



**CITY OF LAKE ELSINORE GENERAL PLAN UPDATE  
ANNOTATED RECIRCULATED DRAFT EIR**

**SCH #2005121019**

**APPENDIX A  
NOTICE OF PREPARATION & RESPONSES TO NOP**

**PREPARED FOR:**

**CITY OF LAKE ELSINORE  
130 SOUTH MAIN STREET  
LAKE ELSINORE, CA 92530**

**AUGUST 2011**

**CERTIFIED BY CITY COUNCIL: DECEMBER 13, 2011  
(RESOLUTION NO. 2011-070)**



## APPENDIX A - PART 1

### 2011 NOTICE OF PREPARATION & RESPONSES TO NOP



FILED  
RIVERSIDE COUNTY

MAY 27 2011

LARRY W. WARD, CLERK

By: *M. Meyer* M. Meyer

## Notice of Preparation of a Draft Environmental Impact Report (Reissued) (SCH # 2005121019)

TO: Interested Agencies, Organizations and Individuals  
(See Attached Distribution List)

COUNTY CLERK  
Neg Declaration/Ntc Determination  
Filed per P.R.C. 21152  
POSTED

FROM: City of Lake Elsinore

Lead Agency: City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

MAY 27 2011

Removed: *6-30-11*  
By: *County of Riverside, State of California* Dept.

The CITY OF LAKE ELSINORE will be the Lead Agency and will prepare an environmental impact report for the project identified below. The purpose of this notice is to advise Interested Agencies, Organizations and Individuals of the City's intent to revise and recirculate the draft PEIR previously circulated for the identified project and to solicit guidance as to the scope and content of the environmental information to be included in the revised PEIR.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of an Initial Study is not attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice. The comment period ends June 27, 2011.

Please send your response to **Richard J. MacHott, Environmental Planning Consultant** at the address shown above. We will need the name of a contact person in your agency.

**Project Title:** Lake Elsinore General Plan Update

**Project Location:** City of Lake Elsinore, Riverside County, California

**Project Description (brief)**

The City of Lake Elsinore is preparing the City of Lake Elsinore General Plan Update to replace the existing General Plan which was originally adopted in 1990. The overall purpose of the General Plan is to update goals, objectives and policies that will guide development in the City and its Sphere of Influence and reflect the community's vision for the future.

Date: May 26, 2011

Signature:

Richard J. MacHott

Title: Environmental Planning Consultant

Telephone: 951.674.3124 Ext. 209

E-mail Address: rmachott@lake-elsinore.org

California Home

Friday, August 19, 2011



OPR Home &gt; CEQAnet Home &gt; CEQAnet Query &gt; Search Results &gt; Document Description

## Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the 3rd Street Annexation, Downtown Master Plan, Housing Element, Climate Action Plan)

**SCH Number:** 2005121019**Document Type:** NOP - Notice of Preparation**Alternate Title:** City of Lake Elsinore General Plan Update Lake Elsinore General Plan Update**Project Lead Agency:** Lake Elsinore, City of

### Project Description

The City of Lake Elsinore is preparing the City of Lake Elsinore General Plan Update to replace the existing General Plan which was originally adopted in 1990. The overall purpose of the General Plan is to update goals, objectives and policies that will guide development in the City and its Sphere of Influences and reflect the community's vision for the future.

### Contact Information

#### Primary Contact:

Richard J. MacHott  
 City of Lake Elsinore  
 (951) 674-3124 ext. 209  
 130 S. Main Street  
 Lake Elsinore, CA 92350

### Project Location

County: Riverside  
 City: Lake Elsinore  
 Region:  
 Cross Streets:  
 Latitude/Longitude: 33° 40' 2.8" / 117° 19' 40.4" [Map](#)  
 Parcel No:  
 Township: 5,6S  
 Range: 4,5W  
 Section:  
 Base: SBB&M  
 Other Location Info:

### Proximity To

Highways: Hwy 74, I-15  
 Airports: Skylark Airport  
 Railways:  
 Waterways: Lake Elsinore, San Jacinto River, Temescal Wash  
 Schools: Lake Elsinore Unified  
 Land Use: 1990 City of Lake Elsinore General Plan

### Development Type

### Local Action

General Plan Update, Community Plan, Annexation, Other Action (C.A.P.)

### Project Issues

Aesthetic/Visual, Landuse, Cumulative Effects, Agricultural Land, Air Quality, Archaeologic-Historic, Biological Resources, Drainage/Absorption, Flood Plain/Flooding, Forest Land/Fire Hazard, Geologic/Seismic, Minerals, Noise, Population/Housing Balance, Public Services, Recreation/Parks, Schools/Universities, Sewer Capacity, Soil Erosion/Compaction/Grading, Solid Waste, Toxic/Hazardous, Traffic/Circulation, Vegetation, Water Quality, Water Supply, Wetland/Riparian, Growth Inducing

**Reviewing Agencies** (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Fish and Game, Region 6; **Office of Emergency Services**; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 8; Air Resources Board, Transportation Projects; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 8; **Department of Toxic Substances Control**

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**Date Received:** 5/27/2011 **Start of Review:** 5/27/2011 **End of Review:** 6/27/2011

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# THE PRESS-ENTERPRISE

3450 Fourteenth Street  
Riverside CA 92501-3878  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P.)

Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: Draft EIR SCH 2005121019

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

05-27-11

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: May, 27, 2011  
At: Riverside, California



LAKE ELSINORE, CITY OF  
130 S MAIN ST  
LAKE ELSINORE CA 92530

Ad #: 10671568

PO #:

Agency #: \_\_\_\_\_

### Ad Copy:

#### Notice of Preparation of a Draft Environmental Impact Report (Reissued) (SCH # 2005121019)

Pursuant to the provisions of CEQA (California Public Resources Code, Sections 21000 et seq.), the State CEQA Guidelines and the City's Procedures for Implementing the State CEQA, the City of Lake Elsinore, as the Lead Agency, will prepare a revised Program Environmental Impact Report (PEIR) for the project identified below. The purpose of this notice is to advise Interested Agencies, Organizations and Individuals of the City's intent to revise and recirculate the draft PEIR previously circulated for the identified project and to solicit guidance as to the scope and content of the environmental information to be included in the revised PEIR. Information to that regard should be submitted to the City of Lake Elsinore Planning Department at the below-listed address as soon as possible, but not later than thirty (30) days after receiving this notice. The 30-day public comment period is expected to be from May 27, 2011 to June 27, 2011.

#### PROJECT TITLE:

Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, Climate Action Plan

#### PROJECT LOCATION

The City of Lake Elsinore and its sphere of influence is located in the southwestern portion of Riverside County. The City encompasses approximately 39 square miles with a Sphere of Influence covering over 78 square miles. Interstate 15 provides north-south regional access to the City and the Ortega Highway - State Route 74 extends in a northeast to southeast direction through the City.

#### PROJECT DESCRIPTION

##### City of Lake Elsinore General Plan Update

California Government Code Section 65300 requires each city and county in California to adopt a comprehensive, long-term general plan. The City of Lake Elsinore is preparing the City of Lake Elsinore General Plan Update to replace the existing General Plan which was originally adopted in 1990. The overall purpose of the General Plan is to update goals, objectives and policies that will guide development in the City and its Sphere of Influence and reflect the community's vision for the future.

#### Annexation No. 81

Annexation No. 81 (also referred to as the "3rd Street Annexation") consists of the proposed annexation of approximately 320 acres from the County to the City. The 3rd Street Annexation entails pre-zoning the parcels for consistency with City zones. This action will require revision of the City's Zoning Ordinance to properly implement the pre-zoning conditions. The 3rd Street Annexation territory is generally bounded by State Route 74 to the northwest; recent residential development in the Ramsgate Specific Plan Area to the north; a mixture of developed and undeveloped land to the east and south; and Dexter Avenue, Cambria Avenue, and Interstate 15 to the southwest.

#### Downtown Master Plan

The Downtown Master Plan will provide a vision and strategic framework to guide the future development of the City's downtown area. The purpose of the Downtown Master Plan is to identify the goals, objectives and desires of the community and offer approaches to implement them.

#### Housing Element

The Housing Element is one of the seven mandatory elements of the General Plan. Through its policies, procedures, and incentives, the updated Housing Element will provide an action-plan for maintaining and expanding the housing supply for all income levels in the City of Lake Elsinore.

#### Climate Action Plan

The Climate Action Plan (CAP) is the City of Lake Elsinore's long-range plan to reduce local greenhouse gas emissions that contribute to climate change. The CAP will identify the activities in Lake Elsinore that generate greenhouse gas emissions, will quantify these emissions, and project their future trends. It will also describe local greenhouse gas emissions targets for the years 2020 and 2030, consistent with the State of California's emissions reduction targets, as well as strategies and measures to meet these targets.

#### POTENTIAL ENVIRONMENTAL AFFECTS:

The following issue areas are proposed to be included in the forthcoming EIR:

Aesthetics	Land Use and Planning
Agriculture	Mineral Resources
Air Quality	Noise
Biological Resources	Population and Housing
Cultural Resources	Public Services
Geology and Soils	Recreation
Greenhouse Gas Emissions	Transportation and Traffic
Hazards & Hazardous Materials	Utilities and Service Systems
Hydrology and Water Quality	

Responses to this Notice of Preparation should be submitted in writing to Richard J. MacHoff, Environmental Planning Consultant, City of Lake Elsinore Community Development Department at the address given below and received no later than June 27, 2011. Mr. MacHoff can be contacted by telephone at 951.674.3124 Ext. 209 or by e-mail at [rmachoff@lake-elsinore.org](mailto:rmachoff@lake-elsinore.org)

#### LEAD AGENCY:

City of Lake Elsinore  
Community Development Department  
Attn: Richard J. MacHoff, Environmental Planning Consultant  
130 South Main Street  
Lake Elsinore, CA 92530

5/27



## Notice of Preparation of a Draft Environmental Impact Report (Reissued) (SCH # 2005121019)

**TO:** Interested Agencies, Organizations and Individuals  
(See Attached Distribution List)

**FROM:** City of Lake Elsinore

**Lead Agency:** City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

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Date: May 26, 2011

Signature: 

Richard J. MacHott

Title: Environmental Planning Consultant

Telephone: 951.674.3124 Ext. 209

E-mail Address: rmachott@lake-elsinore.org

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

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

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

CALTRANS District #8  
Office of Forecasting/CEQA Review  
464 W. Fourth Street, 6<sup>th</sup> Floor MS 726  
San Bernardino, CA 92401-1400

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

CEQA Review  
California Emergency Management Agency  
3650 Schriever Avenue  
Mather, CA 95655

CEQA Review  
California Department of Housing & Community  
Development  
3737 Main Street, Suite 400  
Riverside, CA 92501-3337

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

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

Elsinore-Murrieta-Anza  
Resource Conservation District  
28721 Via Las Flores  
Murrieta, CA 92563-5661

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

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

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

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

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

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

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

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

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

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

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

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

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

Riverside County Fire Department  
Fire Protection & Engineering Services  
2300 Market Street, Suite 150  
Riverside, CA 92501

Riverside County Waste Management  
Attn: Sung Key Ma  
14310 Frederick Street  
Moreno Valley, CA 92553

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

Riverside County Airport Land Use Commission  
Attn: Ed Cooper, Director  
Riverside County Administrative Center  
4080 Lemon Street, 14th Floor  
Riverside, CA 92501

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

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

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

City of Canyon Lake Planning Department  
31516 Railroad Canyon Road  
Canyon Lake, CA 92587

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

Carmen Cave, Community Dev. Director  
City of Menifee  
29683 New Hub Drive  
Menifee, CA 92586

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

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

Steve Smith  
South Coast Air Quality Management Dist.  
21865 E. Copley Drive  
Diamond Bar, CA 91765-4182

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

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

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

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

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

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

Elsinore Water District  
Attn: District Engineer  
16899 Lakeshore Drive  
Lake Elsinore, CA 92530

Eastern Municipal Water District  
Attn: Sharon E. Sweesy  
PO Box 8300  
Perris, CA 92572-8306

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

Southern California Edison Company  
24487 Prielipp Road  
Wildomar, CA 92595

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

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

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

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

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

CR&R  
PO Box 1208  
Perris, CA 92572

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

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

Soboba Band of Luiseno Indians  
Attn: Scott Cozaet, Chairperson  
P.O. Box 487  
San Jacinto, CA 92581

Pechanga Band of Luiseno Indians  
Attn: Mark Macarro, Chairperson  
PO Box 1477  
Temecula, CA 92593

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

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

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

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

Tomaras and Ogas, LLP  
Attn: Brenda Tomaras  
10755-F Scripps Poway Parkway #281  
San Diego, CA 92131

Rincon Band of Mission Indians  
Attn: Bo Mazzetti, Chairperson  
P. O. Box 68  
Valley Center, CA 92082

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

Perris Elementary School District  
Attn: Edward Agundez, Superintendent  
143 East 1st Street,  
Perris, CA 92570

Lake Elsinore Library  
600 W. Graham Avenue  
Lake Elsinore, CA 92530

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

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

Inland Empire Waterkeepers  
6876 Indiana Avenue, Suite D  
Riverside 92506

Southwest Riverside County Assoc. of Realtors  
26529 Jefferson Ave.  
Murrieta, CA 92562

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

Pala Band of Mission Indians  
Tribal Historic Preservation Office  
Attn: Shasta Gaughen  
35008 Pala-Temecula Road, PMB 445  
Pala, CA 92059

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

Lake Elsinore Unified School District  
Attn: Dr. Frank W. Passarella, Superintendent  
545 Chaney Street, Unit "B"  
Lake Elsinore, CA 92530

Perris Union High School District  
Attn: Jonathan Greenberg, Superintendent  
155 East 4th Street  
Perris CA, 92570

Lake Elsinore Senior Center  
420 E. Lakeshore Drive  
Lake Elsinore, CA 92530

Lake Elsinore Historical Downtown Merchants  
Association  
109A S. Main Street  
Lake Elsinore, CA 92530

Sierra Club - San Gorgonio Chapter  
4079 Mission Inn Avenue  
Riverside, CA 92501

Caltech/Mt. Palomar Observatory  
Attn: Andrew Boden, Deputy Director  
Mail Code 249-17  
1200 East California Blvd.  
Pasadena, CA 91125

Stephen M. Miles, Esq.  
Miles Chen Law Group  
9911 Irvine Center Drive, Ste. 150  
Irvine, CA 92618

The Shopoff Group  
Attn: Edward Fitzpatrick  
8951 Research Drive  
Irvine, CA 92618

Cahuilla Band of Indians  
Attn: Anthony Madrigal Jr.  
56310 Highway 371, Ste. B  
Anza, CA 92539

Los Coyotes Band of Mission Indians  
PO Box 189  
Warner, CA 92086

Menifee Union School District  
Attn: Linda C. Callaway, Superintendent  
30205 Menifee Road  
Menifee, CA 92584

Corona-Norco Unified School District  
Attn: Kent L. Bechler, Superintendent  
2820 Clark Avenue  
Norco, CA 92860

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

Lake Elsinore Historical Society  
106 S. Main Street  
Lake Elsinore, CA 92530

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

Mark Knorrings, Executive Officer  
Building Industry Assoc. of Southern California  
3891 11<sup>th</sup> Street  
Riverside, CA 92501

Castle & Cooke Alberhill Ranch  
Attn: Mr. M. J. Tomlinson, Sr. Vice President  
4113 Pearl Street  
Lake Elsinore, CA 92530

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

Peter Dawson  
8010 Grand Avenue  
Lake Elsinore, CA 92530-6066

Mayor Amy Bhutta  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

Mayor Pro Tem Robert Magee  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

Councilmember Daryl Hickman  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

Councilmember Melissa Melendez  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

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

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

Planning Commissioner Phil Mendoza  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

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

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

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

# **CITY OF LAKE ELSINORE GENERAL PLAN UPDATE PROJECT INFORMATION**

## **I. Introduction**

The City of Lake Elsinore initiated its General Plan Update in 2005. A Notice of Preparation of an Environmental Impact Report was distributed on or about November 15, 2005. Additionally, 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 November 30, 2005, to receive public and agency comments. In December 2007, a draft Program Environmental Impact Report (PEIR) that evaluated the potential environmental impacts of the General Plan Update and proposed Annexation No. 81 (3<sup>rd</sup> Street Annexation) was circulated for a 45-day public review period. 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.

A Final PEIR for the City of Lake Elsinore General Plan Update was prepared but was not certified. Rather, the City began work on a substantive revision of the proposed project in order to address comments received during the public hearing process. In addition to revisions to the Land Use Element and Land Use Map, and the updating of the Traffic Impact Study to reflect those changes, further revisions to the General Plan Update have been made in order to incorporate (1) an updated Housing Element that was not a part of the original General Plan scope; and (2) the provisions of a Downtown Master Plan. A Climate Action Plan is also being prepared as part of the proposed project.

The combined changes to the General Plan Update, including the addition of a Housing Element update, a Downtown Master Plan and a Climate Action Plan have triggered the need to update, revise, and where necessary expand upon the analysis of General Plan Update impacts presented in the draft PEIR.

In order to advise Interested Agencies, Organizations and Individuals of the City's intent to revise and recirculate the draft PEIR, the City has prepared this **Notice of Preparation of a Draft Environmental Impact Report (Reissued)**.

## **II. Project Location**

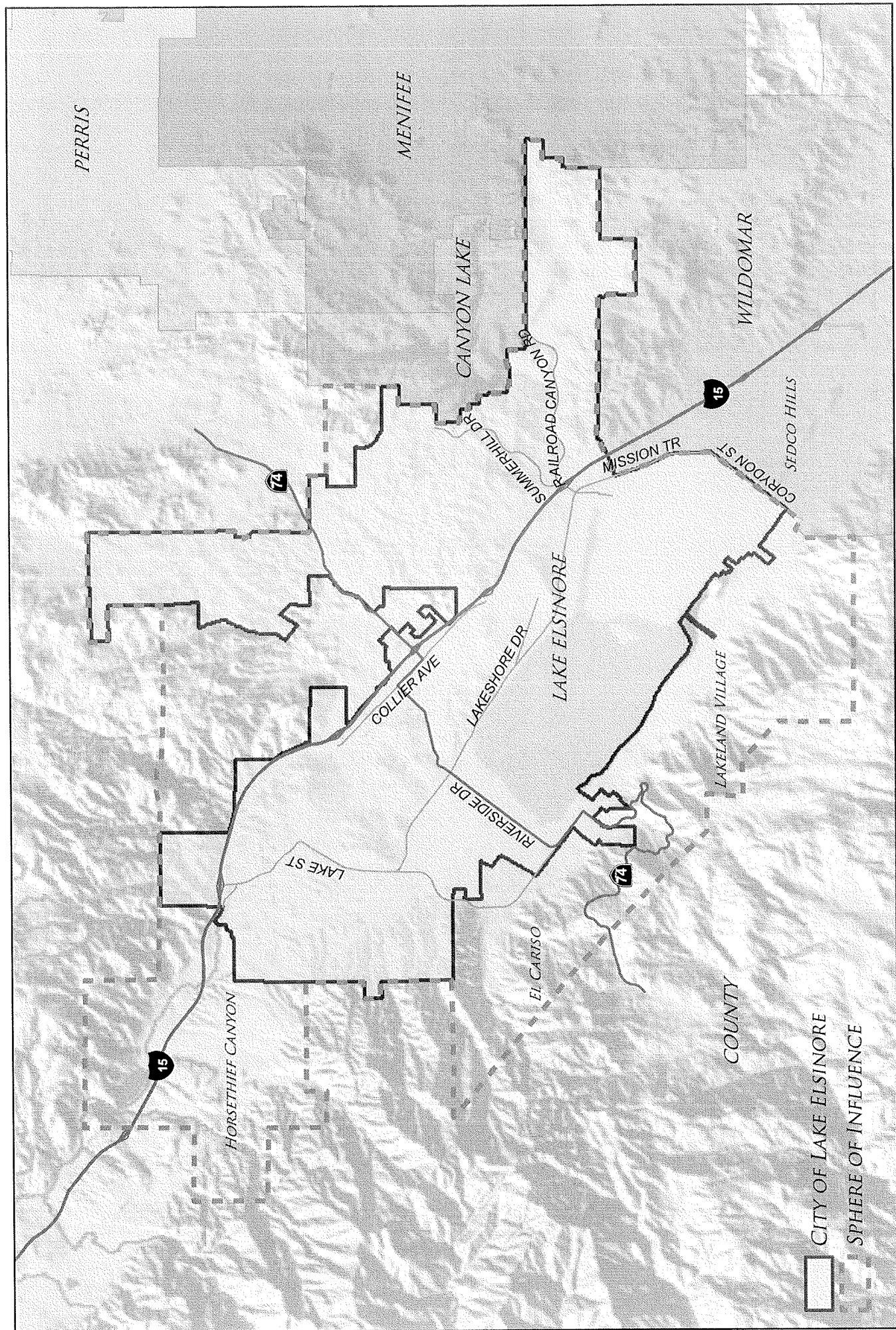
The City of Lake Elsinore (City) is located in the southwestern portion of Riverside County. The City encompasses approximately 39 square miles with a Sphere of Influence (SOI) covering over 68 square miles. Interstate 15 (I-15) provides north-south regional access to the City and the Ortega Highway - State Route 74 (SR-74) extends in a northeast to southeast direction through the City. Surrounding cities include Canyon Lake and Menifee to the east and Wildomar to the south. The City of Lake Elsinore is also bordered to the north, east and southwest by unincorporated lands within the County of Riverside. United States Forest Service lands within the Cleveland National Forest border the City to the west. Along the I-15 corridor, the city of Corona is approximately twenty miles to the north and the cities of Murrieta and Temecula are within ten miles to the south. The city of Perris is within ten miles to the northeast of the City along the SR-74 corridor (see **Regional Location Map**).

# CITY OF LAKE ELSINORE REGIONAL LOCATION MAP

0 1 2 MILES



SOURCES: CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE  
CITY OF LAKE ELSINORE  
SPHERE OF INFLUENCE



### **III. Project Description**

The proposed project consists of five components, which are described below.

#### **General Plan Update**

California Government Code Section 65300 requires each city and county in California to adopt a comprehensive, long-term general plan. This general plan must cover a local jurisdiction's entire planning area and address the broad range of issues associated with its development. Pursuant to this requirement, the City of Lake Elsinore is preparing an update to its General Plan. The proposed General Plan Update would:

- ❖ Replace the existing 1990 City of Lake Elsinore General Plan;
- ❖ Incorporate revisions to the City's Land Use Element and Land Use Map. The Plan will also include 16 District Plans that cover specific, defined geographic areas within the City, to provide a more precise focus and to recognize the unique and treasured assets of the individual communities that make up the City;
- ❖ Revise the format of the City's General Plan by dividing the Plan into an introduction and three topical chapters. The topical chapters include:
  - ***Community Form***, which includes a Strategic Framework for 2030, intended to guide the overall development of the City of Lake Elsinore by providing a set of Goals and Policies in a City-wide context. The Chapter deals with Land Use, Circulation, Growth Management, Housing, and Parks and Recreation.
  - ***Public Safety and Welfare***, which addresses Air Quality, Hazards and Hazardous Materials, Community Facilities and Services, and Noise.
  - ***Resource Protection and Preservation***, which addresses Biological Resources, Open Space, Water Resources, Cultural Resources and Paleontological Resources, Historic Preservation, Aesthetics, and Sustainable Environment (Greenhouse Gases/Climate Action Plan).

The City's General Plan Update is a large-scale planning update that covers all land within the City's corporate boundaries, its sphere of influence and certain other adjacent, unincorporated areas of the County of Riverside, California. The General Plan Update's planning horizon is 2030. While the General Plan Update does not present a specific plan for individual development, it establishes a framework for future projects and actions that may be taken in furtherance of the general plan's goals and policies.

#### **Annexation No. 81**

Annexation No. 81 (also referred to as the “3<sup>rd</sup> Street Annexation”) consists of the proposed annexation of approximately 320 acres from the County to the City. The 3<sup>rd</sup> Street Annexation entails pre-zoning the parcels for consistency with City zones. This action will require revision of the City's Zoning Ordinance to properly implement the pre-zoning conditions. The proposed annexation would allow increased efficiency in service provision to the area, which is almost

completely surrounded by incorporated land, and would represent a more orderly planning and development pattern than would occur if the land remained in the County's jurisdiction.

The 3<sup>rd</sup> Street Annexation territory is currently within the City's Sphere of Influence and is nearly surrounded by incorporated land. The 3<sup>rd</sup> Street Annexation territory is generally bounded by State Route 74 to the northwest; recent residential development in the Ramsgate Specific Plan Area to the north; a mixture of developed and undeveloped land to the east and south; and Dexter Avenue, Cambern Avenue, and Interstate 15 to the southwest.

## **Downtown Master Plan**

The Downtown Master Plan will provide a vision and strategic framework to guide the future development of the City's downtown area. The purpose of the Downtown Master Plan is to identify the goals, objectives and desires of the community and offer approaches to implement them. The Downtown Master Plan will establish five distinct walkable districts centered on Main Street (Gateway District, Garden District, Cultural District, Historic District and Waterfront District) in order to accomplish the following guiding principles:

- Celebrate the lake
- Create a vibrant and sustainable downtown
- Create a civic identity
- Improve walkability and connectivity
- Develop an urban design framework and guidelines

## **Housing Element**

The Housing Element is one of the seven mandatory elements of the General Plan. Through its policies, procedures, and incentives, the updated Housing Element will provide an action-plan for maintaining and expanding the housing supply for all income levels in the City of Lake Elsinore.

Lake Elsinore's Housing Element for the planning period of July 1, 2008 to June 30, 2014 will describe policies and programs including:

- Identification and analysis of existing and projected housing needs, resources and constraints;
- A statement of goals, policies, quantified objectives, and scheduled programs for preservation, improvement and development of housing;
- Identification of adequate sites for housing; and
- Adequate provision for existing and projected needs of all economic segments of the community, including both lower and higher incomes.

## Climate Action Plan

The Climate Action Plan (CAP) is the City of Lake Elsinore's long-range plan to reduce local greenhouse gas emissions that contribute to climate change. The CAP will identify the activities in Lake Elsinore that generate greenhouse gas emissions, will quantify these emissions, and project their future trends. It will also describe local greenhouse gas emissions targets for the years 2020 and 2030, consistent with the State of California's emissions reduction targets, as well as strategies and measures to meet these targets.

Implementation of the CAP will guide Lake Elsinore's actions to reduce its contribution to climate change and will support the State of California's emissions reduction targets. The CAP is also intended to support tiering and streamlining of future projects within Lake Elsinore pursuant to CEQA Guidelines Sections 15152 and 15183.5.

## **IV. Potential Environmental Impacts**

Due to the decision to prepare a Program EIR (PEIR), an Initial Study was not prepared. This option is permitted under Section 15063(a) of the State CEQA Guidelines which provides that if the Lead Agency can determine that an EIR will clearly be required for the project, an Initial Study is not required.

The PEIR will evaluate the potential environmental impacts associated with the proposed project, as described above. The EIR will address all topics required by State CEQA Guidelines Sections 15120 through 15132, inclusive. The environmental issues summarized below will be examined in the EIR; as will any additional issues raised in the responses to this Notice of Preparation:

### ***Aesthetics***

New development proposed as a result of the proposed project has the potential to affect aesthetic resources within the City. Any new development in the hillsides, foothills or other areas around the lake will alter current viewsheds. In addition, new subdivisions and large-scale development may be visually distracting resulting in impacts to visual resources. The PEIR will identify whether the proposed project adequately avoids significant adverse impacts to aesthetics including public viewsheds, and if not, mitigation measures will be identified.

### ***Agriculture and Forestry Resources***

Agricultural production was once a major land use and economic activity in the surrounding area, but the urban development within and surrounding the City in past decades has removed such land from crop cultivation and livestock raising in favor of residential development and urban commercial/industrial uses. However, a minimal amount of land within the City and its sphere of influence are still used for agricultural production. Due to the limited amount of agricultural land within the project area, the PEIR will discuss any potential impacts upon agriculture as part of its analysis of land use and planning issues.

The Cleveland National Forest borders Lake Elsinore on the southwest edge of the lake. The U.S. Forest Service, a division of the U.S. Department of Agriculture, maintains rules and regulations that restrict development and uses within the forest. The proposed project does not include any forest land and will not conflict with existing zoning for, or cause the rezoning of, forest land.

Additionally, the proposed project will not result in the loss of forest land or conversion of forest land to non-forest uses. Therefore, the PEIR will not discuss forestry resources.

### ***Air Quality***

The South Coast Air Quality Management District (SCAQMD) establishes the Air Quality Management Plan (AQMP) for the South Coast Air Basin to achieve national and state air quality standards. Any new construction-related activities due to changed land uses have the potential to affect air quality. Traffic associated with changes in land use and with population growth will also affect air quality.

The forthcoming PEIR will analyze whether the proposed project will contribute substantially to, or violate any air quality standards. The PEIR will also address the project's potential to contribute to a cumulative increase of criteria pollutants. The PEIR will identify whether the proposed project adequately avoids potentially significant adverse impacts related to air quality, and if not, mitigation measures will be identified.

### ***Biological Resources***

The proposed project will guide future development within the project area. Impacts to biological resources are possible when future development occurs in previously undeveloped areas and when the intensity of land uses in previously developed areas is increased. The proposed project will address the City's implementation of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). It is anticipated that land identified as open space by the proposed project will conform to the MSHCP.

The PEIR will evaluate the proposed project's potential impacts upon sensitive biological resources and the project's consistency with the MSHCP. The PEIR will identify whether additional mitigation measures are necessary to address potentially significant impacts to biological resources.

### ***Cultural Resources***

New development permitted by the proposed project has the potential to impact cultural and historical resources if adequate preservation measures are not undertaken. As part of the original NOP process in 2005, consultation with local Native America tribes in accordance with Senate Bill (SB) 18 was initiated. Pursuant to the requirements of SB 18, a letter was sent to the Native American Heritage Commission (NAHC) requesting consultation with interested stakeholders. Through the consultation process, the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians provided comments and policy recommendations regarding the protection of cultural resources of interest to the tribes.

The PEIR will describe the SB 18 consultation process and will assess whether the proposed project has the potential to significantly affect cultural resources, including historic resources, prehistoric resources and traditional cultural properties. The PEIR will identify whether additional mitigation measures are necessary to address potentially significant impacts to cultural resources.

### ***Geology and Soils***

There are several seismic faults in the Lake Elsinore vicinity. The City and its sphere of influence could experience repeated moderate to strong groundshaking. Liquefaction potential is also very

high along the project area's principal tributary drainages and on portions of the alluvial fans within the project area.

The PEIR will discuss at a programmatic level whether the proposed project's goals and policies are sufficient to avoid potentially significant impacts from seismic activity or adverse geotechnical concerns. Mitigation measures, if necessary to address potentially significant impacts, will be identified in the PEIR.

### ***Greenhouse Gas Emissions***

Existing land uses and traffic within the City of Lake Elsinore and any future changes in land uses with related construction and traffic increases have the potential to emit greenhouse gases that may have adverse environmental effects. Section 15064.4 of the State CEQA Guidelines states that a lead agency "should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project."

In order to analyze and reduce significant greenhouse gas emissions resulting from development under the City of Lake Elsinore General Plan, the City is preparing a Climate Action Plan (CAP) as part of the proposed project. The PEIR will evaluate whether the proposed project will directly or indirectly result in a potentially significant level of greenhouse gas emissions and whether the proposed project will conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The proposed CAP will be discussed and will form the centerpiece of any required mitigation. This approach is consistent with CEQA Guidelines, Section 15183.5, which allows jurisdictions to analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level by adopting a plan for the reduction of greenhouse gas emissions.

### ***Hazards & Hazardous Materials***

Considering that the use and disposal of hazardous materials are regulated by federal, state and local governments, the proposed project is not expected to expose new development or land uses to significant hazards. However, the proposed project has the potential to result in an increase in the generation, storage and disposal of household hazardous wastes and hazardous wastes associated with commercial and industrial uses. Additionally, wildland fires are a significant hazard in the vicinity of the City of Lake Elsinore due to steep topography, high velocity winds, a generally dry climate and a preponderance of highly flammable vegetation.

The PEIR will evaluate the proposed project that may result in potentially significant impacts associated with hazards and hazardous materials. Mitigation measures, if necessary to address potentially significant impacts, will be identified in the PEIR.

### ***Hydrology and Water Quality***

Implementation of the proposed project will plan for future development that has the potential to increase the amount of impervious area within the local watershed; in turn increasing peak flows and total runoff volumes. Such development may also alter historic drainage patterns and modify overall flow regimes. Additionally, portions of the project area may be subject to flooding during 100-year flood events. This issue of decreasing absorption rates, increased runoff and potential

flooding will be addressed in the PEIR. Mitigation measures, if necessary to address potentially significant impacts, will be identified.

It has been determined that non-point source discharges associated with urbanization contribute pathogens to receiving waters. Within the project area, these receiving waters include Lake Elsinore and Canyon Lake. Although potential water quality impacts related to future construction and non-point source discharges within the project area are limited as a result of established regulatory mechanisms, storm water runoff and potential additional sources of pollution contained in the runoff will be addressed in the PEIR. Mitigation measures, if necessary to address potentially significant impacts, will be identified.

The Elsinore groundwater basin is currently in a state of overdraft, which is the pumping of water from a groundwater basin or aquifer in excess of the supply flowing into the basin. An increase in the amount of impervious area within the watershed also has the potential to decrease the available area for groundwater recharge. Further development and population growth has the potential to increase the amount of overdraft if other sources of potable water are not developed. Groundwater quality and potential impacts upon groundwater levels will also be addressed in the PEIR and mitigation measures, if necessary to address potentially significant impacts, will be identified.

### ***Land Use and Planning***

The proposed project will include revisions to the City's Land Use Element and Land Use Map. These changes will affect the development potential of property within the project area. Additionally, new development resulting from implementation of the proposed project could result in real or perceived conflict between land uses. The PEIR will evaluate the changes in potential land use that may occur as a result of the proposed project and the potential for land use conflicts and mitigation measures, if necessary to address potentially significant impacts, will be identified.

Section 15125(d) of the State CEQA Guidelines states that the "EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." The PEIR will discuss the consistency of the proposed project with applicable regional plans.

### ***Mineral Resources***

Economically viable mineral resources occurring within the proposed project's planning area include deposits of clay, sand, gravel, and stone products (primarily decomposed granite). The planning area includes mineral resource areas classified as MRZ-2 (areas where significant mineral deposits are known/believed to be present) and MRZ-3 (areas where mineral deposits are known to be present, but their extent or significance cannot be evaluated from available data). The proposed project has the potential to result in new land use patterns that could affect mineral resources located within the project area. Additionally, new development resulting from implementation of the proposed project could result in potential conflicts between existing mining operations and proposed land uses or between existing land uses and proposed mining operations.

The PEIR will discuss mineral resources located within the project area and will assess whether the proposed project will have potentially significant impacts upon mineral resources. If necessary to address potentially significant impacts, the PEIR will identify appropriate mitigation measures.

### ***Noise***

New land uses developed pursuant to the proposed project, especially those considered sensitive to noise, have the potential to be exposed to excessive noise levels if located near major roadways and other noise-emitting sources. Increased traffic associated with future development and population growth would also affect ambient noise levels throughout the project area. In addition, construction-related activities associated with any new development anticipated by the proposed project would represent “short-term” sources of noise that could affect occupants of neighboring uses. The PEIR will evaluate the proposed project’s potential noise-related impacts and will identify whether additional mitigation measures are necessary to address potentially significant noise-related impacts.

### ***Population and Housing***

The proposed project will include revisions to the City’s Land Use Element and Land Use Map. Additionally, the proposed project includes an update of the City’s Housing Element. As a result of the proposed project, there is the potential for increases in local housing supply and population growth within the City and its sphere of influence. The PEIR will discuss the projected changes in population and housing that will result in implementation of the proposed project.

### ***Public Services***

As population growth occurs and new development is in place through implementation of the proposed project, it is possible that there will be impacts upon the ability of service providers such as police, fire, schools and libraries to provide adequate levels of service. The PEIR will evaluate the proposed project’s potential impacts upon public services and will identify whether mitigation measures are necessary to address potentially significant impacts upon those services.

### ***Recreation***

New residential development that may result from implementation of the proposed project has the potential to adversely affect existing recreational facilities. The PEIR will evaluate the proposed project’s potential to create the need for additional recreational facilities to serve future residents of the City of Lake Elsinore. If necessary to address potentially significant impacts, the PEIR will identify appropriate mitigation measures.

### ***Transportation and Traffic***

Increasing densities or changing land use patterns in association with the proposed project has the potential to increase traffic upon the project area’s roadway system. The results of a general plan level Traffic Study will be analyzed and included as part of the PEIR assessment of potential impacts upon roadway capacity and levels of service. The PEIR will identify whether new traffic lanes and additional transportation routes are necessary to accommodate planned growth within the project area. The PEIR will identify whether mitigation measures are necessary to address potentially significant transportation and traffic impacts, if any, associated with future development within the City and its sphere of influence.

### ***Utilities and Service Systems***

Water and sewer service is provided in the project area primarily by the Elsinore Valley Municipal Water District (EVMWD); with the Elsinore Water District providing water service to a limited area within the project boundaries. Other service providers within the project area include Southern

California Edison (electricity), the Southern California Gas Company (natural gas), CR&R (solid waste collection) and a number of telecommunications companies. As population growth occurs and new development is in place through implementation of the proposed project, it is possible that there will be impacts upon the ability of these utility and service providers to provide adequate levels of service.

In October of 2001, Senate Bill (SB) 610 was signed into California state law with an effective date of January 1, 2002. SB 610 requires projects of certain densities to obtain a Water Supply Assessment (WSA) from the water provider in order to determine whether there are sufficient long-term water supplies to serve the proposed project.

The PEIR will incorporate the results of the WSA and will evaluate the proposed project's potential impacts upon public services. It will identify whether additional mitigation measures are necessary to address potentially significant impacts upon those services.

## Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

**SCH # 2005121019**

**Project Title:** General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, Climate Action Plan

Lead Agency: City of Lake Elsinore

Contact Person: Richard J. MacHott

Mailing Address: 130 South Main Street

Phone: 951.674.3124 Ext. 209

City: Lake Elsinore

Zip: 92530

County: Riverside

**Project Location:** County: Riverside

City/Nearest Community: City of Lake Elsinore

Cross Streets: N/A

Zip Code: 92530

Longitude/Latitude (degrees, minutes and seconds): 33 ° 40 ' 2.8 " N / 117 ° 19 ' 40.4 " W Total Acres: 43,772.5

Assessor's Parcel No.: N/A

Section: \_\_\_\_\_ Twp.: 5S, 6S Range: 4W, 5W Base: SBB&M

Within 2 Miles: State Hwy #: 74, Interstate 15

Waterways: Lake Elsinore, San Jacinto River, Temescal Wash

Airports: Skylark Airport

Railways: \_\_\_\_\_ Schools: Lake Elsinore Unified

### Document Type:

CEQA:  NOP  Draft EIR  
 Early Cons  Supplement/Subsequent EIR  
 Neg Dec (Prior SCH No.) \_\_\_\_\_  
 Mit Neg Dec Other: \_\_\_\_\_

NEPA:  NOI  EA  
 Draft EIS  FONSI

Other:  Joint Document  
 Final Document  
 Other: \_\_\_\_\_

### Local Action Type:

<input checked="" type="checkbox"/> General Plan Update	<input type="checkbox"/> Specific Plan	<input type="checkbox"/> Rezone	<input checked="" type="checkbox"/> Annexation
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Prezone	<input type="checkbox"/> Redevelopment
<input type="checkbox"/> General Plan Element	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Use Permit	<input type="checkbox"/> Coastal Permit
<input checked="" type="checkbox"/> Community Plan	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Land Division (Subdivision, etc.)	<input checked="" type="checkbox"/> Other: <u>C.A.P.</u>

### Development Type:

<input type="checkbox"/> Residential: Units _____ Acres _____	<input type="checkbox"/> Transportation: Type _____
<input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Mining: Mineral _____
<input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Power: Type _____ MW _____
<input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Waste Treatment: Type _____ MGD _____
<input type="checkbox"/> Educational: _____	<input type="checkbox"/> Hazardous Waste: Type _____
<input type="checkbox"/> Recreational: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Water Facilities: Type _____ MGD _____	

### Project Issues Discussed in Document:

<input checked="" type="checkbox"/> Aesthetic/Visual	<input type="checkbox"/> Fiscal	<input checked="" type="checkbox"/> Recreation/Parks	<input checked="" type="checkbox"/> Vegetation
<input checked="" type="checkbox"/> Agricultural Land	<input checked="" type="checkbox"/> Flood Plain/Flooding	<input checked="" type="checkbox"/> Schools/Universities	<input checked="" type="checkbox"/> Water Quality
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Forest Land/Fire Hazard	<input type="checkbox"/> Septic Systems	<input checked="" type="checkbox"/> Water Supply/Groundwater
<input checked="" type="checkbox"/> Archeological/Historical	<input checked="" type="checkbox"/> Geologic/Seismic	<input checked="" type="checkbox"/> Sewer Capacity	<input checked="" type="checkbox"/> Wetland/Riparian
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Minerals	<input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading	<input checked="" type="checkbox"/> Growth Inducement
<input type="checkbox"/> Coastal Zone	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Solid Waste	<input checked="" type="checkbox"/> Land Use
<input checked="" type="checkbox"/> Drainage/Absorption	<input checked="" type="checkbox"/> Population/Housing Balance	<input checked="" type="checkbox"/> Toxic/Hazardous	<input checked="" type="checkbox"/> Cumulative Effects
<input type="checkbox"/> Economic/Jobs	<input checked="" type="checkbox"/> Public Services/Facilities	<input checked="" type="checkbox"/> Traffic/Circulation	<input type="checkbox"/> Other: _____

### Present Land Use/Zoning/General Plan Designation:

1990 City of Lake Elsinore General Plan

**Project Description:** (please use a separate page if necessary)

See Attached.

## NOTICE OF COMPLETION & ENVIRONMENTAL DOCUMENT TRANSMITTAL

SCH # 2005121019

Page 2

### PROJECT TITLE:

Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the “3<sup>rd</sup> Street Annexation, Downtown Master Plan, Housing Element, Climate Action Plan

### PROJECT DESCRIPTION

#### **City of Lake Elsinore General Plan Update**

California Government Code Section 65300 requires each city and county in California to adopt a comprehensive, long-term general plan. The City of Lake Elsinore is preparing the City of Lake Elsinore General Plan Update to replace the existing General Plan which was originally adopted in 1990. The overall purpose of the General Plan is to update goals, objectives and policies that will guide development in the City and its Sphere of Influence and reflect the community’s vision for the future.

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## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> S Air Resources Board	<input type="checkbox"/> S Office of Emergency Services
<input type="checkbox"/> _____ Boating & Waterways, Department of	<input type="checkbox"/> X Office of Historic Preservation
<input type="checkbox"/> _____ California Highway Patrol	<input type="checkbox"/> _____ Office of Public School Construction
<input type="checkbox"/> S Caltrans District #8	<input type="checkbox"/> _____ Parks & Recreation, Department of
<input type="checkbox"/> _____ Caltrans Division of Aeronautics	<input type="checkbox"/> _____ Pesticide Regulation, Department of
<input type="checkbox"/> _____ Caltrans Planning	<input type="checkbox"/> _____ Public Utilities Commission
<input type="checkbox"/> _____ Central Valley Flood Protection Board	<input type="checkbox"/> S Regional WQCB #8
<input type="checkbox"/> _____ Coachella Valley Mtns. Conservancy	<input type="checkbox"/> _____ Resources Agency
<input type="checkbox"/> _____ Coastal Commission	<input type="checkbox"/> _____ S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> _____ Colorado River Board	<input type="checkbox"/> _____ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> S Conservation, Department of	<input type="checkbox"/> _____ San Joaquin River Conservancy
<input type="checkbox"/> _____ Corrections, Department of	<input type="checkbox"/> _____ Santa Monica Mtns. Conservancy
<input type="checkbox"/> _____ Delta Protection Commission	<input type="checkbox"/> _____ State Lands Commission
<input type="checkbox"/> _____ Education, Department of	<input type="checkbox"/> _____ SWRCB: Clean Water Grants
<input type="checkbox"/> _____ Energy Commission	<input type="checkbox"/> _____ SWRCB: Water Quality
<input type="checkbox"/> S Fish & Game Region #6	<input type="checkbox"/> _____ SWRCB: Water Rights
<input type="checkbox"/> _____ Food & Agriculture, Department of	<input type="checkbox"/> _____ Tahoe Regional Planning Agency
<input checked="" type="checkbox"/> X Forestry and Fire Protection, Department of	<input type="checkbox"/> S Toxic Substances Control, Department of
<input type="checkbox"/> _____ General Services, Department of	<input type="checkbox"/> _____ Water Resources, Department of
<input type="checkbox"/> _____ Health Services, Department of	<input type="checkbox"/> _____ Other: _____
<input type="checkbox"/> S Housing & Community Development	<input type="checkbox"/> _____ Other: _____
<input type="checkbox"/> _____ Integrated Waste Management Board	
<input type="checkbox"/> S Native American Heritage Commission	

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

Starting Date May 27, 2011 Ending Date June 27, 2011

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### Lead Agency (Complete if applicable):

Consulting Firm: \_\_\_\_\_ Applicant: City of Lake Elsinore  
Address: \_\_\_\_\_ Address: 130 South Main Street  
City/State/Zip: \_\_\_\_\_ City/State/Zip: Lake Elsinore, CA 92530  
Contact: \_\_\_\_\_ Phone: 951.674.3124, Ext. 209  
Phone: \_\_\_\_\_

---

Signature of Lead Agency Representative:  Date: May 26, 2011

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



JERRY BROWN  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



RECEIVED

JUN 06 2011

CITY OF LAKE ELSINORE  
PLANNING DIVISION

Notice of Preparation

May 27, 2011

To: Reviewing Agencies

Re: Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the 3rd Street Annexation, Downtown Master Plan, Housing Element, Climate Action Plan  
SCH# 2005121019

Attached for your review and comment is the Notice of Preparation (NOP) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the 3rd Street Annexation, Downtown Master Plan, Housing Element, Climate Action Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Richard J. MacHott**  
City of Lake Elsinore  
130 S. Main Street  
Lake Elsinore, CA 92350

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number ~~boiled above in all correspondence concerning this project.~~

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Attachments  
cc: Lead Agency

**Document Details Report**  
**State Clearinghouse Data Base**

**SCH#** 2005121019

**Project Title** Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the 3rd Street Annexation,  
**Lead Agency** Downtown Master Plan, Housing Element, Climate Action Plan  
Lake Elsinore, City of

---

**Type** NOP Notice of Preparation

**Description** The City of Lake Elsinore is preparing the City of Lake Elsinore General Plan Update to replace the existing General Plan which was originally adopted in 1990. The overall purpose of the General Plan is to update goals, objectives and policies that will guide development in the City and its Sphere of Influences and reflect the community's vision for the future.

---

**Lead Agency Contact**

**Name** Richard J. MacHott  
**Agency** City of Lake Elsinore  
**Phone** (951) 674-3124 ext. 209  
**email** rmachott@lake-elsinore.org  
**Address** 130 S. Main Street  
**City** Lake Elsinore **Fax**  
**State** CA **Zip** 92350

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**Project Location**

**County** Riverside  
**City** Lake Elsinore  
**Region**  
**Cross Streets**  
**Lat / Long** 33° 40' 2.8" N / 117° 19' 40.4" W  
**Parcel No.**  
**Township** 5,6S      **Range** 4,5W      **Section**      **Base** SBB&M

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**Proximity to:**

**Highways** Hwy 74, I-15  
**Airports** Skylark Airport  
**Railways**  
**Waterways** Lake Elsinore, San Jacinto River, Temescal Wash  
**Schools** Lake Elsinore Unified  
**Land Use** 1990 City of Lake Elsinore General Plan

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**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

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**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Fish and Game, Region 6; Office of Emergency Management Agency, California; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 8; Air Resources Board, Transportation Projects; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 8

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**Date Received** 05/27/2011      **Start of Review** 05/27/2011      **End of Review** 06/27/2011

<u>Resources Agency</u>	<u>Fish &amp; Game Region 1E</u> Laurie Hamsberger	<input type="checkbox"/> Native American Heritage Comm. Dan Kopulsky	<input type="checkbox"/> Caltrans, District 8 Debbie Treadway
	<u>Fish &amp; Game Region 2</u> Jeff Drongesen	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander
<u>Resources Agency</u> Nadell Gayou	<u>Fish &amp; Game Region 3</u> Charles Amor	<input type="checkbox"/> Public Utilities Commission Leo Wong	<input type="checkbox"/> Caltrans, District 10 Tom Dumas
	<u>Fish &amp; Game Region 4</u> Julie Vance	<input type="checkbox"/> Santa Monica Bay Restoration Guangyu Wang	<input type="checkbox"/> Caltrans, District 11 Jacob Armstrong
<u>Dept. of Boating &amp; Waterways</u> Mike Sotelo	<u>Fish &amp; Game Region 5</u> Don Chadwick	<input type="checkbox"/> State Lands Commission Marina Brand	<input type="checkbox"/> Caltrans, District 12 Chris Herre
<u>California Coastal Commission</u> Elizabeth A. Fuchs	<u>Habitat Conservation Program</u> Gabiina Gatchel	<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jacques	<input type="checkbox"/> Cal EPA
<u>Colorado River Board</u> Gerald R. Zimmerman	<u>Fish &amp; Game Region 6</u> Habitat Conservation Program	<input type="checkbox"/> Business, Trans & Housing Caltrans - Division of Aeronautics Philip Crimmins	<input type="checkbox"/> Air Resources Board Airport Projects Jim Lerner
<u>Dept. of Conservation</u> Rebecca Salazar	<u>Fish &amp; Game Region 6 IM</u> Brad Henderson	<input type="checkbox"/> Caltrans - Planning Terri Percovic	<input type="checkbox"/> Transportation Projects Douglas Ito
	<u>Inyo/Mono, Habitat Conservation Program</u> Eric Isaac	<input type="checkbox"/> Caltrans - Planning George Isaac	<input type="checkbox"/> Industrial Projects Mike Tolstrup
<u>California Energy Commission</u> Eric Knight	<u>Dept. of Fish &amp; Game M</u> Marine Region	<input type="checkbox"/> California Highway Patrol Scott Loetscher	<input type="checkbox"/> State Water Resources Control Board Regional Programs Unit Division of Financial Assistance
<u>Cal Fire</u> Allen Robertson	<u>Central Valley Flood Protection Board</u> James Herota	<input type="checkbox"/> Office of Special Projects Housing & Community Development CEQA Coordinator Housing Policy Division	<input type="checkbox"/> State Water Resources Control Board Student Intern, 401 Water Quality Certification Unit Division of Water Quality
<u>Office of Historic Preservation</u> Ron Parsons	<u>Dept. of Food and Agriculture</u> Steve Shaffer	<input type="checkbox"/> Dept. of Transportation Rex Jackman	<input type="checkbox"/> State Water Resources Control Board Division of Water Rights Dept. of Toxic Substances Control CEQA Tracking Center
<u>Dept. of Parks &amp; Recreation</u> Environmental Stewardship Section	<u>Dept. of General Services</u> Public School Construction Environmental Services Section Anna Garberff	<input type="checkbox"/> Dept. of Transportation Bridgette Binning Dept. of Health/Drinking Water	<input type="checkbox"/> State Water Resources Control Board Steven Herrera Division of Water Rights Dept. of Toxic Substances Control CEQA Tracking Center
<u>California Department of Resources, Recycling &amp; Recovery</u> Sue O'Leary	<u>Dept. of Public Health</u> Bridgette Binning Dept. of Health/Drinking Water	<input type="checkbox"/> Caltrans, District 1 Bruce de Terra	<input type="checkbox"/> Department of Pesticide Regulation CEQA Coordinator
<u>S.F. Bay Conservation &amp; Dev't. Comm.</u> Steve McAdam	<u>Independent Commissions, Boards</u> Nadell Gayou	<input type="checkbox"/> Caltrans, District 4 Lisa Carboni	<input type="checkbox"/> Other _____
<u>Dept. of Water Resources</u> Resources Agency Nadell Gayou	<u>Delta Protection Commissioner</u> Linda Flack	<input type="checkbox"/> Caltrans, District 5 David Murray	<input type="checkbox"/> Cal EMA (Emergency Management Agency) Dennis Castrillo
<u>Conservancy</u>		<input type="checkbox"/> Caltrans, District 6 Michael Navarro	<input type="checkbox"/> Governor's Office of Planning & Research State Clearinghouse
<u>Fish and Game</u>		<input type="checkbox"/> Caltrans, District 7 Elmer Alvarez	<input type="checkbox"/> Last Updated on 01/10/11

## Richard MacHott

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**From:** Dan Silver [dsilverla@me.com]  
**Sent:** Wednesday, June 01, 2011 3:30 PM  
**To:** Richard MacHott  
**Subject:** City of Lake Elsinore General Plan Update

Dear Mr. MacHott:

The Endangered Habitats League (EHL) is in receipt of the NOP for this project. EHL supports development in the downtown area. We also support MSHCP conformance as the basis for biological impact analysis and mitigation.

Please retain EHL on all notification and distribution lists for this project, including the DEIR. Thank you.

Sincerely,  
Dan

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

213-804-2750  
dsilverla@me.com  
www.ehleague.org

STATE OF CALIFORNIAEdmund G. Brown, Jr., Governor**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
Fax (916) 657-5390  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
e-mail: [de\\_nahc@pacbell.net](mailto:de_nahc@pacbell.net)

June 3, 2011

Mr. Richard J. MacHott, Environmental Planning Consultant

**CITY OF LAKE ELSINORE**

130 S. Main Street  
Lake Elsinore, CA 92350

Sent by FAX to: 951-674-2392

No. of Pages: 3

Re: Tribal Consultation Per Government Code §§ 65092, 65351, 65352.3, 65352.4, 65560 and 65562.5 (SB 18) for General Plan Amendment Update, Annexation No. 81; Downtown Master Plan, Housing Element, Climate Action Plan; located in the City of Lake Elsinore; Riverside County, California

Dear Mr. MacHott:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. The Native American Heritage Commission is the state "trustee agency" designated for the protection of Native American Cultural Resource pursuant to CA Public Resources Code §21070.. Attached is a consultation list of tribes with traditional lands or cultural places located within the Project Area of Potential Effect (City Boundaries of Lake Elsinore) . The tribal entities on the list are for your guidance for **government-to-government consultation** purposes. Pursuant to CA Public Resources Code §5097.95, please provide pertinent project information to the tribal consulting parties.

The NAHC did perform a Sacred Lands File search of the project location and **Native American cultural resources were not identified** within the Lake Elsinore City boundaries.. However, there are Native American cultural resources in close proximity to the Lake Elsinore City boundary. Also, the NAHC Sacred Lands Inventory is not exhaustive; cultural resources may be discovered during construction ground-breaking activity. Please contact the Native Americans on the attached list to determine, from their knowledge, if the proposed changes might impact on Native American cultural resources.. in order to see if your proposed project might impact Native American cultural resources that may be affected by the proposed action. If so, Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "substantial," and Section 2183.2 requires documentation, data recovery of cultural resources identified.

The Native American Heritage Commission works with Native American tribal governments regarding its identification of 'Areas of Traditional Use,' The Commission may adjust the submitted data defining the 'Area of Traditional Use' in accordance with generally accepted ethnographic, anthropological, archeological research and oral history.

If you have any questions, please contact me at (916) 653-6251.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton".  
Dave Singleton  
Program Analyst

Attachment: Native American Tribal Consultation List

**Native American Tribal Consultation List  
Riverside County  
June 3, 2011**

Los Coyotes Band of Mission Indians  
Francine Kupsch, Spokesperson  
P.O. Box 189 Cahuilla  
Warner , CA 92086  
[loscoyotes@earthlink.net](mailto:loscoyotes@earthlink.net)  
(760) 782-0711

Pala Band of Mission Indians  
Tribal Historic Preservation Office  
35008 Pala Temecula Rd, PMB 445 Luiseno  
Pala , CA 92059 Cupeno  
sgaughen@palatribe.com  
(760) 891-3515

San Luis Rey Band of Mission Indians  
Tribal Council  
1889 Sunset Drive Luiseno  
Vista, CA 92081  
760-724-8505

Pauma & Yuima Reservation  
Randall Majel, Chairperson  
P.O. Box 369 Luiseno  
Pauma Valley , CA 92061  
paumareservation@aol.com  
(760) 742-1289

Ramona Band of Cahuilla Mission Indians  
Joseph Hamilton, Chairman  
P.O. Box 391670 Cahuilla  
Anza, CA 92539  
admin@ramonatribe.com  
(951) 763-4105

Pechanga Band of Mission Indians  
Mark Macarro, Chairperson  
P.O. Box 1477 Luiseno  
Temecula , CA 92593  
tbrown@pechanga-nsn.gov  
(951) 770-6100

Rincon Band of Mission Indians  
Tiffany Wolf, Cultural & Environmental Department  
P.O. Box 68 Luiseno  
Valley Center , CA 92082  
[council@rincontribe.org](mailto:council@rincontribe.org)  
(760) 297-2632

La Jolla Band of Mission Indians  
ATTN: Rob Roy, Environmental Director  
22000 Highway 76 Luiseno  
Pauma Valley , CA 92061  
lajolla-sherry@aol.com and  
(760) 742-3790

This list is current only as of the date of this document.

**Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.

**Native American Tribal Consultation List  
Riverside County  
June 3, 2011**

Serrano Nation of Indians  
Goldie Walker  
P.O. Box 343  
Patton, CA 92369

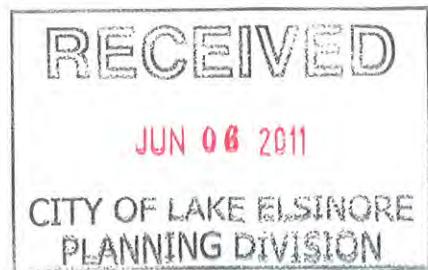
(909) 862-9883

Cahuilla Band of Indians  
Luther Salgado, Sr., , Chairperson  
PO Box 391760 Cahuilla  
Anza , CA 92539  
[tribalcouncil@cahuilla.net](mailto:tribalcouncil@cahuilla.net)  
915-763-5549

This list is current only as of the date of this document.

**Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.



June 1, 2011

Richard J. MacHott, Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

MORONGO  
BAND OF  
MISSION  
INDIANS



A SOVEREIGN NATION

**SUBJECT: Notice of Preparation of a Draft Environmental Impact Report  
(Reissued) (SCH # 2005121019)  
General Plan Update  
City of Lake Elsinore**

Dear Mr. MacHott:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). Because the project involves an update to the City of Lake Elsinore General Plan the Morongo Band of Mission Indians asks that you impose specific conditions regarding cultural and/or archaeological resources and buried cultural materials on any development plans or entitlement applications as follows:

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.
- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians ("Tribe")<sup>1</sup>. If requested by the Tribe, the developer or the project

<sup>1</sup> The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no

archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

Very truly yours,

MORONGO BAND OF MISSION INDIANS

*Franklin A. Dancy*  
Franklin A. Dancy,  
Director of Planning

---

objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.



June 13, 2011

Richard MacHott  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92350

RECEIVED

JUN 20 2011

CITY OF LAKE ELSINORE  
PLANNING DIVISION

RE: Notice of Preparation for a Draft Environmental Impact Report for the City of Lake Elsinore's General Plan Update, SCH # 2005121019

Dear Mr. MacHott:

Thank you for the opportunity to comment on your Notice of Preparation for a Draft Environmental Impact Report (DEIR) for the city's general plan update. In preparing the general plan and accompanying DEIR, the city should examine the sections of state planning law that involve potential hazards the city may face. For your information, I have underlined specific sections of state planning law where identification and analysis of hazards are discussed (see Attachment A).

Prior to the release of the draft general plan or within the DEIR, city staff or your consultants should examine each of the requirements in state planning law and determine if there are hazard issues within the community which the general plan should address. A table in the DEIR (or general plan) which identifies these specific issues and where they are addressed in the general plan would be helpful in demonstrating the city has complied with these requirements. If the DEIR determines that state planning law requirements have not been met, it should recommend that these issues be addressed in the general plan as a mitigation measure.

We note that state planning law includes a requirement for consultations with state agencies in regard to information related to hazards. Cal EMA would be happy to share all available information at our disposal to facilitate the city's ability to comply with state planning and environmental laws.

If you have any questions about these comments, please contact Andrew Rush at (916) 845-8269 or andrew.rush@calema.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Dennis Castrillo".

Dennis Castrillo  
Environmental Officer

cc: State Clearinghouse

3650 SCHRIEVER AVENUE • MATHER, CA 95655  
RECOVERY BRANCH  
(916) 845-8200 [OFFICE] • (916) 845-8385 [FAX]

## Attachment A

### Hazards and State Planning Law Requirements

#### General Plan Consistency

65300.5. In construing the provisions of this article, the Legislature intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.

#### Seven Mandated Elements

65302. The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals.  
The plan shall include the following elements:

(a) A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The location and designation of the extent of the uses of the land for public and private uses shall consider the identification of land and natural resources pursuant to paragraph (3) of subdivision (d). The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify and annually review those areas covered by the plan that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources.  
The land use element shall also do both of the following:

(1) Designate in a land use category that provides for timber production those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982, Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5.

(2) Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace.

(A) In determining the impact of new growth on military readiness activities, information provided by military facilities shall be considered. Cities and counties shall address military impacts based on information from the military and other sources.

(B) The following definitions govern this paragraph:

(i) "Military readiness activities" mean all of the following:

(I) Training, support, and operations that prepare the men and women of the military for combat.

(II) Operation, maintenance, and security of any military installation.

(III) Testing of military equipment, vehicles, weapons, and sensors for proper operation or suitability for combat use.

(ii) "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States Department of Defense as defined in paragraph (1) of subsection (e) of Section 2687 of Title 10 of the United States Code.

(b) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

(c) A housing element as provided in Article 10.6 (commencing with Section 65580).

(d) (1) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies, including flood management, water conservation, or groundwater agencies that have developed, served, controlled, managed, or conserved water of any type for any purpose in the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county.

(2) The conservation element may also cover all of the following:

(A) The reclamation of land and waters.

(B) Prevention and control of the pollution of streams and other waters.

(C) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.

(D) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(E) Protection of watersheds.

(F) The location, quantity and quality of the rock, sand and gravel resources.

(3) Upon the next revision of the housing element on or after January 1, 2009, the conservation element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560).

(f) (1) A noise element which shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control in the State Department of Health Care Services and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

(A) Highways and freeways.

(B) Primary arterials and major local streets.

(C) Passenger and freight on-line railroad operations and ground rapid transit systems.

(D) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.

(E) Local industrial plants, including, but not limited to, railroad classification yards.

(F) Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment.

(2) Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in paragraphs (1) to (6), inclusive.

(3) The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise.

(4) The noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards.

(g) (1) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction, and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wild land and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.

(2) The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following:

(A) Identify information regarding flood hazards, including, but not limited to, the following:

(i) Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency. The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.

(ii) National Flood Insurance Program maps published by FEMA.

(iii) Information about flood hazards that is available from the United States Army Corps of Engineers.

(iv) Designated floodway maps that are available from the Central Valley Flood Protection Board.

(v) Dam failure inundation maps prepared pursuant to Section 8589.5 that are available from the Office of Emergency Services.

(vi) Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.

(vii) Maps of levee protection zones.

(viii) Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.

(ix) Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.

(x) Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.

(xi) Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.

(B) Establish a set of comprehensive goals, policies, and objectives based on the information identified pursuant to subparagraph (A), for the protection of the community from the unreasonable risks of flooding, including, but not limited to:

- (i) Avoiding or minimizing the risks of flooding to new development.
- (ii) Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.
- (iii) Maintaining the structural and operational integrity of essential public facilities during flooding.
- (iv) Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.
- (v) Establishing cooperative working relationships among public agencies with responsibility for flood protection.

(C) Establish a set of feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to subparagraph (B).

(3) After the initial revision of the safety element pursuant to paragraph (2), upon each revision of the housing element, the planning agency shall review and, if necessary, revise the safety element to identify new information that was not available during the previous revision of the safety element.

(4) Cities and counties that have flood plain management ordinances that have been approved by FEMA that substantially comply with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions or the flood plain ordinance, specifically showing how each requirement of this subdivision has been met.

(5) Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the California Geological Survey of the Department of Conservation, the Central Valley Flood Protection Board, if the city or county is located within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code, and the Office of Emergency Services for the purpose of including information known by and available to the department, the office, and the board required by this subdivision.

(6) To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.

### **Consistency with Airport Land Use Plans**

**65302.3. (a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.**

### **Review of Safety Element**

**65302.5. (a) At least 45 days prior to adoption or amendment of the safety element, each county and city shall submit to the Division of Mines and Geology of the Department of Conservation**

one copy of a draft of the safety element or amendment and any technical studies used for developing the safety element. The division may review drafts submitted to it to determine whether they incorporate known seismic and other geologic hazard information, and report its findings to the planning agency within 30 days of receipt of the draft of the safety element or amendment pursuant to this subdivision. The legislative body shall consider the division's findings prior to final adoption of the safety element or amendment unless the division's findings are not available within the above prescribed time limits or unless the division has indicated to the city or county that the division will not review the safety element. If the division's findings are not available within those prescribed time limits, the legislative body may take the division's findings into consideration at the time it considers future amendments to the safety element. Each county and city shall provide the division with a copy of its adopted safety element or amendments. The division may review adopted safety elements or amendments and report its findings. All findings made by the division shall be advisory to the planning agency and legislative body.

(1) The draft element of or draft amendment to the safety element of a county or a city's general plan shall be submitted to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county at least 90 days prior to either of the following:

(A) The adoption or amendment to the safety element of its general plan for each county that contains state responsibility areas.

(B) The adoption or amendment to the safety element of its general plan for each city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177.

(2) A county that contains state responsibility areas and a city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177, shall submit for review the safety element of its general plan to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county in accordance with the following dates as specified, unless the local government submitted the element within five years prior to that date:

(A) Local governments within the regional jurisdiction of the San Diego Association of Governments: December 31, 2010.

(B) Local governments within the regional jurisdiction of the Southern California Association of Governments: December 31, 2011.

(C) Local governments within the regional jurisdiction of the Association of Bay Area Governments: December 31, 2012.

(D) Local governments within the regional jurisdiction of the Council of Fresno County Governments, the Kern County Council of Governments, and the Sacramento Area Council of Governments: June 30, 2013.

(E) Local governments within the regional jurisdiction of the Association of Monterey Bay Area Governments: December 31, 2014.

(F) All other local governments: December 31, 2015.

(3) The State Board of Forestry and Fire Protection shall, and a local agency may, review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element. The State Board of Forestry and Fire Protection and local agency shall review the draft or existing safety element and may

offer written recommendations for changes to the draft or existing safety element regarding both of the following:

(A) Uses of land and policies in state responsibility areas and very high fire hazard severity zones that will protect life, property, and natural resources from unreasonable risks associated with wildland fires.

(B) Methods and strategies for wildland fire risk reduction and prevention within state responsibility areas and very high hazard severity zones.

(b) Prior to the adoption of its draft element or draft amendment, the board of supervisors of the county or the city council of a city shall consider the recommendations made by the State Board of Forestry and Fire Protection and any local agency that provides fire protection to territory in the city or county. If the board of supervisors or city council determines not to accept all or some of the recommendations, if any, made by the State Board of Forestry and Fire Protection or local agency, the board of supervisors or city council shall communicate in writing to the State Board of Forestry and Fire Protection or to the local agency, its reasons for not accepting the recommendations.

## **Open Space Plans**

**65560.** (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

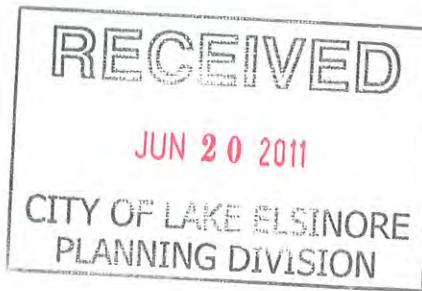
(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.



**Pala Band Of  
Mission Indians**

Cupa Cultural Center  
PMB 445  
35008 Pala Temecula Road  
Pala, CA 92059  
Tel. (760) 891-3590  
Fax (760) 742-4543



June 14, 2011

Richard J. MacHott  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, Ca 92530

Re: SCH #2005121019

Dear Mr. MacHott,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at [sgaughen@palatribe.com](mailto:sgaughen@palatribe.com).

Sincerely,

Shasta C. Gaughen, MA  
Tribal Historic Preservation Officer  
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO **SHASTA C. GAUGHEN** AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.



## Department of Toxic Substances Control

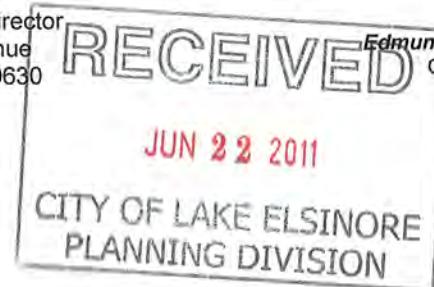
*Linda S. Adams*  
Acting Secretary for  
Environmental Protection

Deborah O. Raphael, Director  
5796 Corporate Avenue  
Cypress, California 90630



*Edmund G. Brown Jr.*  
Governor

June 17, 2011



Mr. Richard J. MacHott  
City of Lake Elsinore Planning Department  
130 South Main Street  
Lake Elsinore, California 92530

### NOTICE OF PREPARATION (NOP) FOR LAKE ELSINORE GENERAL PLAN UPDATE (SCH# 2005121019)

Dear Mr. MacHott:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation Report for the above-mentioned project. The following project description is stated in your document: "The City of Lake Elsinore is preparing the City General Plan Update to replace the existing General Plan which was originally adopted in 1990. The overall purpose of the General Plan is to update goals, objectives and policies that will guide development in the City and its Sphere of Influence and reflect the community's vision for the future".

Based on the review of the submitted document DTSC has the following comments:

- 1) The EIR should evaluate whether conditions within the project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
  - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
  - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
  - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
  - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.

- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
- 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.
- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see [www.dtsc.ca.gov/SiteCleanup/Brownfields](http://www.dtsc.ca.gov/SiteCleanup/Brownfields), or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact me at [ashami@dtsc.ca.gov](mailto:ashami@dtsc.ca.gov), or by phone at (714) 484-5472.

Sincerely,



Al Shami  
Project Manager  
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

Mr. Richard J. MacHott

June 17, 2011

Page 4

CEQA Tracking Center  
Department of Toxic Substances Control  
Office of Environmental Planning and Analysis  
P.O. Box 806  
Sacramento, California 95812  
[nritter@dtsc.ca.gov](mailto:nritter@dtsc.ca.gov).

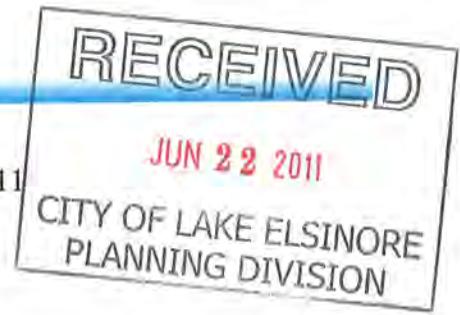
CEQA # 3232



**Riverside County  
Waste Management Department**

*Hans W. Kernkamp, General Manager-Chief Engineer*

June 20, 2011



Richard J. MacHott, Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

**RE: Notice of Preparation (NOP) of Draft Program Environmental Impact Report (PEIR)  
for the Lake Elsinore Comprehensive General Plan Update**

Dear Mr. MacHott:

The Riverside County Waste Management Department (Department) has reviewed the NOP for a draft PEIR for a revised General Plan Update of the City of Lake Elsinore (City). The project will update the 2005 General Plan Update proposal in the areas of land use, housing, and traffic and incorporate a Downtown Master Plan and Climate Action Plan (CAP) into the General Plan Update. According to the NOP, the revised General Plan Update's planning horizon is 2030 and will cover all land within the incorporated boundaries, the city's sphere of influence (SOI), and certain other adjacent, unincorporated areas of the County of Riverside.

The PEIR must address the following potential project impacts:

1. Build-out under the proposed General Plan Update may substantially increase the quantity of construction and demolition (C&D) waste generated within the City. Should a large quantity of the C&D waste be brought to a County landfill for disposal, it could exceed the landfill's daily permitted capacity, thus a violation of State regulations and an impact to County landfill operation. The PEIR should analyze this potential solid waste impact and discuss feasible mitigation programs by the City.
2. Build-out of the proposed General Plan Update may have the potential to generate a substantial amount of municipal solid waste (MSW) and hazardous waste that might adversely affect existing solid waste facilities. To assess this waste impact, the PEIR will need to include the projected amount of waste generated at the build-out of the General Plan Update and an analysis of the management of this increased level of waste generation and associated impacts to existing MSW disposal capacity and hazardous waste management at County landfill facilities. (Note: Consult the California Department of Resources Recycling and Recovery (CalRecycle) website to determine applicable waste generation factors).
3. The PEIR should provide a discussion about the proposed project's compliance with the City's Solid Waste Source Reduction Recycling Element and all regulatory requirements regarding solid waste, such as State Model Ordinance (AB 1327, Chapter 18, California Solid Waste Reuse and Recycling Access Act of 1991).

4. The PEIR and the City's CAP should assess the City's share of greenhouse gas emissions associated with disposal of its solid waste at County landfills and discuss feasible measures and programs by the City to reduce these emissions.
5. The PEIR should clarify the General Plan Update's implementation boundaries and explain what exactly *certain other adjacent, unincorporated areas of the County of Riverside* beyond the City's established SOI are that will be affected.

Thank you for the opportunity to comment on the NOP. When the draft PEIR becomes available, we would appreciate the opportunity to review and comment on the document. If you have any questions, please contact me at (951) 486-3283.

Sincerely,



Sung Key Ma  
Urban/Regional Planner IV

## Richard MacHott

---

**From:** Andy Boden [bode@astro.caltech.edu]  
**Sent:** Thursday, June 23, 2011 10:30 AM  
**To:** Richard MacHott  
**Cc:** Dan McKenna  
**Subject:** Comment: Lake Elsinore General Plan Update

Dear Mr. MacHott,

Hi, my name is Andy Boden, and I serve as the Deputy Director for Caltech Optical Observatories -- the administrative home for Palomar Observatory. Thank you for your note of 26 May 2011 concerning the Lake Elsinore General Plan Update. Per the instructions in your letter I am writing to comment on your plan update.

I have only one substantive comment. In section IV of your note titled "Potential Environmental Impacts", there is a list of potential environmental impacts to be considered in your plan update. I was surprised to find that in this list "Light Pollution Impacts" was not included. I am confident you can appreciate the potential negative impact that nighttime lighting from local communities scattered by the atmosphere can have on astronomical observations made at our observatory among others. Because of these potential impacts, we at Palomar Observatory have a long history of working with communities near the observatory to help plan strategies that mitigate the potential impacts of scattered light on both ourselves and others.

In summary, I am writing to request that "Light Pollution Impacts" be included in your list of Potential Environmental Impacts to be considered in your General Plan Update. We would be happy to work with your office to suggest alternatives and considerations that both serve Lake Elsinore's lighting needs, and mitigate the adverse impacts of scattered light on astronomical observations. Please feel free to contact me if you have any questions in these matters, or wish to speak further.

With all best wishes for your forthcoming Lake Elsinore General Plan Update.

- Andy Boden

--  
Andy Boden  
Deputy Director  
Caltech Optical Observatories  
1200 E California Blvd, MS 11-17

bode@astro.caltech.edu  
<http://www.astro.caltech.edu/~bode>  
626/395-4035  
Pasadena, CA 91125

# RINCON BAND OF LUISEÑO INDIANS

## Culture Committee

P.O. Box 600 • Valley Center, CA 92088 • (760) 792-2621 • (800) 760-0915



June 14, 2011

Richard J. MacHott, Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

RECEIVED

JUN 24 2011

CITY OF LAKE ELSINORE  
PLANNING DIVISION

RE: Notice of Preparation of a Draft Environmental Impact Report (Reissued) (SCH #2005121019). Lake Elsinore General Plan Update.

Dear Mr. MacHott,

On behalf of the Rincon Band of Luiseño Indians, we have received your letter regarding Notice of Preparation of a Draft Environmental Impact Report (reissued) (SCH# 2005121019) Lake Elsinore General Plan Update. On June 7, 2011

The project is within the Luiseno Aboriginal territory. This is one of many areas in our territory that was used by our people during seasonal migration, also included were rivers and marshes. We wish to be informed of any environmental and archeological reports that are done on this project.

We trust that this project has the best interest of all parties involved and look forward to hearing more information on this project.

We thank you for the opportunity to comment on the Notice of a Draft Environmental Impact Report (Reissued) (SCH#2005121019). Lake Elsinore General Plan, and look forward to a successful resolution to our concerns.

Sincerely,

Rose Duro

Rincon Culture Committee Chair

Bo Mazzetti  
Tribal Chairman

Stephanie Spencer  
Vice Chairwoman

Charlie Kolb  
Council Member

Steve Stallings  
Council Member

Kenneth Kolb  
Council Member

June 14, 2011

Attn: Richard J. MacHott, Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530



**Re: Notice of Preparation of a Draft Environmental Impact Report (Reissued) for the City of Lake Elsinore General Plan Update (SCH # 2005121019)**

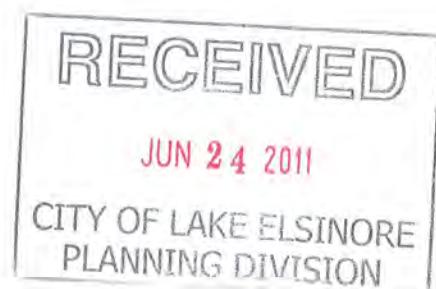
The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Luiseño Tribal Traditional Use Areas. The project location is part of a known village site and is in close proximity to other known sites. Both of these villages are known to the Luiseno in their traditional names, Pa' Axchey and Wee'va. It is also a shared use area that was used in ongoing trade between the Luiseno bands, not considered as a location occupied by one existing band, but rather the Luiseno Tribe. For these reasons the site is regarded as sensitive to the people of Soboba for the possibility of unanticipated finds.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.
2. Soboba Band of Luiseño Indians continue to be a lead consulting tribal entity for this project.
3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.
4. Request that proper procedures be taken and requests of the tribe be honored  
(Please see the attachment)

Sincerely,

A handwritten signature in black ink, appearing to read "J. Ontiveros".  
Joseph Ontiveros  
Soboba Cultural Resource Department  
P.O. Box 487  
San Jacinto, CA 92581  
Phone (951) 654-5544 ext. 4137  
Cell (951) 663-5279  
[jontiveros@soboba-nsn.gov](mailto:jontiveros@soboba-nsn.gov)



**Cultural Items (Artifacts).** Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

**Treatment and Disposition of Remains.** Given that Native American human remains have been found during development of the Project and the Soboba Band has been designated the MLD, the following provisions shall apply to the Parties:

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains.

These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact

**Coordination with County Coroner's Office.** The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

**Non-Disclosure of Location Reburials.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.



# CITY OF MENIFEE

## Planning Department

Carmen Cave · Community Development Director

Wallace W. Edgerton  
Mayor

Fred Twyman  
Vice Mayor

John V. Denver  
Councilmember

Darcy Kuenzi  
Councilmember

Thomas Fuhrman  
Councilmember

June 23, 2011

Richard J. MacHott  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

RECEIVED

JUN 24 2011

CITY OF LAKE ELSINORE  
PLANNING DIVISION

**RE: City of Menifee Planning Department Comments on the NOP for the Draft Environmental Impact Report for the Lake Elsinore General Plan**

Dear Mr. MacHott:

Thank you for providing an opportunity for the City of Menifee Planning Department to review the Notice of Preparation (NOP) for the EIR for the Lake Elsinore General Plan.

The City is concerned with potential traffic impacts on Holland Road and would like to coordinate with the City of Lake Elsinore on any mitigation measures or future improvements on that road.

In addition, the City of Menifee requests that the trails in the City of Menifee be shown on any General Plan Trails maps where they connect or intersect with trails in the City of Lake Elsinore.

The Planning and Engineering Departments would be willing to meet with City of Lake Elsinore staff regarding our shared roadways and trails. City of Menifee reserves the right to comment further on these and other portions of the EIR.

Thank you again for the opportunity to review the Notice of Preparation. Please forward any subsequent environmental documents regarding the project to my attention at this office.

Sincerely,

City of Menifee Planning Department

A blue ink signature of Lisa Gordon.

Lisa Gordon, Senior Planner



# South Coast Air Quality Management District

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

RECEIVED

JUN 27 2011

CITY OF LAKE ELSINORE  
PLANNING DIVISION

June 23, 2011

Richard J. MacHott  
Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, Ca 92530

## Notice of Preparation of a CEQA Document for the Lake Elsinore General Plan Update

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft environmental impact report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

### Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. The lead agency may wish to consider using land use emissions estimating software such as URBEMIS 2007 or the recently released CalEEMod. These models are available on the SCAQMD Website at: <http://www.aqmd.gov/ceqa/models.html>.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM2.5 emissions from construction and operational activities and processes. In connection with developing PM2.5 calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM2.5 emissions and compare the results to the recommended PM2.5 significance thresholds. Guidance for calculating PM2.5 emissions and PM2.5 significance thresholds can be found at the following internet address: [http://www.aqmd.gov/ceqa/handbook/PM2\\_5/PM2\\_5.html](http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html).

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the

recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: [http://www.aqmd.gov/ceqa/handbook/mobile\\_toxic/mobile\\_toxic.html](http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html). An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

### **Mitigation Measures**

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: [www.aqmd.gov/ceqa/handbook/mitigation/MM\\_intro.html](http://www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html) Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

### **Data Sources**

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (<http://www.aqmd.gov>).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. If you have any questions regarding this letter, please call Ian MacMillan, Program Supervisor, CEQA Section, at (909) 396-3244.

Sincerely,



Ian MacMillan

Program Supervisor, CEQA Inter-Governmental Review  
Planning, Rule Development & Area Sources

06-27-11

RECEIVED  
JUN 27 2011

BY: .....

**ATTN:** Mr. Richard J. MacHott  
Environmental Planning Consultant  
130 S. Main Street  
Lake Elsinore, Ca 92530  
951 674-3124 Ext. 209

**FROM:** Tim Fleming  
17970 Lakeshore Drive  
Lake Elsinore Ca 92530  
951 245-7692

**RE:** Draft Environmental Impact Report  
(Reissued) SCH #2005121019

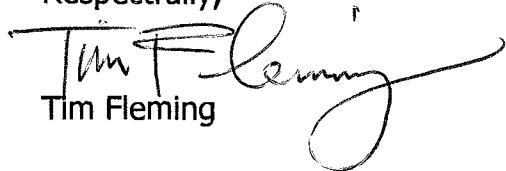
RECEIVED  
JUN 27 2011  
CITY OF LAKE ELSINORE  
PLANNING DIVISION

Dear Mr. MacHatt

As a long time resident of Lake Elsinore, I wish to include into the appropriate sections of the above PEIR document two specific items of importance not specifically mentioned.

- #1. The preservation of our Canary Island Date Palms throughout the City.
- #2. The request to use CG&E earned funds in our scenic sections (the Lakes edge and hills) for underground utilities.

Respectfully,

  
Tim Fleming



**Viet Tran**  
Region Manager

June 28, 2011

Richard MacHott, Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

**RECEIVED**

**JUN 28 2011**

**CITY OF LAKE ELSINORE  
PLANNING DIVISION**

RE: City of Lake Elsinore General Plan Update (GPU)

Dear Mr. MacHott:

The Southern California Edison Company (SCE) appreciates the opportunity to join the community in commenting on the City of Lake Elsinore's GPU. As the provider of electricity for the City, we look forward to planning to serve the growth envisioned by the GPU and assisting the City with its efforts to conserve energy and build a more sustainable community.

SCE will be investing approximately \$21.5 billion over the next five years to expand and strengthen its essential electric distribution and transmission grids. Improvements will include repairing or replacing transmission and distribution poles, wires and circuits; building new transmission lines and substations, and installing new technologically advanced meters. These investments are necessary to make the power grid more reliable, greener and smarter within our 50,000-square-mile service territory.

Southwestern Riverside County has experienced rapid growth over the last several years creating an increased demand for electricity. SCE's infrastructure improvement plan includes electric system upgrades within this region to meet this increased demand. In August of 2010, the California Public Utilities Commission (CPUC) approved SCE's Valley-Ivyglen Subtransmission Project serving Southwestern Riverside County. This project includes the construction of a new 115 kilovolt (kV) subtransmission line connecting SCE's Valley and Ivyglen Substations and the new 115/12 kV Fogarty Substation (located in the north end of Lake Elsinore). The proposed Valley-Ivyglen Subtransmission line along with the new Fogarty Substation will serve current and projected demand for electricity in the northern portion of the City of Lake Elsinore and Glen Ivy Hot Springs, and the surrounding Southwestern Riverside County communities. It will also allow for greater system reliability in that region. For more information on the Valley-Ivyglen Project, please see SCE's website at <http://www.sce.com/PowerandEnvironment/Transmission/default.htm>.

24487 Prielipp Rd.  
Wildomar, CA 92595

Office: (951) 249-8466  
E-mail: [viet.tran@sce.com](mailto:viet.tran@sce.com)

SCE is providing below additional information on SCE's use of renewable energy to serve its customers, SCE's green building and sustainability programs offered to developers, preparing for plug-in electric vehicles and general plan policy suggestions that can assist the City and developers to plan with electricity service in mind.

## **Renewable Energy**

In November of 2008, the Governor signed Executive Order #S-14-08 requiring retail sellers of electricity to deliver 33% of its energy from renewable energy sources by the year 2020. SCE currently leads the nation in renewable energy delivery. In 2010, SCE delivered approximately 14.5 billion kilowatt-hours (kWh) of renewable energy to its customers, which constituted 19.4 percent of the total energy delivered that year. In addition, SCE has contracts in place that, when delivered, will bring the total renewable energy delivered up to 20 percent. If the City would like to know more about SCE's commitment to renewable energy and the environment, please view our website at <http://www.sce.com/PowerandEnvironment/>.

## **Energy Efficiency**

SCE also has a highly successful energy efficiency program. During the past five years, SCE customers have saved more than five billion kWh of energy – enough energy to power 725,000 homes for an entire year. This translated into reducing greenhouse gas (GHG) emissions by more than 2 million metric tons – the equivalent of removing 350,000 cars from the road. During the next two years, SCE will help customers save an additional 2 billion kWh of energy, which will decrease greenhouse gases by another 1 million tons. SCE residential, commercial and institutional programs promoting energy efficiency and conservation can be found on SCE's website at <http://www.sce.com/residential/residential.htm> , and <http://www.sce.com/business/ems/default.htm> , respectfully.

## **Green Building & Sustainable Communities**

SCE offers developers green building and energy efficiency programs that can assist the City with its efforts to build a more sustainable community.

- The California Advance Homes Program (CAHP)

California's major investor-owned utilities, Southern California Edison, Southern California Gas Company, Pacific Gas and Electric Company, and San Diego Gas and Electric Company, are working together to help the building industry design and develop more environmentally friendly communities. The CAHP highlights best practices in energy efficiency, green building and sustainability, and offers generous financial incentives to help builders and architects create more sustainable communities for potential home buyers. Through a combination of education, design assistance and financial support, the CAHP works with building and related industries to exceed compliance with the California Code of Regulations, Title 24, Part 6, 2008 Building Energy Efficiency Standards for Residential and Nonresidential Buildings and to prepare builders for changes to the Standards. Participation is open to single-family, low- and high-rise multi-family residential new construction built within SCE's service territory.

- Sustainable Communities Program (SCP)

In addition, SCE offers the SCP an innovative pilot program targeting developers of large mixed-use, multi-family or multiple building construction projects who are willing to commit to aggressive

energy efficiency and sustainable design goals. SCE's team of green building and sustainability experts work with the developer to enhance a project's sustainability beginning at the conceptual phase of a project's development. Financial incentives are available to off-set the cost of energy efficiency measures.

- **Savings By Design**

Nonresidential developers can participate in the Savings By Design Program, a program sponsored by four of California's largest utilities, including SCE, under the auspices of the CPUC. The program offers builders and their design team a wide range of services, including design assistance to maximize energy efficiency, incentives to offset the cost of energy efficient buildings, and design rewards for design teams that meet ambitious energy efficiency targets.

### **Plug-in Electric Vehicles (PEV)**

Southern California communities have been selected by major automotive manufacturers to be among the first regions in the country to serve as the initial market launch sites. While no one knows yet how large the market for these vehicles will be, SCE's service territory could see as many as 200,000 plug-ins by 2015 and 1 million by 2020. Customer expectations will be high, and they will be looking for guidance from their local governments, communities and electric utilities.

The shift in automobile technology to electric drive will impact both cities and electric utilities. A critical component of the shift to electric drive will be the ease of installation of home infrastructure, placing an emphasis on issues such as city permits, third-party electricians, certified systems and city inspections. SCE has compiled local government PEV-ready best practices recommendations based on cities that have already instituted measures to become PEV ready. These best practices are attached to this letter.

Cities will also need to respond to requests for public charging systems. SCE will support cities in their analysis of public charge port locations and quantities, and will assist the cities with becoming PEV-ready as the demand for these vehicles increases. However, though it will provide electric service to public PEV charging stations, SCE itself does not presently plan to become a provider of public PEV charging facilities. For more information on how to prepare for PEVs, please see SCE's website at <http://www.sce.com/PowerandEnvironment/PEV/information-for-cities.htm> .

### **Planning for Electricity**

Long-range and current planning activities by local governments and developers may impact SCE's services and operations, whether that be in affecting our planning for new electric facilities to serve projected load growth, for distribution facilities for individual projects, or addressing a developer's proposed impacts on SCE lands or easements. Below is information the City and developers can use when planning with electricity in mind.

- **SCE Transmission Corridors & Secondary Land Uses**

From time to time SCE receives requests to permit secondary uses of its transmission rights-of-way. While SCE owns some of its transmission corridors outright ("in fee simple"), our interest in others is in the form of an easement to use property owned by another. Different concerns and processes apply to the two, and SCE's ability to approve or disapprove of proposed secondary uses also differs one from the other.

SCE does not today permit high-intensity secondary uses of its rights-of-way, i.e., those involving the placement of permanent structures. In addition, SCE transmission corridors may not always be compatible land uses for low-intensity uses such as active trails and parks due to SCE's Operations and Maintenance (O&M) requirements for its facilities, and because once these uses are established in corridors, those may become unavailable to the public for extended periods of time during SCE system construction and/or maintenance work. In addition, any proposed use cannot be in conflict with the rights owned by SCE or the company's operational requirements.

- SCE Fee-owned Properties

SCE purchases its property rights at fair market value with ratepayer funds, including both fee-owned property and highly-exclusive easements. Because SCE is a state-regulated utility company, California Public Utilities Code Section 851 prohibits any additional encumbrances that would reduce the value of any land asset, reduce the integrity (terms and conditions) of the asset, or could result in negatively impacting service and operational reliability, unless those are agreed to by SCE and approved by the CPUC. Therefore, SCE requests to be notified of any General Plan Land Use designation changes proposed for any SCE facilities, lands or easements.

- Large-scale Developments

SCE respectfully requests the City consider General Plan policies encouraging developers to contact SCE early in their planning process, especially for large-scale residential and non-residential development or specific plans to ensure the projected electric loads for these projects are factored into SCE's load forecasts for the community and region, and for developers to work closely with SCE to determine electrical service and infrastructure needs for individual projects. In addition, SCE suggests specific plans including a general discussion of electricity service within their infrastructure/utility or circulation plans. Also suggested are General Plan policies encouraging developers of large-scale projects to incorporate energy efficient design measures into their projects and to consult utilities regarding any available energy efficiency developer assistance programs.

- California Public Utilities Commission (CPUC) as a CEQA Lead Agency

When development plans result in the need to build new or relocate existing SCE electrical facilities that operate at or above 50 kV, the SCE construction activities may have environmental impacts subject to CEQA review. If those environmental consequences are identified and addressed by the local agency in the CEQA process for the larger project, SCE may not be required to pursue a later, separate, mandatory CEQA review through the CPUC and its General Order 131-D (GO 131-D) process. If the environmental impacts of the scope of SCE's facilities work are not adequately addressed in the CEQA review for the larger project, however, and the new facilities could result in significant environmental impacts, the required additional CEQA review at the CPUC could delay approval of the SCE power line portion of the project for up to two years or longer.

- Encroachments/Infringements upon SCE Facilities, Rights-of-Way and Land Rights

It is important for the City and developers to contact SCE early when project sites are desired to include SCE utility lands or infrastructure, or when the project has the potential to impact existing or planned SCE facilities. Developers should be directed to provide SCE with detailed project development plans and depict on the plans SCE facilities, rights-of-way and land rights in relationship to the proposed projects. Any impacts to SCE utility lands and/or infrastructure must be satisfactorily addressed among the developer, the City and SCE, and consented to by SCE.

prior to finalizing the plan of development. Conducting this process early with SCE ensures that a proposed project can be designed to meet the developer's and City's needs while being compatible with SCE's operating requirements. Early consultation minimizes the risk of the developer or the City experiencing costly delays attributed to potential conflicts with SCE facilities. Early dialogue also ensures SCE has the time to respond and plan for any changes necessary to maintain a safe and reliable operating system to meet the City's electrical needs. General Plan policies supporting these concerns can greatly aid the City and developers to meet their development goals and allow SCE the opportunity to serve the City and the development community as timely as possible.

- Environmental Mitigation Adjacent to SCE Lands

SCE recognizes new development may require environmental mitigation, including the creation of new habitat or restoration of degraded habitat. When environmental mitigation is proposed adjacent to or includes SCE operating property, such as transmission, telecommunication, or distribution line corridors, substation land and other utility lands, SCE's ability to continue to provide safe and reliable electricity service through the operation, maintenance, modification or upgrading of facilities may be seriously compromised. For example, allowing legally protected species to grow or be introduced, or habitat to be established, on an SCE transmission corridor could inhibit SCE from performing necessary repairs to existing facilities or upgrading existing facilities to serve increased customer demand for electricity, and SCE would not consent to such actions.

SCE respectfully requests the General Plan include language clearly indicating that utility lands, including rights-of-way, are not compatible as locations for environmental mitigation, unless there are specific unique circumstances that have been addressed among the City, SCE and the project proponent and consented to by SCE. Where environmental mitigation in proximity to SCE's utility land is unavoidable, we further request any proposed mitigation be subject to early joint review between the City and SCE, so that SCE can ensure its ability to conduct O&M on its facilities is maintained, and any approved mitigation is compatible with SCE's operating requirements.

In closing, SCE would like to reiterate that as your hometown electricity provider we are here to assist the City with its efforts to build a greener and more energy efficient community. We encourage the City and the community to avail themselves of the many SCE sponsored programs for this purpose. Please keep SCE on your routing list for all announcements pertaining to the development of the City's GPU. If you have any questions regarding this letter, do not hesitate to contact me at (951) 249-8466.

Sincerely,



Viet Tran  
Local Public Affairs Region Manager  
Southern California Edison Company

Enclosure: PEV Readiness

# PREPARING YOUR CITY TO BE PEV READY

## Community Readiness Initiatives

Implement a streamlined permitting and inspection process to minimize the time required for consumer/electricians to install chargers in residential applications.

- ❖ Review current processes to meet single day permit and inspection objective.
- ❖ Provide SCE with copy of charger permit at time of issuance.

Implement a public education and outreach program by utilizing the materials and website developed by SCE and others to establish a community Plug-in Vehicle Education program.

- ❖ Link to SCE.com/pev or goelectricdrive.com
- ❖ Display PEV Readiness information public areas (libraries, City Hall)
- ❖ Integrate PEV education into existing communication media or community outreach efforts (newsletters, public TV channels)

Build a PEV knowledge base that can be utilized by the city for wise planning and investment for pending PEV market penetration.

- ❖ Participate actively in Regional Planning (SoCalEVReady, Clean Cities)
- ❖ Promote Education and Outreach Workshops
- ❖ Support Regional Infrastructure Funding Acquisition Proposal Development

Recognize and plan to support the community's needs for an appropriate number of publicly accessible PEV charge stations.

- ❖ Identify critical travel destinations
- ❖ Identify existing infrastructure for potential upgrade
- ❖ Develop a plan for public locations suitable for PEV charging (City Hall, Libraries, etc.)

Designate a point of contact (s) within the city that can work with SCE, auto manufacturers and EVSE providers for:

- ❖ Issues resolution
- ❖ Participation in regional initiatives
- ❖ Lessons learned analysis
- ❖ Media relations

## Regional Planning and Funding Initiatives

Support SCAG, AQMD, and other regional efforts to develop and obtain federal and state funding to enable the Southern California Region to compete for and implement an appropriate level of infrastructure installations.

- ❖ Participate in regional infrastructure initiatives to apply for Federal and State funding
- ❖ Apply for state and local funding to finance infrastructure (CEC, AQMD, Clean Cities)

Support and implement the installation of public infrastructure to meet the needs of the current projected market penetration of PEVs

- ❖ Upgrade 1990s infrastructure to meet current standards
- ❖ Install infrastructure at key travel destinations
- ❖ Work with Commercial and Industrial organizations in community to install and track charging stations

Create a pro-active PEV Readiness Team in the city to develop market knowledge, plan and operate PEVs to support the State's efforts to encourage PEV market penetration

- ❖ Review lessons learned from other communities and apply as appropriate
- ❖ Integrate PEVs into community long-range vehicle purchasing plans
- ❖ Acquire and operate PEVs in the cities internal vehicle fleet
- ❖ Support funding incentives to encourage residents to buy and operate PEVs – (rebates/tax incentives/CARB)

Adopt City Codes that apply to new building construction that will support future PEV infrastructure accessibility

- ❖ Initiate Title 24 (CalGreen) City Codes to ensure that new building construction is PEV ready



# United States Department of the Interior

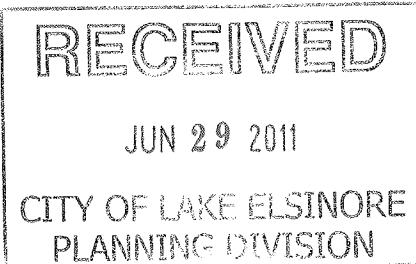


## FISH AND WILDLIFE SERVICE

### Ecological Services

Carlsbad Fish and Wildlife Office  
6010 Hidden Valley Road, Suite 101  
Carlsbad, California 92011

In Reply Refer To:  
FWS-WRIV-11B0295-11CPA0255



JUN 24 2011

Mr. Richard J. MacHott  
Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, California 92530

Subject: Notice of Preparation of a Draft Environmental Impact Report for the City of Lake Elsinore General Plan Update

Dear Mr. MacHott:

The U.S. Fish and Wildlife Service (Service) has reviewed the subject notice of preparation (NOP). The City of Lake Elsinore (City) is preparing to update its 1990 General Plan, and the City has determined an Environmental Impact Report (EIR) should be prepared. The General Plan Update will guide development in the City and its Sphere of Influence by updating goals, objectives and policies. The EIR will evaluate potential environmental impacts resulting from revisions to the City's General Plan.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

On June 22, 2004, the Service issued a section 10(a)(1)(B) permit for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. Under the MSHCP, Permittees conduct covered activities consistent with the MSHCP, its associated Implementing Agreement, and section 10(a)(1)(B) permit.

The City is an MSHCP Permittee, and the City and its Sphere of Influence are within the MSHCP Plan Area. Section 15125(d) of the Guidelines for the Implementation of the California Environmental Quality Act requires that an EIR discuss any inconsistencies between a proposed project and applicable general plans and regional plans, including habitat conservation plans and



natural community conservation plans. The NOP discussed the MSHCP in general and that it is anticipated that land identified as open space by the proposed project will conform to the MSHCP.

The City's General Plan Update is a large-scale planning effort that covers all land within the City's corporate boundaries, its Sphere of Influence and certain other adjacent, unincorporated areas of the County of Riverside. With the exception of Annexation No. 81 (the 3<sup>rd</sup> Street Annexation), specific areas targeted for land use change were not discussed. There are numerous important MSHCP reserve features located within and adjacent to the City and its Sphere of Influence. These features include MSHCP Criteria Cells, Constrained Linkage 6, Linkages 1, 2, 3, 7, and 8, Proposed Core 1, and Proposed Extension of Existing Core 3, all of which may be affected by changes in land use. The Service requests that the EIR for the proposed General Plan Update address the effects of any proposed changes in land use designations within the Criteria Cells on MSHCP implementation and reserve assembly, including cost.

The MSHCP Guidelines Pertaining to the Urban Wildlands Interface require that the quantity and quality of runoff discharged to the MSHCP Conservation Area not be altered in an adverse way when compared with existing conditions. We request that the EIR address any potential effects from land use changes under the proposed General Plan Update to the quantity and quality of surface water available to Collier Marsh, Alberhill Creek, Temescal Wash, and the Alkalai endemic resources in the back basin (Proposed Extension of Existing Core 3).

We appreciate the opportunity to provide comments on the NOP. If you have any questions regarding our comments, please contact Rachel Wolstenholme of my staff at 760 431- 9440, extension 365.

Sincerely,



Kennon A. Corey  
Assistant Field Supervisor

cc:

Charles Landry, RCA, Riverside, California



## PECHANGA INDIAN RESERVATION

*Temecula Band of Luiseño Mission Indians*

### OFFICE OF THE GENERAL COUNSEL

Post Office Box 1477 • Temecula, CA 92593  
Telephone (951) 770-6000 • Fax (951) 695-7445

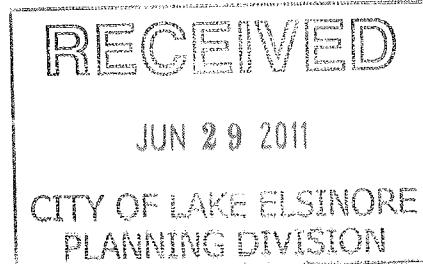
**General Counsel**  
John L. Macarro

**Deputy General Counsel**  
James E. Cohen  
Michele Fahley  
Steve Bodmer

June 27, 2011

### VIA E-MAIL and U.S. MAIL

Mr. Richard J. MacHott  
Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530



### **Re: Pechanga Tribe Comments on Notice of Preparation of the Reissued Draft Environmental Impact Report for City of Lake Elsinore General Plan Update**

Dear Mr. MacHott:

Thank you for inviting us to submit comments on the above named Project. This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government, in response to the Project NOP dated May 26, 2011. The Tribe is formally requesting, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archaeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project and also that these comments be incorporated into the record of approval for this Project.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the continued environmental review of the Project. The Tribe reserves the right to fully participate in the on-going environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. While the Tribe understands that this is a General Plan update and that as such, no physical development will occur as a result of this project, the General Plan guides all further development decisions of the City and thus, should contain appropriate consideration of how future development may impact cultural resources.

**THE CITY OF LAKE ELSINORE MUST INCLUDE INVOLVEMENT OF AND  
CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL  
REVIEW PROCESS**

It has been the intent of the Federal Government<sup>1</sup> and the State of California<sup>2</sup> that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City of Lake Elsinore consult with the Tribe in order to guarantee an adequate basis of knowledge for an appropriate evaluation of the Project's effects, including those of future development, as well as generating adequate mitigation measures.

**PECHANGA CULTURAL AFFILIATION TO PROJECT AREA**

The Pechanga Tribe submitted detailed comments on its affiliation when it commented on the original DEIR in 2008. However, should the City require additional information, the Tribe would welcome the opportunity to meet further to explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction.

**PROJECT IMPACTS TO CULTURAL RESOURCES**

Again, the Tribe has previously submitted detailed comments regarding its concerns about potential project impacts to cultural resources within the City of Lake Elsinore (See attached, Letter of April 29, 2008). Further, the Tribe has had multiple meetings with City staff to discuss these concerns, and was, subsequent to the prior DEIR, assured that the Tribe's requested changes to the Goals and Policies of the Draft General Plan Update would be made. We look forward to continue consulting with the City during the General Plan update process and ensuring that the changes agreed upon are reflected in the final document.

---

<sup>1</sup> See National Historic Preservation Act, 36 CFR §800.2(c); Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments; Executive Order 13175 of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments; and Executive Memorandum of September 23, 2004 on Government-to-Government Relationship with Tribal Governments; Executive Memorandum of November 5, 2009 on Tribal Consultation.

<sup>2</sup> See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352, 65352.3 and 65352.4.

### **REQUESTED TRIBAL INVOLVEMENT AND MITIGATION**

The proposed Project is on land that is within the traditional territory of the Pechanga Band of Luiseño Indians. The Pechanga Band is not opposed to this Project. The Tribe's primary concerns stem from the Project's proposed impacts on Native American cultural resources. Again, we understand that the Project is an update to the General Plan and as such, does not contemplate direct development. However, we still have concerns of how the update will impact cultural resources vis-à-vis future construction projects. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Luiseño village sites, sacred sites and archaeological items which would be displaced by ground disturbing work on future projects, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of future work.

The Tribe requests that it continue to be involved and to participate with the City of Lake Elsinore in assuring that an adequate environmental assessment is completed and in developing appropriate guiding policies and procedures regarding the treatment of cultural resources, which may include reviewing monitoring and mitigation plans and measures for the General Plan update and future development under the General Plan. In addition, given the sensitivity of the Lake Elsinore area, it is the position of the Pechanga Tribe that professional Pechanga tribal monitors be required for all ground-disturbing activities conducted within the City of Lake Elsinore and its sphere of influence, including any archaeological surveys and/or excavations performed, particularly in areas with little previous disturbance. We hope that ongoing consultation on the General Plan update can help both the Tribe and the City develop appropriate policies and guidelines that will serve our mutual interests as future development projects are processed by the City.

The Tribe believes that adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §1506a.5 (f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5-10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Project area, it is not unreasonable to expect to find vestiges of that presence. Such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner. Therefore, as noted previously, it is crucial to adequately address the potential for inadvertent discoveries. We believe that now is a perfect opportunity for the City to strengthen language in the General Plan regarding the treatment of cultural resources and that keeping an eye toward the mandates of CEQA and avoidance and treatment of inadvertent finds at this stage will provide for a more efficient planning process in the future.

Further, the Pechanga Tribe believes that if human remains are discovered during future projects, State law would apply and the mitigation measures for permits issued on a given project must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a “most likely descendant,” who shall be consulted as to the appropriate disposition of the remains. Again, the Tribe believes that now is the time to consider how human remains will be treated in the policies and guidelines and in turn, how they will be respectfully treated if, unfortunately, they are disturbed by future development.

### **PROJECT MITIGATION MEASURES**

The Tribe intends to continue to work with the City to thoroughly evaluate and assess potential impacts within the City of Lake Elsinore and its sphere of influence as a result of the policies and guidelines contained in the General Plan. In addition to strong policies and guidelines, the Tribe suggests that the City require future Project Applicants work with the Tribe to assure that the known cultural resources on a given site are in fact avoided. To accomplish this, the Tribe suggests that the General Plan policies and guidelines require all future Project Applicants to work with the Tribe to determine the extent of cultural resources on a given parcel and develop appropriate mitigation language in environmental documents to assure avoidance and preservation.

While we understand that this is a General Plan update, the kinds of considerations we request on a specific development project are based upon, in our experience, the best and most efficient ways to avoid, or at least, lessen impacts to our irreplaceable resources. In drafting the policies and procedures in the General Plan update, we urge the City to consider the following common mitigation measures as a guide to ensuring appropriate treatment and mitigation for future projects:

- MM 1:** Prior to issuance of grading permit(s) for a project, the project applicant shall retain an archaeological monitor to monitor 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.
- MM 2:** At least 30 days prior to seeking a grading permit, the project applicant shall contact the appropriate Tribe<sup>3</sup> to notify the Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of

<sup>3</sup> It is anticipated that the Pechanga Tribe will be the “appropriate” Tribe due to its prior and extensive coordination with the City in determining potentially significant impacts and appropriate mitigation measures for projects within the City’s boundaries and sphere of influence, and due to its demonstrated cultural affiliation with the Project area.

compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

**MM 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 MM 4.4-2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Tribe 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 groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

**MM 4:** 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 Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

**MM 5:** The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the Tribe for proper treatment and disposition.

**MM 6:** All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

**MM 7:** If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the 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 Tribe. Notwithstanding any other rights

available under the law, the decision of the CDD shall be appealable to the City of Lake Elsinore.

The Pechanga Tribe looks forward to continuing working together with the City of Lake Elsinore in protecting the invaluable Pechanga cultural resources within your jurisdiction and sphere of influence. Please contact me once you have had a chance to review these comments so that we might address the issues concerning appropriate policies and guidelines under the General Plan update to ensure the respectful treatment of our ancestors and their cultural belongings. Thank you.

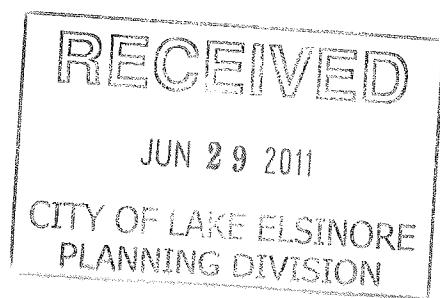
Sincerely,



Michele Fahley  
Deputy General Counsel

cc: Pechanga Cultural Resources Facility  
Brenda Tomaras, Tomaras & Ogas, LLP

June 29, 2011



Richard J. MacHott  
130 South Main Street  
Lake Elsinore, CA 92530

Re: Notice of Preparation for General Plan Update EIR

Dear Mr. MacHott:

Following are comments from the City of Canyon Lake Planning Department regarding the proposed EIR associated with the City of Lake Elsinore's General Plan Update.

Aesthetics

The impacts of planned land uses within the viewshed of the City of Canyon Lake should be considered. Preservation of prominent ridgelines and hillsides should be encouraged, if not required. Utilization of grading practices and design that respects the natural terrain should also be encouraged for developments that do grade in areas with substantial slopes.

Land Use

The EIR should consider the potential impacts of incompatible land uses adjacent to or nearby the City of Canyon Lake.

Traffic/Circulation

The cumulative impacts of the land uses included in the General Plan, including those within adopted Specific Plans, should be considered. Of particular concern is the impact to roadways and intersections within the City of Canyon Lake. For roadways and intersections within the City of Canyon Lake, the adopted City Level of Service (LOS) standard is D.

We appreciate your consideration of our comments as you prepare the EIR and General Plan. Please provide standard notice to the City of Canyon Lake upon the availability of the General Plan and the Draft EIR for review and comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Brady".

Russell Brady  
City Planner

CC: Lori Moss, Canyon Lake City Manager



**RIVERSIDE COUNTY FIRE DEPARTMENT**  
IN COOPERATION WITH  
THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

**John R. Hawkins ~ Fire Chief**

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June 26, 2011

Mr. Richard J. MacHott  
Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

**Re: NOP of a DEIR for the City of Lake Elsinore General Plan Update (SCH #2005121019)**

Mr. MacHott:

The RCFD is in receipt of your request for comment on the above referenced project and its related document, "Recirculated Notice of Preparation, General Plan Update". Upon review of that document, we believe those sections directly affecting fire and emergency services to adequately identify those concerns to be addressed in the forthcoming DEIR. The RCFD looks forward to conducting a thorough review of that DEIR upon its being made available for public review.

If I can be of further assistance, please contact me at 951.940.6308 or [ben.johnson@fire.ca.gov](mailto:ben.johnson@fire.ca.gov) .

Thank you,

Ben R. Johnson, AICP  
Planning & Development Supervisor  
Strategic Planning Bureau

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JUL 01 2011

**CITY OF LAKE ELSINORE  
PLANNING DIVISION**

## Richard MacHott

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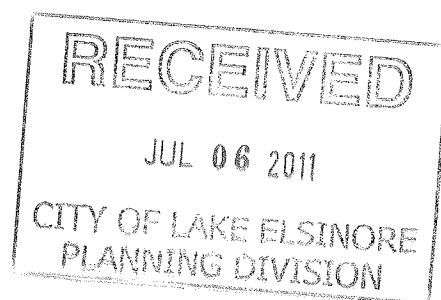
**From:** Guerin, John [JGUERIN@rctlma.org]  
**Sent:** Wednesday, July 06, 2011 12:51 PM  
**To:** Richard MacHott  
**Cc:** Cooper, Ed  
**Subject:** City of Lake Elsinore General Plan Update and Draft PEIR NOP (SCH#2005121019)

Thank you for providing the Riverside County Airport Land Use Commission with a copy of the Reissued Notice of Preparation for the Draft Environmental Impact Report for the City of Lake Elsinore General Plan Update. The City of Lake Elsinore, unlike most cities in Riverside County, is not located within the Airport Influence Area of a public-use airport. As such, the only situations that would involve ALUC would be proposals for new or expanded airports or heliports, a change in status from private or special use to public use for an existing airport (such as Skylark/Mentor Airport), or a proposal for a structure, antenna, or other device 200 feet or greater in height.

While we do not anticipate a formal role for Riverside County ALUC in this process, it behooves us to note that, although Skylark is not a public-use airport, the operations at that facility, nevertheless, have an impact on the surrounding neighborhoods. Areas that would be in the Runway Protection Zone, based on the length of the runway and the types of aircraft normally in use at that airport, should be kept free of structures and obstructions. Additionally, we would recommend that the guidelines included in the State of California Airport Land Use Planning Handbook (a document published by CALTRANS Division of Aeronautics) be given due consideration as land use designations are assigned to undeveloped and uncommitted areas surrounding Skylark Airport. You may also wish to consult the Countywide Policies of the Riverside County Airport Land Use Compatibility Plan, available online at [www.rcaluc.org](http://www.rcaluc.org). Please advise if we can be of any further assistance.

**John Guerin**

Principal Planner, Riverside County TLMA/Airport Land Use Commission Staff  
(951) 955-0982





## RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

July 6, 2011

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JUL 07 2011

CITY OF LAKE ELSINORE  
PLANNING DIVISION

Mr. Richard MacHott  
Environmental Planning Consultant  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

Dear Mr. MacHott:

Re: Notice of Preparation of a Draft  
Environmental Impact Report for the  
City of Lake Elsinore  
General Plan Update

This letter is written in response to the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the City of Lake Elsinore General Plan Update. The proposed project consists of a comprehensive update of the City of Lake Elsinore General Plan. The updated General Plan will replace the existing General Plan which was originally adopted in 1990. The overall purpose of the General Plan is to update goals, objectives and policies that will guide development in the city and its sphere of influence, and reflect the community's vision for the future.

The District has the following comments/concerns that should be addressed in the DEIR:

1. A portion of the proposed General Plan Update area is located within the District's Sedco and West Elsinore Master Drainage Plans (MDP). When fully implemented, the facilities proposed in the MDPs would relieve the most serious flooding problems and would provide adequate drainage outlets. The DEIR should fully evaluate any potential impacts to proposed MDP facilities. The District's MDP facility maps can be viewed online under Programs and Services at [www.rcflood.org](http://www.rcflood.org).
2. The District is currently developing a new MDP, which covers a portion of the proposed General Plan Update area. The proposed Lakeland Village MDP is located within a portion of Lake Elsinore's City boundary. It is recommended that the City of Lake Elsinore ensure that the General Plan Update is compatible with the proposed MDP. It is also recommended that the City not condition development within the proposed plan area until the new MDP is adopted or adequate drainage facilities are built to the extent that property is protected and an adequate outlet is provided for.

Mr. Richard MacHott  
City of Lake Elsinore

Re: Notice of Preparation of a Draft  
Environmental Impact Report for the  
City of Lake Elsinore  
General Plan Update

-2-

July 6, 2011

3. A portion of the proposed General Plan Update area project is located within the limits of the District's West Elsinore Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to final approval of the project, or in the case of a parcel map or subdivision prior to recordation of the final map. Fees to be paid should be at the rate in effect at the time of recordation, or if deferred, at the time of issuance of the actual permit.
4. A portion of the proposed General Plan Update area project is located within the limits of the District's 1986 Elsinore Valley Benefit Assessment Flood Control Bond Issue. The bonds were to fund the construction of flood control projects within Zone 3, including the construction of the Lake Elsinore Outlet Channel.
5. The District has existing facilities within the proposed General Plan Update area that may be impacted by future development. Any work that involves District right of way, easements or facilities will require an encroachment permit from the District. The construction of facilities within road right of way that may impact District storm drains should also be coordinated with the District.
6. Portions of the proposed General Plan Update area are located within the 100-year Zone A floodplain limits as delineated on the Federal Flood Insurance Rate Map (FIRM) issued in conjunction with the National Flood Insurance Program (NFIP). The City of Lake Elsinore is responsible for compliance with the FEMA floodplain management regulations within the city limits.
7. The District is a signatory to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). For purposes of procuring an encroachment permit from the District, the permit applicant will need to demonstrate that the portion of the project located within District rights of way, easements or facilities is consistent with the MSHCP. The DEIR should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP.
8. The Santa Ana Regional Water Quality Control Board has issued a Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit (R8-2010-0033) to the County of Riverside, Riverside County Flood Control and Water Conservation District and incorporated Cities within the Santa Ana Watershed. Development

Mr. Richard MacHott  
City of Lake Elsinore

-3-

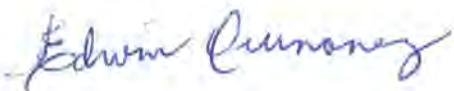
July 6, 2011

Re: Notice of Preparation of a Draft  
Environmental Impact Report for the  
City of Lake Elsinore  
General Plan Update

projects within the proposed General Plan Update area are located within the Santa Ana Watershed and may be required to prepare and implement a WQMP.

Thank you for the opportunity to comment on the Notice of Preparation. Any questions concerning this letter may be referred to me at 951.955.1345.

Very truly yours,



EDWIN E. QUINONEZ  
Senior Civil Engineer

c: Riverside County Planning Department  
Attn: Kathleen Browne  
ec: Mark Wills

JCG:blj



# SIERRA CLUB

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JUL 07 2011

CITY OF LAKE ELSINORE  
PLANNING DIVISION

Mr. Richard J. MacHott, Environmental Planning Consultant,  
123 South Main Street,  
Lake Elsinore, Ca 92530

Re: Lake Elsinore General Plan Update. Notice of preparation of a Draft Environmental Impact Report (REISSUED) SCH 2005121019.

On Behalf of the Sierra Club, San Gorgonio Chapter I submit the following response comments on this matter.

The proposed General Plan update as shown in mailings and on the City of Lake Elsinore Web site indicates a Climate Action Plan will be a part of the City's General Plan update but does not indicate if the Climate Action Plan will be adopted before the General Plan EIR is completed or if further noticing will be done before work is commenced on the General Plan Update EIR. **It is not possible to comment on a plan that is not made available for review.**

The city has posted comments on its website, "April 10, 2010 Comments" which I have attached for reference. These comments, general in nature and of unknown sources, do not inform the public of any specific plans the city has adopted or intends to adopt or if the city intends to implement any of the suggestions. The specific implementation of Green House Gas reduction affects all portions of the new General Plan. It is certain that after public comment and expert testimony input into your formulated Climate Action Plan, modifications will have to be made, creating a situation where the newly adopted general plan will conflict with the realities of the Climate Action Plan. **The Sierra Club agrees with the city of lake Elsinore that a Climate Action Plan can be included into the General Plan.** However, unforeseen modifications of the existing (newly adopted General plan), modifications of the land use, traffic or other portions of the Gen plan may have to be made. As mentioned on your postings on the City website, there will be monitoring and inventories of current and future GHG levels. There is no reason for monitoring the CAP unless the city acknowledges and is prepared to change its original course.

**The city of Lake Elsinore should complete its Climate Action Plan, give public notice of its availability, invite comments and incorporate the findings into the proposed General Plan Update before moving ahead with the EIR.**

The City's web site discusses the General Plan Update and has a link contained within its page which is confusing and which the public will also have a difficult time understanding:

*"For further information on the Climate Action Plan, the Climate Action Plan process, greenhouse gas emissions, ways to reduce your emissions and to provide input, please visit [www.lake-elsinoreCAP.org](http://www.lake-elsinoreCAP.org).*

*View public comments from the Climate Action Plan workshop held on April 28, 2010. (PDF 148 KB)"*

I have attached a copy of both pages. I do not understand why a health magazine page is shown for information on the Climate Action Plan. **If this is a mistake, it should be corrected.**

The City of Stockton, the Sierra Club and the California Attorney General's office entered into an agreement in October 2008 concerning Stockton's General Plan update. The Sierra Club hopes and expects the City of Lake Elsinore Adopt similar actions and policies which have already been found acceptable to an established California municipality, the State attorney General's office and well as the Sierra Club, a large and experienced environmental organization. In addition and very importantly over 25,000 Stockton residents participated in the process. I am attaching copies of the agreement and related documents for your information. Some key points covered in the agreement:

- Increased density to reduce per capita VMT
- Increased energy conservation
- Inventory of current, 1990 and 2020 GHG inventories
- Ordinances requiring "Build it Green" for all new housing units
- All buildings exceeding 5000 square feet, to be certified LEED Silver
- The establishment of an agreed upon transit program coordinated with housing and manufacturing facilities.
- Development of an infill housing program for the city.
- And many more worthwhile programs.

The City of Lake Elsinore has within its boundaries and sphere of influence, habitat identified as critical for endangered or threatened species. The City appears to rely on the statements as published on it's website it intends only to comply with requirements of the Riverside County MSHCP to satisfy it's obligations required by law. (I could not find any statements stating the City of lake Elsinore will have its own independent program for the protection of species and/or habitat.) **The City of Lake Elsinore must have its own plan of protection for species and habitat with particular attention paid to proper buffering from noise and disturbances, isolation and the protection and maintenance of species corridors.**

It is extremely important to get correct GHG inventory data upfront for the plan as well as a system protocol that accurately measures GHG. This will not only allow

the city to measure performance but will allow future project to go through the CEQA process much easier.

The widespread use of photovoltaic solar panels on all new rooftops should be an important part of Lake Elsinore City's Climate Action Plan to reduce Green House Gases. The sun shines brightly on our valley most days of the year, and is a non polluting resource with readily available technology and government incentives in place that must not be ignored.

Thank you for the opportunity to submit comments on this important matter. If you have any questions or need to contact me by phone, please give me a call at my office here in town 951-245-7272.

Sincerely,



Rick Estes-Sierra Club Conservation Committee, San Gorgonio Chapter

"Whether we and our politicians know it or not, Nature is party to all our deals and decisions, and she has more votes, a longer memory, and a sterner sense of justice than we do"-Wendell Berry

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## Men's Designer Wedding Bands

Jun  
19

By Admin on June 19th, 2011 at 4:38 pm

Posted In: [Beauty](#), [Fashion](#), [Jewelry](#)

People indulge in a bunch pre-wedding preparations. Buying clothes, jewelry, accessories and wedding ring and wedding band to make the bride and groom respectively are important pre-wedding rituals. Nowadays, sales is flooded with beautiful wedding bands that can be found in amazing designs and classic metals. Wedding bands are created of gold, platinum, titanium, and silver. Designer wedding bands are modern choice of people. There can be many designer companies that exclusively design [mens wedding bands](#) and provide a range of brands for people to pick from.

[↓ Read the rest of this entry...](#)

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## Ideas In favor of Small Kitchen Design

Jun  
19

By Admin on June 19th, 2011 at 4:37 pm

Posted In: [Home](#), [Home Improvement](#)

Whenever you've got a tiny kitchen, there may be only such a lot of that it is easy to do with it. It looks as if every little thing you put in the kitchen actually considers it look just ten times smaller! Today we are about to cover a few of the top [small kitchen design](#) ideas that can actually help make your small kitchen look bigger. Also, they are great ideas that can make your small kitchen look less junked up with stuff as well. These ideas are utilised in countless homes all around the world, and now its time to bring them into your living space!

[↓ Read the rest of this entry...](#)

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## what's the Best Teeth Whitening System? Discover the Features

Jun  
18

By Admin on June 18th, 2011 at 8:01 am

Posted In: [Health](#), [Alternative Medicine](#)

Struggling with yellowish and stained teeth shouldn't be something that may be fatal for your life. But definitely it might take a huge toll by drowning you at the underside of the self-esteem. it's possible you'll feel extremely shy while interacting along with your partner or you will start avoiding any social gathering which includes a fear of showing your teeth in public.

If that is so to you, quite obviously, you will try to recognise what is the best teeth whitening system that gives you whitened teeth without producing any bad smell or another temporary to long-term harm. This will be named as the best teeth whitening system and evidently, everyone seems to be aiming for that.

So, when you will need to for what's the best [teeth whitening system](#), quite obviously,

the at the start feature that you could consider is safety. You have to first look at if the product or system you will be aiming for is safe or not. Make sure that the system won't pose any threat in long-term, even if you find it safe to utilise for temporary period.

[↓ Read the rest of this entry...](#)

[Comment](#)

Jun  
18

## Top Reasons Why You are able to Think By Adhesive Carpet Tiles

By [Admin](#) on June 18th, 2011 at 7:38 am

Posted In: [Home](#), [Home Improvement](#)

Perhaps you have considered covering up your hard wood floor with something smooth and comfortable that even you child along with dog will love? Well, this is a good opportunity to test adhesive floor [carpet tiles](#).

The great things about these type of tiles is that they're easy to setup plus install. There isn't any need for nails otherwise tucks. All you will want are the carpeting tiles themselves.

[↓ Read the rest of this entry...](#)

[Comment](#)

Jun  
18

## Vitamin B12 Deficiency Symptoms

By [Admin](#) on June 18th, 2011 at 7:23 am

Posted In: [Health](#), [Supplements And Vitamins](#)

your body requires very little vitamin b12 or cobalamin and many of us get sufficient quantities of it in our normal meals to satisfy our daily requirements. Although it's rare to view vitamin b12 deficiency symptoms it might probably still be useful to have the ability to recognise them just in case.

You're most at risk of vitamin b12 deficiency any time you've vegan and do not use the available dietary supplements containing vitamin b12. Infants breast-feeding from vegan mothers can also be at risk. Vitamin b12 supplements are generally thought to be safe because there are actually few known adverse effects of overdose.

The primary symptom that arises from [vitamin b12 deficiency](#) is usually a version of anemia that makes you feel tired, weak and lethargic. You may also feel nauseous, constipated and become very flatulent (gas). You may additionally lose your appetite and suffer weight loss.

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Jun  
17

## Alpha-Blockers As Anti-Hypertensive

By [Admin](#) on June 17th, 2011 at 10:51 pm

Posted In: [Uncategorized](#)

Alpha-blockers, like beta-blockers, will not be meant to be used as an initial treatment to hypertension. It's because alpha-blockers should be utilised in consonance with other anti-hypertensive agents. Alpha-blockers utilized for medication of systolic and diastolic hypertension and even benign prostatic hyperplasia (BPH). Despite its ability to combat adverse effects of hypertension as first-line treatment, experts recommend alpha-blockers being good in lipid improvement and glucose level management in

diabetic patients.

**Amlodipine Besylate** work by helping to ease and relax the prostate muscles and accommodate the continual flow of urine out of the bladder. This process however can't be done alone and that's medication of other blood pressure lowering agents must be also applied to a hypertension patient. Alpha-blockers are taken orally once or twice a day. Not all alpha-blockers are specified for high blood pressure cases. Products like alfuzosin and tamsulosin are the exceptions.

↓ *Read the rest of this entry...*

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## Public Comments

On Wednesday, April 28, 2010, the City of Lake Elsinore in conjunction with Rincon Consultants, held a community workshop in order to introduce the Climate Action Plan (CAP) concept to members of the public and development community. The comments generated by members of the public, development community, and the Lake Elsinore Chamber of Commerce are outlined below.

- Encourage the use of Micro-solar devices on individual properties.
- Encourage building + zoning code changes that promote the following:
  - o Roof color to improve heating/cooling efficiency
  - o More efficient building materials
  - o Permeable fences (e.g. chain link)
- Permit the leasing of building roof tops (i.e. large warehouses/Big Box retailers) to accommodate photovoltaic (i.e. solar panels) opportunities.
- Encourage LEED-type construction opportunities.
- Utilize more efficient appliances and materials in conjunction with new construction.

### Transportation

- Promote commercial and industrial development City-wide that serves to improve jobs/housing balance and reduce commutes.
- Encourage Mixed-use development that eliminates drive to work, entertainment, and/or education trips.
- Improve circulation flow to reduce stop/start traffic. Examine and identify traffic calming concepts that do not result in congestion and increases in GHG emissions.
- Offer incentives to reduce the reliance on personal vehicular modes of transportation.
- The City should work on a regional level toward providing alternative transportation (i.e. light-rail, carpooling, etc.) options.
- Promote neighborhood commercial opportunities/land uses that bring services closer to users, thus reducing trips.
- Design safe routes that result in shorter trips as well as walking/biking to and from neighborhood schools.
- Coordinate with local school districts to maximize school bus transportation efficiency.

### General

- Research the SCAG regional climate action plan and interface with its analysis.
- Consider and report the cost of plan implementation to the City and to local businesses. The Climate Action Plan should provide a cost-benefit analysis to the decision makers.
- Consider how the CAP affects Lake Elsinore's ability to compete with other cities for economic development...e.g. will fees, taxes, cost of doing business go up with the implementation of CAP requirements? Evaluate the additional cost per square foot of the CAP to new construction.
- Address the unlevel "playing fields" between "built-out" cities and developing cities such as Lake Elsinore. In other words, explain how the CAP baseline will take into account population growth for the next several decades.
- Factor recreational uses such as motorized water-craft on the lake into CAP inventory/projections/reduction targets.

- List CAP programs and concepts from other jurisdictions (i.e. Wildomar, Murrieta, and Menifee) that are also facing rapid growth.
- Review policies in Section 5.0 of draft General Plan for feasibility/consistency with CAP.
- Provide an explanation of specific targets, baselines, and components of calculations. The efforts at the Federal, State and Regional levels that factor into reductions in emissions and what impact they have on CAP targets should be considered.
- The CAP should consider that the City has the largest natural lake in Southern California in its jurisdiction.
- The design of the CAP should consider the unusual topography and pockets of development and population in the Lake Elsinore Valley so that CAP policies are feasible, prudent, realistic, and cost-effective.





## ▼ Planning

- ▶ Bids/RFPs & Results
- ▶ CDBG Program
- ▶ Diamond Specific Plan
- ▶ Documents
- ▶ Downtown Master Plan
- ▶ Draft City Wide Landscape Design Guidelines
- ▶ Draft Initial Study/Mitigated Negative Declaration No. 2008-08
- ▶ Environmental Review
- ▶ FAQ
- ▶ General Plan Update
- ▶ Housing Element Update
- ▶ Lake Elsinore Climate Action Plan
- ▶ Planning Division Directory
- ▶ Zoning

## Lake Elsinore Climate Action Plan

The City of Lake Elsinore is developing a Climate Action Plan to do its part to reduce its emissions of carbon dioxide and other gases that cause climate change. The Climate Action Plan is a document that will outline the ways in which Lake Elsinore can reduce its greenhouse gas emissions to meet emissions reduction goals identified in Assembly Bill 32. The plan will describe the activities in Lake Elsinore that generate greenhouse gases; quantify these emissions and project their future trends; and contain a menu of measures to achieve targeted reductions over time. The measures in the Climate Action Plan will be presented along with their associated costs and benefits, which will allow the Lake Elsinore City Council to adopt the plan knowing the costs, benefits, opportunities and challenges that can be expected during implementation. The plan will also include specific implementation strategies in an effort to ensure that actual reductions in greenhouse gas emissions are realized.

This plan is being developed to reduce local emissions in a manner consistent with California Emissions Reduction Targets established in 2006 by Assembly Bill 32; ensure that our efforts to reduce greenhouse gas emissions are feasible and cost-effective; and streamline the regulatory process for future development in Lake Elsinore.

Many of our daily activities, such as the consumption of fossil fuels for electricity production and transportation, as well as the decomposition of waste in landfills, generate greenhouse gas emissions. Therefore, the Climate Action Plan measures will need to cover topic areas such as transportation, energy conservation, alternative sources of energy, waste reduction and others.

For further information on the Climate Action Plan, the Climate Action Plan process, greenhouse gas emissions, ways to reduce your emissions and to provide input, please visit [www.lake-elsinoreCAP.org](http://www.lake-elsinoreCAP.org).

View [public comments](#) from the Climate Action Plan workshop held on April 28, 2010. (PDF 148 KB)

Free viewers are required for some of the attached documents.

They can be downloaded by clicking on the icons below.



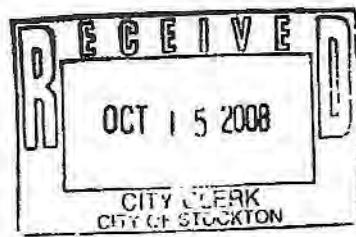


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MEMORANDUM OF AGREEMENT



This Memorandum of Agreement ("Agreement") is entered into by and between the City of Stockton ("City"), Edmund G. Brown Jr., Attorney General of California, on behalf of the People of the State of California ("Attorney General"), and the Sierra Club, and it is dated and effective as of the date that the last Party signs ("Effective Date"). The City, the Attorney General, and the Sierra Club are referred to as the "Parties."

RECITALS

On December 11, 2007, the City approved the 2035 General Plan, Infrastructure Studies Project, Bicycle Master Plan, Final Environmental Impact Report ("EIR"), and Statement of Overriding Considerations. The General Plan provides direction to the City when making land use and public service decisions. All specific plans, subdivisions, public works projects, and zoning decisions must be consistent with the City's General Plan. As adopted in final form, the General Plan includes Policy HS-4.20, which requires the City to "adopt new policies, in the form of a new ordinance, resolution, or other type of policy document, that will require new development to reduce its greenhouse gas emissions to the extent feasible in a manner consistent with state legislative policy as set forth in Assembly Bill (AB) 32 (Health & Saf. Code, § 38500 et seq.) and with specific mitigation strategies developed by the California Air Resources Board (CARB) pursuant to AB 32[J]." The policy lists the following "potential mitigation strategies," among others, for the City to consider:

- (a) Increased density or intensity of land use, as a means of reducing per capita vehicle miles traveled by increasing pedestrian activities, bicycle usage, and public or private transit usage; and
- (b) Increased energy conservation through means such as those described in Appendix F of the State Guidelines for the California Environmental Quality Act.

The 2035 General Plan also includes other Policies and goals calling for infill development, increased transit, smart growth, affordable housing, and downtown revitalization.

In December 2006, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), the City prepared and circulated a Draft EIR. Comments were received on the EIR; the City prepared responses to these comments and certified the EIR in December 2007.

On January 10, 2008, the Sierra Club filed a Petition for Writ of Mandate in San Joaquin County Superior Court (Case No. CV 034405, hereinafter "Sierra Club Action"), alleging that the City had violated CEQA in its approval of the 2035 General Plan. In this case, the Sierra Club asked the Court, among other things, to issue a writ directing the City to vacate its approval of the 2035 General Plan and its certification of the EIR, and to award petitioners' attorney's fees and costs.

The Attorney General also raised concerns about the adequacy of the EIR under CEQA, including but not limited to the EIR's failure to incorporate enforceable measures to mitigate the greenhouse gas ("GHG") emission impacts that would result from the General Plan.

The City contends that the General Plan and EIR adequately address the need for local governments to reduce greenhouse gas ("GHG") emissions in accordance with Assembly Bill 32, and associated issues of climate change.

Because the outcome of the Parties' dispute is uncertain, and to allow the Stockton General Plan to go forward while still addressing the concerns of the Attorney General and the Sierra Club, the Parties have agreed to resolve their dispute by agreement, without the need for judicial resolution.

The parties want to ensure that the General Plan and the City's implementing actions address GHG reduction in a meaningful and constructive manner. The parties recognize that development on the urban fringe of the City must be carefully balanced with accompanying infill development to be consistent with the state mandate of reducing GHG emissions, since unbalanced development will cause increased driving and increased motor vehicle GHG emissions. Therefore, the parties want to promote balanced development, including adequate infill development, downtown vitalization, affordable housing, and public transportation. In addition, the parties want to ensure that development on the urban fringe is as revenue-neutral to the City as to infrastructure development and the provision of services as possible.

In light of all the above considerations, the Parties agree as follows, recognizing that any legislative actions contemplated by the Agreement require public input and, in some instances, environmental review prior to City Council actions, which shall reflect such input and environmental information, pursuant to State law:

## AGREEMENT

### Climate Action Plan

1. Within 24 months of the signing of this Agreement, and in furtherance of General Plan Policy HS-4.20 and other General Plan policies and goals, the City agrees that its staff shall prepare and submit for City Council adoption, a Climate Action Plan, either as a separate element of the General Plan or as a component of an existing General Plan element. The Climate Action Plan, whose adoption will be subject to normal requirements for compliance with CEQA and other controlling state law, shall include, at least, the measures set forth in paragraphs 3 through 8, below.

2. The City shall establish a volunteer Climate Action Plan advisory committee to assist the staff in its preparation and implementation of the Plan and other policies or documents to be adopted pursuant to this Agreement. This committee shall monitor the City's compliance with this Agreement, help identify funding sources to implement this Agreement, review in a timely manner all draft plans and policy statements developed in accordance with this Agreement (including studies prepared pursuant to Paragraph 9, below), and make recommendations to the Planning Commission and City Council regarding its review. The committee shall be comprised of one representative from each of the following interests: (1) environmental, (2) non-profit community organization, (3) labor, (4) business, and (5) developer. The committee members shall be selected by the City Council within 120 days of the Effective Date, and shall serve a one-year term, with no term limits. Vacancies shall be filled in accordance with applicable City policies. The City shall use its best efforts to facilitate the committee's work using available staff resources.

3. The Climate Action Plan shall include the following measures relating to GHG inventories and GHG reduction strategies:

a. Inventories from all public and private sources in the City:

- (1) Inventory of current GHG emissions as of the Effective Date;
- (2) Estimated inventory of 1990 GHG emissions;
- (3) Estimated inventory of 2020 GHG emissions.

The parties recognize that techniques for estimating the 1990 and 2020 inventories are imperfect; the City agrees to use its best efforts, consistent with methodologies developed by ICLEI and the California Air Resources

Board, to produce the most accurate and reliable inventories it can without disproportionate or unreasonable staff commitments or expenditures.

- b. Specific targets for reductions of the current and projected 2020 GHG emissions inventory from those sources of emissions reasonably attributable to the City's discretionary land use decisions and the City's internal government operations. Targets shall be set in accordance with reduction targets in AB 32, other state laws, or applicable local or regional enactments addressing GHG emissions, and with Air Resources Board regulations and strategies adopted to carry out AB 32, if any, including any local or regional targets for GHG reductions adopted pursuant to AB 32 or other state laws. The City may establish goals beyond 2020, consistent with the laws referenced in this paragraph and based on current science.
- c. A goal to reduce per capita vehicle miles traveled ("VMT") attributable to activities in Stockton (i.e., not solely due to through trips that neither originate nor end in Stockton) such that the rate of growth of VMT during the General Plan's time frame does not exceed the rate of population growth during that time frame. In addition, the City shall adopt and carry out a method for monitoring VMT growth, and shall report that information to the City Council at least annually. Policies regarding VMT control and monitoring that the City shall consider for adoption in the General Plan are attached to this Agreement in Exhibit A.
- d. Specific and general tools and strategies to reduce the current and projected 2020 GHG inventories and to meet the Plan's targets for GHG reductions by 2020, including but not limited to the measures set out in paragraphs 4 through 8, below.

4. The City agrees to take the following actions with respect to a green building program:

- a. Within 12 months of the Effective Date, the City staff shall submit for City Council adoption ordinance(s) that require:

(1) All new housing units to obtain Build It Green certification, based on then-current Build It Green standards, or to comply with a green building program that the City after consultation with the Attorney General, determines is of comparable effectiveness;

(2) All new non-residential buildings that exceed 5000 square feet and all new municipal buildings that exceed 5000 square feet to be certified to LEED Silver standards at a minimum, based on the then-current LEED standards, or to comply with a green building program that the City, after consultation with the Attorney General, determines is of comparable effectiveness;

(3) If housing units or non-residential buildings certify to standards other than, but of comparable effectiveness to, Build It Green or LEED Silver, respectively, such housing units or buildings shall demonstrate, using an outside inspector or verifier certified under the California Energy Commission Home Energy Rating System (HERS), or a comparably certified verifier, that they comply with the applicable standards.

(4) The ordinances proposed for adoption pursuant to paragraphs (1) through (3) above may include an appropriate implementation schedule, which, among other things, may provide that LEED Silver requirements (or standards of comparable effectiveness) for non-residential buildings will be implemented first for buildings that exceed 20,000 square feet, and later for non-residential buildings that are less than 20,000 and more than 5,000 square feet.

(5) Nothing in this section shall affect the City's obligation to comply with applicable provisions of state law, including the California Green Building Standards Code (Part 11 of Title 24 of the California Code of Regulations), which, at section 101.7, provides, among other things, that "local government entities retain their discretion to exceed the standards established by [the California Green Building Standards Code]."

b. Within 18 months of the Effective Date, the City staff shall submit for City Council adoption ordinance(s) that will require the reduction of the GHG emissions of existing housing units on any occasion when a permit to make substantial modifications to an existing housing unit is issued by the City.

c. The City shall explore the possibility of creating a local assessment district or other financing mechanism to fund voluntary actions by owners of

commercial and residential buildings to undertake energy efficiency measures, install solar rooftop panels, install “cool” (highly reflective) roofs, and take other measures to reduce GHG emissions.

- d. The City shall also explore the possibility of requiring GHG-reducing retrofits on existing sources of GHG emissions as potential mitigation measures in CEQA processes.
- e. From time to time, but at least every five years, the City shall review its green building requirements for residential, municipal and commercial buildings, and update them to ensure that they achieve performance objectives consistent with those achieved by the top (best-performing) 25% of city green building measures in the state.

5. Within 12 months of the Effective Date, the City staff shall submit for City Council adoption a transit program, based upon a transit gap study. The transit gap study shall include measures to support transit services and operations, including any ordinances or general plan amendments needed to implement the transit program. These measures shall include, but not be limited to, the measures set forth in paragraphs 5.b. through 5.d. In addition, the City shall consider for adoption as part of the transit program the policy and implementation measures regarding the development of Bus Rapid Transit (“BRT”) that are attached to this Agreement in Exhibit B.

- a. The transit gap study, which may be coordinated with studies conducted by local and regional transportation agencies, shall analyze, among other things, strategies for increasing transit usage in the City, and shall identify funding sources for BRT and other transit, in order to reduce per capita VMT throughout the City. The study shall be commenced within 120 days of the Effective Date.
- b. Any housing or other development projects that are (1) subject to a specific plan or master development plan, as those terms are defined in §§ 16-540 and 16-560 of the Stockton Municipal Code as of the Effective Date (hereafter “SP” or “MDP”), or (2) projects of statewide, regional, or areawide significance, as defined by the CEQA Guidelines (hereafter “projects of significance”), shall be configured, and shall include necessary street design standards, to allow the entire development to be internally accessible by vehicles, transit, bicycles, and pedestrians, and to allow access to adjacent neighborhoods and developments by all such modes of transportation.

- c. Any housing or other development projects that are (1) subject to an SP or MDP, or (2) projects of significance, shall provide financial and/or other support for transit use. The imposition of fees shall be sufficient to cover the development's fair share of the transit system and to fairly contribute to the achievement of the overall VMT goals of the Climate Action Plan, in accordance with the transit gap study and the Mitigation Fee Act (Government Code section 66000, *et seq.*), and taking into account the location and type of development. Additional measures to support transit use may include dedication of land for transit corridors, dedication of land for transit stops, or fees to support commute service to distant employment centers the development is expected to serve, such as the East Bay. Nothing in this Agreement precludes the City and a landowner/applicant from entering in an agreement for additional funding for BRT.
- d. Any housing or other development projects that are (1) subject to an SP or MDP or (2) projects of significance, must be of sufficient density overall to support the feasible operation of transit, such density to be determined by the City in consultation with San Joaquin Regional Transit District officials.

6. To ensure that the City's development does not undermine the policies that support infill and downtown development, within 12 months of the Effective Date, the City staff shall submit for City Council adoption policies or programs in its General Plan that:

- a. Require at least 4400 units of Stockton's new housing growth to be located in Greater Downtown Stockton (defined as land generally bordered by Harding Way, Charter Way (MLK), Pershing Avenue, and Wilson Way), with the goal of approving 3,000 of these units by 2020.
- b. Require at least an additional 14,000 of Stockton's new housing units to be located within the City limits as they exist on the Effective Date ("existing City limits").
- c. Provide incentives to promote infill development in Greater Downtown Stockton, including but not limited to the following for proposed infill developments: reduced impact fees, including any fees referenced in paragraph 7 below; lower permit fees; less restrictive height limits; less restrictive setback requirements; less restrictive parking requirements; subsidies; and a streamlined permitting process.

- d. Provide incentives for infill development within the existing City limits but outside Greater Downtown Stockton and excluding projects of significance. These incentives may be less aggressive than those referenced in paragraph 6.c., above.
- 7. Within 12 months of the Effective Date, the City staff shall submit for City Council adoption amendments to the General Plan to ensure that development at the City's outskirts, particularly residential, village or mixed use development, does not grow in a manner that is out of balance with development of infill. These proposed amendments shall include, but not be limited to, measures limiting the granting of entitlements for development projects outside the existing City limits and which are (1) subject to an SP or MDP, or (2) projects of significance, until certain criteria are met. These criteria shall include, at a minimum:
  - a. Minimum levels of transportation efficiency, transit availability (including BRT) and Level of Service, as defined by the San Joaquin Council of Government regulations, City service capacity, water availability, and other urban services performance measures;
  - b. Firm, effective milestones that will assure that specified levels of infill development, jobs-housing balance goals, and GHG and VMT reduction goals, once established, are met before new entitlements can be granted;
  - c. Impact fees on new development, or alternative financing mechanisms identified in a project's Fiscal Impact Analysis and/or Public Facilities Financing Plan, that will ensure that the levels and milestones referenced in paragraphs 7.a. and 7.b., above, are met. Any such fees:
    - (1) shall be structured, in accordance with controlling law, to ensure that all development outside the infill areas within existing City limits is revenue-neutral to the City (which may necessitate higher fees for development outside this area, depending upon the costs of extending infrastructure);
    - (2) may be in addition to mitigation measures required under CEQA;
    - (3) shall be based upon a Fiscal Impact Analysis and a Public Facilities Financing Plan.
- d. The City shall explore the feasibility of enhancing the financial viability of infill development in Greater Downtown Stockton, through the use of such mechanisms as an infill mitigation bank.

8. The City shall regularly monitor the above strategies and measures to ensure that they are effectively reducing GHG emissions. In addition to the City staff reporting on VMT annually, as provided in paragraph 3.c., the City staff or the advisory committee shall report annually to the City Council on the City's progress in implementing the strategies and measures of this Agreement. If it appears that the strategies and measures will not result in the City meeting its GHG reduction targets, the City shall, in consultation with the Attorney General and Sierra Club, make appropriate modifications and, if necessary, adopt additional measures to meet its targets.

#### Early Climate Protection Actions

9. To more fully carry out those provisions of the General Plan, including the policy commitments embodied in those General Plan Policies, such as General Plan Policy HS-4.20, intended to reduce greenhouse gas emissions through reducing commuting distances, supporting transit, increasing the use of alternative vehicle fuels, increasing efficient use of energy, and minimizing air pollution, and to avoid compromising the effectiveness of the measures in Paragraphs 4 through 8, above, until such time as the City formally adopts the Climate Action Plan, before granting approvals for development projects (1) subject to an SP or MDP, or (2) considered projects of significance, and any corresponding development agreements, the City shall take the steps set forth in subsections (a) through (d) below:

(a) City staff shall:

- (1) formulate proposed measures necessary for the project to meet any applicable GHG reduction targets;
- (2) assess the project's VMT and formulate proposed measures that would reduce the project's VMT;
- (3) assess the transit, especially BRT, needs of the project and identify the project's proposed fair share of the cost of meeting such needs;
- (4) assess whether project densities support transit, and, if not, identify proposed increases in project density that would support transit service, including BRT service;

(5) assess the project's estimated energy consumption, and identify proposed measures to ensure that the project conserves energy and uses energy efficiently;

(6) formulate proposed measures to ensure that the project is consistent with a balance of growth between land within Greater Downtown Stockton and existing City limits, and land outside the existing City limits;

(7) formulate proposed measures to ensure that City services and infrastructure are in place or will be in place prior to the issuance of new entitlements for the project or will be available at the time of development; and

(8) formulate proposed measures to ensure that the project is configured to allow the entire development to be internally accessible by all modes of transportation.

(b) The City Council shall review and consider the studies and recommendations of City staff required by paragraph 9(a) and conduct at least one public hearing thereon prior to approval of the proposed project (though this hearing may be folded into the hearing on the merits of the project itself).

(c) The City Council shall consider the feasibility of imposing conditions of approval, including mitigation measures pursuant to CEQA, based on the studies and recommendations of City staff prepared pursuant to paragraph 9(a) for each covered development project.

(d) The City Council shall consider including in any development approvals, or development agreements, that the City grants or enters into during the time the City is developing the Climate Action Plan, a requirement that all such approvals and development agreements shall be subject to ordinances and enactments adopted after the effective date of any approvals of such projects or corresponding development agreements, where such ordinances and enactments are part of the Climate Action Plan.

(e) The City shall complete the process described in paragraphs (a) through (d) (hereinafter, "Climate Impact Study Process") prior to the first discretionary approval for a development project. Notwithstanding the foregoing, however, for projects for which a draft environmental impact report has circulated as of the Effective Date, the applicant may request that the City

either (i) conduct the Climate Impact Study Process or (ii) complete its consideration of the Climate Action Plan prior to the adoption of the final discretionary approval leading to the project's first phase of construction. In such cases, the applicant making the request shall agree that nothing in the discretionary approvals issued prior to the final discretionary approval (i) precludes the City from imposing on the project conditions of approvals or other measures that may result from the Climate Impact Study Process, or (ii) insulates the project from a decision, if any, by the City to apply any ordinances and/ or enactments that may comprise the Climate Action Plan ultimately adopted by the City.

#### Attorney General Commitments

10. The Attorney General enters into this Agreement in his independent capacity and not on behalf of any other state agency, commission, or board. In return for the above commitments made by the City, the Attorney General agrees:

- a. To refrain from initiating, joining, or filing any brief in any legal challenge to the General Plan adopted on December 11, 2007;
- b. To consult with the City and attempt in good faith to reach an agreement as to any future development project whose CEQA compliance the Attorney General considers inadequate. In making this commitment, the Attorney General does not surrender his right and duties under the California Constitution and the Government Code to enforce CEQA as to any proposed development project, nor his duty to represent any state agency as to any project;
- c. To make a good faith effort to assist the City in obtaining funding for the development of the Climate Action Plan.

#### Sierra Club Commitments

11. The Sierra Club agrees to dismiss the Sierra Club Action with prejudice within ten (10) days of the Effective Date. Notwithstanding the foregoing agreement to dismiss the Sierra Club Action, the City and Sierra Club agree that, in the event the City should use the EIR for the 2035 General Plan in connection with any other project approval, the Sierra Club has not waived its right (a) to comment upon the adequacy of that EIR, or (b)

to file any action challenging the City's approval of any other project based on its use and/or certification of the EIR.

### **General Terms and Conditions**

12. This Agreement represents the entire agreement of the Parties, and supercedes any prior written or oral representations or agreements of the Parties relating to the subject matter of this Agreement.

13. No modification of this Agreement will be effective unless it is set forth in writing and signed by an authorized representative of each Party.

14. Each Party warrants that it has the authority to execute this Agreement. Each Party warrants that it has given all necessary notices and has obtained all necessary consents to permit it to enter into and execute this Agreement.

15. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

16. This Agreement may be executed in counterparts, each of which shall be deemed an original. This Agreement will be binding upon the receipt of original, facsimile, or electronically communicated signatures.

17. This Agreement has been jointly drafted, and the general rule that it be construed against the drafting party is not applicable.

18. If a court should find any term, covenant, or condition of this Agreement to be invalid or unenforceable, the remainder of the Agreement shall remain in full force and effect.

19. The City agrees to indemnify and defend the Sierra Club, its officers and agents (collectively, "Club") from any claim, action or proceeding ("Proceeding") brought against the Club, whether as defendant/respondent, real party in interest, or in any other capacity, to challenge or set aside this Agreement. This indemnification shall include (a) any damages, fees, or costs awarded against the Club, and (b) any costs of suit, attorneys' fees or expenses incurred in connection with the Proceeding, whether incurred by the Club, the City or the parties bringing such Proceeding. If the Proceeding is brought against both the Club and the City, the Club agrees that it may be defended by counsel for the City, provided that the City selects counsel that is acceptable to the Club; the Club may not unreasonably withhold its approval of such mutual defense counsel.

20. The City shall pay Sierra Club's attorney's fees and costs in the amount of \$157,000 to the law firm of Shute, Mihaly & Weinberger LLP as follows: (a) \$50,000 within 15 days of dismissal of the Sierra Club Action, and (b) the balance on or before January 30, 2009.

21. Any notice given under this Agreement shall be in writing and shall be delivered as follows with notice deemed given as indicated: (a) by personal delivery when delivered personally; (b) by overnight courier upon written verification of receipt; or (c) by certified or registered mail, return receipt requested, upon verification of receipt. Notice shall be sent as set forth below, or as either party may specify in writing:

**City of Stockton:**

Richard E. Nosky, City Attorney  
425 N. El Dorado Street, 2nd Floor  
Stockton, CA 95202

**Attorney General's Office**

Lisa Trankley  
Susan Durbin  
Deputy Attorneys General  
1300 I Street, P.O. Box 944255  
Sacramento, CA 94255-2550

**Sierra Club:**

Aaron Isherwood  
Environmental Law Program  
85 Second Street, 2<sup>nd</sup> Floor  
San Francisco, CA 94105

**Rachel Hooper**

Amy Bricker  
Shute, Mihaly & Weinberger  
396 Hayes Street  
San Francisco, CA 94102

22. Nothing in this Agreement shall be construed as requiring the City to relinquish or delegate its land use authority or police power.

**(SIGNATURES ON FOLLOWING PAGE)**

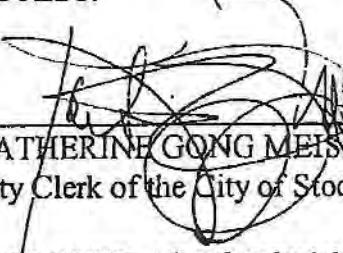
In witness whereof, this Agreement is executed by the following:

PEOPLE OF THE STATE OF CALIFORNIA  
BY AND THROUGH ATTORNEY GENERAL  
EDMUND G. BROWN JR.

Lisa Frankley

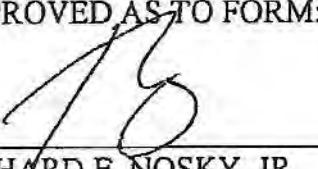
DATED: 10/14/08

ATTEST:

  
KATHERINE GONG MEISNER  
City Clerk of the City of Stockton



APPROVED AS TO FORM:

  
RICHARD E. NOSKY, JR.  
City Attorney

DATED 9-9-08

CITY OF STOCKTON,  
a municipal corporation

  
J. GORDON PALMER, JR.  
City Manager

DATED 9/25/08

THE SIERRA CLUB

BARBARA WILLIAMS, CHAIR  
MOTHER LODE CHAPTER

DATED \_\_\_\_\_

## EXHIBIT A

### Policy Re: VMT Monitoring Program

The City's policy is to monitor key City-maintained roadways to estimate Vehicle Miles Traveled (VMT) by single-occupant automobile per capita on an annual basis, to be submitted as an annual report to the City Council. The estimate of citywide VMT should be developed in cooperation with the San Joaquin Council of Governments ("SJCOCG"), by augmenting local City data with VMT estimates from SJCOCG and Caltrans for the regional Congestion Management Plan network. The estimated change in annual VMT should be used to measure the effectiveness of jobs/housing balance, greenhouse gas emission reduction, and transit plans and programs.

#### Implementation Program

In order to develop an annual estimate of citywide VMT, the City should augment local City data with VMT estimates from SJCOCG and Caltrans for regional facilities, or adopt other methodologies to estimate citywide VMT that are approved in concept by the two agencies. For purposes of calculating annual changes in VMT, the annual estimate of VMT should subtract out the estimates of regional truck and other through traffic on the major freeways (I-5, SR 4, SR 99).

### Policy Re: Reduce Growth in VMT

The City's policy is to achieve the following fundamental goals to regulate vehicle emissions and reduce greenhouse gas emissions, improve jobs/housing balance, and increase transit usage over the duration of this General Plan: Reduce the projected increase in VMT by single-occupant automobile per capita to an annual rate over the planning period that is equal to or less than the population increase (this goal is also required for the City to receive funding through the Measure K/Congestion Management Plan program).

#### Implementation Program

In order to keep annual increases in VMT to a rate equal to or less than population increases, the following trip reduction programs should be considered by the City: increased transit service (Bus Rapid Transit) funded through new development fees; planning all future housing development to be in the closest possible proximity to existing and planned employment centers; provision of affordable housing; creation of higher density, mixed use and walkable communities and development of bicycle and pedestrian trails; and other proven programs.

#### Implementation Program

If the City goal of reducing the projected increase in VMT to an amount equal to or less than the population increase, and increase transit usage, is not met for two or more years during each five-year cycle of VMT monitoring, the City should consider adoption of the following programs, among others:

Adopt more vigorous economic development programs with funding for staff; and

Slow the rate of approvals of building permits for housing developments.

In witness whereof, this Agreement is executed by the following:

PEOPLE OF THE STATE OF CALIFORNIA  
BY AND THROUGH ATTORNEY GENERAL  
EDMUND G. BROWN JR.

DATED: \_\_\_\_\_

ATTEST:

CITY OF STOCKTON,  
a municipal corporation

KATHERINE GONG MEISSNER  
City Clerk of the City of Stockton

J. GORDON PALMER, JR.  
City Manager

APPROVED AS TO FORM:

DATED \_\_\_\_\_

RICHARD E. NOSKY, JR.  
City Attorney

DATED \_\_\_\_\_

THE SIERRA CLUB

*Barbara Williams*  
BARBARA WILLIAMS, CHAIR  
MOTHER LODE CHAPTER

DATED 10/11/08



## APPENDIX A - PART 2

### 2005 NOTICE OF PREPARATION & RESPONSES TO NOP



Date: November 15, 2005

To: Interested Agencies, Organizations and Individuals

From: City of Lake Elsinore

**Introduction:**

The purpose of this Notice of Preparation (NOP) is to inform you that the City of Lake Elsinore, as lead agency, is preparing a program-level Draft Environmental Impact Report (EIR) to address potential environmental impacts associated with the City of Lake Elsinore General Plan update. The project location, description, and potential environmental effects are addressed below. This letter is intended to solicit comments and guidance from entities as dictated by Government Code §65352 regarding the scope and content of the environmental information to be included in the Draft EIR.

The California Environmental Quality Act (CEQA) requires an NOP prior to the release of a DRAFT EIR (CEQA Sections 15082, 15103, and 15375).

**Comment Period:**

Due to the time limits mandated by state law, your response must be sent at the earliest possible date but no later than 30 days after receipt of this notice. The deadline for receipt of comments on the NOP is 5:00 p.m. on Thursday, December 15, 2005.

Please send your comments with contact and agency information to:

Robert A. Brady, City Manager  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

**Public Scoping Meeting:**

A public scoping meeting on the EIR will be held on November 30, 2005 at 6:00 p.m. at the Cultural Center, 183 North Main Street, in the City of Lake Elsinore.

**Project Location:**

The City of Lake Elsinore is located in Riverside County along the I-15 corridor. The land area of the City of Lake Elsinore is approximately 38 square miles with a Sphere of Influence (SOI) covering over 78 square miles (see attached figure). The SOI, adopted by the Riverside County Local Agency Formation Commission (LAFCO) represents the probable future boundaries and service area of the City. The General Plan also identifies an area outside of the SOI, called a "Planning Area" but since this area is not within jurisdictional authority of the City, it will not be included in the EIR analysis. Estimated population is 38,045 as determined by the California Department of Finance as of Jan. 1, 2005.

**Project Description:**

The City of Lake Elsinore is preparing the City of Lake Elsinore General Plan update to replace the existing General Plan from 1990. The EIR will assess the updated General Plan and possible impacts. The overall purpose of the General Plan is to update goals, objectives, and policies that will guide development in the City and Sphere of Influence (SOI) and reflect the community's vision for the future. The City of Lake Elsinore's General Plan is expected to be organized in the following manner:

- A. Introduction
  - a. Setting and Vision
  - b. Purpose of the General Plan
  - c. Organization of the General Plan
  - d. Citizen Input
- B. Community Form
  - a. Land Use
  - b. Urban Design
  - c. Historic Preservation
  - d. Transportation/Circulation
  - e. Parks and Recreation
  - f. Community Facilities and Services
- C. Public Safety and Welfare
  - a. Air Quality
  - b. Fire and Police
  - c. Hazards
  - d. Noise
- D. Resource Protection and Preservation
  - a. Biological Resources and MSHCP
  - b. Open Space
  - c. Water Resources
  - d. Cultural and Paleontological Resources
  - e. Aesthetics
  - f. The Lake
- E. Administration/Implementation
- F. Summary of Background Information (Separate Document)

### **Probable Environmental Impacts:**

The EIR for the proposed General Plan will address the impacts that could result from the implementation of the updated General Plan. Below is a short summary of potential impacts that will be examined in the City of Lake Elsinore EIR:

#### ***Land Use and Recreation***

New development resulting from an updated General Plan could result in real or perceived conflict between land uses. New development can also negatively impact existing recreational facilities.

The General Plan will include policies to ensure that conflicting land uses are not placed adjacent to one another and that new developments are required to either build or pay fees for new recreational facilities. The EIR will identify whether General Plan policies adequately avoid potential land use conflicts and recreation deficiencies, and if not, new mitigation measures will be identified in the EIR.

#### ***Air Quality:***

Any new construction resulting from changed land uses will likely affect air quality. Air quality is already an issue in the City of Lake Elsinore. Additional development, traffic associated with population growth in the City, or construction-related equipment will also affect air quality.

To lessen potential impacts, policies will be included in the updated General Plan that emphasize improved air quality standards and encourage coordination with the Air Resources Board (ARB), local air districts, and other land use agencies to address cumulative air pollution impacts. The EIR will identify whether General Plan policies adequately address potential local air quality issues and the contribution of development and traffic within the City to cumulative air quality conditions, and if not, new mitigation measures will be identified in the EIR.

#### ***Noise***

New land uses proposed in association with the General Plan update and Land Use Plan, especially those considered sensitive to noise, have potential to be exposed to excessive noise levels if located near noise-emitting sources. Mixed-use projects proposed as a part of the update also present unique concerns, such as when restaurants with nighttime entertainment are located close to residential units. Increased traffic associated with planned population growth would also affect ambient noise levels throughout the City. In addition, construction related activities associated with any new development anticipated by the General Plan update would be short-term sources of noise that could affect occupants of neighboring uses.

General Plan policies will address appropriate locations for sensitive land uses to ensure that these uses are not adjacent to uses that emit excessive amounts of noise, construction noise, and noise from increased traffic. The EIR will identify whether General Plan policies adequately avoid noise impacts, and if not, new mitigation measures will be evaluated and addressed in the EIR.

### *Aesthetics*

New development proposed as a result of the General Plan update has the potential to affect aesthetic resources within the City. Any new development in the hillsides, foothills, or other areas around the lake will alter current viewsheds. In addition, new subdivisions and large-scale development may be visually distracting, resulting in impacts to visual resources.

Policies in the General Plan will address protecting important scenic resources including rocky outcroppings, steep slopes, rivers, and the lake. The EIR will identify whether General Plan policies adequately avoid adverse impacts to aesthetics including public viewsheds, and if not, new mitigation measures will be identified in the EIR.

### *Biology*

The General Plan will identify greater land use intensity in some areas and less intensity in others. Higher intensity of development anticipated in portions of the City with the General Plan update could involve grading and new development that affect sensitive biological resources. While impacts to biological resources are possible with new development in areas previously undeveloped, the General Plan update will also address land to be set-aside as open space to provide habitat linkages that will advance the goals of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).

It is anticipated that land set aside for open space as part of the General Plan update would conform to the MSHCP and avoid significant impacts to sensitive biological resources. There will also be policies preserving sensitive habitat in land set aside for open space that is not within an MSHCP criteria area. The EIR will evaluate the proposed impacts of the updated General Plan Land Use Plan on sensitive biological resources and the consistency of the project with the MSHCP. The EIR will identify whether additional mitigation measures are necessary to address impacts to sensitive biological resources.

### *Community Services*

As population growth occurs and new development is implemented in accordance with the updated General Plan it is possible that there will be impacts to the ability of community service providers such as police, fire, water, and schools, to provide adequate levels of service. The General Plan update will address anticipated future growth and provide goals and policies to ensure new services are provided at the appropriate time they are needed.

General Plan policies as well as plans such as Elsinore Valley Municipal Water District's (EVMWD) Groundwater Management Plan will be implemented that address planned increases in population and need for new services. The EIR will identify whether these policies are sufficient to mitigate potential impacts to the ability of local and regional service providers to continue to provide adequate levels of service. Additional mitigation measures, or policies addressing increased services in the City and County will be identified in the EIR if it is determined necessary based on the analysis of the General Plan update.

### ***Geology***

There are several faults in the Lake Elsinore vicinity, the City and SOI that could experience repeated moderate to strong groundshaking. Liquefaction potential is also very high along the area's principal tributary drainages and on portions of the alluvial fans on the valley's eastern margin. Although the State of California has not issued seismic hazards maps for the Lake Elsinore Area, when completed, these maps will delineate areas at risk from seismically induced landslides.

The General Plan update will include policies to address how new development can be designed to avoid impacts from seismic ground shaking, liquefaction, seismic-related ground rupture, seismically induced landslides and other related geologic hazards. The EIR will identify at a programmatic level whether these goals and policies in association with future geotechnical studies conducted at the individual project level are sufficient to avoid potential impacts from seismic activity or adverse geotechnical concerns. A majority of the specific design considerations necessary to address geotechnical and seismic issues are typically addressed through geotechnical studies completed at the individual development project level.

### ***Water***

Implementing the General Plan would result in additional urban development that increases the amount of impervious area within a watershed, in turn increasing peak flows and total runoff volumes. Urban development may also alter historic drainage patterns and modify overall flow regimes, affecting local plant and animal life. The Elsinore groundwater basin is currently in a state of overdraft, which is the pumping of water from a groundwater basin or aquifer in excess of the supply flowing into the basin. Further development and population growth will increase the amount of overdraft if other sources of potable water are not developed.

New land use policies will be identified in the General Plan update to address water issues associated with new development. Water issues to be addressed in the General Plan update include impacts of new development on existing hydrology, floodplains and natural drainage courses. The General Plan update will also include goals and policies related to preservation of surface and groundwater supply as well as water quality within the City and the SOI. The EIR will identify whether these policies are sufficient to avoid potential impacts associated with new development envisioned by the General Plan. Additional mitigation measures, or policies will be identified in the EIR if the General Plan update policies are found to be inadequate.

### ***Hazards***

Considering that use and disposal of hazardous materials are regulated by federal, state, and local governments, implementing the General Plan update is not expected to expose new development or land uses to significant hazards. However, policies will be included in the General Plan update to outline how future development within the City will conform to local, state and federal regulations regarding hazardous materials.

Wildland fires are a significant hazard in the vicinity of the City of Lake Elsinore due to steep topography, high velocity winds, a generally dry climate and a preponderance of highly flammable vegetation. Policies in the General Plan will discourage high intensity land uses in areas susceptible to wildland fires. Policies will also be included encouraging adequate fire buffers, adequate water supply and pressure, and landscaping with limited flammable species.

The EIR will identify whether policies of the General Plan update related to use and disposal of hazardous materials as well as other hazards such as wildland fires are sufficient to avoid potential impacts associated with future development. Additional mitigation measures, or policies will be identified in the EIR if the General Plan update policies are found to be inadequate.

#### ***Transportation***

Adding additional density or changing land use patterns proposed in association with the General Plan update that will increase traffic in areas that are already operating at a poor level of service will exacerbate current conditions.

The General Plan update will identify whether new traffic lanes and additional transportation routes are necessary to accommodate new development as well as ensuring that roadway systems have adequate capacity. The EIR will identify whether General Plan update policies are sufficient to avoid potential impacts from increased traffic associated with the proposed land use distribution and population growth. Additional mitigation measures, or policies will be identified in the EIR if the goals and policies of the General Plan update do not adequately address potential traffic impacts associated with future development within the City and SOI.

#### ***Cultural/Historical***

New development allowed by the updated General Plan has the potential to impact cultural and historical resources if adequate preservation measures are not undertaken to preserve these resources. Policies will be included in the General Plan update to address protection and preservation of important cultural and historical resources. Consultation with local California Native American tribes in accordance with Senate Bill (SB) 18 has been initiated. If requested by the Native American tribes, consultation between the City and the Native American Tribes will take place to discuss the General Plan update for the purpose of preserving or mitigating impacts to cultural resource sites including historic resources, prehistoric resources, and traditional cultural properties.

The EIR will assess whether General Plan policies are adequate to avoid potential impacts from future development on cultural and historic resources. If the General Plan is found to be inadequate, the EIR will identify additional measures or policies.

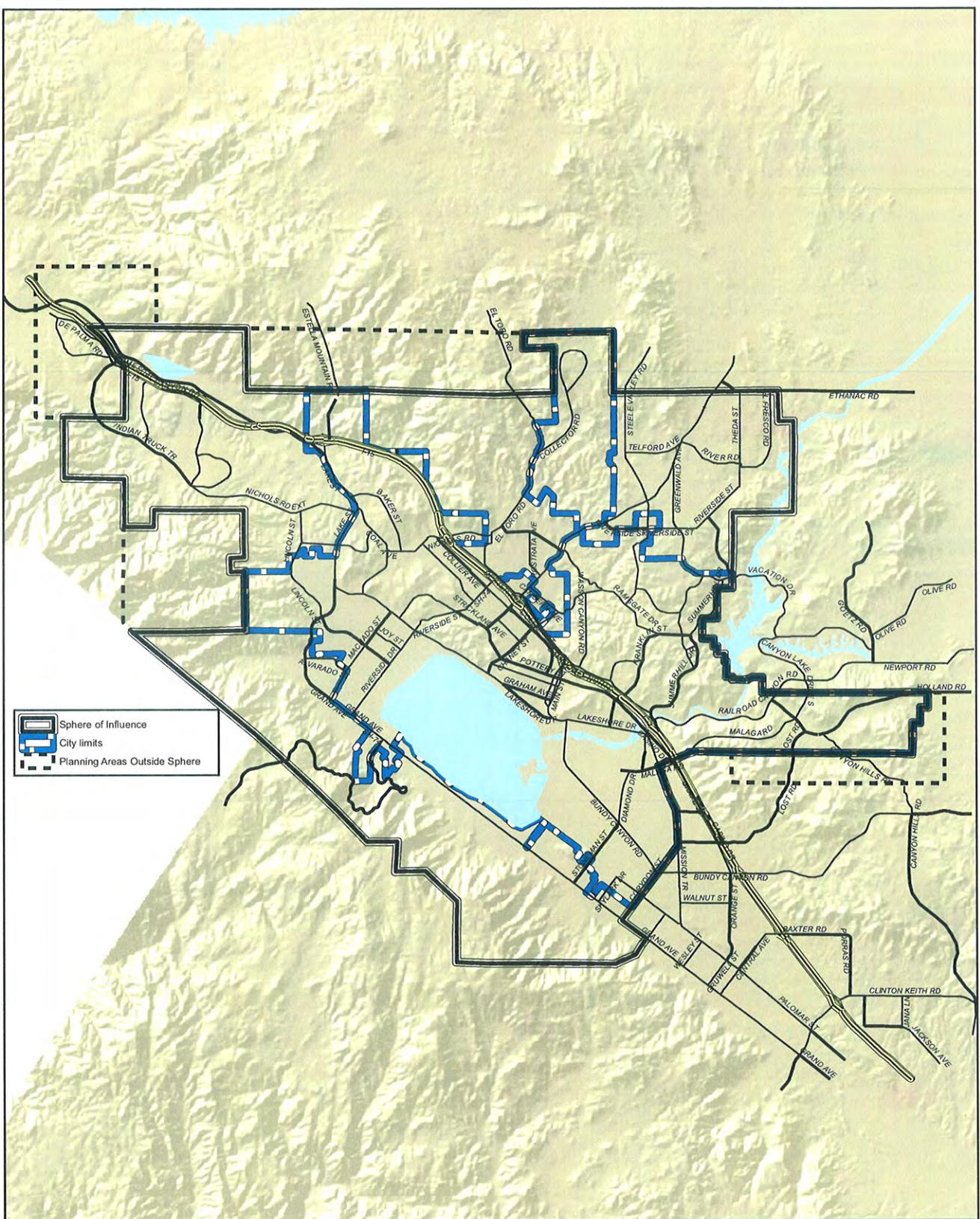
**General Plan Elements that are not part of this project:**

***Population and Housing***

The City of Lake Elsinore's Housing Element was recently updated July 2002. There will not be a comprehensive update to this Element in the General Plan.

If the EIR finds that the Housing Element is inconsistent with the updated General Plan, appropriate revisions will be incorporated to maintain consistency.

The City of Lake Elsinore looks forward to receiving your comments.



Source: City of Lake Elsinore  
 County of Riverside

Mooney · Jones & Stokes

11/10/05: /GIS/elsinore/mxd/base



**City of Lake Elsinore  
 Base Map**

NUP YIS HOLLOW W101

November 15, 2005

## FULL NAME

A. Kilgore  
Alfredo David  
Arnold San Miguel  
SW Riverside County Association of Realtors  
Barbara A. Cady  
Barbara Anderson  
General Plan Workshop Attendee  
Betty Howard  
Bill Palan  
Bill Tiitto  
Bob Brady  
Brian Villa  
California Department of Conservation  
California Independent System Operator (Cal ISO)  
Carl Johnson  
Carol Pollock  
Catherine Turner  
Celestine Looney  
Centex Homes  
Charlene Cleary  
Charlie St. Clair  
Chris Hyland  
Chuck Shamblin  
City of Canyon Lake  
City of Corona  
City of Hemet  
City of Moreno Valley  
City of Murrieta  
City of Norco  
City of Perris  
City of Temecula  
Coldwell Banker Associates Realty  
Coldwell Banker Associates Realty  
Corman Leigh Communities  
Corona-Norco Unified School District  
County of Riverside Board of Supervisors  
Craig McLaughlin  
Cristine Perez  
Cristobal Devers  
Dan Uhly  
Daniel Hough  
Darwin Rogers  
Daryl Hickman (Amy)

Dave Garrison  
David Belt  
David Sapp  
Dean Mike  
Deborah Larson  
Dewitt Turner  
Don Biery  
Don Summers  
Donna Ransdell  
Doris Needles  
Downtown Merchant's Association  
Ed DeLuca  
Ed Fitzpatrick  
Edith Staford  
Eike & Joyce Hohenadl  
Elks Lodge  
Elsa Sanchez  
Elsinore Valley Municipal Water District  
Elsinore Water District  
Elsinore Woman's Club  
Evelyn Tomlin  
Federal Aviation Agency (FAA)  
Federal Emergency Management Agency (FEMA)  
Felicia Miller  
Florencia Aguilar  
Fred Crowe  
Fred Francia  
Gary Grant  
Gary Newbold  
Gary Washburn  
Genie Kelley (Gary)  
Glenn Massle  
Gloria Jimenez  
Gloria Padger  
Gordon Craig  
Heather Chancellor  
Jack C. Golden  
Jesse Ross  
Jessie Strong  
John Currier  
John Gonzales  
John Hamilton  
John Laing Homes  
Kathi DeLuca

Kathy Ariol  
KB Home Coastal, Inc.  
Ken Seumald  
Kim Cousins  
Kraig Saudsberry  
Kris Hubbard  
Kris Zortmar  
Lake Elsinore & San Jacinto Watershed  
Lake Elsinore Branch Library  
Lake Elsinore Historical Society  
Lake Elsinore NAACP  
Lake Elsinore School District  
Lake Elsinore Senior Center  
Larry Eversole  
Leland Harrison  
Leola Barkley  
Leonard Leichnitz  
Lisa Mocniak  
Local Agency Formation Commission (LAFCO)  
Lorraine Watts  
Lorraine Watts  
Lori Heston  
Louie Trujillo  
Lumos Communities, LLC  
Madonna Saudsberry  
Mark Lovesquis  
Mark Macarro  
Mary Fran McCluskey  
Menifee School District  
Metropolitan Water District  
Michael Slavick  
Micheal Fillen  
Mike McFarland  
Mike O'Neal  
Minnie L. Brown  
Monica McGrath  
Nancy Hunzeker  
Nenella Vega  
Oscar Vasquez  
Pardee Homes  
Patricia Westmarc  
Perris Elementary School District  
Perris Union High School District  
Peter Weber (Vicky)

Ray & April Booze  
Riverside County Airport Land Use Commission (ALUC)  
Riverside Transit Administration  
Rob Roy  
Robert Magee  
Robert Salgado  
Robert Schiffner  
Robert Schiffner  
Robert Smith  
Rolfe Preisendanz  
Ron LaPere  
Rotary Club  
RTA  
Russell Romo  
Ruth Atkins  
Santa Ana Regional Water Quality Control Board (SARWQCB)  
Santa Ana Watershed Project Authority (SAWPA)  
Skip Hull  
South Coast Air Quality Management District  
Southern California Association of Governments (SCAG)  
Southern California Edison  
Southern California Gas Company  
Steven Allen  
Suzie Vega  
Thelma Grant  
Thomas Buckley  
Tim Fleming  
Tom & Donna Franson  
Tom Cwynar  
Tom Tomlinson  
Ty Larimer  
U.S Environmental Protection Agency (EPA)  
U.S. Army Corps of Engineers (USACE)  
U.S. Department of Housing and Urban Development (HUD)  
U.S. Department of Transportation, Federal Highway Administration  
United States Federal Energy Regulatory Commission (FERC)  
United States Fish and Wildlife Service  
United States Forest Service  
US Federal Highway Administration  
Veronica Eldredge  
Victor Vega  
Wesceri Development  
Western Municipal Water District  
Wilma F. Stamp

LAKEL SLSinwte  
Nop DIST for TRIBES  
DEC 2005

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

Pala Band of Mission Indians  
Robert Smith, Chairperson  
P.O. Box 50  
Pala, CA 92059

Pauma & Yulma  
Christobal C. Devers, Chairperson  
P.O. Box 369  
Pauma Valley, CA 92061

Pechanga Band of Mission Indians  
Mark Macarro, Chairperson  
P.O. Box 2183  
Temecula, CA 92593

Rincon Band of Mission Indians  
John Currier, Chairperson  
P.O. Box 68  
Valley Center, CA 92082

San Luis Rey Band of Mission Indians  
Russell Romo, Chairperson  
12064 Old Pomerado Road  
Poway, CA 92064

Soboba Band of Mission Indians  
Robert J. Salgado, Sr., Chairperson  
P.O. Box 487  
San Jacinto, CA 92581

Twenty-Nine Palms Band of  
Mission Indians  
Dean Mike, Chairperson  
46-200 Harrison Place  
Coachella, CA 92236

  
**Mooney-Jones & Stokes**  
MEMORANDUM

*Date:* 12-16-05

*To:* Stephanie Gordin, Pechanga, Cultural Resources

*From:* Lisa Sims, Associate Planner

*Subject:* General Plan Update NOP

---

Following is the letter that was mailed to **Mark Macarro** regarding the NOP letter as requested. We understand that you are the cultural analyst and that this letter should have been sent to you. To ensure that you have sufficient time to respond, we have changed your date of response to 30 days from receipt of this letter.

If you have any questions, please feel free to contact either Claudia Unhold, or me at 858-578-8964.



# Mooney-Jones & Stokes

December 7, 2005

Pechanga Band of Mission Indians  
Mark Macarro, Chairperson  
P.O. Box 2183  
Temecula, CA 92593

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

Attached is a Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update Program EIR that was sent to federal agencies, certain state agencies, local agencies and others on November 15, 2005. We recognize that through the SB18 process several months ago, you responded as being an entity interested in consultation regarding the General Plan Update process. We apologize that you were not on the original distribution list for the NOP and want to rectify it. We know that the NOP is apart from the SB18 process, but related, and therefore are interested in receiving your comments.

Although the NOP suggests that comments should be received within 30 days of November 15, 2005, we want to ensure that you have sufficient time to respond. We have changed your date of response to 30 days from date of receipt of this letter. If you are interested in an EIR scoping meeting as described in the attached NOP, please call Jim Harry of Mooney-Jones & Stokes at 858-578-8964 and we will arrange for a personal meeting describing the same information presented at the public scoping meeting held November 30, 2005.

Again, we apologize for the delayed noticing of the NOP. If you have any questions regarding the NOP or General Plan Update please contact Jim Harry or Rolfe Preisendanz, Community Development Director of the City of Lake Elsinore at 957-674-3124. We look forward to future meetings regarding the General Plan Update.

Sincerely,

Jim Harry  
Senior Environmental Planner



## Mooney-Jones & Stokes

December 14, 2005

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

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Sincerely,

Jim Harry  
Senior Environmental Planner



December 13, 2005

Board of Supervisors  
County of Riverside  
4080 Lemon Street, 5<sup>th</sup> Floor  
Riverside, CA 92501

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Sincerely,

A handwritten signature in black ink, appearing to read "Jim Harry".

Jim Harry  
Senior Environmental Planner



December 9, 2005

City of Canyon Lake  
31516 Railroad Canyon Rd  
Canyon Lake, CA 92587

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

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Sincerely,

Jim Harry  
Senior Environmental Planner



## Mooney-Jones & Stokes

December 9, 2005

Arnold San Miguel  
Southern California Association of Governments  
818 W. Seventh Street, 12th Floor (Main Office)  
Los Angeles, CA 90017

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

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Jim Harry  
Senior Environmental Planner



December 7, 2005

Soboba Band of Mission Indians  
Robert J. Salgado, Sr., Chairperson  
P.O. Box 487  
San Jacinto, CA 92581

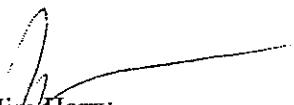
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Jim Harry  
Senior Environmental Planner



## Mooney-Jones & Stokes

December 7, 2005

Pechanga Band of Mission Indians  
Mark Macarro, Chairperson  
P.O. Box 2183  
Temecula, CA 92593

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

Attached is a Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update Program EIR that was sent to federal agencies, certain state agencies, local agencies and others on November 15, 2005. We recognize that through the SB18 process several months ago, you responded as being an entity interested in consultation regarding the General Plan Update process. We apologize that you were not on the original distribution list for the NOP and want to rectify it. We know that the NOP is apart from the SB18 process, but related, and therefore are interested in receiving your comments.

Although the NOP suggests that comments should be received within 30 days of November 15, 2005, we want to ensure that you have sufficient time to respond. We have changed your date of response to 30 days from date of receipt of this letter. If you are interested in an EIR scoping meeting as described in the attached NOP, please call Jim Harry of Mooney-Jones & Stokes at 858-578-8964 and we will arrange for a personal meeting describing the same information presented at the public scoping meeting held November 30, 2005.

Again, we apologize for the delayed noticing of the NOP. If you have any questions regarding the NOP or General Plan Update please contact Jim Harry or Rolfe Preisendanz, Community Development Director of the City of Lake Elsinore at 957-674-3124. We look forward to future meetings regarding the General Plan Update.

Sincerely,

  
Jim Harry  
Senior Environmental Planner



December 7, 2005

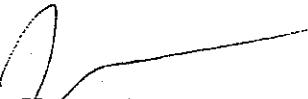
Pauma & Yulma  
Christobal C. Devers, Chairperson  
P.O. Box 369  
Pauma Valley, CA 92061

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

Attached is the November 15, 2005 Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update Program EIR. As a tribe that was identified as potentially having an interest in the process this notice is being sent to you as an informational item.

If you have any questions regarding the NOP or General Plan Update please contact Jim Harry of Mooney • Jones & Stokes at 858-578-8964 or Rolfe Preisendanz Community Development Director of the City of Lake Elsinore at 957-674-3124.

Sincerely,



Jim Harry  
Senior Environmental Planner



December 7, 2005

San Luis Rey Band of Mission Indians  
Russell Romo, Chairperson  
12064 Old Pomerado Road  
Poway, CA 92064

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

Attached is the November 15, 2005 Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update Program EIR. As a tribe that was identified as potentially having an interest in the process this notice is being sent to you as an informational item.

If you have any questions regarding the NOP or General Plan Update please contact Jim Harry of Mooney • Jones & Stokes at 858-578-8964 or Rolfe Preisendanz Community Development Director of the City of Lake Elsinore at 957-674-3124.

Sincerely,



Jim Harry  
Senior Environmental Planner



December 7, 2005

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

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

Attached is the November 15, 2005 Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update Program EIR. As a tribe that was identified as potentially having an interest in the process this notice is being sent to you as an informational item.

If you have any questions regarding the NOP or General Plan Update please contact Jim Harry of Mooney • Jones & Stokes at 858-578-8964 or Rolfe Preisendanz Community Development Director of the City of Lake Elsinore at 957-674-3124.

Sincerely,



Jim Harry  
Senior Environmental Planner



# Mooney·Jones & Stokes

December 7, 2005

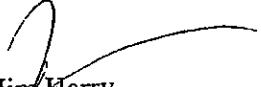
Pala Band of Mission Indians  
Robert Smith, Chairperson  
P.O. Box 50  
Pala, CA 92059

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

Attached is the November 15, 2005 Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update Program EIR. As a tribe that was identified as potentially having an interest in the process this notice is being sent to you as an informational item.

If you have any questions regarding the NOP or General Plan Update please contact Jim Harry of Mooney · Jones & Stokes at 858-578-8964 or Rolfe Preisendanz Community Development Director of the City of Lake Elsinore at 957-674-3124.

Sincerely,



Jim Harry  
Senior Environmental Planner



December 7, 2005

Rincon Band of Mission Indians  
John Currier, Chairperson  
P.O. Box 68  
Valley Center, CA 92082

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

Attached is the November 15, 2005 Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update Program EIR. As a tribe that was identified as potentially having an interest in the process this notice is being sent to you as an informational item.

If you have any questions regarding the NOP or General Plan Update please contact Jim Harry of Mooney • Jones & Stokes at 858-578-8964 or Rolfe Preisendanz Community Development Director of the City of Lake Elsinore at 957-674-3124.

Sincerely,



Jim Harry  
Senior Environmental Planner



## Mooney-Jones & Stokes

December 7, 2005

Twenty-Nine Palms Band of Mission Indians  
Dean Mike, Chairperson  
46-200 Harrison Place  
Coachella, CA 92236

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

Attached is the November 15, 2005 Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update Program EIR. As a tribe that was identified as potentially having an interest in the process this notice is being sent to you as an informational item.

If you have any questions regarding the NOP or General Plan Update please contact Jim Harry of Mooney • Jones & Stokes at 858-578-8964 or Rolfe Preisendanz Community Development Director of the City of Lake Elsinore at 957-674-3124.

Sincerely,



Jim Harry

Senior Environmental Planner



# Mooney-Jones & Stokes

December 2, 2005

California Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento CA, 95812-3044

**Subject: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
EIR – Notice to Reviewers**

Attached is the November 15, 2005 Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update. The NOP was mailed to the State Clearinghouse in November. However, based on coordination with State Clearinghouse staff on December 2, 2005 we understand that it was never received. Based on direction from State Clearinghouse staff, the November NOP is being resent for State Clearinghouse distribution with this cover letter attached. In accordance with CEQA guidelines, federal agencies, certain state agencies, local agencies and interested private citizens and groups were sent the NOP directly in November. However, not all state agencies on the State Clearinghouse potential distribution list received the NOP directly through the mail in November.

In accordance with State Clearinghouse requirements the NOP review period of 30 days starts when the document is submitted to the State Clearinghouse. Therefore, the December 15, 2005 deadline for responses mentioned in the attached letter does not apply to the State Clearinghouse distribution and review.

The scoping meeting discussed in the attached letter was held on November 30, 2005. Certain state, federal and local agencies as well as interested private citizens and groups were sent the NOP and notice of the meeting directly in November. Any state agencies that would like to meet with the lead agency directly for a scoping meeting please contact Jim Harry of Mooney-Jones & Stokes at 858-578-8964 ([jharry@jsanet.com](mailto:jharry@jsanet.com)).

We look forward to receipt of any comments on the NOP and the Program EIR scope. If you have any questions regarding the NOP or General Plan Update please contact Jim Harry of Mooney-Jones & Stokes at 858-578-8964 or Rolfe Preisendanz Community Development Director of the City of Lake Elsinore at 957-674-3124.

Sincerely,



Jim Harry  
Senior Environmental Planner

[California Home](#)

Friday,

# California

[Home](#) > [CEQAnet Home](#) > [California County](#) > [Search Plans/Permits](#) > [Document Description](#)

## Lake Elsinore General Plan Update

**SCH Number:** 2005121019**Type:** NOP - Notice of Preparation**Project Description**

The City of Lake Elsinore is preparing the City of Lake Elsinore General Plan Update to replace the existing General Plan from 1990.

**Project Lead Agency**

Lake Elsinore, City of

**Contact Information****Primary Contact:**

Rolfe Preisendanz  
City of Lake Elsinore  
(951) 674-3124  
130 S. Main Street  
Lake Elsinore, CA 92350

**Project Location**

County: Riverside

City: Lake Elsinore

Region:

Cross Streets: General Plan Update covers entire City

Parcel No: Multiple

Township: Multi.

Range: Multi.

Section: Multi.

Base:

Other Location Info:

**Proximity To**

Highways: I-15

Airports:

Railways:

Waterways: Lake Elsinore

Schools: Multiple

Land Use: PLU: Multiple Land Use Designations for comprehensive General Plan Update / Z: Proposed General Plan Update does not zoning update / GPD: Multiple Land Use Designations for comprehensive General Plan Update.

**Development Type**

Other

**Local Action**

General Plan Update

**Project Issues**

Aesthetic/Visual, Agricultural Land, Air Quality, Archaeologic-Historic, Drainage/Absorption, Flood Plain/Flooding, Forest Land/Fire Hazard, Geologic/Seismic, Minerals, Noise, Population/Housing Balance, Public Services, Recreation/Parks, Schools/Universities, Septic System Capacity, Soil Erosion/Compaction/Grading, Solid Waste, Toxic/Hazardous, Traffic/Circulation, Vegetation, Water Quality, Water Supply, Wetland/Riparian, Wildlife, Growth Inducing, Landuse, Cumulative Effects

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**Reviewing Agencies** (Agencies in Bold Type submitted comment letters to the State Clearinghouse)

Resources Agency; Department of Parks and Recreation; Department of Water Resources; **Native American Heritage Commission**; **Emergency Services**; Department of Health Services; Department of Fish and Game, Region 6; California Highway Patrol; Department of Community Development; State Lands Commission; State Water Resources Control Board, Division of Water Rights; **Regional Water Control Board, Region 8**; Caltrans, District 8

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Date Received: 12/5/2005 Start of Review: 12/5/2005 End of Review: 1/3/2006

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# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)



November 30, 2005

Mr. Robert A. Brady, City Manager  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530

Dear Mr. Brady:

## **Notice of Preparation of a Draft Environmental Impact Report for City of Lake Elsinore General Plan Update**

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft Environmental Impact Report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. In addition, please send with the Draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files.

### **Air Quality Analysis**

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2002 Model. This model is available on the SCAQMD Website at: [www.aqmd.gov/ceqa/models.html](http://www.aqmd.gov/ceqa/models.html).

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

Consistent with the SCAQMD's environmental justice enhancement I-4, in October 2003, the SCAQMD Governing Board adopted a methodology for calculating localized air quality impacts and localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality

analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA webpages at the following internet address: [http://www.aqmd.gov/ceqa/handbook/mobile\\_toxic/mobile\\_toxic.html](http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html). An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

### **Mitigation Measures**

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

### **Data Sources**

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (<http://www.aqmd.gov>).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Charles Blankson, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,



Steve Smith, Ph.D.  
Program Supervisor, CEQA Section  
Planning, Rule Development and Area Sources

SS:CB:li

**RVC051118-05LI**  
Control Number



STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit

Arnold  
Schwarzenegger  
Governor

Sean Walsh  
Director



**Notice of Preparation**

December 5, 2005

RECEIVED  
DEC 12 2005  
PLANNING DEPT

To: Reviewing Agencies  
Re: Lake Elsinore General Plan Update  
SCH# 2005121019

Attached for your review and comment is the Notice of Preparation (NOP) for the Lake Elsinore General Plan Update draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Rolfe Preisendanz**  
City of Lake Elsinore  
130 S. Main Street  
Lake Elsinore, CA 92350

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

*A. Driemeyer*  
Scott Morgan  
Project Analyst, State Clearinghouse

Attachments  
cc: Lead Agency

**Document Details Report**  
**State Clearinghouse Data Base**

**SCH#** 2005121019  
**Project Title** Lake Elsinore General Plan Update  
**Lead Agency** Lake Elsinore, City of

---

**Type** NOP Notice of Preparation  
**Description** The City of Lake Elsinore is preparing the City of Lake Elsinore General Plan Update to replace the existing General Plan from 1990.

**Lead Agency Contact**

<b>Name</b>	Rolle Preisendanz		
<b>Agency</b>	City of Lake Elsinore		
<b>Phone</b>	(951) 674-3124		
<b>email</b>			
<b>Address</b>	130 S. Main Street		
<b>City</b>	Lake Elsinore		
	<b>State</b>	CA	<b>Zip</b> 92350

**Project Location**

<b>County</b>	Riverside		
<b>City</b>	Lake Elsinore		
<b>Region</b>			
<b>Cross Streets</b>	General Plan Update covers entire City		
<b>Parcel No.</b>	Multiple	<b>Range</b>	Multi.
<b>Township</b>	Multi.	<b>Section</b>	Multi.
		<b>Base</b>	

**Proximity to:**

<b>Highways</b>	I-15
<b>Airports</b>	
<b>Railways</b>	
<b>Waterways</b>	Lake Elsinore
<b>Schools</b>	Multiple
<b>Land Use</b>	PLU: Multiple Land Use Designations for comprehensive General Plan Update / Z: Proposed General Plan Update does not including zoning update / GPD: Multiple Land Use Designations for comprehensive General Plan Update.

---

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

---

**Reviewing Agencies** Resources Agency; Department of Parks and Recreation; Department of Water Resources; Native American Heritage Commission; Office of Emergency Services; Department of Health Services; Department of Fish and Game, Region 6; California Highway Patrol; Department of Housing and Community Development; State Lands Commission; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 8; Caltrans, District 8

---

**Date Received** 12/05/2005      **Start of Review** 12/05/2005      **End of Review** 01/03/2006

NOP Distribution List		County: <u>Kings</u>		SCH#
<input type="checkbox"/> Resources Agency	<input type="checkbox"/> Fish & Game Region 3 Robert Florerke	<input type="checkbox"/> Public Utilities Commission Ken Lewis	<input checked="" type="checkbox"/> Caltrans, District 8 Dan Kopolsky	Regional Water Quality Control Board (RWQCB)
<input checked="" type="checkbox"/> Resources Agency	<input type="checkbox"/> Fish & Game Region 4 Mike Mulligan	<input type="checkbox"/> State Lands Commission Jean Sartino	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander	<input type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)
<input type="checkbox"/> Dept. of Boating & Waterways	<input type="checkbox"/> Fish & Game Region 5 Don Chadwick	<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jacques	<input type="checkbox"/> Caltrans, District 10 Tom Dumas	<input type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> California Coastal Commission	<input checked="" type="checkbox"/> Fish & Game Region 6 Gabrina Gatchel	<input type="checkbox"/> Business, Trans & Housing Habitat Conservation Program	<input type="checkbox"/> Caltrans, District 11 Mario Orso	<input type="checkbox"/> RWQCB 3 Central Coast Region (3)
<input type="checkbox"/> California River Board	<input type="checkbox"/> Fish & Game Region 6 I/W Tammy Allen	<input type="checkbox"/> Caltrans - Division of Aeronautics Sandy Hesnard	<input type="checkbox"/> Caltrans, District 12 Bob Joseph	<input type="checkbox"/> RWQCB 4 Jonathan Bishop Los Angeles Region (4)
<input type="checkbox"/> Dept. of Conservation	<input type="checkbox"/> Fish & Game Region 6 I/W Iyo/Mono, Habitat Conservation Program	<input type="checkbox"/> Caltrans - Planning Terri Pencovic	<input type="checkbox"/> Air Resources Board Airport Projects	<input type="checkbox"/> RWQCB 5S Central Valley Region (5)
<input type="checkbox"/> California Energy Commission	<input type="checkbox"/> Dept. of Fish & Game M George Isaac	<input type="checkbox"/> California Highway Patrol John Oleinik	<input type="checkbox"/> RWQCB 5F Central Valley Region (5) Fresno Branch Office	<input type="checkbox"/> RWQCB 5R Central Valley Region (5) Redding Branch Office
<input type="checkbox"/> Dept. of Forestry & Fire Protection	<input type="checkbox"/> Dept. of General Services Public School Construction	<input type="checkbox"/> Office of Special Projects John Oleinik	<input type="checkbox"/> Transportation Projects Kurt Karperos	<input type="checkbox"/> RWQCB 6 Lahontan Region (6)
<input type="checkbox"/> Dept. of Historic Preservation	<input type="checkbox"/> Dept. of General Services Public Construction	<input type="checkbox"/> Dept. of Transportation Robert Sleppy	<input type="checkbox"/> Industrial Projects Mike Tollstrup	<input type="checkbox"/> RWQCB 6V Lahontan Region (6) Victorville Branch Office
<input type="checkbox"/> Dept. of Parks & Recreation	<input type="checkbox"/> Dept. of General Services Environmental Services Section	<input type="checkbox"/> Caltrans, District 1 Rex Jackman	<input type="checkbox"/> State Water Resources Control Board Jim Hockenberry	<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)
<input type="checkbox"/> Reclamation Board	<input type="checkbox"/> Dept. of Health Services Veronica Rameriz	<input type="checkbox"/> Caltrans, District 2 Marcelino Gonzalez	<input type="checkbox"/> State Water Resources Control Board Division of Financial Assistance	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input type="checkbox"/> S.F. Bay Conservation & Dev't. Comin.	<input type="checkbox"/> Dept. of Health/Drinking Water Steve McAdam	<input type="checkbox"/> Caltrans, District 3 Katherine Eastham	<input type="checkbox"/> Student Intern, 401 Water Quality Certification Unit Division of Water Quality	<input type="checkbox"/> RWQCB 9 San Diego Region (9)
<input type="checkbox"/> Conservancy	<input type="checkbox"/> Independent Commissions, Boards Debby Eddy	<input type="checkbox"/> Caltrans, District 4 Tim Sable	<input type="checkbox"/> State Water Resources Control Board Steven Herrera	<input type="checkbox"/> Other _____
<input type="checkbox"/> Fish and Game	<input type="checkbox"/> Delta Protection Commission Dennis Castrillo	<input type="checkbox"/> Caltrans, District 5 David Murray	<input type="checkbox"/> Dept. of Toxic Substances Control CEQA Tracking Center	<input type="checkbox"/> Department of Pesticide Regulation
<input type="checkbox"/> Dept. of Fish & Game	<input type="checkbox"/> Governor's Office of Planning & Research State Clearinghouse	<input type="checkbox"/> Caltrans, District 6 Marc Birnbaum	<input type="checkbox"/> Native American Heritage Comm. Debbie Treadway	<input type="checkbox"/> Other _____
<input type="checkbox"/> Conservancy	<input type="checkbox"/> Scott Flint Environmental Services Division Donald Koch	<input type="checkbox"/> Caltrans, District 7 Cheryl J. Powell	<input type="checkbox"/> Native American Heritage Comm. Debbie Treadway	<input type="checkbox"/> Other _____
<input type="checkbox"/> Fish & Game Region 1	<input type="checkbox"/> Fish & Game Region 2 Banksy Curtis			Last Updated on 08/10/05



## AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



CHAIR  
Simon Housman  
Rancho Mirage

December 6, 2005

VICE CHAIRMAN  
Lori Van Ardsdale  
City of Hemet

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

Attn: Robert A. Brady, City Manager

COMMISSIONERS

Arthur Butler  
Riverside

Rod Ballance  
Riverside

Jon Goldenbaum  
Riverside

Charles Washington  
City of Temecula

Mark Lightsey  
Hemet

STAFF  
Keith D. Downs  
Executive Director  
A.I.C.P., A.A.E

5555 Arlington Ave.  
Riverside, CA 92504  
Tel: (951) 343-5493

[www.rcaluc.org](http://www.rcaluc.org)

**RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW  
NOP for Lake Elsinore General Plan Update**

Dear Mr. Brady:

Riverside County Airport Land Use Commission (ALUC), staff reviewed the above referenced proposal. The Site is (x) or is not ( ) within the Influence Area of the adopted CLUP for Skylark Airport. Your evaluation must utilize the Caltrans Handbook for the area within the Influence Area. When the proposal is available we will need a completed application form in order to review the proposal. Forms for that may be found at our website at [www.rcaluc.org](http://www.rcaluc.org).

Should you have any questions regarding this action, please contact Barbara Santos or myself at (951) 343-5493.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Keith D. Downs, A.I.C.P., A.A.E.  
Executive Director

KDD:bks

cc: ALUC suspense file



9 December 2005

Mr. Robert Brady  
City Manager  
City of Lake Elsinore  
135 South Main Street  
Lake Elsinore, CA 92530

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Lake Elsinore General Plan Update  
SCAG No. I 20050762

Dear Mr. Brady:

Thank you for submitting the Notice of Preparation (NOP) for the City of Lake Elsinore General Plan Update to the Southern California Association of Governments (SCAG) for review and comment. SCAG's responsibility as the region's clearinghouse per Executive Order 12372 includes the implementation of California Environmental Quality Act (CEQA) §15125 [d]. This legislation requires the review of local plans, projects and programs for consistency with regional plans.

SCAG staff has determined that your project is regionally significant per CEQA guidelines. CEQA requires that EIRs discuss any inconsistencies between the proposed project and the applicable general plans and regional plans (Section 15125 [d]). If there are inconsistencies, an explanation and rationalization for such inconsistencies should be provided.

Policies of SCAG's Regional Comprehensive Plan and Guide, Regional Transportation Plan, and Compass Growth Vision that may be applicable to the Plan are outlined in the attachment. We expect the EIR to specifically cite the appropriate SCAG policies and address the manner in which the Plan is consistent with applicable core policies or supportive of applicable ancillary policies. Please use our policy numbers to refer to them in your EIR. Also, we would encourage you to use a side-by-side comparison of SCAG policies with a discussion of the consistency or support of the policy with the Proposed Plan.

As you know, SCAG's Compass Growth Vision, adopted in 2004, encourages better relationships between housing, transportation, and employment. SCAG is pleased to have worked with the City in the early stages of this General Plan Update. We trust that the vision workshop was a beneficial tool to understanding the possibilities of Compass at the local level. Please refer to our website, [www.socalcompass.org](http://www.socalcompass.org), in addition to the guidance offered in this letter, for additional information on Compass.

Please provide a minimum of 45 days for SCAG to review the EIR when this document is available. If you have any questions regarding the attached comments, please contact me at (213) 236-1851. Thank you.

Sincerely,

Brian Wallace  
Associate Regional Planner  
Intergovernmental Review

DOCS# 116789v1



**COMMENTS ON THE NOTICE OF PREPARATION OF  
AN ENVIRONMENTAL IMPACT REPORT FOR THE  
CITY OF LAKE ELSINORE GENERAL PLAN UPDATE  
SCAG NO. I2005762**

**PROJECT DESCRIPTION**

The City of Lake Elsinore General Plan will update the goals, objectives, and policies that will guide the development in the City and Sphere of Influence and reflect the community's vision for the future.

**CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES**

The **Growth Management Chapter (GMC)** of the Regional Comprehensive Plan and Guide (RCPG) contains the following policies that are particularly applicable and should be addressed in the Draft EIR for the West Gateway Redevelopment Project.

3.01 *The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies, shall be used by SCAG in all phases of implementation and review.*

**Regional Growth Forecasts**

The DEIR should reflect the most current SCAG forecasts, which are the 2004 RTP (April 2004) Population, Household and Employment forecasts. The forecasts for your region and subregion are as follows:

**Adopted SCAG  
Regionwide  
Forecasts**

	<u>2005</u>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>
Population	19,967,835	21,294,093	22,561,643	23,781,797	24,935,979
Households	6,260,842	6,758,353	7,259,762	7,773,287	8,281,758
Employment	8,368,607	9,456,903	10,038,316	10,614,346	11,171,537

**Adopted  
WRCOG  
(subregion)  
Forecasts**

	<u>2005</u>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>
Population	1,430,893	1,614,605	1,830,421	2,037,129	2,230,185
Households	445,805	521,606	606,139	691,621	776,168
Employment	446,932	541,587	633,161	727,005	822,031

**City of Lake  
Elsinore  
Forecasts**

	<u>2005</u>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>
Population	36,804	42,940	50,442	57,842	64,934
Households	10,681	12,703	15,033	17,386	19,707
Employment	9,455	11,231	12,342	13,487	14,648

\* The 2004 RTP growth forecast at the regional, county and subregional level was adopted by RC in April, 2004.

3.03 *The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.*

#### **GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL STANDARD OF LIVING**

The Growth Management goals to develop urban forms that enable individuals to spend less income on housing cost, that minimize public and private development costs, and that enable firms to be more competitive, strengthen the regional strategic goal to stimulate the regional economy. The evaluation of the proposed project in relation to the following policies would be intended to guide efforts toward achievement of such goals and does not infer regional interference with local land use powers.

3.04 *Encourage local jurisdictions' efforts to achieve a balance between the types of jobs they seek to attract and housing prices.*

3.05 *Encourage patterns of urban development and land use which reduce costs on infrastructure construction and make better use of existing facilities.*

3.09 *Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.*

3.10 *Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.*

#### **GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE**

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

3.12 *Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.*

3.13 *Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and development.*

3.14 *Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers.*

3.15 *Support local jurisdictions' strategies to establish mixed-use clusters and other transit-oriented developments around transit stations and along transit corridors.*

3.16 *Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.*

3.18 *Encourage planned development in locations least likely to cause environmental impact.*

- 3.20 *Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*
- 3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

#### **GMC POLICIES RELATED TO THE RCPG GOAL TO PROVIDE SOCIAL, POLITICAL, AND CULTURAL EQUITY**

The Growth Management Goal to develop urban forms that avoid economic and social polarization promotes the regional strategic goal of minimizing social and geographic disparities and of reaching equity among all segments of society. The evaluation of the proposed project in relation to the policy stated below is intended guide direction for the accomplishment of this goal, and does not infer regional mandates and interference with local land use powers.

- 3.24 *Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.*
- 3.27 *Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.*

#### **REGIONAL TRANSPORTATION PLAN**

The **2004 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

##### **Regional Transportation Plan Goals**

- Maximize mobility and accessibility for all people and goods in the region.
- Ensure travel safety and reliability for all people and goods in the region.
- Preserve and ensure a sustainable regional transportation system.
- Maximize the productivity of our transportation system.
- Protect the environment, improve air quality and promote energy efficiency.
- Encourage land use and growth patterns that complement our transportation investments.

##### **Regional Transportation Plan Policies**

- Transportation investments shall be based on SCAG's adopted Regional Performance Indicators.

<u>Performance Indicator</u>	<u>Performance Measures</u>	<u>Definition</u>	<u>Performance Outcome</u>
<b>Mobility</b>	<ul style="list-style-type: none"> <li>• Average Daily Speed</li> <li>• Average Daily Delay</li> </ul>	<p>Speed-experienced by travelers regardless of mode.</p> <p>Delay-excess travel time resulting from the difference between a reference speed and actual speed. Total daily delay and daily delay per capita are indicators used.</p>	10% Improvement 40% Improvement
<b>Accessibility</b>	<ul style="list-style-type: none"> <li>• Percent PM peak work trips within 45 minutes of home</li> <li>• Distribution of work trip travel times</li> </ul>		Auto 90% Transit 37%
<b>Reliability</b>	<ul style="list-style-type: none"> <li>• Percent variation in travel time</li> </ul>	<p>Day-to-day change in travel times experienced by travelers.</p> <p>Variability results from accidents, weather, road closures, system problems and other non-recurrent conditions.</p>	10% Improvement
<b>Safety</b>	<ul style="list-style-type: none"> <li>• Accident Rates</li> </ul>	Measured in accidents per million vehicle miles by mode.	0.3% Improvement
<u>Performance Indicator</u>	<u>Performance Measures</u>	<u>Definition</u>	<u>Performance Outcome</u>
<b>Cost Effectiveness</b>	<ul style="list-style-type: none"> <li>• Benefit-to-Cost (B/C) Ratio</li> </ul>	Ratio of benefits of RTP investments to the associated investments costs.	\$3.08
<b>Productivity</b>	<ul style="list-style-type: none"> <li>• Percent capability utilized during peak conditions</li> </ul>	<p>Transportation infrastructure capacity and services provided.</p> <ul style="list-style-type: none"> <li>• Roadway Capacity - vehicles per hour per lane by type of facility.</li> <li>• Transit Capacity – seating capacity utilized by mode.</li> </ul>	20% Improvement at known bottlenecks N/A
<b>Sustainability</b>	<ul style="list-style-type: none"> <li>• Total cost per capita to sustain current system performance</li> </ul>	Focus in on overall performance, including infrastructure condition Preservation measure is a sub-set of sustainability.	\$20 per capita, primarily in preservation costs
<b>Preservation</b>	<ul style="list-style-type: none"> <li>• Maintenance cost per capita to preserve system at base year conditions</li> </ul>	Focus is on infrastructure condition. Sub-set of sustainability.	Maintain current conditions
<b>Environmental</b>	<ul style="list-style-type: none"> <li>• Emissions generated by travel</li> </ul>	Measured/forecast emissions include CO, NOX, PM10, SOX and VOC. CO2 as secondary measure to reflect greenhouse emissions.	Meets conformity requirements
<b>Environmental Justice</b>	<ul style="list-style-type: none"> <li>• Expenditures by quintile and ethnicity</li> </ul>	Proportionate share of expenditures in the 2004 RTP by each quintile.	No disproportionate impact to any group or quintile

• Benefit vs. burden by quintiles	Proportionate share of benefits to each quintile ethnicity.
	Proportionate share of additional airport noise by ethnic group.

- Ensuring safety, adequate maintenance, and efficiency of operations on the existing multi-modal transportation system will be RTP priorities and will be balanced against the need for system expansion investments.
- RTP land use and growth strategies that differ from currently expected trends will require a collaborative implementation program that identifies required actions and policies by all affected agencies and sub-regions.

### **OPEN SPACE AND CONSERVATION CHAPTER**

The Open Space and Conservation Chapter core actions related to the proposed project includes:

*Increase the accessibility to open space lands for outdoor recreation.*

*Promote self-sustaining regional recreation resources and facilities.*

*Maintain adequate viable resource production lands, particularly lands devoted to commercial agriculture and mining operations.*

*Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*

### **GROWTH VISIONING**

The fundamental goal of the Compass Growth Visioning effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and **sustain** for future generations the region's **mobility, livability** and **prosperity**. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve **mobility** for all residents

- Encourage transportation investments and land use decisions that are mutually supportive.
- Locate new housing near existing jobs and new jobs near existing housing.
- Encourage transit-oriented development.
- Promote a variety of travel choices

Principle 2: Foster **livability** in all communities

- Promote infill development and redevelopment to revitalize existing communities.
- Promote developments, which provide a mix of uses.
- Promote "people scaled," walkable communities.
- Support the preservation of stable, single-family neighborhoods.

Principle 3: Enable **prosperity** for all people

- Provide, in each community, a variety of housing types to meet the housing needs of all income levels.
- Support educational opportunities that promote balanced growth.
- Ensure environmental justice regardless of race, ethnicity or income class.
- Support local and state fiscal policies that encourage balanced growth
- Encourage civic engagement.

Principle 4: Promote **sustainability** for future generations

- Preserve rural, agricultural, recreational and environmentally sensitive areas.
- Focus development in urban centers and existing cities.
- Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.
- Utilize "green" development techniques.

**CONCLUSIONS**

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

## SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

### *Roles and Authorities*

THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) is a **Joint Powers Agency** established under California Government Code Section 6502 et seq. Under federal and state law, SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). SCAG's mandated roles and responsibilities include the following:

SCAG is designated by the federal government as the Region's **Metropolitan Planning Organization** and mandated to maintain a continuing, cooperative, and comprehensive transportation planning process resulting in a Regional Transportation Plan and a Regional Transportation Improvement Program pursuant to 23 U.S.C. '134, 49 U.S.C. '5301 et seq., 23 C.F.R. '450, and 49 C.F.R. '613. SCAG is also the designated **Regional Transportation Planning Agency**, and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082 respectively.

SCAG is responsible for developing the demographic projections and the integrated land use, housing, employment, and transportation programs, measures, and strategies portions of the **South Coast Air Quality Management Plan**, pursuant to California Health and Safety Code Section 40460(b)-(c). SCAG is also designated under 42 U.S.C. '7504(a) as a **Co-Lead Agency** for air quality planning for the Central Coast and Southeast Desert Air Basin District.

SCAG is responsible under the Federal Clean Air Act for determining **Conformity** of Projects, Plans and Programs to the State Implementation Plan, pursuant to 42 U.S.C. '7506.

Pursuant to California Government Code Section 65089.2, SCAG is responsible for **reviewing all Congestion Management Plans (CMPS) for consistency with regional transportation plans** required by Section 65080 of the Government Code. SCAG must also evaluate the consistency and compatibility of such programs within the region.

SCAG is the authorized regional agency for **Inter-Governmental Review** of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12,372 (replacing A-95 Review).

SCAG reviews, pursuant to Public Resources Code Sections 21083 and 21087, Environmental Impacts Reports of projects of regional significance for consistency with regional plans [California Environmental Quality Act Guidelines Sections 15206 and 15125(b)].

Pursuant to 33 U.S.C. '1288(a)(2) (Section 208 of the Federal Water Pollution Control Act), SCAG is the authorized **Areawide Waste Treatment Management Planning Agency**.

SCAG is responsible for preparation of the **Regional Housing Needs Assessment**, pursuant to California Government Code Section 65584(a).

SCAG is responsible (with the Association of Bay Area Governments, the Sacramento Area Council of Governments, and the Association of Monterey Bay Area Governments) for preparing the **Southern California Hazardous Waste Management Plan** pursuant to California Health and Safety Code Section 25135.3.

Revised July 2001

STATE OF CALIFORNIA

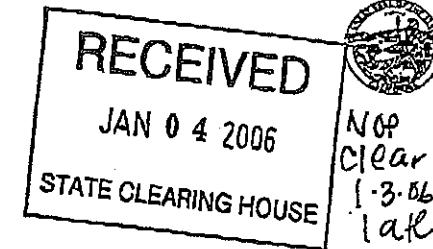
Arnold Schwarzenegger, Governor

## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364  
 SACRAMENTO, CA 95814  
 (916) 653-4082  
 (916) 657-5390 - Fax

December 13, 2005

Mr. Rolfe Preisendanz  
 City of Lake Elsinore  
 130 S. Main Street  
 Lake Elsinore, CA 92350



Re: Lake Elsinore General Plan Update NOP

SCH# 2005121019

Dear Mr. Preisendanz:

Thank you for the opportunity to comment on the above-referenced document. In order to adequately identify and mitigate project-related impacts on cultural resources in accordance with the CEQA Guidelines (15063 (d) (3), the Commission recommends that you provide evidence that all of the following actions be taken:

- Contact the appropriate California Historic Resources Information Center for a record search. The record search will determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- Contact the Native American Heritage Commission (NAHC) for a Sacred Lands File search of the project area, and information on tribal contacts in the project vicinity who may have additional cultural resource information.
  - Please provide U.S.G.S. location information for the project site, including Quadrangle, Township, Section, and Range.
  - We recommend that you contact all tribes listed on the contact list to avoid the unanticipated discovery of sensitive Native American resources after the project has begun.
- Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15084.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- Lead agencies should include provisions for discovery of Native American human remains or cemeteries in their mitigation plans. Health and Safety Code §7050.5 and Public Resources Code §15064.5 (e) and §5097.98 mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.
- Lead agencies should consider avoidance, as defined in Section 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Carol Gaubatz  
 Program Analyst

CC: State Clearinghouse



**Riverside Transit Agency**  
1825 Third Street  
P.O. Box 59968  
Riverside, CA 92517-1968  
Phone: (951) 565-5000  
Fax: (951) 565-5001

December 14, 2005

Robert A Brady, City Manager  
City of Lake Elsinore  
130 S Main St  
Lake Elsinore CA 92530

**SUBJECT: Notice of Preparation for Lake Elsinore General Plan Update  
Comments from RTA**

Thank you for the opportunity to review the Notice of Preparation (NOP) for the updated Lake Elsinore General Plan. A copy of Riverside Transit Agency (RTA) staffs' internal review memo on this project is attached for your information, providing more detail and analysis.

RTA is generally supportive of the content of the NOP at this stage of the General Plan except that more attention should be given to transit. The following suggestions are offered:

- Include an affirmative statement of support for transit in general and for transit-friendly amenities such as bus turnouts and other infrastructure accommodations;
- Offer options for mixed-use or transit-oriented land uses in appropriate locations;
- Include an up-to-date inventory of existing and potential transit resources and other alternatives to conventional single-occupancy vehicles;
- Include strong support for pedestrian connectivity between bus stops and surrounding neighborhoods, especially in new residential or commercial communities;
- Encourage continued partnering between the City and subregional agencies such as RTA, WRCOG, RCTC and with community leaders and the development community.

Please be assured that RTA staff is available to confer with Lake Elsinore City staff and the Consultant at any point in developing the Draft Environmental Impact Report.

We look forward to receiving further documents. If you need additional clarification or if I can be of further assistance, please call me at (951) 565-5164 or contact me online at [mmccoy@riversidetransit.com](mailto:mmccoy@riversidetransit.com).

Sincerely,

Michael McCoy  
Senior Planner



December 14, 2004

## PLANNING DEPARTMENT MEMO

### DEVELOPMENT REVIEW

To: Director of Planning

From: Michael McCoy, Senior Planner *McC*

Subject: Notice of Preparation of an EIR for General Plan Update, City of Lake Elsinore; RTA Comments

Bus routes affected: 7, 8, 22, 40, 206 and future routes

**Summary:** The City of Lake Elsinore Community Development Dept has issued a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for its General Plan update. This EIR will be one of the most important policy documents guiding land use and development decisions in Lake Elsinore over the next few decades.

The NOP is very brief and addresses a minimum scope of issues. It does not address transit in any degree whatsoever among any of the listed environmental review categories. RTA staff suggests the General Plan consultant significantly expand discussion in the Draft EIR of available and potential transit. It should include not only an inventory of current and future bus routes but also an assessment of opportunities for transit-friendly development over the next few decades.

RTA also believes that the citizens of Lake Elsinore and the development community in general would benefit from more attention in general, to transit in the Plan. The forthcoming EIR should send a strong, pro-active 'welcome' to transit as one of the few viable remedies for the congestion and pollution that plagues the Inland Area that is only going to get worse in the corridor between Corona and Temecula.

RTA currently serves Lake Elsinore with five bus routes (#7, 8, #22, #40 and #206) that enable connection to the entire bus network and to regional mass transit such as Metrolink. These routes can be described as:

- Route 7: Lake Elsinore eastside circulator
- Route 8: Lake Elsinore and vicinity Westside circulator
- Route 22: Lake Elsinore to Downtown Riverside
- Route 40: Lake Elsinore to Sun City
- Route 206: CommuterLink route from Outlet Center to Corona Metrolink

Future bus routes that have been discussed by RTA staff include, for example, a local "Temescal Valley" line from Corona to Lake Elsinore and a semi-express route from the I-15/Railroad Canyon Interchange to Hemet.

RTA staff makes the following specific observations about the NOP. References are to text sections since the document did not include page numbers:

- **Section on Land Use and Recreation:** The statement “GP will include policies to ensure that conflicting land uses are not placed adjacent to one another” seems discouraging to any concepts relative to ‘new urbanism’ or livable communities that may require some creative mixture of land uses and innovative urban design techniques. RTA staff believes this strict separation of land uses is a conventional mode of thinking that is somewhat responsible for today’s urban sprawl and evidently promises “more of the same” for Lake Elsinore. Mixed use is an ideal component of transit-friendly development patterns and revitalized commercial districts;
- In the section on Transportation, the text bemoans congestion and poor levels of service regarding traffic but makes no mention of the potential for land use or mode-of-travel alternatives to the single-occupant vehicle that could remedy this situation.

Overall, RTA staff believes the NOP is a necessary step toward a well-deserved upgrade of the Lake Elsinore General Plan. RTA has suggested more attention to transit and perhaps the incorporation of measures such as on-street transit-friendly amenities and encouragement of property owners to work with the city and the transit agency in the future to provide some transit-friendly developments. Some of the other jurisdictions in Riverside County have adopted these and other transit-supportive policies. Perhaps these concepts will work their way into policy statements in the Lake Elsinore Plan.

In summary, RTA looks forward to viewing the Draft EIR when it is released over the coming months.

INITIAL REVIEW INFORMATION - Review completed date: December 14, 2005.

Documents received at RTA: November 20, 2005. Reply-by Date: December 15, 2005;  
 City Council Agenda Date: Unknown at present or N/A;  
 Thomas Guide Map page grid: Not applicable;  
 Case Numbers: Not applicable. State Clearinghouse No: Unknown;  
 Contact Planner: None. The City Manager, Robert A Brady, is listed as the contact, with no phone number. Phone is (951) 674-3124 per internet site. The fax is 674.2392.  
 Applicant: City of Lake Elsinore, CA  
 Applicant's Consultant: This is not clear. The name of Mooney, Jones & Stokes appears on an area map but is not indicated in the NOP.

#### RTA PLANNING FOLLOW-UP:

Standard “Acceptable” letter to jurisdiction without comments

Standard “Acceptable” letter to jurisdiction with compliments or positive advisories

Letter with advisories re transit issues

Letter sent: Date: 12/15/05

#### SECOND REVIEW:

Review materials placed in archive files: Date: \_\_\_\_\_

STATE OF CALIFORNIA  
Governor



ARNOLD SCHWARZENEGGER

GOVERNOR'S OFFICE OF EMERGENCY SERVICES  
DISASTER ASSISTANCE PROGRAMS BRANCH  
8660 SCHRIVER AVENUE  
MATHER, CALIFORNIA 95655  
PHONE: (916) 845-8101 FAX: (916) 845-8881



December 28, 2005

Mr. Rolf Preisendanz  
City of Lake Elsinore  
130 S. Main Street  
Lake Elsinore, CA 92350

RECEIVED

DEC 28 2005

STATE CLEARING HOUSE

NO  
Clear  
P-3-06  
P

Re: Notice of Preparation Lake Elsinore General Plan Update Update draft Environmental Impact Report (SCH2005121019)

Dear Mr. Preisendanz:

Thank you for the opportunity to comment on your Notice of Preparation for the Lake Elsinore General Plan Update Draft Environmental Impact Report (DEIR). In preparing the draft general plan and accompanying DEIR the city should examine the sections of state planning law that involve potential hazard issues the city may face. For your information, I have underlined sections of state planning law where identification and analysis of hazards are discussed (see Attachment A). The attachment also includes other state planning laws that may affect the preparation of your general plan such as the airport master plan/general plan consistency requirement.

The Draft EIR should evaluate these hazard issues and determine if there are adequate policies in the general plan or mitigation measures in the EIR so that these hazards will not result in potentially adverse impacts.

If you have any questions about these comments, please contact Wendy Boemecke, Staff Services Analyst at 916-845-8275.

Sincerely,

Dennis Castrillo  
Environmental Officer

**Attachment A**  
**Hazards and State Planning Law Requirements**

**General Plan Consistency**

65300.5. In construing the provisions of this article, the Legislature intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.

**Seven Mandated Elements**

65302. The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals.  
The plan shall include the following elements:

(a) A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify areas covered by the plan which are subject to flooding and shall be reviewed annually with respect to those areas. The land use element shall also do both of the following:

(1) Designate in a land use category that provides for timber production those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982, Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5.

(2) Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace.

(A) In determining the impact of new growth on military readiness activities, information provided by military facilities shall be considered. Cities and counties shall address military impacts based on information from the military and other sources.

(B) The following definitions govern this paragraph:

(i) "Military readiness activities" mean all of the following:

(I) Training, support, and operations that prepare the men and women of the military for combat.  
(II) Operation, maintenance, and security of any military installation.

(III) Testing of military equipment, vehicles, weapons, and sensors for proper operation or suitability for combat use.

(ii) "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States Department of Defense as defined in paragraph (1) of subsection (e) of Section 2687 of Title 10 of the United States Code.

(b) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

(c) A housing element as provided in Article 10.6 (commencing with Section 65580).

(d) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations.

That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies that have developed, served, controlled or conserved water for any purpose for the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county. The conservation element may also cover the following:

- (1) The reclamation of land and waters.
- (2) Prevention and control of the pollution of streams and other waters.
- (3) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
- (4) Prevention, control, and correction of the erosion of soils, beaches, and shores.
- (5) Protection of watersheds.
- (6) The location, quantity and quality of the rock, sand and gravel resources.
- (7) Flood control.

The conservation element shall be prepared and adopted no later than December 31, 1973.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560).

(f) A noise element which shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control in the State Department of Health Services and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

- (1) Highways and freeways.
- (2) Primary arterials and major local streets.
- (3) Passenger and freight on-line railroad operations and ground rapid transit systems.
- (4) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.
- (5) Local industrial plants, including, but not limited to, railroad classification yards.
- (6) Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment.

Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in paragraphs (1) to (6), inclusive. The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise. The noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards.

(g) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wild land and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.

(1) Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the Division of Mines and Geology of the Department of Conservation and the Office of Emergency Services for the purpose of including information known by and available to the department and the office required by this subdivision.

(2) To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.

#### Consistency with Airport Land Use Plans

65302.3. (a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

#### Review of Safety Element

65302.5. (a) At least 45 days prior to adoption or amendment of the safety element, each county and city shall submit to the Division of Mines and Geology of the Department of Conservation one copy of a draft of the safety element or amendment and any technical studies used for developing the safety element. The division may review drafts submitted to it to determine whether they incorporate known seismic and other geologic hazard information, and report its findings to the planning agency within 30 days of receipt of the draft of the safety element or amendment pursuant to this subdivision. The legislative body shall consider the division's findings prior to final adoption of the safety element or amendment unless the division's findings are not available within the above prescribed time limits or unless the division has indicated to the city or county that the division will not review the safety element. If the division's findings are not available within those prescribed time limits, the legislative body may take the division's findings into consideration at the time it considers future amendments to the safety element. Each county and city shall provide the division with a copy of its adopted safety element or amendments. The division may review adopted safety elements or amendments and report its findings. All findings made by the division shall be advisory to the planning agency and legislative body.

(1) The draft element or draft amendment to the safety element of a county or a city's general plan shall be submitted to the State Board of Forestry and Fire Protection and to every local

agency that provides fire protection to territory in the city or county at least 90 days prior to either of the following:

(A) The adoption or amendment to the safety element of its general plan for each county that contains state responsibility areas.

(B) The adoption or amendment to the safety element of its general plan for each city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177.

(2) A county that contains state responsibility areas and a city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177, shall submit for review the safety element of its general plan to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county in accordance with the following dates as specified, unless the local government submitted the element within five years prior to that date:

(A) Local governments within the regional jurisdiction of the San Diego Association of Governments: December 31, 2010.

(B) Local governments within the regional jurisdiction of the Southern California Association of Governments: December 31, 2011.

(C) Local governments within the regional jurisdiction of the Association of Bay Area Governments: December 31, 2012.

(D) Local governments within the regional jurisdiction of the Council of Fresno County Governments, the Kern County Council of Governments, and the Sacramento Area Council of Governments: June 30, 2013.

(E) Local governments within the regional jurisdiction of the Association of Monterey Bay Area Governments: December 31, 2014.

(F) All other local governments: December 31, 2015.

(3) The State Board of Forestry and Fire Protection shall, and a local agency may, review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element. The State Board of Forestry and Fire Protection and local agency shall review the draft or existing safety element and may offer written recommendations for changes to the draft or existing safety element regarding both of the following:

(A) Uses of land and policies in state responsibility areas and very high fire hazard severity zones that will protect life, property, and natural resources from unreasonable risks associated with wildland fires.

(B) Methods and strategies for wildland fire risk reduction and prevention within state responsibility areas and very high hazard severity zones.

(b) Prior to the adoption of its draft element or draft amendment, the board of supervisors of the county or the city council of a city shall consider the recommendations made by the State Board of Forestry and Fire Protection and any local agency that provides fire protection to territory in the city or county. If the board of supervisors or city council determines not to accept all or some of the recommendations, if any, made by the State Board of Forestry and Fire Protection or local agency, the board of supervisors or city council shall communicate in writing to the State Board of Forestry and Fire Protection or to the local agency, its reasons for not accepting the recommendations.

## Open Space Plans

65560. (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.



# California Regional Water Quality Control Board

## Santa Ana Region



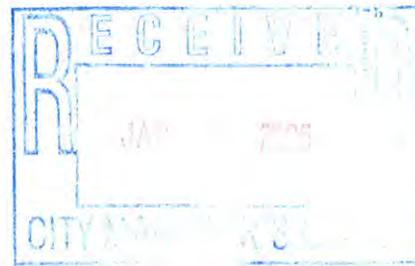
Alan C. Lloyd, Ph.D.  
Agency Secretary

3737 Main Street, Suite 500, Riverside, California 92501-3348  
Phone (951) 782-4130 – FAX (951) 781-6288 – TTY (951) 782-3221  
<http://www.waterboards.ca.gov/santaana>

Arnold Schwarzenegger  
Governor

January 3, 2006

Robert A. Brady, City Manager  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA 92530



### NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT, CITY OF LAKE ELSINORE GENERAL PLAN UPDATE, RIVERSIDE COUNTY, STATE CLEARINGHOUSE NUMBER #2005121019

Dear Mr. Brady:

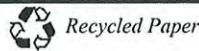
Staff of the Regional Water Quality Control Board, Santa Ana Region (RWQCB), have reviewed the City's Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for an update of the City of Lake Elsinore's 1990 General Plan. The updated document will guide implementation of development, including use of open space, throughout the City corporate area (38 square miles) and a designated Sphere of Influence (SOI; 78 square miles). The following comments should be considered for incorporation into the DEIR:

1. The expansion of a city carries incremental effects that are cumulatively considerable and pose a "potentially significant impact" on the environment. There is widespread experience that an increase of disturbed, developed, and paved areas has the tendency to substantially impact and impair the beneficial uses of waters of the United States and the state. Aside from the legally required "no project alternative," several project alternatives, including varying levels of City build-out throughout its boundaries and SOI, should be included in the DEIR along with large-scale maps of the areas to be built upon. These alternatives should be discussed in terms of how they will minimize impact and protect water quality standards, i.e., water quality objectives and beneficial uses expressed in the RWQCB's Water Quality Control Plan for the Santa Ana River Basin (Basin Plan), as well as antidegradation policies such as the State Water Resources Control Board's (SWRCB) Resolution No. 68-16 and the federal antidegradation policy (40 CFR 131.12).

We contend that potential extensive construction, as has occurred in recent years prior to this General Plan update, would unquestionably engender the creation of more projects, thus creating additional paved areas with impacts to water quality standards. Therefore, a discussion of cumulative impacts in the DEIR, as required by CEQA, should cite a general decrease of groundwater recharge posed by the project's increments of impermeable surfaces. Project impacts to both groundwater supply and quality should also be addressed in the discussion of the Elsinore Valley Municipal Water District's Groundwater Management Plan (NOP p. 4).

2. An increase in impermeable surfaces will potentially increase stormwater runoff and its impacts to the beneficial uses of Lake Elsinore, Temescal Creek, and tributary channels.

*California Environmental Protection Agency*



The City must incorporate the requirements of Riverside County Areawide Urban Runoff Waste Discharge Requirements (RWQCB Order No. R8-2002-0011, NPDES No. CAS 618033), also known as the Riverside County Municipal Separate Storm Sewer Systems (MS4) Permit, into the General Plan to the extent necessary to ensure consistent implementation of the MS4 permit within the City and its SOI. The City is a co-permittee in this permit. (please see our web site at [http://www.waterboards.ca.gov/santaana/html/riverside\\_permit.html](http://www.waterboards.ca.gov/santaana/html/riverside_permit.html)).

3. In accordance with Clean Water Act (CWA) Section 303(d), Lake Elsinore, to which Canyon Lake is tributary, is 303(d) listed as impaired for nutrients, low dissolved oxygen, sediment, and unknown toxicity. The DEIR should fully reflect that implementation of the MS4 controls on urban runoff will be a crucial part of the City's participation in local municipal compliance with the Regional Board's existing Total Maximum Daily Loads (TMDLs) for nutrients (phosphorus, nitrogen, and dissolved oxygen) to Lake Elsinore, and pathogens (bacteria) to Canyon Lake (both adopted by the Environmental Protection Agency on September 30, 2005). A TMDL for unknown toxicity to Lake Elsinore is pending.
4. Appropriate Best Management Practices (BMPs) must be developed and implemented to control the discharge of point source and non-point source pollutants both during construction and for the life of development projects. Post-construction BMPs must address all pollutant loads carried by dry weather runoff and first-flush storm water runoff from an entire project. The DEIR should reflect that the Water Quality Management Plan required by the Riverside County MS4 permit is now in effect and that all development must conform to the Plan's provisions. No waste material may be discharged to any drainage areas, channels, streambeds, or streams. Spoil sites must not be located within any streams or where spoil material could be washed into a waterbody. BMPs must be deployed around spoils at all times.
5. The DEIR should encourage BMPs that utilize the principles of low impact development (LID) as part of a comprehensive, community-wide system for protecting water quality standards. LID makes use of project-level features to manage urban runoff quantity and quality, while conserving water. LID is among the Ahwahnee Water Principles for Resource Efficient Land Use, adopted in 2005 by the Local Government Commission to incorporate management of stormwater and other non-point source runoff from compact urban developments into general plans. These "community" and "implementation" principles are intended to lead to reversal of the trend of increasingly paved and constructed areas that alter the rate and volumes of surface water runoff and groundwater recharge (see [www.lgc.org](http://www.lgc.org)). SWRCB management has expressed support of the Ahwahnee principles and LID as useful to address all major goals and objectives of the Water Board.
6. The DEIR must include provisions to advise the City's development, construction and business communities of the need to comply with several other permit programs, including:
  - a. The State Water Resources Control Board's Water Quality Order No. 99-08-DWQ, "General Permit for Storm Water Discharges Associated with Construction Activity," also known as the General Construction Activity Storm Water Runoff Permit, for individual projects occurring on an area of one or more acres. A Notice of Intent (NOI) with the appropriate fees for coverage of the project under this Permit must be

submitted to the SWRCB at least 30 days prior to the initiation of construction activity at the site. Information about this permit program can be found at <http://www.swrcb.ca.gov/stormwtr/construction.html>.

- b. A National Pollutant Discharge Elimination System (NPDES) permit (waste discharge requirements) for projects that will have dewatering or other wastewater discharges to surface waters of the state. RWQCB Order No. R8-2003-0061, NPDES No. CAG998001, a regional general *de minimus* permit, is available for most such discharges. Order No. R8-2003-0061 may be reviewed under the Adopted Orders link for 2003 permits at the Region 8 website. Waste discharge requirements may also be required for discharge of wastes to land. Further information can be obtained by contacting the RWQCB Permitting Section staff at (951) 782-4130.
- c. A Clean Water Act Section 401 Water Quality Standards Certification (Certification) from the Regional Board for any project that causes material to be dredged from or filled into waters of the United States, i.e., surface waters or tributaries thereto, where these waters fall under the jurisdiction of the United States Army Corps of Engineers (ACOE) and a CWA Section 404 permit is required. **Early consultation with Regional Board staff concerning potential Section 401 certification issues is strongly suggested.** Information concerning Section 401 certification can be found at the Regional Board's website, [www.swrcb.ca.gov/rwqcb8/html/401.html](http://www.swrcb.ca.gov/rwqcb8/html/401.html). Where the ACOE rules that a water body does not fall under their jurisdiction, as with potential cases of vernal pools or other isolated wetlands in the Lake Elsinore area, the Regional Board may still determine that waste discharge requirements are necessary for protection of waters of the State. Projects that propose to fill isolated waters must account for the potential loss of beneficial uses, including WILD, WARM and possibly RARE, through the CEQA process because loss of beneficial uses is a significant impact. A Streambed Alteration Agreement from the California Department of Fish and Game may be necessary as well.

Projects that appear to result in excavation of ("dredging") and/or placement of fill into "waters of the United States," which include wetlands and riparian channels, should be conditioned to have the applicant conduct the studies necessary to establish whether or not the project (or any part of the project) falls under ACOE jurisdiction. The project should be further conditioned such that if it does fall within ACOE jurisdiction, the applicant is advised to promptly apply for a Certification from the Regional Board that construction and operation of the project will not adversely affect water quality standards (water quality objectives and beneficial uses). Certifications are required before a Section 404 permit can be issued.

If a Section 404 permit is not required, then the criteria for water quality permitting of the construction of the proposed facility will be those criteria required by the statewide Water Quality Order No. 99-08-DWQ and the Water Quality Management Plan requirement of the MS4 permit. If Section 404/401 permitting is required, however, then Best Management Practices (BMP) utilized on projects receiving a Certification must meet Best Available Technology (BAT) standards that may go beyond BMPs typically needed under the SWRCB Water Quality Order No. 99-08-DWQ and the Riverside County MS4 permit.

7. The DEIR should emphasize an underlying, guiding premise that all future development must follow: Impacts to water quality standards of all surface waters, including channels, ephemeral drainages, and other drainages, must first and foremost be avoided whenever possible. Where that is not practicable, impacts to these waters should be minimized. Such disturbance requires generous mitigation (beyond simply the acquisition of permits) that, at a minimum, replaces the full function and value of water quality standards, i.e., beneficial uses and water quality objectives, of the impacted water body that existed prior to the impacts. Acceptable mitigation for unavoidable direct and cumulative impacts on water quality beneficial uses must be determined through consultation with the responsible agencies that likely will be issuing permits for the project, including ACOE (Section 404 permit), the Regional Board (Section 401 Certification or waste discharge requirements), and/or the California Department of Fish and Game (Fish and Game Code Section 1600 Streambed Alteration Agreement). The Lead Agency for a project should not finalize its CEQA process until mitigation agreed to between the project proponent and all Responsible Agencies can be incorporated into the final CEQA document.
8. The DEIR should consider how the General Plan could include guidelines or requirements for holding ponds and/or constructed wetlands to capture and naturally treat dry weather urban runoff and the first flush of rainfall runoff, either on a regional scale (preferred) or during project-by-project development. To provide maximum water quality benefits, these basins should be designed to detain runoff for a minimum time (e.g., 24 hours) in order to settle suspended solids and associated pollutants.
9. The DEIR should address how projects conducted under the General Plan will prevent hydromodification in natural or naturalized surface drainages. Unintended and destructive hydromodification frequently accompanies land development that has not been required to evaluate and address its effect on local hydrology in a comprehensive manner. The DEIR should also direct projects toward mechanisms that will mitigate for and reverse hydromodifications that have already led to loss of beneficial uses and impaired receiving waters. Examples of these mechanisms might include creation of storm water retention and metering facilities and use of existing drainages, in lieu of "improving" drainages with concrete and riprap. Armor should be removed from streambanks where possible in order to create streambed and embankment restoration opportunities.
10. Post-development storm water runoff flow rates (Q) must not substantially differ from the pre-development Q. Changes in Q, either in a positive or negative manner, can lead to erosion on site and/or sedimentation impacts downstream from the project site.
11. The DEIR should recommend that projects preserve and protect areas of native vegetation to the maximum extent possible and that clearing of native vegetation should be strictly limited. Among other water quality and environmental benefits, native vegetation assemblages are effective at reducing slope erosion, filtering runoff, and providing habitat for native animal species, thereby supporting water quality beneficial uses. Established native riparian vegetation buffers along and within broad floodplains and drainage systems will modulate storm flow, lessen erosion and subsequent sedimentation, and as a result, protect water quality standards. The DEIR should encourage the proactive replanting and hydroseeding of native vegetation in most operations.

12. The DEIR should reflect that the preservation of natural and naturalized drainage systems, water bodies, and undisturbed slopes reduces impacts to water quality and may lessen development's impact on water quality standards. Projects should be directed to avoid impeding wildlife movement and affecting the WILD water quality beneficial use, by calling for roadways or pipelines to be carried over ravines, arroyos, washes, and other drainages by bridges or wide, arched culverts. A policy of including riparian wildlife corridors into large-scale planning processes should be supported by measures that require generous mitigation for construction impacts to natural drainages and other surface waters of the state and of the United States. By facilitating wildlife movement through riparian corridors, the Basin Plan's wildlife habitat beneficial uses are served. This policy support may lead to streamlining the issuance of Certifications and waste discharge requirements, as well as aid compliance with habitat conservation plans. The DEIR should encourage projects to seek opportunities to restore beneficial uses to previously impacted water bodies through the creation of mitigation banks.

The DEIR should consider whether to recommend that the City adopt an arroyo protection ordinance similar to that of the City of Riverside, whereby arroyo segments providing beneficial uses are delineated on aerial photographs and used as a planning tool.

If you have any questions, please contact me at (951) 782-3234, or Glenn Robertson of my staff at (951) 782-3259.

Sincerely,



Mark G. Adelson, Chief  
Regional Planning Programs Section

cc: Scott Morgan – State Clearinghouse



## PECHANGA CULTURAL RESOURCES

*Temecula Band of Luiseño Mission Indians*

Post Office, Box 2183 • Temecula, CA 92593  
Telephone (951) 308-9295 • Fax (951) 506-9491

Chairperson:  
Germaine Arenas

Vice Chairperson:  
Mary Bear Magee

Committee Members:  
Raymond Basquez, Sr.  
Evie Gerber  
Darlene Miranda  
Bridgett Barcello Maxwell

Director:  
Gary DuBois

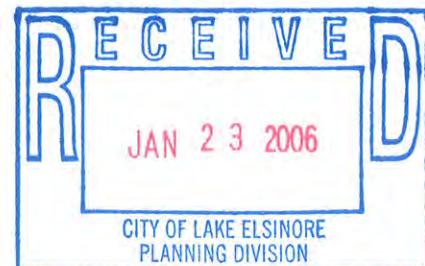
Coordinator:  
Paul Macarро

Cultural Analyst:  
Stephanie Gordin

Monitor Supervisor:  
Aurelia Marruffo

January 12, 2006

Robert Brady, City Manager  
City of Lake Elsinore  
130 South Main Street  
Lake Elsinore, CA. 92530



### **Re: Comments on General Plan Update NOP**

Dear Mr. Brady:

This comment letter is submitted by the Pechanga Band of Luiseño Indians (hereinafter, "Pechanga Tribe"), a federally recognized Indian tribe and sovereign government. The Pechanga Tribe is formally requesting, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project").

We submit the following comments on the above listed document for the Project. Having already met with the City along with Mooney, Jones and Stokes for an initial consultation, this letter is acknowledging our continued interest in being involved with the General Plan updates, and enhancing our relationship with the City of Lake Elsinore. Additional comments may be submitted directly by Pechanga or through their attorneys. We request that all such comments be part of the official record for the approval of these General Plan updates.

We also request that the City of Lake Elsinore provide us with copies of all archeological studies, reports, site records, proposed testing plans, and proposed mitigation measures, and conditions as soon as they become available, for our comment.

**THE LEAD AGENCY MUST INCLUDE AND CONSULT WITH THE TRIBE IN ITS REVIEW PROCESS**

It has been the intent of the Federal Government<sup>1</sup> and the State of California<sup>2</sup> that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments such as approval of Specific Plans and EIRs. In this case, it is undisputed that the project lies within the Luiseño tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the Lead Agency and the Project applicant consult with the Tribe in order to guarantee an adequate basis of knowledge for an appropriate evaluation of the project effects, as well as generating adequate mitigation measures.

### **PROJECT IMPACTS TO CULTURAL RESOURCES**

The Pechanga Tribe is not opposed to this development project. The Pechanga Tribe's primary concerns stem from the project's likely impacts on Native American cultural resources. The Pechanga Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Luiseño village sites and archaeological items which would be displaced by ground-disturbing work on the project, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work. The Tribe would also like to point out that a preferred method of treatment for archaeological sites according to the CEQA is avoidance (California Public Resources Code §21083.1), and that this is in agreement with the Tribe's practices and policies concerning cultural resources.

The Pechanga Tribe asserts that the Project area is part of the Pechanga Tribe's aboriginal territory, as evidenced by the existence of Luiseño place names, rock art pictographs, petroglyphs and extensive artifact records found in the vicinity of the Project. Given this threshold for the scope of Pechanga traditional territory, the Pechanga Tribe is concerned about the potential impacts to Luiseño/Pechanga resources which may occur throughout the Project area. Given all the information, there is a very strong likelihood of locating sub-surface resources during ground disturbing activities.

The Pechanga Tribe's knowledge of the continuous occupation of the Luiseño people in this geographical area for thousands of years, through their stories and songs, are cultural evidence that subsurface sites may exist in this Project area. Therefore, the Pechanga Tribe requests that in the case of discovery of new or additional sites or resources, that the Lead Agency re-evaluate the Project impacts to cultural resources and adopt appropriate mitigation measures to address such. The Pechanga Tribe intends to assert its legal rights with respect to

<sup>1</sup> See Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments and Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments.

<sup>2</sup> See California Public Resource Code §5097.9 et seq.

additional finds of significant sites or cultural resources which are of sacred and ceremonial significance to the Pechanga Tribe.

Given that Luiseno cultural resources will likely be affected by the Project, the Pechanga Tribe must be allowed to be involved and participate with the Lead Agency and the Project Applicant in developing all monitoring and mitigation plans for the duration of the Project. Further, given the potential for archaeological resources within the Project area, it is the position of the Pechanga Tribe that Pechanga tribal monitors should be required to be present prior to and during all ground-disturbing activities conducted in connection with the project, including any archeological testing performed. It is further the position of the Pechanga Tribe that an Agreement regarding appropriate treatment of cultural resources be drafted and entered into.

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures for the permit must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage commission must name a “most likely descendant,” who shall be consulted as to the appropriate disposition of the remains. Given the Project’s location in Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this project. Accordingly, the Pechanga Tribe further requests that the Lead Agency work with the Tribe to draft an agreement which would address any inadvertent discoveries of cultural resources, including human remains.

In addition, surveys and grading may reveal significant archaeological resources and sites which may be eligible for inclusion in the historic site register, and may contain human remains or sacred items. Therefore, we request that the Lead Agency commit to evaluating Project environmental impacts to any cultural sites that are discovered during archeological testing and grading, and to adopt appropriate mitigation for such sites, in consultation with the Pechanga Tribe.

### **REQUESTED MITIGATION**

The Tribe requests that an appropriate assessment of the archeological and cultural resources on the Project property be performed by a qualified archeologist in conjunction with the Pechanga Tribe in order to determine whether there are cultural resources on the property and evaluate the significance of any such resources. Any such testing should involve the Tribe, and all tests to determine impacts should be completed prior to Project approval. Further, if cultural resources are encountered, the Pechanga Tribe requests that adequate mitigation be adopted.

For the reasons stated above, the Pechanga Tribe requests the following mitigation measures be adopted at the present time. Upon completion of a thorough archeological assessment additional mitigation measures may be necessary.

1. Prior to the issuance of grading permits, the Project Applicant/Developer is required to enter into a Treatment Agreement with the Pechanga Band of Luiseño Indians. This

Agreement will address the treatment and disposition of cultural resources and human remains that may be uncovered during construction as well as provisions for tribal monitors.

2. Tribal monitors from the Pechanga Band of Luiseño Indians shall be allowed to monitor all grading, excavation and ground-breaking activities, including further surveys, to be compensated by the Project Applicant/Developer. The Pechanga Tribal monitors will have the authority to temporarily stop and redirect grading activities to evaluate the significance of any archaeological resources discovered on the property, in conjunction with the archeologist and the Lead Agency.

3. If human remains are encountered, all activity shall stop and the County Coroner must be notified immediately. All activity must cease until the County Coroner has determined the origin and disposition of said remains. The Coroner shall determine if the remains are prehistoric, and shall notify the State Native American Heritage Commission if applicable. Further actions shall be determined by the desires of the Most Likely Descendent.

4. The landowner agrees to relinquish ownership of all cultural resources, including all Luiseño sacred items, burial goods and all archeological artifacts that are found on the Project area to the Pechanga Band of Luiseño Indians for proper treatment and disposition.

5. All sacred sites within the Project area are to be avoided and preserved.

The Pechanga Tribe looks forward to working together with the City of Lake Elsinore Planning Department, Mooney, Jones and Stokes along with any other interested agencies in protecting the invaluable Luiseño cultural resources found in the Project area. If you have any questions, please do not hesitate to contact me at (951) 308-9295 or Laura Miranda at (951) 676-2768, Ext. 2137. Thank you for the opportunity to submit these comments.

Sincerely,



Stephanie Gordin  
Cultural Analyst



**Mission:**

Educate and communicate the rich heritage of Soboba peoples; Lead and assist individuals, organizations and communities in understanding the needs and concerns of Native American monitoring of traditional sites; Advocate Native American participation in state agencies and boards; Advocate legislation and enforcement of laws affecting Native American peoples and protecting historical and archaeological resources.

March 12, 2006

Attn:

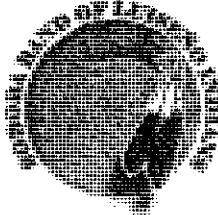
Mooney Jones & Stokes  
9903 Businesspark Avenue  
San Diego, California 92131

**RE: Notice of Preparation for City of Lake Elsinore General Plan Update Program  
Environmental Impact Report (EIR)**

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does falls within the bounds of our Tribal Traditional Use Areas.

Soboba Band of Luiseño Indians is requesting the following:

1. Further consultation which may include a Mitigation Plan
2. Copies of archeological and/or cultural resource documentation.
3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests Cultural Resource Monitor(s) to be present during any ground disturbing proceedings.



[SPECIAL NOTE (for projects other than cell towers): *If* this project is associated with a city or county specific plan or general plan action it is subject to the provisions of SB18-Traditional Tribal Cultural Places (law became effective January 1, 2005) and will require the city or county to participate in **formal, government-to-government** consultation with the Tribe. If the city or county are your client, you may wish to make them aware of this requirement. By law, they are required to contact the Tribe.

Sincerely,

Harold Arres  
Cultural Resource Manager  
Soboba Band of Luiseño Indians  
Office (951) 487-8268  
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9 CITY OF LAKE ELSINORE ENVIRONMENTAL IMPACT REPORT  
10 SCOPING MEETING FOR THE GENERAL PLAN UPDATE  
11 PUBLIC INPUT  
12 WEDNESDAY, NOVEMBER 30, 2005  
13 LAKE ELSINORE, CALIFORNIA  
14  
15  
16  
17  
18  
19

20 Reported by: Cathy S. Capponi, CSR No. 9568  
21  
22  
23  
24  
25

0 1 AUDIENCE PARTICIPANT: when would the public <sup>1</sup>  
1 be able to say -- again, "I'm interested in the recreation."  
2 when we will have opportunity to have input into that  
3 phase?  
4

5 MR. MOONEY: This question was regarding when  
6 the public will have the opportunity to get into the  
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7 specific elements, and the specific elements regarding  
8 the recreation element, and the answer is probably not  
9 this month but next month.

10 We actually are starting -- we had that  
11 presentation before the joint Planning Commission and the  
12 City Council, which has given the blessing for us to move  
13 forward on that, and now we're ready to start looking at  
14 the text in relation to that issue. We're going to  
15 still be working through the advisory committee, and  
16 we're now looking at how to do that. But what I'm  
17 looking at is the advisory committee meetings. But if  
18 you have specific interests regarding recreation that  
19 you need to look at, we'd like to know about it.

20 AUDIENCE PARTICIPANT: One more comment. I'm  
21 also concerned since the City does not have a parks and  
22 recreation commission, who is going to be the spokesman  
23 for the City?

24 MR. MOONEY: Excellent question. In  
25 relationship to parks and recreation, who's going to be

0 1 the spokesperson.

2

2 Number 1, as far as the updating and things  
3 like that, the diverse General Plan Advisory Committee,  
4 which has a wide range of things, are partially the  
5 representatives of the City Council that they've  
6 appointed to have an interest and talk about those issues.

7 Number 2, we will be staffed. Now, this is a  
8 good point for Rolfe to jump into.

9 MR. PREISENDANZ: Yes. If you have any  
10 questions, Dave Staff is our director of parks and rec.  
11 We've been meeting one on one with our consultant for --

12 the public meeting is in three weeks, and then I think  
13 in January we'll start up again. So you're more than  
14 welcome to give us input at that point in time.

15 AUDIENCE PARTICIPANT: I've got several  
16 questions here. Thirty days is not a very long time to  
17 review all of the issues that you've presented, and they  
18 are very detailed. And I attended the general plan  
19 process of the County, and what's your position in  
20 cooperation with the general plan of the County?

21 MR. MOONEY: Well, to start with, the City of  
22 Lake Elsinore has its own general plan as required by  
23 State law. There are aspects -- and what we've  
24 attempted to do is coordinate with County, particularly  
25 in areas where there's a sphere of influence or a

0 1 planning area and the properties aren't currently within<sup>3</sup>  
2 the City boundaries but are looking potentially -- there  
3 we've coordinated with both the County of Riverside and  
4 we've coordinated with the local agency formation, and  
5 we're trying to make sure that there's a consistency in  
6 relationship.

7 AUDIENCE PARTICIPANT: I recognize one that's  
8 been taken advantage of, and that is with the  
9 buffers between the cities and the unincorporated  
10 communities. There is absolutely no buffer that is  
11 being submitted from your city to encompass those  
12 specific canyon developments of 1,000 homes between the  
13 unincorporated community of Meadowbrook.

14 MR. MOONEY: Again, that's a specific comment  
15 in relationship that we should be considering. That is  
16 the kind of information we're looking for.

17 AUDIENCE PARTICIPANT: If you have a general  
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18 plan of the County, then it should be because this is  
19 the County as long as it's the City. It's part and  
20 parcel of the City, and therefore they should abide by  
21 that. And this is only one specific point that you're  
22 issuing now. Within 30 days, I say this is not good  
23 enough.

24 When was your last general plan? Can you tell  
25 me that, please?

□ 1 MR. MOONEY: Last general plan, I believe 1993.<sup>4</sup>

2 AUDIENCE PARTICIPANT: You see, this is a  
3 commitment of service as well as anything else. There  
4 has been no commitment to any of these unincorporated  
5 areas that surround Lake Elsinore. It might be a  
6 wonderful city for those people that live there, but we  
7 certainly don't want -- from our aspect, we certainly  
8 don't want any part of the City of Lake Elsinore.

9 MR. MOONEY: And that comment's understood.  
10 Basically, we're looking at a series of alternatives.  
11 what you're saying is from the community of Meadowbrook,  
12 they want to see an alternative that has a greater  
13 buffer. That's something that can be addressed.

14 AUDIENCE PARTICIPANT: Urbanization of the  
15 City's unincorporated areas are not recognized. They're  
16 rural, and rural should be respected.

17 Let me go on to zoning in your particular  
18 areas. What is the zoning and what are the zoning  
19 changes for? How long do you go? Can you change that  
20 zone within a year?

21 You want to itemize it and close it off to  
22 everybody. I want to investigate and talk about these

23 things because there's a lot of people that do not  
24 follow the democracy. I go to all of these meetings,  
25 and I understand what's happening here. You are

0 1 creating a further area of development of urbanization.

2 MR. PREISENDANZ: I just want to let you know  
3 I've been in a discussion with LAFCO yesterday, and  
4 we've talked and actually specifically discussed your  
5 area. So, you know, we want to hear what you're saying  
6 and we want to see what the County is saying, and I want  
7 to cooperate with LAFCO because we need to  
8 work together.

9 And I understand that there's some  
10 concentration on your area as far as they're looking at  
11 your sphere of influence and so forth. So if you'd like  
12 to call me at my office, I can definitely talk to you.

19 AUDIENCE PARTICIPANT: You mentioned something  
20 about a meeting tomorrow?

21 MR. PREISENDANZ: No. No meeting tomorrow, no.

22 AUDIENCE PARTICIPANT: I heard that there were  
23 meetings that were ongoing between -- that the public  
24 was welcome to come to.

25 MR. PREISENDANZ: The GPAC meetings are open to

0 1 the public, and we are probably going to have another  
2 General Plan Advisory Committee meeting in January. We  
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3 cannot stop the process as far as, you know, fine-tuning  
4 the things that we have discussed in the General Plan  
5 Advisory Committee. We want to try to fine-tune some of  
6 the input that you had on the map so that we can  
7 incorporate everything that was discussed. We're not  
8 doing anything outside of the General Plan Advisory  
9 Committee. It's just that staff has to keep moving  
10 forward to the point that we meet with the General Plan  
11 Advisory Committee, and that way we can make it more  
12 beneficial for you guys.

13 AUDIENCE PARTICIPANT: I do have a question  
14 about these overlay questions, planning districts. When  
15 you advised the City Council about what you were to do,  
16 you said that you were not contracted to do zoning --

17 MR. MOONEY: That's correct.

18 AUDIENCE PARTICIPANT -- and I'm wondering what  
19 the relationship is between these planning districts is  
20 and zoning.

21 MR. MOONEY: Well, the planning districts -- if  
22 we can create these layers, in essence, in the general  
23 plan, the large overview is the planning district, so  
24 you have neighborhoods that have consistency, and you  
25 want to do something -- any future development has to be

□ 1 in conformance or consistent.

2 Let's use, for example, Meadowbrook. Let's use  
3 the issue if you want to keep that in a semi-rural  
4 character, something like that so that you create a  
5 boundary, then you go in and start looking. Applying  
6 general land uses, that's the next level. Then -- after  
7 you apply land uses, then you apply zoning. In each

7

8 case the zoning has to be consistent with the general  
9 plan land use designation. That's State law.

10 The planning district is an overview that we're  
11 recommending to the City. It isn't required by State  
12 law, but it allows the City to have better communication  
13 with the individual neighborhoods. We are trying to  
14 create a general plan that allows -- that improves  
15 neighborhood participation within the City.

16 AUDIENCE PARTICIPANT: So these planning  
17 districts have no impact on zoning?

18 MR. MOONEY: They do not have any impact on  
19 zoning. They really have, probably, the biggest impact  
20 on communication and trying to create a consistency  
21 within neighborhoods. It's a planned concept.

22 AUDIENCE PARTICIPANT: A different question.  
23 I'm a Realtor, and I've heard talk that the State may  
24 realign 74 through Lake Elsinore. How will this affect  
25 your work?

8  
0 1 MR. MOONEY: One of the elements that we deal  
2 with is a circulation element, and the circulation  
3 element is looking at the alignments of all roads.  
4 We've also had a number of meetings with Caltrans  
5 representatives and they are looking at a couple  
6 different alternatives, both from the standpoint of what  
7 they're doing with 74 but also looking at a new  
8 connection between this region. It may not be  
9 Lake Elsinore, but it may be this region and Orange  
10 County.

11 AUDIENCE PARTICIPANT: I had one question, but  
12 it's since changed, and it's primarily because I'm not  
13 familiar with the red marks that are going around

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14 different parts of the area. I'm in the County, and so  
15 you said that there's cooperation going on between LAFCO  
16 and the City of Lake Elsinore in connection with  
17 this project.

18 Is there any, in other words, information that  
19 I could get regarding the effects that our area in the  
20 County would have in connection with this study? It  
21 would be classed as the Warm Springs area.

22 MR. MOONEY: We will put down that in the  
23 Warm Springs area we're going to make sure there's an  
24 analysis between what the County allows and what we are  
25 looking at, proposals for alternatives, what we call as

0 1 a planned plan analysis.

9

2 But let me ask you a question. Is your -- are  
3 you saying that you are happy with the land use and the  
4 zoning that you have in the County and that what your  
5 interest is to keep it?

6 AUDIENCE PARTICIPANT: Yes.

7 MR. MOONEY: Okay.

8 AUDIENCE PARTICIPANT: We're satisfied with  
9 that. But the concern that I have is that because this  
10 is for the City of Lake Elsinore but there is this  
11 cooperation between the County, how do those people who  
12 are not in the City of Lake Elsinore, even though we're  
13 a Lake Elsinore address -- how are we going to be kept  
14 informed?

15 MR. MOONEY: That's a very good question. By  
16 coming here and signing up -- it's been my proposal that  
17 everybody that signs up for the meeting is informed of  
18 all meetings. By showing up today, you put yourself on

19 the list, and now you have a way that we can communicate  
20 with you of every meeting coming up. And I think in the  
21 Environmental Report what we should do and what we plan  
22 to do is plan a planned analysis.

23 AUDIENCE PARTICIPANT: Thank you.

24 AUDIENCE PARTICIPANT: I'm Cheryl Aide from the  
25 community of Wildomar. I'm a board member on the

1 Wildomar Incorporation Committee.

10

2 I just want to say I applaud the City for --  
3 well, for hiring this company because I think it's  
4 pretty exciting what you're doing. We're trying to work  
5 with the County right now. We're round-tableing to do a  
6 more specific plan for Wildomar using Smart Code Forms  
7 Base, and I think it's exciting that you're doing that  
8 here.

9 Some of the issues I wanted to bring up, we  
10 submitted a letter to the County today on Hyperion  
11 Woodland's Corridor Policy. What -- we're trying to  
12 make sure that the (unintelligible) habitat is not a  
13 wink and a nod; that there is connectivity. And right  
14 now there's some places that are critical that -- unless  
15 we stay on top of it, there won't be connectivity.  
16 There will be through our community. I guarantee it.

17 I think you should also be sensitive to  
18 Edgerias (phonetic) because if Elsinore is going to be  
19 75,000, Wildomar is going to cap out probably at about  
20 50-. And we're a more rural community. We have an  
21 equestrian side and we have a more urban side. We're  
22 going to have a village center; we're going to have a  
23 town center. These are the things we're identifying  
24 just like you're doing here.

25 So I think we're going to need to be paying

1 1 attention to what you're doing so we can work hand in 11  
2 hand to make sure that things flow since our boundaries  
3 are contiguous.

4 Trails. Ours have been adopted by the board of  
5 supervisors. We have an adopt-a-trail policy. The  
6 deputy planning director is coming out on the 14th to go  
7 over our trails because the County has a mandate for  
8 connectivity. Ours are real. They're working. I think  
9 we're the only community in the County that has that.  
10 We would like to make sure -- again, work together so  
11 that our trails -- you can connect into ours, Murrieta,  
12 Menifee, La Cresta, et cetera, et cetera.

13 MR. PREISENDANZ: Are those equestrian trails?

14 AUDIENCE PARTICIPANT: They're multiuse trails.

15 And I realize this comment would be better  
16 addressed to the City Council, but I'm just going to  
17 briefly touch on it now because I think it's important.

18 Rolfe, I appreciate your comments, but I have  
19 to say LAFCO (unintelligible) our boundaries.. You see,  
20 boundaries was adopted by the board of supervisors.  
21 They should have pulled the map out when you were out  
22 there. That's not an excuse. I'm saying it's not an  
23 excuse for LAFCO. When you were talking, that map  
24 should have been out on the table.

25 As far as the grand court in the State, that

1 12 was planned out back around April because that came out,  
2 and it's just sloppy to publish a public notice with a  
3 mistake in it. It could have been redone. You could

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4 have renoticed. It makes your consultant look bad when  
5 you do that.

6 So, you know, we let you guys know, and it's --  
7 you're putting something out there. we know it's a  
8 mistake, but other people who look at it may not realize  
9 that. So they're looking at that thinking, okay, that's  
10 part of Lake Elsinore. And if they don't come to this  
11 meeting, they don't know any different. That's why when  
12 you make a mistake in a public notice, you renoteice.

13 But I think what you're doing is great, and I  
14 think it will enhance Lake Elsinore. And since you're  
15 right on our boundary, that will be great. But you do  
16 have to be sensitive to the surrounding areas, and we'll  
17 follow what you're doing and work with you.

18 The other thing is we put our application into  
19 LAFCO for incorporation, so you're working with the  
20 County. We're getting our comprehensive fiscal analysis  
21 done. We are going to be voting in November. So soon  
22 it will be the City that you'll be working with.

23 MR. PREISENDANZ: What land uses are looking at  
24 along Corydon? Are they commercial or industrial?

25 AUDIENCE PARTICIPANT: We're looking at light

1 industrial.

13

2 MR. PREISENDANZ: Similar to what we have  
3 across the street?

4 AUDIENCE PARTICIPANT: Yeah. And then further  
5 down. We're not going to take it all the way down.  
6 There is a specific area.

7 But, you know, when we finish this, what we're  
8 doing with the county, I think what we should do when it  
9 gets to a more complete form around February, we should

15 the way that we are treated -- you see, some of these  
16 areas want to be living alone. They don't want the  
17 infringements of developers within their particular  
18 areas, and the imposition that you create haunt these  
19 people. Ninety-seven percent of them have probably  
20 retired or they're living on their desire of rural  
21 lifestyle and are just imposed on by people speculating our  
22 land. Consequently, it becomes a nondemocratic  
23 lifestyle to say we govern ourselves. We really don't.  
24 We're developer controlled.

25 This is -- one of the things that we have to

15  
1 fight now is unincorporated areas are fighting for the  
2 existence of unincorporated rural areas.

3 You have your developments. I see you're  
4 developing Mission Trail with the high-rise condos that  
5 you've got there so close together that the neighbors  
6 will hear each other from one end to the other, and I  
7 don't know where they're going to park their cars for  
8 crying out loud. What happens is you'll have all these  
9 people, I suppose, parked around the lake camping  
10 because they've got nowhere else to go than try to get a  
11 job somewhere around here.

12 So I encourage Lake Elsinore to look within  
13 itself first before it starts to speculate on land  
14 growth.

15 And what they've done in the past is created a  
16 condition on Highway 74. This is the latest thing.  
17 This is a safety issue for the communities and yet  
18 became a developers' paradise.

19 You ask me am I enjoying life? I'm not  
20 enjoying life that you create for me. It is a pressure

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21 that I have to come to these meetings to maintain my  
22 lifestyle. This is one of the things that we are  
23 concerned about.

24 And you may say we're going to look into these  
25 issues. You cannot look into these issues unless you

16  
1 walk in the shoes of those people, and that is the  
2 truth, and this is what I'm here for. That's what my  
3 concerns are and my community's concerns.

4 Thank you very much.

5 MR. MOONEY: Although there were many things  
6 said there, I think the key issue in the Environmental  
7 Impact Report is going to be growth, in particularly  
8 rural areas, and I think Jerry is associated with that.

9 Did I summarize that correctly?

10 AUDIENCE PARTICIPANT: Yes, provided we have a  
11 say-so in the matter.

12 MR. MOONEY: The key thing that I -- here's  
13 just a little note. I find that the Environmental  
14 Report process is one of the best aids to the democratic  
15 process because it means that you have to legally, fully  
16 disclose what -- the effects of any plan that is going  
17 to be adopted. And our firm has been doing this longer  
18 than any other firm in California, and we pride  
19 ourselves on that.

20 Ultimately the decision does align itself with  
21 elected officials, but we're going to be your friend in  
22 relationship to assuring here are the effects of what  
23 will happen if this plan is followed.

24 AUDIENCE PARTICIPANT: As a matter of fact, I  
25 signed the EIR for the North Peak development, which

0 1 fell through and it's still a dead issue, but those  
2 people are still paying the high taxes of Lake Elsinore  
3 for their properties, and there's no hope in heck that  
4 you're going to develop that area up there for a very  
5 long time. This is one of the problems. This map looks  
6 flat, but that terrain is 1700 feet above sea level, and  
7 you have to take that into consideration.

8 AUDIENCE PARTICIPANT: Good evening. I'm  
9 Sharon Heil with the Wildomar Chamber Board, and, of  
10 course, you know we all have to stay on top of it. We  
11 all like each other as cities, and the one main thing is  
12 Wildomar is becoming their own city they've been  
13 fighting for too long, and we enjoy our boundaries.

14 I have told several people about your beautiful  
15 lake. I've done walking around your lake for the  
16 walkathon through other organizations that I do belong  
17 to.

18 The south end of the lake was one of my  
19 concerns a couple years ago when I did the walkathon  
20 around the lake, and your fish -- what have you done to  
21 stop the fish from dying around October and November?  
22 They were taken by bucket loads with a scooper that you  
23 usually use in land development and putting them in the  
24 trucks which were lined up ten trucks at a time.

25 Now, I did not see that this year when I did

0 1 the walkathon around the lake. So whatever you've done  
2 in that lake to preserve it for the fish, I hope you  
3 continue.

4 Mainly, it was watching them be scooped out,  
5 and the smell went all the way past Bundy during

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6 November. We all closed our windows.

7 Then on your map. We would appreciate the next  
8 time when you put out the map into the public to make  
9 sure you go to LAFCO and get the correct map because  
10 there has been fights this past week at three different  
11 locations between Sedco Hill, Mission Trails, Bundy. At  
12 the casino there was a fistfight last Friday because of  
13 the map. This is why I'm bringing it up.

14 The map should be made properly where you can  
15 read it and explanations. There's maps down there that  
16 we've gone down and gotten. You can go down there and  
17 get maps right out of Riverside.

18 We have also fought so much for our own city.  
19 We're not used to somebody being friendly. If you are  
20 really true in being our friend, we can work together  
21 because the chamber board wants to work in hand with you  
22 developing our borders so each one can profit from the  
23 people coming off the freeway on the weekend.

24 As far as 74, going onto 74 -- my husband  
25 drives it six days a week. There are over 20 accidents

1 over the Ortega. Then he sometimes comes out 74 by 19  
2 Meadowbrook when we go over there dancing. There's  
3 accidents. Two weeks ago I saw a car fly, and I said a  
4 prayer.

5 So the road conditions have to be improved  
6 where the cars do have the availability of shoulders,  
7 and I would like to see that more in our area and in  
8 your area.

9 And you have given a good presentation. I have  
10 signed in on the sheet. And are we all going to all get

11 notices of all the meetings? Because I'd like to follow  
12 this through to see what you're doing and maybe even  
13 take lessons from you and become good neighbors.  
14 Because I thought in the United States we're supposed to  
15 be good neighbors, not fighting. We just got finished  
16 fighting the south. We don't want to fight the north.  
17 We want to be a neighbor and a good neighbor where we  
18 both can profit.

19 MR. MOONEY: I just want to touch base. One of  
20 the things I heard and I want to make sure Jim has it,  
21 marine biology is going to be a critical issue. What  
22 happened in the past we want to be sure doesn't happen.  
23 That will be part of the Environmental Impact Report and  
24 one of the things we will be examining.

25 The other one is in looking at what road

0 1 improvements will be made in relationship to safety. 20  
2 Roadwork through traffic in relationship to getting to  
3 points outside and through the city is a concern that  
4 you had, and then, of course, looking at the lifestyle  
5 of your particular community and how it interrelates  
6 with this community.

7 Did I sum it up correctly?

8 AUDIENCE PARTICIPANT: Yes, you did.

9 AUDIENCE PARTICIPANT: Good evening. My name  
10 is George Cambero, and I also do represent Wildomar, and  
11 I'm also on the board of the Wildomar Incorporation now.

12 Basically, Sheryl Aide and Sharon covered most  
13 of the things that I wanted to say, and I do want to  
14 also express, you know, the opposition for the support  
15 of the City of Lake Elsinore when we were fighting  
16 annexation with the City of Murrieta. I also want to

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17 say we want to continue to be good neighbors.

18 The City of Elsinore is in my heart. Half of  
19 my life I was in the City of Lake Elsinore, then I moved  
20 to Wildomar. However, I work in Lake Elsinore. So I do  
21 support the changes and proposed changes with the  
22 general plan. I think it's great. I'd like to see all  
23 the changes made. I mean, I think it's great. It will  
24 be good for the City. It will be good for the  
25 communities, the surrounding communities.

1 21  
1 of course, in respect to Garry Grant, I do also  
2 support the community of Meadowbrook. I'm sure that you  
3 guys are going to be looking at that also.

4 So thank you very much.

5 AUDIENCE PARTICIPANT: I don't really have  
6 anything prepared, but I just wanted to say that people  
7 should know that Mooney, Jones & Stokes does not come  
8 without a prior attitude towards the City.

9 I have a proposal to build taller buildings in  
10 the downtown historic district, and for some reason  
11 Mooney, Jones & Stokes does not believe that is  
12 necessary. I think it would alleviate -- taller  
13 buildings bring clean industry, bring professionals.  
14 Taller buildings have a smaller (unintelligible) impact  
15 on the general area and don't threaten these other  
16 communities, which we have a lot of in this room. The  
17 taller buildings also give a recognizable signature to  
18 the City as to where it is and what it's doing.

19 So I just want to -- I'm going to send in a  
20 letter to the Environmental Impact Report, and I think it  
21 should be considered. It needs to be considered as an

22 alternative to what Mooney, Jones & Stokes is putting  
23 forward.

24 MR. MOONEY: Let me make sure -- and Steve and  
25 I have met a couple times and he's been participating,

□ 1 and my recommendation has been all along that you 22  
2 consider all aspects. What my prejudice is, is probably  
3 in this area anything taller than five stories may be  
4 too tall for the region.

5 AUDIENCE PARTICIPANT: Can we ask that Mooney,  
6 Jones & Stokes, as we are paying them, look into the  
7 possibility of taller buildings?

8 MR. PREISENDANZ: Absolutely we are. This is  
9 actually what they're being paid for, is to do the  
10 analysis, to look at the alternatives. But, as you  
11 know, the public process is political in a sense. We  
12 have a lot of different stakeholders, so there's a lot  
13 of different input, and then the City Council have to  
14 make the final decision.

15 But, you know, we can, through consulting with  
16 Mooney and through the GPAC and through your input, do  
17 something that's going to be beneficial to everybody.  
18 To be quite frank, not everybody's going to be happy  
19 with some things, but I think -- you know, I think we've  
20 talked about higher density, 35 dwellings per acre,  
21 which will cause higher buildings, but then we're  
22 looking at architectural incentives. So the door's not  
23 closed yet. I just want to make that clear.

24 AUDIENCE PARTICIPANT: My name is Don Barry.  
25 I've been out here about a year now, and I came from

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2        My biggest concern is -- the general plans show  
3        many wonderful things. We all want the lake to be  
4        wonderful and beautiful. I want my parks and  
5        recreational facilities and so forth. But what is being  
6        done to study the financial impact of things that we  
7        need to do? Is that being covered?

8            MR. MOONEY: Excellent question. As part of  
9        our team, we also have Economic Research Associates. We  
10       do have a firm, and one of the things involves -- we've  
11       also set up a separate committee which is working with  
12       the Chamber of Commerce and a number of different  
13       business owners to take a look at the financial  
14       feasibility of these plans and saying do they really  
15       work in the real world.

16            A plan should be a vision of here's what we want  
17        to achieve, but ultimately if that plan can't be  
18        achieved, it's not going to do the City policymakers,  
19        the citizens, or any parties or interest groups -- so we  
20        are looking at that specific aspect.

21            The cornerstone of the plan right now is to, in  
22        one instance, return to the tourism base that we once  
23        had here. That is the whole focus of creating a more  
24        exciting downtown with greater linkage to the lake. It  
25        also includes -- we're talking about developing a pier

24  
0        1 or piers. It talks about a number of things that --  
2        yes, I also work for the city, and that's -- my job is  
3        to make sure all of these items are explored.

4            But the whole emphasis here really is to bring  
5        back the glory years of that and that you have a special  
6        place. You're a unique city in the City of Orange

7 County -- no. You're in Riverside. We have to  
8 understand the economic issues associated with that, so  
9 we have to explore those issues.

10 AUDIENCE PARTICIPANT: what you have just  
11 talked about yourself is exactly what we were trying to  
12 talk to with the County, and that's why we hope to be  
13 good neighbors to you. And my other question is the  
14 white sheet. who does it exactly go to when we send it  
15 into the mail?

16 UNKNOWN SPEAKER: Robert Brady, city manager.

17 AUDIENCE PARTICIPANT: Oh, good. Fantastic.  
18 That's exactly what most places should look at, is  
19 exactly what Mooney was saying about it looks good on  
20 the paper but will it work and what does the public  
21 really want. Because getting this lake back in the  
22 process is the best thing for this area.

23 AUDIENCE PARTICIPANT: I wish to impart this in  
24 public in relation to Lake Elsinore, specifically the  
25 lake. For the last couple of years now, the water

0 1 district that has the rights to the water, as George 25  
2 will note, and the conditions of maintaining that level  
3 of water in there is EVMWD's condition, and it costs the  
4 water district \$650,000 a year if we don't get any rain,  
5 and it also costs the City of Lake Elsinore \$650,000 to  
6 maintain the level of that water. Mainly, that is  
7 reclaimed water that comes into that lake.

8 There is a very important issue about this  
9 particular area. We are in a desert, and this desert  
10 has only a certain amount of water coming to this area.  
11 You'll notice there's no reservoirs from all of these  
12 hills around here to retain water. It just flows down

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13 from Orange County. There's so many things this city  
14 should look at if they want to increase the population  
15 because water is going to be one of the problems in the  
16 future, and it's going to be a cost that's going to come  
17 upon the people.

18 As a matter of fact, the reduction of that berm  
19 just recently, \$350,000 is being paid by the water  
20 district. It's just a separate agency, separate from  
21 the City, and they've taken over the cost of that berm  
22 for the next so many years, about 20-odd years. And the  
23 water district pays for that berm to reduce that lake.

24 And just recently the federal government has  
25 put in so many million dollars. I've lost the data on

26  
1 that, but it's around about \$13 million for  
2 purification. You'll notice that they took fish out,  
3 took the fish away from there and killed them off.  
4 They're now in cans for the cats. The whole thing  
5 cruxes around the smell of the lake. If the smell ever  
6 comes back, they're going to be in high trouble.

7 But, you see, they only pay for these  
8 instruments to go into the water, to aerate the water,  
9 the federal government did. Now it's up to the people  
10 to pay that. So your water bills are going to  
11 automatically go up because of the cost of maintaining  
12 that lake.

13 Now, this has been -- a problem of  
14 Lake Elsinore all the way back is this lake, maintaining  
15 the lake. It's actually a puddle. The water comes in.  
16 All of the agriculture land from Railroad Canyon comes  
17 down here, goes straight into the lake and pollutes it.

18 It's not drinking water.

19 And the surface of the lake is -- all that the  
20 city owns is the surface of the lake. It is an  
21 indebtedness, a bonded indebtedness that the City won't  
22 talk about. They have to pay for that.

23 So that's what I talk about when I'm saying  
24 look within before you start developing and making these  
25 other people come into the City to pay for these

27  
1 troubles that we're in. You have to do that thing  
2 first.

3 AUDIENCE PARTICIPANT: I didn't think that I  
4 was going to need to ask the question, but you've  
5 mentioned several things that would come out of these  
6 recommendations. One of the concerns that I have, and  
7 since we have a City of Lake Elsinore representative,  
8 is that -- I heard that there was \$50,000 spent with  
9 someone to come in and make a study regarding eminent  
10 domain.

11 Now, we are talking about land and the land use  
12 and what we can't use now because of the endangered  
13 species and so forth, but why would we spend -- and it  
14 in connection with any study that you're doing. Why  
15 would we spend \$50,000 to do an eminent domain to have  
16 people come in and talk about that? And I want to know  
17 what it's for and what area is being looked at in  
18 connection with that.

19 MR. PREISENDANZ: I'm sorry. I can't answer  
20 that question. I'm not aware of that study. But I'll  
21 look into it, and I can get back to you on that.

22 MR. MOONEY: But we can unequivocally say we're  
23 not involved in anything like that.

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24                   AUDIENCE PARTICIPANT: I'd like to make one  
25   comment. Everybody's so concerned about the lake. I

1                   28  
2   read in our water bill that they put stripers into the  
3   lake. If you fish, you know the stripers eat all the  
4   fish, so that's the end of his sentence about the lake  
5   and the water. Stripers are going to eat all the fish  
6   in the lake. There will be no fish in the lake after  
7   the stripers are dumped in.

8                   AUDIENCE PARTICIPANT: I'd like to talk about  
9   our princess or paddle wheeler that we might look into.  
10   We were trying to get a paddle wheeler to come into our  
11   town to bring in tourists.

12                  In New Orleans I was on the Delta Queen. It  
13   went up the river and back. That's what they did in  
14   New Orleans. We have a terrific tourist attraction. It  
15   can bring people here and drop them off at different  
16   businesses. So in your planning, try to consider how we  
17   can work that plan.

18                  MR. MOONEY: By the way, in our research we  
19   actually have a unique -- and I won't call it a boat or  
20   a queen, one of the river queens, but there was a boat  
21   that would have entertainment, dinner, dancing, and it  
22   was on railroad tracks and it would go out and come back

23                  The other things we've done in a number of  
24   areas -- this was America's Cup harbor. We actually  
25   created water taxis as alternative forms to getting from

26                  29  
27   1 Point A to Point B. You don't need a lot of depth in  
28   relationship to water. If you've ever been to River

3 walk, you'll see that that River Walk in San Antonio is  
4 only about three feet deep.

5 MR. PREISENDANZ: My understanding is the  
6 stripers were put in the lake to eat the carp or to get  
7 after the carp. Because the carp are, like, bottom  
8 feeders, and they're stirring up the algae. And so the  
9 carp have been a problem. I think that was the reason  
10 for the stripers.

11 AUDIENCE PARTICIPANT: Carp isn't the only fish  
12 on the menu of a stripner.

13 MR. PREISENDANZ: That's true. They're not  
14 selective.

15 AUDIENCE PARTICIPANT: Bass, bluegill, croppie,  
16 the works. Cat fish. They'll eat cat fish.

17 MR. MOONEY: The City of Lake Elsinore actually  
18 has a lake manager.

19 MR. PREISENDANZ: Patrick Hillroy.

20 AUDIENCE PARTICIPANT: Gina Castanon. I just  
21 wanted to clarify, when you get through with LAFCO in  
22 our boundaries, are you going to remove your sphere of  
23 influences? We have been told since March and in  
24 June again that this has been a mistake. When can the  
25 WIN committee let the public know that you will redo

30  
1 your maps and make another public comment period?

2 MR. PREISENDANZ: You're asking if we're going  
3 to do a renoticing?

4 AUDIENCE PARTICIPANT: Right.

5 MR. MOONEY: There's not going to be a new  
6 notice of preparation map sent out. Basically, the  
7 official document is the Environmental Impact Report.  
8 That will be circulated for your comment.

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9           AUDIENCE PARTICIPANT: Is there a time frame  
10        for that?

11        MR. MOONEY: That's the March/April time frame.

12        MR. PREISENDANZ: I just want you to know I'm  
13        talking to LAFCO right now, and I've got a message to  
14        Wayne. . we're definitely going to square this away.

15        I do want to just mention that area along  
16        Canyon Hills. we have to look at that line. So I'm not  
17        going to -- we still are looking at that area, but  
18        basically, you know, we were told that we're not looking  
19        at your community of interest.

20        AUDIENCE PARTICIPANT: But you still are  
21        looking at a portion of both in this development?

22        MR. PREISENDANZ: well, only -- there's an  
23        annexation in-house right now for an area that's just up  
24        on that bottom end of Canyon Hills, and there's a  
25        boundary line. I'm not sure where that boundary line

0        1        is, if it abuts the community of interest or if it's in  
2        there, and I wanted to comment on that.

3        We've met with -- actually, our consultant went  
4        and talked to Wayne and LAFCO, and we did get consent  
5        consulting on that area that you see on the map that's  
6        along Canyon Hills.

7        AUDIENCE PARTICIPANT: It's a portion of  
8        wildomar.

9        MR. PREISENDANZ: It's close right there. You  
10       know, I don't want to say a whole lot because I'm still  
11       talking to Wayne and LAFCO, but I will definitely --

12       AUDIENCE PARTICIPANT: But you understand our  
13       position?

14 CLE Q-A Transcript 120605  
14 MR. PREISENDANZ: I understand clearly,  
15 totally, and emphatically, yes. I understand. But I  
16 just want to let you know that I will be in -- I will  
17 call and you make contact, and we will keep the lines of  
18 communication open.

19 (whereupon, the proceedings were concluded at  
20 7:34 p.m.)

21  
22  
23  
24  
25

32  
0 1 State of California )  
2 County of Riverside ) ss.  
3

4 I, CATHY S. CAPPONI, a certified shorthand  
5 reporter, Certificate No. 9568, do hereby certify that  
6 these proceedings were taken before me at the time and  
7 place herein named; that said proceedings were reported  
8 by me in shorthand and then transcribed through  
9 computer-aided transcription, and the foregoing  
transcript contains a true record of the proceedings.

10 I do further certify that I am a disinterested  
11 person and am in no way interested in the outcome of  
12 this action or connected with or related to any of the  
13 parties in this action or to their respective counsel.

14 In witness whereof, I have hereunto set my hand  
15 on this \_\_\_\_\_ day of \_\_\_\_\_, 2005, at  
16 Riverside County, California.

17  
18  
19

CLE Q-A Transcript 120605

20 CATHY S. CAPONI  
21 CERTIFICATE NO. 9568

22  
23  
24  
25

33

0

12/20/05

We previously sent the enclosed letter to you and up to this date we have not received our return envelope.

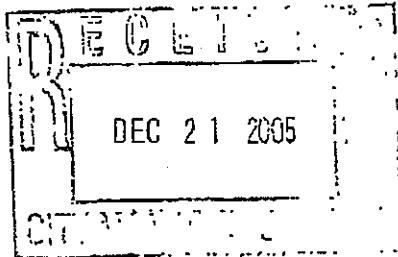
Because we know timing is important in regards to proposed general plan update we are sending this duplicate in case our original letter was lost.

○ Thank you for your cooperation

Sincerely

Charles & Patricia Barron

UF LAKE ELSINORE  
RECEIVED  
DEC 28 2005  
PLANNING DEPT.



D U P L I C A T E

# WALNUT GROVE

---

A P A R T M E N T S

DECEMBER 7<sup>TH</sup> 2005

ROBERT A. BRADY, CITY MANAGER  
CITY OF LAKE ELSINORE  
130 SOUTH MAIN STREET  
LAKE ELSINORE, CA 92530

REFERENCE: PUBLIC SCOPING MEETING

I ATTENDED THE MEETING ON THE GENERAL PLAN UPDATE ON NOVEMBER 30<sup>TH</sup> WHICH WAS INFORMATIVE AND INTERESTING. IN THE MEETING IT WAS STATED IF YOU HAD ANY COMMENTS ON HOW THE PROPOSED ZONING AFFECTED YOUR PROPERTY YOU SHOULD WRITE TO YOU.

WE OWN APPROXIMATELY 7 1/2 ACRES ON JOY STREET [ TAX MAP SHOWING LOCATION ATTACHED] WHICH WE BELIEVE SHOULD BE ZONED HIGH DENSITY RESIDENTIAL FOR THE FOLLOWING REASONS [ PROPOSED PLAN SHOWED PART COMMERCIAL AND MEDIUM DENSITY RESIDENTIAL]

3 ACRES ALREADY HAVE HIGH DENSITY APARTMENTS ON IT WHICH WE OWN 63 UNITS, 3.1 ACRES

OUT 4.5 +/- ACRES OF VACANT LAND ON JOY STREET HAS NO RIVERSIDE DRIVE FRONTAGE AND DOES NOT LEND ITSELF TO BE COMMERCIAL.

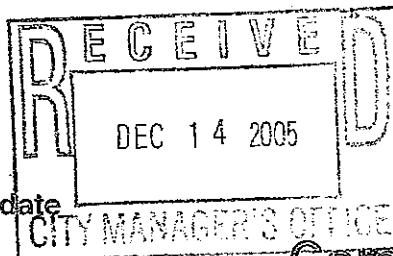
OUR 4.5 +/- ACRES OF LAND IS ADJACENT TO HIGH DENSITY APARTMENTS AND WE PLAN ON IT EVENTUALLY BEING DEVELOPED WITH A GOOD QUALITY APARTMENT COMPLEX SIMILAR TO WALNUT GROVE.

OUR PROPERTY IS IN A LOCATION WHERE SCHOOLS AND SHOPPING AREAS ARE CLOSE AND THE HIGHER DENSITY WOULD MAKE IT MORE FEASIBLE TO BUILD APARTMENTS ON IT WHERE MEDIUM DENSITY WOULD PROBABLY LEND ITSELF TO CONDO'S BEING BUILT.

BASED ON OUR EXPERIENCE ON OWNING AND MANAGING APARTMENTS IN LAKE ELSINORE FOR MORE THAN 10 YEARS DENSITY HAS LITTLE TO DO WITH PRIDE OF OWNERSHIP AND LIVING CONDITIONS OFFERED TO RESIDENTS. WE TRY TO MAINTAIN OUR PROPERTY TO A HIGH STANDARD AND IF OUR DENSITY/ INCOME WAS REDUCED IT WOULD MAKE IT MORE DIFFICULT TO MAINTAIN A STANDARD.

THANK YOU FOR YOUR CONSIDERATION ON THIS MATTER. IF YOU NEED ANY FURTHER INFO FROM US PLEASE GIVE US A CALL.





City of Lake Elsinore  
Program EIR for the General Plan Update

## Scoping Meeting

## Comment Card

PLEASE PRINT

Date: 12-12-05

Name: John Lockhart Title (if applicable): Project Manager

Telephone: 951-245-9105 Fax: 951-245-9804

Organization/Business (if applicable): Crestline Est. Inc E-Mail: projectmanager56@Aol.

Address: 2151 Walnut St.

City: Wildomar State: CA Zip: 92595

Yes, I would like to be added to the Program EIR mailing list: E-Mail  U.S. Mail

Please provide your input on environmental issues that you would like considered in the Lake Elsinore Program Environmental Impact Report for the General Plan Update.

Please write legibly.

Proposal for Property between Lake Elsinore  
and Riverside Dr.

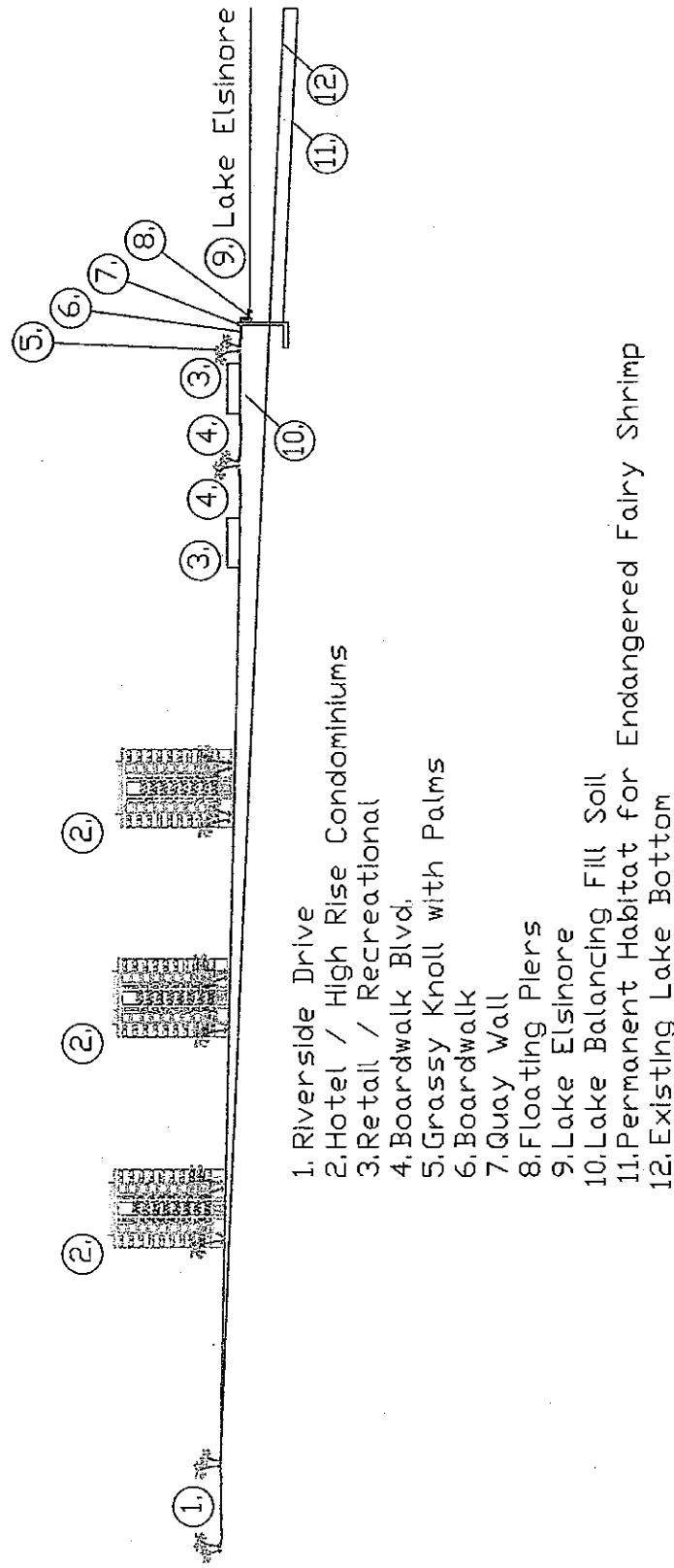
This proposal could be funded by developers  
and resolves habitat for endangered Fairy Shrimp

Please See Attachment.

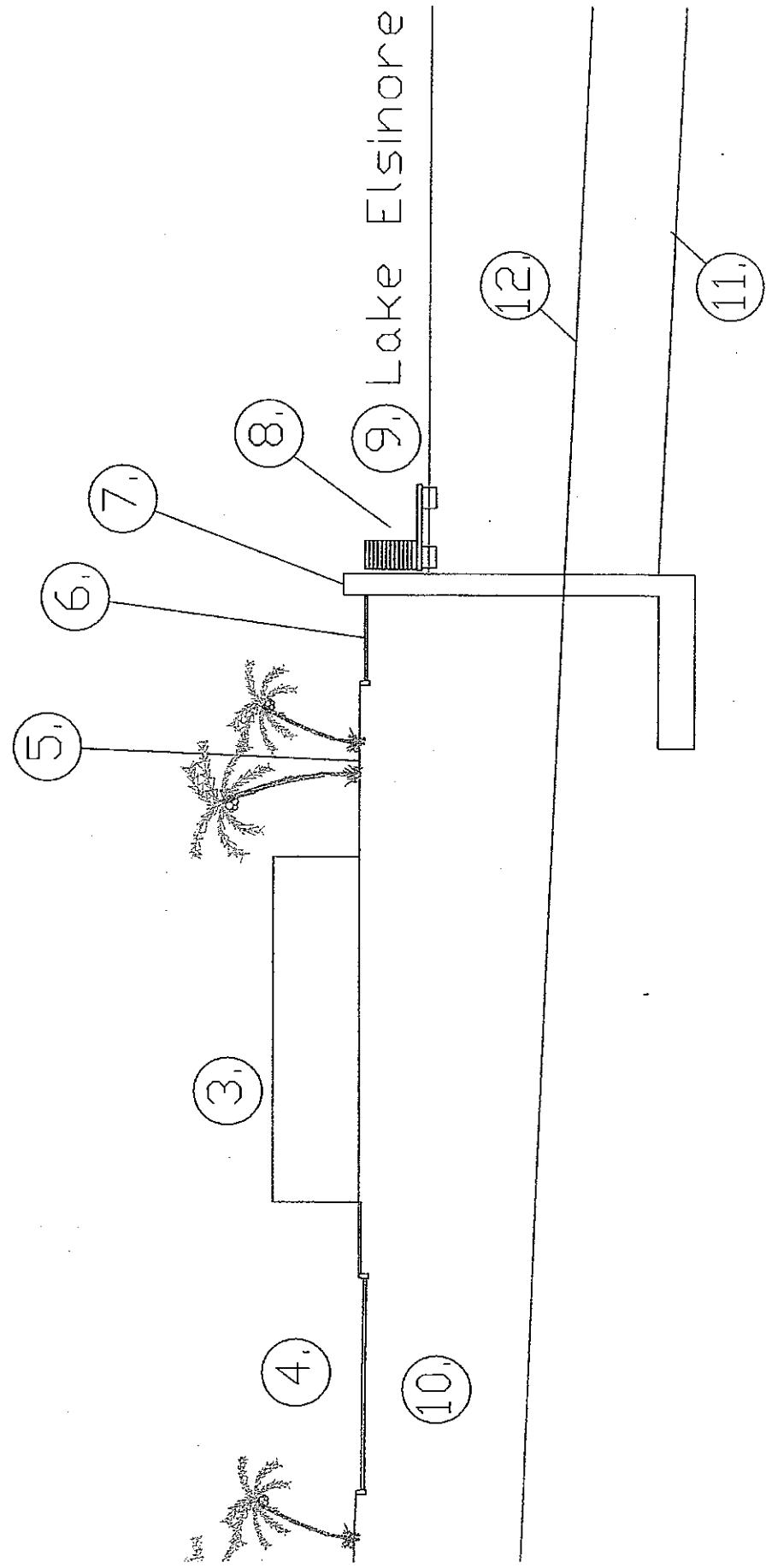
Please submit your comments to a project representative or fold this form in half, seal with tape and mail to Robert A. Brady, City Manager, City of Lake Elsinore, 130 South Main Street, Lake Elsinore, CA 92530.

All comments must be received by 5:00 p.m. on December 15, 2005.

# Proposal for Property Between Riverside Dr. and Lake Elsinore



Proposed by John Lockhart 951.245.9105  
21151 Walnut St., Wildomar, CA 92595  
projectmanager56@aol.com



City of Lake Elsinore  
Program EIR for the General Plan Update

Scoping Meeting

Comment Card

PLEASE PRINT

Name: CARL JORTON

Date: \_\_\_\_\_

Title (if applicable): \_\_\_\_\_

Telephone: 951-245-6400 Fax: 951-245-6408

Organization/Business (if applicable): Neon-ox E-Mail: carljortson@comcast.net

Address: 512 Caberry St

City: Lake Elsinore State: CA Zip: 92530

Yes, I would like to be added to the Program EIR mailing list: E-Mail  U.S. Mail

Please provide your input on environmental issues that you would like considered in the Lake Elsinore Program Environmental Impact Report for the General Plan Update.

Please write legibly.

I would like a lot on theory of River into  
DK Highway downtown area?

• Turn main stages into a Reservation

PORT - NO Vehicles Allowed

• Have hotel density not use

• Get a "river walk" feel to the

area

• Do NOT get built up on keeping existing

Buildings - IF IT TAKES. Please allow the

Entire town out of returning to a

Apartment building "before" decision!!

Please submit your comments to a project representative or fold this form in half, seal with tape and mail to Robert A. Brady, City Manager, City of Lake Elsinore, 130 South Main Street, Lake Elsinore, CA 92530.

All comments must be received by 5:00 p.m. on December 15, 2005.

City of Lake Elsinore  
Program EIR for the General Plan Update

## Scoping Meeting

## Comment Card

PLEASE PRINT

Date: 11-30-05

Name: Donald H. Brady Title (if applicable): Realtor  
Telephone: 951-609-9066 Fax: 951-609-9066

Organization/Business (if applicable): Exit Realty West E-Mail: FAX 951-609-3450

Address: 30058 Lake Trail Ct.

City: Lake Elsinore State: CA Zip: 92530

Yes, I would like to be added to the Program EIR mailing list: E-Mail  U.S. Mail

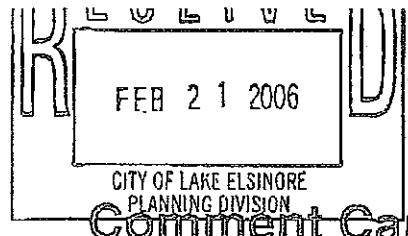
Please provide your input on environmental issues that you would like considered in the Lake Elsinore Program Environmental Impact Report for the General Plan Update.

Please write legibly.

- (1) When will the Recreation Element of the G.P. be developed? Will the public be involved?
- (2) Why doesn't the City have a Park & Recreation Commission?
- (3) Does the City Council know the values of having a good Park System & recreation facilities plus a P&R Commission???
- (4) Relocation of highway 74 through Lake Elsinore and how this could effect the G.P.?
- (5) Is the future financial potential also being studied? We need income to pay for needed improvements, ~~so~~ etc.

Please submit your comments to a project representative or fold this form in half, seal with tape and mail to Robert A. Brady, City Manager, City of Lake Elsinore, 130 South Main Street, Lake Elsinore, CA 92530.

All comments must be received by 5:00 p.m. on December 15, 2005.



**City of Lake Elsinore  
Program EIR for the General Plan Update  
Scoping Meeting**

**PLEASE PRINT**

Date:

Name: BARBARA TAYLOR Title (if applicable):

Telephone: 951.674.5769 Fax:

Organization/Business (if applicable): RTT 5.39@act.com E-Mail: RTT 5.39@act.com

Address: 18821 CAMBERN AVE

City: LAKE ELSINORE State: CA Zip: 92531

Yes, I would like to be added to the Program EIR mailing list: E-Mail  U.S. Mail

Please provide your input on environmental issues that you would like considered in the...

Please provide your input on environmental issues that you would like considered in the Lake Elsinore Program Environmental Impact Report for the General Plan Update.

Please sign here.

Please submit your comments to a project representative or fold this form in half, seal with tape and mail to Robert A. Brady, City Manager, City of Lake Elsinore, 130 South Main Street, Lake Elsinore, CA 92530.

All comments must be received by 5:00 p.m. on December 15, 2005.