECT DESCRIPTION

2.1. Project Location

The proposed project is located just south of Interstate 15 and is west of Lake Street. The eastern project boundary borders Lake Street, the southeastern project boundary borders the Murdock Alberhill Ranch Specific Plan residential development, the western boundary borders the 1,000-acre Horsethief Canyon Ranch single-family development, and the southwest boundary borders the Cleveland National Forest. The project area is significantly isolated from existing development with the exception of the 1,000 acre Horsethief Planned Development along the western boundary and a portion of the Murdock Alberhill Ranch development along Lake Street south of Nichols Road. Lake Street is an existing two-lane road which connects the mainly residential northwest portion of the city with the I-15 freeway. The project area has been heavily impacted by the mining operations that have occurred onsite for over a hundred years. The site consists of rolling terrain and contains a series of stock piles of mined raw and finished material interspersed with various sizes of depressions, including mining washout areas and various locations of mining manufacturing operations.

2.2. Project Description

The proposed project consists of the Alberhill Villages Specific Plan No. 2010-02, a General Plan Amendment No. 2012-01, and Zone Change No. 2012-02 described as follows:

Alberhill Villages Specific Plan No. 2010-02

The approximately 1,375-acre Alberhill Villages Specific Plan No. 2010-02 proposes approximately 8,024 dwelling units, 1,335,800 square feet of non-residential uses including civic/institutional, commercial/retail, professional office/medical and entertainment uses; a university campus or similar educational institution; and supporting uses including schools, parks, places of religious assembly, open space and green belt paseos.

The project includes a University Town Center with 1,335,800 square feet of retail/community space, and medical/office development. Mixed-use areas would provide 974,500 square feet or retail and service uses. Regional and community amenities include a 63.1-acre university or similar educational institution, an 850 student capacity elementary school on a 12-acre site, and over 199 acres of natural or enhanced open space with multi-use trails, two lakes totaling 39.6 acres, and recreational lake facilities. The project provides park spaces including 35 private pocket parks, a 45.9-acre sports park, a 36.8-acre lakeside park, an active 19.5-acre community park and a 14.3-acre community park.

The proposed Alberhill Villages Specific Plan divides the 1,375-acre site into six (6) separate "villages" projected to be built out over an approximate 30-year period. Each village is intended to create a unique character and would be bounded by major roadways, topography, and service area. Each village would be anchored by a central focal point such as a school, park, commercial core, or plaza so that such uses are all within a 10-minute walk or five-minute bike ride from residential areas.

General Plan Amendment No. 2012-01

General Plan Land Use Designations changes will amend multiple land uses to adopted Specific Plan Land Use. The Extractive Overlay designation will remain to allow mining as an interim use to be phased out over time.

The Alberhill Villages Specific Plan current land uses include Residential Mixed Use, Commercial Mixed Use, Low Density Residential, Medium Density Residential, High Density Residential, General Commercial, and Open Space.

Zone Change 2012-02

The City's Official Zoning Map will modify zoning by ordinance from Residential Mixed Use, Hillside Residential, Low Density Residential, Low Medium Residential, Medium Density Residential, High Density Residential, Recreational, Open Space, Public Institutional, General Commercial and Commercial Mixed Use to "Alberhill Villages Specific Plan" land uses.

Implementation of Specific Plan

A three-tier implementation approach is provided in the Alberhill Villages Specific Plan with a 30-year build out that will ensure that certain project design details and standards, which cannot be anticipated at this time, are identified once development becomes imminent based on market conditions.

Tier 1 is the Alberhill Villages Specific Plan, which will create an overall land use plan, backbone circulation plan, and development regulations for the entire AVSP project site. Approval of the AVSP does not allow site-specific development without additional discretionary approvals in Tiers 2 and 3.

Tier 2 is Phased Development Plans (PDP) that will provide greater detail for a defined geographic area when development in that area becomes eminent. PDP's will be considered by the Planning Commission with final approval by the City Council. An approved PDP is a pre-requisite to any development within a Phase.

Tier 3 will consist of design review and subdivision maps of site specific development plans in anticipation of processing building permits. Design reviews and subdivision maps will also be considered by the Planning Commission with final approval by the City Council.

2.3. Project Objectives

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

1. Set forth a comprehensive development plan that implements the applicable portions of the City's General Plan and achieves the City's development goals for the Alberhill District through zoning, density, and, other land use regulations.

2. Stimulate private sector investment in the Project by implementing a project that is fiscally sound, capable of financing the construction and maintenance of necessary infrastructure improvements, and be economically feasible with a return on private investment
3. Maximize the advantages of the site's location in terms of visibility and proximity to the I-15 Freeway and the Lake Street built intersection.
4. Improve the housing stock by providing a substantial residential component with a variety of residential product types, densities that are compatible with the City's economic mixed-use demand, activity functions within the Alberhill Villages Specific Plan Project site area and consistency with the City's Housing Element and job goals.
5. Facilitate economic vitality within the City and provide additional opportunities for housing, employment, and commercial development consistent with the City of Lake Elsinore's General Plan Alberhill District planning area objectives.
6. Increase revenues to the City by providing for a variety of commercial and retail activities with the potential to generate substantial sales, and property tax revenue.
7. Provide for connectivity within the Alberhill Villages Specific Plan within and between land use areas by incorporating gathering places, strong pedestrian linkages, passive areas, and linkages to surrounding city-wide trails and open space.
8. Plan for phased development and supporting infrastructure improvements consistent with market forces and sufficiently sized to sustain the land use plan in terms of adequate water supply, sewer, storm water collection systems, and transportation system improvements.
9. Expand the City's shopping, entertainment and hospitality opportunities for City residents and visitors and maintain a sustainable balance of residential and nonresidential uses in a mixed-use residential Specific Plan format that includes schools, places of religious assembly, a university, entertainment, retail shopping, and restaurants
10. Create an aesthetically pleasing and distinct development identity reflective of the unique character of the Alberhill District through establishment of design criteria for architecture, landscaping, hardscape, street and pedestrian improvements, signage, entry monumentation, and other design features.

3. ENVIRONMENTAL FINDINGS

3.1. Areas Determined To Have No Significant Impact

The City, through the Initial Study (IS) process, determined the proposed project has the potential to cause or result in significant environmental impacts, and warranted further analysis, public review, and disclosure through the preparation of an EIR. The IS and associated EIR Notice of Preparation (NOP), dated May 2014, were forwarded to the California Office of Planning and Research, State Clearinghouse (SCH), and circulated for public review and comment. The State Clearinghouse established the public comment period for the IS/NOP as June 14, 2012 through July 13, 2012.

The following discussion summarizes the environmental impacts that were determined in the IS/NOP and public review processes to pose no potentially significant impacts. Specific issues considered to pose no potentially significant impacts were not substantively discussed within the EIR.

Agriculture and Forest Resources

The proposed project is currently being mined and is identified as "Other Land" on the Riverside County Important Farmland 2010 Sheet 1 of 3 map prepared by the California Department of Conservation, Division of Land Resource Protection's Farmland Mapping and Monitoring Program. Therefore, the proposed project will not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural uses. The proposed project is currently being mined and is not zoned for agricultural use. The site is not subject to a Williamson Act contract. There is no forest land located on the project site. Existing zoning on the project site is M-3 (Mineral Resources and Related Manufacturing District). Therefore the proposed project will not conflict with existing zoning for or cause rezoning of forest land and will not result in the loss of forest land or the conversion of forest land to non-forest uses and will not result in the conversion of Farmland to non-agricultural uses.

Hazards and Hazardous Materials

The proposed project is not located within an airport land use plan or within two miles of a public airport or public use airport, and thus would not result in a safety hazard for people residing or working in the proposed project area. The proposed project is not located within a vicinity of a private airstrip, and thus would not result in a safety hazard for people residing or working in the proposed project area.

Land Use and Planning

The project site is currently and historically been used for mining activities. The proposed development would change this to residential, commercial, institutional, university, public facility and open space uses. The Lake Elsinore General Plan designates the site for Hillside Residential, Low Density Residential, Medium Density Residential, High Density Residential, Residential Mixed Use, Commercial Mixed Use, General Commercial, Public Institutional, Recreational, and Open Space land uses. The project site is located within an area designated for future development

by the City of Lake Elsinore General Plan and therefore the proposed project will not physically divide an established community.

Noise

The project is not located within an airport land use plan, or within two miles of a public airport or public use airport. Therefore, the project would not expose people residing or working within the project are to excessive noise levels due to proximity to a public or public use airport. The project is not located within the vicinity of a private airstrip. Therefore the project would not expose people residing or working in the project area to excessive noise levels due to proximity to a private airport.

Population and Housing

The proposed project is currently being mined and has no existing residential housing presently on-site, and thus will not displace substantial numbers of existing homes or necessitate or require the construction of replacement housing elsewhere. Therefore, the proposed project will not necessitate the construction of replacement of housing elsewhere. The proposed project is currently being mined and will not displace numbers of people, necessitating the construction of replacement housing elsewhere.

Transportation/Traffic

The proposed project, due to its location, and the nature of the proposed uses, changes or significant alterations to air traffic patterns would not occur.

3.2. Findings Regarding Less Than Significant Impacts Identified in the EIR

The DEIR completed in November 2015 found that the proposed project would have a less than significant impact without the imposition of mitigation on a number of environmental topic areas. The less than significant environmental impact determination was made for each of the following topic areas listed below, based on the more expansive discussions contained in the DEIR.

3.2.1. Aesthetics/Light and Glare

a. **Impact**: Implementation of the proposed project would not have a substantial adverse effect on a scenic vista.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts the proposed project would not have a substantial adverse effect on a scenic vista. The project site has no substantial view of Lake Elsinore Scenic vistas visible from the Project site would include distant views of the Cleveland Nation Forest to the south, Santa Ana Mountains the southwest, and the higher elevation hills to the north and east of the project site.

Commercial development frontages adjoining the prominent entry areas to the project area will incorporate semi-public and private plazas, terraces, and open space areas that augment the public areas and would offer view opportunities to the Santa Ana Mountains, Cleveland National Forest, and the higher elevation hills to the north and east of the project site.

Building heights are expected to integrate with the height of adjacent non-building area that would address public view enhancement and view preservation for nearby viewer groups, including the residential, commercial, and recreational users. Dwelling units should be situated, where possible, to take advantage of views and create interest and varying vistas as a person moves along the street.

The AVSP may have higher than standard height walls permitted for sound attenuation purpose; however, the design would be subject to approval by the Community Development Director as part of the Project's Minor Modification review process, and prevent potential impacts to scenic resources. Limited use of walls is important to avoid obstruction of on-site views of the Santa Ana Mountains, Cleveland National Forest, and the hills to the north and west of the Project site and would not result in significant impacts on existing scenic vistas. With the implementation of the Specific Plan, there will continue to be no views of Lake Elsinore (Lake) and its shorelines, as the AVSP Project site area is located northwest of Lake Elsinore.

Views of the mountains and hillsides to the west and north would remain and would not be significantly obscured by the Specific Plan and its commercial users. Views of Lake Elsinore to the south are already obscured by the existing topography and location of the Project, and would not alter existing views of the Lake, since there are none. Since the eucalyptus trees have been removed, the once obscured views to the Hillside District by the previously existing eucalyptus trees are now hillside-views to the north. Finally, due to the higher elevation of the I-15 Freeway, drivers' views of the surrounding scenic features would not be impacted by the AVSP.

Reference: EIR pages 4.5-24 and 4-5-25.

b. **Impact**: Implementation of the proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR, and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. The project site does contain a few areas of rock outcroppings and a historic building. The project area has been heavily impacted by the vested mining operations that have occurred onsite for over a hundred years. The site consists of rolling terrain and contains a series of stockpiles of mined raw and finished material interspersed with various sizes of depressions, including mining washout areas and various locations of mining manufacturing operations. This schoolhouse is a General Plan recognized historic resource that will be replicated in another location using new materials that will match the original building as closely as possible. The replicated schoolhouse will be used for some type of

alternate land use within the project area. The old schoolhouse is currently dilapidated and unsafe for any type of usage and may be beyond reconstruction.

According to the California Department of Transportation, the project site is not located within a State Scenic Highway. However, one highway, the I-15 Freeway, located on the edge of the project area, has been has been designated as an "eligible state scenic highway–not officially designated." The status of an "eligible state scenic highway–not officially designated" to "officially designated" when the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated as a Scenic Highway. A Corridor Protection Plan identifies and defines the scenic corridor of the highway. At this time, the City of Lake Elsinore General Plan contains no policies that require applying for official designation of Interstate 15 as a Scenic Highway in the vicinity of the Project site and there is no Corridor Protection Plan being proposed for this segment of Interstate 15.

The I-15 Freeway is located approximately 0.5 miles east of the Project site and views to the natural features along the freeway corridor would not be impacted by the Project if it were designated as a Scenic Highway.

Reference: EIR pages 4.5-25 and 4.5-26.

3.2.2. Air Quality

a. **Impact**: Implementation of the proposed project would not conflict with or obstruct implementation of the applicable air quality plan.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained on the Record of Proceedings, the City Council hereby finds that the proposed project would not conflict with or obstruct implementation of the applicable air quality plan.

The SCAQMD is required, pursuant to the Clean Air Act to reduce emissions of criteria pollutants for which the Basin is in non-attainment. The Project would be subject to the SCAQMD's current AQMP. The AQMP contains a comprehensive list of pollution control strategies directed at reducing emissions and achieving ambient air quality standards. These strategies are developed, in part, based on regional population, housing, and employment projections prepared by SCAG.

A project is consistent with the AQMP if it is consistent with the population, housing and employment assumptions which were used in the development of the AQMP. The 2012 AQMP, the most-recent AQMP adopted by the SCAQMD, incorporates SCAG's Regional Transportation Plan (RTP) socioeconomic forecast projections of regional population and

employment growth. Although the Alberhill Villages Specific Plan is a very large project, it does not constitute an unanticipated source of air pollution in a regional sense. Development of the project site would result in the adoption of a "Specific Plan" through a General Plan Amendment, and Zoning Change that is consistent with the land use specified in the City of Lake Elsinore's General Plan.

Conformity with adopted plans, forecasts and programs relative to population, housing, employment and land use is the primary yardstick by that impact significance of master planned growth is determined. If a given project incorporates any available transportation control measures that can be implemented on a project-specific basis, and if the scope and phasing of a project are consistent with adopted forecasts as shown in the Regional Comprehensive Plan (RCP), then the regional air quality impact of project growth would not be significant. The project is regionally growth-accommodating and not regionally growth-inducing. While the air quality impact is considered potentially significant because of the sheer scope of the project, it has several design features that actually are air quality positive. For example, the project promotes alternative transportation/shorter trip lengths though a mixed-use land use plan. The Project will be built with an enhanced level of energy conservation to be consistent with the City of Lake Elsinore Climate Action Plan (CAP). To the extent that the Project becomes a 'green' community, it will be consistent with the goals and measures of the AQMP.

References: EIR pages 4.8-23 through 4-8-25.

b. **Impact**: Implementation of the proposed project would not create objectionable odors affecting a substantial number of people.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less-than-significant impacts related to objectionable odors affecting a substantial number of people. Land uses general associates with odor complaints include: agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. The project does not contain land uses typically associated with emitting objectionable odors; therefore, the project is unlikely to create objectionable odors. Any odors, in the form of construction-related exhaust and odors related to roadway construction, and those generated during the phase-out of mining and during project construction, would be short-term and would terminate upon completion of each construction phases of the project. Project activities are unlikely to create objectionable odors affecting a substantial number of people, and therefore, the project's impact would be at a level less than significant.

References: EIR page 4.8-35.

3.2.3. Geology, Soils, Mineral Resources and Seismicity

a. **Impact**: The proposed project would not result in substantial soil erosion or the loss of topsoil.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not result in substantial soil erosion or the loss of topsoil. Although the Project site is located in the Elsinore Trough, and the Temescal Canyon Wash passes through the area, the mining area itself is not located so as to be significantly affected by run-off. Most of

the water from areas upstream from the Project area drains through the major established drainage, such as in Walker Canyon. The majority of the soils on-site have textures ranging from loams to loamy sands to gravelly loams and are a moderately deep to shallow with a low to high erosion hazard. Depending on their texture, relatively dense, and slope of the ground, the permeability of the soils range from low to high.

Erosion of the bedrock materials depend upon texture, hardness, chemical composition, degree of fracturing, and dip of the bedding planes. The run-off from the site, itself, is for the most part channeled to existing collection ponds that are created in the mining process. These pits are being used to trap the water allowing it to be used on-site for dust control and processing activities. Excess remaining water is allowed to percolate through the soil and/or evaporate. Except in unusually heavy years of precipitation, dust control measures and processing activities have utilized virtually all of the water collected on the Project site. To the extent practicable, drainage not channeled to these collection ponds is channeled to existing drainage channels.

During construction, soil erosion shall be controlled and reduced to a less than significant impact through the implementation of a project-specific Erosion Control Plan and a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the California State Water Resources Control Board new General Construction Permit Order No. 2009-0009-DWQ, (as amended by Order No 2010-013-DWQ and NPDES General Permit No. CA000002). The SWPPP shall comply with Best Available Technology (BAT), and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate soil erosion from areas of construction activity.

References: EIR page 4.1-32.

b. **Impact**: The proposed project will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste-water.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste-water. The Project is located within the City of Lake Elsinore's Elsinore Valley Municipal Water District (EVMWD) service area. There is currently no existing wastewater treatment plant facility and sewer system available to the Project site area. Based on the EVMWD's 2008 Wastewater Master Plan (as stated by the KWC Preliminary Wastewater Facilities Plan, dated December 20, 2011) for the Alberhill Drainage Area in the vicinity of the Project, the sewershed areas are tributary to the future Alberhill Wastewater Treatment Plant (WWTP) and future master planned sewer in Lake Street, the estimated flows are consistent with the EVMWD Wastewater Master Plan. When constructed, a portion of the Project will have the ability, on a temporary or permanent basis, to be treated at the Alberhill WWTP or Regional WWTP. In anticipation of increased sewer flows associated with future developments and the lack of wastewater facilities for the Alberhill area, the EVMWD is proposing to construct the Alberhill Wastewater Treatment Plant as part of the master planned facilities that will be located along Temescal Canyon Road

between Lake Street exit off the I-15 Freeway and Lee Lake, approximately 2 miles north of Lake Street.

In the unlikely event that septic tanks or an alternative waste disposal system is needed on an interim basis until the master planned facilities are constructed, some of the soils on the Project site consist of silty sand to sands that include gravel- to cobble-sized sedimentary and granitic clasts. These types of soils are considered to permeable and suitable to support a septic system or alternative wastewater disposal system.

References: EIR pages 4.1-33 and 4.1-34.

c. **Impact**: Implementation of the project will not result in the loss of availability of a known mineral resource that would be of value to the regional and residents of the state or the loss or of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not result in the loss of availability of a known mineral resource that would be of value to the regional and residents of the state or the loss or of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. Development of the proposed project will not forfeit the potential to recover significant clay and gravel deposits located throughout the project site, since material will be extracted and stockpiled for future economic use. The loss of regionally significant aggregate extraction can be mitigated if development allows for complete recovery of resources. Therefore, the Project has adopted a phasing concept that retains the clay mining activities and stockpiling of material to the extent that they are economically feasible. Economically viable mineral extraction operations will be gradually phased out as the Project evolves into residential community.

In addition, the underlying General Plan land use designations for the site include non-mineral extraction uses such as commercial, residential, mixed-use, and institutional uses. The Extractive Overlay will allow mining to continue until such time that long-term vision of the General Plan is realized in the form of the commercial, residential, mixed-use, and institutional uses.

References: EIR page 4.1-34 and 4.1.35.

d. **Impact**: Implementation of the proposed project would not result in impacts onsite that could affect offsite properties and generate a cumulative geology, soils, and seismicity impact.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not result in impacts onsite that could affect offsite properties and generate a cumulative geology, soils, mineral resources and seismicity impact. Cumulative development in the Project area will increase the amount of exposed soils during grading and may

result in increased erosion and downstream sedimentation. However, due to short-term nature of grading and construction activities, cumulative impacts resulting from erosion and sedimentation are not anticipated to be significant. The risk of seismic activity and ground shaking is common to the Project site and to all cumulative development in southern California.

Cumulative impacts will be mitigated through individual design features. All future development would be subject to review and being compliant with activities creating dust emissions during construction, grading and operations, including complying with the goals, policies and implementation programs for designing buildings to be in conformance with the California Building Code (CBC). Though future development will be subject to potential seismic or geologic hazards, the City's GP's contribution to geologic cumulative effects is considered less than cumulatively considerable and thus is not significant.

Development within the City of Lake Elsinore requires that project development comply with Federal, State and local regulations that are designed to protect people from increased hazards such as earthquakes, landslides and soil erosion. As a result, being in conformance with the CBCs and other measures to protect people and structures the AVSP and other projects within the area will have a level of impact less than significant and impacts will be less than cumulatively considerable.

References: EIR page 4.1-35.

3.2.4. Hazards and Hazardous Materials

a. **Impact**: Implementation of the proposed project will not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Primary access to the Project site is proposed from Temescal Canyon Road and Lake Street which are improved roadways. The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles via Temescal Canyon Road and Lake Street and connecting roadways as required by the City. Furthermore, the Project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures.

References: EIR page 4.2-11.

b. **Impact**: Implementation of the proposed project would not generate a cumulative hazards and hazardous materials impact.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not generate a cumulative hazards and hazardous materials impact. The use of hazardous materials in the City of Lake Elsinore and the Lakeland Village Sphere District is controlled and permitted by Riverside County Department of Environmental Health Hazardous Materials Branch (Branch), a State-designated Certified Uniform Program Agency, whose responsibilities include: inspecting hazardous material handlers and hazardous-waste generators to ensure compliance with laws and regulations; ensuring the preparation and implementation of Business Plans, emergency response plans, and accident prevention plans for businesses that handle hazardous materials; providing 24-hour response to emergency incidents involving hazardous materials or wastes; and conducting investigations and taking enforcement action as necessary against anyone who disposes of hazardous waste illegally or otherwise manages hazardous materials or wastes in violation of Federal, State, or local laws and regulations.

The hazardous materials control and safety programs and available emergency-response resources of the Branch, along with periodic inspections to ensure regulatory compliance, reduce the potential risk of upset and exposure to hazardous materials associated with nearby businesses. Similar to the proposed project, development of other planned projects within the City of Lake Elsinore would be required to adhere to the existing laws and regulations regarding the use, storage, transport, or disposal of hazardous materials and waste.

Moreover, the proposed project would not result in any safety hazards related to adopted emergency response plans, or wildland fire hazards. The project would not combine with other projects to result in a cumulatively considerable impact with respect to these potential hazards. In addition, the project would be consistent with General Plan policies as demonstrated in the analysis above. Therefore, the proposed project will not make a significant contribution to any cumulatively considerable impacts related to hazardous materials, hazardous waste, or the creation of any health hazards and no additional mitigation measures are required.

References: EIR page 4.2-12.

3.2.5. Hydrology and Water Quality

a. **Impact**: Implementation of the proposed project would not violate any water quality standards or waste discharge requirements.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not violate any water quality standards or waste discharge requirements.

An increased amount of impervious surfaces, due to development, could potentially decrease the surface area available for storm and runoff water to infiltrate into the soil that will naturally treat the runoff water for pollutants by the process of filtration. While the development would increase the amount of impervious surfaces, with the addition of development areas and roadways, the proposed WQMP Basins would collect runoff and allow pollutants to settle out prior to being

discharged into the storm drain system. Furthermore, landscaping design for the Alberhill Villages Specific Plan specifies that where appropriate, permeable landscaping should be used in the place of hardscape. This will allow, in order to increase replenishment of groundwater supplies, the reduction of stormwater runoff, and the reduction of the heat island effect. Additionally, the Alberhill Villages Specific Plan would comply with all water quality standards, waste discharge requirements and Project conditions. The Alberhill Villages Specific Plan will not violate any water quality standards or waste discharge requirements.

References: EIR pages 4.3-29 and 4.3-30.

b. **Impact**: Implementation of the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not deplete groundwater supplies and/or interfere with groundwater recharge.

Alberhill Villages will be served by the EVMWD domestic water system (in accordance with the March 2012 Alberhill Villages and Alberhill Ridge Water Supply Assessment) that uses 40-50% groundwater and 50-60% other sources. EVMWD does not plan to drill wells within the Alberhill Villages Project site due to the lack of aquifer storage below the site. The project site is primarily undeveloped and has been used for surface mining for approximately 100 years. Groundwater absorption rates may be reduced due to an increase of impervious surfaces resulting from the mining use of the Project site. However, regional absorption and infiltration rates could potentially be significantly affected, given the size of the overall project once all is completed within the 20-30 period. The project site's major source of groundwater recharge is the Elsinore Groundwater Basin. The bioswales, infiltration basin and detention basin would also provide opportunities for groundwater recharge. Although the project is adjacent to the Temescal Canyon Wash (Creek), it is not proposed to divert or impact the ability of the Wash to recharge the groundwater supply. Temescal Canyon Wash (Creek) is proposed as a soft bottom channel that will allow for infiltration. Regional absorption would continue after development at relatively similar rates as existing conditions. Drainage and stormwater run-off patterns would not be significantly affected by the proposed actions.

Refer to Section 4.10 for a discussion on Water Supply Assessment that presents a surplus of 6,200 acre-ft./yr. of water supply during a normal year based on the existing groundwater supply and the existing plus project demands within the district.

References: EIR page 4.3-30.

c. **Impact**: Implementation of the proposed project would 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.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would 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.

The Project site area is not subject to hazards related to dam break and subsequent flooding, due to the fact there are no dams in the surrounding area that will affect flow to Temescal Canyon Wash (Creek). The distance of the Project site from Lake Elsinore lacks the significant potential for a damaging seiche, due to: 1) the existing topographical features between the Project and Lake Elsinore (Lake); 2) the Lake is lower in elevation; and, 3) because of the existing flood control devices constructed by the ACOE. Additionally, implemented flood control devices lower the potential for a seiche to occur. The project's potential for the occurrence of a tsunami is similarly very low because the Pacific Ocean is the closest tsunami-producing open body of water and is located approximately 25 miles from the Specific Plan site. Therefore, no project impacts are anticipated from a tsunami.

The Project's land has a great variation in elevation and has been primarily mined for approximately 100 years. Due to the variation in elevation of both the site and the surrounding land uses, there is a potential for mudflow, but with the existing basins and required SWPPP measures presently used and those proposed for grading and development, there will be a less than significant potential for the Project site area to be adversely affected by mudflow.

References: EIR pages 4.3-36 and 4.3-37.

3.2.6. Land Use and Planning

a. **Impact**: The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect because the proposed project would be consistent with the applicable policies of the City's General Plan and the applicable zoning codes.

The analysis of land use consistency impacts considerers whether the proposed project would be in substantial conformance with regional and local plans, policies and regulations that are applicable to the proposed project and project site. Consistent with the scope and purpose of the EIR, this discussion primarily focuses on those goals and policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these standards creates a significant physical impact on the environment. State CEQA Guidelines

Section 15125(d) requires than an EIR discuss inconsistencies with applicable plans that the decision-makers should address. A project need not be consistent with each and every policy and objective in a planning document. Rather, a project is considered consistent with the provisions of the identified regional and local plans if it meets the general intent of the plans and would not preclude the attainment of the primary goals of the land use plan or policy.

The project would otherwise not conflict with any applicable goals, objectives, and policies of the City of Lake Elsinore General Plan, Zoning Ordinance, or Climate Action Plan. Additionally, the Project would not conflict with any applicable policy document, including the SCAG Regional Comprehensive Plan, SCAQMD Air Quality Management Plan, 2012, Santa Ana Water Quality Control Plan (Basin Plan, Riverside County Drainage Area Management Plan – Santa Ana Region, and the Elsinore Valley Municipal Water District Urban Water Management Plan, 2010,

References: EIR pages 4.4-13 through 4.4-25.

b. **Impact**: The proposed project would not conflict any applicable habitat conservation plan or natural community conservation plan.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not conflict any applicable habitat conservation plan or natural community conservation plan.

The Project site is located within the boundaries covered by the Western Riverside County Multiple Species Habitat Conservation Plan ('MSHCP'). The project will not conflict with any applicable habitat conservation plan or natural community conservation, as this project is subject to a February 24, 2001 settlement agreement with Riverside County that excludes the project site from the MSHCP. On February 24, 2004, Castle & Cooke Properties, throughout Riverside County, were removed from the requirements of the MSHCP. The Project site was part of this settlement agreement, and the approximate 1,375-acre project site is not subject to the provisions of the MSHCP.

References: EIR page 4.4-26.

c. **Impact**: The proposed project would not result in a cumulatively considerable contribution to land use and planning.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not contribute to land use impacts that would be cumulatively considerable. Cumulative impacts related to land use and planning are addressed in the General Plan EIR which is incorporated by reference into this AVSP PEIR. Development of the AVSP Project and other proposed projects in the vicinity will result in increased urbanization and loss of open space in the local vicinity. As cumulative land use impacts are difficult to individually

mitigate, mitigation is most effective through implementation of regional programs, such as the Lake Elsinore General Plan and other relevant County and City policies. These programs establish development guidelines and required mitigation.

Each future project and development within the City and SOI will be reviewed on a project-by project basis, as it will conform to the City's permitted land uses, State, Federal and local regulations, the City's Municipal Code, City's Growth Management Program goals, policies and implementation programs, to ensure and provide the City a strategy for developing a pattern and rate of growth. This will ensure that adequate public facilities and infrastructure can be provided to meet the rate of new construction and population growth. With the incorporation of the City's growth management plan, impacts related to the potential inconsistency of the GP with the population and housing forecasts of SCAG will be reduced to below a level of significance, and no additional mitigation measures are required.

References: EIR page 4.4-26.

3.2.7. Population, Housing and Employment

a. **Impact**: The proposed project would not directly or indirectly induce substantial population growth in an area.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not directly or indirectly induce substantial population growth in an area. The AVSP proposes the creation of 8,024 dwelling units. Based on the 2010 U.S. Census an average of 3.48 lived in a Lake Elsinore household, and with this 3.48 person per household average, the population for the site (residential component) under build-out conditions would be 27,924 persons. As the Project would generate 27,924 persons, an overall net population increase would not occur beyond the anticipated population for the Project because the City of Lake Elsinore General Plan's build-out of population and housing projections have anticipated development of the Project site with a maximum of 8,244 dwelling units (at 6 dwelling units/acre).

The Alberhill Ranch Specific Plan area lies to the southeast of the Project site and extends from the I-15 to just south of Nichols Road. The site was annexed by the City of Lake Elsinore in 1989 and proposes 3,705 residential units with neighborhood commercial areas located in the central portion of the plan area. Substantial open space and recreational areas have also been incorporated into the land use plan.

To the north and west of the Project site is a combination of commercial, light industrial and residential land uses. The uses include single family residences directly adjacent to the Pacific Clay Products, Inc. operations. Located further north of Temescal Canyon Road is an equipment yard, identified as the Aquarius Water Tank Facility. Corona Stone (a masonry dealer) is located on the south side of Temescal Canyon Road, approximately one-half mile from the Pacific Clay Products, Inc. facilities. The I-15 Freeway is also located directly north of the Project site and is the major thoroughfare in the Lake Elsinore area.

The project does not require the off-site extension of roads or infrastructure to serve the project site. As such, substantial population growth would not be created through extension of roads or other infrastructure.

Therefore, with the proposed population growth within the project area and City's anticipated projected number of housing units under the General Plan's build-out and project's implementation, the impact for the Project is a level less than significant, and no mitigation measures are required.

References: EIR pages 4.6-17 through 4.9-19.

b. **Impact**: The proposed project would not result in a cumulatively considerable contribution to population, housing, and employment impacts.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in a cumulatively considerable contribution to population, housing, and employment impacts.

The City of Lake Elsinore is still developing and contains a significant amount of un- or underdeveloped, developable land both within the corporate boundaries and within its sphere of influence (SOI). SCAG anticipates that by the year 2030, the City is anticipated to have a total of approximately 26,488 dwelling units and an estimated population of 85,376 in the year 2030. These projections for population and dwelling units were identified to reflect the theoretical build-out of vacant land within the City and SOI, and using the land use designations and assumptions detailed in the City's GP EIR.

The proposed City build-out has established goals, policies and implementation policies that will reduce potential growth-related impacts. Compliance with these goals, policies and implementation programs and Federal, State and local regulatory requirements will assure that necessary services and infrastructure sufficient to serve the planned growth will be development over the projected build-out period of 30 years. It is important to note that the GP does not include and policy provisions that require its build-out potential to be attained. Therefore, the GP will direct growth and development so that it occurs in a manner that it is manageable for the City and avoids significant physical impacts that result from population growth.

Environmental constraints such as water supply, landfill capacity, energy demand, air quality, traffic constraints and others, will become predominate issues of concern, as the sub-region continues to expand its housing opportunities and economic base. Implementation of the goals, policies and implementation programs will enable the City to direct growth and development so that it occurs in a manner that is manageable for the City and avoid significant physical impacts that result from population growth. Therefore, there will be a less than significant cumulative impact related to population and housing and no additional mitigation measures are required.

References: EIR pages 4.6-20 through 4.6-21.

3.2.8. Public Services and Utilities

a. **Impact**: The project site would have sufficient water supplies available to serve the project from existing entitlements and resources and would not require new or expanded entitlements for water supplies.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project has sufficient water supplies available to serve the project and that the project site would not require new or expanded entitlements; impacts would be less-than-significant.

The Elsinore Valley Municipal Water District (EVMWD) was requested by the City of Lake Elsinore to prepare a Water Supply Assessment (WSA) for the AVSP and Alberhill Ridge projects. The WSA was approved by the EVMWD Board of Directors on March 22, 2012. In its letter dated January 14, 2016, EVMWD states that it adopted the Water Supply Assessment (WSA) in 2012 for the AVSP project area and that the findings in the WSA are still valid; and that its 2015 Urban Water Management Plan is due on July 1, 2016 and that it is in the process of updating the plan.

For purposes of the WSA, water demands associated with the AVSP Project fall within the projected demands that are included in the Urban Water Management Plan (UWMP) that is updated every 5 years. Adequate planning has been conducted to ensure sufficient water will be available to support future development.12 EVMWD has the following existing supplies: surface water from Canyon Lake WTP, groundwater supplies, and imported water from Metropolitan through the Auld Valley Pipeline (AVP) and Temescal Valley Pipeline (TVP). The additional supplies that EVMWD is pursuing include the construction of a pipeline from Diamond and Summerly wells to Cereal 1 and Corydon wells, Palomar well replacement, Terra Cotta well and TVP pump station. Based on the information and analyses contained in the WSA, EVMWD concludes that its total projected water supplies available during normal, single dry, and multiple dry, and multiple dry water years during a 20-year projection will be sufficient to meet the projected water demand associated with the Alberhill Villages Specific Plan (and Alberhill Ridge Specific Plan), in addition to EVMWD's existing and planned future water demands, including agriculture and manufacturing uses, as required by SB 610 and the companion measure SB 221.

EVMWD's projected water demands for future projected supplies are sufficient to meet the demands projected under the WSA and demands projected in the 2010 UWMP. Recycled water deficit represents future recycled water demands that need to be supplemented with potable water. The WSA identifies only those planned potable water supplies that are currently part of the District's capital improvement program, or if it is included in next two-year budget cycle. Whereas, UWMP includes additional future potable water supplies that are beyond the two years budget cycle. The existing and planned supplies are sufficient to meet existing and currently committed future maximum day demand conditions including the AVSP (and Alberhill Ridge) development during normal, single dry, and multiple dry years over a 20-year period.

It is noted that on April 1, 2015, the Governor issued Executive Order B-29-15. Key provisions include ordering the State Water Resources Control Board to impose restrictions to achieve a 25 percent reduction in potable urban water usage through February 28, 2016. The governor's drought declaration also calls upon local urban water suppliers and municipalities to implement their local

water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season. The Elsinore Valley Water District has imposed a Stage 4a Drought Alert, which requires mandatory compliance with water use restrictions. With implementation of mandatory water use conservation requirements currently being imposed, the water supply projections identified in the Project's Water Supply Assessment (WSA) are anticipated to be met.

References: EIR pages 4.10-36 through 4.10-39.

b. **Impact**: Implementation of the proposed project would not require or result in the construction of new water facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would not require or result in the construction of new water facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.

Domestic water service to the Project vicinity is provided by the Elsinore Valley Municipal Water District (EVMWD). Under existing conditions, water is provided to the Project site from the Temescal Valley water transmission lines in Temescal Canyon Road (36-inch diameter), and Lake Street (30-inch diameter and 21-inch diameter) adjacent to the Project area. In addition, the existing Lake Street Reservoir located north of I-15 and west of Lake Street provides water storage capacity for the Project Area. The Project would result in the need for extensions of systems and alterations to water and storage systems to meet the requirements of the EVMWD and Santa Ana Regional Water Quality Control Board.

The installation of on-site water improvements described above as proposed by the Project would result in physical impacts to the surface and subsurface of the Project site. These impacts are considered to be part of the project's construction phase and are evaluated throughout the EIR accordingly. In instances where significant impacts have been identified for the project's construction phase, mitigation measures are recommended in each applicable subsection of the EIR to reduce impacts to less-than-significant levels. As such, the construction of water infrastructure as necessary to serve the proposed project would not result in any significant physical effects on the environment that were not already identified and disclosed as part of the EIR. Accordingly, additional mitigation measures beyond those identified throughout the EIR would not be required.

References: EIR pages 4.10-39 and 4.10-43.

c. **Impact**: Implementation of the proposed project would not require or result in the construction of new stormwater drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would not require or result in the construction of new stormwater drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.

A multi-faceted storm drain system utilizing above-ground and below-ground facilities will be used to treat, detain, and convey storm flows where necessary. Low flows are intended to be

managed in surface systems such as swales while major flows are intended to be conveyed in underground facilities. The major off-site flows from Rice Canyon and Horsethief Canyon Ranch drainage areas will first pass through sediment basins in order to remove debris from the stormwater runoff. On a periodic basis, the remaining debris will be removed from the sediment basins. The proposed lake system will also be used to retain portions of clarified storm flows. A stream or series of streams will utilize on-site spring water to replenish and cleanse the project's lake(s). A series of channels, large pipes, and box culverts will be used to convey flows ultimately to the Temescal Canyon Wash Channel.

All drainage facilities would be constructed according to Riverside County Flood Control and Water Conservation District (RCFC and WCD) and City of Lake Elsinore standards and requirements. Major improvements will be made to control and channelize off-site drainage through the project. The construction of drainage improvements as proposed by the Project would result in physical impacts to the surface and subsurface of the Project site. These impacts are considered to be part of the project's construction phase and are evaluated throughout the EIR accordingly. In instances where significant impacts have been identified for the Project's construction phase, mitigation measures are recommended in each applicable subsection of the EIR to reduce impacts to less-than-significant levels. As such, the construction of drainage improvements as necessary to serve the proposed project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of the EIR. Accordingly, additional mitigation measures beyond those identified throughout the EIR would not be required.

References: EIR pages 4.10-52 and 4.10-53.

d. **Impact**: The proposed project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and implementation of the proposed project would the project comply with Federal, State, and local statutes and regulations related to solid waste.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and implementation of the proposed project would the project comply with Federal, State, and local statutes and regulations related to solid waste.

Served by a Landfill with Sufficient Capacity
Minor amounts of non-hazardous solid waste including wood and concrete would be generated in the short-term by construction of the Project. The California Integrated Waste Management Board (CIWMB) prepared a waste characterization study that quantified and characterized disposal and diversion rates from construction and demolition activities. According to the study, approximately 74 percent of waste generated from new construction is able to be diverted. On average, a significant portion of waste generated during construction of the Project could be diverted, thereby substantially reducing the total amount of waste that would be disposed of at the landfill during construction of the Project. In addition, the project is required to comply with Section 4.408 of the 2013 California Green Building Code Standards, which requires new development projects to submit and implement a construction waste management plan in order to reduce the amount of construction waste transported to landfills.

The Project's combined annual solid waste generation would be 67,886.46 tons/year. The Perris Transfer Station and MRF, has a capacity of 3,600 tpd. The Project is expected to generate 67,886.46 tons/per year or 179 tpd. The El Sobrante Landfill is currently permitted to receive 10,000 tpd; of the 10,000 tpd, 4,000 tpd is reserved for refuse generated within Riverside County. This represents approximately a 0.4 percent of the daily capacity of the servicing landfill.

Comply with Federal, State, and Local Statutes and Regulations Related to Solid Waste
The California Integrated Waste Management Act established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the Act established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Per the requirements of the Integrated Waste Management Act, the Riverside County Board of Supervisors adopted the Riverside Countywide Integrated Waste Management Plan which outlines the goals, policies, and programs the County and its cities will implement to create an integrated and cost effective waste management system that complies with the provisions of California Integrated Waste Management Act and its diversion mandates. The Project's waste hauler would be required to coordinate with the waste hauler to develop collection of recyclable materials for the Project on a common schedule as set forth in applicable local, regional, and State programs. Recyclable materials that would be recycled by the Project include paper products, glass, aluminum, and plastic. Additionally, the Project's waste hauler would be required to comply with all applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the landfills that serve the Project are reduced in accordance with existing regulations.

References: EIR pages 4.10-53 and 4.10-54.

d. **Impact:** The proposed project would not result in the wasteful and unnecessary consumption of natural gas or electricity.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project not result in the wasteful and unnecessary consumption of natural gas or electricity.

Natural Gas

Natural gas would be provided to the Project by The Southern Gas Company (SCGC). Based on a system area average of 482 therms per year for multi-family residential and 799 therms per year for single family residential, the Project is estimated to have a gas demand of 4,721,411 therms per year. Due to the fact that construction for commercial development varies so widely (e.g., a glass building vs. a heavily insulated building) and there is such a wide variation in types of materials, a typical demand figure is not available for this type of construction. Calculations would need to be made after the building has been designed. Considering the varying demands for commercial needs, estimated figures for commercial gas demand is not available at this time. Although, based on the 2008 Gas Report, a temperature-adjusted basis, core commercial market demand in 2007 totaled 82 Bcf, up about 2.7 Bcf, or 3.4 percent, from 2006. On average, the core commercial market demand is expected to decrease about 0.4 percent per year, over the next 23 years, to just below 75 Bcf in 2030. The decrease in gas usage is mainly the result of gas demand decreases expected from the impact of energy efficiency programs in this market.

SCGC has infrastructure in the area, and future gas-related infrastructure and necessary extensions would be installed over the development of the Project's 30-year development and phases of construction, inclusive of new natural gas facilities or expansion of existing facilities. The gas-related infrastructure and necessary extension would be installed in accordance with the requirements and specifications of the City and the California Public Utilities Commission.

Electricity Service

The anticipated service demands created by implementation of the proposed AVSP are within the service parameters of SCE current transmission and service infrastructure. SCE would update existing facilities or add new facilities in the AVSP area based upon specific requests for service from end users. Financial responsibility for any updates or additional facilities would be in accordance with SCE's rules and tariffs. All new developments that require new electricity lines to be installed would be required to pay applicable fees assessed by SCE to extend electricity lines to serve the specific AVSP site. SCE would not provide service to new developments if there were not adequate electricity supplies and infrastructure to maintain existing service levels and meet the anticipated electricity demands of the specific development requesting service.

Performance Standards

The project includes the following Project-wide Development Standards that will reduce the demand for natural gas and electricity:

> All development within the AVSP shall comply with the all provisions of the California Green Building Code and the following specific requirements:
>
> - Non-residential developments shall designate 10% of total parking spaces for any combination of low-emitting, fuel-efficient and carpool/vanpool vehicles (consistent with the California Green Building Code). Parking stalls shall be marked "Clean Air Vehicle."
> - Non-residential buildings constructed in the AVSP will use roofing materials having solar reflectance, thermal emittance of Solar Reflectance Index (SRI) 3 or better, consistent with CalGreen Tier 1 values.

- All new construction shall be consistent with CalGreen Tier 1 energy-efficient building standards through either the performance based or prescriptive approach described in the California Green Building Code. 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.

References: EIR pages 4.10-54 to 4.10-58.

e. **Impact**: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will have less than significant impacts associated provision of new or physically altered police protection facilities, need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services.

Upon full build-out of the General Plan's Land Use Plan, the population of the City would increase to approximately 318,856 residents. Under current staffing levels (0.85 officers per 1,000 people), approximately 271.03 sworn officers (an increase of 227.4 officers) would be necessary to provide the same level of staffing. Potential impacts on police services from population increase and new development resulting from build-out of the General Plan include environmental impacts associated with the construction of new and improved governmental facilities that would be necessary to maintain acceptable service ratios. In addition, the City's General Plan includes measures to meet the service needs of the City as it grows, including a City annual review of police services and staff ratios (Goal 8 General Plan Implementation Program) and coordination with the County of Riverside to provide adequate police service and staffing levels (Policy 8.2). Furthermore, City development fees require that commercial projects pay fees per 1,000 SF to defray public expenditures for the expansion of services.

The project would create need to hire one additional officer for each 1,000 people the project adds to the area. To handle the full generation of the project, additional officers would need to be hired (in the future), as the project is built over the next 30-year period. The projected number of additional deputies would be 28 based on 8,024 dwelling units with an average of 3.48 persons per household, the population for the site (residential component) under build-out conditions would be 27,923 persons. This number of deputies would not result in the need for the construction of new police protection facilities on the project site.

All new development projects, including the Project, are required to contribute to the City's Community Facilities District CFD 2015-1 (Safety) (Law Enforcement, Fire and Paramedic

Services). The funds contributed to this district are distributed to provide for additional staff, facility expansion and maintenance, and purchasing of additional equipment.

References: EIR pages 4.10-58 and 4.10-59.

f. **Impact**: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives of for schools.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives of for schools. The AVSP includes the development of 8,244 housing units with an estimated increase of 27,923 persons in residential population within the next 30-year period. The number of students projected to be generated at build-out of the Alberhill Villages Specific Plan is a 3,340 total number of students. The estimated breakdown of students is 1,623 elementary school students, 743 middle school students, and 974 high school students. The students projected for elementary, middle school and high school would exceed the capacity of the existing Machado, Terra Cotta, and Lakeside schools.

In addition, 6,000 university students are to be expected. Implementation of the project, in conjunction with surrounding related projects, would result in cumulative increase in student population. With this university of 6,000 students, in addition to the project proposal of: 1) two places of religious assembly with schools for 1,200 students total (600 students/ school with a place of religious assembly); 2) one elementary school facility for 850 students; and, 3) additional payment of development levied fees to the LEUSD. There will be facilities within the project that will allow for an estimated total of 8,050 students on-site.

The project proposes an elementary school site. The construction of an elementary school as proposed by the project would result in physical impacts to the surface and subsurface of the project site. These impacts are considered to be part of the project's construction phase and are evaluated throughout the EIR at a program level of analysis. In instances where significant impacts have been identified for the project's construction phase, mitigation measures are recommended in each applicable subsection of the EIR to reduce impacts to less-than-significant levels. As such, the construction of a fire station as necessary to serve the proposed project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of the EIR. Accordingly, additional mitigation measures beyond those identified throughout the EIR would not be required.

References: EIR pages 4.10-61 and 4.10-64.

g. **Impact**: The proposed project would not result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered fire protection facilities.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will have less than significant impacts associated with the provision of, or the need for, new or physically altered fire protection facilities.

During construction and operation of the Project, compliance with all applicable fire code and ordinance requirements would be required and made conditions of approval for the project. The project would comply with the International Fire Code, California Building Code (CBC), and applicable RCFD Code requirements and standards for construction, access, water mains, fire flow, and fire hydrants in effect at the time of development. RCFD indicated fire flow requirements for commercial structures is 1,500 gallons per minute (gpm), at a residual operating pressure of 20 pounds per square inch (psi), and can rise to 8,000 gpm. Any water system would be designed to meet this demand and flow. The Project has been determined by fire department personnel to have adequate primary and secondary access for fire department vehicles that has been determined by correspondence with the Fire Department.

To accommodate for the increase demand created by further phases of the Project, the applicant would be required to contribute to the City's Community Facilities District CFD 2015-1 (Safety) (Law Enforcement, Fire and Paramedic Services) and eventually, as proposed, a new Fire Station will be constructed within the project site. The construction of a fire station as proposed by the project would result in physical impacts to the surface and subsurface of the project site are evaluated throughout the EIR at a program level of analysis. In instances where significant impacts have been identified for the project's construction phase, mitigation measures are recommended in each applicable subsection of the EIR to reduce impacts to less-than-significant levels. As such, the construction of a fire station as necessary to serve the proposed project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of the EIR. Accordingly, additional mitigation measures beyond those identified throughout the EIR would not be required.

The proposed Fire Station and potential funds contributed to this district are distributed to provide for additional staff, facility expansion and maintenance, and purchasing of additional equipment. If required, the fire substation shall be located within the University Town Center or east of Lake Street within the proposed Alberhill Ridge Specific Plan.

References: EIR pages 4.10-59 to 4.10-61.

h. **Impact**: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for park services; would not 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; and would not include recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for park services; would not 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; and would not include recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

The City's standard for public parks and open space requirement for residential development is five acres of parkland with active recreational facilities per 1,000 residents. Park and recreation facilities needed to serve the area will be provided by developers through park land dedication or funded through the park capital improvement fund fees collected by the City prior to the issuance of building permits on all new development. Active parkland will be provided at a ratio of 5 acres of land per 1,000 population. The recreational facilities and park sites within the AVSP include a 45.9-acre Sports Park, a 36.8-acre regional Lakeside Park, two large recreational lakes totaling 39.6 acres, an active 19.5-acre community park, a 6.0-acre community garden, a 14.3-acre community park and thirty-five (35) private pocket parks (approximately one (1) acre each).

Park and recreation facilities needed to serve the AVSP area will be provided by developers within the AVSP. Upon their completion of turn-key park facilities, the developers will offer the fully-improved park land to the City of Lake Elsinore or to a private Homeowner's Association, via an offer of dedication, at the direction of the City.

The construction of the above described parks and recreational facilities as proposed by the project would result in physical impacts to the surface and subsurface of the project site. These impacts are considered to be part of the project's construction phase and are evaluated throughout the EIR at a program level of analysis. In instances where significant impacts have been identified for the project's construction phase, mitigation measures are recommended in each applicable subsection of the EIR to reduce impacts to less-than-significant levels. As such, the construction of parks and recreational facilities as necessary to serve the proposed project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of the EIR. Accordingly, additional mitigation measures beyond those identified throughout the EIR would not be required.

References: EIR pages 4.10-63 through 4.10-70.

i. **Impact**: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or increased telecommunications service that would physically alter telecommunication facilities, need for new or physically altered telecommunications facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service or other performance objectives for telecommunications services.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in substantial adverse physical impacts associated with the provision of new or increased telecommunications service that would physically alter telecommunication facilities, need for new or physically altered telecommunications facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service or other performance objectives for telecommunications services.

Implementation of the Project, in conjunction with related projects, would result in an increase in demand for telephone, cable, and Level 3 communication facilities and their required services. The AVSP, similar to the development of related projects, is encouraged by the City of Lake Elsinore to pursue the 'state of the art' in technology that would allow the residents and City to be more informed about current events, issues and emergency preparedness programs. With the project's development and implementation, there will be an increase for demand of acceptable telecommunication services or other performance objectives for additional required services, such as the construction of phone and cable, and will be accomplished by the project connecting to either existing facilities and/or future planned systems for ATT, Verizon, and Time Warner.

The construction of telecommunication facilities within the project would result in physical impacts to the surface and subsurface of the project site. These impacts are considered to be part of the project’s construction phase and are evaluated throughout the EIR at a program level of analysis. In instances where significant impacts have been identified for the project’s construction phase, mitigation measures are recommended in each applicable subsection of the EIR to reduce impacts to less-than-significant levels. As such, the construction of telecommunication facilities within the project as necessary to serve the proposed project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of the EIR. Accordingly, additional mitigation measures beyond those identified throughout the EIR would not be required.

References: EIR pages 4.10-70 and 4.10-71.

j. **Impact**: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for library services.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for library services.

The Lake Elsinore Library located on West Graham Avenue and the Lakeside Library on Riverside Drive are branch libraries of the Riverside City and County Public Library system. They are the only libraries within ten miles of the Project site, located approximately six to eight miles away. Per Riverside City and County Public Library, the current level of library service within the County of Riverside is considered to be inadequate.

The American Library Association suggests the optimum standard for library facilities and volumes available per capita stands at 0.5 square feet of library space and 2.5 volumes per capita. The recommendation for appropriate service is 18,000 square feet of library space and a total of 90,000 volumes for the current population of the City. There are presently a total of 35 libraries and two bookmobiles that are also part of the Riverside County Library System. On October 27, 2012, Library Number 34 opened in Mead Valley and Library Number 35, the Cabazon Pass Library, opened on February 13, 2013 in Cabazon, CA. The libraries closest to the Project site are the City of Lake Elsinore Library and the library located within the Lakeside High School site.

With implementation of the City's Land Use Plan, it is anticipated that the increase of residents and associated dwelling units that would occur at build-out would substantially intensify the demand for library services and facilities within the City. Based on the present service criterion into build-out estimates, the County would need to provide approximately 159,428 square feet of library space and a total of 797,140 volumes. Therefore, the increase in residents associated with the General Plan build-out would significantly affect existing library facilities and services.

Potential impacts on libraries from population increase and new development resulting from build-out of the General Plan include environmental impacts associated with the construction of new or improved governmental facilities that would be necessary to maintain acceptable service ratios. There is no public library proposed within the project site so there would not be a physical impact environmental as a result of the project.

Implementation of the project would result in an incremental increase in the demand for library facilities and services. To offset the project's incremental contribution to the demand for library facilities, the project is required to participate in the City's impact fee program which has a fee component for libraries for new residential housing developments to support future library facilities and to offset any potential impacts to libraries.

References: EIR pages 4.10-71 and 4.10-72.

k. **Impact**: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or existing animal services, need for new or physically altered animal control facilities, the construction of which could cause significant

environmental impacts, in order to maintain acceptable service as presently accepted, response times, or other performance objectives of animal control and its services.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in substantial adverse physical impacts associated with the provision of new or existing animal services, need for new or physically altered animal control facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service as presently accepted, response times, or other performance objectives of animal control and its services.

Population increases allowed by the General Plan could result in an increased need for animal control services. Adequate animal control services would be essential to ensure a safe community for residents and their pets. These services would address potential increases in emergency animal control calls and the need for adoption and licensing services. The City continues to foster and participate in the operation of a regional control facility through participation in the South Western Communities Financing Authority. The General Plan includes measures to ensure adequate services that meet the needs of the population as it grows. These goals, policies and implementation programs include measures to reduce impacts on animal control services by supporting the agencies that provide animal control services.

The City of Lake Elsinore currently contracts with a private company for all animal control services (Animal Friends of the Valley). The goal of animal services is to provide high quality animal control services to ensure timely response and effective control that protects both citizens and animals. An additional goal is to develop an educational program in conjunction with Animal Friends of the Valley regarding animal control services, including spay and neuter programs.

With implementation of the project, there would result in an increase in demand of animal services. However, the responsibility for animal control services is beyond the scope of the project. The Project does not propose animal control facilities, therefore, there is no impact with respect to substantial adverse physical impacts associated with the provision of new or existing animal services, need for new or physically altered animal control facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service as presently accepted, response times, or other performance objectives of animal control services

References: EIR page 4.10-73.

l. **Impact**: The proposed project would not result in impacts to public services that would be cumulatively considerable.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not result in impacts to public services that would be cumulatively considerable.

Cumulative impacts related to public utilities/service systems are addressed in the General Plan EIR which is incorporated by reference into this AVSP EIR. Future development in the local area will result in increased demands for police and fire services, schools, recreational needs, libraries, and animal control. If sufficient funding is not made available to increase services then new development may impact police and fire services, specifically, the increase in development and population may result in substandard response times and inadequate services. Planning efforts by the County service providers take into account anticipated growth of the planning area and neighboring cities.

The goals and policies pertaining to schools and recreational needs as discussed within the GP include measures to ensure adequate school services and recreational needs that meet the needs of the population as it grows. State law and fees are deemed to provide full and complete school facilities mitigation. With these applicable provisions and goals for each public service in the GP, adequacy and availability of these services will be ensured as development occurs. As a result, future development would not have significant cumulative impacts upon these services, and therefore, would be less than significant.

Cumulative impacts from the project and additional development will result in increased demand for utility services. The project will be required to pay connection, services and assessment fees, as required, to mitigate the increased demand for additional service and capacity. Measures such as funding mechanisms and user fees will offset and improve infrastructure. In addition to implementation of the goals, policies and implementation programs of the GP and being in compliance with existing regulatory requirements and service provider, the potential cumulative impacts on public facilities and services within the City and City's Sphere of Influence, the cumulative impacts on utilities and service systems will be less than significant and no additional mitigation measures are required.

References: EIR pages 4.10-73 and 4.10-74.

3.2.9. Traffic and Circulation

m. **Impact**: Implementation of the proposed project would not substantially increase hazards due to a design feature.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would not substantially increase hazards due to a design feature.

The design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, and intersection control as well as incorporate design standards tailored specifically to site access requirements. The project will improve portions of Temescal Canyon Road and Lake Street, as well as on-site roadways, intersections, and driveways. These improvements will allow for better emergency and public access to the Project site. As part of the City's plan check process, the final design of all roadways and intersections

within the project site would be reviewed by a licensed professional civil engineer to ensure adequate safety to and from the project site. The proposed project does not include any sharp curves or dangerous intersections in its design. Adherence to applicable existing requirements of the City and other agencies would reduce impacts associated with this issue. In addition, the project's land uses proposed would be compatible with existing development in the surrounding area; therefore, implementation of the Project would not create a transportation hazard as a result of an incompatible use.

References: EIR page 4.7-59.

n. **Impact**: Implementation of the proposed project would not result in inadequate emergency access.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would not result in inadequate emergency access.

The project and the increased number of people living in the Project area, as well as automobiles, would incur the implementation of this Project to have an increase in emergency access to the project site. The major north-south access to the Alberhill Villages Specific Plan would be provided by the I-15 Freeway that connects the Project area to San Diego County to the south, and central Riverside County and San Bernardino County to the north. Main access to the I-15 Freeway from the Alberhill Villages Specific Plan would be Lake Street. Temescal Canyon Road would provide access to the project site from the north; Lake Street would provide access from the east, as well as Nichols Road, Street A and Street B. The southern portion of the project site would be accessed by Lincoln Road. Because the project includes five primary access points, and is in the proximity to the I-15 Freeway, the project would provide adequate emergency access and therefore, the project impacts will be less than significant.

References: EIR pages 4.7-59 and 4-7-60.

o. **Impact**: Implementation of the proposed project would not conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would not conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

The Riverside Transit Agency (RTA) does not currently provide service within proximity to the Project area. Although no transit routes currently follow the project's frontage, the project design incorporates "transit ready" features that will accommodate transit service in the future, when it

becomes available. Such features include provisions for bus stops within the internal parking areas of the plan, walkways to perimeter streets with future bus stops, and the provision for "park and ride" parking areas within the plan. The existing and future public transit features (if approved by RTA) would provide service to the residents and visitors of the project, and would encourage alternative transportation as a viable alternative to single passenger automobile transport.

The project proposes a variety of transportation options by providing interconnections of land uses that are amenable to pedestrians, bicyclists, public transit riders and motorists. Two trails, the Regional Trail and the Community Trail, are planned to connect the project to areas north and south of the project area. An extensive pedestrian and cyclist network has the potential to connect the different planning areas within the project. The project will implement the following pedestrian safety enhancing circulation improvements: curb extensions, potential roundabouts, all-way stop controlled intersections, raised intersections, mid-block walkways, pedestrian amenities and bus transit service as part of project design.

References: EIR page 4.7-60.

3.3. Findings Regarding Environmental Impacts Which Can Be Mitigated to Level of Less Than Significant

Environmental impacts identified in the EIR as potentially significant but which the City finds can be mitigated to a level of less than significant through the imposition of feasible mitigation measures identified in the Final EIR and set forth herein, are described in this section.

3.3.1. Aesthetics/Light and Glare

a. **Impact**: Implementation of the proposed project could substantially degrade the existing visual character or quality of the site and its surroundings.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

Mitigation Measures AES-1 through AES-7

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project's impacts upon the existing visual character or quality of the site and its surroundings would be less-than-significant. The Project's urban development associated with the AVSP Project would alter the primarily undeveloped mining visual character of portions of the Project site. This alteration would occur through the gradual 30 year build-out of the AVSP with residential, retail, commercial uses, university and industrial/office. Development associated with the Specific Plan will vary in height depending on the location within the Specific Plan.

Construction Impacts

Grading and construction of the individual phases for the Specific Plan would alter the visual appearance of the property from a vacant/mining operation to a planned mixed-use residential community. Project construction activities would result in exposure of graded surfaces, construction debris, the presence of construction equipment and heavy trucks on-site. These onsite

activities, however, are currently on-going from the mining activities. Thus, construction may result in an intensification of the current grading activities. Dirt would be stockpiled and equipment for grading activities would be stored at various locations throughout the site. The project proponent would be required to coordinate these locations with the grading contractor and the City of Lake Elsinore Building Division at the various construction phases of the project. Buffering along the perimeter of the Project site during construction would reduce these visual disruptions. These impacts, however, are not considered significant, as they are anticipated to be short-term and would cease upon Project completion, and would be substantially mitigated by Mitigation Measures AES-1 and AES-2.

Long-Term Impacts

A project is generally considered to have a significant impact on visual character if it substantially changes the character of the Project site such that it becomes visually incompatible or visually unexpected when viewed in the context of its surroundings. Long–term development impacts would be permanent and would significantly alter views of and adjacent to the site. Implementation of the Alberhill Villages Specific Plan would permanently alter the nature and appearance of the site. Although views of and across the site would be permanently altered, this impact would not be adversely significant, as it would be replacing views of extensively disturbed/graded land used for mining operations with a planned community with a consistent architectural theme. In addition, similar Specific Plan development projects including residential, commercial and recreational uses have been approved in the immediate vicinity. The Horsethief Canyon Ranch Specific Plan project, located to the west, and the Alberhill Ranch project area, located to the southeast of the AVSP area, have been approved and follow the same land use mix of residential, commercial and recreational land uses. The development of this site would be consistent with the surrounding Specific Plan areas, and the City of Lake Elsinore General Plan.

Reference: EIR pages 4.5-26 through 4.5-29.

b. **Impact**: Implementation of the proposed project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

Mitigation Measures AES-8 through AES-10

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less-than-significant impacts related to light and glare.

The AVSP would modify the nighttime appearance of the area from a primarily vacant area to that of a lighted commercial/mixed-use community. The AVSP is identified in the City's General Plan as a producer of night lighting. The lighting and glare analysis within the GP considers the lighting impact of the Specific Plan as a whole. The Project would incorporate lighting to the extent necessary for safety and security, and to complement the architectural character of future buildings developed within the Specific Plan area.

Additionally, street lighting would be incorporated along the roadways that are planned for development as part of the Project. Street lights would provide a safe and desirable level of illumination for both motorists and pedestrians without intruding into residential areas. The City of Lake Elsinore falls beyond the 30-mile radius but within the 45-mile radius of the Mount Palomar Observatory. This outer ring is identified as resulting in secondary impacts to the ability of researchers at the observatory to study the sky as a result of surrounding night-lighting.

All lighting is required to comply with the City of Lake Elsinore Municipal Code (LEMC), including the location and direction of light fixtures. All outdoor lighting fixtures in excess of 60 watts would be oriented and shielded to reduce glare or direct illumination onto adjacent properties or streets (LEMC Section 17.112.040). Low pressure sodium lighting would be required in accordance with the Mount Palomar Observatory lighting standards (Section LEMC 17.112.040). Lighting fixtures would be carefully located, positioned, and shielded to minimize unwanted spillover and glare. Additionally, in general, building finishes should be nonreflective.

The project would modify the nighttime sky, creating an increased source of light, a potential new source of substantial light and/or glare. However, with adherence to the City's lighting regulations, and lighting design guidelines proposed by the Project and implementation of Mitigation Measures AES-8 through AES-10, impacts would be reduced to a level less than significant.

Reference: EIR pages 4.5-29 and 4.5-30.

c. **Impact**: Implementation of the proposed project could result cumulative aesthetic impacts.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

Mitigation Measures AES-1 through AES-10

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR, and considering the information contained in the Record of Proceedings, the City Council hereby finds that the cumulative aesthetic impacts of the project would be less-than-significant. The area for the cumulative analysis is the Alberhill District. The cumulative effect on scenic vistas from the proposed project would be less than significant as scenic vistas would not be significantly affected from viewpoints within certain project locations and adjacent roads.

Although the development of the proposed Project would partially obstruct views of the scenic vistas identified in the analysis above from current vantage points near future project structures, scenic vistas would not be completely obstructed from viewpoints afforded from the circulation network, openings between rows of buildings or trees, or at the end of vehicular rights-of-way. Compliance with the City's General Plan standards, and the City's Municipal Code standards, and the mitigation measures contained in this section of the EIR would ensure that the proposed project in combination with other projects in the Alberhill District would not result in significant impacts upon scenic vistas, scenic resources, and visual character. As a result, the project would create a less than significant cumulative impact on local scenic vistas, scenic resources, and visual character.

Cumulatively, more lighting would be introduced into the area by proposed future development. As with past and currently proposed development, cumulative lighting-related impacts would be reduced through the adherence to applicable City lighting standards. No cumulatively significant lighting impact would result from implementation of the proposed Project.

Reference: EIR pages 4.5-30 through 4.5-31.

3.3.2. Air Quality

a. **Impact**: The proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

GHG-1: *The following CAP measures as binding and enforceable upon implementing projects as required by the CAP and shall be verified by the City prior to approval of implementing project plans or prior to occupancy as appropriate:*

T-1.2: Pedestrian Infrastructure

- *Implementing projects shall be required to provide sidewalks along new and reconstructed streets.*
- *Implementing projects shall provide sidewalks or paths to internally link all uses in a project where applicable.*
- *Implementing projects shall provide connections to neighborhood activity centers, major destinations, and transit contiguous to site.*

T-1.4: Bicycle Infrastructure

- *Where applicable, implementing projects shall implement a network of Class I, II and II bikeways, trails and safety features identified in the General Plan, Bike Lane Master Plan, Trails Master Plan and Western Riverside County Non-Motorized Transportation plan. Where applicable, the implementing project shall provide connections to the network identified in these plans.*

T-1.5: Bicycle Parking

- *New, non-residential development that is anticipated to generate visitor traffic shall provide permanently anchored bicycle racks within 200 feet of the visitor entrance, readily visible to passers-by, for 5% of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack.*
- *For an implementing project proposing a building with over 10 tenant spaces, secure bicycle parking for 5% of tenant-occupied motorized vehicle parking capacity, with a minimum of one space shall be provided.*

T-2.1: Designated Parking for Fuel-Efficient Vehicles

- *A non-residential implementing project shall designate 10% of its total parking spaces for "Clean Air Vehicles."*

E-1.1: Tree Planting

- *Implementing projects shall provide a 15- gal non-deciduous, umbrella-form tree per 30 linear feet of boundary length, near buildings, or to shade pavement in parking lots and streets.*

E-1.2: Cool Roof Requirements

- *A non-residential implementing project shall use roofing materials having solar reflectance, thermal emittance or Solar Reflectance Index 3 per CalGreen Tier 1 values.*

E-1.3: Energy Efficient Building Standards

- *Implementing projects shall achieve CalGreen Tier 1 energy efficiency standards.*

E-3.2: Energy Efficient Street and Traffic Signal Lights

- *If an implementing project involves the installation of street or traffic signal lights, such lighting shall consist of Low Emitting Diode (LED) lights.*

E-4.1: Landscaping

- *An implementing project shall comply with the City's AB 1881 Landscaping Ordinance.*

E-4.2: Indoor Water Conservation

Requirements

- *Implementing projects shall reduce indoor water consumption by 30%, consistent with CalGreen Tier 1, Section A5.303.2.3.1.*

S-1.4: Construction and Demolition Waste

Diversion

- *An implementing project accompanied by a waste management plan shall demonstrate how 65% of the nonhazardous construction and demolition debris generated at the site will be recycled or salvaged.*

GHG-2: *Prior to the issuance of any discretionary developments for the AVSP (including grading, and/or similar) the Project applicant shall submit a CAP compliance document to the Director of Community Development. The Climate Action Plan Compliance Report has been prepared and is located within Chapter 7 of the Alberhill Villages Specific Plan.*

- *The auditing mechanism for the CAP is discussed further within Chapter 6.0, subsection 6.2.2 - Measure Implementation and Performance. The City staff shall evaluate measures every five years, identifying achievement of the performance indicators, participation rates, implementation costs, and community benefits realized, remaining barriers to implementation, and recommendations for changes to the CAP.*
    - *This evaluation may be submitted to the City Council in conjunction with the General Plan status report for that year as required by State Government Code Section 65400.*
    - *In addition, measure review will include an assessment of the implementation of applicable Scoping Plan measures to determine if adjustments to the CAP must be made to account for any shortfalls in Scoping Plan implementation.*

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in GHG emissions that may have a significant impact on the environment.

The project would generate GHG emissions from a variety of sources. First, GHG emissions would be generated during construction of the project. Once fully operational, the project's operations would generate GHG emissions from both area sources and mobile sources. Indirect source emissions generated by the project include electrical consumption, water and wastewater usage (transportation), and solid waste disposal. Mobile (direct) sources of air pollutants associated with the project would consist of motor vehicles trips generated by employees and consumers of the proposed development.

Construction Emissions

SCAQMD GHG emissions policy from construction activities is to amortize emissions over a 30-year lifetime. The amortized level from 47,209 metric tons CO2(e) is 1,574 metric tons per year. Additionally, construction emissions will cease after the Project is completely built out.

Operational Emissions

The Project either directly or indirectly will generate greenhouse gas emissions that may have a potentially significant impact on the environment. The City's CAP addresses greenhouse gases and has emission reduction strategies and measures to reduce emissions to meet the statewide targets identified in Assembly Bill (AB) 32 and Executive Order S-3-05. Implementing projects that are in compliance with the above mandatory CAP GHG reduction measures would result in a decrease of GHG emissions. In addition to State-wide mandatory measures, implementing projects are expected to result in a reduction in emissions of in excess of 28.5 percent.

Cumulative Impacts

The cumulative analysis relies on the CAP for its cumulative impact analysis and identifies the CAP measures that apply to the project and demonstrate how the project incorporates or is consistent with them. Because the project is in compliance with the CAP, the Project's GHG cumulative impacts are less than significant.

References: EIR pages 4.8-64 through 4.6-69 and 4-8-71.

b. **Impact**: The proposed project would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

Mitigation Measures GHG-1 and GHG-2.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs.

The proposed project would not conflict with implementation of the City's Climate Action Plan (CAP). The CAP identifies an emissions reduction target of 944,737 MTCO2e by the year 2020, meaning an 11.26 percent reduction from a 2008 baseline condition. As a reduction of 28.5 percent below the BAU scenario is required to meet the goals of AB 32 and the project's implementing development projects are expected to result in a reduction in emissions of in excess of 28.5 percent, the targeted GHG emissions reduction identified within the City CAP would not be exceeded. The proposed project would implement sustainability features (presented below), that are consistent with specific CAP measures identified in Appendix D: Project-Level CAP Consistency Worksheet within the City's CAP.

References: EIR pages 4.8-69 through 4.8-71.

3.3.3. Biological Resources

a. **Impact**: Implementation of the proposed project could have a substantial adverse effect, either directly or through habitat modifications, on 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 Wildlife or U.S. Fish and Wildlife Service.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

BIO-1: *A pre-construction survey for resident burrowing owls will be conducted by a qualified biologist within 30 days prior to commencement of grading and construction activities within those portions of the Project site containing suitable burrowing owl habitat. If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the preconstruction survey, the area shall be resurveyed for owls during the 30 days preceding the revised ground-disturbance date.*

The pre-construction survey will be conducted in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation.

If occupied burrowing owl tunnels are identified on-site during the pre-construction survey, construction may proceed if a 50-foot avoidance buffer can be established around the affected owl tunnel entrances (no ground disturbance, equipment laydown or storage, or parking inside the buffer). The owls and worker compliance with the buffer shall be monitored daily by a qualified biologist until construction and all other ground-disturbance activities in the vicinity have ceased.

If the Project cannot avoid an occupied burrow (resulting in the possibility of taking owls through entombing or crushing them in their burrows, or evicting them to be eaten by raptors or other predatory birds), relocation will be necessary to avoid unauthorized take of this declining species. The Project shall notify the Wildlife Agencies (CFWS and USFWS) within 3 business days of detecting the occupied burrow, and shall prepare a Burrowing Owl Relocation Plan for approval by the Wildlife Agencies.

BIO-2 *No new clearing, grubbing, grading or other ground-disturbance activities shall occur on each implementing development Project site until the following requirements have been met for the California gnatcatcher (Polioptila californrnica californica):*

a. *If suitable habitat is present, Presence/absence surveys shall be conducted in accordance with United States Fish and Wildlife Service (USFWS)/California Department of Fish and Wildlife (CDFW)-protocol within the footprint where new clearing grubbing, grading or other ground-disturbance activities is proposed. Said surveys shall also include all land within 500 feet of the ground-disturbance footprint.*

   If surveys document absence of California gnatcatcher (CAGN), no additional avoidance or minimization measures are required. Surveys in which the species is not detected are considered valid for one year. New surveys shall be conducted on any previously surveyed areas where clearing, grubbing, grading or other ground-disturbance activities have not commenced within one year and whenever new areas that contain suitable habitat are proposed for ground-disturbance activities.

b. *If surveys document the presence of CAGN, impacts to CAGN would be mitigated below the level of significance when occupied coastal sage scrub is fenced and direct impacts are avoided and construction within 500 feet of occupied habitat occurs only between September 1 and February 15 to avoid indirect impacts to nesting CAGN. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with CDFW and the USFWS. The noise barrier shall attenuate noise levels to 60 dBA or less at the edge of breeding habitat. Additional or alternative measures to avoid or minimize adverse project effects to CAGN, as identified by the USFWS and CDFW, shall be implemented.*

c. *If all avoidance measures cannot be implemented such that "take" of CAGN is avoided, a Section 7 Consultation or Section 10 Incidental Take Permit shall be initiated by the Project applicant with the USFWS and Take Authorization from USFWS through Final Biological Opinion and Incidental Take Statement and from CDFW through issuance of a California Endangered Species Act Incidental Take Permit or compliance with Fish and Game Code Section 2080.1 will be obtained.*

Mitigation measures to avoid or minimize adverse Project effects to CAGN, as identified by the USFWS and the CDFW shall be implemented. Potential impacts will be reduced to below the level of significance through implementation of one or more of the following measures, which individually or in combination will reduce potential impacts to below the level of significance: 1) avoidance; 2) minimization of impacts; 3) acquisition and set aside of similar CAGN habitat either on-site or off-site at a 1 to 1 ratio or such other ratio as negotiated between the applicant, the USFWS and the CDFW.

BIO-3 *Should construction of implementing development projects occur during the breeding season for the least Bell's vireo (LBV), southwestern willow flycatcher (SWWF) or other riparian-obligate birds (March 15 through September 15), protocol-level surveys shall be conducted prior to construction; or presence can be assumed. If surveys document the presence of LBV, SWWF or other riparian-obligate birds, impacts to LBV, SWWF or other riparian-obligate birds would be mitigated below the level of significance when occupied riparian forest/woodland/ scrub is fenced and direct impacts are avoided and construction within 500 feet of occupied habitat occurs only between September 15th and March 15th to avoid indirect impacts to nesting riparian-obligate birds. If avoidance is not feasible, a temporary noise barrier shall be used during construction, at the appropriate location(s), in coordination with CDFW and the USFWS. The noise barrier shall attenuate noise levels to 60 dBA or less, at the edge of breeding habitat. If surveys indicate that these species are not present, this measure will not be required. Additional or alternative measures to avoid or minimize adverse project effects to LBV, SWWF or other riparian-obligate birds, as identified by the USFWS in Section 7 or Section 10 Consultation and CDFW, shall be implemented. However, if all avoidance measures cannot be implemented such that "take" of LBV and SWWF is avoided, Take Authorization from USFWS through Final Biological Opinion and Incidental Take Statement and from CDFW through issuance of a California Endangered Species Act Incidental Take Permit or compliance with Fish and Game Code Section 2080.1 will be obtained.*

BIO-4 *Individual environmental review conducted for future AVSP implementing development projects will be required to identify any impacts on riparian areas and wetlands and, in consultation with the appropriate resource agencies and applicable regional plans, must ensure incorporation of adequate mitigation to preserve the Prior to issuance of a grading permit(s) for areas within the AVSP that contain riparian/riverine habitat, the applicant shall implement one or more of the following measures to mitigate for impact to riparian/riverine that individually or in combination will reduce potential impacts to below the level of significance, subject to regulatory agency (U.S. Army Corps of Engineers (ACOE), California Regional Water Control*

Board (CRWQCB) and California Department of Fish and Wildlife (CDFW)) approval:

- *Avoidance of on-site riparian/riverine habitat;*
- *Enhancement of other AVSP on-site riparian/riverine habitat;*
- *Restoration of on-site riparian/riverine habitat following ground-disturbance activities; or,*
- *On-site or off-site mitigation of residual impacts to riparian/riverine habitat at no less than 1:1 replacement to impact ratio, or such other ratio as required by the regulatory agency, whichever is greater. Off-site replacement shall include the purchase of mitigation credits at an agency-approved off-site mitigation bank or payment into an in-lieu fee agreement, such as the San Jacinto River invasive removal project through Santa Ana Watershed Authority.*

BIO-5 *Prior to issuance of a grading permit for any implementing development proposal that contains potential "waters of the U.S." and/or "waters of the State", a formal jurisdictional delineation of the subject property documenting all drainages including ephemeral drainages shall be completed. Potential impacts to any "waters of the U.S." and "waters of the State" will be reduced to below the level of significance through implementation of one or more of the following measures, that individually or in combination will reduce potential impacts to below the level of significance, subject to U.S. Army Corps of Engineers (ACOE) and California Department of Fish and Wildlife (CDFW) approval through the Section 404 and Section 1600 Streambed Alteration Agreement permitting process:*

- *Avoidance of on-site jurisdictional features;*
- *Enhancement of avoided on-site drainages;*
- *Restoration of on-site riparian habitat following ground-disturbance activities; or,*
- *On-site or off-site mitigation of residual impacts to jurisdictional areas at a 1:1 ratio, or such other ratio as negotiated between the applicant, the U.S. Army Corps of Engineers (ACOE), California Regional Water Quality Control Board (CRWQCB) and the California Department of Fish and Wildlife (CDFW) during the Section 404/401/1602 permitting process.*

BIO-6 *In order to avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code ground-disturbance activities including the removal of trees and vegetation shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species.*

If site-preparation activities are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits, to determine if active nests of species

protected by the MBTA or the California Fish and Game Code are present in the construction zone.

If active nests are not located within the Project area and appropriate buffer (500 feet) of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests), earth-moving activities may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.

BIO-7 *Though the **Stephens' kangaroo rat** was not found on-site, suitable habitat, however, exists on-site within the ruderal/non-native grassland and disturbed sage scrub habitats located on-site. The Project Site is located in the Stephens' Kangaroo Rat Fee Assessment Area (Riverside County Ordinance 663.10). To reduce potential impacts to the Stephen's kangaroo rat, and in accordance with Riverside County Ordinance 663.10, a Stephens' Kangaroo Rat Mitigation Fee payment of $500.00 per gross developed acre is required – paid to the Riverside County SKR Habitat Conservation Plan Fees. The mitigation fee shall be required prior to the issuance of a grading permit. If a deferral agreement instrument is recorded by the Applicant, the fee may be deferred to the issuance of the first building permit within the development. Fee amounts are determined by Riverside County Transportation and Land Management Agency (TLMA) Building & Safety and Planning Land Use staff and can be paid at any TLMA Permit Assistance Center.*

*The **rosy boa**, designated as a CDFW California Species of Concern, were not found onsite during the 14 days of general and focused biological surveys and site reconnaissance, even though suitable habitat was present. The rosy boa is generally sparsely distributed in rocky chaparral and coastal sage scrub habitats, and has a high potential to occur within these habitats. Additional surveys are to be conducted before grading is permitted, and if found, the rosy boa will be relocated to habitat suitable areas outside the development area.*

*In addition, the **fairy shrimp**, also not found during the 14 days of general and focused biological surveys and site reconnaissance, may have a potential for existence due to the presence of numerous seasonal pools observed on-site. A presence/absence survey shall be conducted prior to any on-site grading.*

BIO-8 *The Applicant shall be responsible for implementing mitigation to reduce potential impacts to two species of native trees that were located on-site: the southern coast live oak riparian forest located in the northwest corner of the Site that includes coast live oak (Quercus agrifolia) and the arroyo willow (Salix lasiolepis). The oak trees and willows are large, mature, and in good health. If oak trees will be impacted, the developer shall mitigate the loss at a 12:1 replacement with 1-gallon trees, or shall relocate the native oak trees.*

BIO-9 *Prior to the future approval of a Phased Development Plan, Subdivision Map, or Design Review application by the City's decision-making authority, applicants for any proposed new implementing development shall submit a current site-specific biological survey prepared by a qualified biologist which evaluates the potential construction-related noise impacts upon wildlife. If biological survey determines that construction-related noise mitigation is necessary; prior to the commencement of construction activity, a temporary sound wall shall be erected adjacent to construction between the implementing development's footprint and any impacted wildlife resources to ensure that wildlife are not subject to noise that would exceed residential noise standards (65 dBA) or ambient noise levels at 65 dBA (whichever is higher). Once construction is completed, the temporary sound wall shall be removed.*

BIO-10 *Any loading docks proposed for construction located adjacent to the Critical Habitat Areas shall be designed and operated to maintain noise levels at 65 dBA or ambient noise levels (whichever is higher).*

BIO-11 *Prior to grading each phase of the development, a qualified biologist will conduct a USFWS protocol-level habitat assessment for Quino Checkerspot Butterfly (QCB) in accordance with the latest USFWS protocol. If it is determined that suitable habitat exists on site, then focused USFWS-protocol QCB surveys will be conducted within identified suitable habitat as follows:*

a. If surveys document absence of QCB no additional avoidance or minimization measures are required. Surveys in which the species is not detected are considered valid for one year. New surveys shall be conducted on any previously surveyed areas where clearing, grubbing, grading or other ground-disturbance activities are not commenced within one year and whenever new areas are proposed for ground-disturbance activities.

b. If QCB occupies suitable habitat within the development footprint, the direct permanent impacts to the federally endangered Quino checkerspot butterfly will require consultation under Section 7 or 10 of the Endangered Species Act, and will be mitigated according to negotiations with the USFWS. If all avoidance measures cannot be implemented such that "take" of QCB is avoided, an Incidental Take Permit shall be initiated by the Project applicant with the USFWS and Take Authorization from USFWS through Final Biological Opinion and Incidental Take Statement will be obtained. Mitigation measures to avoid or minimize adverse Project effects to QCB, as identified by the USFWS shall be implemented. Potential impacts will be reduced to below the level of significance through implementation of one or more measures, including, but not limited to, habitat preservation, enhancement, reintroduction, and/or creation.

c. If temporary impacts to the federally endangered Quino checkerspot butterfly habitat are unavoidable, mitigation will occur through on-site revegetation of the habitat in which the species occurs (i.e., coastal sage scrub) by including the seeds of known host and nectar plant species in the revegetation seed mixture at a 1:1 ratio or such other ratio as negotiated between the applicant and the USFWS.

BIO-12 *A pre-construction coast horned lizard survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities or vegetation removal, a coast horned lizard (CHL) shall be conducted by a qualified biologist to determine if the Coast Horned Lizard is present. If surveys document the presence of CHL, impacts shall be mitigated to below a level of significance through onsite avoidance or through mitigation*

Implementation of one or more of the following measures that individually or in combination will reduce potential impacts to below the level of significance, subject to U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) approval:

- *Avoidance of on-site CHL habitat;*
- *Preservation of other AVSP on-site CHL habitat and the relocation of CHL individuals from the impacted habitat to the preserved on-site habitat;*
- *The placement of an equivalent number of habitat acres occupied by CHL into permanent conservation.*

If CHL are not detected, no additional avoidance or minimization is required.

BIO-13 *During the biological surveys required by Mitigation Measure BIO-14, a qualified biologist shall survey the implementing development project site for Coulter's Matilija poppy. If Coulter's Matilija poppy is found on site, all native plant nurseries in southern California (Riverside, Los Angeles, Orange and San Diego Counties) will be notified by certified mail of the pending elimination of these plants by the Project and shall be given the opportunity to salvage the plants or seeds (on a first-come, first-served basis) prior to the commencement of vegetation clearing or other ground-disturbing activities.*

BIO-14 *Prior to the grading of each phase, an updated vegetation map will be prepared to determine the extent of the willow riparian, coast live oak riparian, coastal sage scrub and alluvial fan scrub within the subject phase; and the amount of these special-status habitats that will be removed as a result of implementing development projects. The extent and quality of coastal sage scrub and alluvial fan scrub will be determined by a qualified biologist. If the presence of said habitat is identified and will be removed as a result of implementing development projects, mitigation of the willow riparian, coast live oak riparian coastal sage scrub and/or alluvial fan scrub will be determined through a Section 7 Consultation or Section 10 Permit.*

Implementation of one or more of the following measures that individually or in combination will reduce potential impacts to below the level of significance, subject to U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) approval:

- *Avoidance of on-site willow riparian, coast live oak riparian coastal sage scrub and alluvial fan scrub habitat;*

- *Preservation of other AVSP on-site willow riparian, coast live oak riparian, coastal sage scrub and alluvial fan scrub habitat at no less than a 1:1 ratio, or such other ratio as required by the USFWS and CDFW, whichever is greater;*

- *The permanent preservation of off-site willow riparian, coast live oak riparian, coastal sage scrub and alluvial fan habitat at no less than a 1:1 ratio, or such other ratio as required by the USFWS and CDFW, whichever is greater.*

BIO-15 *During the biological surveys required by Mitigation Measure BIO-14, a qualified biologist shall survey the implementing development project site for Special Status Plants, including but not limited to, Parry's spineflower, paniculate tarplant, and graceful tarplant. If Special-Status Plants are identified as being impacted by implementing development projects, those impacts shall be mitigated in accordance with the requirements and procedures set forth in Mitigation Measure BIO-14.*

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project could have a substantial adverse effect, either directly or through habitat modifications, on 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 Wildlife or U.S. Fish and Wildlife Service. However, with the implementation of the above mitigation measures, the impacts will be less than significant.

Vegetation Communities and Habitat

Direct impacts as a result of construction activities associated with the proposed project would include the permanent removal of vegetation communities that may be utilized as habitat for both common and rare wildlife. Indirect impacts associated with construction include fugitive dust and increased noise levels due to heavy equipment operations occurring in these areas. Indirect impacts to habitat could include alterations to existing topographical and hydrological conditions, increased erosion and sediment transport, and the establishment of non-native and invasive weeds. Operational impacts include disturbances associated with increased human presence.

Special-Status Plants

Several sensitive plant species have the potential to occur within the Alberhill Villages Specific Plan area. Four special-statue plant species, Parry's spineflower, paniculate tarplant, graceful tarplant and Coulter's matilija poppy, were observed within the Alberhill Villages Specific Plan area. Approximately 5,825 of the Parry's spineflower plants (in eight clusters, with range of plant numbers estimated from <25 to ~1,750 plants) were located on-site. There are 27 cluster areas/polygons found of the Coulter's Matilija poppy (estimated number of plants is unknown). Paniculate tarplant occurs in two very small polygons within disturbed annual grassland located at the plant entrance at the northern boundary of the Site. Graceful tarplant occurs in several locations on the eastern side of the Site

Special-Status Wildlife

Seven special status species were observed during general and focused biological surveys; California horned lark, coast (San Diego) horned lizard, Cooper's hawk, Costa's hummingbird, the orange-throated whiptail, southern California rufous crowned sparrow, and yellow warbler. None of these species are State or federally listed as a threatened or endangered. Based on the biological reports prepared for the Project, the following sensitive wildlife species have the potential to occur on the Project site: Burrowing owl, California gnatcatcher, least Bell's Vireo, Southwestern Willow Flycatcher, Fairy Shrimp, Rosy Boa, and Stephens' Kangaroo Rat. With implementation of the Federal (U.S. Fish and Wildlife Service), State (California Department of Fish and Wildlife) requirements, City General Plan goal and policies, and the above-listed mitigation measures, the potential impacts, will be mitigated to a level less than significant. Potential impacts (i.e., substantial adverse effects, 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, will be mitigated to a level less than significant.

References: EIR pages 4.11-69 through 4.3-70.

b. **Impact**: Implementation of the proposed project could have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; and could 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.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

Mitigation Measures BIO-4 and BIO-5

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project could result in significant impacts on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; and could 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.). However, with the implementation of the above mitigation measures, the impacts will be less than significant.

Riparian Habitat and Other Sensitive Natural Communities

Because no specific development activity or building plans are proposed at this time, the project site was reviewed (not formally delineated) for the presence of ACOE and CDFW jurisdictional waters. Based on this review, the project area as described in the DEIR supports a small area (28.44 acres) of alluvial fan scrub, a small area (4.19 acres) of riparian scrub and 12.05 acres of riparian

woodland. The areas are not considered a high inventory priority community by the CNDDB due to its disturbed nature. Efforts will be made to avoid these riparian habitat areas, but they will not be avoided completely. Any impacts to the jurisdictional areas will be subject to the ACOE Section 404 of the Clean Water Act and the CDFW pursuant to Division 2, Chapter 6, Section 1600 (1602).

Federally Protected Wetlands
Because no specific development activity or building plans are proposed at this time, the project site was reviewed (not formally delineated) for the presence of ACOE and CDFW jurisdictional waters. Based on this review, three multiple jurisdictional drainage features that support both ACOE and CDFG indicators such as bed, bank, channel, and vegetated riparian habitat were observed on the Site but in some cases the areas have been disturbed by the 100 years of ongoing mining activities. In some cases, the drainage features may have been disconnected from the receiving tributary. Since ACOE jurisdiction may be present, the Project site most likely would be subject to regulation pursuant to Section 404 of the Clean Water Act. Since CDFW jurisdiction closely parallels that of the ACOE, and evidence of ACOE jurisdiction occurs on site, a CDFW Section 1602 Streambed Alteration would be required to implement the project. The coincident finding of ACOE and CDFW jurisdictional features and indicators on the project site, a Section 404 Permit is required prior to impacting the project site. Since a Section 404 Permit is required for the project, a Section 401 Water Quality Certification is also required.

Implementation of the project would require the developer to obtain the correct permitting/certification from the ACOE, CRWQCB and CDFW due to the project having potential substantial adverse effects on wetlands. These regulatory programs impose rigorous performance standards (e.g., "no net loss" and "no jeopardy") that qualify as a proper form of deferred mitigation that is enforceable by permit issuance. With implementation of the Federal (U.S. Fish and Wildlife Service), State (California Department of Fish and Wildlife) requirements, City General Plan goal and policies, and the above-listed mitigation measures, the potential impacts, will be mitigated to a level less than significant.

References: EIR pages 4.11-71 to 4.11-72.

c. **Impact**: Implementation of the proposed project could 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.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

The above Mitigation Measures BIO-6, BIO-9, BIO-10, and BIO-14 and,

HY-4 Temescal Canyon Wash (Creek) shall be preserved in or restored to its natural condition retaining its current flood capacity and flow rate in order to maintain the drainage's function as a wildlife corridor. In order to protect the existing streambed of the Temescal Canyon Wash (Creek), an energy dissipating structure shall be provided at the storm drain system discharge point, if necessary. Erosion control devices shall also be provided, if necessary. Consistent with Mitigation Measures BIO-4 and BIO-5, implementing development projects in the vicinity of Temescal Canyon Wash (Creek) shall be designed to locate development away from the Temescal Canyon Wash (Creek)

riparian/wildlife corridor to allow sufficient wildlife movement and access and to preserve its other biological resources and habitat.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project could 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. However, with the modifications to the project design and with implementation of the above mitigation measures, the impacts will be less than significant.

The majority of the AVSP Project area is either developed or disturbed, with the exception of the barren (lakebed) and tamarisk/willow scrub communities in the western portion of the Plan area, and would therefore not be expected to support regional movement for large mammals with extensive home ranges. Additionally, the site is surrounded by and immediately adjacent to urban uses. However, regional wildlife corridor movement and corridor connections will be provided in the form of stepping-stone habitat for birds and several reptile and small- to medium-sized mammals that are more adapted to disturbed development. Such corridors are to be provided within key locations of the AVSP Project. As wildlife connections via under/over crossings at the I-15 and providing safe passage will be in the form of open space uses and designed to separate wildlife from humans through the use of lighting, educational signage and fencing.

In order to strengthen the wildlife corridor linkages, the AVSP was amended to include a 500-foot wide wildlife corridor located along the western edge of the AVSP (next to the adjacent Horsethief Canyon development). Additionally, the AVSP is amended to delete from its boundaries the non-Pac-Clay-owned property referred to as the 9.09-acre project area (APN 390-130-017) and the adjacent 16.7-acre property (APN 390-130-015 and 016), resulting in a 1,375-acre AVSP. The deleted properties, located within the Alberhill Ranch Specific Plan, are located between the aforementioned Temescal Bridge project and Lake Street on both sides of the existing Temescal Canyon Road. Further, the Open Space portion of Planning Area 1C (adjacent to Temescal Canyon Road) will be widened to range from 250 feet to 500 feet in width. Additionally, Mitigation Measure HY-4 will preserve Temescal Canyon Wash (Creek) as a wildlife corridor.

With implementation of the above-described project redesign, the above-listed mitigation measures, the potential impacts, implementation of the project will allow for wildlife movement (as ground or fly-over) and wildlife corridor connections along Temescal Canyon Wash, along both the western drainage area of the project site and the Temescal Canyon Wash; and impacts will be less than significant.

References: EIR pages 4.11-72 to 4.11-73, Final EIR.

d. **Impact**: Implementation of the proposed project could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

The above Mitigation Measures BIO-8 and BIO-14.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. However, with implementation of the above mitigation measures, the impacts will be less than significant.

Several native coast live oak trees are located on the project site, most notable in the northwest corner of the site. The County of Riverside has a tree ordinance and requires a tree removal permit to remove native oak trees and Englemann oak woodland. The City has not adopted an Oak Tree Preservation ordinance to extend protection to native oaks outside the MSHCP Criteria Cells and Conservation Areas.

The City also has in place a palm tree preservation program for the protection of the City's plant life heritage for the benefit of all citizens in Lake Elsinore; a permit is required for palm trees that exceed five feet in height from the ground at the base of the trunk to the base of the crown. The Project has a potential for the removal of significant local heritage trees such as palm trees and native oaks (relocated depending on the trees size and health). These trees will be identified before removal or staked for preservation.

The Project's implementation will not conflict with the City's present ordinances and/ or local tree preservation protection programs, with implementation of Mitigation Measure BIO-8. Therefore, impacts will be less than significant.

References: EIR page 4.11-73

e. **Impact**: Implementation of the proposed project could conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

The above Mitigation Measures BIO-6, BIO-7, BIO-9, BIO-10, and BIO-14 and HY-4

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not conflict any applicable habitat conservation plan or natural community conservation plan.

The Project site is located within the boundaries covered by the Western Riverside County Multiple Species Habitat Conservation Plan ('MSHCP'). The project will not conflict with any applicable habitat conservation plan or natural community conservation, as this project is subject to a February 24, 2001 settlement agreement with Riverside County that excludes the project site from the MSHCP. On February 24, 2004, Castle & Cooke Properties, throughout Riverside County, were removed from the requirements of the MSHCP. The Project site was part of this settlement agreement, and the approximate 1,375-acre project site is not subject to the provisions of the MSHCP.

The project site is located in the Stephens' kangaroo rat (SKR) Fee Assessment Area (Lake Elsinore Municipal Code Chapter 19.04). In accordance with Lake Elsinore Municipal Code Section 19.04.080, a SKR mitigation fee payment of $500.00 per gross acre within the parcel to be developed is required. Fee must be paid before a development permit shall be issued.

However, in order to strengthen the wildlife corridor linkages, the AVSP was amended to include a 500-foot wide wildlife corridor located along the western edge of the AVSP (next to the adjacent Horsethief Canyon development). Additionally, the AVSP is amended to delete from its boundaries the non-Pac-Clay-owned property referred to as the 9.09-acre project area (APN 390-130-017) and the adjacent 16.7-acre property (APN 390-130-015 and 016), resulting in a 1,375-acre AVSP. The deleted properties, located within the Alberhill Ranch Specific Plan, are located between the aforementioned Temescal Bridge project and Lake Street on both sides of the existing Temescal Canyon Road. Further, the Open Space portion of Planning Area 1C (adjacent to Temescal Canyon Road) will be widened to range from 250 feet to 500 feet in width. Additionally, Mitigation Measure HY-4 will preserve Temescal Canyon Wash (Creek) as a wildlife corridor.

With implementation of the above-described project redesign, the above-listed mitigation measures, the potential impacts, implementation of the project will allow for wildlife movement (as ground or fly-over) and wildlife corridor connections along Temescal Canyon Wash, along both the western drainage area of the project site and the Temescal Canyon Wash; and impacts will be less than significant.

References: EIR pages 4.4-26, 4.11-72 to 4.11-76, Final EIR.

f. **Impact**: Implementation of the proposed project could result in a cumulatively considerable contribution to biological resource impacts.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

Implementation of the above Mitigation Measures BIO-1 through BIO-15 and HY-4.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project could result in a cumulatively considerable contribution to biological resource impacts.

Future development activities could result in potential conflicts with plan and policies that are designed to mitigate and avoid potential environmental effects. However, implementation of existing State, Federal, regional, and local regulatory requirements (including the GP goals, policies and implementation programs, together with implementation of applicable mitigation measures within the GP), would ensure that implementation of the GP, and future development projects derived from the GP, would not make a cumulatively considerable contribution to accumulated biological resource impacts. With implementation of the goals and policies of the GP, applicable local ordinances, regional plans, and the rules and regulations enforced by the resource agencies, together with the above-listed mitigation measures and project redesign, potential cumulative impacts on biological resources within the City and SOI would be reduced to a less than significant level.

References: EIR pages 4.11-76 to 4.11-77.

3.3.4. Cultural and Paleontological Resources

a. **Impact**: Implementation of the proposed project could result in impacts on significant historic resources as defined in §15064.5 of the California Code of Regulations; and in archaeological resources pursuant to §15064.5 of the California Code of Regulations.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

CR-1 *Prior to the issuance of grading permit(s) and any earthmoving activities for the Project, or off site project improvement areas, the implementing development Project applicant shall retain a qualified professional archaeologist and qualified Luiseño Native American monitors from the Pechanga Band and the Soboba Band to monitor, on a rotating basis, all ground disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.*

CR-2 *At least 30 days prior to seeking a grading permit, the Project applicant shall contact the both the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians to notify those Tribes of grading, excavation and the monitoring program, and to coordinate both Tribes 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.*

CR-3 *Prior to issuance of any grading permit, the Project archaeologist shall file a pre-grading report with the City to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified*

archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in CR-1, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the retained Luiseño Native American monitor(s) in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and ground breaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the Project archaeologist.

CR-4 *All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the Project proponent and Project archaeologist shall notify the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians. A designated Native American observer from both the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians shall be retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.*

The landowner shall relinquish ownership of all cultural resources Native American artifacts that cannot be avoided or relocated at the Project site shall be prepared in a manner for curation and the archaeological consultant shall deliver the materials to a federally-accredited curation facility such as University of California, Riverside Archaeological Research Unit (UCR-ARU), or the Western Science Center (formerly Western Center for Archaeology and Paleontology), within a reasonable amount of time. If more than one Native American Group is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center by default.

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

CR-6 *If inadvertent discoveries of subsurface archaeological/ cultural resources are discovered during grading, 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 California Environmental Quality Act 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 CDD shall be final.*

CR-7 *Prior to the approval of any implementing development Project or the issuance of any grading permit, that includes the Alberhill School site, the applicant shall provide to the City of Lake Elsinore an evaluation of the School House structure completed by a qualified architectural historian and a structural engineer to determine its historical significance and structural integrity. The report shall require the review and approval by the Community Development Department – Planning Division.*

If the structure cannot be reasonably relocated because of it structural integrity, the structure will be closely replicated elsewhere on the project site to be used as a Home Owners Association/Community meeting facility. The replicated structure shall be constructed with as many materials from the original structure that can be reused.

Prior to demolition of the original structure, the structure shall be fully documented following the HABS/HAER format. Site documentation includes archival quality large format, black and white photography, measured architectural drawings, and a detailed written historical and photographic log. These documents shall be housed at a suitable repository, determined by the City of Lake Elsinore.

CR-7a *Prior to obtaining the first certificate of occupancy, the Developer shall present informational materials (i.e. pamphlets, flyers, booklets, etc.) to educate prospective home buyers of the Historic Alberhill District to the Community Development Director or designee for review and approval. The materials shall include details of the past history and uses of the area including those other than mining, interesting photographs, and other information pertaining to the area. The Developer shall hire a qualified historian to professionally prepare the materials and shall consult with the local historic societies. Consultation with the Pechanga Tribe shall also occur prior to finalization of the materials to include available prehistoric information. Historic information shall also be included in trail signage and at least one of the following other sources: CC&R's, HOA notices, community flyers, park signage, and/or street names.*

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the implementation of the proposed project may result in significant impacts significant historic resources as defined in §15064.5 of the California Code of Regulations; and in archaeological resources pursuant to §15064.5 of the California Code of Regulations.

An on-site and previous records search indicates that there is one historic archaeological site (CA-Riv-3832-H) located on the project site; there were no new findings found during this search. Twelve archaeological sites have been recorded within one-mile of the current study area. The archaeological site located on the subject property, CARiv-3832-H, is a section of the Atchison, Topeka, and Santa Fe Railroad that was built circa 1927 and recorded along the original 22-mile route. Remnants of the old line, which were removed prior to 1987, have been recorded.

Research at the Riverside County Historical Commission revealed that the Alberhill School, listed in the Historical Resources Inventory, is located within the Project site. The school was constructed in 1912 and served the community until 1964. As of 1982, the structure was being used as a storage facility for the Pacific Clay Products Inc.

Cultural resources are subject to two types of impacts. Direct impacts will result from ground disturbing activity such as grading, vegetation removal, road construction and underground utility placement. Such activity on an archaeological site has the direct potential to destroy the deposit. The direct impacts will last as long as the construction activity continues. Indirect impacts result from the possibility of artifact collection by unauthorized individuals during grading or construction.

Both direct and indirect impacts upon unknown resources resulting from implementation to the project would be reduced to less than significant levels through the use of monitoring and salvaging procedures. The use of these procedures would minimize the risk of destruction, as well as protect and preserve cultural resources.

Because impacts to the Alberhill School building are unknown at this time, Mitigation Measure CR-7 requires further analysis of this resource if it is to be impacted by future development. With implementation of the above-listed Mitigation Measures, impacts will be mitigated to a level less than significant.

References: EIR pages 4.12-30 through 4.12-32 and Final EIR.

b. **Impact**: Implementation of the proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

CR-8 *Prior to the issuance of grading permits for each implementing development project, a qualified paleontologist shall be retained to prepare a Paleontological Resources Survey of the Project site to determine the site specific potential of finding paleontological resources within the Project site. If the approved Paleontological Resources Survey determines that it is unlikely that paleontological resources will be uncovered by earth-moving activities, grading and construction activities may proceed, subject to compliance with mitigation measures CR-1 through CR-7. However, if the approved Paleontological Resources Survey determines that it is likely that paleontological resources will be uncovered during earth-moving activities, a qualified paleontologist shall be retained to develop a Paleontological Resources Monitoring and Treatment Plan (PRMTP) for approval by the Community Development Director. Following Community Development Director approval of the PRMTP, grading and construction activities may proceed in compliance with the provisions of the approved PRMTP.*

The PRMTP shall include the following measures:

a. Identification of those locations within the Project site where paleontological resources are likely to be uncovered during grading.

b. A monitoring program specifying the procedures for the monitoring of grading activities by a qualified paleontologist.

c. If fossil remains large enough to be seen are uncovered by earth-moving activities, a qualified paleontologist or qualified designee shall temporarily divert earth-moving activities around the fossil site until the remains have been evaluated for significance and, if appropriate, have been recovered; and, the paleontologist or qualified designee allows earth-moving activities to proceed through the site. If potentially significant resources are encountered, a letter of notification shall be provided in a timely manner to the Community Development Director, in addition to the report (described below) that is filed at completion of grading.

d. If a qualified paleontologist or qualified designee is not present when fossil remains are uncovered by earth-moving activities, these activities shall be stopped and a qualified paleontologist or qualified designee shall be called to the site immediately to evaluate the significance of the fossil remains.

e. At a qualified paleontologist's or qualified designee's discretion and to reduce any construction delay, a construction worker shall assist in removing fossiliferous rock samples to an adjacent location for temporary stockpiling pending eventual transport to a laboratory facility for processing.

f. A qualified paleontologist or qualified designee shall collect all significant identifiable fossil remains. All fossil sites shall be plotted on a topographic map of the Project site.

g. If the qualified paleontologist or qualified designee determines that insufficient fossil remains have been found after fifty percent of earthmoving activities have been completed, monitoring can be reduced or discontinued.

h. Any significant fossil remains recovered in the field as a result of monitoring or by processing rock samples shall be prepared, identified, catalogued, curated, and accessioned into the fossil collections of the San Bernardino County Museum, or another museum repository complying with the Society of Vertebrate Paleontology standard guidelines. Accompanying specimen and site data, notes, maps, and photographs also shall be archived at the repository.

i. Within 6 months following completion of the above tasks or prior to the issuance of occupancy permits, whichever comes first, a qualified paleontologist or qualified designee shall prepare a final report summarizing the results of the mitigation program and presenting an inventory and describing the scientific significance of any fossil remains accessioned into the museum repository. The report shall be submitted to the Community Development Department – Planning Division and the museum repository. The report shall comply with the Society of Vertebrate Paleontology standard guidelines for assessing and mitigating impacts on paleontological resources

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that proposed project has the potential to destroy an unknown unique paleontological resource by disturbing earth in which the resources lie. Disturbance of an archaeological resource that is considered significant pursuant to California Code of Regulations Section 15064.5 would be a significant impact.

The potential for discovery is a measure of likelihood that fossils would be discovered during excavations onto a given rock unit. This potential is based on the past discovery of fossils from that rock unit. Paleontological potential does not measure the significance of individual fossils present within the study area because it is impossible to accurately predict what individual fossils will be discovered.

Within the Alberhill Villages Project are rock units that recorded several events in the development of the Peninsular Ranges. The rock units exposed in the study area have a diverse history of fossil production. The Bedford Canyon Formation has produced occasional fossils near the study area. This suggests a moderate potential for the discovery of fossils during development. The Late Paleocene age Silverado Formation has produced a variety of fossil plants within and near the study area. Additionally, the paleo environment preserved in the rocks is one that is well suited for the preservation of vertebrate fossils in the Elsinore Trough, yet no fossils are reported from these deposits within the project site. This suggests a high potential for the discovery of fossils during development. Recent alluvium is too young to contain fossils, but may bury older fossiliferous deposits. This suggests a low potential for discovery of fossils during development.

With implementation of Mitigation Measure CR-8, impacts will be mitigated to a level less than significant.

References: EIR pages 4.12-32 and 4.12-33.

c. **Impact**: Implementation of the proposed project could result in impacts due to the accidental disturbance of human remains, including those interred outside of formal cemeteries.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

CR-6a *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. If the Riverside County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. Subsequently, the Native American Heritage Commission shall identify the person or persons it believes to be the "most likely descendant." The most likely descendant may then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.*

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that several Indian tribes identified the City and its SOI as being within either their traditional use area or one in which they have cultural ties. No known cemeteries or other burial places are known to exist within the project site and the project is unlikely to disturb human remains. However, ground-disturbing activities associated with development have the potential to disturb undiscovered human remains. Hence, because the project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb previously unknown human remains, and these actions are considered potentially significant. Mitigation Measure CR-6a is provided to reduce potential impacts to human remains to a less-than-significant level.

References: EIR page 4.12-33.

d. **Impact**: The proposed project could result in a cumulatively considerable contribution to cultural resource impacts.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

Mitigation Measures CR-1 through CR-8 are required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project could result in a cumulatively considerable contribution to cultural resource impacts.

Cumulative development may result in increased impacts upon cultural resources, as a result of the AVSP and all future development within the City of Lake Elsinore and SOI. These potential impacts can be mitigated on a project-by-project basis by requiring archaeological surveys, and salvages when determined necessary, of known cultural and paleontological resources, and on sites where the potential for occurrence of such resources is high. Cumulative environmental analysis on a regional level generally requires a high degree of quantification, and cultural resources are difficult to quantify on a regional level. The value of cultural resources is best expressed by the overall potential for an artifact, site, or group of sites, to yield important information regarding the activities of the past inhabitants of the region. Information potential cannot be expressed as a number or identified in a figure, but must be presented qualitatively by archaeologists familiar with the issues in the relevant area. Because of the large areas of undeveloped (and unstudied) land within the City and its SOI, and surrounding region, the archaeological database is relatively incomplete.

Compliance of future developments projects, with existing State and Federal regulations in place, would minimize cumulative impacts on those resources not yet found. In addition, the Mitigation Measures listed above would further reduce the potential of the project to impacts to cultural resources, including paleontological resources and human remains. Therefore, the proposed project would result in a less-than-significant contribution to an adverse impact to cultural resources.

References: EIR pages 4.12-33 and 4.12-34.

3.3.5. Geology, Soils, Mineral Resources and Seismicity

c. **Impact**: Implementation of the proposed project could result in the exposure people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault, strong seismic ground shaking, and/or seismic-related ground failure, including liquefaction.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures G-5 through G-11

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not result in the exposure people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking.

The subject Project site is located within a seismically active area of southern California that is likely to be subjected to moderate to strong ground shaking during the life of the Project. When the site is developed in the future, structures shall be designed to resist the effects of seismic ground motions and located in accordance with the applicable building code requirements for setbacks from identified active faults. Seismic design parameters and peak ground accelerations will be provided during the future site specific geotechnical investigations. The anticipated seismic-induced ground motions are anticipated to be accommodated by design parameters of the current 2013 California Building Code (CBC), or the current CBC in effect at the time of development.

Depth to groundwater is estimated to be on the order of 10 to 15 feet below low-lying areas at the northern property boundary. Within this area, liquefaction potential may be low to moderate where sandy alluvial soils are present. Fill placement in these areas is considered desirable, as it would increase the depth to groundwater and reduce the influence of potentially liquefiable layers. Prior to fill placement, removal of soft soils would also reduce the liquefaction potential. Hard bedrock and well-graded consolidated Older Alluvium underlie the rest of the site. These areas are not prone to liquefaction.

In conclusion, the property would probably experience ground shaking from at least small to moderate size earthquakes during the life of the proposed structures. The intensity of future ground shaking at the site, however, is expected to be no greater than for other sites in the immediate vicinity.

Slopes cut into bedrock of the Silverado Formation may require slope stabilization measures. The primary factors influencing cut slope stabilization within the Silverado Formation are: 1) relatively weak (low strength) siltstone and claystone layers within the bedrock; 2) adverse (out-of-slope) bedding conditions relative to the northeast dipping trend within the southern portion of the site and the southwest dipping trend within the northern portion of the site; and, 3) slope location. Depending on the location of slopes within the property, northwest or southeast facing slopes may require stabilization.

References: EIR pages 4.1-29 and 4.1-32.

d. **Impact**: The proposed project would 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 lateral spreading, subsidence, liquefaction, or collapse; however, adherence to building code requirements would reduce the potential for unstable soils to adversely affect proposed improvements.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures G-1 through G-4

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not result in development on unstable soils. Expansive soils are those that experience an increase in volume due to the addition of water. Most of the Silverado Formation is comprised of moderately to highly expansive siltstone and claystone. Alternate wetting and drying of these deposits may cause heaving of these soils that might result in damage to foundations and slabs.

Expansive soil may be encountered throughout portions of the site. Highly expansive soils were encountered within the Silverado Formation bedrock during the subsurface investigation for the 30-acre commercial at the eastern end of the Project site. Based on the fact that the site was previously mined for clay products, it is anticipated that some clayey, expansive soil materials will be encountered within areas of mined stockpiles and/or tailings. The property has been extensively altered by mining. The grading concept must involve substantial remedial activities. Sumps, quarry pits and stockpiled pits would be reworked to establish buildable sites.

Although the extent of these materials is currently unknown, it is assumed that expansive soil materials will be encountered during site development and specialized grading recommendations may be needed. After rough grading is completed, a lot-by-lot classification should be made so as to present specific foundation recommendations of soils exposed at finished grade.

References: EIR page 4.1-33.

3.3.6. Hazards and Hazardous Materials

a. **Impact**: Implementation of the proposed project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or

through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures HAZ-1 and HAZ-2

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Heavy equipment (e.g., dozers, excavators, tractors) would be operated on the subject property during construction of the proposed Project. This heavy equipment would likely be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which is considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the proposed Project than would occur on any other similar construction site. The Project is subject to all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board.

The majority of the proposed Project site would be developed for residential land uses with the remaining areas developed as commercial, mixed-use, institutional, and open space and parks. These types of uses are not typically associated with the transport, use, or disposal of hazardous materials in quantities that would result in significant impacts. Although the Project's land uses may utilize products that contain toxic substances, such as cleansers, paints, adhesives, solvents, and products used for landscape maintenance, these products are usually in low concentration and small in amount and would not pose a significant risk to humans or the environment during transport to/from or use at the Project site. Pursuant to State law and local regulations, residents and operators of the non-residential uses would be required to dispose of hazardous waste (e.g., batteries, used oil, old paint) at a permitted hazardous waste collection facility.

The Inland Empire Brine Line (Brine Line) in adjacent the Project in Lake Street and extending northeasterly near the Project boundary. As required by the Phased Development Plan (PDP) and Design Review (DR) process, and future development will evaluate potential impacts for projects requiring extensive subsurface components or containing sensitive land uses such as schools on a project-by-project basis to determine impacts if an accident occurs along the SARI line Brine Line.

References: EIR paged 4.2-8 through 4.2-10.

b. **Impact**: Implementation of the proposed project could expose people or structures to significant risk of loss, injury or death involving wildfires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measure HAZ-3

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The project site is located within areas designated as being within the "Very High" and "Moderate" Fire Hazard Zones. The Cal Fire Fire Hazard Severity Zone Maps also show the project site as being located in the "Very High" and "Moderate" Fire Hazard Zones.

The Inland Empire Brine Line (Brine Line) in adjacent the Project in Lake Street and extending northeasterly near the Project boundary. As required by the Phased Development Plan (PDP) and Design Review (DR) process, and future development will evaluate potential impacts for projects requiring extensive subsurface components or containing sensitive land uses such as schools on a project-by-project basis to determine impacts if an accident occurs along the SARI line Brine Line. The project will implement General Plan Policies 4.1 through 4.3 to reduce impacts from wildland fire hazards. Site specific details are not known at this time for future implementing projects. Mitigation Measure HAZ-3 requires that Individual projects implemented through pursuant to a Phased Development Plan, Subdivision, Map, or Design Review shall be required to implement, as necessary, on-going brush clearance, the establishment of low fuel landscaping policies to reduce combustible vegetation along the urban/wildland interface boundary, create fuel modification zones around development within high hazard areas by thinning or clearing combustible vegetation within 100 feet of buildings and structures, and using fuel resistant building techniques.

References: EIR paged 4.2-11 and 4.2-12.

3.3.7. Hydrology and Water Quality

a. **Impact**: The proposed project could substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion, siltation or flooding on- or off-site.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures HY-1

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds

that the proposed project would not substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion, siltation or flooding on- or off-site.

The proposed drainage patterns of the Project site will not substantially be altered from the existing condition particularly in the existing streams and washes to a manner that would result in substantial soil erosion. Refer to the drainage report for tributary drainage boundaries and detention basin design. Temescal Canyon Wash (Creek) and the un-named stream will have side slope erosion protection to mitigate substantial erosion.

During construction, mitigation in the form of erosion control measures would be necessary to prevent exposed soils from erosion during periods of heavy rainfall. Soil erosion would be most serious with freshly-graded areas. Soils on graded slopes must be strengthened by groundcover planting to reduce the potential of erosion. During the interim period before the groundcover takes hold, straw, fiber rolls, and hydroseeding can be used as stabilizing agents. The project applicant would be subject to standard erosion control measures, as provided for in the NPDES permit, City Standard Conditions of Approval, City Grading Ordinance and other requirements as set forth in the Lake Elsinore Municipal Code. With implementation of these erosion control measures, potential impacts would be reduced to less than significant levels. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared for construction and kept on-site during construction as part compliance with National Pollutant Discharge Elimination System (NPDES) construction permit guidelines.

References: EIR pages 4.3-30 and 4.3-31.

b. **Impact**: The proposed project could substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or substantially increase the rate or amount of runoff in a manner, which would result in flooding on- or off-site.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures HY-2 through HY-4

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or substantially increase the rate or amount of runoff in a manner, which would result in flooding on- or off-site.

The Project would result in increased downstream runoff due to site development, but would not result in flooding on- or off-site. The project's land use is a master planned community incorporating mixed-use residential, commercial, school, light industrial and office, multi-family, recreation and open space uses. The proposed improvements will result in increased discharges from the site due to the increase in impervious surfaces and the development of stormwater conveyance facilities and a potential decrease in groundwater recharge. Development will also stabilize the site relative to sediment generation that is estimated to be comparatively high in the existing condition as a result of the mining operations.

The development will also reduce the bulking of runoff due to sediment resulting in less flooding of dirty water. Sediment in the surface runoff will be reduced in the after-project condition by constructing impervious surface and storm drain systems. Surface water discharge will increase in the after-project condition for both peak flow and volume. Surface runoff will be conveyed to Temescal Canyon Wash (Creek) (the receiving water for the entire site) via improved storm drain facilities and detention basins that will control the potential damage and flooding that could result from increased discharges. Increases in site peak flows are not expected to have a significant impact on Temescal Canyon Wash (Creek), except for the potential outfall location at the Temescal Canyon Wash (Creek), where energy dissipation will be required. As a result of stormwater detention for increased site discharges, the detention basins will provide for effective mitigation measures.

Most of the offsite flow will be intercepted in two locations where creeks enter the Project. Flow intercepted at these locations may carry significant debris. Site storm drain systems will need to be designed to pass this debris load through the Temescal Canyon Wash (Creek), since the off-site upper watershed is likely a significant source of sediment for Temescal Canyon Wash (Creek). Site storm drain facilities must be designed to include appropriate safety factors and measures taken to protect structural controls against premature water flows. Flows from smaller tributaries and sheet flow that are collected and intercepted at defined locations may be desilted prior to entering the site storm drain system, for ease of maintenance and to preclude potential clogging of smaller facilities.

Energy dissipation will also be required at the improved storm drain outfall location with Temescal Canyon Wash (Creek). Discharge velocity will likely be quite high at the outfall. The discharge velocity must be reduced to a level that will not scour Temescal Canyon Wash (Creek) during periods of low stage flow within the Wash. A 'block element' type of energy dissipater, or similar type of construction, will allow the confluence with the Wash at a relatively small angle. This type of energy dissipation should satisfy this requirement of slowing the water's discharge velocity.

References: EIR pages 4.3-31 and 4.3-32.

c. **Impact**: The proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures HY-5 through HY-9

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not exceed stormwater drainage system capacities or add sources of polluted runoff. The State's General Permit for Construction Activities regulates construction-related activities, and requires that pollutant discharges into receiving waters be minimized and/or eliminated. This permit also requires that management measures be incorporated into new development to ensure that once construction is completed, the residential land use does not

contribute substantially to water quality problems in water bodies that receive stormwater and non-stormwater runoff from the projects.

A project-specific Water Quality Management Plan (WQMP) has been developed to address stormwater runoff management and water quality treatment objectives. The WQMP has included specific BMPs designed to: 1) function with the drainage plan for the Project site and offsite areas; and, 2) to address treatment of urban and stormwater runoff. The sizing of treatment control BMPs for the Project is based upon a criteria established by the Riverside County Flood Control and Water Conservation District (RCFCWCD) that acts on behalf of the City for flood control and the discharge of urban runoff.

The proposed storm drain system (no existing storm drains) would be able to accommodate any additional runoff contributed by the project (approximately 10% increase in peak discharge amounts) including the stormwater flows of a 100-year storm. Thus, any runoff water from the site would not exceed the capacity of the stormwater drainage system.

According to the hydrology report for the project, the proposed drainage facilities for the project site area would be constructed and adequately sized to accommodate the stormwater runoff from the site. The detention basins located within the Project site and the energy dissipaters at the downstream end of the storm drain systems would adequately reduce the velocity of stormwater flows. The WQMP basins, detention/debris basins and lake/detention basins will allow for a gradual recharge of the groundwater basin while pollutants are naturally filtered out through soils and plants.

References: EIR page 4.3-33.

d. **Impact**: The proposed project would not substantially degrade water quality.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures HY-1 through HY-9

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not substantially degrade water quality.

The Environmental Protection Agency (EPA) has identified street surfaces as the primary source of pollution in urban areas. The street-generated pollutants typically contain atmospheric, tirewear residues, petroleum products, oil and grease, fertilizer and pesticide wash-offs, industrial chemical spills, as well as litter and animal-dropping types of wastes. The pollutants are washed from street surfaces by a rainfall adequate enough to produce sufficient runoff. The amount of pollutants washed off the street surface is a function of the amount of pollutants on street surfaces and the rainfall amount. EPA has determined that there is a relationship between the rainfall and the percent of contaminant removed.

Stormwater management is the key in the control and prevention of water quality degradation. There are many Best Management Practices (BMPs) available for achieving the best possible water quality. BMPs are required by local authorities and with proper implementation, BMPs protect the

receiving waters from degradation, and correct for existing problems. Common BMPs include structural control, as well as nonstructural controls.

Structural Controls: Structural controls used in the management of stormwater in commercial and residential areas are typically used for the purpose of restoring the quality of water exiting the site to the quality existing before the project development. These systems could eliminate pollutants, as well as reduce peak flow rates. Typical structural controls for use with the proposed land uses and site characteristics could include: 1) detention basins; 2) water quality inlets or oil/grit separators; 3) grassed swales; 4) filter strips; and, 5) porous pavement. The project will direct 'first flush' runoff into low-flow channels and water quality basins to remove impurities from the stormwater runoff.

Non-Structural Controls: Non-Structural Controls emphasize controlling the source of pollutants. The two most frequently used source controls are: erosion/sediment control ordinances, and public education. Many states, municipalities, and counties have developed ordinances to minimize pollutants that impact water quality by establishing minimum requirements and procedures to control the adverse impacts associated with accelerated soil erosion and resultant sedimentation. In addition, many communities have implemented programs to educate citizens about hazardous materials such as the proper disposal of fertilizers, herbicides, pesticides, oil, and the detrimental impacts on the environmental that result when these procedures are not followed.

NPDES/General Construction Permit

On September 2, 2009, the California State Water Resources Control Board (CSWRCB) adopted a new General Construction Permit Order No. 2009-0009-DWQ (as amended by Order No. 2010-014-DWQ, NPDES No. CA 000002). The permit provisions require that discharges of stormwater from construction activities of one (1) acre or more of land disturbance must be regulated and covered by a National Pollutant Discharge Elimination System (NPDES) permit. The General Construction Permit is implemented and enforced by the nine California Regional Water Quality Control Boards.

The construction activities covered under the General Construction Permit include clearing, grading, or excavations that cause disturbance of at least one (1) acre of land disturbance. The General Constructional Permit requires dischargers to eliminate/reduce non-stormwater discharges to stormwater systems, develop and implement a stormwater pollution prevention plan (SWPPP), and inspect stormwater control structures and pollution prevention measures. The SWPPP shall be implemented concurrent with the beginning of the construction activities and be kept on site for projects commencing on and after the initiation of grubbing and grading activities.

The NPDES and SWPPP process are expected to reduce potential water quality impacts to less than significant levels during and shortly after construction.

WQMP Permit

The Riverside County Flood Control and Water Conversation District's WQMP for Santa Ana River Watershed, dated October 2012, requires all projects adding over 5,000 S.F. of impervious surface to prepare a project-specific WQMP to address the mitigation of water pollutants. The WQMP for the project addresses the required mitigation including: potential pollutants of concern,

structural and non-structural BMPs, treatment control BMPs, operation, maintenance, and funding of BMPs to mitigate for the potential water pollutants.

Impacts to Beneficial Uses

Because the Project would be required to comply with the State's General Construction Permit for construction activities, in addition to the implementation of a PWQMP Erosion Control Plan and SWPPP, development of the Project would not result in runoff from the site that would adversely impact designated beneficial uses in the runoff-receiving watershed nor would it substantially impact public agency efforts to improve any currently recognized conditions of water quality impairment.

References: EIR page 4.3-33.

e. **Impact**: Implementation of the proposed project would not place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map (1% Chance of Flooding).

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures HY-10 through HY-11

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map (1% Chance of Flooding). Federal Emergency Management Agency (FEMA) has changed their terminology when referring to 100-year flood hazards. Instead of mapping 100-year flood hazards, they refer to it as a 1 percent annual chance of flooding. The project is a mixed-use development that would consist of both commercial and residential uses throughout the project site. In accordance with the City of Lake Elsinore Municipal Code Section 15.68.010, all finished floor elevations within the project development would be set at or above an elevation that is 3.7 feet above the 100-year flood water surface elevation. The project would be graded to elevations above the flood hazard zones. The project areas that are adjacent to Temescal Canyon Wash (Creek), will file with FEMA a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) in order to show the change in elevation of the Project areas due to grading during construction. Therefore, because the Project's mixed-use structures would be constructed above the 100-year flood zone, the project would result in no impact related to commercial and residential housing within the 100-year flood zone.

References: EIR page 4.3-36.

f. **Impact**: Implementation of the proposed project would place within a 100-year flood hazard area structures which would impede or redirect flood flows.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures HY-1 through HY-11

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not place within a 100-year flood hazard area structures which would impede or redirect flood flows.

The Alberhill Villages Specific Plan Project is currently located within a 100-year flood zone at the Temescal Canyon Wash (Creek) location, only. However, the project applicant will request a LOMR from FEMA that would update official FEMA maps to accurately show the Specific Plan site as outside of a floodplain. During construction, the Project site would be graded to elevations above the flood hazard zones. The Project development will not expose people or place structures in the floodplain, and therefore, would not impede or redirect flood flows within the 100-year flood-hazard area. Therefore, the Project will have no impact related to structures being constructed within a 100-year flood hazard area.

References: EIR pages 4.3-36.

g. **Impact**: The proposed project would not result in cumulative impacts to hydrology and water quality.

Mitigation: No mitigation measures are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in cumulative impacts to hydrology and water quality. Cumulative impacts related to hydrology, drainage and water quality are addressed in the General Plan EIR which is incorporated by reference into the AVSP EIR. Future development within the region will increase the total surface area covered by impervious surfaces, thereby reducing groundwater recharge and increasing the potential for flooding in the area. Cumulative development in the Project area will result in a general increase in flow rates. Future development would also increase impacts to water quality due to the runoff of pollutants associated with urban development. This impact will be mitigated on a project-by-project basis through compliance with NPDES permit regulations enforced by the Regional Water Quality Control Board.

The project level assessment conducted for future developments will be required to address goals and policies of the GP relating to Hydrology, Drainage and Water Quality, plus Biological Resources policies. Implementation of BMPs will help improve water quality and control flooding and erosion caused by construction and development. In addition, compliance with the USACE, EPA, CRWQCB, and City regulations in obtaining the necessary permits regarding water quality for construction. Project-level assessments must be prepared for any future development for hydrology or groundwater and surface water quality impacts. Implementation of mitigation measures are discussed with the City's GP EIR and SECTION 4.3.5 of this AVSP PEIR. Through compliance with existing regulatory requirements, compliance with goals, policies and implementation programs of the GP, potential cumulative impacts related to hydrology and water quality and drainage will be less than significant and no additional mitigation measures are required.

References: EIR pages 4.3-37 and 4.3-38.

3.3.8. Noise

a. **Impact**: The proposed project could expose persons to, or generate noise levels in excess of standards established in the local general plan or noise ordinance, or other applicable standards of other agencies; could result in substantial permanent or temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures NSE-0.5 and NSE-1 through NSE-8.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that with mitigation, the proposed project would not expose persons to, or generate noise levels in excess of standards established in the local general plan or noise ordinance, or other applicable standards of other agencies; could result in substantial permanent or temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Two characteristic noise sources are typically identified with land use intensification such as that proposed for the AVSP project. Initially, construction activities, especially heavy equipment, will create short-term noise increases near the project site. These impacts may be important because there is phased development and one phase will be under construction adjacent to an already completed and occupied phase during the 30-year buildout period for the project.

Upon completion, AVSP Project-generated traffic will cause an incremental increase in areawide noise levels throughout the Project area. Traffic noise impacts are generally analyzed both to insure that the AVSP Project does not adversely impact the acoustic environment of the surrounding community, as well as to insure that the AVSP Project site is not exposed to an unacceptable level of noise resulting from the ambient noise environment acting on the Project.

The current noise emanating from the Project site is predominantly influenced by the Pacific Clay mining and the Pacific Aggregates Ready-Mix concrete operations. Additionally, the noise environment in the Project vicinity is influenced by motor vehicle noise from the Interstate 15 Freeway and adjacent roadways including Lake Street and Temescal Canyon Road. The Project site is currently being used for mineral extraction operations and activities at the Pacific Clay mining facility and Pacific Aggregate Ready-Mix Concrete operations. As new development is proposed, it will be impacted to noise from the existing mining operations to some degree. At the programmatic level of analysis, specific impacts cannot be determined at this time due to the lack of site specific development information. Mitigation Measures NSE-4 through NSE-6 require that future development proposed by a Phased Development Plan (PDP) or Design Review (DR) application, including subdivision maps, conduct more detailed analysis to ensure compliance with the City's noise standards. In addition, Mitigation Measure NSE-8 requires that residential development planned for within 4,800 feet of nocturnal Pacific

Construction Noise Impacts

Construction noise impacts vary markedly because the noise strength of construction equipment ranges widely as a function of the equipment used that changes during the course of the Project. Construction noise tends to occur in discrete phases dominated initially by demolition and/or earth-moving sources and later for finish construction. Heavy equipment noise can exceed 90 dB(A) and averages about 85 dB(A) at 50 feet from the source when the equipment is operating at typical loads. Most heavy equipment operates with varying load cycles over any extended period of time.

The closest existing residences are approximately 240 feet to the east from the nearest project site perimeter along Lake Street and may therefore experience construction noise levels just above the allowable envelope if activities occur in daytime hours of lesser noise sensitivity (7 a.m. to 8 p.m.). However, these existing homes are shielded by sound walls and have an extensive landscape buffer that will dampen reflected sound waves. Construction noise at these homes will also be masked by truck traffic noise on Lake Street.

Since the project site development is planned to be phased, any on-site residents or tenants of an already completed phase and the existing homes to the west of the project site may be subject to construction noise from subsequent phases. Discretionary scheduling of noisiest activities may be required to minimize such possible construction noise intrusion. Noise can also be mitigated by locating all stationary noise generating construction equipment as far as practical from existing residences. If impulsive noise generation such as pile driving or jack-hammers is necessary close to noise-sensitive users, activity scheduling to minimize off-site impacts, or erection of temporary barriers, may be necessary. During the process of converting mining/mineral resource properties to more developed uses, operators are required by SMARA to leave the site rough graded for soil stability, proper drainage and future use. Actual future site development on the reclaimed mining areas will typically only requires fine grading using smaller, quieter equipment. Construction on adjacent phases has less of a noise impact if individual sites are left mostly ready for future development.

As new development is proposed, it may create noise to any existing sensitive receptor land uses to some degree. At the programmatic level of analysis, specific impacts cannot be determined at this time due to the lack of site specific development information. Mitigation Measures NSE-4 through NSE-6 require that future development proposed by a Phased Development Plan (PDP) or Design Review (DR) application, including subdivision maps, conduct more detailed analysis to ensure compliance with the City's noise standards.

Project-related Impacts

The City of Lake Elsinore Noise Element goal is to attain noise levels of 60 dB CNEL for usable outdoor space for single family homes and 65 dB CNEL for multi-family residences. In areas of heavy traffic, a standard of 65 dB CNEL/Ldn is generally considered acceptable for all residential occupancies. Project implementation would contribute to traffic noise levels that substantially exceed that goal. Future traffic noise impacts would be significant by contributing to a substantial permanent increase in ambient noise levels unless mitigated by noise reduction measures. Mitigation Measures NSE- 4 through NSE-6 are required.

Noise impacts for possible residential uses along the I-15 Freeway perimeter could substantially exceed exterior noise compatibility standards. However, several design strategies exist to attenuate

I-15 Freeway-traffic noise to within residential compatibility thresholds. The simplest strategy is to place less noise-sensitive uses immediately adjacent to the I-15 Freeway to provide a noise buffer for sensitive uses farther south. Additionally, residential uses can place their recreational space on the side of the structure away from the I-15 Freeway.

In this case, the recreational space for these residences is afforded a noise reduction because of partial noise shielding from the houses themselves. With such site plan creativity, I-15 Freeway noise will not provide a constraint to development, but should be evaluated once detailed site plans are available as required by Mitigation Measures NSE-4 through NSE-6.

Interior noise levels at residences within most of the Alberhill Villages Specific Plan Project areas can achieve the 45 dB CNEL building code standard with standard construction practice and the ability to close windows. Supplemental ventilation, in conjunction with air conditioning, is required in any livable space where window closure to shut out roadway noise is needed to meet interior standards.

Because of proximity to the I-15 Freeway, interior noise levels for residential uses may require upgraded construction measures. Verification of code compliance for any future residential uses within PA 1b and 1c shall be provided to the Building Department at building plan submittal as required by Mitigation Measures NSE-4 through NSE-6. On-site residential mixed-uses will utilize design measures to minimize conflicts. Additionally, conditional use permits (CUPs) will contain specific conditions to minimize noise impacts to adjacent uses. Mixed-use development may create noise conflicts between noise sensitive residences and less noise-sensitive commercial uses. Since specific development plans have not been prepared for the build-out of the individual Specific Plan Project planning areas, subsequent noise studies may be required on a project-by-project basis and mitigation to meet applicable noise standards may be required once specific development design is known as required by Mitigation Measures NSE-4 through NSE-6.

Off-Site Noise Generation (Mining)

Existing aggregate operations are expected to continue throughout a substantial portion of the AVSP Project development period. The distance separation between the noisiest extraction and processing activities and planned noise-sensitive development will remain adequate to create no noise conflicts likely for several decades. The only evidence of the on-going operations will be heavy haul trucks on Lake Street. However, expanding residential development southward may substantially reduce the buffer distance in the future.

As long as Pacific Aggregates continues nocturnal rock processing, any residential units within 4,800 feet of the crusher should be evaluated to determine if adequate shielding exists (from terrain), or if extra noise barriers are necessary to meet ordinance standards. If the future processing activity is restricted to 7 a.m. to 10 p.m., the impact evaluation distance would be reduced to 2,400 feet.

The peak noise level of a traveling aggregate truck is around 80 dB at 50 feet. This equates to an hourly average of around 50 dB Leq. Background traffic noise on Lake Street is around 60 dB at night and 70 dB by day. The presence of ten aggregate trucks per hour at night or 100 trucks per day would raise vehicle noise by a clearly perceptible (+3 dB) amount. Existing operations do not generate such levels of truck traffic. Any noise issues associated with resource hauling tend to be

more single event from use of horns or 'jake brakes.' In the absence of substantial residential uses between Pacific Aggregates and the I-15 Freeway, truck traffic on this roadway segment has not created any substantial conflict. In the future, driver education and enforcement may become necessary as truck traffic and sensitive land use interact more closely. Therefore, with the implementation of Mitigation Measures NSE-8, residential development within close proximity to the Project's on-site mining activities would be mitigated to a level less than significant.

References: EIR pages 4.9-13 to 4.9-27.

b. **Impact**: The proposed project would not result in exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures NSE-9 and NSE-10

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not result in exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that ground-borne vibration from the project's construction activities would cause only an intermittent, localized intrusion. The proposed project's construction activities most likely to cause vibration impacts are:

Mining Operations
Mining operations will continue to occur on-site and will be phased out during the 30 years of construction within the AVSP Project area. Both the construction vibration from mining and other noise-vibration generating operations (vehicles) are temporary. Vibrations may be noticeable for short periods during construction, but it would be temporary and periodic and would not be excessive with implementation of Mitigation Measure MSE-10. Following the Project completion, the Project will not generate excessive ground-borne vibration or groundborne noise levels.

Construction Activities
Heavy Construction Equipment: Although all heavy mobile construction equipment Ground-borne vibration levels resulting from construction activities occurring within the project site were estimated by data published by the FTA. Construction activities that would have the potential to generate low levels of ground-borne vibration within the project site would occur primarily during the grading phase. Using the vibration source level of construction equipment and the construction vibration assessment methodology published by the FTA, the project's potential vibration impacts at off-site sensitive receiver locations were estimated. Based on the reference vibration levels provided by the FTA, a large bulldozer represents the peak source of vibration with a reference velocity of 0.089 in/sec (PPV) at a distance of 25 feet. At distances ranging from 141 to 337 feet from the project site, construction vibration velocity levels are expected to range from 0.002 to 0.007 in/sec (PPV). In order to assess the human perception of vibration levels in PPV, the velocities are converted to RMS vibration levels based on the Caltrans' Transportation and Construction Vibration Guidance Manual conversion factor of 0.71. The construction vibration

levels in RMS are expected to range from 0.001 to 0.005 in/sec (RMS) at the six receiver locations. Based on the City's vibration standards, the proposed project site will not include or require equipment, facilities, or activities that would result in a "barely perceptible" human response (annoyance).

In general, groundborne vibration associated with construction activities attenuates rapidly with distance. Vibration may be noticeable for short periods during construction, but it would be temporary and periodic and would not be excessive. Compliance with regulatory requirements would further minimize potential impacts due to construction-related vibration

References: EIR pages 4.9-27 through 4.9-29.

c. **Impact**: The proposed project would not contribute to noise impacts that would be cumulatively considerable.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measures NSE-0.5 and NSE-1 through NSE-3.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would not contribute to noise impacts that would be cumulatively considerable. Cumulative project construction, phasing, build-out and associated increases in traffic levels would result in an incremental increase in noise levels in the local vicinity. Since all future development would not occur simultaneously, construction noise impacts would be short-term, incremental and can be mitigated to below a level of significance with compliance with the City's noise standards and the implementation of Mitigation Measures NS-1 through NSE-3. The City's noise standards would be applied to other projects in the City. Thus, construction impacts would not be regarded as cumulatively significant. Cumulative operational noise impacts will be mitigated with implementation of Mitigation Measures.

References: EIR page 4.9-29.

3.3.9. Public Services and Utilities

a. **Impact**: Implementation of the proposed project would not exceed the wastewater treatment requirements of the applicable Regional Water Quality Control Board; would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; and would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Mitigation: Implementation of the following mitigation measure(s) would reduce project impacts:

Mitigation Measure PU-1

Finding/Facts in Support of the Finding: Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would not require would not exceed the wastewater treatment requirements of the applicable Regional Water Quality Control Board; would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; and would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Local governments and water districts are responsible for complying with Federal regulations, both for wastewater plant operation and the collection systems (e.g., sanitary sewers) that convey wastewater to the wastewater treatment facility. Proper operation and maintenance is critical for sewage collection and treatment as impacts from these processes can degrade water resources and affect human health. For these reasons, publicly owned treatment works (POTWs) receive Waste Discharge Requirements (WDRs) to ensure that such wastewater facilities operate in compliance with water quality regulations set forth by the State. WDRs, issued by the State, establish effluent limits on the kinds and quantities of pollutants that POTWs can discharge. These permits also contain pollutant monitoring, recordkeeping, and reporting requirements. POTWs that intend to discharge into the nation's waters must obtain a WDR prior to initiating discharge.

All wastewater generated by the proposed project would be routed to and treated by a treatment facility operated by the Elsinore Valley Municipal Water District, which is considered to be a POTW, so operational discharge flows treated at the facility would be required to comply with waste discharge requirements contained within the WDRs for that facility. Compliance with condition or permit requirements established by the City, and waste discharge requirements at the facility would ensure that discharges into the wastewater treatment facility system from the operation of the proposed project would not exceed applicable Santa Ana RWQCB wastewater treatment requirements. Expected wastewater flows from the proposed project will not exceed the capabilities of the serving treatment planta s discussed in the analysis above. Therefore, no significant impact related to wastewater treatment requirements would occur and no mitigation would be required.

The project will construct on-site sewer facilities such as pipes to connect to sewer trunk lines which are proposed within Lincoln Street and Lake Street. The installation of on-site sewer improvements as proposed by the project would result in physical impacts to the surface and subsurface of the project site. These impacts are considered to be part of the project's construction phase and are evaluated throughout the EIR accordingly. In instances where significant impacts have been identified for the project's construction phase, mitigation measures are recommended in each applicable subsection of the EIR to reduce impacts to less-than-significant levels. As such, the construction of sewer infrastructure as necessary to serve the proposed project would not result in any significant physical effects on the environment that are not already identified and disclosed as part of the EIR. Accordingly, additional mitigation measures beyond those identified throughout the EIR would not be required.

References: EIR pages 4.10-43 and 4.10-52.

3.4. Findings Regarding Environmental Impacts Not Fully Mitigated to a Level of Less Than Significant

Environmental impacts identified in the Final EIR as potentially significant but which the City finds cannot be fully mitigated to a level of less than significant, despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth herein, are described in this section. The applicable environmental issue areas include Air Quality, and Transportation and Traffic.

3.4.1. Air Quality

a. **Impact**: The proposed project would have significant and unavoidable impacts due to violations of air quality standards from project construction and operations.

Mitigation: There are no feasible mitigation measures to reduce to reduce the project's operational impacts beyond those already incorporated into the project. The impact will be partially mitigated with implementation of the following mitigation measure(s):

AQ-1 *Construction activities may cause NOx, ROG, PM-10 and PM-2.5 emissions to substantially exceed SCAQMD CEQA thresholds if multiple activities/phases overlap or are compressed into shorter time-frames. Reasonable and feasible mitigation cannot likely reduce impacts to a less-than-significant level. Mitigation during construction is required to achieve a reduced level of impact includes; the contractor shall implement the following measures:*

Dust Control:

- *Apply soil stabilizers according to manufacturers' specifications to inactive areas (previously graded areas inactive for ten days or more).*
- *Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds (as instantaneous gusts) exceed 25 mph.*
- *Stabilize previously disturbed areas if subsequent construction is delayed.*
- *Water actively graded surfaces 3 times per day.*
- *Cover all stock piles with tarps if left undisturbed for more than 72 hours.*
- *Replace ground cover in disturbed areas as soon as feasible.*
- *Provide water spray during loading and unloading of earthen materials.*
- *Install wheel washers, shaker plates and gravel where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip.*
- *All streets shall be swept at least once a day using SCAQMD Rule 1186 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).*
- *All trucks hauling dirt, sand, soil or other loose materials are to be covered.*
- *Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.*
- *Diesel exhaust particulates and NOx emissions may have a significant impact during construction because of the size scope of the project. Measures to reduce exhaust emissions include:*

Exhaust Emissions:

- *Require 90-day low-NOx tune-ups for off-road equipment.*
- *Limit allowable idling to 5 minutes for trucks and heavy equipment.*
- *Utilize equipment whose engines are equipped with diesel oxidation catalysts or equivalent technology.*
- *Utilize diesel particulate filters or equivalent technology on heavy equipment.*
- *All off-road diesel-powered construction equipment greater than 50 hp shall meet the United States Environmental Protection Agency (US EPA)-Certified Tier 3 emissions standards for off-road diesel-powered construction equipment greater than 50 horsepower; until equipment that meets Tier 4 emission standards are available.*
- *All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available.*
- *All construction equipment shall be outfitted with BACT devices certified by CARB. Any emission control device used by the contractor shall achieve emission reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB regulations.*
- *Use 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if 2010 model year or newer diesel trucks cannot be obtained, the developer shall use trucks that meet EPA 2007 model year NOx emission requirements.*
- *A copy of each unit's certification shall be provided at the time of mobilization and a placard or other identification shall be affixed to approved equipment and haul trucks,*
- *Contractors using equipment rated at less than Tier 4 shall be provided with information on the SCAQMD "SOON" program of financial assistance for accelerated equipment clean-up.*
- *Configure construction parking to minimize traffic interference.*
- *Use electricity from power poles rather than temporary diesel or gasoline power generators over 49HP. If generators are over 49HP, they will have to comply with the Air Quality Management District rules.*
- *Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
- *Schedule construction activities that affect traffic flow on the arterial system to off-peak hours.*
- *Reroute construction trucks away from congested streets or sensitive receptor areas.*
- *Provide dedicated turn lanes for movement of construction trucks and equipment on-site and off-site.*

AQ-2 *Prior to the approval of each implementing development application, the applicant shall provide an exhibit demonstrating that the following measures have been incorporated into the overall AVSP design to reduce reliance on the single occupancy vehicle. These provisions shall be made 'Condition of Approval' on implementing development applications.*

- *Provide for increased utilization of public transit by providing a park-and-ride facility and opportunities on-site for the future shuttle link to the planned Metrolink station in Perris or downtown Lake Elsinore. If the Metrolink station in Perris or downtown Lake Elsinore is not implemented, the Project would not be required to provide the shuttle link on the Project site.*
- *Provide one or more secure, convenient bus stop locations, including, where feasible, seating, signage, shelters, and trash receptacles.*

- *Provide safe, appropriately lighted, and attractively landscaped physical linkages between land uses that encourage bicycling and walking as alternatives to driving through the provision of bike lanes and/or walking paths.*
- *Off-street bicycle parking shall be distributed throughout the commercial areas of the Alberhill Villages Specific Plan and placed conveniently near building entrances without obstructing pedestrian movement.*

AQ-3 *Prior to issuance of building permit(s), the applicant shall demonstrate that the following measures to conserve energy have been incorporated into building design*

- *Submit plans demonstrating that new buildings, including but not limited to residential, commercial, and educational buildings, shall exceed those California Title 24 energy efficiency requirements in effect at the time of building permit issuance as required by the Climate Action Plan in effect at the time.*
- *Submit plans demonstrating that the new commercial buildings shall include the following green building design features:*
  - *Utilize Low-E and ENERGY STAR windows where feasible;*
  - *Install high-efficiency lighting systems and incorporate advanced lighting controls, such as auto shut-offs, timers, and motion sensors;*
  - *Install high R-value wall and ceiling insulation; and,*
  - *Incorporate use of LED and/or fluorescent lighting.*
  - *Install electric car charging stations as preferred parking spaces.*
  - *Use light colored "cool" roofs and cool pavements.*
- *Require the use of only ENERGY STAR qualified heating, cooling, and lighting devices and appliances and equipment.*
- *Implement passive solar design strategies in new construction. Examples of passive solar strategies include orienting building to enhance sun access, designing narrow structures, and incorporating skylights and atria.*
- *Structures shall be designed to support the added loads of rooftop solar systems and be provided with appropriate utility connections for solar panels, even if installation of panels is not planned during initial construction.*
- *All residential projects shall incorporate the following features:*
  - *A minimum of one (1) model home within each phase of project development shall be include an electric car charging station. Electric car charging stations shall be offered as an available option to the initial purchaser(s) of each single-family dwelling unit.*
  - *All multiple-family residential projects shall incorporate the installation of electric car charging stations for the use of their residents.*

AQ-4 *Prior to issuance of a building permit(s), the applicant shall demonstrate that the following water and energy conservation measures consistent with the City of Lake Elsinore Municipal Code have been incorporated into the landscape plan:*

- *Participate in green waste collection and recycling programs for landscape maintenance.*
- *Each implementing development project shall comply with the water-efficient landscaping and irrigation requirements set forth in the Lake Elsinore Municipal Code that are in effect at the time of the issuance of building permits for that implementing development project.*
- *Plant trees or vegetation to shade buildings and thus reduce heating/cooling demand.*

AQ-5 *Prior to the future approval of a Phased Development Plan, Subdivision Map, or Design Review application by the City's decision-making authority, applicants for any proposed new development which will result in sensitive receptors being located within 1,000 feet of mining operations, Interstate 215, or any other potential Toxic Air Contaminant (TAC) source shall conduct an evaluation of human health risks (Health Risk Assessment) and Localized Significance Threshold (LST) analysis to identify and reduce any potential health risks from construction and operation impacts to sensitive receptors. The HRA and LST analysis shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the South Coast Air Quality Management District (SCAQMD). Sensitive receptors include residential, schools, day care facilities, congregate care facilities, hospitals, or other places of long-term residency. The thresholds to determine exposure to substantial pollution concentrations are: A Maximum Individual Cancer Risk (MICR) of greater than ten (10) in one million. For non-cancer risks, the threshold is a hazard index value greater than one (1). LST thresholds shall be those recommended by SCAQMD. If the Health Risk Assessment or LST analysis shows that the incremental cancer risk exceeds these standards, the HRA and/or LST analysis shall be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level. Measures to reduce risk may include but are not limited to:*

- *All off-road diesel-powered construction equipment greater than 50 hp shall meet the United States Environmental Protection Agency (US EPA)-Certified Tier 3 emissions standards for off-road diesel-powered construction equipment greater than 50 horsepower; until equipment that meets Tier 4 emission standards are available.*
- *All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available.*
- *All construction equipment shall be outfitted with BACT devices certified by CARB. Any emission control device used by the contractor shall achieve emission reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for similarly sized engine as defined by CARB regulations.*
- *Use 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if 2010 model year or newer diesel trucks cannot be obtained, the*

developer shall use trucks that meet EPA 2007 model year NOx emission requirements.

- *Air intakes located away from high volume roadways and/or truck loading zones.*
- *Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized Maximum Efficiency Rating Value (MERV) filters.*

Mitigation measures identified in the HRA and LST analysis shall be identified as mitigation measures in the implementing development project's environmental document and/or incorporated into the site development plan as a component of the proposed future project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City of Lake Elsinore Community Development Department.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment; however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have significant and unavoidable impacts due to violations of air quality standards.

Combined Operational and Construction Emissions

Project construction is predicted to commence in 2017 and continue through year 2047. Following completion of Phase 1, residents and workers may occupy homes and work space during Phase 2 construction. Because of the temporary nature of construction activity emissions, any combined construction and operational project emissions are not typically compared to the recommended SCAQMD operational CEQA significant threshold. However, because phased construction activities will span up to thirty years, they will function similar to operational emissions in terms of regional air quality. Because regional air quality impacts are identified as significant from the completion of Phase 1 forward, inclusion of 30 years of construction activity emissions will further exacerbate the degree of 'excess' emissions.

The South Coast Air Basin is designated by CARB as a non-attainment area for Federal and State O3 and PM10 standards, as well as state PM2.5 standards. As shown in the analysis above, the Project exceeds SCAQMD significance thresholds for ROG (an ozone precursor) during construction, PM10 and PM2.5 operations at the completion of Phase 1, 2, and 4, and for ROG, PM10 and PM2.5 for combined construction and operations. The Project will exceed emissions for ROG, NOXx, PM10, PM2.5 and CO at buildout.

References: EIR pages 4.8-25 through 4.8-30.

b. **Impact**: The proposed project would result in significant and unavoidable impacts due to the exposure of sensitive receptors to substantial pollutant concentrations.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

Mitigation Measures AQ-1 through AQ-5

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project w would result in significant and unavoidable impacts due to the exposure of sensitive receptors to substantial pollutant concentrations.

Localized Construction Impacts
The LST methodology and associated mass rates are applicable to projects at the project-specific level (such as the Project's implementing projects) and are not applicable to regional projects such as this Project. An LST evaluation requires that anticipated ambient air concentrations, determined using a computer-based air quality dispersion model, be compared to the LST for PM10, PM2.5, NO2, and CO. Because LSTs are not applicable to regional projects, an LST analysis was not be done for the Project, as project-specific level information is not available. However, prior to implementing project approval, applicants for implementing projects shall be required to conduct an LST analysis. The Project will involve the future construction of sensitive receptors. Based upon the phasing of the Project there is a potential that sensitive receptors may be constructed within the proximity to substantial pollutant concentrations.

CO Hotspot Analysis
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 re-designation request to EPA that there are no 'hot spots' anywhere in the air basin, even at intersections with much higher volumes, much worse congestion, and much higher background CO levels than anywhere in the Project area. If the worst-case intersections in the air basin have no 'hotspot' potential, any local impacts near the Project site will be well below thresholds with an even larger margin of safety. The existing peak one-hour local CO background levels in 2008 in the Project vicinity were 3.0 ppm. Combined worst-case background (3.0 ppm) plus local (1.5 ppm) concentrations equate to one-hour CO levels of 4.5 ppm that are far below the one-hour standard of 20 ppm. Micro-scale impacts are not significant. Therefore, the Project's site impact (CO Hotspot") would be at a less than significant level.

Toxic Air Contaminants
The primary source Toxic Air Containments (TAC) impacting the Project would primarily be from the diesel Particulate Matter (DPM) generated by on-going hauling of mined resources and fugitive dust from mining operations. The aggregate operations are located where trucks may pass through completed/occupied development on their way to the I-15. Aggregate trucks contribute to roadway congestion, the emit diesel exhaust, and material from their loads may blow off. Trucking activity may bring the impacts to sensitive on-site receptors are some point in the future. Implementing

projects that could be impacted by TAC's and dust emissions is speculative at this time because of the exact location of these implementing projects in relation to mining activities are unknown so emissions cannot be precisely quantified. In addition to toxic air impacts from mining activities, toxic air impacts from the I-15 Freeway are possible because the northern boundary of the Project site is within 500 feet of the I-15 Freeway. The Project is proposing mixed-use development (University Town Center) in the northern portion of the site. Potential land uses within 500 feet of the I-15 Freeway may include sensitive receptors such as age-restricted housing, student housing, live/work lofts, and residential condominiums. Because of the exact location of sensitive receptors in relation to I-15 Freeway are unknown at this time, emissions cannot be precisely quantified. Mitigation Measure AQ-5 is required to address impacts once more site specific information is available.

References: EIR pages 4.8-31 through 4-8-36.

c. **Impact**: The proposed project would result in significant and unavoidable impacts for cumulatively considerable criteria pollutants.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

Mitigation Measures AQ-1 through AQ-5

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would result in significant and unavoidable impacts for cumulatively considerable criteria pollutants. Operational emissions associated with the proposed project would exceed the SCAQMD's thresholds of significance for ROG, NOx, CO and PM_{10} even with the implementation of Mitigation Measures AQ-1 through AQ-5. The proposed project could conflict with SCAQMD's air quality planning efforts for nonattainment pollutants and would result in a cumulatively considerable net increase in nonattainment pollutants during operations; therefore, cumulative impacts associated with operational emissions would be significant and unavoidable.

References: EIR pages 4.8-30 through 4.8-31 and 4-8-35 through 4-8-36.

3.4.2. Transportation and Circulation

a. Impact: The proposed project would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; and would conflict with an applicable congestion management program, including, but not limited to,

level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

TC-0.5 *Prior to approval of the first Phased Development Plan (PDP), a TIA evaluating cumulative impacts of the AVSP on regional transportation facilities within the City's sphere of influence, including without limitation, Temescal Canyon Road to Indian Truck Trail, Lake Street, and Nichols Road shall be completed in consultation with the County of Riverside and WRCOG. To ensure that impacts of the AVSP on the regional road network are mitigated, a Phased Road Improvement Plan shall be prepared in conjunction with the first Phased Development Plan and, to the maximum extent allowable in accordance with the TUMF program, regional road improvements shall be constructed by the developer in exchange for TUMF fee credits.*

TC-1 *Prior to the issuance of a grading and/or building permits for development proposed by a Phased Development Plan, Subdivision Map, or Design Review Application, start of construction of each phase of the Alberhill Villages Specific Plan Project, the Applicant shall implement the following measures documented in a construction management plan to be approved by the City Engineer:*

- *Control for any street closure, detour, or other disruption to traffic circulation;*
- *Routes that construction vehicles will utilize to access the site;*
- *Hours of construction traffic (not to occur during AM or PM peak hour**);***
- *Off-site vehicles staging and parking areas;*
- *Proposed construction staging plan for the Project;*
- *Posted information for contact in case of emergency or complaint; and,*
- *Hours of construction and traffic control during construction shall not interfere with ingress/egress to and from the residential, commercial and other land uses from each phase built and to be built-out.*

TC-2 *The Project shall participate in the phased construction of the on- and off-site intersection improvements through payment of City of Lake Elsinore fees, and participation in the Western Riverside County Transportation Uniform Mitigation Fees (TUMF) program.*

Where required, improvements are not covered by these programs; mitigation shall be implemented through a fair-share contribution or as otherwise determined by the City Engineer. The improvements listed below shall be in place prior to issuance of the first building permit for each phase.

- *<u>Horsethief Canyon Road at Temescal Canyon Road</u>*
  Install a traffic signal and design for three-phase operation with protective left-turn phasing for westbound left-turn movements on Horsethief Canyon Road. Widen and restripe Horsethief Canyon Road to provide an exclusive northbound free right-turn lane. Widen and re-stripe Temescal Canyon Road to provide a 2nd and 3rd eastbound through lanes, 2nd westbound through lane and dual westbound left-turn lanes.

- *Lake Street at Temescal Canyon Road*
  Widen and re-stripe Lake Street to provide a 2nd northbound left-turn lane, 3rd northbound through lane and a 3rd southbound through lane. Modify existing planned traffic signal.
- *Lake Street at Nichols Road*
  Widen and re-stripe Lake Street to provide an exclusive northbound free right-turn lane. Install a westbound right-turn overlap phase on Nichols Road. Modify existing traffic signal.
- *Terra Cotta Road at Lakeshore Drive*
  Install a traffic signal and design for eight-phase operation with protective left-turn phasing for all left-turn movements on Terra Cotta Road and Lakeshore Drive. Widen and re-stripe Terra Cotta Road to provide an exclusive northbound left-turn lane and an exclusive southbound left-turn lane. Widen and re-stripe Lakeshore Drive to provide a 2nd eastbound through lane, a 2nd westbound through lane and an exclusive westbound right-turn lane.
- *I-15 Southbound Ramps/Collier Avenue at Nichols Road*
  Widen and re-stripe I-15 Southbound Ramps to provide two (2) southbound left-turns, one (1) southbound through lane and one (1) southbound free right-turn lane. Widen and re-stripe Collier Avenue to provide one (1) northbound free right-turn lane Widen and restripe Nichols Road to provide a 2nd and 3rd eastbound through lanes, an exclusive eastbound right turn lane, dual westbound left-turn lanes, and a 2nd westbound through lane. Modify General Plan Buildout planned traffic signal. It should be noted that this improvement is part of the proposed I-15/Nichols Road Interchange Improvement Project.
- *I-15 Northbound Ramps at Nichols Road:*
  Widen and re-stripe I-15 Northbound Ramps to provide two (2) northbound left-turns and one (1) northbound right-turn lane. Widen and re-stripe Nichols Road to provide a 2nd and 3rd eastbound through lanes, and a 2nd and 3rd westbound through lanes. Modify General Plan Buildout planned traffic signal. It should be noted that this improvement is part of the proposed I-15/Nichols Road Interchange Improvement Project.
- *Lincoln Street at A Street/E Street*
  Widen and re-stripe Lincoln Street to provide an exclusive southbound right-turn lane. Widen and re-stripe E Street to provide a 2nd eastbound left-turn lane. Modify General Plan Buildout planned traffic signal.
- *Lake Street at A Street*
  Widen and re-stripe Lake Street to provide a 3rd northbound through lane, 3rd southbound through lane and an exclusive southbound right-turn lane. Widen and restripe A Street to provide a 2nd eastbound left-turn lane, an exclusive eastbound right-turn lane, and an exclusive westbound right-turn lane. Install a southbound right-turn overlap phase on Lake Street. Modify General Plan Buildout planned traffic signal and convert from five-phase operation to eight-phase operation. It should be noted that this intersection is not impacted but has been improved due to other recommended improvements which affect the lane geometry of this intersection.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment; however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level. In addition, some of the changes and alterations identified in the mitigation measures are within the responsibility and jurisdiction of another public agency (Caltrans) and not the City. Such changes and alterations can and should be adopted by such other agency.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that with implementation of the project would result in significant impacts to due to conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; and would conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways..

Construction-Related Impact Analysis

The AVSP includes six planning phases. However, in the event that planning phases are combined, the traffic analysis assumed the construction schedule for the AVSP would occur in phases, as required to complete the Project within 20-30 years. During that time, it is possible that construction activities would result in short-term impacts to traffic. Construction equipment, employees, and the potential for the movement of cut and fill material could generate a substantial amount of construction-related traffic. Given the temporary nature of construction, the construction work hours being such that workers would not travel during the peak traffic hours, truck trips being spread over the course of the work day, and the requirement for a City-approved traffic control plan as required by Mitigation Measure TC-1, the Project's construction related traffic impacts would not conflict with a plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, and the impacts associated with construction of the project would be considered less than-significant with implementation of Mitigation Measure TC-1.

Intersections

With implementation of the roadway improvements identified in Table 4.7-16 of the DEIR and as required by Mitigation Measure TC-2, levels of service at the impacted study area intersections would be improved to meet the required level of service, However, the actual construction of the required intersection and roadway improvements cannot be determined with certainty. It is anticipated that as development that implements the proposed AVSP Land Use Plan proceeds, each development will pay for and construct General Plan level road improvements on roads adjacent to the development sites.

However, the timing of road improvements needed to improve level of service on a regional basis will be determined by the City of Lake Elsinore, other cities in western Riverside County, the County of Riverside and the Riverside County Transportation Commission, and Caltrans based

upon need and the availability of funding. Thus, it is possible that the required improvements will not be constructed in time to mitigate the proposed Project's traffic and circulation impacts to below the level of significance. Therefore, the proposed Project will 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). Therefore, impacts will remain significant.

Roadway Segments
As presented in Table 4.7-15 of the DEIR, all eleven (11) key study roadway segments under the General Plan Amendment Buildout With Project scenario are forecast to operate at an acceptable LOS D or better during the AM and PM peak hours. As a result, none of the study roadway segments are significantly impacted by proposed AVSP Project and therefore no improvements are required. Impacts are less than significant.

The 2011 Riverside County Congestion Management Program (CMP) was prepared by the Riverside County Transportation Commission (RCTC) in accordance with Proposition 111, passed in June 1990. The CMP was established in the State of California to more directly link land use, transportation, and air quality and to prompt reasonable growth management programs that would more effectively utilize new and existing transportation funds, alleviate traffic congestion and related impacts, and improve air quality. Deficiencies along the CMP system are identified by RCTC when they occur so that improvement measures can be identified. Understanding the reason for these deficiencies and identifying ways to reduce the impact along a critical CMP corridor is intended to conserve scarce funding resources and help target those resources appropriately.

The Riverside County Transportation Commission (RCTC) is designated as the Congestion Management Agency (CMA) to oversee the Congestion Management Program (CMP). In the vicinity of the Project site, the Interstate 15 (I-15) Freeway is a designated CMP roadway. Recently, the RCTC has approved modification of the CMP Land Use Coordination Element, which includes the elimination of the Traffic Impact Assessment (TIA) report process and replaced it with an Enhanced Traffic Monitoring System. Therefore, a TIA report is no longer required, but local jurisdictions are required to report deficient facilities (locations that cannot be mitigated to LOS E or better) along the CMP network, which are identified in traffic impact studies prepared for local agencies. After the implementation of the recommended improvements, the traffic study does not have any significant impacts at any of the analyzed locations and therefore the proposed Project does not conflict with the Riverside County Congestion Management Program.

References: EIR pages 4.7-27 through 4.7-59.

b. Impact: The proposed project would result in a substantial contribution to long-term cumulative impacts because it would conflict with applicable level of service standards.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

TC-0.5 *Prior to approval of the first Phased Development Plan (PDP), a TIA evaluating cumulative impacts of the AVSP on regional transportation facilities within the City's sphere of influence, including without limitation, Temescal Canyon Road to Indian Truck*

Trail, Lake Street, and Nichols Road shall be completed in consultation with the County of Riverside and WRCOG. To ensure that impacts of the AVSP on the regional road network are mitigated, a Phased Road Improvement Plan shall be prepared in conjunction with the first Phased Development Plan and, to the maximum extent allowable in accordance with the TUMF program, regional road improvements shall be constructed by the developer in exchange for TUMF fee credits.

TC-1 *Prior to the issuance of a grading and/or building permits for development proposed by a Phased Development Plan, Subdivision Map, or Design Review Application, start of construction of each phase of the Alberhill Villages Specific Plan Project, the Applicant shall implement the following measures documented in a construction management plan to be approved by the City Engineer:*

- *Control for any street closure, detour, or other disruption to traffic circulation;*
- *Routes that construction vehicles will utilize to access the site;*
- *Hours of construction traffic (not to occur during AM or PM peak hour**);***
- *Off-site vehicles staging and parking areas;*
- *Proposed construction staging plan for the Project;*
- *Posted information for contact in case of emergency or complaint; and,*
- *Hours of construction and traffic control during construction shall not interfere with ingress/egress to and from the residential, commercial and other land uses from each phase built and to be built-out.*

TC-2 *The Project shall participate in the phased construction of the on- and off-site intersection improvements through payment of City of Lake Elsinore fees, and participation in the Western Riverside County Transportation Uniform Mitigation Fees (TUMF) program.*

Where required, improvements are not covered by these programs; mitigation shall be implemented through a fair-share contribution or as otherwise determined by the City Engineer. The improvements listed below shall be in place prior to issuance of the first building permit for each phase.

- *<u>Horsethief Canyon Road at Temescal Canyon Road</u>*
  Install a traffic signal and design for three-phase operation with protective left-turn phasing for westbound left-turn movements on Horsethief Canyon Road. Widen and restripe Horsethief Canyon Road to provide an exclusive northbound free right-turn lane. Widen and re-stripe Temescal Canyon Road to provide a 2nd and 3rd eastbound through lanes, 2nd westbound through lane and dual westbound left-turn lanes.
- *<u>Lake Street at Temescal Canyon Road</u>*
  Widen and re-stripe Lake Street to provide a 2nd northbound left-turn lane, 3rd northbound through lane and a 3rd southbound through lane. Modify existing planned traffic signal.
- *<u>Lake Street at Nichols Road</u>*
  Widen and re-stripe Lake Street to provide an exclusive northbound free right-turn lane. Install a westbound right-turn overlap phase on Nichols Road. Modify existing traffic signal.
- *<u>Terra Cotta Road at Lakeshore Drive</u>*

Install a traffic signal and design for eight-phase operation with protective left-turn phasing for all left-turn movements on Terra Cotta Road and Lakeshore Drive. Widen and re-stripe Terra Cotta Road to provide an exclusive northbound left-turn lane and an exclusive southbound left-turn lane. Widen and re-stripe Lakeshore Drive to provide a 2nd eastbound through lane, a 2nd westbound through lane and an exclusive westbound right-turn lane.

- *I-15 Southbound Ramps/Collier Avenue at Nichols Road*
  Widen and re-stripe I-15 Southbound Ramps to provide two (2) southbound left-turns, one (1) southbound through lane and one (1) southbound free right-turn lane. Widen and re-stripe Collier Avenue to provide one (1) northbound free right-turn lane Widen and restripe Nichols Road to provide a 2nd and 3rd eastbound through lanes, an exclusive eastbound right turn lane, dual westbound left-turn lanes, and a 2nd westbound through lane. Modify General Plan Buildout planned traffic signal. It should be noted that this improvement is part of the proposed I-15/Nichols Road Interchange Improvement Project.
- *I-15 Northbound Ramps at Nichols Road:*
  Widen and re-stripe I-15 Northbound Ramps to provide two (2) northbound left-turns and one (1) northbound right-turn lane. Widen and re-stripe Nichols Road to provide a 2nd and 3rd eastbound through lanes, and a 2nd and 3rd westbound through lanes. Modify General Plan Buildout planned traffic signal. It should be noted that this improvement is part of the proposed I-15/Nichols Road Interchange Improvement Project.
- *Lincoln Street at A Street/E Street*
  Widen and re-stripe Lincoln Street to provide an exclusive southbound right-turn lane. Widen and re-stripe E Street to provide a 2nd eastbound left-turn lane. Modify General Plan Buildout planned traffic signal.
- *Lake Street at A Street*
  Widen and re-stripe Lake Street to provide a 3rd northbound through lane, 3rd southbound through lane and an exclusive southbound right-turn lane. Widen and restripe A Street to provide a 2nd eastbound left-turn lane, an exclusive eastbound right-turn lane, and an exclusive westbound right-turn lane. Install a southbound right-turn overlap phase on Lake Street. Modify General Plan Buildout planned traffic signal and convert from five-phase operation to eight-phase operation. It should be noted that this intersection is not impacted but has been improved due to other recommended improvements which affect the lane geometry of this intersection.

Significance after Mitigation: As stated above, while mitigation will be imposed, and the identified improvement can reduce the impacts to less than significant, it is unknown when all of the required funding for the improvements outlined above will be completed. In addition, with many of the subject improvements, Caltrans would be required to issue permits and approvals. Therefore, the City cannot control the completion and timing of the measures. For this reason, the EIR assumes that the impacts will remain significant unless and until the improvements outlined above are completed.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment; however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level. In addition, some of the changes and alterations identified in the mitigation measures are within the responsibility and jurisdiction of another public agency (Caltrans) and not the City. Such changes and alterations can and should be adopted by such other agency.

Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that with implementation of the project, all roadways within the study area would be expected to have substantial traffic volumes and most of the intersection analysis locations would require improvements.

Cumulative impacts related to traffic and circulation are addressed in the General Plan EIR which is incorporated by reference into the EIR. The proposed Project will significantly impact eleven (11) of the of the twenty-seven (27) key study intersections under the General Plan Amendment with Project scenario. With implementation of the roadway improvements identified in Table 4.7-16 of the DEIR and as required by Mitigation Measure TC-2, levels of service at the impacted study area intersections would be improved to meet the required level of service, However, the actual construction of the required intersection and roadway improvements cannot be determined with certainty. It is anticipated that as development that implements the proposed Project's Land Use Plan proceeds, each development will pay for and construct General Plan level road improvements as required on roads adjacent to the development sites.

However, the timing of road improvements needed to improve level of service on a regional basis will be determined by the City of Lake Elsinore, other cities in western Riverside County, the County of Riverside and the Riverside County Transportation Commission, and Caltrans based upon need and the availability of funding. Thus, it is possible that the required improvements will not be constructed in time to mitigate the proposed Project's traffic and circulation impacts to below the level of significance. Therefore, the proposed Project will 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). Therefore, impacts will remain significant and unavoidable.

References: EIR page 4-7-78.

3.5. Findings Regarding Alternatives to the Project

CEQA requires that an EIR consider a reasonable range of feasible alternatives (State CEQA Guidelines, Section 15126.6(a)). According to the State CEQA Guidelines, alternatives should be those that would attain most of the basic project objectives and avoid or substantially lessen one or more significant effects of the project (State CEQA Guidelines, Section 15126.6). The "range of alternatives" is governed by the "rule of reason," which requires the EIR to set forth only those alternatives necessary to permit an informed and reasoned choice by the lead agency and to foster meaningful public participation (State CEQA Guidelines, Section 15126.6(f)).

CEQA also requires the feasibility of alternatives be considered. Section 15126.6(f)(1) states that among the factors that may be taken into account in determining feasibility are: site suitability; economic viability; availability of infrastructure; general plan consistency; other plans and regulatory limitations; jurisdictional boundaries; and (when evaluating alternative project locations) whether the proponent can reasonably acquire, control, or otherwise have access to an alternative site. Furthermore, an EIR need not consider an alternative whose effects could not be reasonably identified, whose implementation is remote or speculative, or that would not achieve the basic project objectives.

The alternatives addressed in the EIR were identified in consideration of the following factors:

- The extent to which the alternative could avoid or substantially lessen the identified significant environmental effects of the proposed project
- The extent to which the alternative could accomplish most of the objectives of the proposed project
- The feasibility of the alternative
- The requirement of the State CEQA Guidelines to consider a "no project" alternative

Alternatives Considered but Eliminated

Alternatives may be eliminated from detailed consideration in an EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid or substantially reduce any significant environmental effects (State CEQA Guidelines, Section 115126.6(c)). Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, also do not need to be considered (State CEQA Guidelines, Section 151269f)(3)). As allowed by CEQA, the lead agency may make an initial determination as to which alternatives are feasible and warrant further consideration and which are infeasible (State CEQA Guidelines, Section 15125.6(f)(3)).

Accordingly, the selection of an alternative site was analyzed and determined to not be a feasible alternative. The proposed Project requires 1,375 acres of developable land for its proposed land uses, so an alternative site in the City would need similar acreage and an appropriate location for a project of this size. A review of the City's land use and zoning maps, and current aerial photos reveal no sites within the City of appropriate size or location upon which the proposed Project could be located. So an evaluation of alternative sites is determined to not be feasible relative to the proposed project.

Alternatives Selected for Analysis

Alternatives were selected because they would either reduce project-related impacts or describe what would be reasonably expected to occur in the foreseeable future on the project site, and were selected for further analysis representing a reasonable range of alternatives that would be feasible from a development perspective. These alternatives include:

Alternative 1 - No Project Alternative: Under this alternative, no development would occur on the project site, although the project site has City General Plan Land Use Map designates the Project site with several land uses including Hillside Residential, Low Density Residential, Medium Density Residential, High Density Residential, Commercial Mixed-Use, Public Institutional, and Open Space. The site also has an Extractive Overlay. This special overlay designation provides for continued operations of extractive uses, such as aggregates, coal, clay mining, and certain ancillary uses. Because the site has been actively mined for over 100 years, the 'No Project Alternative would most likely maintain the site in its current state as an active clay and gravel extraction operation.

Alternative 2 – Reduced Density Alternative: The 'Reduced Density' Alternative would decrease the General Plan permitted number of dwelling units and commercial square-footage, as compared to the AVSP Project, by 32%.

Alternative 3 – Further Reduced Density Alternative: The 'Further Reduced Density' Alternative would reduce the proposed number of dwelling units and commercial square-footage, as compared to the AVSP Project, by 47%.

a) Alternative 1 - No Project Alternative

The No Project Alternative assumes that the proposed project is not developed. The site would most likely maintain the site in its current state as an active clay and gravel extraction operation.

The No Project Alternative is consistent with Section 15126.6(e) of the State CEQA Guidelines, and evaluates the existing conditions of the project site at the time the NOP was published, as well as what could occur in the foreseeable future if the proposed project were not approved.

The City General Plan Land Use Map designates the project site with several land uses including Hillside Residential, Low Density Residential, Medium Density Residential, High Density Residential, Commercial Mixed-Use, Public Institutional, and Open Space. The site also has an Extractive Overlay. This special overlay designation provides for continued operations of extractive uses, such as aggregates, coal, clay mining, and certain ancillary uses

Summary of Major Environmental Effects

The No Project Alternative would maintain the surface mining character of the project site and no changes would occur.

Under the No Project Alternative, all of the proposed project's significant and unavoidable impacts would be avoided, and its potentially significant impacts would not occur.

Environmental Impact of the No Project Alternative

Aesthetics
The proposed Project was found to have a less-than-significant impact on scenic vistas and State Scenic Highways and a less than significant impact with mitigation incorporated on visual character for light and glare. Since the No Project Alternative would not modify the existing mining impacted project site or add project construction to the project site, there would be a reduced impact upon the night sky and Mt. Palomar Observatory; and there would be no changes occurring to the visual character of the site. It is important to note that vacant "undeveloped" mining property is not necessarily more aesthetically pleasing than the proposed project with the addition of urban landscape of trees, landscape parkways, and open space paseos. However, because no change in visual quality would occur under this alternative, there would be no impact relative to the increasing mining impacts. Compared to the proposed project this alternative would have less aesthetic impacts than the project.

Air Quality and Greenhouse Gas Emissions
The proposed project was found to have a significant and unavoidable impact to air quality and a less than significant impact on greenhouse gas emissions. Under the No Project Alternative, there would be existing air and greenhouse gas emissions due to the mining related activities. There would be no new project construction or operation under this alternative, and no increase in project- or cumulative level air quality or greenhouse gas emission impacts would occur. Therefore, no increase in relative impact to air quality or greenhouse gas emissions is identified under this alternative and impacts would be less under this alternative.

Biological Resources
Under the No Project Alternative, biological resource conditions on the site would largely remain highly disturbed. Compared to the proposed project this alternative would have greater impacts because it would not restore habitat, provide permanent wildlife corridors and provide undisturbed open space as would the project.

Cultural and Paleontological Resources
Since there would be on-going mining under the No Project Alternative, there would continue to be soil disturbance or potential impact to cultural or paleontological resources. Compared to the proposed project, this impact is similar because land will be disturbed to accommodate future development of the project's land uses.

Geology and Soils, Mineral Resources, and Seismicity
Since there would be no residential or commercial development at the project site under the No Project Alternative, there would be no persons exposed to additional seismic risk. As compared to the proposed project, this alternative would have less of an impact to geology and soils.

Hazards and Hazardous Materials
Since there would be no increase in population at the project site under the No Project Alternative, there would be only the existing potential exposure to hazardous materials with mining. Therefore, no increased impact is identified for this alternative for exposing a substantial number of persons to hazards and hazardous materials. Therefore, this alternative would have less impact related to exposing a substantial number of persons to impacts from hazards and hazardous materials.

Hydrology, Drainage and Water Quality

The No Project Alternative would not result in modifications to the existing drainage patterns or volume of storm water runoff, as the total impervious area on-site would remain unchanged from present conditions. In addition, implementation of this alternative would not result in modification to the existing treatment of stormwater runoff. Furthermore, no changes with regard to water quality would occur; therefore, no water quality impacts would occur. The proposed project is identified as having less than significant impacts with mitigation, less than significant impact, no impact without mitigation. Compared to the proposed project, this alternative would have less impact related to hydrology/water quality impact.

Land Use and Planning

The No Project Alternative would not result in the modification of any existing mining land use on the project site as the site would remain active mining. Similar to the proposed project, the No Project Alternative would not divide an established community. Also, this alternative would not conflict with any applicable land use plan. Although the City's adopted General Plan proposes development of mixed-uses, it also allows on-going mining through the Extraction Overlay designation. This alternative would not meet the General Plan goals and policies related to future development of the area as a mixed-use development, and as a result would have greater impacts than the proposed project with respect to land use compatibility with planned development of the areas as a residential and commercial area.

Noise

Since there would be only the continued mining activities, the No Project Alternative would not increase noise in the vicinity, and no significant noise impacts would occur or be created over and above what the current mining operation is currently producing for the next 30 years. Therefore, no impact is identified for this alternative for noise. Compared to the proposed project, this alternative would not increase any additional potentially significant impacts to noise and eliminate the need to incorporate additional mitigation measures and impacts would be less than the project.

Population and Housing

Since there would be no urban development on the Project site, the No Project Alternative would not result in an increase in housing, jobs, or population. However, with this Alternative, no housing will be provided to accommodate the predicted growth identified and required under the regional housing needs assessment in the General Plan. The AVSP Project would have potentially significant to no impact without mitigation to both population and housing. As compared to the AVSP Project, this Alternative's impacts would be less than the Project.

Public Services

The No Project Alternative would not require increased public services to the site, since there would not be any new development that would require police, fire protection, school, or library services. Therefore, no impact to public services is identified for this alternative. Compared to the proposed project, this alternative would have less impact to public services since there will be no development.

Recreation

The No Project Alternative would not lead to an increase in population requiring the provision of additional recreational amenities. This alternative would not provide any recreational use.

Compared to the proposed project, this alternative would have less impact to recreation since there will be no development, additional housing or population.

Transportation and Circulation
Since there would be no new development under the No Project Alternative, no increase in vehicular trips due to project construction or project operation are identified for this alternative, and no impact is noted. Compared to the proposed project, this alternative would result in less impact to intersections that exceed acceptable LOS.

Utilities and Service Systems
The No Project Alternative would not require increased utilities to the site, since there would not be any new development that would require water, wastewater, or landfill/recycling services. Compared to the proposed project, this alternative would have less impact to utility services due to no development.

Cumulative Impacts
The No Project Alternative would avoid all of the proposed Project's significant unavoidable impacts (air quality and traffic) and have less impact on most environmental issue areas. Therefore, cumulative impacts of this alternative when compared to the proposed project are less.

Conclusion
Implementation of the No Project Alternative would result in less impact for all environmental issues areas except biological resources, population and housing and land use and planning and would have similar impacts with respect to cultural resources as compared to the proposed project. While the No Project Alternative would avoid the entire proposed project's significant unavoidable impacts (air quality and traffic) and have less impact on most environmental issue areas, this alternative would not advance any of the Project objectives. Furthermore, this alternative would not realize the project benefits of increased commercial retail opportunities, additional employment opportunities, and new tax revenues.

Feasibility
The No Project Alternative would not meet any of the objectives of the Project. Specifically, this alternative would not create a balanced community with integrated land uses within the City of Lake Elsinore, nor would it offer a mix of residential, commercial, and recreational land uses located within the City of Lake Elsinore in the northern Alberhill District. Furthermore, this alternative would not create job or housing opportunities. Since this alternative does not meet any of the basic objectives of the proposed project, the No Project Alternative is rejected. In addition, this alternative: 1) would not implement the intensity and density of land uses permitted on the project site which are intended to reduce environmental impacts. These land uses include all of the allowable land uses permitted by the General Plan; 2) would not meet the present General Plan's job creation, zoning, land use designations or density; and, 3) there would be no housing and this would result in insufficiency of the City's housing stock based on the Regional Housing Needs (RHNA) for the City and the community.

b) Alternative 2 – Reduced Density Alternative

The 'Reduced Density' Alternative would decrease the General Plan permitted number of dwelling units and commercial square-footage, as compared to the proposed project, by 32%. This would serve to reduce hillside intrusion associated with development, aesthetic impacts to adjacent residential areas, and impacts to biological resources that are already degraded by mining. Implementation of this 'Reduced Density' Alternative would also reduce urban related impacts while partially fulfilling the objectives of the AVSP Project. For instance, of the 8,204 dwelling units proposed under the current plan, approximately 5,606 would be developed under the "Reduced Density" Alternative. With less housing and jobs would come a proportionately fewer amount of people, less traffic, air pollution, and a lower demand for public services and utilities.

Environmental Impact of the Reduced Density Alternative

Aesthetics
The proposed Project was found to have a less-than-significant impact on scenic vistas and State Scenic Highways and a less than significant impact with mitigation incorporated on visual character for light and glare. Because of the highly disturbed nature of the project site and the amount of light and glare to be produced from residential/commercial uses under the proposed project, the aesthetic, light, and glare impacts associated with the Reduced Density Alternative would be similar, though potentially less. This alternative would have more open areas in the form of a golf course and an additional 104 acres of open space. Therefore, this alternative would have less aesthetic impacts.

Air Quality and Greenhouse Gas Emissions
Implementation of both, the proposed project and the Reduced Density Alternative would result in significant unavoidable and cumulative air quality impacts, both during construction and operation. Even with mitigation, there will be emissions that exceed SCAQMD air quality standards. This can be attributed to the fact that pollutants associated with urbanization already exist at high levels in the general project area and any additional source of emissions, local or regional, is considered significant. The City's Climate Action Plan will allow for the sustainability, reduction of GHG emissions, and promote a vibrant and livable community. Therefore, the proposed project identified significant and unmitigated impacts to air quality, this alternative would result in less air quality emissions, with mitigation but impacts are expected to remain significant and unavoidable.

Biological Resources
Although the project site is highly disturbed in nature due to over 100 years of mining, the project was found to have potential impacts to sensitive plant and wildlife species and jurisdictional waters and mitigation measures are required. Impacts would be less than significant with mitigation. Implementation of the Reduced Density Alternative would result in less grading and a decrease in the amount of habitat and open space lost as a result of project construction. Compared to the proposed project, this alternative provides an additional 104 acres of open space; therefore, impacts would be less than the proposed project and impacts would be less than significant with mitigation.

Cultural Resources
With construction of fewer homes and less land area subject to disturbance, impacts to the potential undiscovered archeological and paleontological resources on the site would be less with implementation of similar mitigation measures as required of the proposed project. Impacts would

be less than significant with mitigation.

Geology, Soils, Mineral Resources and Seismicity
Implementation of the Reduced Density Alternative may result in less grading and, therefore, less topographic modifications than the proposed project. However, since the project site has been mined for the over 100 years and is highly disturbed, implementation of the Reduced Density Alternative is expected to have relatively similar impacts to geology and soils. Other than the continued mining extraction/removal of certain mineral resources during the next 30 years and as compared to the proposed project that would have potentially significant impacts without mitigation, this alternative would have less of an impact to geology, soils, and seismicity. Impacts to mineral resources would be similar to the proposed project as this alternative would result in the loss of land that is being actively mined. However, the Extractive Overlay will allow mining to continue until such time that long-term vision of the General Plan is realized in the form of the commercial, residential, mixed-use, and institutional uses.

Hazards and Hazardous Materials
Similar to the proposed project, development of the land uses, or type, is not likely to generate hazardous materials. The mining extraction will be phased out as with the proposed project. This Reduced Density Alternative will be much like the proposed project that has been identified with less than significant impacts to no impacts for hazards and hazardous materials; therefore, development under this reduced alternative would have a similar level of impacts from hazards and hazardous materials compared to the proposed project.

Hydrology, Drainage and Water Quality
Much of the property is currently being mined; therefore, much of the site is in a disturbed drainage condition. During construction, implementation of the Reduced Density Alternative would reduce erosion and subsequent siltation as related to grading and as compared to the proposed project. Also, discharges due to an increase in impervious materials would be reduced, as would pollutants associated with urbanization. However, it is expected that development would improve surface water quality by reducing the amount of erosion runoff, as a result of on-site drainage improvements. Impacts of introduced pollutants associated with urbanization can be mitigated and no significant advantages can be attributed to the implementation of this alternative when compared to the proposed project. As compared to the proposed project, this alternative would have a similar impact than the proposed project.

Land Use and Planning
The Reduced Density Alternative would develop about 2,638 fewer dwelling units and accommodate roughly 9,180 fewer people and create fewer jobs, as compared to the AVSP Project. Commercial square-footage with reduced access to retail and service opportunities would also be proportionately reduced. A reduction in grading would retain larger areas of existing open space. As the proposed project is not expected to result in land use compatibility impacts, implementation of this alternative would result in reduced densities, but land use and planning impacts would remain similar.

Noise

The Reduced Density Alternative would eliminate some of the short-term construction related noise, as well as long-term impacts associated with traffic generated noise. Current noise impacts from the mining operations will continue for the next 30 years. Compared to the proposed project, this alternative would produce a similar impact with respect to construction noise and less impact with respect to operational noise.

Population, Jobs, and Housing
A 32% reduction in density would mean a reduction in housing, population, and job opportunities when compared to the proposed project. As compared to the proposed project, this alternative would have less of an impact, and would also require mitigation to reduce the impacts for this alternative.

Public Services
Both the proposed project and the Reduced Density Alternative would be required to mitigate impacts through payment of development impact fees. When compared to the proposed project, this alternative would have less impact to most public services because less population results in less demand for public services.

Recreation
The proposed project was identified as having potentially significant impacts requiring mitigation. Compared to the proposed project, the Reduced Density Alternative provides an 18- hole golf course (280 acres), 136 acres of open space, for a total of 416 acres of recreation/open space. This alternative would have less of an impact and need for recreation than the proposed project, as a result of less population. Impacts would be less when compared to the proposed project.

Traffic and Circulation
The proposed project was identified with significant and unavoidable impacts for cumulative conditions for the General Plan Buildout with Project scenario for traffic level of service (LOS) at certain intersections. This alternative would result in a reduction in the amount of housing and commercial uses, which would decrease traffic. However, there are several intersections that are currently operating at unacceptable LOS even without any development proposed on the site. Although the Reduced Density Alternative would result in less traffic, it would still contribute to an incremental cumulative impact and impacts would be similar to the proposed project.

Utilities and Service Systems
The Reduced Density Alternative would require fewer utilities on site than the proposed project due to the reduction in population and development. The needs for water, wastewater, landfill/recycling services do remain and could potentially be similar, but less, in impact. Compared to the proposed project, this alternative would have less impact to utility services, but mitigation would be required to reduce the impacts to less than significant.

Cumulative Impacts
Similar to the proposed project, this alternative would contribute toward the permanent conversion of mining land in the City and surrounding areas to suburban land uses. Development of this alternative would generate less traffic and long-term operational air pollutant emissions, and so

would contribute less to cumulative traffic and air quality impacts within the Southern California region. However, impacts to air quality and traffic would remain cumulatively considerable.

Conclusion
Implementation of the Reduced Density Alternative, with mitigation, would result in reduced impacts for all environmental issues areas except air quality and traffic LOS at certain intersections, as compared to the proposed project.

Feasibility
This alternative is infeasible. The Reduced Density Alternative would not meet the full objectives of the Project applicant, even though this alternative would: 1) create a community with integrated land uses within the City of Lake Elsinore, and would offer a mix of residential, commercial, and recreational land uses located within the City of Lake Elsinore in the northern Alberhill District; and, 2) would create job or housing opportunities at a reduced scale. In summary, the Reduced Density Alternative: 1). would not implement the intensity and density of land uses permitted on the project site which are intended to reduce environmental impacts. These land uses include all of the allowable land uses permitted by the General Plan; 2) is not in accordance with the General Plan's job creation, density, land use or zoning; 3) the cost would not be economically feasible; and, 4) would, therefore, have less housing stock based on the Regional Housing Needs Allocation (RHNA) for the City and the community.

c) Alternative 3 – Further Reduced Density Alternative

The Further Reduced Density Alternative would reduce the proposed number of dwelling units and commercial square-footage, as compared to the proposed project, by 47%. This would serve to reduce hillside intrusion associated with development, aesthetic impacts to adjacent residential areas, and impacts to biological resources. Implementation of the Further Reduced Density Alternative would also reduce urban related impacts while partially fulfilling certain objectives of the AVSP Project. For instance, of the 8,024 dwelling units proposed under the current plan, approximately 4,337 would be developed under the Further Reduced Density Alternative.

Environmental Impact of Further Reduced Density Alternative

Aesthetics
The proposed Project was found to have a less-than-significant impact on scenic vistas and State Scenic Highways and a less than significant impact with mitigation incorporated on visual character for light and glare. Because of the highly disturbed nature of the project site and the amount of light and glare to be produced from residential/commercial uses under the proposed project, the aesthetic, light, and glare impacts associated with the Further Reduced Density Alternative would be similar, though potentially less. This alternative would have more open areas in the form of a golf course and an additional 104 acres of open space. Therefore, this alternative would have less aesthetic impacts.

Air Quality and Greenhouse Gas Emissions
Implementation of both, the proposed project and the Further Reduced Density Alternative would result in significant unavoidable and cumulative air quality impacts, both during construction and

operation. Even with mitigation, there will be emissions that exceed SCAQMD air quality standards. This can be attributed to the fact that pollutants associated with urbanization already exist at high levels in the general project area and any additional source of emissions, local or regional, is considered significant. The City's Climate Action Plan will allow for the sustainability, reduction of GHG emissions, and promote unmitigated impacts to air quality. This alternative would result in fewer air quality emissions, with mitigation. However, impacts are expected to remain significant and unavoidable.

Biological Resources

Although the Project site is highly disturbed in nature due to over 100 years of mining, the proposed project was found to have potential impacts to sensitive plant and wildlife species and jurisdictional waters and mitigation measures are required. Impacts would be less than significant with mitigation. Implementation of the Further Reduced Density Alternative would result in less grading and a decrease in the amount of habitat and open space lost as a result of project construction. Compared to the proposed project, this alternative provides an additional 128 acres of open space, therefore, impacts would be less than the proposed project and impacts would be less than significant with mitigation.

Cultural Resources

The proposed project was identified as having potentially significant impacts requiring mitigation. With construction of fewer homes and less land area subject to disturbance, impacts to the potential undiscovered archeological and paleontological resources on the site would be less with implementation of similar mitigation measures as required of the proposed project.

Geology, Soils, Mineral Resources, and Seismicity

Implementation of the Further Reduced Density Alternative may result in less grading and, therefore, less topographic modifications than the proposed project. However, since the project site has been mined for over 100 years and is highly disturbed, implementation of this alternative is expected to have relatively similar impacts to geology and soils. Other than the continued mining extraction/removal of certain mineral resources during the next 30 years, this alternative would have less of an impact to geology, soils, and seismicity. Impacts to mineral resources would be similar to the proposed project as this alternative would result in the loss of land that is being actively mined. However, the underlying General Plan Extractive Overlay will allow mining to continue until such time that long-term vision of the General Plan is realized in the form of the commercial, residential, mixed-use, and institutional uses.

Hazards and Hazardous Materials

Similar to the proposed project, development of the land uses, or type, is not likely to generate hazardous materials. The mining extraction will be phased out as with the proposed project. The Further Reduced Density Alternative will be much like the proposed project that has been identified with 'less than significant impacts' to 'no impacts' for hazards and hazardous materials; therefore, development under this reduced alternative would have a similar level of impacts from hazards and hazardous materials.

Hydrology, Drainage and Water Quality

Much of the property is currently being mined; therefore, much of the site is in a disturbed drainage condition. During construction, implementation of the Further Reduced Density Alternative would reduce erosion and subsequent siltation as related to grading. Also, discharges due to an increase in impervious materials would be reduced, as would pollutants associated with urbanization. However, it is expected that development would improve surface water quality by reducing the amount of erosion runoff, as a result of on-site drainage improvements. Impacts of introduced pollutants associated with urbanization can be mitigated and no significant advantages can be attributed to the implementation of this alternative when compared to the proposed project.

Land Use and Planning
The Further Reduced Density Alternative would develop about 2,638 fewer dwelling units and accommodate roughly 9,180 fewer people and create fewer jobs, as compared to the AVSP Project. Commercial square-footage with reduced access to retail and service opportunities would also be proportionately reduced. A reduction in grading would retain larger areas of existing open space. As the proposed project is not expected to result in land use compatibility impacts; implementation of the Reduced Density Alternative would result in reduced densities, but land use and planning impacts would remain similar.

Noise
The Further Reduced Density Alternative would eliminate some of the short-term construction-related noise, as well as long-term impacts associated with traffic-generated noise. Current noise impacts from the mining operations will continue for the next 30 years. Compared to the proposed project, this alternative would produce a similar impact with respect to construction noise and less impact with respect to operational noise as compared to the proposed project.

Population and Housing
A 47% reduction in density would mean a reduction in housing, population, and job opportunities when compared to the proposed project. The proposed project, under build-out conditions, would create 8,024 dwelling units (DU's) for an estimated 27,924 persons, and 5,000 employment opportunities. The proposed project would have a potentially significant to no impact without mitigation to both population and housing. As compared to the AVSP Project, the Reduced Density Alternative would have less of an impact, and would also require mitigation to reduce the impacts for this alternative.

Public Services
Both the AVSP Project and the Further Reduced Density Alternative would be required to mitigate impacts through payment of development impact fees. When compared to the proposed project, this alternative would have less impact to most public services because less population results in less demand for public services.

Recreation
The Further Reduced Density Alternative would have less of an impact and need for recreation than the proposed project, as a result of less population, requiring less recreation. The proposed project was identified as having potentially significant impacts without mitigation. Compared to the proposed project, alternative provides additional common public open space, linear parks and private parks. Even though this alternative will have fewer impacts to recreation/open space

requirements (due to less population and development of housing), mitigation would be required, as planned.

Traffic and Circulation
The proposed project was identified with significant and unavoidable impacts for cumulative conditions for the General Plan Buildout with Project scenario for traffic level of service (LOS) at certain intersections. This alternative would result in a reduction in the amount of housing and commercial uses, which would decrease traffic. However, there are several intersections that are currently operating at unacceptable LOS even without any development proposed on the site. Although the Further Reduced Density Alternative would result in less traffic, it would still contribute to an incremental cumulative impact and impacts would be similar to the proposed project.

Utilities and Service Systems
The proposed project was identified as having potential impacts to utilities and service systems and mitigation was required. The Further Reduced Density Alternative would require fewer utilities on site due to the reduction in population and development. The needs for water, wastewater, landfill/recycling services do remain and could potentially be similar, but less, in impact. Compared to the proposed project, this alternative would have less impact to utility services, but mitigation would be required to reduce the impacts to less than significant.

Cumulative Impacts
Similar to the proposed project, this alternative would contribute toward the permanent conversion of mining land in the City and surrounding areas to suburban land uses. Development of this alternative would generate less traffic and long-term operational air pollutant emissions, and so would contribute less to cumulative traffic and air quality impacts within the Southern California region. However, impacts to air quality and traffic would remain cumulatively considerable.

Conclusion
Implementation of the Further Reduced Density Alternative, with mitigation, would result in reduced impacts for all environmental issues areas except air quality and traffic LOS at certain intersections, as compared to the proposed project.

Feasibility
The Further Reduced Density Alternative would not meet the objectives of the proposed project, even though this alternative would: 1) create a community with integrated land uses within the City of Lake Elsinore, and would offer a mix of residential, commercial, and recreational land uses located within the City of Lake Elsinore in the northern Alberhill District; and, 2) would create job or housing opportunities at a reduced scale. Therefore, in summary, the Further Reduced Density Alternative: 1) would not implement the intensity and density of land uses permitted on the prject site which are intended to reduce environmental impacts. These land uses include all of the allowable land uses permitted by the General Plan; and 2) is not in accordance with the General Plan's job creation, density, land use or zoning; 3) the cost would not be economical; and, 4) there would be insufficient housing stock that is based on the Regional Housing Needs Allocations (RHNA) for the City and the community.

Environmentally Superior Alternative

The Environmentally Superior Alternative would be the No Project Alternative because no construction activities and no new land uses would occur. The project site would remain undeveloped and significant air quality impacts that would occur by implementation of the proposed project would not occur.

However, State CEQA Guidelines Section 15126.6(e)(2) states:

The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Therefore, pursuant to CEQA, because the No Project Alternative has been identified as the Environmentally Superior Alternative under CEQA, the Environmentally Superior Alternative among the other alternatives would be Alternative 3 – Further Reduced Density Alternative.

Alternative No. 3 - Further Reduced Density Alternative is considered the Environmentally Superior Alternative, since it decreases impacts to and results in a less than significant or mitigated to below a level of significance impact to aesthetics, biological resources, cultural resources, geology-soils-mineral resources-seismicity, hazards and hazardous materials, hydrology and water quality, noise, public services, recreation, and utilities and service systems. However, Alternative No. 3 would not reduce significant unavoidable air quality and traffic impacts to a less-than-significant level. Therefore, Alternative 3 would result in the same significant and unavoidable impacts that would result from the proposed project.

CEQA does not require the lead agency (City) to approve the environmentally superior alternative. Conversely, CEQA requires that an EIR consider a reasonable range of feasible alternatives (State CEQA Guidelines, Section 15126.6(a)) and then the lead agency may elect to approve the project or any of the analyzed alternatives; in addition, the lead agency may also elect not to approve the project or any of its alternatives. This alternatives analysis has been prepared for the City to consider environmentally superior alternatives and also determine whether the benefits of the project or its alternatives outweigh the potential environmental impacts.

4. STATEMENT OF OVERRIDING CONSIDERATIONS

4.1. Unavoidable Significant Environmental Effects

The Final Environmental Impact Report (EIR) for the Alberhill Villages Specific Plan Project has identified and discussed significant effects that may occur as a result of the proposed project. With implementation of the proposed project including the project mitigation measures identified for each significant impact, most of the potentially significant impacts can be reduced to a level considered less than significant, except for unavoidable significant impacts as discussed below and in Section 3.0 of the Findings.

The City has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the proposed project. Impacts, in these and all other cases, have been mitigated to the extent considered feasible. Environmental impacts identified in the Final EIR as potentially significant but which the City finds cannot be fully mitigated to a level of less than significant, despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth herein, are described in this section.

a) Transportation and Circulation

As described above in Section 3.4, development of the project site would introduce a substantial new amount of traffic to the area. Twelve (12) of the twenty-seven (27) study intersections are forecast to operate at unacceptable levels of service, LOS E or worse with the addition of Project traffic based on the LOS impact criteria. Mitigation Measures are recommended to reduce impacts to less than significant levels.

However, the timing of road improvements needed to improve level of service on a regional basis will be determined by the City of Lake Elsinore, other cities in western Riverside County, the County of Riverside and the Riverside County Transportation Commission, and Caltrans based upon need and the availability of funding. Thus, it is possible that the required improvements will not be constructed in time to mitigate the proposed Project's traffic and circulation impacts to below the level of significance. Therefore, the proposed Project will 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). Therefore, impacts are significant and unavoidable.

b) Air Quality

As described above in Section 3.4, the South Coast Air Basin is designated by CARB as a non-attainment area for Federal and State O3 and PM10 standards, as well as state PM2.5 standards. As shown in the analysis above, the Project exceeds SCAQMD significance thresholds for ROG (an ozone precursor) during construction, PM10 and PM2.5 operations at the completion of Phase 1, 2, and 4, and for ROG, PM10 and PM2.5 for combined construction and operations. The Project will exceed emissions for ROG, NOXx, PM10, PM2.5 and CO at buildout. Mitigation Measures have been required to reduce impacts to the maximum extent feasible, however, impacts would still be significant and unavoidable.

Operational emissions associated with the proposed project would exceed the SCAQMD's thresholds of significance for ROG, NOx, CO and PM10 even with the implementation of Mitigation Measures AQ-1 through AQ-5. The proposed project could conflict with SCAQMD's air quality planning efforts for nonattainment pollutants and would result in a cumulatively considerable net increase in nonattainment pollutants during operations; therefore, cumulative impacts associated with operational emissions would be significant and unavoidable.

4.2. Overriding Considerations

Pursuant to State CEQA Guidelines Section 15093(a), the City Council must balance, as applicable, the economic, legal, social, technological, or other benefits" of the proposed project against its unavoidable environmental risks" in determining whether to approve the project. If the specific benefits of the proposed project outweigh the unavoidable adverse environmental effects, those environmental effects may be considered "acceptable."

Having reduced the adverse significant environmental effects of the proposed project to the extent feasible by adopting the mitigation measures; having considered the entire administrative record on the project; the City Council has weighed the benefits of the proposed project against its unavoidable adverse impacts after mitigation in regards to air quality, noise and transportation and circulation. While recognizing that the unavoidable adverse impacts regarding air quality, and transportation and circulation are significant under CEQA thresholds, the City Council finds that the unavoidable adverse impacts that will result from adoption and implementation of the proposed project are acceptable and outweighed by specific social, economic and other benefits of the project. The City Council further finds that except for the proposed project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of project objectives and/or of specific economic, social, and other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of the proposed project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Records of Proceedings, as defined in Section 4.0.

The City Council finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), that each of the following social, economic, and environmental benefits of the project, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts.

Following are the benefits of implementing the proposed project.

- The development of a mixed-use Specific Plan with balanced uses of land affording the opportunity to live, work, shop, attend school, and recreate within a sustainable community consistent, with the existing General Plan land use designations.
- The development of a new major retail and commercial center along major roadways and within close proximity to the Interstate 15 (I-15)/Lake Street interchange to facilitate regional public access and take advantage of the high visibility site to regional travelers.
- The provision of the region with higher education by designating land that could support a 6,000-student university that could offer both traditional as well as adult education programs.
- Restoration of hundreds of acres of mined land into new and restored natural areas, public facilities, a university, parks, schools, housing, retail, and business park.
- The provision of a compact development pattern adjacent to the existing I-15 freeway.
- The provision of a wide choice of housing opportunities that promotes affordable, moderate, student, as well as upper income housing.
- The establishment of an employment/business park which will help provide a jobs/housing balance by generating significant temporary and permanent jobs.
- The provision of land use designations that will accommodate the medical profession as a targeted land use in conjunction with the university's nursing program and potential new hospital and medical office center.
- The creation of a multi-purpose park and open space system that meets the community's needs while providing visual relief, passive and active recreational opportunities, biological habitat, wildlife corridors, and ground water recharge of the area consistent with applicable state and federal laws and the MSHCP.
- Generation of increased sales tax, property tax, and other miscellaneous taxes for the City's general fund.

5. CERTIFICATION OF THE FINAL EIR

The City has reviewed and considered the Final EIR in evaluating the proposed project. The City Council finds that the DEIR is an accurate and objective statement that fully complies with CEQA (California Public Resources Code, Sections 21000 et seq.), the State CEQA Guidelines and the City's Procedures for Implementing the State CEQA Guidelines; that the Final EIR reflects the independent judgment of the City; and that no new significant impacts as defined by State CEQA Guidelines Section 15088.5 have been identified by the City after circulation of the DEIR which would require recirculation.

The City Council certifies the Environmental Impact Report based on the following findings and conclusions:

5.1. Findings

The following significant environmental impacts have been identified in the EIR and, although all applicable and feasible mitigation measures have been incorporated into the project, the impacts cannot be mitigated to less–than-significant levels:

a) Transportation and Circulation

Significant and unavoidable project and cumulative impacts on intersection and roadways in the project vicinity.

b) Air Quality

Significant and unavoidable project and cumulative impacts associated with long-term emissions of reactive organic gases (ROGs), oxides of nitrogen (NOx), fine particulate matter (PM10), ultra-fine particulate matters (PM2.5) and carbon monoxide (CO).

5.2. Conclusions

1. All significant environmental impacts from the implementation of the proposed project have been identified in the EIR and will be mitigated to less-than-significant levels with implementation of the identified mitigation measures, except for the impacts listed above and described in the Statement of Overriding Considerations.

2. Other reasonable alternatives to the proposed project that could feasibly achieve most of the basic objectives of the project have been considered. Some of the alternatives were feasible but did not meet the project objectives; others met the project objectives but were found not to reduce the significant and unavoidable impacts to less than significant. Since the alternatives considered either did not serve to reduce or avoid potentially significant impacts, or because the alternatives offer no feasible means of avoiding the significant effects identified in the Statement of Overriding Considerations, the alternatives are rejected in favor of the proposed project. Environmental, economic, social, and other considerations and benefits derived from the development of the proposed project override and make infeasible any alternatives to the project or further mitigation measures beyond those incorporated into the project.

6. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to Public Resources Code section 21081.6, the City as the Lead Agency hereby adopts the Mitigation Monitoring and Reporting Program attached to these Findings. In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

7. APPROVAL OF THE PROJECT

Based on the entire record before the City, including the above Findings and Statement of Overriding Considerations and all written and oral evidence presented to the City, the City as the Lead Agency hereby approves the Project with all the mitigation measures and the Mitigation Monitoring and Reporting Program, as set forth in these findings.

8. LOCATION AND CUSTODIAN OF RECORD For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of, among other documents, the following documents:

- The June 13, 2012 Notice of Preparation (NOP) issued by the City in conjunction with the proposed project.
- All comments and correspondence submitted by public agencies and members of the public during a City-hosted public scoping meeting held on July 17, 2012.
- The November 2015 DEIR, including appendices and technical studies included or referenced in the November 2015 DEIR.
- The Final EIR.
- All comments submitted by agencies or members of the public during the 55-day public comment period on the DEIR which began on or about November 3, 2015.
- All comments and correspondence submitted by members of the public during a City-hosted public meeting.
- All comments and correspondence submitted to the City with respect to the proposed project and the EIR during public hearings held before the Planning Commission and the City Council.
- The mitigation monitoring and reporting program (MMRP) for the proposed project.
- All findings and resolutions adopted by the City decision makers in connection with the proposed project, and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the proposed project.
- All documents and information submitted to the City by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the proposed project, the November 2015 DEIR through the date the City Council approved the proposed project.
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these findings, in addition to those cited above.
- Any other materials required to be in the Record of Proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the record of proceedings is the City of Lake Elsinore Community Development Department, Planning Division, whose office is located at 130 South Main Street, Lake Elsinore, CA 92530.

The City has relied on all of the documents listed above in reaching its decision on the proposed project, even if every document was not formally presented to the City Council decision-makers as part of the City's files generated in connection with the proposed project.