



CITY OF LAKE ELSINORE GENERAL PLAN UPDATE

FINAL RECIRCULATED PROGRAM EIR

SCH #2005121019

PREPARED FOR:

CITY OF LAKE ELSINORE
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1.0 INTRODUCTION

This Final Recirculated Program Environmental Impact Report ("EIR") has been prepared to comply with the requirements of Section 15089 of the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). As required by Section 15132 of the State CEQA Guidelines, this Final EIR consists of the Recirculated Draft Program Environmental Impact Report ("RDP-EIR"), comments and recommendations received on the draft EIR, a list of persons, organizations, and public agencies commenting on the RDP-EIR, the responses of the Lead Agency (City of Lake Elsinore) to significant environmental points raised in the review and consultation process, and any other information added by the Lead Agency.

Additionally, pursuant to Section 21081.6 of the California Environmental Quality Act (California Public Resources Code, Sections 21000 et seq.) and Section 15097 of the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.), public agencies are required to adopt a Mitigation Monitoring and Reporting Program ("MMRP") to ensure that the mitigation measures identified in an Environmental Impact Report are implemented. The MMRP for the subject EIR is included in Section 5.0 of this document.

1.1 RELATIONSHIP TO THE RECIRCULATED DRAFT PROGRAM EIR

Minor changes that better clarify or correct minor inaccuracies in the RDP-EIR are described in the Corrections, Errata, and Changes from RDP-EIR to Final Recirculated Program EIR ("RP-EIR") section of this document (Section 3.0). Together with the MMRP, the Environmental Findings and the other information in the Record of Proceedings (Administrative Record), these documents constitute the environmental disclosure record that will serve as the basis for the City Council decision-makers decision on the proposed project.

1.2 PUBLIC REVIEW SUMMARY

The EIR process typically consists of three parts – the Notice of Preparation, the Draft EIR and the Final EIR. A Notice of Preparation (NOP) for an EIR and a description of potential adverse impacts were distributed on or about November 15, 2005 and December 5, 2005. Pursuant to Section 15082 of the State CEQA Guidelines, recipients of the NOP were requested to provide responses within 30 days after their receipt of the NOP. A copy of the NOP and the NOP distribution list are located in Appendix A of the RDP-EIR. Copies of comments regarding the NOP, received by the City, are also included in Appendix A of the RDP-EIR. In addition, 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. Comments received from the public and agencies during the public review period for the NOP and the public scoping meeting were considered in the preparation of the PEIR prepared for the proposed project.

In 2007, a draft Program EIR (“PEIR”) was prepared for the proposed project in accordance with then-current CEQA regulations and guidelines. The first draft PEIR was circulated for a 45-day public review period on or about December 6, 2007. 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.

In April 2008, a Final PEIR for the City of Lake Elsinore General Plan Update was prepared but was not certified by the City Council. Rather, City staff began work on a substantive revision of the proposed project. 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 GPU were made in order to incorporate (1) an updated Housing Element that was not a part of the original General Plan scope; (2) the provisions of a Downtown Lake Elsinore Master Plan, impacting both the Historic District Plan and the immediately adjacent portions of the Lake Edge District Plan; and (3) a Climate Action Plan.

The combined changes to the General Plan Update made between 2008 and 2011 triggered the need to update, revise, and where necessary expand upon the analysis of General Plan Update impacts presented in the first draft PEIR. As lead agency, the City determined that the new information added to the PEIR after its initial circulation in 2008, made in response to changes in the GPU is “significant” and that the first circulated PEIR has been changed so extensively that an updated and revised draft PEIR must be re-circulated so that the public might have a meaningful opportunity to comment upon identified new impacts and/or mitigation measures.

Due to the combined changes made to the proposed project, the City of Lake Elsinore determined that it was appropriate to reissue the Notice of Preparation of a Draft Environmental Impact Report (NOP). The reissued NOP for an EIR and a revised description of potential adverse impacts were distributed to the State Clearinghouse, responsible agencies, and other interested parties on or about May 26, 2011. The reissued NOP was posted by the Riverside County Clerk on May 27, 2011. Additionally, a notice advising of the availability of the reissued NOP was published in the Press-Enterprise newspaper on May 27, 2011. Pursuant to Section 15082 of the State CEQA Guidelines, recipients of the NOP were requested to provide responses within 30 days after their receipt of the reissued NOP. Copies of the reissued NOP and the NOP distribution list are located in Appendix A of the RDP-EIR. Copies of comments regarding the revised NOP, received by the City, are also included in Appendix A of the RDP-EIR.

The RDP-EIR was circulated for a 45-day public review period on or about September 6, 2011. The RDP-EIR and the Notice of Availability/Notice of Completion were provided to the State Clearinghouse (SCH), and to more than 100 responsible and trustee agencies, and interested parties and jurisdictions pursuant to the requirements of Section 15087 of the State CEQA Guidelines. Documents were distributed via U.S. Postal Service and/or FedEx.

The required distribution to the State Clearinghouse was completed by FedEx on September 7, 2011. The official State Clearinghouse review period began on September 7, 2011 and ended on



Section 1.0 - Introduction

October 21, 2011. The standard response letter confirming completion of the State Clearinghouse review period is included in Section 4.0 of this document.

General public Notice of Availability/Notice of Completion was given by publication in the Press-Enterprise on September 7, 2011. As required by Public Resources Code Section 21092.3, a copy of the Notice of Availability/Notice of Completion was posted with the Riverside County Clerk on September 7, 2011. Copies of the published notice and the posted public notice are included in Section 4.0 of this document.

As provided in the public notice and in accordance with CEQA Section 21091(d), the City of Lake Elsinore accepted written comments through October 21, 2011. Twenty (20) letters & e-mails were received during and immediately after the 45-day public review period. Responses to all of the letters/e-mails received, prepared pursuant to Section 15088 of the State CEQA Guidelines, are included in Section 2.0 of this Final Recirculated Program EIR.

The City of Lake Elsinore will provide a written proposed response to each commenting public agency no less than 10 days prior to certifying the Recirculated Program EIR in compliance with the provisions set forth in Public Resources Code Section 21092.5(a) which states that "At least 10 days prior to certifying an environmental impact report, the lead agency shall provide a written proposed response to a public agency on comments made by that agency which conform with the requirements of this division."

1.3 LIST OF PERSONS, ORGANIZATIONS AND PUBLIC AGENCIES COMMENTING ON THE RECIRCULATED DRAFT PROGRAM EIR

State Agencies

Native American Heritage Commission
Department of Toxic Substances Control
Governor's Office of Planning and Research, State Clearinghouse and Planning Unit

Regional Agencies

Riverside Transit Agency
Southern California Association of Governments
South Coast Air Quality Management District

Local Agencies

Riverside County Fire Department
City of Canyon Lake
Riverside County Waste Management Department
Riverside County Transportation Department
City of Menifee

Other Comments Received

Pala Band of Mission Indians
Morongo Band of Mission Indians
Soboba Band of Luiseño Indians
Endangered Habitats League (2 letters)
Pechanga Band of Luiseño Indians
Metropolitan Water District of Southern California
RGP Planning & Development Services
Sierra Club



2.0 RESPONSE TO COMMENTS

Pursuant to State CEQA Guidelines Section 15088, the responses to comments presented in this section address specific, relevant comments on environmental issues raised in the submitted comment letters. For clarification, copies of the original letters, including all attachments, are included in Section 2.1 following the Responses to Comments.

STATE AGENCIES

Response to
Native American Heritage Commission
Comment Letter dated: September 30, 2011

The State of California Native American Heritage Commission provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated September 30, 2011 and received by the City of Lake Elsinore on October 3, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Native American Heritage Commission Comment #1

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The NAHC wishes to comment on the proposed project. This project is subject to California Government Code §§65352.3, 65352.4, 65560, *et seq.* (SB 18)

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

Response to Native American Heritage Commission Comment #1

This comment sets forth the role of the Native American Heritage Commission (NAHC) as a "trustee agency" as defined by the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*). Additionally, this comment states that the proposed project is subject to the provisions of Senate Bill (SB) 18 and states that the NAHC letter includes applicable state and federal statutes including Public Resources Code Section 5097.9.

Section 3.2 (Cultural and Paleontological Resources) of the RDP-EIR discusses the proposed project's potential impacts upon cultural resources. SB 18 is discussed on page 3.2-30 of the RDP-EIR. The discussion of SB 18 describes the City of Lake Elsinore's compliance with the

provisions of SB 18 as it pertains to the proposed project. Section 3.2 of the RDP-EIR also provides summaries of many applicable state and federal statutes. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Native American Heritage Commission Comment #2

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were identified in the USGS coordinates identified.** Also, the absence of archaeological resources does not preclude their existence.

Response to Native American Heritage Commission Comment #2

This comment summarizes the California Environmental Quality Act (CEQA) provisions regarding cultural resources. This comment states that CEQA requires that any project that causes a substantial adverse change in the significance of an historical resource, including archaeological resources, requires the preparation of an Environmental Impact Report. Additionally, the lead agency is required to assess whether the project will have an adverse impact on these resources within the area of potential effect, and if so, to mitigate that effect. The NAHC also states that it performed a "Sacred Lands File search" and identified Native American cultural resources in the project area.

In compliance with the provisions of CEQA and the State CEQA Guidelines, the City of Lake Elsinore prepared the RDP-EIR which assessed the proposed project's potential impacts upon historical resources, including archaeological resources, in Section 3.2 (Cultural and Paleontological Resources) and in Section 4.0 (Cumulative Impacts). These sections of the RDP-EIR include mitigation measures that reduce potential impacts to less-than-significant levels. Therefore, the City of Lake Elsinore has complied with the provisions of CEQA and the State CEQA Guidelines referenced in this comment.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Native American Heritage Commission Comment #3

The NAHC “Sacred Sites,” as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Response to Native American Heritage Commission Comment #3

The City of Lake Elsinore acknowledges that the items in the NAHC Sacred Land Inventory are confidential and exempt from the Public Records Act. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Native American Heritage Commission Comment #4

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Response to Native American Heritage Commission Comment #4

This comment recommends consultation with Native American tribes and “urges” the City to contact the list of Native American Contacts on an attach list of Native American contacts. This letter also makes reference to specific requirements that mandate consultation with Native American tribes where electrical transmission lines are proposed. The proposed project does not propose electrical transmission lines and therefore the enabling legislation to the federal Energy Policy Act of 2005 is not applicable.

The list of Native American contacts attached to the NAHC comment letter includes nineteen Native American contacts representing twelve different Tribes. The City of Lake Elsinore, as Lead Agency, sent each of these twelve Tribes a copy of the “Notice of Availability/Notice of Completion of a Recirculated Draft Program Environmental Impact Report” and a copy of the RDP-EIR on or about September 6, 2011.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Native American Heritage Commission Comment #5

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends avoidance as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Response to Native American Heritage Commission Comment #5

The City of Lake Elsinore, as Lead Agency, sent each of the twelve Tribes identified on the NAHC-provided list of Native American contacts a copy of the “Notice of Availability/Notice of Completion of a Recirculated Draft Program Environmental Impact Report” and a copy of the RDP-EIR on or about September 6, 2011. This documentation included a complete project description which contained all the pertinent project information necessary for the consulted Native American tribes to review and provide input regarding the RDP-EIR discussion of cultural resources. Mitigation measures **MM Cultural/Paleontological Resources 2** through **MM Cultural/Paleontological Resources 8** address any discovery and documentation of unknown archaeological resources discovered during ground disturbance activities. Mitigation measure **MM Cultural/Paleontological Resources 6** specifically states that all “sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.”

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Native American Heritage Commission Comment #6

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interior's Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all ‘lead agencies’ to consider the historic context of proposed projects and to “research” the cultural landscape that might include the ‘area of potential effect.’

Response to Native American Heritage Commission Comment #6

Section 3.2 (Cultural and Paleontological Resources) of the RDP-EIR discusses the proposed project's potential impacts upon cultural resources. The "Regulatory Setting" portion of this section of the RDP-EIR describes the National Historic Preservation Act (NHPA) of 1966, the Native American Graves Protection and Repatriation Act (NAGPRA) and other federal, State and local laws and regulations.

The NAHC recommends consultation conducted in compliance with the requirements of federal National Environmental Policy Act (NEPA), Section 106 and 4(f) of the National Historic Preservation Act (NHPA), NAGPRA and other federal requirements. However, these federal are not applicable to the proposed project. Instead, this proposed Project is subject to SB 18 and environmental analysis pursuant to the requirements of CEQA and the State CEQA Guidelines. As Lead Agency under CEQA, the City of Lake Elsinore is responsible for compliance with applicable State and local regulations. Because there is no federal involvement, the Project is not considered a "federal undertaking." Therefore regulations and guidelines set forth in NEPA and Section 106 of the NHPA do not apply to the proposed project. However, the City acknowledges that any individual projects that are implemented in accordance with the proposed project will be required to comply with any applicable federal, State and local regulatory requirements.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Native American Heritage Commission Comment #7

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Response to Native American Heritage Commission Comment #7

The NAHC recommends that confidentiality of "historic properties of religious and cultural significance" should be considered as protected by California Government Code Section 6254(r). Section 6254(r) exempts from disclosure under the California Public Records Act the following: "Records of Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code maintained by, or in the possession of, the Native American Heritage Commission, another state agency, or a local agency."

The City of Lake Elsinore concurs with this comment regarding the confidentiality of these types of historic properties. The RDP-EIR does not identify the specific locations of any cultural

resources. Table 3.2-3 (General Plan Goals, Policies and Implementation Programs) beginning on page 3.2-32 of the RDP-EIR cites Policy 5.3 from Chapter 4.0 (Resource Protection and Preservation) of the proposed General Plan, which states: "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." Thus, the City will continue to consider any information regarding the location of "historic properties of religious and cultural significance" to be confidential and not subject to public disclosure.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Native American Heritage Commission Comment #8

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

Response to Native American Heritage Commission Comment #8

This comment references legal requirements pertaining to the discovery of human remains. Section 3.2 (Cultural and Paleontological Resources) of the RDP-EIR discusses the proposed project's potential impacts upon cultural resources. The "Regulatory Setting" portion of this section of the RDP-EIR describes federal, State and local laws and regulations including Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5, which address disturbance of human burial remains and the accidental discovery of human remains in any location other than a dedicated cemetery. California Government Code Section 27491 pertains to coroner inquests and does not specifically address Native American remains.

The RDP-EIR addresses the accidental discovery of human remains in Section 3.2 on pages 3.2-49 through 3.2-50. Mitigation measure **MM Cultural/Paleontological Resources 10** addresses the accidental discovery of human remains during excavation and construction activities. This mitigation measure identifies the procedures to be followed if human remains are encountered, including compliance with applicable laws and regulations, including Public Resources Code Section 5097.98, Health & Safety Code Section 7050.5, and State CEQA Guidelines Section 15064.5(e).

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Native American Heritage Commission Comment #9

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Response to Native American Heritage Commission Comment #9

This comment expresses the NAHC's opinion regarding what constitutes effective tribal consultation. This comment is acknowledged by the City of Lake Elsinore. Table 3.2-3 (General Plan Goals, Policies and Implementation Programs) beginning on page 3.2-32 of the RDP-EIR cites Policy 5.2 from Chapter 4.0 (Resource Protection and Preservation) of the proposed General Plan, which states that the City will consult with Native American tribes for projects identified under SB 18 and Policy 5.4 which requires Native American consultation prior to development project approval whenever archaeological excavations are recommended on a project site. Through these policies, the City acknowledges the importance of timely consultation with Native American tribes.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Response to
California Department of Toxic Substances Control
Comment Letter dated: October 20, 2011

The State of California Department of Toxic Substances Control (DTSC) provided comments regarding the Recirculated Draft Program Environmental Impact Report (“RDP-EIR”) (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the “3rd Street Annexation”), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 20, 2011 and received by the City of Lake Elsinore on October 21, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Department of Toxic Substances Control Comment #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).

Response to Department of Toxic Substances Control Comment #1

As discussed on page 3.10-23 of the RDP-EIR, an Environmental Data Resources (EDR) report was prepared for the project area and included as Appendix H of the RDP-EIR. The EDR report includes an environmental regulatory database search which reviewed all regulatory agency lists compiled pursuant to California Government Code Section 65962.5. The report shows that there were 28 “Cortese sites” located within the City and its Sphere of Influence at the time the report was prepared. However the records referenced therein do not indicate any active enforcement actions related to hazardous materials at those sites. A full discussion of the potential impacts of hazardous sites to the public or environment is included in Section 3.10 (Hazards and Hazardous Materials) of the RDP-EIR.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Department of Toxic Substances Control Comment #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.

Response to Department of Toxic Substances Control Comment #2

A full discussion of the potential impacts of hazardous sites to the public or environment is included in Section 3.10 (Hazards and Hazardous Materials) of the RDP-EIR. The RDP-EIR addresses the mechanism for addressing potentially contaminated sites on page 3.10-23 where it states that “individual development projects implemented pursuant to the proposed project could be affected by sites that once or in the future may be listed on a hazardous materials site list. The Implementation Program for Goal 3 in the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter states that through project review and the CEQA process the City shall assess new development and reuse applications for potential hazards, and shall require compliance with the County Hazardous Waste Management Plan and collaboration with its Department of Environmental Health.”

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Department of Toxic Substances Control Comment #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.

Response to Department of Toxic Substances Control Comment #3

This comment describes DTSC's recommendations for environmental investigations conducted for development proposals. The subject RDP-EIR is a programmatic analysis of the proposed project and does not include any site specific development proposals. Therefore the inclusion of a Phase I or II Environmental Site Assessment is not included as part of the subject RDP-EIR. Subsequent development proposals will be evaluated through project review and the CEQA process. Site specific Phase I or II Environmental Site Assessments will be prepared by project applicants as needed to comply with applicable regulatory requirements including CEQA, and with the goals, policies and implementation programs set forth in the proposed General Plan Update.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Department of Toxic Substances Control Comment #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.

Response to Department of Toxic Substances Control Comment #4

The subject RDP-EIR is a programmatic analysis of the proposed project and does not include any site specific development proposals. Therefore the proposed project does not include any

proposal for the demolition of building or other structures or paved surface areas. Subsequent development proposals will be evaluated through project review and the CEQA process. Any development proposals implemented in compliance with the proposed project will require that any such demolition that is proposed will comply with applicable regulatory requirements including CEQA, and with the goals, policies and implementation programs set forth in the proposed General Plan Update.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Department of Toxic Substances Control Comment #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.

Response to Department of Toxic Substances Control Comment #5

This DTSC comment describes procedures for sampling and disposal of contaminated soil. The subject RDP-EIR is a programmatic analysis of the proposed project and does not include any site specific development proposals; therefore the proposed project does not include any construction that would require sampling and disposal of contaminated soil.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Department of Toxic Substances Control Comment #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.

Response to Department of Toxic Substances Control Comment #6

The subject RDP-EIR is a programmatic analysis of the proposed project and does not include any site specific development proposals. Subsequent development proposals will be evaluated through project review and the CEQA process. Any development proposals implemented in compliance with the proposed project will comply with applicable regulatory requirements

including CEQA, and with the goals, policies and implementation programs set forth in the proposed General Plan Update.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Department of Toxic Substances Control Comment #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.

Response to Department of Toxic Substances Control Comment #7

The subject RDP-EIR is a programmatic analysis of the proposed project and does not include any site specific development proposals. Subsequent development proposals will be evaluated through project review and the CEQA process. Any development proposals implemented in compliance with the proposed project will comply with applicable regulatory requirements including CEQA, and with the goals, policies and implementation programs set forth in the proposed General Plan Update.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Department of Toxic Substances Control Comment #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, or contact Ms. Maryam Tasnif-Abbas, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

Response to Department of Toxic Substances Control Comment #8

This comment indicates that DTSC can provide cleanup oversight services. This comment is acknowledged.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.



**Response to
Governor's Office of Planning and Research,
State Clearinghouse and Planning Unit**

Comment Letter dated: October 24, 2011

The Governor's Office of Planning and Research, State Clearinghouse and Planning Unit provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 24, 2011 and received by the City of Lake Elsinore on October 26, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

State Clearinghouse Comment #1

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on October 21, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Response to State Clearinghouse Comment #1

This comment confirms that the State Clearinghouse received and distributed the RDP-EIR as required by CEQA. This comment also confirms the completion of the 45-day RDP-EIR comment period. This comment is acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.



REGIONAL AGENCIES

Response to Riverside Transit Agency

Comment Letter dated: September 23, 2011

The Riverside Transit Agency provided comments following its review of the Recirculated Draft Program Environmental Impact Report (“RDP-EIR”) (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the “3rd Street Annexation”), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated September 23, 2011 and received by the City of Lake Elsinore on September 26, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Riverside Transit Agency Comment #1

Thank you for the opportunity for Riverside Transit Agency (RTA) to review the Draft Environmental Impact Report for the City of Lake Elsinore. The current General Plan includes a comprehensive set of goals and policies that is inclusive of ways to strengthen transportation and circulation. These include coordination efforts, improving corridors, allowing for multiple modes of travel and other policies encouraging transit.

Response to Riverside Transit Agency Comment #1

This comment is acknowledged. This comment is regarding the proposed project and does not address the environmental analysis contained within the RDP-EIR; therefore no response is required. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Riverside Transit Agency Comment #2

Public transportation is an integral part to building sustainable communities and we appreciate the opportunity to work with the city to enhance public transit as a viable transportation alternative. Upon reviewing your draft General Plan, additional elements may be recognized to advance public transit.

- Coordination of land use characteristics with transit corridors. Higher density designated areas are more likely to require public transportation and planning for more transit stops will be essential.
- Integrate methods that will allow buses to stop at transit stops while not disrupting vehicular traffic.
 - One strategy is to having the outer traffic lane twenty feet wide, including the bike lane. While this creates a safer condition for the bus to stop, it also provides a greater distance between pedestrians and vehicular traffic.
 - In cases where the outer lane is less than twenty feet wide, consider a turnout for the bus at the stop location. (See Exhibit A for an example of a turnout design).
- Have transit stops located at far side locations from intersections where traffic is likely to be clear -allowing buses easier mobility (See Exhibit B for illustrations).
- Similar to sidewalks, accessibility to transit stops must meet ADA requirements. A part of that requirement is having a continuous paved connection to and from the stop. Most commonly, these are sidewalks and at the stop itself, provide clearance for wheelchair movement (See Exhibit C for examples).
- Provide amenities for transit users such as lighting, shelters and benches.

For more information on design guidelines for transit bus service please see RTA's *Design Guidelines for Bus Transit* document at <http://www.riversidetransit.com/about/guidelines.htm>.

Response to Riverside Transit Agency Comment #2

This comment is acknowledged. This comment is regarding the proposed project and does not address the environmental analysis contained within the RDP-EIR; therefore no response is required. The City's general development procedures include the transmittal of proposed projects to the Riverside Transit Agency for review and comment. Where the RTA requests the incorporation of transit stops into projects, the City has, where feasible, incorporated transit stops into project design.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.



**Response to
Southern California Association of Governments
Comment Letter dated: October 19, 2011**

The Southern California Association of Governments (SCAG) provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 19, 2011 and received by the City of Lake Elsinore ("City") on October 21, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Southern California Association of Governments Comment #1

Thank you for submitting the **Draft Environmental Impact Report for the Lake Elsinore General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, Climate Action Plan Project [I20110137]** to the Southern California Association of Governments (SCAG) for review and comment. 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 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act (CEQA) Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act Guidelines, Sections 15125 and/or 15206. The proposed project involves a series of changes to the City of Lake Elsinore General Plan Land Use Map, land use designations and goals, policies and implement, which will set the standards for development within the City for the next twenty years.

Response to Southern California Association of Governments Comment #1

This comment describes SCAG's authorization and role as a regional agency and regional clearinghouse regarding the review of CEQA documents related to regionally significant projects. This comment also states SCAG's conclusion that the proposed project is considered a regionally significant project pursuant to Sections 15125 and/or 15206 of the State CEQA

Guidelines. This conclusion is acknowledged on page 1.0-5 of the RDP-EIR, where it states: "The City of Lake Elsinore, as lead agency, determined that the proposed project is a project of statewide, regional, or areawide significance pursuant to Section 15206(b)(1) of the State CEQA Guidelines." Therefore, no new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #2

We have evaluated this project based on the policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision Principles that may be applicable to your project. The RTP and Compass Growth Visioning Principles can be found on the SCAG web site at: <http://scag.ca.gov/igr>. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. Please send a copy of the Final Environmental Impact Report (FEIR) ONLY to SCAG's main office in Los Angeles for our review. If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895. Thank you.

Response to Southern California Association of Governments Comment #2

This comment notes that SCAG evaluated the proposed project based upon the policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision Principles that it found may be applicable to the proposed project. Ms. Pamela Lee was contacted by the City on October 25, 2011 and Ms. Lee confirmed that the referenced SCAG List of Mitigation Measures are not required mitigation measures, but rather offered for consideration. The Response to Southern California Association of Governments Comment #12, below, address the suggested mitigation measures.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #3

PROJECT LOCATION

The City of Lake Elsinore is located in the southwestern portion of Riverside County. The City encompasses approximately 43 square miles (27,747 acres). 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. 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. The City's Sphere of Influence is more than 72 square miles and includes the land within City boundaries as well as unincorporated land surrounding the City to the north, west and south.

PROJECT DESCRIPTION

The proposed project consists of five separate parts: Lake Elsinore General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element and Climate Action Plan.

General Plan Update: 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. 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. 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 asset 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.

Annexation No. 81: Also known 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. The 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 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, Camborn 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 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.

Housing Element: 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 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 emission targets for years 2020 and 2030, consistent with the State of California's emissions reduction targets, as well as strategies and measures to meet these targets. The CAP is also intended to support tiering and streamlining of future projects within Lake Elsinore.

Response to Southern California Association of Governments Comment #3

This comment summarizes the project description information contained within Section S.0 (Executive Summary) and Section 2.0 (Project Description) of the RDP-EIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #4

RHNA IMPLICATIONS

The annexation may involve the transfer of housing need determined by the Regional Housing Need Assessment (RHNA) process. Per state housing law, if the County and annexing city reach a mutually acceptable agreement on the number of housing units transferred after annexation, the parties are required to notify SCAG within 90 days after the date of annexation. In the event that both parties cannot reach an agreement, either party may submit a written request to SCAG for a determination on the RHNA allocation for the annexed area. SCAG is currently developing a policy as part of its 5th RHNA cycle methodology to address the determination of future housing need below the jurisdictional level related to an annexation.

Response to Southern California Association of Governments Comment #4

This comment describes the Regional Housing Need Assessment (RHNA) process regarding any transfer of housing need from the County to the City related to Annexation No. 81 (also known as the 3rd Street Annexation). This comment also notes that SCAG is currently developing a policy to address annexations as part of its 5th RHNA cycle methodology. This comment is acknowledged.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #5

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The Draft Environmental Impact Report (DEIR) should reflect the most recently adopted SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and city are as follows:

Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted Gateway Cities WRCOG Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	1,735,426	1,918,962	2,096,544	2,262,992	2,414,256	2,550,867
Households	546,047	609,219	671,933	727,622	780,743	828,547
Employment	588,523	691,260	797,626	901,163	1,005,923	1,098,233

Adopted City of Lake Elsinore Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	51,138	61,045	69,558	78,044	85,376	92,438
Households	15,239	18,149	21,022	23,898	26,448	28,662
Employment	12,152	13,525	15,006	16,487	18,012	19,297

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008.

SCAG Staff Comments:

Page 3.1-30 indicates that the DEIR population, household and employment analyses were based on 2008 RTP Regional Growth Forecasts.

Response to Southern California Association of Governments Comment #5

This comment provides adopted forecasts for population, households and employment for the SCAG region, the Western Riverside Council of Governments (WRCOG) subregion and City of Lake Elsinore. As noted in this comment, the RDP-EIR considered the 2008 RTP Regional Growth Forecasts in its discussion of population, housing and employment in Section 3.1 (Land Use and Planning) and Section 3.13 (Population and Housing).

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #6

The **2008 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:

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*
- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*
- RTP G7** *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

SCAG Staff Comments:

Where applicable, SCAG staff finds that the proposed project generally meets consistency with Regional Transportation Plan Goals. The proposed project is not applicable to RTP G2, G3 and G7 because the proposed project is not transportation related.

SCAG staff finds that the proposed project generally meets consistency with RTP G1. The proposed project includes implementation of individual bikeway, transit and roadway projects in accordance with the Land Use plan associated with future population growth. (Pages 3.4-115 – 3.4-116).

Per RTP G4, the proposed project generally meets consistency. According to Page 3.4-115, the proposed project plans to accommodate future travel demand including road improvements, new bikeways and public transit.

SCAG staff finds that the proposed project is partially consistent with RTP G5. Per page 3.8-17, the proposed project aims to protect and ensure conservation of the regional ecology, biological resources, wetlands, and other aquatic resources where feasible. However, the implementation of the proposed project would result in construction and operational air quality impacts including vehicular emissions and common emitters associated with residential and commercial development (Page 3.6-24).

SCAG staff finds the proposed project generally meets consistency with RTP G6. Page 3.4-49 refers to General Plan Policy 9.1, which emphasizes interface when implementing the proposed project between existing and proposed transportation facilities.

Response to Southern California Association of Governments Comment #6

This comment confirms that based upon information contained within the RDP-EIR that the proposed project is consistent with RTP goals RTP G1, RTP G4, and RTP G6 and partially

consistent with RTP G5. SCAG also states that RTP goals RTP G2, G3 and G7 are not applicable to the proposed project. These consistency findings are acknowledged by the City. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #7

COMPASS 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.

- GV P1.1** *Encourage transportation investments and land use decisions that are mutually supportive.*
- GV P1.2** *Locate new housing near existing jobs and new jobs near existing housing.*
- GV P1.3** *Encourage transit-oriented development.*
- GV P1.4** *Promote a variety of travel choices*

SCAG Staff Comments:

SCAG staff finds that the proposed project partially meets consistency with Principle 1.

SCAG staff finds the proposed project generally meets consistency with GV P1.1. The proposed project contains policies to increase density of development, particularly around activity centers and transportation corridors. (Page 3.1-24)

Per GV P1.2, SCAG staff finds the project meets consistency. According to Page 3.1-37, a goal of the proposed Business District will include intensification of commercial and industrial uses to supply jobs to the existing housing community.

In regards to GV P1.3, SCAG staff finds the proposed project is consistent. The proposed project contains policies that encourage commercial and residential mixed-use designations in urbanized areas accessible to transit. (Page 3.1-24)

SCAG staff cannot determine consistency with GV P1.4 based on the information provided in the DEIR.

Response to Southern California Association of Governments Comment #7

This comment states that SCAG has determined that the proposed project is partially consistent with Compass Growth Visioning (CGV) Principle 1 (Improve mobility for all residents). Specifically, SCAG confirmed that the proposed project is consistent with GV P1.1, GV P1.2 and GV P1.3. It is acknowledged that SCAG concluded that it did not make a consistency determination regarding GV P1.4 (Promote a variety of travel choices). It is noted that the RDP-

EIR found that the proposed General Plan Update "contains policies to encourage alternative forms of transportation, including walkways and bikeways, and provide incentives for reducing travel time and vehicle miles traveled for residents (RDP-EIR, page 3.1-23). Additionally, Section 3.4 (Transportation and Circulation) of the RDP-EIR includes a discussion of alternative means of transportation and finds that the proposed General Plan "meets the goals and policies of the Complete Streets Act" by increasing "the range of transportation options for travel within the City of Lake Elsinore and to adjacent western Riverside County jurisdictions by identifying a backbone network of bicycle and pedestrian routes." (RDP-EIR, page 3.4-111)

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #8

Principle 2: Foster livability in all communities.

- GV P2.1** *Promote infill development and redevelopment to revitalize existing communities.*
- GV P2.2** *Promote developments, which provide a mix of uses.*
- GV P2.3** *Promote "people scaled," walkable communities.*
- GV P2.4** *Support the preservation of stable, single-family neighborhoods.*

SCAG Staff Comments:

SCAG staff finds that the proposed project generally meets consistency with Principle 2.

Per GV P2.1, SCAG staff finds the proposed project meets consistency. The proposed project contains policies to ensure cost-efficient land use planning that utilizes redevelopment and infill techniques. (Page 3.1-22)

SCAG staff finds the proposed project meets consistency with GV P2.2. The proposed project will establish District Plans as a part of the Land Use Element to allow for more focused planning of many diverse neighborhoods and a mix of uses including resident, commercial and industrial (Page 2.0-10).

SCAG staff finds the proposed project meets consistency with GV P2.3. Per page 3.4-111, the proposed project increases the range of transportation options within the City and adjacent western Riverside County by identifying a backbone network of bicycle and pedestrian routes.

Per GV P2.4, SCAG staff finds the proposed project meets consistency. Both established neighborhoods and newer subdivisions will preserve and include single-family neighborhoods (Page 3.1-6).

Response to Southern California Association of Governments Comment #8

This comment confirms that based upon information contained within the RDP-EIR that SCAG finds that the proposed project generally meets consistency with CGV Principle 2 (Foster livability in all communities.) This consistency finding is acknowledged. No new

environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #9

Principle 3: Enable prosperity for all people.

- GV P3.1** *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
- GV P3.2** *Support educational opportunities that promote balanced growth.*
- GV P3.3** *Ensure environmental justice regardless of race, ethnicity or income class.*
- GV P3.4** *Support local and state fiscal policies that encourage balanced growth*
- GV P3.5** *Encourage civic engagement.*

SCAG Staff Comments:

SCAG staff finds that the proposed project partially meets consistency with Principle 3 where applicable.

Per GV P3.1, SCAG staff finds the proposed project to be generally consistent. The Residential Mixed Use land use designation encourages a mix of residential and non-residential uses including affordable housing and higher densities thereby providing a variety of housing types (Page 2.0-20).

SCAG staff cannot determine consistency with GV P3.2, GV P3.3, GV P3.4 and GV P3.5 based on the information provided in the DEIR.

Response to Southern California Association of Governments Comment #9

This comment confirms that based upon information contained within the RDP-EIR that SCAG finds that the proposed project is partially consistency with CGV Principle 3 (Enable prosperity for all people.) This comment is acknowledged.

SCAG determined that the proposed project is generally consistent with GV P3.1, but states that it did not make a consistency determination regarding GV P3.2, GV P3.3, GV P3.4 and GV P3.5. Although SCAG did not make a consistency determination regarding GV P3.2 (Support educational opportunities that promote balanced growth), Table 3.14-1 (General Plan Public Services Goals, Policies and Implementation Programs) in Section 3.14 (Public Services) of the RDP-EIR cites Land Use Policy 1.6 of proposed General Plan Chapter 2.0 (Community Form) and Goal 9 and Policy 9.1 of proposed General Plan Chapter 3.0 (Public Safety and Welfare) which state:

Policy 1.6 - Encourage development of institutions including hospitals and educational campuses and facilities

Goal 9 – Encourage all school districts serving Lake Elsinore to provide school facilities that are adequate to serve all students.

Policy 9.1 - Encourage the establishment and development of a trade school, junior college, and/or four-year college campus within the City boundaries."

Therefore, the RDP-EIR includes information that shows that the proposed project supports educational opportunities.

Under CEQA, an analysis of environmental justice is not required. Accordingly, the proposed project is consistent with GV P3.3.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #10

Principle 4: Promote sustainability for future generations.

- GV P4.1** *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
- GV P4.2** *Focus development in urban centers and existing cities.*
- GV P4.3** *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4** *Utilize "green" development techniques*

SCAG Staff Comments:

Where applicable, SCAG staff finds that the project is partially consistent with Principle 4.

SCAG staff finds the proposed project does not meet consistency with GV P4.1. Per page 3.1-42, the proposed project converts agricultural lands to non-agricultural land uses, though the conversion of land will result in a less-than-significant impact.

In regards to GV P4.2, SCAG staff finds the proposed project meets consistency. The proposed project contains policies to increase density of development, particularly around activity centers and transportation corridors (Page 3.1-24).

SCAG staff finds the proposed project meets consistency with GV P4.3. Per pages 3.6-20 and 3.10-18, the proposed project through the enforcement of ordinances and general plan policies, aim to control or mitigate pollution, reduce hazardous materials and diversion of construction waste. Also the proposed project includes a Climate Action Plan which aims to encourage sustainable development at the local level (Page 2-1, Appendix G).

Per GV P4.4, SCAG staff finds the proposed project meets consistency. The Climate Action Plan addresses green development techniques including Cool Roof Requirements and Energy Efficiency Building Standards (Pages C-9, C-8, Appendix G).

Response to Southern California Association of Governments Comment #10

This comment confirms that based upon information contained within the RDP-EIR that SCAG finds that the proposed project partially meets consistency with CGV Principle 4 (Promote sustainability for future generations.) This comment is acknowledged. It is noted that SCAG

determined that the proposed project is consistent with GV P4.2, GV P4.3 and GV P4.3. Although SCAG determined that the proposed project does not meet consistency with GV P4.1 due to the planned conversion of the limited amount of agricultural lands to non-agricultural uses, it is noted that the RDP-EIR states that none of the farmland that is affected is considered to be ‘important farmland’ by the State of California (RDP-EIR, page 3.1-42.) Both SCAG and the RDP-EIR acknowledge that the conversion of this small percentage of land dedicated to agricultural uses within the City and its Sphere of Influence will result in a less-than-significant impact.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #11

CONCLUSION

Where applicable, the proposed project generally meets consistency with SCAG Regional Transportation Plan Goals and also meets consistency with Compass Growth Visioning Principles.

Response to Southern California Association of Governments Comment #11

The City acknowledges SCAG’s conclusion that the proposed project is generally consistent with SCAG Regional Transportation Plan Goals and also consistent with Compass Growth Visioning Principles.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #12

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. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

Response to Southern California Association of Governments Comment #12

This comment requests that feasible mitigation measures which could mitigate any potentially negative regional impacts be implemented and monitored, as required by CEQA. As required by Section 21002 of CEQA and Section 15126.4 of the State CEQA Guidelines, all feasible mitigation measures have been incorporated into the RDP-EIR. The Mitigation Monitoring and Reporting Program (MMRP) for the proposed project, prepared pursuant to the requirements of CEQA (Public Resources Code Section 21081.6) and Section 15097 of the State CEQA Guidelines has been completed and is located in Section 3.0 of this Final Recirculated Program EIR.

The first page of the referenced SCAG List of Mitigation Measures (page 7-1 of the 2008 RTP Final PEIR Mitigation and Monitoring Program) states”

“The purpose of this MMRP is to ensure compliance with the adopted mitigation measures included in the 2008 Regional Transportation Plan (RTP) Program EIR (PEIR), in accordance with CEQA requirements. The 2008 RTP PEIR evaluates the transportation plan on a system-wide, regional scale, and includes feasible mitigation measures to reduce environmental impacts. The MMRP for the 2008 RTP PEIR clarifies the process for implementing agencies to comply with these mitigation measures and designates responsibility for implementing, monitoring, and reporting mitigation. [Emphasis Added]

“This MMRP applies to all projects in the 2008 RTP that are required to prepare a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR) for a project, pursuant to CEQA. This MMRP calls for monitoring reports prepared for these individual projects to be submitted directly to SCAG and to the Lead Agency for each particular project.” [Emphasis Added]

As described in this language, the list of mitigation measures applies to projects in the 2008 RTP. A review of the 2008 RTP List of Projects (<http://www.scag.ca.gov/rtp2008/final.htm>) shows that the proposed project is not a 2008 RTP project. Therefore, the proposed project is not required to comply with the referenced SCAG List of Mitigation Measures. In its letter dated October 19, 2011, SCAG does not identify specific mitigation measures that it recommends be implemented by the proposed project.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Southern California Association of Governments Comment #13

When a project is of statewide, regional, or area wide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21081.7, and CEQA Guidelines Section 15097 (g).

Response to Southern California Association of Governments Comment #13

This comment refers to Section 21081.7 of CEQA and Section 15097(g) of the State CEQA Guidelines requirements regarding transportation information generated by a required monitoring and reporting program for a project of statewide, regional or areawide importance and the requirement that the information be submitted to the regional transportation agency and to the California Department of Transportation (“Caltrans”). As discussed in the above Southern California Association of Governments Comment #1 and the response thereto, the proposed project is considered to be a project of statewide, regional or areawide significance.



Section 2.0 – Response to Comments

A Mitigation Monitoring and Reporting Program (MMRP) for the proposed project has been completed and is located in Section 3.0 of this Final Recirculated Program EIR. Pursuant to the requirements set forth in the MMRP, no additional transportation information that would be submitted to SCAG and to Caltrans will be generated.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Response to
South Coast Air Quality Management District
Comment Letter dated: October 26, 2011

The South Coast Air Quality Management District (SCAQMD) provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 26, 2011 and received by the City of Lake Elsinore on October 26, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

South Coast Air Quality Management District Comment #1

The AQMD staff is concerned about the potential health risk impacts to residents located adjacent to the proposed project's limited industrial land use designation. Specifically, the AQMD staff is concerned that toxic air pollutants typically emitted by industrial sources could adversely impact the sensitive land uses that surround the proposed industrial land uses identified in figure 2.0-8 of the draft PEIR. Therefore, the lead agency should include conditions in the final PEIR that require health risk impacts to residents be evaluated and mitigated to a less than significant impact for any sensitive land uses within 1,000 feet of the aforementioned industrial uses. Also, the AQMD staff is concerned about the effectiveness of the proposed plan's greenhouse gas (GHG) emissions reductions measures and the plan's consistency with AQMD's adopted and draft GHG thresholds and regional efforts to reduce GHG emissions. Further, AQMD staff recommends that pursuant to Section 15126.4 of the California Environmental Quality Act (CEQA) Guidelines additional mitigation measures be considered to minimize the project's significant air quality impacts. Details regarding these comments are attached to this letter.

Response to South Coast Air Quality Management District Comment #1

This comment summarizes the SCAQMD comments that are detailed in following parts of their comment letter. This comment is acknowledged. Response to the detailed SCAQMD comments summarized in this comment are addressed in the below Responses to South Coast Air Quality Management District Comments #3 though #7.



South Coast Air Quality Management District Comment #2

Pursuant to Public Resources Code Section 21092.5, AQMD staff requests that the lead agency provide the AQMD with written responses to all comments contained herein prior to the adoption of the final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Response to South Coast Air Quality Management District Comment #2

In this comment, the SCAQMD requests that the City provide it with written responses to all comments contained within their comment letter. The City of Lake Elsinore will provide a written proposed response to each commenting public agency no less than 10 days prior to certifying the Recirculated Program EIR in compliance with the provisions set forth in Public Resources Code Section 21092.5(a) which states that “At least 10 days prior to certifying an environmental impact report, the lead agency shall provide a written proposed response to a public agency on comments made by that agency which conform with the requirements of this division.”

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

South Coast Air Quality Management District Comment #3

Based on the lead agency’s discussion on pages 3.6-31 and 3.6-34 of the draft PEIR the proposed project would include an increase in the city’s source’s of toxic air contaminant (TACs) and could result in exposure of sensitive land uses (i.e., residences) to these potentially significant levels of TACs. As a result, the AQMD staff is concerned about the potential future health risk impacts to residents from the proposed project. For example, in figure 2.0-8 (Business District Land Use Plan) the lead agency indicates that additional industrial uses will be located adjacent to existing and future residential uses south of the I-15 Freeway. Given, the potential health risk impacts associated with emissions from industrial sources the AQMD staff recommends that the lead agency ensures insignificant health risk impacts to residents and, at a minimum, follow the guidelines¹ specified by CARB for any new project built within the general plan boundaries. For any project that places sensitive receptors within 1,000 feet of an industrial source, or 500 feet of a freeway, the lead agency should conduct a health risk assessment (HRA) to determine if the impacts are significant. If the impacts are significant, then mitigation measures should be employed to reduce these impacts to a less than significant level.

¹ California Air Resources Board. April 2005. “Air Quality and Land Use Handbook: A Community Health Perspective.” Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>

Response to South Coast Air Quality Management District Comment #3

This comment recommends that the City, “at a minimum, follow the guidelines specified by the California Air Resources Board (CARB) in their April 2005 document titled “Air Quality and Land Use Handbook: A Community Health Perspective.” SCAQMD also recommends that where future implementing development projects propose to place “sensitive receptors” within 1,000 feet of an industrial source or 500 feet of a freeway that a health risk assessment be conducted to determine whether there will be significant impacts that will require mitigation.

The referenced “Air Quality and Land Use Handbook” is a joint publication of the California Environmental Protection Agency and the California Air Resources Board. This publication suggests that set-backs be considered when citing sensitive land uses near particular uses, such as freeways and distribution centers. (Table 1-1 on page 4 of the Air Quality and Land Use Handbook) It is noted that this document does not recommend setbacks for all industrial uses, but for only specific types of uses. This document also states that setbacks are merely “recommended” and not required, and the Environmental Protection Agency and Air Resources Board point out that: “These recommendations are advisory. Land use agencies have to balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.” (Note to Table 1-1 on page 4 of the Handbook)

Mitigation measure Air Quality 5, on page 3.6-34 of the RDP-EIR requires that “Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts on air quality emissions associated with sensitive land uses. Where project-specific analysis determines that air quality emissions will adversely affect sensitive receptors, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable.” Implementation of this mitigation measure will enable the City to evaluate each future development project for the potential air quality impacts upon sensitive receptors and pursuant to the requirements of CEQA and the State CEQA Guidelines to require mitigation measures that will reduce potential impacts to less-than-significant levels. As appropriate, such air quality analysis would include the preparation of health risk assessments.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

South Coast Air Quality Management District Comment #4

Given that the lead agency concluded that the proposed project will have significant construction related air quality impacts the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15126.4.

Specifically, the lead agency should minimize or eliminate significant adverse air quality impacts by adding all feasible mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,
- Reroute construction trucks away from congested streets or sensitive receptor areas,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications,
- Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113,
- Construct or build with materials that do not require painting,
- Require the use of pre-painted construction materials,
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements,
- During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards, or higher according to the following:
 - ✓ Project Start, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- ✓ Project Start, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- ✓ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- ✓ Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:
www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.

Response to South Coast Air Quality Management District Comment #4

In this comment, the SCAQMD is requesting that development project-specific construction mitigation be added to the Recirculated Program EIR that was prepared for the proposed

project. As stated on page 3.6-1 of the RDP-EIR, Section 3.6 (Air Quality) provides “a programmatic analysis of air quality issues associated with implementation of the proposed project. Given the programmatic nature of the PEIR, specific impacts resulting from individual projects are not identified or known at this time.” The RDP-EIR also states that “Inasmuch as development project-related air quality impacts cannot be quantified without knowing the specifics regarding individual development projects in terms of their scale, duration and proximity to sensitive receptors, construction-related air quality impacts at any point in the future would be speculative and cannot be accurately determined as part of this PEIR.” (RDP-EIR, page 3.6-24) As required by mitigation measure MM Air Quality 1, future development projects will be evaluated for their potential construction-related impacts and where project-specific air quality analyses determine that air quality emissions may be exceeded, appropriate mitigation measures will be required. Additionally, the implementation program for Goal 1 in Chapter 3.0 (Public Health and Safety) requires the City to continue to condition projects to comply with the South Coast Air Quality Management District’s rules and regulations.

The SCAQMD mitigation measures indicate the timing that certain Environmental Protection Agency (EPA) and California Air Resources Board (CARB) Certified emission standards are required for all internal combustion engines/construction equipment operating of a project site. These standards apply to future development projects that implement the proposed project’s Land Use Plan and become more stringent in the future. The applicability of these measures for individual development proposals would be determined as part of project-specific CEQA review and implementation of mitigation measure MM Air Quality 1.

This comment also recommends that the City “encourage” the participation of construction contractors in the SOON (Surplus Off-Road Opt-in for NOx) program. As noted above, the proposed General Plan includes an implementation program that will require the City to condition projects to comply with SCAQMD rules and regulations. Additionally the implementation program for Goal 2 in Chapter 3.0 (Public Health and Safety) requires the City to “coordinate with the South Coast Air Quality Management District regarding effective methods for improving local air quality.” This coordination could include the encouragement of construction contractors to participate in the SOON program.

South Coast Air Quality Management District Comment #5

The lead agency's operational air quality analysis demonstrates significant air quality impacts from all criteria pollutant emissions including NOx, SOx, CO, VOC, PM10 and PM2.5 emissions. These impacts are primarily from mobile source emissions related to vehicle trips associated with the proposed project. However, the lead agency fails to adequately address this large source of emissions. Specifically, the lead agency does not require any mitigation measures in the draft PEIR and only states that the individual projects will be subject to a list of nominal goals and policies in the city's general plan that pertain to air quality. Therefore, the lead agency should reduce the project's significant air quality impacts by reviewing and incorporating transportation mitigation measures from the greenhouse gas quantification report² published by the California Air Pollution Control Officer's Association in the final PEIR.

² California Air Pollution Control Officer's Association. August 2010. Quantifying Greenhouse Gas Mitigation Measures. Accessed at: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Response to South Coast Air Quality Management District Comment #5

Table 3.6-10 of the RDP-EIR provides an estimate of the total daily emissions for criteria pollutants within the City and its Sphere of Influence from area and mobile sources during the proposed General Plan's 2030 potential buildout conditions. The estimates shown in Table 3.6-10 do not reflect emissions from individual development projects. It is noted that SCAQMD has only established thresholds of significance for individual projects and has not established such thresholds for General Plans or programmatic level analyses and that the established thresholds do not apply to cumulative developments or multiple projects. For this reason, the RDP-EIR noted on page 3.6-27 that, "the thresholds are intended to identify individual projects that emit excessive amounts of regulated pollutants, and the GPU is a much larger endeavor than a stand-alone development project. Nevertheless, the estimates have been presented for informational purposes."

The RDP-EIR identifies several goals and policies that would reduce operational emissions, including the maintenance of a system of bike lanes and multi use trails (General Plan Chapter 2.0, Policy 6.4), the encouragement of mixed-use developments to reduce public service costs and environmental impacts (GP Chapter 2.0, Policy 7.1) and the requirement to establish measures that aim to reduce emissions from City uses, community uses and new development (GP Chapter 4.0, Policy 14.2). Additionally, as shown in Table 3.7-6 (Climate Action Plan Strategies and Measures) and the Climate Action Plan (Appendix G of the RDP-EIR), the City will be implementing measures that would reduce vehicle miles traveled and associated mobile source emissions. These CAP measures are designed to increase bicycle, pedestrian and public transit travel, increase efficiency of land use patterns, and reduce trips.

As required by mitigation measures MM Air Quality 2, MM Air Quality 3 and MM Air Quality 4, future development projects will be evaluated for their potential operational-related impacts, and where project-specific air quality analyses determine that air quality emissions may be exceeded, appropriate mitigation measures will be required.

South Coast Air Quality Management District Comment #6

In the draft EIR the lead agency chose the Bay Area Air Quality Management District's GHG emissions significance threshold of 6.6 MT CO₂e/SP for the project's emissions reduction target. Based on the emissions inventory analysis the proposed project could meet the target with the implementation of the climate change measures identified in Tables 3.7-8 and 3.7-9 of the draft EIR. However, the lead agency did not provide a technical analysis that explicitly demonstrates the nexus between the measures in Tables 3.7-8 and 3.7-9 and the emissions reductions anticipated of over 1.3 MMT/CO₂e by 2030. Specifically, the lead agency provides simplified tables in the draft EIR that summarize the project's GHG emissions and GHG emissions reductions resulting from measures that are committed to in the Climate Action Plan (CAP), however, neither these summary tables nor the CAP provide the technical emissions calculations (i.e., methodology, baseline emissions assumptions, assumed effectiveness of each measure, etc) to substantiate the lead agency's GHG significance determination. Absent a technical analysis that demonstrates equivalence between the CAP's GHG reduction measures and GHG emissions reductions (e.g., assumptions for each measure) the effectiveness of the measures provided in climate action plan remains unclear. Further, the AQMD staff is unsure about the assumed effectiveness of some of the GHG reduction measures in the CAP. For example, Measure T-5.1 (Hybrid and Fuel-Efficient Vehicle) is a voluntary and incentive based measure that the lead agency assumes will provide over 53,000 MT/CO₂e emissions reductions by 2030, however, the lead agency does not indicate how it will enforce this measure given its limited authority to require the use of vehicle incentives.

Response to South Coast Air Quality Management District Comment #6

In this comment, the SCAQMD makes the statement that "neither these summary tables nor the CAP provide the technical emission calculations . . . to substantiate the lead agency's GHG significance determination. The City acknowledges this comment but disagrees. The details regarding the technical emission calculations are found in Appendix A: Greenhouse Gas Emissions Inventory and Appendix C: GHG Emissions Reduction Analysis Calculations of the Climate Action Plan (Appendix G of the RDP-EIR). The Climate Action Plan ("CAP") was incorporated by reference into Section 3.7 (Greenhouse Gas Emissions) of the RDP-EIR on page 3.7-1 and on page 3.7-17.) As set forth in Section 15150(a) of the State CEQA Guidelines, "Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR or Negative Declaration."

Therefore, the technical emission calculations found in Appendix A and Appendix C of the CAP are considered to be part of the RDP-EIR.

Regarding this comment's reference to Measure T-5.1, this measure is to be considered in combination with Measure T-2.1, which would provide designated parking for fuel-efficient vehicles. Other incentives would be promoted on the City's website. Additionally, as described on page 6-12 of the CAP, performance indicators are provided with each quantified GHG reduction measure so the City can verify that necessary reductions are being met. By evaluating whether the implementation measure is on track, the City can identify successful measures and reevaluate or replace under-performing ones. If through subsequent inventories the City determines that the CAP is not achieving established GHG reduction targets, the City will amend the document with revisions or additions to the emissions reduction measures.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

South Coast Air Quality Management District Comment #7

Also, to ensure that projects subject to the GHG Reduction Plan provide quantifiable “real” emissions reductions the AQMD staff recommends that the lead agency provide all necessary metrics (e.g., density and mix of existing land uses and associated emissions profile) to be used in establishing the project’s baseline emissions based on existing conditions. These metrics should be clearly defined for determining a project’s GHG impacts. By providing the proper metrics for future emissions calculations the lead agency will ensure that all future projects tiering off of this plan will establish an equitable baseline. In addition to these revisions the AQMD staff is concerned about the proposed plan’s consistency with the AQMD’s adopted and draft GHG CEQA significance threshold’s and regional efforts (e.g., SCAG’s regional GHG emissions reduction targets of 8% by 2020 and 13% by 2030) to reduce GHG emissions. Therefore, the AQMD staff requests that the lead agency demonstrate how the proposed project will be consistent with regional efforts to reduce GHG emissions.

Response to South Coast Air Quality Management District Comment #7

As discussed in the Response to South Coast Air Quality Management District Comment #6, above, the Climate Action Plan (CAP) was incorporated by reference into Section 3.7 of the RDP-EIR and the requested metrics are found in Appendix A and Appendix C of the CAP (Appendix G of the RDP-EIR). The CAP summarizes how the City will reduce emissions consistent with Senate Bill (SB) 375 and meet or exceed the SCAG regional GHG emissions reduction targets on page 5-2, where it states that:

SCAG’s regional targets for passenger vehicles and light trucks include an 8% per capita reduction from 2005 levels by 2020 and a 13% per capita reduction

from 2005 levels by 2035. For Lake Elsinore, this is equivalent to reducing transportation emissions to 5.7 MT CO₂e per capita by 2020 and 5.4 MT CO₂e per capita by 2035. . . . [T]he local transportation and land use measures, identified in Section 5.2 below, will result in reductions that bring per capita emissions to 5.3 MT CO₂e by 2020 and 5.2 MT CO₂e by 2030, thereby exceeding these targets.

As shown in Table 5-1, state-level measures are expected to reduce emissions in Lake Elsinore by approximately 22.5%, which translates to approximately 239,528 MT CO₂e (or 1.7 MT CO₂e/SP) in 2020 and to approximately 456,484 MT CO₂e (or 1.5 MT CO₂e/SP) in 2030. City-led actions, described below, are designed to achieve additional emissions reductions necessary to accomplish the City's GHG reduction targets.

Therefore, the Climate Action Plan demonstrates how the proposed project will be consistent with regional efforts to reduce GHG emissions. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

LOCAL AGENCIES

**Response to
Riverside County Fire Department
Comment Letter dated: October 20, 2011**

The Riverside County Fire Department provided comments regarding the Recirculated Draft Program Environmental Impact Report (“RDP-EIR”) (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the “3rd Street Annexation”), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 20, 2011 and received by the City of Lake Elsinore on October 20, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Riverside County Fire Department Comment #1

The Strategic Planning Bureau of the RCFD is in receipt of your letter dated September 6, 2011 requesting review and comments for the above referenced Project. Strategic Planning found the DEIR, and particularly the sections *Public Services* and *Hazards and Hazardous Materials* to adequately address concerns of RCFD and those comments provided in a July 2011 letter concerning an earlier draft of this document.

Response to Riverside County Fire Department Comment #1

This comment states that the Riverside County Fire Department has determined that the RDP-EIR adequately addresses the Fire Department’s concerns. This comment is acknowledged.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

**Response to
City of Canyon Lake**

Comment Letter dated: October 20, 2011

The City of Canyon Lake provided comments regarding the Recirculated Draft Program Environmental Impact Report (“RDP-EIR”) (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the “3rd Street Annexation”), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 20, 2011 and received by the City of Lake Elsinore on October 20, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

City of Canyon Lake Comment #1

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. Particular attention should be paid to the hills and ridgelines in the northeast portion of the City of Lake Elsinore that are visible from Canyon Lake.

Response to City of Canyon Lake Comment #1

This comment is acknowledged. This comment is regarding the proposed project and does not address the environmental analysis contained within the RDP-EIR; therefore no response is required. The issue of Aesthetics is addressed in Section 3.3 (Aesthetics) of the RDP-EIR. Mitigation measure MM Aesthetics 1 states that:

MM Aesthetics 1: Future development projects will be required to prepare visual simulations demonstrating compliance with the applicable GPU goals and policies. Preparation of visual simulations demonstrating compliance with the GPU goals and policies would be required for future development projects located in scenic viewsheds along the I-15 corridor and other areas at the discretion of the Director of Community Development.

Applicable aesthetics-related goals, policies and implementation programs from the proposed General Plan are listed in Table 3.3-1 (General Plan Aesthetics and Scenic Resources Goals, Policies and Implementation Programs) on page 3.3-25 of Section 3.3 (Aesthetics) of the RDP-

EIR. These goals, policies and implementation programs include preserving valued public views (General Plan Chapter 4.0, Goal 11), encouraging development designs that provide public views of Lake Elsinore and ridgelines (GP Chapter 4.0, Policy 11.1), requiring contour grading on steep slopes (GP Chapter 4.0, Policy 3.3) and preserving the City's visual character particularly in the surrounding hillsides. (GP Chapter 4.0, Policy 3.4).

Through implementation of the goals, policies and implementation programs and implementation of mitigation measure MM Aesthetics 1, the RDP-EIR concluded that potential aesthetic-related impacts can be reduced to less-than-significant levels.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

City of Canyon Lake Comment #2

Air Quality

Consideration should be given to performing CO hotspot analyses for any intersection severely impacted by traffic projected by the buildout of the General Plan within the City of Canyon Lake.

Response to City of Canyon Lake Comment #2

This comment suggests that consideration should be given to performing CO hotspot analyses for intersections within the City of Canyon Lake. This comment is acknowledged. However, according to the California Department of Transportation's "Transportation Project-Level Carbon Monoxide Protocol" (accessed on November 8, 2011 at <http://www.dot.ca.gov/hq/env/air/pages/coprot.htm>), a project which does not involve or lead directly to construction, such as a planning document, is considered exempt from CO hotspot analyses (page 2-7). The proposed project consists of planning documents that do not include specific proposals for development. Therefore, no CO hotspot analysis is required.

City of Canyon Lake Comment #3

Transportation and Circulation

As is indicated on the Existing and General Plan ADTs (Figures 3.4-6 and 3.4-16), the ADT on Railroad Canyon Road east of Canyon Hills Road is expected to increase by approximately 23,000 ADT (over 70% increase). Please provide an analysis of volume to capacity as well as intersection Level of Service as to how this increase in traffic would impact Railroad Canyon Road further east within the City of Canyon Lake. Intersections analyzed should include Canyon Lake Drive South. Analysis should include anticipation of no further improvements (110' ROW – 4 lanes) as well as buildout of the roadway as designated by the County of Riverside as an Arterial roadway (128' ROW – 4 lanes).

Programmatic mitigation measures should be provided where appropriate to address these impacts outside of the City of Lake Elsinore's jurisdiction.

Response to City of Canyon Lake Comment #3

The daily traffic volume on Railroad Canyon Road east of Canyon Hills Drive has varied as follows per the various transportation analysis reports that have been produced during the course of the General Plan update process and included in Appendix D of the RDP-EIR:

<u>SCENARIO</u>	<u>DAILY VOLUME (VEHICLES PER DAY)</u>
Existing Conditions	31,200
Preferred Alternative	52,000
City Council Directed Alternative	50,000
Proposed Land Use Plan	54,000

In all of the General Plan scenarios that have been explicitly evaluated in the City of Lake Elsinore General Plan Update process, future traffic volumes in excess of 50,000 vehicles per day (VPD) have been identified. Therefore, a cumulative impact due to areawide growth (including growth in the City of Lake Elsinore) can be expected. Given that the existing traffic volume on Railroad Canyon Road east of Canyon Hills Drive is already approaching the capacity of a four lane roadway, it appears that the projected cumulative traffic volumes will require future widening beyond a four lane roadway (either the existing 4-lane section within a 110 foot right of way or the planned 4-lane section within a 128 foot right of way) regardless of the land use alternative evaluated for the City of Lake Elsinore.

As part of the City of Lake Elsinore development process, future development projects that contribute traffic in excess of 50 peak hour trips will be required to explicitly evaluate the potential impacts of their development on the arterial roadway system, including the intersection of Railroad Canyon Road at Canyon Lake Drive South.

The City has added an additional policy to Goal 6 in the proposed General Plan's Section 2.4 (Circulation) of Chapter 2.0 (Community Form). This new policy (Policy 6.6) will read as follows:

Policy 6.6 As appropriate, coordinate City improvements with the efforts of the County and adjacent cities that provide a circulation network which moves people and goods efficiently to and from the City.

Implementation of this policy will assure that there is adequate coordination between the City of Lake Elsinore and the City of Canyon Lake regarding future development projects within the City of Lake Elsinore that implement the proposed project.

City of Canyon Lake Comment #4

The peak hour intersection volumes indicated for Existing (Figures 3.4-7 and 3.4-8) and the General Plan (Figures 3.4-17 and 3.4-18) appear to present the same volumes (at least for the Railroad Canyon Road and Canyon Hills Road intersection). Please clarify this exhibit and the proper volumes or explain why the volumes have not changed.

Response to City of Canyon Lake Comment #4

Figure 3.4-7 of the RDP-EIR (Existing AM Peak Hour Intersection Volumes) inadvertently shows the same information contained on Figure 3.4-17 (General Plan AM Peak Hour Intersection Volumes). Figures 3.4-8 (Existing PM Peak Hour Intersection Volumes) and 3.4-18 (General Plan PM Peak Hour Intersection Volumes) do not present the same traffic volumes.

Figure 3.4-7 is hereby amended to reflect the information contained on Figure 3-G of the Urban Crossroads 2006 Traffic Study, which was updated in 2007. This traffic study is included as Appendix D of the RDP-EIR. The correction of Figure 3.4-7 does not require any changes to the analysis contained within Section 3.4 (Transportation and Circulation) of the RDP-EIR.

The above-described edits merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

**Response to
Riverside County Waste Management Department
Comment Letter dated: October 20, 2011**

The Riverside County Waste Management Department provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 20, 2011 and received by the City of Lake Elsinore on October 20, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Riverside County Waste Management Comment #1

This department is referred to as "Riverside County Waste Management (RCWM)" in a few places in Chapter 3.16 (page 3.16-5). Please use the correct name of and acronym for the Department, as indicated in the above paragraph.

Response to Riverside County Waste Management Comment #1

This comment requests that references to the Riverside County Waste Management Department within the RDP-EIR be revised from "Riverside County Waste Management (RCWM)" to "Riverside County Waste Management Department (RCWMD)". In response to this comment, the 2nd and 3rd paragraphs on page 3.16-5 of the RDP-EIR are hereby revised as follows:

CR&R is responsible for trash disposal in the City of Lake Elsinore as well as in Temecula, Canyon Lake, and parts of the unincorporated County of Riverside. Residents are provided a 60-gallon trash container for garbage. Trash is taken to either a landfill within Riverside County or the Materials Recovery Facility (MRF). There are no landfills in the City. Riverside County Waste Management Department (RCWMD) manages the landfills used by the City of Lake Elsinore. Capacity levels of landfills within RCWMD's jurisdiction are calculated according to the system-wide capacity level. Landfills within their jurisdiction adhere to state guidelines, which specify that a minimum of 15 years of system-wide landfill capacity shall be provided.

RCWMD facilitates waste management services for Riverside County. These services are provided on a countywide basis, and each private or public entity determines which landfill or transfer station to use. Typically, this determination is made based on geographic proximity. The landfills typically used by the City

of Lake Elsinore are the El Sobrante, Badlands, and Lamb Canyon Landfills. All three of the landfills are Class III municipal solid waste landfills.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

Riverside County Waste Management Comment #2

The discussion on page 3.16-5 about the El Sobrante Landfill contains numerous misinformation that needs corrections. The following correct information is provided:

- *The existing landfill encompasses 1,322 acres, of which 468 485 acres are permitted for landfilling.*
- *The landfill has a total capacity of approximately 184 109 million tons, or 209.91 184.93 million cubic yards.*
- *As of the end of 2010 2009, the landfill had a remaining total capacity of approximately 110,783 125,118 million tons and an in-county disposal capacity of approximately 44,313 50,947 million tons.*

It should be noted that the El Sobrante Landfill is permitted at a maximum daily capacity of 10,000 tons, of which 4,000 tons are designated for in-County wastes (ICW). However, the current permit contains a special allowance that the landfill receive a quantity of refuse not to exceed 16,054 tons (of which up to 5,000 tons are in-County wastes) in any single day during a 7-day week, as long as the total capacity received during the 7-day period does not exceed 70,000 tons. In other words, the landfill is NOT permitted to receive a daily of 16,054 tons of refuse throughout the year. The annual total and in-County capacity of the landfill should be estimated using the permitted basic daily capacity of 10,000 tons and 4,000 tons, respectively.

Response to Riverside County Waste Management Comment #2

This comment provides updated and corrected information regarding the operation of the El Sobrante Landfill. In order to incorporate this revised information into Section 3.16 (Utilities and Service Systems) of the RDP-EIR, the 4th paragraph on page 3.16-5 of the RDP-EIR is hereby revised as follows:

The El Sobrante Landfill is located east of I-15 and Temescal Canyon Road, south of the city of Corona at 10910 Dawson Canyon Road. The landfill is the only private landfill in Riverside County and is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc. The existing landfill encompasses 1,322 acres, of which 485 468 acres are permitted for landfilling. The El Sobrante Landfill is currently permitted to receive a maximum of 70,000 tons per 7-day week of refuse, with a daily tonnage limit of that shall not exceed 16,054 tons (of which up to 5,000 tons are in-County wastes) in any single day. The landfill has a total capacity of approximately 109 184 million tons, or 209.91 184.93 million cubic yards. Pursuant to the Second Amendment to the Second Landfill Agreement between the County of Riverside and the landfill owner, a

maximum of 52.32 million tons of the landfill's design capacity and 5,000 tons of the permitted daily capacity are reserved for refuse generated within Riverside County. As of the end of 2009 2010, the landfill had a remaining total capacity of approximately 125,118 110,783 million tons and an in-county disposal capacity of approximately 50,047 44,313 million tons¹. The landfill is expected to reach capacity by approximately 2045.

A similar modification has been made to the same text contained in the proposed General Plan in order to clarify the background information contained in the proposed General Plan Update. No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

Riverside County Waste Management Comment #3

Page 3.16-30, beneath Table 3.16-11. The estimate of the total annual capacity (9,144,310 tons per year) of all landfills (i.e., El Sobrante, Badlands, Lamb Canyon) currently serving the City is incorrect, due to the misunderstanding that El Sobrante is permitted to receive a maximum of 16,054 tons per day throughout the year, as explained in the above. Moreover, this combined annual capacity was an over-estimate from the wrong assumption that the three landfills operate 365 days a year. Actually, both El Sobrante and Badlands Landfills operate an average of 307 days and Lamb Canyon Landfill 321 days a year. Therefore, the realistic estimate for the total combined annual capacity should be 4,061,000 tons (i.e., 4,000 tpd (ICW) x 307 days + 4,000 tpd x 307 days + 5,000 tpd x 321 days).

Response to Riverside County Waste Management Comment #3

This comment provides additional information regarding the annual operation of the landfills that currently serve the City of Lake Elsinore and provides a revised combined annual capacity. In order to incorporate this revised information into Section 3.16 (Utilities and Service Systems) of the RDP-EIR, the paragraph immediately after Table 3.16-11 on page 3.16-10 of the RDP-EIR is hereby amended as follows:

As shown in **Table 3.16-11**, implementation of the proposed project would generate an estimated total of approximately 412,039 tons of solid waste during buildout. However, pursuant to the Integrated Waste Management Act, the State of California has established 50 percent as the minimum waste reduction rate for all cities. Additionally, Chapter 14.12 of the LEMC mandates that a minimum of 50 percent of C&D debris to be diverted away from landfills. Thus recycling of construction and demolition waste generated during construction will greatly reduce the amount of such waste that is directed into landfills and the estimated maximum amount of C&D debris that will be placed into landfills would be 206,019.8 tons or an average of 10,300.99 tons per year over the next 20 years. This average represents approximately 0.1 0.25 percent of the total annual capacity (9,144,710 4,061,000 tons per year⁴) of all landfills currently serving the City.

Additionally, footnote 4 on page 3.16-30 is hereby amended as follows:

~~4Daily total daily capacity multiplied by 365 days per year. Daily total tonnage of 4,000 tons on in-County waste for each the El Sobrante Landfill and the Badlands Landfills multiplied by 307 days of operation per year and a daily tonnage of 5,000 tons of waste for the Lamb Canyon Landfill multiplied by 321 days of operation per year.~~

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

Riverside County Waste Management Comment #4

As a result of the overestimation of the combined annual capacity, the percent proportions of the GPU's construction & demolition (C&D) and operational wastes need to be corrected, as follows:

- C&D % = $10,301 \text{ tpy} \div 4,061,000 \text{ tpy} \times 100\% = 0.25\%$, instead of 0.1%
- Operational wastes % = $84,747 \text{ tpy} \div 4,061,000 \text{ tpy} \times 100\% = 2.1\%$, instead of 1.4%

Response to Riverside County Waste Management Comment #4

This comment provides revised calculations regarding the percentage of total annual landfill capacity that will be attributable to the proposed project. In order to incorporate this revised information into Section 3.16 (Utilities and Service Systems) of the RDP-EIR, the revised calculations have been made to Section 3.16 of the RDP-EIR. See the Response to Riverside County Waste Management Comment #3, above for the revision to the paragraph immediately after Table 3.16-11 on page 3.16-10 of the RDP-EIR. The third paragraph on page 3.16-31 of the RDP-EIR is hereby revised as follows:

Therefore, the maximum estimated increase in solid waste that would be placed into landfills at general plan buildout (2030) would be 87,747 tons per year. This represents approximately ~~1.4~~ 2.1 percent of the current combined daily permitted capacity (25,054 tons per day) of all landfills currently serving the City. Although buildout of the proposed project will result in an increase in the amount of solid waste that is sent to landfills, the remaining combined capacity at the landfills is sufficient to accommodate buildout of the proposed project.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

Riverside County Waste Management Comment #5

Page 3.16-32, Third Street Annexation. The statement “service (waste collection) *provide will change from Riverside County Waste Management to the City of Lake Elsinore under contract with CR&R, Inc.*” is incorrect. The current County franchise hauler for the annexation area is Burrtec Waste Industries, Inc., and not Riverside County Waste Management. In accordance with California State law, the County franchise hauler for the annexation area will have a 5-year “sunset” time period to relinquish the refuse collection and hauling right to the City’s franchise hauler, whoever it may be then.

Response to Riverside County Waste Management Comment #5

This comment provides additional information regarding the provision of waste collection services in the 3rd Street Annexation Area. In order to incorporate this information into Section 3.16 (Utilities and Service Systems) of the RDP-EIR, the discussion regarding the 3rd Street Annexation on page 3.16-32 is hereby amended as follows:

~~Service provider will change from Riverside County Waste Management to the City of Lake Elsinore under contract with CR&R, Inc. The current waste collection service provider for the 3rd Street Annexation Area is Burrtec Waste Industries, Inc. In accordance with California law, the County franchise hauler for the annexation area will have a 5-year “sunset” time period to relinquish the refuse collection and hauling right to the City’s franchise hauler. Currently, CR&R, Inc. provides solid waste collection and hauling services within the City under contract with the City of Lake Elsinore. No additional waste management facilities or staffing would be required to serve the proposed 3rd Street Annexation territory.~~

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

Riverside County Waste Management Comment #6

Section 3.7, Greenhouse Gas (GHG) Emissions. Table 3.7-3 shows that the solid waste sector contributed to approximately 4.3% of the total community-wide emissions that included GHG emissions from organic waste sent to the landfills. Is this 4.3% contribution entirely from the decomposition of the City’s waste buried in the landfills, or does it also include the GHG emissions from truck hauling of the waste to the landfills? The same clarification is needed for the forecasted solid waste GHG emissions for 2020 and 2030. Moreover, there is a discrepancy in the value of the total reduction potential from State and local measures for 2030 in Tables 3.7-8, 3.7-9, and 3.7-10. The value is 768,105 MTCO₂E in both Tables 3.7-8 and 3.7-10, but is 764,853 MTCO₂E in Table 3.7-9.

Response to Riverside County Waste Management Comment #6

This comment requests clarification regarding information contained within Section 3.7 (Greenhouse Gas Emissions) of the RDP-EIR. Regarding Table 3.7-3 and the projected

Greenhouse Gas (GHG) emissions for 2020 and 2030, the solid waste sector does not include the GHG emissions from truck hauling of the waste to landfills. This approach is consistent with the Local Government Operations Protocol and the ICLEI International Local Government GHG Emissions Analysis Protocol, upon which the GHG inventory is based.

A review of Tables 3.7-8, 3.7-9 and 3.7-10 shows that the values in Tables 3.7-8 and 3.7-10 are correct but that Table 3.7-9 requires correction to reflect the values contained in the other tables. In order to incorporate these corrections into Table 3.7-9 of the RDP-EIR, Table 3.7-9 is hereby amended as follows:

Table 3.7-9, Reductions Relative to Targets

	2020 (MT CO ₂ E)	2020 (MT CO ₂ E/ SP ¹)	2030 (MT CO ₂ E)	2030 (MT CO ₂ E/ SP)
Total Projected Business-as-Usual Emissions	1,064,565	7.4	2,028,819	6.7
Total Reduction from State and Local Measures	399,224	2.8	<u>764,853</u> <u>768,105</u>	2.5
Total Projected Emissions with CAP	665,341	4.6	<u>1,263,966</u> <u>1,260,714</u>	4.2
GHG Emissions Target	944,737	6.6	1,334,243	4.4
Amount Exceeding Target	279,396	2.0	<u>70,277</u> <u>73,529</u>	0.2

Source: Appendix G (City of Lake Elsinore Climate Action Plan, Table 5-4).
¹ SP = Service Population; 2020 service population = 143,142; 2030 service population = 303,237

These corrections shall also be made to Table 5-4 and Table ES-3 in the Climate Action Plan attached as Appendix G of the RDP-EIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

Riverside County Waste Management Comment #7

Section 3.10, Hazards and Hazardous Materials. This section should discuss the history of the ongoing cooperation between the City and Riverside County Waste Management Department in operating the City's permanent HHW Collecting Facility (PHHWCF) that facilitates the proper disposal of household hazardous materials generated by city residents. It should be noted that the County Department of Environmental Health is no longer involved in the County's mobile HHW collection program or the running of the PHHWCF of the City of Lake Elsinore.

Response to Riverside County Waste Management Comment #7

This comment requests the inclusion of information regarding the operation of a permanent household hazardous waste collection facility in the City of Lake Elsinore. In order to

incorporated information regarding this facility into Section 3.10 (Hazards and Hazardous Materials) of the RDP-EIR, the first full paragraph on page 3.10-20 is hereby amended as follows:

An increase in the generation, storage, and disposal of household hazardous wastes would be associated with buildout of the GPU. A household hazardous waste is any waste generated by households that can cause illness or death or pose a threat to health or the environment when improperly stored, disposed, or otherwise managed. Establishment of permanent collection centers or periodic collection events at temporary locations are the most common methods for gathering household hazardous waste for disposal other than through the municipal garbage collection system. Through ongoing cooperation between the City of Lake Elsinore and the Riverside County Waste Management District, the Lake Elsinore Regional Permanent Household Hazardous Waste Collection Facility (PHHWCF) serves City and County residents. The PHHWCF is located at 521 North Langstaff Street within the City of Lake Elsinore. Household hazardous waste collection and education programs will continue to operate in the City pursuant to Policy 3.4 of the Public Safety and Welfare chapter's Hazards and Hazardous Materials section.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

**Response to
Riverside County Transportation Department
Comment Letter dated: October 20, 2011**

The Riverside County Transportation Department provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 20, 2011 and received by the City of Lake Elsinore on October 20, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Riverside County Transportation Department Comment #1

Based on a comparison between the County's General Plan Circulation Element and the proposed Circulation Element for the City of Lake Elsinore found in the RDP-EIR, there would be design inconsistencies if the City's plan were to be adopted. The design inconsistencies between the County and City Circulation Elements are related to paved roadway widths and/or number of lanes. At a number of locations both at the City/County boundary and within the City's Sphere of Influence, the proposed City Circulation Element classifies roadways with higher designations than their respective counterparts on the County Circulation Element. An example of this can be seen with Grand Avenue between Riverside Drive and Corydon Street. Under the City's proposed Circulation Element, Grand Avenue is designated as a six-lane Urban Arterial with a curb-to-curb width of 96 feet. In contrast, the County designates Grand Avenue as a four-lane Major Highway with a curb-to-curb width of 76 feet. There are also a few instances where the City's proposed Circulation Element includes roads that are not recognized as designated roadways in the County's Circulation Element. Potentially conflicting designations such as these may result in inconsistent improvements related to roadway design and transitions between the City and the County as well as right-of-way preservation issues.

Response to Riverside County Transportation Department Comment #1

The City acknowledges the Riverside County Transportation Department comment that the proposed Circulation Element as shown in Figure 3.4-14 of the RDP-EIR shows different roadway classifications and ultimate improvements for some road than those shown on the currently adopted Riverside County Circulation Element. The differences are due to the required capacities of these roads needed to accommodate the projected traffic levels that would occur at buildout of the proposed General Plan, as analyzed in the Traffic Studies located in Appendix D of the RDP-EIR.



Section 2.0 – Response to Comments

Following consultation with the Riverside County Transportation Department, as described below in the Response to Riverside County Transportation Department #2, the City has agreed to add an additional policy to Goal 6 in the proposed General Plan's Section 2.4 (Circulation) of Chapter 2.0 (Community Form). This new policy (Policy 6.6) will read as follows:

Policy 6.6 As appropriate, coordinate City improvements with the efforts of the County and adjacent cities that provide a circulation network which moves people and goods efficiently to and from the City.

Table 3.4-4 (General Plan Goals, Policies and Implementation Programs) in Section 3.4 (Transportation and Circulation) of the RDP-EIR is hereby amended to add the new Policy 6.6 to the list of proposed General Plan policies. Implementation of this policy will assure that there is adequate coordination between the City and the County to address the ultimate design of roads at the points that City and County roads connect.

The above-described edit merely provides a minor modification regarding proposed General Plan policies that clarifies the analysis and conclusions already presented in the RDP-EIR.

Riverside County Transportation Department Comment #2

The Transportation Department requests to meet with the City to coordinate and resolve the inconsistencies between the County's and City's proposed Circulation Element prior to the approval of the Lake Elsinore General Plan Update and its associated plans.

Response to Riverside County Transportation Department Comment #2

In response to this comment, the City contacted the County Transportation Department to schedule a meeting. At the County Transportation Department's request a conference telephone call was held on October 31, 2011 to discuss the County's Transportation Department's comments.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

**Response to
City of Menifee
Comment Letter dated: October 21, 2011**

The City of Menifee provided comments regarding the Recirculated Draft Program Environmental Impact Report (“RDP-EIR”) (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the “3rd Street Annexation”), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 21, 2011 and received by the City of Lake Elsinore on October 21, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

City of Menifee Comment #1

Please make note of the City of Menifee's correct address. It changed from 29683 New Hub Drive to 29714 Haun Road, Menifee, CA 92586.

Response to City of Menifee Comment #1

This comment provides the City of Lake Elsinore with an updated address for the City of Menifee. This comment is acknowledged and the City's distribution list has been updated. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

City of Menifee Comment #2

The City of Menifee previously noted its concern with potential traffic impacts on Holland Road. We noted that we would like to coordinate with the City of Lake Elsinore on any mitigation measures or future improvements on Holland Road. The City of Menifee also requested 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.

Response to City of Menifee Comment #2

The City has added an additional policy to Goal 6 in the proposed General Plan's Section 2.4 (Circulation) of Chapter 2.0 (Community Form). This new policy (Policy 6.6) will read as follows:

Policy 6.6 As appropriate, coordinate City improvements with the efforts of the County and adjacent cities that provide a circulation network which moves people and goods efficiently to and from the City.

Implementation of this policy will assure that there is adequate coordination between the City of Lake Elsinore and the City of Menifee regarding future development projects within the City of Lake Elsinore that implement the proposed project.

In response to this comment, the City has updated the proposed General Plan's Figure 2.6 (Elsinore Area Trails System) to show the currently adopted Riverside County Trails System, which includes trails within the City of Menifee. Figure 3.4-24 (Elsinore Area Trails System) in the RDP-EIR is hereby amended in order to show the currently adopted Riverside County Trails System, which includes trails within the City of Menifee.

The above-described edits merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

City of Menifee Comment #3

The RDP – EIR does not appear to have studied Holland Road at the southeastern city limit nor addressed the City's request regarding trails and future bikeway improvements along Holland Road. To ensure that the City of Menifee's concerns are recognized, we would ask to be added as agency to be consulted in future actions. The references are as follows:

Transportation and Circulation

Table 3.4-4, General Plan Transportation and Circulation Goals, Policies and Implementation Programs, Goal 9, Policy 9.1 (Page 3.4-49) add the City of Menifee.

Response to City of Menifee Comment #3

This comment is acknowledged. As discussed in the above Response to City of Menifee Comment #2, an additional policy to Goal 6 in the proposed General Plan's Section 2.4 (Circulation) of Chapter 2.0 (Community Form) has been added (Policy 6.6) as follows:

Policy 6.6 As appropriate, coordinate City improvements with the efforts of the County and adjacent cities that provide a circulation network which moves people and goods efficiently to and from the City.

Implementation of this policy will assure that there is adequate coordination between the City of Lake Elsinore and the City of Menifee regarding trails and future bikeway improvements

along Holland Road. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

City of Menifee Comment #4

Table 3.4-5, District Plan Transportation and Circulation Goals, Policies and Implementation Programs, Lake Elsinore Hills District Plan, Goal 4, add a New Policy LEH 4.7 to read "Consider the development of a strategic plan with the City of Menifee to ensure that bikeway and trail construction is coordinated along Holland Road."

Response to City of Menifee Comment #4

This comment is acknowledged. See the above Response to City of Menifee Comment #3.

City of Menifee Comment #5

Figure 3.4-24, City of Lake Elsinore, Elsinore Area Trails System (Page 3.4-113) add to the exhibit the City of Menifee Trail System easterly of Lake Elsinore's southeastern boundary line.

Response to City of Menifee Comment #5

This comment is acknowledged. As discussed in the above Response to City of Menifee Comment #2, Figure 3.4-24 has been amended to include the adopted Riverside County trails system, which includes the City of Menifee Trail System.

The above-described edit merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

City of Menifee Comment #6

Parks and Recreation

Table 3.15-3, General Plan Parks and Recreation Goals, Policies and Implementation Programs, Goal 9, Policy 9.1 (Page 3.15-11) add the City of Menifee.

Response to City of Menifee Comment #6

This comment is acknowledged. See the above Response to City of Menifee Comment #3.



OTHER COMMENTS RECEIVED

Response to

Pala Band of Mission Indians

Comment Letter dated: September 9, 2011

The Pala Band of Mission Indians provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated September 9, 2011 and received by the City of Lake Elsinore on September 12, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Pala Band of Mission Indians Comment #1

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.

Response to Pala Band of Mission Indians Comment #1

The Pala Band of Mission Indians states that the project area is not located within the boundaries of the Pala Indian Reservation and is also beyond the boundaries of the territory that the Tribe considers its traditional use area. The City of Lake Elsinore acknowledges that the Tribe states that it has no objection to the continuation of the proposed project and that the Tribe defers to the wishes of Tribes in closer proximity to the project area. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

**Response to
Morongo Band of Mission Indians
Comment Letter dated: September 12, 2011**

The Morongo Band of Mission Indians provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated September 22, 2011 and received by the City of Lake Elsinore on September 30, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Morongo Band of Mission Indians Comment #1

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). A review of the policies contained in Section 3.2 of the Recirculated DEIR, Cultural and Paleontological Resources, appears to adequately address the Tribe's concerns with regard to cultural and/or archaeological resources and buried cultural materials. Based upon this finding, the Morongo Band of Mission Indians has no comments at this time but reserves the right to comment on any future development proposals.

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

Response to Morongo Band of Mission Indians Comment #1

The Morongo Band of Mission Indians states that the project area is located 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). The City of Lake Elsinore acknowledges that the Tribe states that the RDP-EIR adequately addresses the Tribe's concerns with regard to cultural and/or archaeological resources and buried cultural matters, but that the Tribe reserves the right to comment on any future development proposals. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

**Response to
Soboba Band of Luiseño Indians
Comment Letter dated: September 22, 2011**

The Soboba Band of Luiseño Indians provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated September 22, 2011 and received by the City of Lake Elsinore on September 30, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Soboba Band of Luiseño Indians Comment #1

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.

Response to Soboba Band of Luiseño Indians Comment #1

The Soboba Band of Luiseño Indians states that the project area is located within the bounds of its Luiseño Tribal Traditional Use Areas. As noted above in the Morongo Band of Mission Indians Comment #1, the project area is also located within an area considered by the Morongo Band of Mission Indians to be a traditional use area or one in which the Tribe has cultural ties.

Section 3.2 (Cultural and Paleontological Resources) of the RDP-EIR discusses the proposed project's potential impacts upon cultural resources and establishes feasible mitigation measures. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Soboba Band of Luiseño Indians Comment #2

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.

Response to Soboba Band of Luiseño Indians Comment #2

Section 3.2 (Cultural and Paleontological Resources) of the RDP-EIR discusses SB 18 on page 3.2-30. The discussion of SB 18 describes the City of Lake Elsinore's compliance with the provisions of SB 18 as it pertains to the proposed project. Through the consultation process, the Soboba Band of Luiseño Indians provided comments and policy recommendations regarding the protection of cultural resources of interest to the tribe.

Table 3.2-3 (General Plan Goals, Policies and Implementation Programs) beginning on page 3.2-32 of the RDP-EIR cites Policy 5.2 from Chapter 4.0 (Resource Protection and Preservation) of the proposed General Plan, which states that the City will consult with Native American tribes for projects identified under SB 18. The "government to government" consultation requirements of Senate Bill (SB) 18 apply to general plan or specific plan processes proposed on or after March 1, 2005.

When individual development projects implemented pursuant to the proposed project include an amendment to the City's General Plan, a new specific plan or a specific plan amendment, the City shall comply with the regulatory requirements of SB 18 and will contact the appropriate tribes, including the Soboba Band of Luiseño Indians, and invite them to participate in consultation. "Government to government" consultation shall be conducted in accordance with the requirements of SB 18. When individual development projects implemented pursuant to the proposed project do not include an amendment to the City's General Plan and do not involve a specific plan-related application, such "government to government" consultation is not required.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Soboba Band of Luiseño Indians Comment #3

2. Soboba Band of Luiseño Indians continue to be a lead consulting tribal entity for this project.

Response to Soboba Band of Luiseño Indians Comment #3

The Soboba Band of Luiseño Indians requests that it "continue to be a lead consulting tribal entity for this project." The City acknowledges this request, but notes that in their comment

letter dated October 19, 2011 the Pechanga Band of Luiseño Indians stated that “as the tribe with the closest reservation, Pechanga should be considered by the City of Lake Elsinore to be the lead consulting tribe.” The City will continue to include the Soboba Band of Luiseño Indians on its distribution list for future notices regarding the proposed project.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Soboba Band of Luiseño Indians Comment #4

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.

Response to Soboba Band of Luiseño Indians Comment #4

Mitigation measures MM Cultural/Paleontological Resources 2, MM Cultural/Paleontological Resources 3 and MM Cultural/Paleontological Resources 4 address the possibility that individual development projects implemented pursuant to the proposed project will encounter unknown archaeological resources during ground disturbance activities and include provisions for archaeological monitoring of ground-disturbing activities, including the participation of Native American Tribal monitors.

No new environmental issues have been raised by this comment and no modification of the Environmental Impact Report is required.

Soboba Band of Luiseño Indians Comment #5

4. Request that proper procedures be taken and requests of the tribe be honored
(Please see the attachment)

Response to Soboba Band of Luiseño Indians Comment #5

This comment requests that “proper procedures be taken and requests of the tribe”, as described on an attachment to the comment, “be honored”. This attachment to this comment discusses the treatment of any cultural items (artifacts) found within the project area including the developer’s relinquishment of ownership in such items, the treatment and disposition of Native American human remains if any such remains are found during project development, coordination with the County Coroner’s Office and the non-disclosure of the location of any reburied cultural artifacts and/or human remains.

Section 3.2 (Cultural and Paleontological Resources) of the RDP-EIR discusses the proposed project’s potential impacts upon cultural resources. Mitigation measures MM Cultural/Paleontological Resources 2 through MM Cultural/Paleontological Resources 8 and

MM Cultural/Paleontological Resources 10 address any discovery of unknown archaeological resources during ground disturbance activities and include provisions addressing the accidental discovery or recognition of any human remains during excavation/construction. These mitigation measures regarding cultural resources implement the “proper procedures” referenced in this comment from the Soboba Band of Luiseño Indians.

No new environmental issues have been raised by this comment and no modification of the Environmental Impact Report is required.

**Response to
Endangered Habitats League
Comment Letter dated: October 18, 2011**

The Endangered Habitats League provided comments regarding the Recirculated Draft Program Environmental Impact Report (“RDP-EIR”) (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the “3rd Street Annexation”), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 18, 2011 and received by the City of Lake Elsinore on October 19, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Endangered Habitats League 10-18-11 Comment #1

While we appreciate the need for increased build out to accommodate a growing population, we are concerned with the huge disparity between the GPU’s planned residential housing capacity and the population growth estimates of the Southern California Association of Governments (“SCAG”). As is noted in the GPU, the SCAG population projection for the incorporated area within Lake Elsinore’s sphere of influence is 85,376 in the year 2030. By contrast, Lake Elsinore projects a capacity of 209,756 in that same area and time frame. This massive disparity between population and development capacity in the GPU is, in our opinion, not properly explained in the GPU.

The GPU acknowledges the disparity but claims that SCAG’s statistics are based on projected annual growth rates rather than the proposed build out under the general plan. This rings hollow. While the proposed build out may indeed have space to accommodate this increase in population, no substantive data is offered to support a level of growth which overwhelmingly exceeds SCAG’s 2030 population forecast.

The GPU argues that the build out is needed to afford Lake Elsinore greater flexibility in providing state mandated affordable housing. While exceeding the SCAG population projections by nearly 250% for the incorporated area no doubt affords greater flexibility, we are convinced that the same flexibility could be achieved without the drastic increase in capacity present in the current build out scenario.

The GPU goes on to argue that the GPU mandates a job-housing balance that meets or exceeds regional goals. While this is a laudable inclusion in the GPU, more discussion is needed. There is no mention of how Lake Elsinore will square the proposed build out with the regional jobs-housing balance goals or even what those goals are. The data should be more fully presented so that the claim can be properly assessed. (See CEQA Guidelines § 15125(d) [“The EIR shall discuss any inconsistencies between the proposed project and . . . regional plans” including “regional blueprint plans”].)

Response to Endangered Habitats League 10-18-11 Comment #1

This comment is acknowledged. The State of California General Plan Guidelines (2003) states that the “land use element functions as a guide to planners, the general public, and decisionmakers as to the ultimate pattern of development for the city or county at build-out.” (OPR General Plan Guidelines, page 49) The proposed General Plan’s land use plan therefore reflects the ultimate pattern of development for the City and its Sphere of Influence, rather than that pattern of development that would only accommodate the projected growth described by regional growth forecasts. The RDP-EIR acknowledges this difference in the growth that is projected by SCAG and the ultimate pattern of development for the City at buildout.

The proposed project includes a Housing Element Update. The draft Housing Element, which reflects the proposed General Plan land use plan, has been reviewed by the California Department of Housing and Community Development (“HCD”). HCD has determined that the draft Housing Element demonstrates adequate sites to accommodate the City’s regional housing need and complies with State housing element law.

On page 15 of its “The New Economy and Jobs/Housing Balance in Southern California” (Available on November 7, 2011 at <http://www.scag.ca.gov/Housing/pdfs/balance.pdf>), SCAG states that jobs/housing balance for the SCAG region can be defined as “an area extending about 14 miles around an employment center with a ratio between jobs and household on the order of 1.0-1.29 jobs per household.” Policy 1.8 in Chapter 2.0 (Community Form) of the proposed General Plan Update states that the City will “Encourage a jobs/housing balance of one job for every 1.05 households by the year 2030.” (This would result in a jobs/housing ratio of 0.95.) As shown in Table 3.13-16 of the RDP-EIR, this would exceed SCAG’s projected job-housing ratio for the City in 2030.

A discussion of the consistency of the proposed project with regional plans is included in the RDP-EIR in Table 3.1-5 (Consistency with SCAG’s Regional Comprehensive Plan and Guide Policies.) In their comment letter dated October 19, 2011, SCAG found that “the proposed project generally meets consistency with SCAG Regional Transportation Plan Goals and also meets consistency with Compass Growth Visioning Principles.”

Endangered Habitats League 10-18-11 Comment #2

This overcapacity permeates both the proposed project and project alternatives. The general plan as it now exists provides capacity for a population of 287,400 by 2030. The low density and high density alternatives provide capacity for populations of 151,984 and 335,514 respectively. Ultimately, none of these build out projections are ever convincingly or analytically tied to actual projected growth models.

Response to Endangered Habitats League 10-18-11 Comment #2

This comment is acknowledged. See the Response to Endangered Habitats League 10-18-11 Comment #1.

Endangered Habitats League 10-18-11 Comment #3

CEQA provides that a lead agency must develop an EIR which describes:

[A] range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

(CEQA Guidelines § 15126.6) The current EIR fails to adequately develop the mandated range of reasonable alternatives.

The three alternatives (including the “no project” alternative) currently examined under the proposed plan fail to provide reasonable, differentiated options distinct from the proposed project. We also note (as above) that the alternatives persist in relying on the arbitrarily derived 2030 build out capacities as opposed to analytically supported population growth models. This continued emphasis on simple population capacity renders the alternatives largely useless, as a focus on raw capacity rather than a reasoned growth analysis creates alternatives that are little more than echo chambers.

Moreover, the low density alternative, which is designated the environmentally superior alternative, fails to differentiate itself environmentally in any meaningful way from either the proposed project or the other alternatives. The EIR notes, for example, that under the low density alternative GHG emissions and impacts on biological resources would be similar to the proposed project. The plan goes on to note several times that a mere reduction in intensity would not result in substantial changes from the proposed project in various categories.

Response to Endangered Habitats League 10-18-11 Comment #3

As noted in the above Response to Endangered Habitats League 10-18-11 Comment #1, the proposed General Plan's land use plan reflects the ultimate pattern of development for the City and its Sphere of Influence. The CEQA analysis contained in the RDP-EIR is required to address the potential impacts at buildout of the proposed project and its alternatives and not, as suggested by the commenter, at a partial buildout level based upon a regional growth forecast over which the City of Lake Elsinore has no approval authority.

Section 15126.6 of the State CEQA Guidelines notes that "An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. **An EIR is not required to consider alternatives which are infeasible.**" [Emphasis Added] As shown in Table 2.0-2 (General Plan 2030 Land Use Plan) of the RDP-EIR, approximately 50.6 percent of the land located within the City limits is currently subject to 18 adopted Specific Plans. Many of these specific plans, as well as other land as shown on Figure 2.0-4 (Land Use Plan), are subject to previously executed Development Agreements. These previously imposed land use commitments were reflected in the alternatives selected for analysis in the RDP-EIR. Any potential alternatives that do not reflect these land use commitments are infeasible in that they could not be implemented, and therefore were not considered.

The RDP-EIR determined that after mitigation the proposed project would result in significant and unavoidable adverse impacts related to transportation and circulation, noise and air quality. There is no requirement that the selected alternatives avoid or lessen less-than-significant impacts. Therefore, pursuant to Section 15126.6 of the State CEQA Guidelines since the Low Density Alternative would lessen the potential impacts related to transportation and circulation, noise and air quality; it is an appropriate alternative.

Endangered Habitats League 10-18-11 Comment #4

No effort is made in any of the alternatives to accommodate projected growth into a smaller developmental footprint.

Indeed, the proposed high density alternative fails to stand on its own as a reasonable option. In lieu of developing an environmentally superior high density plan utilizing smart growth policies limited to accommodating projected growth, "high density" simply translates into a massive and wholly unnecessary increase in the number of residences within the same development footprint, resulting in an even more inflated 2030 build out capacity (335,514 vs. 318,856).

Ultimately, a good faith effort to develop a range of reasonable alternatives to the proposed project is simply lacking in the present EIR.

Response to Endangered Habitats League 10-18-11 Comment #4

This comment is acknowledged. As noted in the above Response to Endangered Habitats League 10-18-11 Comment #3, the proposed General Plan's Land Use Plan and the alternatives discussed in the RDP-EIR reflects existing land use entitlements that were established by 18 adopted Specific Plans and existing Development Agreements. These land use commitments are reflecting in the alternatives selected for analysis in the RDP-EIR. Any potential alternatives that do not reflect these land use commitments are infeasible in that they could not be implemented and therefore were not considered.

Endangered Habitats League 10-18-11 Comment #5

As noted, the EIR must develop high residential density alternatives with close access to residential needs, jobs, services, and public transit hubs. It is our belief that an emphasis on denser residential development is not only ecologically conscious, but also economically sensible and logically practicable. Unfortunately, the general trend in Riverside County has been towards a low density population sprawl which has greatly increased per capita vehicle miles travelled (VMT) for county residents. The growth in per capita VMT not only damages air quality, but results in a greater economic burden on county residents as a result of increased fuel costs, congestion, and commute times.

Response to Endangered Habitats League 10-18-11 Comment #5

This comment is acknowledged. As noted in the above Response to Endangered Habitats League 10-18-11 Comment #3, the proposed General Plan's Land Use Plan and the alternatives discussed in the RDP-EIR reflect the land use entitlements established by 18 adopted Specific Plans and existing Development Agreements. These land use commitments are reflecting in the alternatives selected for analysis in the RDP-EIR. Any potential alternatives that do not reflect these land use commitments are infeasible in that they could not be implemented, and therefore were not considered.

Endangered Habitats League 10-18-11 Comment #6

With the aforementioned in mind, we find the direction of GPU's land planning could be greatly improved. The 2030 Land Use Plan Summary found in table 2.0-2 is particularly disheartening. Low density residential areas dominate the land use plan. Hillside Residential, which allows for low density single family residential development, encompasses over one quarter of the land area. By contrast, under the existing general plan, only seven percent of the total acreage was devoted to Hillside Residential. Part of the shift may naturally be attributed to the City's expanding sphere of influence, but that does little to alleviate our concerns about the GPU's increasing (and in our view misplaced), emphasis on forms of low density housing.

Along that same vein, low and low-medium density residential developments encompass another twenty percent of the proposed update's land usage. By contrast, less than one percent of the total land area is allotted to high density residential. The sphere of influence contains a mere eight acres zoned for high density, and the City's amount remains essentially unchanged from the original general plan where it accounted for a scant 315 acres (321 under the GPU).

Response to Endangered Habitats League 10-18-11 Comment #6

This comment is acknowledged. This comment describes the commenter's opinion regarding the proposed General Plan's Land Use Plan. Inasmuch as this comment is regarding the proposed project and does not address the environmental analysis contained within the RDP-EIR; no response is required. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Endangered Habitats League 10-18-11 Comment #7

We further believe that a better environmental alternative would address unnecessary development in several of the specific plan areas -capacity that could be accommodated by increasing densities in more suitable areas.

For example, the Lake Elsinore Hills District is described in the GPU as historically “undisturbed by development”. The GPU itself notes that the Lake Elsinore Hills District is one of the “largest and most diverse open landscape areas”. Under the proposed GPU, however, 5,340 of the district’s 7,500 acres are given over to a variety of specific plans for the purpose of constructing primarily low density residential housing. We are particularly concerned by the movement, sadly seen too often in Riverside, to push residential and commercial development into previously open areas.

Similarly, the North Peak District is described as “mostly pristine”. Here too, however, the GPU plans to allow new residential development under the North Peak Specific Plan. While we commend the City for preserving a great deal of open space under the specific plan, we question the wisdom of placing any additional Hillside Residential and recreational facilities (including a golf course) in the area. As a result of this development the GPU acknowledges the need for new roads into the area as most of it is currently “inaccessible”. Given the amount of new housing already slated for Lake Elsinore and its SOI we are not convinced that the proposed development in North Peak is either needed or ecologically sensitive.

Response to Endangered Habitats League 10-18-11 Comment #7

This comment is acknowledged. As noted in the above Response to Endangered Habitats League 10-18-11 Comment #3, the proposed General Plan’s Land Use Plan and the alternatives discussed in the RDP-EIR reflects the land use entitlements established by 18 adopted Specific Plans and existing Development Agreements. These land use commitments are reflecting in the alternatives selected for analysis in the RDP-EIR. Any potential alternatives that do not reflect these land use commitments are infeasible in that they could not be implemented, and therefore were not considered.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Endangered Habitats League 10-18-11 Comment #8

The EIR concludes that the proposed project would result in significant unmitigable impacts on traffic volume and mobile emissions, requiring a valid Statement of Overriding Considerations. California courts have held that CEQA precludes approval of a project with such impacts “[i]f there are *feasible alternatives* or feasible mitigation measures that would accomplish most of the objectives of a project and substantially lessen the significant environmental effects of a project subject to CEQA, the project may not be approved without incorporating those measures.” (Center for Biological Diversity, Inc. v. FPL Group, Inc. (2008) 166 Cal.App.4th 1349, 1371 fn 19, citation to (Pub. Res. Code § 21000(g), 21002; CEQA Guidelines § 15091.) The City’s findings of infeasibility must be supported by substantial evidence. (CEQA Guidelines § 15093.) Because feasible alternatives exist which could mitigate the impacts to mobile emissions and traffic volume currently deemed unavoidable, there is simply not substantial evidence in the current EIR or general plan to support a finding that environmentally superior alternatives meeting project objectives are infeasible.

To the contrary, as we explain above, feasible, environmentally superior alternatives to the proposed project meeting all project objectives could be developed. A higher density plan which would reduce the project’s environmental footprint while providing the required housing to accommodate Lake Elsinore’s population growth would constitute the precise manner of impact-lessening alternative contemplated by CEQA in the above quoted section. Unless the City is able to find based on substantial evidence that such an alternative is infeasible, it is precluded from approving the Project under CEQA.

Response to Endangered Habitats League 10-18-11 Comment #8

This comment is acknowledged. As noted in the above Response to Endangered Habitats League 10-18-11 Comment #3, the proposed General Plan’s Land Use Plan and the alternatives discussed in the RDP-EIR reflects the land use entitlements established by 18 adopted Specific Plans and existing Development Agreements. These land use commitments are reflecting in the alternatives selected for analysis in the RDP-EIR. Any potential alternatives that do not reflect these land use commitments are infeasible in that they could not be implemented, and therefore were not considered.

It is noted that, as discussed in detail in Section 3.4 (Transportation and Circulation) of the RDP-EIR and summarized in Section 6.0 (Other CEQA Considerations), at buildout of the proposed General Plan in 2030, “all study area intersections are projected to operate at acceptable LOS during the peak hours with improvements that are consistent with the proposed roadway system and implementation of the GPU Circulation Element and Capital Improvements Program. Therefore, with implementation of the improvements and goals and policies set forth by the Circulation Section of the Community Form Chapter and implementation of the City-wide Capital Improvements Program as a part of future development, impacts of the project on

traffic levels would be reduced to less than significant. (RDP-EIR, page 6.0-4) [Emphasis Added] The RDP-EIR determined that inasmuch as it cannot be determined with certainty when the actual construction of the required intersection and roadway improvements will occur, there is the possibility that the required improvements will not be constructed in time to mitigate the proposed traffic and circulation impacts to below the level of significance. Therefore, in an abundance of caution the RDP-EIR concluded that, even after mitigation, transportation and circulation impacts would remain significant and unavoidable. (RDP-EIR, pages 3.4-122 and 6.0-4) In other words, the reason for concluding that transportation and traffic impacts would be significant and unavoidable is not the result of the potential traffic that will be generated by the proposed project, but rather the uncertainty of when required improvements will be constructed. This comment does not provide any specifics as to how, given the reality of the 18 adopted Specific Plans and existing Development Agreements, this issue would be resolved through adoption of a higher density project alternative.

Endangered Habitats League 10-18-11 Comment #9

Even if such a high density, smart growth based alternative was more costly or failed to achieve certain project objectives, it would not necessarily be considered infeasible. The CEQA guidelines note that alternatives can be considered feasible “even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” (CEQA Guidelines § 15126.6(b).)

For the aforementioned reasons, project approval is precluded until such time as City has developed a reasonable range of potentially feasible alternatives and has found substantial evidence supporting a conclusion that such alternatives are in fact not feasible.

Response to Endangered Habitats League 10-18-11 Comment #9

This comment is acknowledged. As noted in the above Response to Endangered Habitats League 10-18-11 Comment #3, the proposed General Plan’s Land Use Plan and the alternatives discussed in the RDP-EIR reflects the land use entitlements established by 18 adopted Specific Plans and existing Development Agreements. These land use commitments are reflecting in the alternatives selected for analysis in the RDP-EIR. Any potential alternatives that do not reflect these land use commitments are infeasible in that they could not be implemented, and therefore were not considered.

Endangered Habitats League 10-18-11 Comment #10

IV. Recommendations

- Address the population disparity between the GPU's build out projections and the population growth figures of the Southern California Association of Governments. Attempts to explain the disparity within the GPU ring hollow and are not supported by adequate analysis. Planned capacity in the GPU is grossly inflated and not necessary to achieve project purposes.
- The project alternatives should be reevaluated to include a reasonable range of alternatives, including a truly environmentally superior alternative. We believe the most effective path to such an alternative lies in a commitment to denser, ecologically sensitive residential development, resulting in a smaller build out footprint. As noted above, a scant amount of land has been designated high density residential and, in our view, too much has been designated for low density and hillside residential. We would appreciate a greater emphasis placed on pairing areas of denser residential development and public transit hubs. While we recognize that a number of challenges accompany the shift from the auto-centric developmental sprawl seen too often in Riverside County, we would appreciate a more emphatic commitment from Lake Elsinore to implement real living and transportation solutions.

Response to Endangered Habitats League 10-18-11 Comment #10

This comment summarizes the previous comments made by the Endangered Habitats League. This comment is acknowledged. See the Responses to Endangered Habitats League 10-18-11 Comment #1 through # 9 above.

**Response to
Endangered Habitats League
Comment Letter dated: October 19, 2011**

The Endangered Habitats League (EHL) provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 19, 2011 and received by the City of Lake Elsinore on October 19, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Endangered Habitats League 10-19-11 Comment #1

For your reference, EHL is Southern California's only regional conservation group. For over a decade, EHL has been involved in the development and implementation of Western Riverside County's Multiple Species Habitat Conservation Plan (MSHCP).

EHL supports the City's participation in MSHCP as the mechanism for mitigation of biological impacts associated with infrastructure and development. We therefore concur with incorporating the MSHCP into the Update's goals and policies and with using it as the basis for environmental mitigation in the draft PEIR for the Plan.

Response to Endangered Habitats League 10-19-11 Comment #1

In this comment, the Endangered Habitats League states its participation in the development and implementation of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and concurs with the use of the MSHCP as the basis for environmental mitigation in the RDP-EIR. This comment is acknowledged.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Endangered Habitats League 10-19-11 Comment #2

The value of the MSHCP lies in its streamlined mitigation of impacts on the project- specific, cumulative, and growth inducing levels. Through its participation, the City confers upon itself and third party beneficiaries the major time and cost benefit of tiering off the MSHCP EIR/EIS for disclosure, analysis, and mitigation biological impacts. This value extends to many important infrastructure projects benefiting the City.

EHL is interested in working with the City on its implementation of the MSHCP. Please place EHL on notification and distribution lists for the MSHCP Implementation Guidelines and the Lake Elsinore Acquisition Process (LEAP).

Response to Endangered Habitats League 10-19-11 Comment #2

This comment notes the value of the MSHCP in streamlining mitigation of impacts and providing the benefit of time and cost savings. The EHL also requests being placed on notification and distribution lists for the City's MSHCP-related processes. This comment is acknowledged.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Endangered Habitats League 10-19-11 Comment #3

In conclusion, the MSHCP is essential for the City's economic development and for achieving the balance with the natural world that is the Update's goal. Please retain EHL on all mailing and distribution lists for this project.

Response to Endangered Habitats League 10-19-11 Comment #3

In this comment, EHL states that the MSHCP is essential for the City's economic development and for achieving the balance with the natural world that one of the proposed project's goals. This comment is acknowledged. The EHL also requests to be retained on all mailing and distribution lists for this project. The City will comply with this request.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

**Response to
Pechanga Band of Luiseño Indians
Comment Letter dated: October 19, 2011**

The Pechanga Band of Luiseño Indians provided comments regarding the Recirculated Draft Program Environmental Impact Report (“RDP-EIR”) (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the “3rd Street Annexation”), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 19, 2011 and received by the City of Lake Elsinore on October 19, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Pechanga Band of Luiseño Indians Comment #1

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 regarding the recirculation of the Draft Program EIR for the City of Lake Elsinore. The Tribe formally requests, 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”). If you have not already, please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological 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 requests incorporation of these comments into the record of approval.

Response to Pechanga Band of Luiseño Indians Comment #1

In this comment, the Pechanga Band of Luiseño Indians (“Tribe”) requests that it be notified and involved in the entire CEQA environmental review process regarding the proposed project. The Tribe also asks to be included in the City’s distribution list for public notices and circulation of all documents pertaining to the proposed project. The City has included the Tribe in the entire CEQA process regarding the proposed project and has included the Tribe in its distribution list. Notices sent by the City to the Tribe to date regarding the RDP-EIR have included the Notice of Preparation on or May 26, 2011 and the Notice of Availability/Notice of Competition on September 6, 2011. The City will continue to provide the Tribe notice regarding the remainder of the CEQA process and regarding public hearings regarding the proposed project.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #2

The Tribe submits these comments concerning the Project's potential impacts to cultural resources for future implementing projects within the City's boundaries and sphere of influence. Further, in conjunction with the environmental review of the Project, the information is provided to assist the City in preparing appropriate mitigation on a policy level for the cultural resources that may be discovered during these future projects. Lake Elsinore is an important and sacred region to the Luiseño and Pechanga peoples. It is named multiple times within our creation stories and songs and is the place where *Wuyót* - the central figure in Luiseño beliefs, died. At least three village complexes and over 200 previously recorded cultural sites are known to be within the boundaries and sphere of influence of the City. The Tribe has a vested interest in working with the City of Lake Elsinore to protect and preserve our important places and cultural locations.

Response to Pechanga Band of Luiseño Indians Comment #2

This comment explains the importance of Lake Elsinore and the surrounding region to the Luiseño and Pechanga people and interest that the Tribe has in protecting and preserving its important places and cultural locations.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #3

It has been the intent of the Federal Government¹ and the State of California² 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 effects, as well as generating adequate mitigation measures.

In addition to the above consultation requirements, this General Plan update is subject to the requirements of SB 18. The Tribe began consultation under SB 18 with the City in 2005 and we appreciate the ongoing efforts of the City to continue consulting on this important Project. We look forward to further discussing our concerns as outlined in this comment letter.

Response to Pechanga Band of Luiseño Indians Comment #3

The "government to government" consultation requirements of Senate Bill (SB) 18 apply to general plan or specific plan processes proposed on or after March 1, 2005. Therefore, the proposed project is subject to the requirements of SB 18. Section 3.2 (Cultural and

Paleontological Resources) of the RDP-EIR discusses SB 18 on page 3.2-30. The discussion of SB 18 describes the City of Lake Elsinore's compliance with the provisions of SB 18 as it pertains to the proposed project. The Tribe acknowledges that the City has consulted with the Tribe in accordance with SB 18.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #4

The Pechanga Tribe has a legal and cultural interest in the proper protection of sacred places and all Luiseño cultural resources. The Tribe is concerned about both the protection of important and irreplaceable cultural resources, such as Luiseño Village Complexes, sacred/ceremonial locations, habitations and other cultural resources which would be displaced by development, 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 development and improvements within the County.

The proposed General Plan Update boundaries encompass multiple village and habitation areas as well as numerous *tóota yixélval* and domestic activity areas. Human remains have also been identified in areas subject to the Amendment, for which Pechanga has been named Most Likely Descendant (MLD) by the Native American Heritage Commission (NAHC). The Tribe knows that culturally significant resources will be impacted by any future implementing development projects proposed within the GP Update and requests that the City take into account both known and unknown resources when determining the most appropriate designations for proposed land use in all areas to be changed through this process.

Further, as the City may be aware, as of 2009, the federal government holds 30 acres of land within the Meadowbrook area in trust for the Tribe. These lands are considered to be a non-contiguous part of the reservation and are under the Tribe's jurisdiction. The Tribe believes that acknowledgment of the federal lands adjacent to the City's SOI within the DPEIR would be appropriate. Further, it is the Tribe's contention that, as the tribe with the closest reservation, Pechanga should be considered by the City of Lake Elsinore to be the lead consulting tribe.

The Tribe has previously submitted detailed comments on its affiliation in the original 2008 DEIR. 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.

Response to Pechanga Band of Luiseño Indians Comment #4

This comment provides additional information to document the Tribe's interest in the area covered by the proposed project and reiterates the Tribe's concern regarding the protection of sacred places and all Luiseño cultural resources. The Tribe notes that "the federal government holds 30 acres of land within the Meadowbrook area in trust for the Tribe" and asks that the

City acknowledge that there are federal lands adjacent to the City's sphere of influence ("SOI") within the RDP-EIR. The City acknowledges these comments. Although the proposed project does not apply to land outside of the City's SOI, the City hereby acknowledges the presence of federal land in proximity to its SOI.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #5

The Tribe requests to continue to be involved and to participate with the City in developing applicable Goals and Policies for the General Plan regarding the protection and preservation of cultural resources, as well as appropriate mitigation within the DPEIR. As a general principle, the Tribe believes that the City should not rely on narrow interpretations of definitions of cultural/archaeological resources, but must also take into account the cultural knowledge and perspective of tribes.³ Such acknowledgement comports with the purpose and intent of cultural resources preservation. To accomplish this, meaningful consultation with tribes is needed during all phases of investigation and evaluation of cultural resources so that the knowledge and information that the tribes have regarding their cultural resources, which is based on tradition and history, can be incorporated into significance determinations. This specialized knowledge is not necessarily shared with or agreed upon by archaeological professionals, whose primary focus is the scientific aspect of a site or artifact rather than the cultural and historical significance of such resources to the tribes themselves – which is no less important than a scientific determination. Failing to take this information into account reduces the importance of these resources to that of merely scientific interest and ignores the integral part these resources play in the tradition, history and contemporary situations of the true owners of cultural resources, the tribes.

³ As a related matter, the DPEIR Cultural Resources Chapter incorrectly implies that of 157 recorded archaeological sites within the project area, only eight were considered important enough to evaluate for NRHP eligibility. Under Section 106, all resources must be evaluated for their eligibility to meet NRHP criteria. A similar process must be completed for an adequate CEQA evaluation.

Response to Pechanga Band of Luiseño Indians Comment #5

In this comment, the Tribe requests continued involvement and participation in the development of applicable General Plan Goals and Policies regarding the protection and preservation of cultural resources, as well as appropriate mitigation within the RDP-EIR. The Tribe also states its opinion that the City should use a broad interpretation of the definitions of cultural/archaeological resources. These comments are acknowledged by the City. No new environmental issues have been raised by these comments and no additional mitigation measures and no modification of the RDP-EIR are required.

Regarding the footnote to this comment, the City acknowledges that the referenced language contains a minor inaccuracy regarding the evaluation of previously recorded archaeological sites for their eligibility to be listed on the National Register of Historic Places. Therefore, the second paragraph on Page 3.2-12 of the RDP-EIR is hereby revised as follows:

The record search also indicated that 157 prehistoric and historical archaeological sites have been recorded in the project area. Of these sites, ~~eight were considered important enough to be evaluated for NRHP eligibility. Of those so evaluated,~~ two prehistoric archaeological sites (the rock shelter site CA-RIV-1022 and the prehistoric village site CA-RIV-2798) were determined eligible for listing in the NRHP.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required. The above-described edit merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. A similar modification has been made to the same text contained in the proposed General Plan in order to clarify the background information contained in the proposed General Plan Update.

Pechanga Band of Luiseño Indians Comment #6

The Tribe submits the comments below as requested by the City regarding the recirculation of the DPEIR. The Tribe has previously submitted detailed comments regarding its concerns about potential impacts to cultural resources within the City of Lake Elsinore in 2008 and on the NOP in 2011, both of which are incorporated by reference. The Tribe has also had multiple meeting with City staff to discuss these concerns. We were assured that our concerns would be addressed in this new document; however it appears that not all of the promised changes were made in this version of the document. While the Tribe understands that personnel changes over the course of time, it also expects the City to stick with its commitments. We have listed our concerns below in order of presentation within the DPEIR (strikeouts are removals and underlines are additions). We look forward to meeting again once you have reviewed our comments.

Response to Pechanga Band of Luiseño Indians Comment #6

This comment identifies the Tribe's previous comments regarding the potential impacts to cultural resources within the City of Lake Elsinore. The Tribes comments regarding the RDP-EIR are addressed below in the Responses to Pechanga Band of Luiseño Indians Comments #7 through #26.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #7

2005 Cultural Study Appendix B: The date on the archaeological study that was completed for this GP update is out of date and should be revised to reflect new information that has been recorded within the previous six years. This study was conducted in 2005, prior to the height of the housing boom and subsequent economy downturn. While it was current for the 2008 release of the DPEIR, it does not reflect current information today. The Tribe knows there are many more resources that have been recorded as a result of development and were not included in the old study, as well as new information regarding village complexes and Luiseño place names that were not addressed or taken into account in evaluating and assessing potential impacts to cultural resources. The Tribe recommends a new study be conducted, in consultation with the Pechanga Tribe.

Response to Pechanga Band of Luiseño Indians Comment #7

As discussed in Section 3.0 (Environmental Setting, Impacts and Mitigation) of the RDP-EIR, In order to describe the environmental setting against which the environmental impacts associated with the proposed project, it is necessary to establish a baseline date at which these conditions exist. The basis for identification of the baseline year for analysis within an EIR is established by Section 15125(a) of the State CEQA Guidelines. Section 15125(a) states that:

“An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” [Emphasis added]

The NOP was originally distributed on or about November 15, 2005. Therefore the environmental conditions that existed at that time were used as the baseline conditions described in the RDP-EIR and in Chapter 7 (Cultural, Historical and Paleontological Resources Background Report) of Appendix B (City of Lake Elsinore General Plan Background Reports) of the RDP-EIR. This background report included the results of a “records search” conducted at the Eastern Information Center of the California Historical Resources Information System at the University of California on July 12, 2005.

Therefore, the RDP-EIR complies with the requirements set forth in State CEQA Guidelines Section 15125(a) and a new archaeological study is not required in order to establish the environmental setting and baseline for environmental analysis.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #8

Page 3.1-2 Prehistoric Context: The Tribe is particularly concerned with the designation of Lake Elsinore as a ‘shared use’ area between the Luiseño and desert tribes such as the Cahuilla. Oral traditions, ethnographic and ethnohistoric studies as well as anthropological and archaeological studies acknowledge that this area was utilized primarily by the Luiseño (Sparkman 1908; Kroeber 1925; White 1963; Harvey 1974; Oxendine 1983; Smith and Freers 1994, etc) with possible use by the Juaneño in prehistoric times. This information has been shared multiple times with the City. The Tribe understands that this information was taken from an out-of-date archaeological study with no consultation with the Tribe. As stated above, we recommend the City commission a new study with updated information and consultation with the Tribe.

Response to Pechanga Band of Luiseño Indians Comment #8

A review of the language contained on page 3.2-1 of the RDP-EIR shows that language under the heading “Prehistoric Context” does not “designate” Lake Elsinore as a “shared use” area. This language does, however, point out that there have been “ethnographic references to shared use of this territory.” Nevertheless, in response to this comment, the paragraph under the “Prehistoric Context” heading on page 3.2-1 of the RDP-EIR is hereby revised as follows:

A distinct cultural sequence has yet to be specifically defined for Lake Elsinore. Traditionally, this area has been incorporated within discussion of Luiseño ethnographic traits, and previous descriptions depended upon the similarity of the limited assemblages with those from the more extensively studied Pauma Valley sites. A discussion of Moratto’s (1984) Southern Coast Region (San Diego) sequence is based on these comparisons and included here. In addition, ~~in response to ethnographic references to shared use of this territory by groups to the east of the Luiseño, particularly the Cahuilla, Moratto’s (1984) Desert Region (Colorado River) sequence is also discussed.~~

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required. The above-described edit merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. A similar modification has been made to the same text contained in the proposed General Plan in order to clarify the background information contained in the proposed General Plan Update.

Pechanga Band of Luiseño Indians Comment #9

Page 3.2-5 Ethnographic Setting: The Luiseño place names within this section are misspelled and some are incorrect. The Tribe suggests the following revisions to the third paragraph in this section:

Villages were located in diverse ecological zones typically located along valley bottoms, streams, or coastal strands near mountain ranges. Each village area contained many named places associated with food products, raw materials, or sacred beings, and each place was owned by an individual, family, the chief, or by the group collectively (Bean and Shipek 1978). The village of Paiahche is ethnographically documented immediately north of the lake by (Kroeber 1925) however consultation with the Pechanga Tribe shows that the village was located northwest of the Lake and that the correct spelling is Páayaxchi. This name also refers to the Lake itself. The Luiseño knew Lake Elsinore as Paahashnan. The area around and including the Elsinore hot springs was known to the Luiseño as 'Atengvø iténgvu Wumówmu (meaning “hot springs”). The hot springs also figure prominently into Luiseño oral traditionin the local creation myth. The location, Hengvu Wumówmu 'iténgvu Wumówmu, is named in a song about the death of Wiyet Wuyóot, a religious leader who led the people in their migration from the north (Du Bois 1908; Harrington 1978 in Grenda et al. 1997). Several additional Luiseño place names are within the Lake Elsinore area and SOI including We'eva, Pii'iv, Qawiimay, Páavaxchi Nivé'wuna, Anóomay and others, reflecting this diverse and well utilized region.

Response to Pechanga Band of Luiseño Indians Comment #9

The City of Lake Elsinore thanks the Tribe for this clarification regarding the place names described in the ethnographic setting discussion on page 3.2-5 of the RDP-EIR. In response to this comment, the third paragraph under the “Ethnographic Setting” heading on page 3.2-5 of the RDP-EIR is hereby revised as follows:

Villages were located in diverse ecological zones typically located along valley bottoms, streams, or coastal strands near mountain ranges. Each village area contained many named places associated with food products, raw materials, or sacred beings, and each place was owned by an individual, family, the chief, or by the group collectively (Bean and Shipek 1978). The village of Paiahche is ethnographically documented immediately north of the lake by (Kroeber (1925), however consultation with the Pechanga Tribe shows that the village was located northwest of the Lake and that the correct spelling is Páayaxchi. This name also refers to the Lake itself. The Luiseño knew Lake Elsinore as Paahashnan. The area around and including the Elsinore hot springs was known to the Luiseño as 'Atengvø iténgvu Wumówmu (meaning “hot springs”). The hot springs also figure prominently in the local creation mythinto Luiseño oral tradition. The

location, ~~Hengyu Wumowmu~~, is named in a song about the death of ~~WiyetWuyóot~~, a religious leader who led the people in their migration from the north (Du Bois 1908; Harrington 1978 in Grenda et al. 1997). Several additional Luiseño place names are within the Lake Elsinore area and SOI including We'eva, Pi'iv, Qawiimay, Páayaxchi Nivé'wuna, Anóomay and others, reflecting this diverse and well utilized region.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required. The above-described edit merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. A similar modification has been made to the same text contained in the proposed General Plan in order to clarify the background information contained in the proposed General Plan Update.

Pechanga Band of Luiseño Indians Comment #10

Page 3.2-6: Again, the Tribe does not agree with the last section of the Ethnographic Setting and requests that the City strike this paragraph from the document.

Response to Pechanga Band of Luiseño Indians Comment #10

The City of Lake Elsinore acknowledges that the Tribe does not agree with the last paragraph of the “Ethnographic Setting” discussion contained in Section 3.2 (Cultural and Paleontological Resources) of the RDP-EIR. The City notes that in their June 1, 2011 response to the Notice of Preparation (Reissued) the Morongo Band of Mission Indians stated that the project area is “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).” In its June 3, 2011 response to the NOP (Reissued), the Native American Heritage Commission (NAHC) attached “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 list of tribal contacts attached to the NAHC letter included multiple Cahuilla and Serrano tribes. (See Appendix A of the RDP-EIR for copies of the NOP response letters.) The list of tribal contacts attached to the NAHC comment letter dated September 30, 2011 regarding the RDP-EIR included a similar list of tribes. (See Section 2.0 of this Final Program EIR for a copy of the NAHC letter.) The Pechanga Tribe also acknowledges in its comment letter that the project area had “possible use by the Juaneño in prehistoric times.” (See Pechanga Band of Luiseño Indians Comment #8, above.

Therefore, the last paragraph of the “Ethnographic Setting” discussion contained in Section 3.2 is consistent with the comments that the City of Lake Elsinore has received regarding the RDP-EIR. Therefore, no changes to the RDP-EIR will be made in response to this comment.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #11

Page 3.2-7 Founding of the Town: Last paragraph typo on “...ancient hot springs of the Pai-ah-che...” should read Páayaxchi.

Response to Pechanga Band of Luiseño Indians Comment #11

The City of Lake Elsinore thanks the Tribe for this clarification regarding the place names described. In response to this comment, the fourth sentence of the last paragraph on page 3.2-7 of the RDP-EIR is hereby amended as follows:

In early 1887, one of Heald's major accomplishments was the building of a Bathhouse in the ancient hot springs of the Pai-ah-che Páayaxchi, known as the Crescent.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required. The above-described edit merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR.

Pechanga Band of Luiseño Indians Comment #12

Figure 3.2-1 Cultural Resources Areas Map: The Tribe has previously requested that this map be removed from the environmental document because the Tribe does not feel that such information should be publically circulated. Further, this map is based upon old information and archaeological constructs of cultural resources determination. The Tribe was not consulted when preparing the map and it thus contains inaccurate and outdated information. Therefore, the Tribe requests that this map be removed from this document as it is misleading.⁴

⁴ The Tribe is willing to work with the City and the Project archaeologist to develop a revised map that would be available for internal City Staff-use only.

Response to Pechanga Band of Luiseño Indians Comment #12

This comment requests that Figure 3.2-1 (Cultural Resources Areas) of the RDP-EIR be deleted. Although this figure does not identify the specific location of any cultural resources that would be considered to be confidential and exempt from the Public Records Act, as described in the above Native American Heritage Commission Comment #3, the City of Lake Elsinore agrees with the Tribe's request and therefore Figure 3.2-1 (Cultural Resource Areas) is hereby deleted. Similarly, the same figure will be deleted from Appendix B of the RDP-EIR (Figure 7.2) and from the proposed General Plan Update (Figure 4.5). Additionally, the first paragraph under the heading “Prehistoric Archaeological Sites” on page 3.2-12 of the RDP-EIR is hereby amended as follows:

The previous studies conducted within the planning area identified prehistoric archaeological sites including villages, rock shelters, habitation sites, lithic

scatters, and milling slicks. (**Figure 3.2.1, Cultural Resource Areas**). Isolated artifacts not associated with the larger sites have also been identified within the project area. Previously identified archaeological sites can be used as a general guideline to understanding the nature of localized prehistoric inhabitation and provide assistance in determining areas of known sensitivity for prehistoric archaeological resources.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required. The above-described edits merely provides minor modifications that clarify the background information contained in the proposed General Plan Update and the analysis and conclusions already presented in the RDP-EIR.

Pechanga Band of Luiseño Indians Comment #13

Section 3.2.4 General Plan Update Goals and Policies: Table 3.2-3: The Tribe suggests the following changes:

Goal 5: Preserve, protect, and promote the cultural heritage of the City and surrounding region for the education and enjoyment of all City residents and visitors, as well as for the advancement of historic and archaeological knowledge.

Policy 5.1: Encourage the preservation of significant archaeological, historical, and other cultural resources located within the City.

Policy 5.2: The City shall consult with the appropriate Native American tribe(s) both for projects identified under SB18 (Traditional Tribal Cultural Places).—as well as general entitlement projects which would entail ground-disturbing activities.

Policy 5.3: When significant cultural/archaeological sites or artifacts are discovered on a site project, coordination with professional archaeologists, relevant state and, if applicable, federal agencies, and concerned the appropriate Native American tribe(s) regarding preservation of sites in place or professional retrieval and preservation of artifacts by other means of preservation and protection of artifacts and sites prior to development of the site project shall be required. Because ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices, developers should shall waive any and all claims to ownership and agree to return all Native American ceremonial items of cultural patrimony that may be found on a project site to the appropriate tribe for treatment. 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. Intentional disturbance, theft or destruction of Native American human remains or cultural artifacts is illegal and the person(s) will be prosecuted to the full extent of the law.

Policy 5.4: If archaeological excavations are recommended on a project site, the City shall require that all such investigations include Native American consultation and participation, which shall occur prior to project approval release of the environmental documents and public review.

Goal 6 Support state-of-the-art research designs and analytical approaches to archaeological and cultural resources investigations while at the same time acknowledging the traditional knowledge and experience of the Native American tribes regarding Native American culture.

Policy 6.1 Consult with California Native American tribes prior to decision-making processes for the purpose of preserving cultural places located on land within the City's jurisdiction that may be affected by the proposed plan, in accordance with State, Federal or other applicable requirements.

Policy 6.2 Continue to identify, document, evaluate, designate, and preserve the cultural resources in the City through consultation with Native American tribes and other Culture Groups in the area.

Policy 6.3 Continue to update a citywide inventory of cultural resources in conformance with state standard and procedures while maintaining the confidentiality of information as required by law.

Policy 6.4 Support the permanent curation of archaeological artifact collections by universities, or museums, or other appropriate tribal facilities.

Policy 6.5 Increase opportunities for cultural heritage tourism by promoting the history of Lake Elsinore to attract cultural heritage travelers while maintaining the confidentiality of Native American sites, places and other information as required by law.

Goal 9 Encourage the preservation, protection, avoidance, and restoration of historical and cultural resources.

Policy 9.2 Integrate historic and cultural resources in land use planning processes by utilizing avoidance, design and protection measures where feasible to avoid conflict between the preservation of historic resources and alternative land uses.

Response to Pechanga Band of Luiseño Indians Comment #13

This comment is requesting changes to the goals and policies contained within the proposed General Plan which are listed in Table 3.2-3 (General Plan Cultural Resources Goals, Policies and Implementation Programs) on page 3.2-32 of the RDP-EIR. This comment does not address the environmental analysis contained within the RDP-EIR and no response is required. Nevertheless, the City has reviewed this comment's requested wording of the proposed General Plan goals and policies, and the proposed General Plan will reflect the following revisions¹:

¹ It is noted that Table 3.2-3 in the RDP-EIR incorrectly numbered the proposed General Plan Goals and Policies. Therefore, this table and any references to the goals and policies contained in Section 3.2 and Section 4.0 of the RDP-EIR will be revised to reflect that Goals 5, 6, 7, 8 and 9 and associated policies contained in Chapter 4.0 of the proposed General Plan will be corrected to be Goals 6, 7, 8, 9 and 10 and associated policies. These modifications only correct minor inaccuracies and do not affect the analysis and conclusions presented in the RDP-EIR.

Goal 6 Preserve, protect, and promote the cultural heritage of the City and surrounding region for the education and enjoyment of all City residents and visitors, as well as for the advancement of historical and archeological knowledge.

Policy 6.2 The City shall consult with the appropriate Native American tribes for projects identified under SB 18 (Traditional Tribal Cultural Places).

Policy 6.3 When significant cultural/archeological sites or artifacts are discovered on a site, coordination with professional archeologists, relevant state and, if applicable, federal agencies, and concerned the appropriate Native American tribes regarding preservation of sites or professional retrieval and preservation of artifacts or by other means of protection, prior to development of the site shall be required. Because ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices, developers should shall waive any and all claims to ownership and agree to return all Native American ceremonial items and items of cultural patrimony that may be found on a project site to the appropriate tribe for treatment. 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.

Goal 7 Support state-of-the-art research designs and analytical approaches to archeological and cultural resource investigations while also acknowledging the traditional knowledge and experience of the Native American tribes regarding Native American culture.

Policy 7.1 Consult with California Native American tribes prior to decision-making processes for the purpose of preserving cultural places located on land within the City's jurisdiction that may be affected by the proposed plan, in accordance with State or Federal requirements.

Policy 7.3 Continue to update a citywide inventory of cultural resources in conformance with state standards and procedures while maintaining the confidentiality of information as required by law.

Policy 7.4 Support the permanent curation of archeological artifact collections by universities, museums or other appropriate tribal facilities.

Policy 7.5 Increase opportunities for cultural heritage tourism by promoting the history of Lake Elsinore by attract cultural heritage travelers while maintaining the confidentiality of Native American sites, places and other information as required by law.

The above-described edits merely provide minor modifications and corrections that clarify the goals and policies contained within the proposed General Plan and referenced in the RDP-EIR; that require no changes to the analysis and conclusions presented in the RDP-EIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #14

3rd Street Annexation Area: The Tribe has not been provided with any information regarding the proposed annexation other than the attached document in Appendix C. The Tribe has two primary concerns regarding the annexation. First, the Tribe believes that the new land use designations may adversely impact cultural resources located in these areas. It is our experience that commercial zones do not allow for preservation and/or protection of cultural resources due to the large building footprints and need for extensive parking spaces. Moreover, the DPEIR states that there are cultural resources located in a close proximity to the annexation. We understand that conducting an archaeological study may not be feasible for the City at this time. Therefore, the Tribe recommends that the City require an archaeological study be performed prior to every future implementing project proposed in this area. The Tribe also requests to be included during the survey and in consultation meetings with the City and Applicant(s) on these future projects so that in the event cultural resources are identified, they can be appropriately designed around for protection and preservation, in accord with Cultural and Paleontological Resources Goal 5 and Policy 5.1 in the PEIR.

Response to Pechanga Band of Luiseño Indians Comment #14

This comment discusses the proposed 3rd Street Annexation and requests that an archaeological study be performed prior to every future project proposed in this area. The City acknowledges this comment and will continue to require the completion of site-specific archaeological surveys and consultation with the Tribe for future development proposals within the 3rd Street Annexation area in accordance with the City's established development review and CEQA procedures.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #15

Secondly, the Tribe is concerned with the Hillside Residential designation on the southern portion of the annexation. Any development on these prominent ridgelines that define the City could be considered a visual and aesthetic impact and could impact cultural resources as well. The limited space to build a residence could severely inhibit the preservation and avoidance of any cultural site. Therefore, the Tribe requests that the ridges be zoned such that they are placed in Open Space lots, to reduce any visual, aesthetic and cultural impacts. As of now, pursuant to the Tribe's review of available documentation, there appears to be no such designated lands within the Annexation Area.

Response to Pechanga Band of Luiseño Indians Comment #15

The City of Lake Elsinore acknowledges the Tribe's concerns regarding the proposed Hillside Residential designation in the southern portion of the proposed 3rd Street Annexation Area. This portion of the annexation area is currently designated for "Light Industrial" development by the Riverside County General Plan and is currently zoned M-SC (Manufacturing-Service Commercial) by Riverside County. The City of Lake Elsinore's current 1990 General Plan designates this property for "Freeway Business" uses. As described in Section 3.3 (Aesthetics), the Hillside Residential land use designation has been applied to the steep slopes in the 3rd Street Annexation area "to limit landform alteration to these highly visible hillsides." (RDP-EIR, page 3.3-39) Additionally, mitigation measure MM Aesthetics 1 states that:

MM Aesthetics 1: Future development projects will be required to prepare visual simulations demonstrating compliance with the applicable GPU goals and policies. Preparation of visual simulations demonstrating compliance with the GPU goals and policies would be required for future development projects located in scenic viewsheds along the I-15 corridor and other areas at the discretion of the Director of Community Development.

Applicable aesthetics-related goals, policies and implementation programs from the proposed General Plan are listed in Table 3.3-1 (General Plan Aesthetics and Scenic Resources Goals, Policies and Implementation Programs) on page 3.3-25 of Section 3.3 (Aesthetics) of the RDP-EIR. Through implementation of the goals, policies and implementation programs and implementation of mitigation measure MM Aesthetics 1, the RDP-EIR concluded that potential aesthetic-related impacts can be reduced to less-than-significant levels.

As described on page 2.0-18 of the RDP-EIR, the Hillside Residential land use designation requires minimum parcel sizes that increase from 1 acre (under 15% slope) to 10 acres 35% and up) depending upon average slope. Therefore, this proposed land use designation is less intense and will result in more undisturbed hillsides in this area than will either the current "Light Industrial" development anticipated by the County's General Plan or proposed under the currently adopted 1990 Lake Elsinore General Plan.

For these reasons, no changes to the proposed Land Use Plan will be made in response to this comment.

Pechanga Band of Luiseño Indians Comment #16

Page 3.2-41-42 Threshold: Would the project cause a substantial adverse change in the significance of an archaeological resource...Analysis: The Tribe knows that the records search conducted for this Project is out-of-date and that there are a significantly larger number of cultural resources located within the City and SOI than is identified. Further, the Tribe would like to reiterate to the City that the Tribe believes that all cultural resources are important and significant and that such cultural perspective should be taken in to account as a cornerstone of cultural resource evaluations and preservation. Any proposed impacts to cultural resources, whether or not determined by an archaeologist to be significant or insignificant by CEQA, should be preserved, avoided or protected as the first option.

Response to Pechanga Band of Luiseño Indians Comment #16

This comment reiterates the Tribe's opinion that all cultural resources are important and significant and the Tribe's position that any "proposed impacts to cultural resources, whether or not determined to by an archaeologist to be significant or insignificant by CEQA, should be preserved, avoided or protected as the first option." The City acknowledges this comment.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #17

Table 3.2-4:

Business District: Although not addressed in the DPEIR as containing archaeological resources, the Tribe is concerned that resources may be below existing structures. It is well documented that historic structures, or those constructed prior to modern building codes, often have Native American cultural resources subsurface. Therefore, the Tribe requests early consultation with the City on future implementing projects within this District, especially on projects requiring demolition of structures older than 1975.

Country Club Heights: Although not addressed in the DPEIR as containing archaeological resources, the Tribe is concerned that resources may be below existing structures. It is well documented that historic structures, or those constructed prior to modern building codes, often have Native American cultural resources subsurface. Further, there are many parcels within this District that have never been developed and could contain cultural resources. Therefore, the Tribe requests early consultation with the City on future implementing projects within this District, especially on projects requiring demolition of structures older than 1975 and those proposing development on vacant lands.

Historic District: Although not addressed in the DPEIR as containing archaeological resources, the Tribe is concerned that resources may be below existing structures. It is well documented that historic structures, or those constructed prior to modern building codes, often have Native American cultural resources subsurface. Further, there are many parcels within this District that have never been developed and could contain cultural resources. Therefore, the Tribe requests early consultation with the City on future implementing projects within this District, especially on projects requiring demolition of structures older than 1975 and those proposing development on vacant lands.

Response to Pechanga Band of Luiseño Indians Comment #17

In this comment, the Tribe is expressing its concern regarding the possibility of subsurface Native American cultural resources being located within the Business, Country Club Heights and Historic Districts. The Tribe is also requesting “early consultation with the City on future implementing projects” within these Districts. This comment is acknowledged. The City will consult with the Tribe regarding future implementing projects within these Districts in accordance existing City procedures and the requirements of SB 18.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #18

Table 3.2-5:

Alberhill District: The Tribe does not agree with the Potential Cultural Resources Impacts.

Oral tradition tells us that very significant events related to the Luiseño origin stories occurred within this area. Further, there are documented Luiseño place names within areas designated as Specific Plan. The Tribe does not agree that the majority of the areas are in Open Space. Early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

Lake View Sphere District: While the Tribe agrees that a large portion of this SOI has been developed, primarily near the Lake and along Grand Avenue, there is still a high potential for impacting cultural resources with development in this area. The Tribe requests early consultation on any future implementing project proposed for this area.

Lakeland Village Sphere District: This District is a highly sensitive area. Development in this area will likely impact cultural resources. Early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

East Lake: This District is a highly sensitive area. Development in this area will likely impact cultural resources. Early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

Ballpark District: This District is a highly sensitive area. The Tribe is currently working with the City for preservation and avoidance of significant cultural resources in this area.

Meadowbrook Sphere: This SOI is a highly sensitive area. Development in this area will likely impact cultural resources. Further, as noted previously, this SOI is located one half (1/2) mile from Pechanga Tribal Trust (reservation) lands and therefore early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

Northpeak District: This District is a highly sensitive area. Development in this area will impact cultural resources. Although the Tribe consulted during early processing of the Specific Plan, little to no communication has been received in the past few years on this Project. The Tribe would like to emphasize that, in the event that this Specific Plan and any other implementing project should recommence, early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

Response to Pechanga Band of Luiseño Indians Comment #18

In this comment, the Tribe is expressing its concern regarding the potential impacts upon cultural resources that development within the Alberhill, Lake View Sphere, Lakeland Village Sphere, East Lake, Ballpark, Meadowbrook Sphere and North Peak Districts may have. The Tribe is also requesting “early consultation” with the City within these Districts. This comment is acknowledged. The City will consult with the Tribe regarding future implementing projects within these Districts in accordance existing City procedures and the requirements of SB 18.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #19

MM Cultural/Paleontological Resources 2: Prior to issuance of grading permit(s) for the project, the project applicant shall retain an Riverside County qualified 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.

Response to Pechanga Band of Luiseño Indians Comment #19

On Page 5 of their response dated June 27, 2011 to the Notice of Preparation (Reissued) the Pechanga Band of Luiseño Indians (See Appendix A of the RDP-EIR) requested that the wording of this mitigation measure read as follows:

“Prior to issuance of grading permit(s) for the 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.”

The wording of mitigation measure MM Cultural/Paleontological Resources 2 is the same wording as requested by the Tribe in their response to the Notice of Preparation. In a telephone conversation on November 1, 2011 with Leslie J. Mouriquand, M.A, RPA, County Archaeologist & Cultural and Tribal Liaison, Ms. Mouriquand confirmed that the County does not certify archaeological monitors. Although the County maintains a list of qualified archaeologists; to Ms Mouriquand’s knowledge, no cities within Riverside County have adopted the County’s list. Inasmuch as the City of Lake Elsinore has not adopted Riverside County’s list of qualified archaeologists and the County does not maintain a list of “qualified archaeological monitors” the requested change to mitigation measure MM Cultural/Paleontological Resources 2, reflecting the Tribe’s originally proposed wording, will not be made.

Pechanga Band of Luiseño Indians Comment #20

MM Cultural/Paleontological Resources 4: Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Etc...

Response to Pechanga Band of Luiseño Indians Comment #20

The Tribe is requesting that mitigation measure MM Cultural/Paleontological Resources 4 be amended to delete the requirement that if required the County would receive a copy of the archaeologist’s pre-grading report. The City has considered this request and determined that in

the some instances, including but not limited to proposed pre-annexation development agreements for projects that may occur within the City's sphere of influence, it may be appropriate for the pre-grading report to be sent to the County. Therefore, the existing language contained within this mitigation measure is appropriate and the requested change will not be made.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #21

Page 3.2-49 Threshold: Would the project disturb any human remains, including those interred outside of formal cemeteries. As indicated elsewhere in this letter, the Tribe believes that no mitigation other than avoidance would successfully reduce the level of significance of impacts to cultural resources, especially in the context of human remains where the Tribe considers any disturbance of remains to be a significant impact.

Response to Pechanga Band of Luiseño Indians Comment #21

The City acknowledges the Tribe's concern regarding any potential for the accidental discovery of human remains. However, the proposed project does not include any implementing development proposals and therefore at a programmatic level it is not possible to know where or when specific development will occur or whether human remains may accidentally be discovered. For this reason, the RDP-EIR addresses the disturbance of human remains in Section 3.2 (Cultural and Paleontological Resources). As requested by the Tribe in their June 27, 2011 response to the Notice of Preparation (Reissued) regarding the proposed project, the RDP-EIR included mitigation measure MM Cultural/Paleontological 10, which requires compliance with applicable laws and regulations, including that "remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made." Implementation of this mitigation measure will enable the "most likely descendant," as identified by the Native American Heritage Commission, to make recommendations and engage in consultation regarding the most appropriate treatment of the discovered human remains.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #22

MM Cultural/Paleontological Resources 10: 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~~ 24 hours. 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.

Response to Pechanga Band of Luiseño Indians Comment #22

On Page 5 of their response dated June 27, 2011 to the Notice of Preparation (Reissued) the Pechanga Band of Luiseño Indians (See Appendix A of the RDP-EIR) requested that the wording of this mitigation measure read as follows:

“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.”

The wording of mitigation measure MM Cultural/Paleontological Resources 10 is the same wording as requested by the Tribe in their response to the Notice of Preparation. However, a review of Section 7050.5 of the California Health and Safety Code shows that paragraph (c) of this section requires that:

“(c) If the coroner determines that the remains are not subject to his or her authority and 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, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

Therefore, although the time period specific in Section 7050.5 is applicable even with the current wording of mitigation measure MM Cultural/Paleontological Resources 10; in order to clarify that 24-hour time period is applicable due to compliance with applicable laws, the requested clarification is appropriate. Additionally, the City has determined that additional clarification of the mitigation measure is appropriate in order to reflect the language set forth in Section 15064.5(e) of the State CEQA Guidelines. Therefore, mitigation measure MM Cultural/Paleontological Resources 10 is hereby revised as follows:

MM Cultural/Paleontological Resources 10: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission shall be contacted within a reasonable timeframe~~24~~ hours. Subsequently, the Native American Heritage Commission shall identify the person or persons it believes to be the “most likely descendant.” The most likely descendant shall~~may~~ then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required. The above-described edits merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR.

Pechanga Band of Luiseño Indians Comment #23

Section 3.2.7 Level of Significance after Mitigation: The Tribe strongly disagrees that implementation of the project’s goals, policies and implementation programs will reduce the impacts to human remains to a less-than-significant level. It is the Tribe’s belief that no mitigation will reduce the significance of the impacts once remains have been disturbed.

Response to Pechanga Band of Luiseño Indians Comment #23

See the above Responses to Pechanga Band of Luiseño Indians Comments #22 and #23. The City acknowledges the Tribe’s opinion regarding the significance of potential impacts to accidentally discovered human remains.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #24

Section 4.0 Cumulative Impacts; 4.3.4 Cultural and Paleontological Resources: The Tribe believes that destruction of cultural resources at any level can be considered a cumulative impact and should be appropriately addressed in every future development project. Habitation sites, which include specific activity areas like lithic scatters, bedrock milling locations and plant gathering areas, are of utmost importance to the Tribe because they are the last physical remains of where our ancestors lived. They contain information and data that are reflective of every aspect of tribal culture. These places are where our ancestors lived their daily lives-raising families, carrying out customs and performing ceremonies. In order to preserve these complexes, it is important to not disturb portions of the complex, lest such disturbances are actually destroying the complex itself. It is important to preserve these habitations.

If indiscriminate destruction of individual “sites” or “loci” (i.e., individual features) is allowed to continue with little to no effort put forth by the Lead Agency or Archaeologists to attempt to accommodate both the goal of preservation alongside the goal of development, the only remaining features of our villages will be small portions that have been chosen by archeologists to be “saved” based only on a scientific assessment and valuation of the site rather than the cultural significance attributed to it by the Tribe. This sort of methodology completely ignores the value of an individual feature/site’s contribution to the entire habitation area or cultural landscape and the cultural importance of these villages, habitation areas and cultural landscapes. The Tribe would like to encourage the City as well as archaeologists to not just look at the number of sites or ‘contributing factors’ but to also evaluate how these features relate to each other and to the larger environment or landscape.

Response to Pechanga Band of Luiseño Indians Comment #24

This comment reflects the Tribe’s position that the destruction of cultural resources at any level can be considered a cumulative impact. This comment is acknowledged. Cumulative cultural resource impacts associated with the proposed project are discussed at a programmatic level in Section 4.0 (Cumulative Impacts) of the RDP-EIR. This comment also requests that the City, as well as archaeologists, consider any identified individual feature/site in the context of its relationship to other cultural features/sites and the larger cultural environment/landscape. This comment is acknowledged.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #25

The Tribe encourages the City to work with the Tribe and project archaeologists to take the PEIR goals (5, 6 and 9) and associated policies seriously by preserving, protecting and avoiding historic and cultural sites within the City boundaries and SOI. Early consultation and surface surveys with the Tribe present are key to identification of these resources. Further, resources identified early have a better chance at being avoided through project design and open space designation.

Response to Pechanga Band of Luiseño Indians Comment #25

In this comment, the Tribe encourages the City to work with the Tribe and project archaeologists in the preservation, protection and avoidance of historic and cultural sites within the City and its SOI. The City notes that although this comment refers to “PEIR goals (5, 6 and 9) and associated policies,” the RDP-EIR does not contain goals and policies. Therefore it is understood that this comment refers to the proposed General Plan’s goals and policies that are listed in Table 3.2-3 (General Plan Cultural Resources Goals, Policies and Implementation Programs) on page 3.2-32 of the RDP-EIR.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Pechanga Band of Luiseño Indians Comment #26

The Tribe intends to continue working with the City to ensure that the protection and mitigation language provided for cultural, archaeological and historic resources at the policy level are appropriately addressed. The Tribe thanks the City for the level of consultation that has occurred to date and requests to continue formal government-to-government consultation as the Project progresses. We further request to discuss our recommended changes with the City prior to release of the final PEIR.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide additional comment on the Project's impacts to cultural resources and potential mitigation for such impacts.

The Pechanga Tribe looks forward to working together with the City of Lake Elsinore on current and future projects to protect, preserve and avoid the invaluable Pechanga cultural resources found in the City boundaries and Spheres Of Influence. Please contact me at 951-770-8104 once you have had a chance to review these comments so that we might address our concerns. Thank you.



Response to Pechanga Band of Luiseño Indians Comment #26

This comment describes the Tribe's willingness to continue its consultation with the City on the proposed project and its environmental review process and on current and future projects within the City and its SOI. This comment is acknowledged. The City has and will continue to consult with the Tribe in accordance with existing City procedures and the requirements of SB 18.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Response to
Metropolitan Water District of Southern California
Comment Letter dated: October 19, 2011

The Metropolitan Water District of Southern California (MWD) provided comments regarding the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan in its letter dated October 21, 2011 and received by the City of Lake Elsinore on October 21, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Metropolitan Water District of Southern California Comment #1

The Metropolitan Water District of Southern California (Metropolitan) has reviewed the Recirculated Draft Program Environmental Impact Report (Recirculated Draft EIR) for the proposed Lake Elsinore General Plan Update, Annexation No. 81 (Project). The Project proposes the annexation of approximately 320 acres from the County to the City. This letter contains Metropolitan's comments on the Recirculated Draft EIR as a Responsible Agency.

Response to Metropolitan Water District of Southern California Comment #1

This comment indicates that the Metropolitan Water District of Southern California reviewed the RDP-EIR and includes a reference to Annexation No. 81, which as part of the proposed project proposes the annexation of approximately 320 acres into the City of Lake Elsinore. This comment is acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Metropolitan Water District of Southern California Comment #2

Preliminary review of the Project indicates that some of the proposed annexations are outside of Metropolitan's service area. Please note that any use of or benefits from Metropolitan's imported water will require annexation into Metropolitan's service area. Additionally, as Metropolitan's approval would be required for any annexation into its service area, the Final EIR should identify Metropolitan as a Responsible Agency.

Response to Metropolitan Water District of Southern California Comment #2

This comment states that based upon a preliminary review of the proposed project that MWD concluded that some portions of the project area may require annexation into the MWD service area. This comment is acknowledged. Additionally, MWD has requested that it be included in Final Recirculated Program EIR as a “responsible agency”. In response to this request, Table 2.0-3 (Future Agency Approvals That May Use PEIR) located in Section 2.0 (Project Description) of the RDP-EIR is hereby amended to add MWD as a responsible agency whose “subsequent implementing approval” would be “Approval of any required annexation into the District’s service area.”

No new environmental issues have been raised by this comment and no additional mitigation measures other than the amendment of Table 2.0-3 and no modification of the RDP-EIR are required.

Metropolitan Water District of Southern California Comment #3

Additionally, Metropolitan encourages projects within its service area to include water conservation measures. While Metropolitan continues to build new supplies and develop means for more efficient use of current resources, projected population and economic growth will increase demands on the current system. Water conservation, reclaimed water use, and groundwater recharge programs are integral components to regional water supply planning. Metropolitan supports mitigation measures such as using water efficient fixtures, drought-tolerant landscaping, and reclaimed water to offset any increase in water use associated with the proposed project.

Response to Metropolitan Water District of Southern California Comment #3

This comment states that MWD encourages projects within its service area to include water conservation measures and that it supports mitigation measures to offset any increase in water use associated with the proposed project. The proposed project itself will not directly result in any specific development project; however, the City of Lake Elsinore acknowledges that MWD supports mitigation measures that would offset any increase in water use associated with such projects.

As described in Section 3.16 (Utilities and Service Systems) of the RDP-EIR, water service will be provided within the project boundaries primarily by the Elsinore Valley Municipal Water District. Section 3.16 also describes EVMWD’s best management practices that are part of its water conservation program, and the City of Lake Elsinore’s water efficient landscaping requirements (Lake Elsinore Municipal Code, Title 19, Chapter 19.08).

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Response to RGP Planning & Development Services

Comment Letter dated: October 21, 2011

In its letter dated October 21, 2011 and received by the City of Lake Elsinore on October 21, 2011, RGP Planning & Development Services provided comments regarding the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan (collectively, the "Project") as well as the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the Project. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

RGP Planning & Development Services Comment #1

1. Please clarify which General Plan document (including District Plans) is the one that is analyzed in the DEIR and will be presented to the Planning Commission and City Council for consideration. The City's General Plan Update website (<http://www.lake-elsinore.org/index.aspx?page=794>) provides links to a draft General Plan that is different than the draft General Plan that is available for viewing on another City General Plan Update website (<http://www.lake-elsinore.org/index.aspx?page=909>).

Response to RGP Planning & Development Services Comment #1

This comment is regarding the proposed Project and does not address the environmental analysis contained within the RDP-EIR; therefore no response is required. However in order to clarify the applicable documents that comprise the proposed project, it is noted that the link to the proposed General Plan is <http://www.lake-elsinore.org/index.aspx?page=909>. This is the document that is also available from the City's General Plan Update website links. The previous page identified in this comment is not accessible from links contained on the City's web site. In response to this comment the previous link accessible by typing <http://www.lake-elsinore.org/index.aspx?page=794> has been modified to automatically take the internet user to the correct web page.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #2

2. Page 1-5 of the 2011 draft General Plan document states: "This Plan recognizes the adopted specific plan land uses as well as other existing neighborhoods in the City in a series of District Plans." After completing more than a quarter-century of planning, entitlement and environmental review efforts on the East Lake Specific Plan and nine amendments, The Diamond Specific Plan and the Summerly community, we are sensitive to any goals, policies or objectives in GPU or mitigation measures in the DEIR that could impact the implementation of the approved specific plans. We believe that is not the intent of the draft General Plan; however, we want to avoid potential misinterpretations in the future. Therefore, rather than using the somewhat vague term "recognizes," please incorporate a policy in the General Plan stating that *"the General Plan will not preclude the full implementation of the approved Specific Plans."* If the Specific Plans truly are the baseline conditions under which the General Plan is considered, the recommended language will fortify that underlying condition.

Response to RGP Planning & Development Services Comment #2

This comment is acknowledged. This comment is regarding the proposed Project and does not address the environmental analysis contained within the RDP-EIR; therefore no response is required. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #3

3. Figure 2.6 of the 2011 draft General Plan document incorrectly illustrates that some of the East Lake Specific Plan (ELSP) as "Public/Quasi Public Land." This map should be rectified to match the approved ELSP document as amended. In addition, an area with the same Public/Quasi Public Land designation is not configured correctly. Please see Attachment 1 for notes on the areas in question. The approved 2003 ELSP land use plan and Amendment 8 ELSP are attached as Attachment 2 for your reference. On both maps, the area is identified as Commercial Park (CP). Please correct this on Figure 2.6.

Response to RGP Planning & Development Services Comment #3

This comment is acknowledged. This comment is regarding the proposed Project and does not address the environmental analysis contained within the RDP-EIR; therefore no response is required. However, in response to this comment, Figure 2.6 will be revised to modify the background of the Elsinore Area Trails System figure by replacing the "public/quasi public lands" background with a topographic relief background. This background modification does not affect the proposed trails system, which is the subject of this figure. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #4

4. Figure 2.7 of the 2011 draft General Plan document illustrates the “Airport Influence Area;” however, this area is undefined in the General Plan. It is not clear how the limits of this influence area were derived or how the area impacts the underlying land uses. Additionally, it is our understanding that the FAA has not previously recognized this area or the airstrip as an airport or an airport influence area. Our Clients own property in the area that the plan appears to designate as within the Airport Influence Area; therefore, we are particularly concerned about impacts of this designation on our land use entitlements and property values. Please see Attachment 3 for notes on the areas in question. The issues to be answered in the responses to comments should be whether the City intends for this airstrip land use to be expanded into a fully-recognized airport consistent with FAA rules and regulations, and what environmental impacts will such a use have on the pre-existing entitlements for the East Lake Specific Plan and the subsequent amendments?

Response to RGP Planning & Development Services Comment #4

This comment is acknowledged. This comment is regarding the proposed Project and does not address the environmental analysis contained within the RDP-EIR; therefore no response is required. However, in response to this comment, Figure 2.7 will be revised to add the following footnote which provides a definition for “Airport Influence Area”:

*Airport Influence Areas are delineated by local Airport Land Use Commissions as specified by the California Department of Transportation, Division of Aeronautics in their Airport Land Use 2002 Planning Handbook. It is the area in which current or future airport-related noise, overflight, safety, and/or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses. In most circumstances, the airport influence area is designated by the ALUC as its planning area boundary for the airport and the two terms can be considered synonymously.”

It is also noted that the boundaries of the Airport Influence Area for the Skylark Airport comes from the Riverside County Airport Land Use Commission land use compatibility plans (Accessed on November 7, 2011 at http://www.rcaluc.org/plan_old.asp). These boundaries are also shown on the Riverside County General Plan Elsinore Area Plan, Figure 5 (accessed on November 7, 2011 at http://www.rctlma.org/genplan/content/ap1/elsinore.html#List_1_5). No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #5

5. See comments in #3 above related to Figure 2.8 of the 2011 draft General Plan document. In addition, a proposed park is shown in the ELSP area, adjacent to Mission Trail; however, it is not clear which park is proposed at this location. Please see Attachment 4 for notes on the areas in question.

Response to RGP Planning & Development Services Comment #5

This comment is acknowledged. This comment is regarding the proposed Project and does not address the environmental analysis contained within the RDP-EIR; therefore no response is required. However, it is noted that the park shown in the East Lake Specific Plan area is a condition of approval for the East Lake Specific Plan, Amendment No. 8 (Waterbury).

Additionally, in response to this comment, Figure 2.8 will be revised to modify the background of the General Plan Parks figure by replacing the “public/quasi public lands” background with a topographic relief background. This background modification will not affect the identification of existing and proposed parks, which is the subject of this figure. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #6

6. Page EL-7 of the 2011 draft District Plans document includes policies EL 1.1, 1.3 and 1.4 that provide direction on compatibility between residential and commercial uses and the airport and the motocross. We support the continuation of these uses; however, it is important to note that residential and commercial uses have been approved on nearby properties and certain desirable recreational and sport activities are contemplated by the Master Developer. As stated in comment #2 above, the ability to implement the approved Specific Plans must not be compromised by the policies in this document.

Response to RGP Planning & Development Services Comment #6

This comment is acknowledged. This comment is regarding the proposed Project and does not address the environmental analysis contained within the RDP-EIR; therefore no response is required. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #7

7. Mitigation Measure (MM) Land Use 3 on Page S.0-28 of the DEIR states:

Each project will be reviewed for its consistency with the Land Use Planning Handbook Recommendations when individual projects are proposed. This review will include analysis and subsequent review under CEQA. The feasibility of the proposed mitigation measures must be determined on a project-specific level.

This MM is recommended to address a potential impact associated with future development that may be consistent with the General Plan and District Plan but inconsistent with other existing uses; however, it is not clear where this mitigation measure should be applied. Logically this MM should only be applicable to new land uses adjacent to an *existing* airport; however, the extent of the area adjacent to an airport is not identified in this DEIR section or in Section 3.1, Land Use. Related to our client's properties adjacent to the Skylark airport, this MM is not appropriate because the properties are already entitled pursuant to the approved Specific Plans. Therefore, the consistency between the approved land uses and the Skylark airport have already been considered and further consistency review is not necessary unless specifically indicated in the Specific Plan or approved mitigation measures. Clarification should be provided on the extent this MM should be applied and that land uses pursuant to approved Specific Plans are exempt from this MM.

Response to RGP Planning & Development Services Comment #7

This comment is acknowledged. A review of the Supplemental Environmental Impact Report ("SEIR") that was prepared for Amendment No. 6 of the East Lake Specific Plan shows that the SEIR addressed Skylark Airport and states that the "adopted mitigation measures as detailed in the original ELSP remain valid for Land Use and Planning impacts. Among other measures, the EIR measures detail requirements and restrictions related to the existing and future airfield use." (Page 4.1-10 of the SEIR) The mitigation measures for the original ELSP, which are still applicable to the East Lake Specific Plan state that "Residential uses within any established airport pattern area shall be limited to suggested densities in the Airport Land Use Planning Handbook or other appropriate planning standard." (Page 3-10 of the Final EIR for the East Lake Specific Plan). Therefore, mitigation measure MM Land Use 3 is consistent with the mitigation measures imposed upon development within the Eastlake Specific Plan by the project-specific Environmental Impact Report.

However, the City acknowledges that mitigation measure MM Land Use 3 is applicable in only a limited portion of the East Lake District. Therefore mitigation measure MM Land Use 3 is hereby amended as follows:

MM Land Use 3: Each project within the Skylark Airport Influence Area, as shown on Figure 2.7 of the General Plan, will be reviewed for its consistency with the Airport Land Use Planning Handbook Recommendations when individual projects are proposed. This review will include analysis and

subsequent review under CEQA. The feasibility of the proposed mitigation measures must be determined on a project-specific level.

The above-described edits merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #8

8. MM Land Use 4 on Page S.0-28 of the DEIR states:

If the motocross track is relocated adjacent to the new location for the airport, future development within the East Lake District Plan shall be required to conform with mitigation measures identified in the East Lake Specific Plan EIR...The subsequent project-level review will include an analysis of potential land use compatibility issues with locating the motocross site in proximity to the airport.

Please clarify the new location for the airport. There is no discussion about a proposed location of the airport in the General Plan or DEIR. If a new location for the airport is proposed, the impact of the airport on the existing and approved land uses should be analyzed in the DEIR. It is also not clear how the relocation of the motocross track relates to new development complying with the ELSP EIR. Finally, the last sentence pertaining to subsequent project-level review is confusing. Is the subsequent project-level environmental review associated with the new motocross site, other development in the ELSP or the airport?

Response to RGP Planning & Development Services Comment #8

In response to this comment, the City has reviewed the RDP-EIR and the wording of mitigation measure MM Land Use 4 and reviewed the adopted East Lake Specific Plan and concurs that the wording of the mitigation measure requires clarification and therefore, mitigation measure MM Land Use 4 is hereby amended as follows:

MM Land Use 4: If the motocross track is relocated ~~adjacent to the new location for the airport~~, future development within the East Lake District Plan shall be required to ~~comply~~ conform with mitigation measures identified in the East Lake Specific Plan EIR. ~~These measures are summarized in Table 3.1-6 of this EIR.~~ However, additional project-specific CEQA environmental analysis and review will be required when a detailed project is proposed at the new motocross site. ~~The subsequent~~This project-level review will include an analysis of potential land use compatibility issues ~~with locating the motocross site in proximity to the airport~~.

The above-described edits merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. No new environmental issues have been raised

by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #9

9. MM Noise 4, pg. S.0-39 of the DEIR states:

For projects proposing new recreational uses or increased intensity of recreational activity in proximity to sensitive receptors, the City shall require the project applicant to demonstrate the recreational use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels. For projects proposing new residential uses in proximity to recreational areas, the City shall require the project applicant to demonstrate the recreational use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

The bolded statement above seems to confuse what land use would be subject to additional burdens related to demonstrating compliance with the City's noise standards. A project applicant proposing a residential development on a particular site should not be required to show a different site's recreational use is in compliance with the City noise standards. In addition, this MM does not consider the existence of approved land uses as part of adopted Specific Plans, which would not be subject to these requirements. It would customarily be the responsibility of the new land use to provide mitigation to the existing and pre-committed land uses as part of its approvals and certifications. That does not appear to be what MM Noise 4 is requiring.

Response to RGP Planning & Development Services Comment #9

In response to this comment, the City has reviewed the wording of mitigation measure MM Noise 4. The City concurs that the wording of the mitigation measure is unclear and therefore, mitigation measure MM Noise 4 is hereby amended as follows:

MM Noise 4: For projects proposing new recreational uses or increased intensity of recreational activity in proximity to sensitive receptors, the City shall require the project applicant to demonstrate the recreational use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

For projects proposing new residential uses in proximity to recreational areas, the City shall require the project applicant to demonstrate the recreational residential use's compliance with City noise standards with respect to the existing recreational areas. Where project-specific analysis determines that noise

standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

The above-described edits merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #10

10. Pg. S.0-55, of the DEIR states:

The Land Use Plan would allow development of residential and commercial uses in the vicinity of the airport. However, no features of the GPU or the Land Use Plan would conflict with requirements of the FAA regarding proximity of development to airports. All future development proposed within proximity to the airport would be required to comply with FAA regulations to ensure that future residents or employees are not subject to significant hazards. The potential inconsistencies of future development with the densities allowed for in the Land Use Planning Handbook are considered to be a potentially significant land use compatibility impact at a programmatic level.

See comment under #7, above as well as # 4 above under the GPU heading.

Response to RGP Planning & Development Services Comment #10

This comment is acknowledged. See the above Response to RGP Planning & Development Services Comment # 4 and Response to RGP Planning & Development Services Comment # 7.

RGP Planning & Development Services Comment #11

11. MM Hazards 4, Pg. S.0-55 of the DEIR states:

Proposed development projects within proximity to the Skylark Airport will be evaluated for consistency with continued operations at the airport. The project applicant of each such development project shall comply with the applicable requirements of the Federal Aviation Administration (FAA) regarding any encroachment into the airport's navigable airspace in accordance with Federal Aviation Regulations (FAR) Part 77.

See comment under #7, above pertaining to CEQA, and #4 above under the GPU heading. The comments are further expanded to request a definition of whether the subject airport is a special use airport for which its approved scope of activities and operating hours are fully known, and to what extent it is addressed through the Riverside County Airport Land Use Plan administered by ALUC.

Response to RGP Planning & Development Services Comment #11

This comment is acknowledged. See the above Response to RGP Planning & Development Services Comment # 4 and Response to RGP Planning & Development Services Comment # 7.

As described on page 3.10-24 of the RDP-EIR, "Skylark Airport is a private use airport with runways that are 2,800 feet in length and fall under the category of Short General Aviation Runways." This description is consistent with descriptions of the airport found on page 4.6-8 of the Draft Supplemental EIR prepared for Amendment No. 6 of the Eastlake Specific Plan and on page 3.7-12 of the Draft Supplemental EIR prepared for Amendment No. 8 to the specific plan.

In his response dated July 6, 2011 to the Notice of Preparation (Reissued) John Guerin, Principal Planner, Riverside County TLMA/Airport Land Use Commission Staff (See Appendix A of the RDP-EIR) states that "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."

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #12

12. Pg. 3.1-35 of the DEIR states:

Land Use Incompatibility. Within the traffic pattern zone of Skylark Airport, the Airport Land Use Planning Handbook recommends no more than 3 du/acre and exclusion of areas that attract large assemblages of people to minimize hazards including fuel spills. Low-medium residential areas (1-6 du/acre) currently exist and are designated in the Land Use Plan adjacent to the airport use area. The potential inconsistencies of future development with the densities allowed for in the Land Use Planning Handbook are considered to be a significant land use compatibility impact at a programmatic level. However, each project will be reviewed for its consistency with the Land Use Planning Handbook Recommendations when individual projects are proposed. This review will include analysis and subsequent review under CEQA.

See comment under #7 and #11, above.

Response to RGP Planning & Development Services Comment #12

This comment is acknowledged. See the above Response to RGP Planning & Development Services Comment # 7 and Response to RGP Planning & Development Services Comment # 11.

RGP Planning & Development Services Comment #13

13. Pg. 3.1-36 of the DEIR states:

Impacts of proposed motocross track: According to the East Lake Specific Plan Amendment No. 8 EIR, noise impacts will be less than significant with the use of setbacks from surrounding land uses. The relocation of the motocross track to the southernmost parcel of East Lake Specific Plan Amendment 8 planning area would be consistent with recreation land use set forth in the GPU and the developed open space land use set forth in the East Lake Specific Plan Amendment 8 EIR. Therefore, according to the East Lake Specific Plan Amendment 8 EIR, impacts on land use compatibility would be less than significant.

The above statement indicates that setbacks around the future motocross track will be required; however, it is not clear how large these setbacks will be or how they will impact the approved land uses in the ELSP. As stated in comment number 6 above, Civic Partners and McMillin Summerly, LLC support the continuation of the motocross use; however, it is important to note that residential and commercial uses have been approved on nearby properties. To ensure these approved uses can be implemented as planned, an additional policy statement should be added like the one suggested in comment #2, above that protects the ability to implement the approved Specific Plans.

Response to RGP Planning & Development Services Comment #13

This comment is acknowledged. It is noted that mitigation measure MM 3.8-11 as set forth on page 3.8-15 of the Supplemental EIR for the East Lake Specific Plan, Amendment No. 8 (Waterbury) requires that “All motocross activities shall be located at a minimum of 600 feet from the nearest residence.”

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #14

14. See comments 3 and 5 above regarding Figure 3.15.1 of the DEIR.

Response to RGP Planning & Development Services Comment #14

This comment is acknowledged. See the above Response to RGP Planning & Development Services Comment # 7 and Response to RGP Planning & Development Services Comment # 11. Additionally, in response to this comment, Figure 3.15-1 of the RDP-EIR will be revised to modify the background of the General Plan Parks figure by replacing the “public/quasi public lands” background with a topographic relief background. This background modification will not affect the identification of existing and proposed parks, which is the subject of this figure.

The above-described edits merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. No new environmental issues have been raised

by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

RGP Planning & Development Services Comment #15

15. See comments 10 through 12 regarding Pgs. 3.10-24 and -25 of the DEIR

Response to RGP Planning & Development Services Comment #15

This comment is acknowledged. See the above Response to RGP Planning & Development Services Comment # 10 through Response to RGP Planning & Development Services Comment # 12. See also the above Response to RGP Planning & Development Services Comment # 7.

This comment is acknowledged. A review of the Supplemental Environmental Impact Report ("SEIR") that was prepared for Amendment No. 6 of the East Lake Specific Plan shows that the SEIR addressed Skylark Airport and states that the "adopted mitigation measures as detailed in the original ELSP remain valid for Land Use and Planning impacts. Among other measures, the EIR measures detail requirements and restrictions related to the existing and future airfield use." (Page 4.1-10 of the SEIR) Additionally, Response 2-5 on page 3-13 of the Final SEIR states "Land Use Mitigation Measure No. 3 in the 1993, certified East Lake Specific Plan mandates compliance with Federal Aviation Administration Part 77 requirements and remains valid for the Amendment No. 6 project area." Therefore, mitigation measure MM Hazards 4 is consistent with the mitigation measures imposed upon development within the Eastlake Specific Plan by the project-specific Environmental Impact Report.

However, the City acknowledges that mitigation measure MM Hazards 4 is applicable in only a limited portion of the East Lake District. Therefore mitigation measure MM Hazards 4 is hereby amended as follows:

MM Hazards 4: Proposed development projects within proximity to the Skylark Airport the Skylark Airport Influence Area, as shown on Figure 2.7 of the General Plan will be evaluated for consistency with continued operations at the airport. The project applicant of each such development project shall comply with the applicable requirements of the Federal Aviation Administration (FAA) regarding any encroachment into the airport's navigable airspace in accordance with Federal Aviation Regulations (FAR) Part 77.

The above-described edits merely provides a minor modification that clarifies the analysis and conclusions already presented in the RDP-EIR. No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the RDP-EIR are required.

**Response to
Sierra Club – San Gorgonio Chapter
E-Mail dated: October 21, 2011**

The Sierra Club – San Gorgonio Chapter provided comments regarding Appendix G (Climate Action Plan) of the Recirculated Draft Program Environmental Impact Report (“RDP-EIR”) (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the “3rd Street Annexation”), Downtown Master Plan, Housing Element, and Climate Action Plan in its e-mail dated October 21, 2011 and received by the City of Lake Elsinore on October 21, 2011. The following discussion provides responses to those comments. The responses and any edits provided below merely clarify and amplify the analysis and conclusions already presented in the RDP-EIR. The environmental issues raised in the comment letter and responded to below do not present any substantial evidence showing any new or different potentially significant impacts as defined by State CEQA Guidelines Section 15088.5.

Sierra Club Comment #1

1. The proposed Climate Action Plan as described on the City of Lake Elsinore's Web site as part of the proposed General plan amendment is totally inadequate. A hollow document intended to give the appearance of complying with California mandated AB 32 when in fact it proposes nothing to reduce Green House gases not already mandated by Current California law.

Reduction of Green House Gases by the City of Lake Elsinore proposed "Climate Action Plan" are less or no greater than statewide mandated Green House reductions already approved by California regulations and law. In other words the City meets its stated goals by proposing nothing more than is already (or will be) required by state law. The Climate Action is a sham Climate Action Plan and a disservice to the citizens (made up of trusting and innocent men, women and children) who will pay the price of this proposal.

Response to Sierra Club Comment #1

The Climate Action Plan was developed to guide the City of Lake Elsinore's efforts to mitigate its impact on climate change and to maintain consistency with statewide greenhouse gas (GHG) emission targets established by Assembly Bill (AB) 32 and Executive Order S-3-05. As stated on page 3.7-27 of the RDP-EIR:

“To meet the emissions reduction targets, the proposed Climate Action Plan (CAP) identifies a combination of state-level regulations and local strategies and measures in the focus areas of Transportation and Land Use, Energy, Solid Waste, and Public Education and Outreach. The strategies and measures were selected to build on the policy direction of the General Plan, and take into consideration planned City capital improvements, policies of neighboring jurisdictions and regional agencies, regional and statewide best practices, public and private costs and savings; co-benefits; measures recommended by the State

Attorney General's Office, California Air Resources Board (CARB) and California Air Pollution Control Officers Association (CAPCOA); City staff input, public comments, and other information provided by residents and stakeholders collected during the public outreach process."

Therefore, as explained in the RDP-EIR, the CAP includes a range of strategies and measures that are more extensive than the implemented by State laws and regulations. As described in Section 3.7 (Greenhouse Gas Emissions) of the RDP-EIR and the Climate Action Plan (Appendix G of the RDP-EIR) the resultant strategies and measures that are set forth in the CAP will enable the City to exceed GHG targets established by AB 32.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Sierra Club Comment #2

2. Efficiencies claimed for the installation of energy saving devices by the city are nothing more than normal required equipment replacement with more efficient devices of later and newer makeup which the city would have had to install anyway. Replacement of worn out equipment that will take place regardless of whether the city has a "Climate Action Plan is not sufficient and does not meet the intent or requirements of AB32.

Response to Sierra Club Comment #2

This comment is acknowledged. See the Response to Sierra Club Comment #1.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Sierra Club Comment #3

3. The climate action plan does not contain mention of the promotion of locally produced farm products. Farming is not encouraged in any way. The obvious energy savings of locally produced vegetables and farm produce is not addressed and should be. Cities throughout California are adopting the support of local farming in their Climate Action Plans, so should the city of lake Elsinore.

Response to Sierra Club Comment #3

This comment is acknowledged. No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

Sierra Club Comment #4

3. Support for bicycles transportation is almost non-existent. Specific, concrete actions to be taken by the City in the years of this plan or virtually non-existent. Showers and changing rooms for bicyclists as a worthy goal is not a Bicycle plan. The Climate action plan does not contain a realistic bicycle plan .

Response to Sierra Club Comment #4

This comment is acknowledged. This comment is incorrect in stating that “support for bicycles transportation is almost non-existent.” As described on page 3.4-115 in Section 3.4 (Transportation and Circulation) of the RDP-EIR, the proposed project includes a proposed bikeways map (Figure 2.5 of the proposed General Plan)² and a description of the proposed General Plan’s Section 2.4 (Circulation) goals, policies and implementation program that supports the implementation of a system of bike lanes throughout the City. The Climate Action Plan recognizes and expands upon the proposed General Plan’s bikeway system.

No new environmental issues have been raised by this comment and no additional mitigation measures and no modification of the RDP-EIR are required.

² It is noted that in the first sentence on page 3.4-115 of the RDP-EIR the reference to the General Plan’s bikeway map incorrectly cites the General Plan figure as “Figure 2.6”. The correct figure number is “Figure 2.5”. The reference to the General Plan figure will be revised to reflect the correct figure number. This modification only corrects a minor inaccuracies and does not affect the analysis and conclusions presented in the RDP-EIR

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Section 2.0 – Response to Comments

2.2 COPIES OF COMMENT LETTERS

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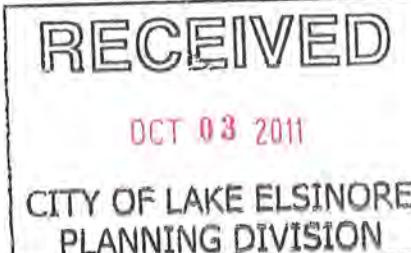
NATIVE AMERICAN HERITAGE COMMISSION

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September 30, 2011

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



Re: SCH#200521019; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "General Plan Update; Annexation No. 81; Downtown Master Plan; Housing Element, and Climate Change Plan Project;" located in Los Alamitos area; Orange County, California

Dear Mr. MacHott:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The NAHC wishes to comment on the proposed project. This project is subject to California Government Code §§65352.3, 65352.4, 65560, *et seq.* (SB 18)

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were identified** in the USGS coordinates identified. Also, the absence of archaeological resources does not preclude their existence.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends avoidance as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

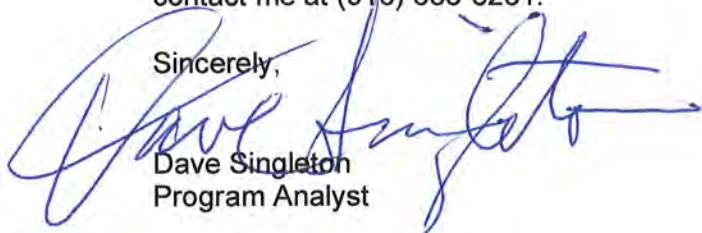
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing

relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts

Riverside County

September 30, 2011

Los Coyotes Band of Mission Indians
Shane Chapparosa, Spokesperson
P.O. Box 189 Cahuilla
Warner , CA 92086
loscoyotes@earthlink.net
(760) 782-0711
(760) 782-2701 - FAX

Pala Band of Mission Indians
Tribal Historic Preservation Office/Shasta Gaugher
35008 PalaTemecula Road, PMB Luiseno
Pala , CA 92059 Cupeno
sgaughen@palatribe.com
(760) 891-3515

(760) 742-3189 Fax

Pauma & Yuima Reservation
Randall Majel, Chairperson
P.O. Box 369 Luiseno
Pauma Valley CA 92061
paumareservation@aol.com
(760) 742-1289
(760) 742-3422 Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resource Center
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.
gov
(951) 506-9491 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Rincon Band of Mission Indians
Tiffany Wolfe, Cultural & Environmental
P.O. Box 68 Luiseno
Valley Center, CA 92082
twolfe@rincontribe.org
(760) 297-2632
(760) 297-2639 Fax

Soboba Band of Mission Indians
Scott Cozaet, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsn.gov
(951) 654-2765
(951) 654-4198 - Fax

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

Distribution of this list does not relieve any person of the 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 for contacting local Native Americans with regard to cultural resources for the proposed SCH#2005121019; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for General Plan Update; Annexation No. 81; Downtown Master Plan; Housing Element; Climate Change Plan; located in the City of Lake Elsinore; southwestern Riverside County, California.

Native American Contacts

Riverside County

September 30, 2011

Rincon Band of Mission Indians
Bo Mazzetti, Chairperson
P.O. Box 68 Luiseno
Valley Center, CA 92082
bomazzetti@aol.com
(760) 749-1051
(760) 749-8901 Fax

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

San Luis Rey Band of Mission Indians
Tribal Council
1889 Sunset Drive Luiseno
Vista, CA 92081
760-724-8505
760-724-2172 - fax

Willie J. Pink
48310 Pechanga Road Luiseno
Temecula , CA 92592
wjpink@hotmail.com
(909) 936-1216
Prefers e-mail contact

San Luis Rey Band of Mission Indians
Cultural Department
1889 Sunset Drive Luiseno
Vista , CA 92081 Cupeno
760-724-8505
760-724-2172 - fax

La Jolla Band of Mission Indians
ATTN: Rob Roy, Environmental Director
22000 Highway 76 Luiseno
Pauma Valley CA 92061
rob.roy@lajolla-nsn.gov
(760) 742-3796
(760) 742-1704 Fax

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

Distribution of this list does not relieve any person of the 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 for contacting local Native Americans with regard to cultural resources for the proposed SCH#2005121019; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for General Plan Update; Annexation No. 81; Downtown Master Plan; Housing Element; Climate Change Plan; located in the City of Lake Elsinore; southwestern Riverside County, California.

Native American Contacts

Riverside County
September 30, 2011

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

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ah Hoover@pechanga-nsn.gov
951-770-8100
(951) 694-0446 - FAX

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

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

Distribution of this list does not relieve any person of the 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 for contacting local Native Americans with regard to cultural resources for the proposed SCH#2005121019; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for General Plan Update; Annexation No. 81; Downtown Master Plan; Housing Element; Climate Change Plan; located in the City of Lake Elsinore; southwestern Riverside County, California.



Department of Toxic Substances Control



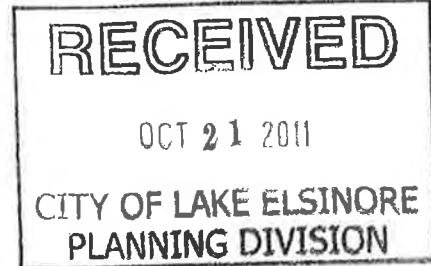
Matthew Rodriguez
Secretary for
Environmental Protection

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

Edmund G. Brown Jr.
Governor

October 20, 2011

Mr. Richard J. Machott
City of Lake Elsinore
130 South Main Street
Lake Elsinore, California 92530



DRAFT ENVIRONMENTAL IMPACT STATEMENT /ENVIRONMENTAL IMPACT REPORT FOR LAKE ELSINORE GENERAL PLAN UPDATE.

Dear Mr. Machott:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of the Environmental Impact Report for the above-mentioned project. The following project description is stated in your document: "The proposed project involves a series of proposed changes to the General Plan's Land Use Map, land use designations, and goals, policies and implementation. The proposed project will set the standards for development within the City for the next twenty years. The City's objectives for the proposed project are as follows:

- Update the City's environmental baseline (i.e., existing) conditions to the year 2005 (2007 for the Housing Element).
- Create a General Plan consistent with state law that guides City planning until 2030 and update the General Plan development projections for the year 2030, including projections for dwelling units, non-residential square footage, population and employment.
- Update the Housing Element of the General Plan (separately bound).
- Establish District Plans as part of the Land Use Element to allow for more focused planning of the City's many diverse neighborhoods.
- Incorporate a Downtown Master Plan into the Historic District Plan to guide the future development of the City's historic downtown core.
- Establish new land use designations including Gateway Commercial, Downtown Recreational, Commercial Mixed Use, Residential Mixed Use, and Lakeside Residential

- Create a Land Use Plan that encourages the creation of a vibrant and active downtown and a lake destination.
- Create a plan to preserve the unique topography and visual character of the City through the preservation of steep slopes, ecologically significant areas, and public open space.
- Incorporate a program for sustainable development into the General Plan, drawn from the City's Climate Action Plan (2011).
- Create a General Plan that recognizes the rich history of the City and seeks to preserve its historical resources.
- Create a user-friendly plan for City officials, staff, residents, and stakeholders of the City of Lake Elsinore.”.

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

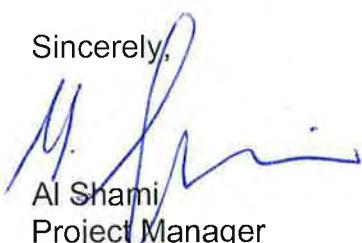
Mr. Richard J. Machott
October 20, 2011
Page 4

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, or contact Ms. Maryam Tasnif-Abbas, 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, 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

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

CEQA # 3338



STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor



Ken Alex
Director

October 24, 2011

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

Subject: General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, Climate Action Plan
SCH#: 2005121019

Dear Richard J. MacHott:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on October 21, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Document Details Report
State Clearinghouse Data Base

SCH#	2005121019
Project Title	General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, Climate Action
Lead Agency	Plan Lake Elsinore, City of

Type	EIR	Draft EIR
Description	CA Government Code Section 65300 requires each city and county in CA to adopt a comprehensive, long-term general plan. The City of Lake Elsinore has prepared 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.	

Lead Agency Contact

Name	Richard J. MacHott	
Agency	City of Lake Elsinore	
Phone	(951) 674-3124 ext. 209	Fax
email	rmachott@lake-elsinore.org	
Address	130 S. Main Street	
City	Lake Elsinore	State CA Zip 92530

Project Location

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

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

Project Issues	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; Aesthetic/Visual; Economics/Jobs
-----------------------	--

Reviewing Agencies	Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Department of Housing and Community Development; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission
---------------------------	--

Date Received 09/07/2011 **Start of Review** 09/07/2011 **End of Review** 10/21/2011

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
 ds_nahc@pacbell.net

September 30, 2011

RECEIVED

OCT - 3 2011

STATE CLEARING HOUSE



Mr. Richard MacHott, Planner
City of Lake Elsinore
 130 South Main Street
 Lake Elsinore, CA 92530
 2005121019

Attn
 10/21/11
 P

Re: SCH#200521019, CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "General Plan Update; Annexation No. 81; Downtown Master Plan; Housing Element, and Climate Change Plan Project," located in Los Alamitos area; Orange County, California

Dear Mr. MacHott:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The NAHC wishes to comment on the proposed project. This project is subject to California Government Code §§65352.3, 65352.4, 65560, *et seq.* (SB 18)

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were identified in the USGS coordinates identified.** Also, the absence of archaeological resources does not preclude their existence.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends avoidance as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interior's Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's Standards include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

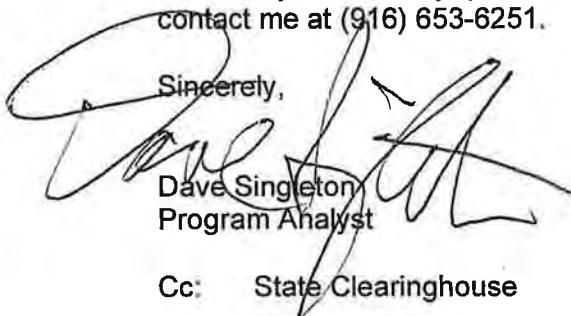
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing

relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,


Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

September 23, 2011

Riverside Transit Agency
1825 Third Street
P.O. Box 59968
Riverside, CA 92517-1968
Phone: (951) 565-5000
Fax: (951) 565-5001

Mr. Richard J. MacHott
Environmental Planning Consultant
Community Development Department – Planning Division
City of Lake Elsinore
130 S. Main Street
Lake Elsinore, CA 92530

Subject: Lake Elsinore General Plan Update



Dear Mr. MacHott:

Thank you for the opportunity for Riverside Transit Agency (RTA) to review the Draft Environmental Impact Report for the City of Lake Elsinore. The current General Plan includes a comprehensive set of goals and policies that is inclusive of ways to strengthen transportation and circulation. These include coordination efforts, improving corridors, allowing for multiple modes of travel and other policies encouraging transit.

Public transportation is an integral part to building sustainable communities and we appreciate the opportunity to work with the city to enhance public transit as a viable transportation alternative. Upon reviewing your draft General Plan, additional elements may be recognized to advance public transit.

- Coordination of land use characteristics with transit corridors. Higher density designated areas are more likely to require public transportation and planning for more transit stops will be essential.
- Integrate methods that will allow buses to stop at transit stops while not disrupting vehicular traffic.
 - One strategy is to having the outer traffic lane twenty feet wide, including the bike lane. While this creates a safer condition for the bus to stop, it also provides a greater distance between pedestrians and vehicular traffic.
 - In cases where the outer lane is less than twenty feet wide, consider a turnout for the bus at the stop location. (See Exhibit A for an example of a turnout design).
- Have transit stops located at far side locations from intersections where traffic is likely to be clear -allowing buses easier mobility (See Exhibit B for illustrations).
- Similar to sidewalks, accessibility to transit stops must meet ADA requirements. A part of that requirement is having a continuous paved connection to and from the stop. Most commonly, these are sidewalks and at the stop itself, provide clearance for wheelchair movement (See Exhibit C for examples).
- Provide amenities for transit users such as lighting, shelters and benches.

For more information on design guidelines for transit bus service please see RTA's *Design Guidelines for Bus Transit* document at <http://www.riversidetransit.com/about/guidelines.htm>.

Please do not hesitate to contact me with any questions by phone at (951)565-5166 or email at lmueluna@riversidetransit.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Lorelle Moe Luna".

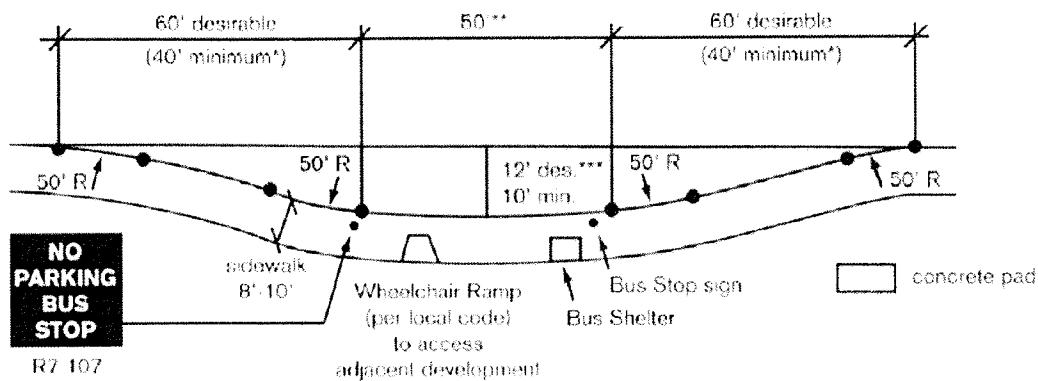
Lorelle Moe Luna
Interim Director of Planning

Attachment A:

FIGURE 31

Design parameters for large bus turnout

Not to scale

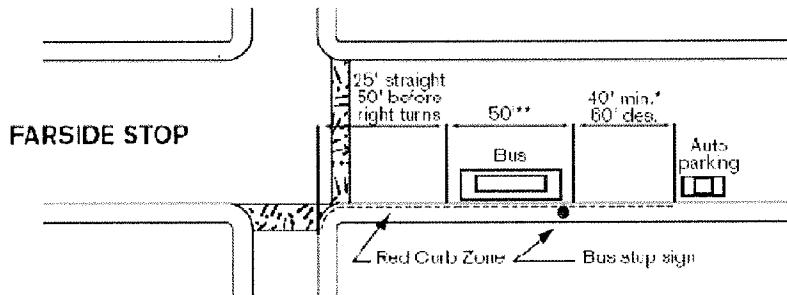


* 40' minimum for low speed and low volume streets; 60' desirable for high speed and high volume streets.

** This 50' berth is for a single 40' vehicle. For articulated vehicles, a 70' berth is necessary.

*** 10' minimum for low speed and low volume streets; 12' desirable for high speed and high volume streets

Attachment B:



* 40' minimum for low speed and low volume streets 60' desirable for high speed and high volume streets.

** This 50' berth is for a single large 40' long vehicle. For articulated vehicles, a 70' berth is necessary. These dimensions are for one bus position only; if more positions are required at a stop, see Figure 9 on how to estimate the length needed for multiple berths.

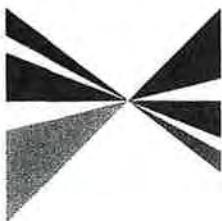
Attachment C:



(Sidewalks separated from the street by grass are not ADA compliant for bus stops)



(Sidewalk designs should eliminate landscape buffering to comply with ADA law)



**ASSOCIATION of
GOVERNMENTS**

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

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f (213) 236-1825

www.scag.ca.gov

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Pam O'Connor, Santa Monica
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Glen Becerra, Simi Valley
Second Vice President
Greg Pettis, Cathedral City
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**Executive/Administration
Committee Chair**

Pam O'Connor, Santa Monica

Policy Committee Chairs

Community, Economic and
Human Development
Bill Jahn, Big Bear Lake
Energy & Environment
Margaret Clark, Rosemead
Transportation
Paul Glaab, Laguna Niguel

October 19, 2011

Mr. Richard J. MacHott
Environmental Planning Consultant
Community Development Department – Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530
rmachott@lake-elsinore.org

RECEIVED

OCT 21 2011

**CITY OF LAKE ELSINORE
PLANNING DIVISION**

RE: SCAG Comments on the Draft Environmental Impact Report for Lake Elsinore General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, Climate Action Plan Project [I20110137]

Dear Mr. MacHott:

Thank you for submitting the **Draft Environmental Impact Report for the Lake Elsinore General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, Climate Action Plan Project [I20110137]** to the Southern California Association of Governments (SCAG) for review and comment. 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 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act (CEQA) Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act Guidelines, Sections 15125 and/or 15206. The proposed project involves a series of changes to the City of Lake Elsinore General Plan Land Use Map, land use designations and goals, policies and implement, which will set the standards for development within the City for the next twenty years.

We have evaluated this project based on the policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision Principles that may be applicable to your project. The RTP and Compass Growth Visioning Principles can be found on the SCAG web site at: <http://scag.ca.gov/igr>. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. Please send a copy of the Final Environmental Impact Report (FEIR) ONLY to SCAG's main office in Los Angeles for our review. If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895. Thank you.

Sincerely,

 JACOB LIEB, Manager
 Environmental and Assessment Services

**COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
LAKE ELSINORE GENERAL PLAN UPDATE, ANNEXATION NO. 81,
DOWNTOWN MASTER PLAN, HOUSING ELEMENT, CLIMATE ACTION PLAN
PROJECT [I20110137]**

PROJECT LOCATION

The City of Lake Elsinore is located in the southwestern portion of Riverside County. The City encompasses approximately 43 square miles (27,747 acres). 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. 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. The City's Sphere of Influence is more than 72 square miles and includes the land within City boundaries as well as unincorporated land surrounding the City to the north, west and south.

PROJECT DESCRIPTION

The proposed project consists of five separate parts: Lake Elsinore General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element and Climate Action Plan.

General Plan Update: 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. 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. 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 asset 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.

Annexation No. 81: Also known 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. The 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 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, Camborn 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 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.

Housing Element: 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 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 emission targets for years 2020 and 2030, consistent with the with the State of California's emissions reduction targets, as well as strategies and measures to meet these targets. The CAP is also intended to support tiering and streamlining of future projects within Lake Elsinore.

RHNA IMPLICATIONS

The annexation may involve the transfer of housing need determined by the Regional Housing Need Assessment (RHNA) process. Per state housing law, if the County and annexing city reach a mutually acceptable agreement on the number of housing units transferred after annexation, the parties are required to notify SCAG within 90 days after the date of annexation. In the event that both parties cannot reach an agreement, either party may submit a written request to SCAG for a determination on the RHNA allocation for the annexed area. SCAG is currently developing a policy as part of its 5th RHNA cycle methodology to address the determination of future housing need below the jurisdictional level related to an annexation.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The Draft Environmental Impact Report (DEIR) should reflect the most recently adopted SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and city are as follows:

Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted Gateway Cities WRCOG Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	1,735,426	1,918,962	2,096,544	2,262,992	2,414,256	2,550,867
Households	546,047	609,219	671,933	727,622	780,743	828,547
Employment	588,523	691,260	797,626	901,163	1,005,923	1,098,233

Adopted City of Lake Elsinore Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	51,138	61,045	69,558	78,044	85,376	92,438
Households	15,239	18,149	21,022	23,898	26,448	28,662
Employment	12,152	13,525	15,006	16,487	18,012	19,297

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008.

SCAG Staff Comments:

Page 3.1-30 indicates that the DEIR population, household and employment analyses were based on 2008 RTP Regional Growth Forecasts.

The **2008 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:

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*
- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*
- RTP G7** *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

SCAG Staff Comments:

Where applicable, SCAG staff finds that the proposed project generally meets consistency with Regional Transportation Plan Goals. The proposed project is not applicable to RTP G2, G3 and G7 because the proposed project is not transportation related.

SCAG staff finds that the proposed project generally meets consistency with RTP G1. The proposed project includes implementation of individual bikeway, transit and roadway projects in accordance with the Land Use plan associated with future population growth. (Pages 3.4-115 – 3.4-116).

Per RTP G4, the proposed project generally meets consistency. According to Page 3.4-115, the proposed project plans to accommodate future travel demand including road improvements, new bikeways and public transit.

SCAG staff finds that the proposed project is partially consistent with RTP G5. Per page 3.8-17, the

proposed project aims to protect and ensure conservation of the regional ecology, biological resources, wetlands, and other aquatic resources where feasible. However, the implementation of the proposed project would result in construction and operational air quality impacts including vehicular emissions and common emitters associated with residential and commercial development (Page 3.6-24).

SCAG staff finds the proposed project generally meets consistency with RTP G6. Page 3.4-49 refers to General Plan Policy 9.1, which emphasizes interface when implementing the proposed project between existing and proposed transportation facilities.

COMPASS 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.

- GV P1.1** *Encourage transportation investments and land use decisions that are mutually supportive.*
- GV P1.2** *Locate new housing near existing jobs and new jobs near existing housing.*
- GV P1.3** *Encourage transit-oriented development.*
- GV P1.4** *Promote a variety of travel choices*

SCAG Staff Comments:

SCAG staff finds that the proposed project partially meets consistency with Principle 1.

SCAG staff finds the proposed project generally meets consistency with GV P1.1. The proposed project contains policies to increase density of development, particularly around activity centers and transportation corridors. (Page 3.1-24)

Per GV P1.2, SCAG staff finds the project meets consistency. According to Page 3.1-37, a goal of the proposed Business District will include intensification of commercial and industrial uses to supply jobs to the existing housing community.

In regards to GV P1.3, SCAG staff finds the proposed project is consistent. The proposed project contains policies that encourage commercial and residential mixed-use designations in urbanized areas accessible to transit. (Page 3.1-24)

SCAG staff cannot determine consistency with GV P1.4 based on the information provided in the DEIR.

Principle 2: Foster livability in all communities.

- GV P2.1** *Promote infill development and redevelopment to revitalize existing communities.*
- GV P2.2** *Promote developments, which provide a mix of uses.*
- GV P2.3** *Promote "people scaled," walkable communities.*
- GV P2.4** *Support the preservation of stable, single-family neighborhoods.*

SCAG Staff Comments:

SCAG staff finds that the proposed project generally meets consistency with Principle 2.

Per GV P2.1, SCAG staff finds the proposed project meets consistency. The proposed project contains policies to ensure cost-efficient land use planning that utilizes redevelopment and infill techniques. (Page 3.1-22)

SCAG staff finds the proposed project meets consistency with GV P2.2. The proposed project will establish District Plans as a part of the Land Use Element to allow for more focused planning of many diverse neighborhoods and a mix of uses including residential, commercial and industrial (Page 2.0-10).

SCAG staff finds the proposed project meets consistency with GV P2.3. Per page 3.4-111, the proposed project increases the range of transportation options within the City and adjacent western Riverside County by identifying a backbone network of bicycle and pedestrian routes.

Per GV P2.4, SCAG staff finds the proposed project meets consistency. Both established neighborhoods and newer subdivisions will preserve and include single-family neighborhoods (Page 3.1-6).

Principle 3: Enable prosperity for all people.

- GV P3.1** *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
- GV P3.2** *Support educational opportunities that promote balanced growth.*
- GV P3.3** *Ensure environmental justice regardless of race, ethnicity or income class.*
- GV P3.4** *Support local and state fiscal policies that encourage balanced growth*
- GV P3.5** *Encourage civic engagement.*

SCAG Staff Comments:

SCAG staff finds that the proposed project partially meets consistency with Principle 3 where applicable.

Per GV P3.1, SCAG staff finds the proposed project to be generally consistent. The Residential Mixed Use land use designation encourages a mix of residential and non-residential uses including affordable housing and higher densities thereby providing a variety of housing types (Page 2.0-20).

SCAG staff cannot determine consistency with GV P3.2, GV P3.3, GV P3.4 and GV P3.5 based on the information provided in the DEIR.

Principle 4: Promote sustainability for future generations.

- GV P4.1** *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
- GV P4.2** *Focus development in urban centers and existing cities.*
- GV P4.3** *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4** *Utilize "green" development techniques*

SCAG Staff Comments:

Where applicable, SCAG staff finds that the project is partially consistent with Principle 4.

SCAG staff finds the proposed project does not meet consistency with GV P4.1. Per page 3.1-42,

the proposed project converts agricultural lands to non-agricultural land uses, though the conversion of land will result in a less-than-significant impact.

In regards to GV P4.2, SCAG staff finds the proposed project meets consistency. The proposed project contains policies to increase density of development, particularly around activity centers and transportation corridors (Page 3.1-24).

SCAG staff finds the proposed project meets consistency with GV P4.3. Per pages 3.6-20 and 3.10-18, the proposed project through the enforcement of ordinances and general plan policies, aim to control or mitigate pollution, reduce hazardous materials and diversion of construction waste. Also the proposed project includes a Climate Action Plan which aims to encourage sustainable development at the local level (Page 2-1, Appendix G).

Per GV P4.4, SCAG staff finds the proposed project meets consistency. The Climate Action Plan addresses green development techniques including Cool Roof Requirements and Energy Efficiency Building Standards (Pages C-9, C-8, Appendix G).

CONCLUSION

Where applicable, the proposed project generally meets consistency with SCAG Regional Transportation Plan Goals and also meets consistency with Compass Growth Visioning Principles.

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. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

When a project is of statewide, regional, or area wide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21081.7, and CEQA Guidelines Section 15097 (g).



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
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OCT 26 2011

CITY OF LAKE ELSINORE
PLANNING DIVISION

E-Mailed: October 26, 2011
rmachott@lake-elsinore.org

October 26, 2011

Mr. Richard J. MacHott
Community Development Department
Planning Division
130 South Main Street
Lake Elsinore, CA 92530

**Review of the Draft Program Environmental Impact Report (Draft PEIR)
for the Proposed Lake Elsinore General Plan Update, Annexation No. 81,
Downtown Master Plan, Housing Element and Climate Action Plan Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Program Environmental Impact Report (final PEIR) as appropriate.

The AQMD staff is concerned about the potential health risk impacts to residents located adjacent to the proposed project's limited industrial land use designation. Specifically, the AQMD staff is concerned that toxic air pollutants typically emitted by industrial sources could adversely impact the sensitive land uses that surround the proposed industrial land uses identified in figure 2.0-8 of the draft PEIR. Therefore, the lead agency should include conditions in the final PEIR that require health risk impacts to residents be evaluated and mitigated to a less than significant impact for any sensitive land uses within 1,000 feet of the aforementioned industrial uses. Also, the AQMD staff is concerned about the effectiveness of the proposed plan's greenhouse gas (GHG) emissions reductions measures and the plan's consistency with AQMD's adopted and draft GHG thresholds and regional efforts to reduce GHG emissions. Further, AQMD staff recommends that pursuant to Section 15126.4 of the California Environmental Quality Act (CEQA) Guidelines additional mitigation measures be considered to minimize the project's significant air quality impacts. Details regarding these comments are attached to this letter.

Pursuant to Public Resources Code Section 21092.5, AQMD staff requests that the lead agency provide the AQMD with written responses to all comments contained herein prior to the adoption of the final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,



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

Attachment

IM:DG

RVC110907-02
Control Number

Potential Health Risk Impacts to Sensitive Land Uses

1. Based on the lead agency's discussion on pages 3.6-31 and 3.6-34 of the draft PEIR the proposed project would include an increase in the city's source's of toxic air contaminant (TACs) and could result in exposure of sensitive land uses (i.e., residences) to these potentially significant levels of TACs. As a result, the AQMD staff is concerned about the potential future health risk impacts to residents from the proposed project. For example, in figure 2.0-8 (Business District Land Use Plan) the lead agency indicates that additional industrial uses will be located adjacent to existing and future residential uses south of the I-15 Freeway. Given, the potential health risk impacts associated with emissions from industrial sources the AQMD staff recommends that the lead agency ensures insignificant health risk impacts to residents and, at a minimum, follow the guidelines¹ specified by CARB for any new project built within the general plan boundaries. For any project that places sensitive receptors within 1,000 feet of an industrial source, or 500 feet of a freeway, the lead agency should conduct a health risk assessment (HRA) to determine if the impacts are significant. If the impacts are significant, then mitigation measures should be employed to reduce these impacts to a less than significant level.

Mitigation Measures for Construction Air Quality Impacts

2. Given that the lead agency concluded that the proposed project will have significant construction related air quality impacts the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15126.4. Specifically, the lead agency should minimize or eliminate significant adverse air quality impacts by adding all feasible mitigation measures provided below.
 - Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
 - Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,
 - Reroute construction trucks away from congested streets or sensitive receptor areas,
 - Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
 - Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications,
 - Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113,
 - Construct or build with materials that do not require painting,
 - Require the use of pre-painted construction materials,

¹ California Air Resources Board. April 2005. "Air Quality and Land Use Handbook: A Community Health Perspective." Accessed at: <http://www.arb.ca.gov/ch/landuse.htm>

- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOx emissions requirements,
- During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards, or higher according to the following:
 - ✓ Project Start, to December 31, 2011: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
 - ✓ Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:

www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html

Mitigation Measures for Operational Air Quality Impacts

3. The lead agency's operational air quality analysis demonstrates significant air quality impacts from all criteria pollutant emissions including NOx, SOx, CO, VOC, PM10 and PM2.5 emissions. These impacts are primarily from mobile source emissions related to vehicle trips associated with the proposed project. However, the lead agency fails to adequately address this large source of emissions. Specifically, the lead agency does not require any mitigation measures in the draft PEIR and only states that the individual projects will be subject to a list of nominal goals and policies in the city's general plan that pertain to air quality. Therefore, the lead agency should reduce the project's significant air quality impacts by reviewing and incorporating transportation mitigation measures from the greenhouse gas quantification report² published by the California Air Pollution Control Officer's Association in the final PEIR.

Climate Action Plan and GHG Emissions Reductions

4. In the draft EIR the lead agency chose the Bay Area Air Quality Management District's GHG emissions significance threshold of 6.6 MT CO₂e/SP for the project's emissions reduction target. Based on the emissions inventory analysis the proposed project could meet the target with the implementation of the climate change measures identified in Tables 3.7-8 and 3.7-9 of the draft EIR. However, the lead agency did not provide a technical analysis that explicitly demonstrates the nexus between the measures in Tables 3.7-8 and 3.7-9 and the emissions reductions anticipated of over 1.3 MMT/CO₂e by 2030. Specifically, the lead agency provides simplified tables in the draft EIR that summarize the project's GHG emissions and GHG emissions reductions resulting from measures that are committed to in the Climate Action Plan (CAP), however, neither these summary tables nor the CAP provide the technical emissions calculations (i.e., methodology, baseline emissions assumptions, assumed effectiveness of each measure, etc) to substantiate the lead agency's GHG significance determination. Absent a technical analysis that demonstrates equivalence between the CAP's GHG reduction measures and GHG emissions reductions (e.g., assumptions for each measure) the effectiveness of the measures provided in climate action plan remains unclear. Further, the AQMD staff is unsure about the assumed effectiveness of some of the GHG reduction measures in the CAP. For example, Measure T-5.1 (Hybrid and Fuel-Efficient Vehicle) is a voluntary and incentive based measure that the lead agency assumes will provide over 53,000 MT/CO₂e emissions reductions by 2030, however, the lead agency does not indicate how it will enforce this measure given its limited authority to require the use of vehicle incentives.

Also, to ensure that projects subject to the GHG Reduction Plan provide quantifiable "real" emissions reductions the AQMD staff recommends that the lead agency

² California Air Pollution Control Officer's Association. August 2010. Quantifying Greenhouse Gas Mitigation Measures. Accessed at: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

provide all necessary metrics (e.g., density and mix of existing land uses and associated emissions profile) to be used in establishing the project's baseline emissions based on existing conditions. These metrics should be clearly defined for determining a project's GHG impacts. By providing the proper metrics for future emissions calculations the lead agency will ensure that all future projects tiering off of this plan will establish an equitable baseline. In addition to these revisions the AQMD staff is concerned about the proposed plan's consistency with the AQMD's adopted and draft GHG CEQA significance threshold's and regional efforts (e.g., SCAG's regional GHG emissions reduction targets of 8% by 2020 and 13% by 2030) to reduce GHG emissions. Therefore, the AQMD staff requests that the lead agency demonstrate how the proposed project will be consistent with regional efforts to reduce GHG emissions.



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

John R. Hawkins ~ Fire Chief

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DISTRICT 5

October 20, 2011

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



**RE: RCFD response to Recirculated Draft Program EIR for the City General Plan
Update (SCH No. 2005121019)**

Mr. MacHott,

The Strategic Planning Bureau of the RCFD is in receipt of your letter dated September 6, 2011 requesting review and comments for the above referenced Project. Strategic Planning found the DEIR, and particularly the sections *Public Services* and *Hazards and Hazardous Materials* to adequately address concerns of RCFD and those comments provided in a July 2011 letter concerning an earlier draft of this document.

If I can be of further assistance, please contact me at 951.940.6308 or ben.johnson@fire.ca.gov .

Thank you,

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



CITY OF CANYON LAKE

October 20, 2011

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

RECEIVED

OCT 21 2011

CITY OF LAKE ELSINORE
PLANNING DIVISION

Re: Notice of Completion for General Plan Update EIR

Dear Mr. MacHott:

Following are comments from the City of Canyon Lake Planning Department regarding the 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. Particular attention should be paid to the hills and ridgelines in the northeast portion of the City of Lake Elsinore that are visible from Canyon Lake.

Air Quality

Consideration should be given to performing CO hotspot analyses for any intersection severely impacted by traffic projected by the buildup of the General Plan within the City of Canyon Lake.

Transportation and Circulation

As is indicated on the Existing and General Plan ADTs (Figures 3.4-6 and 3.4-16), the ADT on Railroad Canyon Road east of Canyon Hills Road is expected to increase by approximately 23,000 ADT (over 70% increase). Please provide an analysis of volume to capacity as well as intersection Level of Service as to how this increase in traffic would impact Railroad Canyon Road further east within the City of Canyon Lake. Intersections analyzed should include Canyon Lake Drive South. Analysis should include anticipation of no further improvements (110' ROW – 4 lanes) as well as buildup of the roadway as designated by the County of Riverside as an Arterial roadway (128' ROW – 4 lanes).



CITY OF CANYON LAKE

Programmatic mitigation measures should be provided where appropriate to address these impacts outside of the City of Lake Elsinore's jurisdiction.

The peak hour intersection volumes indicated for Existing (Figures 3.4-7 and 3.4-8) and the General Plan (Figures 3.4-17 and 3.4-18) appear to present the same volumes (at least for the Railroad Canyon Road and Canyon Hills Road intersection). Please clarify this exhibit and the proper volumes or explain why the volumes have not changed.

We appreciate your consideration of our comments as you prepare to finalize your EIR and General Plan. Please provide notice to the City of Canyon Lake upon setting a hearing date for the General Plan and EIR before the Planning Commission and the City Council.

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 Waste Management Department

Hans W. Kernkamp, General Manager-Chief Engineer

October 20, 2011

RECEIVED

OCT 20 2011

**CITY OF LAKE ELSINORE
PLANNING DIVISION**

Richard MacHott, Environmental Planning Consultant
Community Development Department – Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

**RE: Lake Elsinore General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, and Climate Action Plan
Re-circulated Draft Program Environmental Impact Report (RDP-EIR)**

Dear Mr. MacHott:

The Riverside County Waste Management Department (RCWMD) has reviewed the RDP-EIR and offers the following comments for your consideration:

1. This department is referred to as "Riverside County Waste Management (RCWM)" in a few places in Chapter 3.16 (page 3.16-5). Please use the correct name of and acronym for the Department, as indicated in the above paragraph.
2. The discussion on page 3.16-5 about the El Sobrante Landfill contains numerous misinformation that needs corrections. The following correct information is provided:
 - *The existing landfill encompasses 1,322 acres, of which **468** 485 acres are permitted for landfilling.*
 - *The landfill has a total capacity of approximately **184** 109 million tons, or **209.91** 184.93 million cubic yards.*
 - *As of the end of **2010** 2009, the landfill had a remaining total capacity of approximately **110.783** 125.118 million tons and an in-county disposal capacity of approximately **44.313** 50.047 million tons.*

It should be noted that the El Sobrante Landfill is permitted at a maximum daily capacity of 10,000 tons, of which 4,000 tons are designated for in-County wastes (ICW). However, the current permit contains a special allowance that the landfill receive a quantity of refuse not to exceed 16,054 tons (of which up to 5,000 tons are in-County wastes) in any single day during a 7-day week, as long as the total capacity received during the 7-day period does not exceed 70,000 tons. In other words, the landfill is NOT permitted to receive 16,054 tons of refuse per day throughout the year. The annual total and in-County capacity of the landfill should be estimated using the permitted basic daily capacity of 10,000 tons and 4,000 tons, respectively.

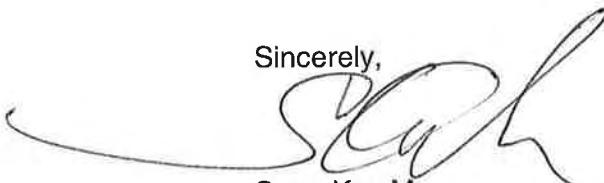
3. Page 3.16-30, beneath Table 3.16-11. The estimate of the total annual capacity (9,144,310 tons per year) of all landfills (i.e., El Sobrante, Badlands, Lamb Canyon) currently serving the City is incorrect, due to the misunderstanding that El Sobrante is permitted to receive a maximum of 16,054 tons per day throughout the year, as explained in the above. Moreover, this combined annual capacity was an over-estimate from the wrong assumption that the three landfills operate 365 days a year. Actually, both El Sobrante and Badlands Landfills operate an average of 307 days and Lamb Canyon Landfill 321 days a year. Therefore, the realistic estimate for the total

combined annual capacity should be 4,061,000 tons (i.e., 4,000 tpd (ICW) x 307 days + 4,000 tpd x 307 days + 5,000 tpd x 321 days).

4. As a result of the overestimation of the combined annual capacity, the percent proportions of the GPU's construction & demolition (C&D) and operational wastes need to be corrected, as follows:
 - C&D % = $10,301 \text{ tpy} \div 4,061,000 \text{ tpy} \times 100\% = 0.25\%$, instead of 0.1%
 - Operational wastes % = $84,747 \text{ tpy} \div 4,061,000 \text{ tpy} \times 100\% = 2.1\%$, instead of 1.4%
5. Page 3.16-32, Third Street Annexation. The statement "*service (waste collection) provide will change from Riverside County Waste Management to the City of Lake Elsinore under contract with CR&R, Inc.*" is incorrect. The current County franchise hauler for the annexation area is Burrtec Waste Industries, Inc., and not Riverside County Waste Management. In accordance with California State law, the County franchise hauler for the annexation area will have a 5-year "sunset" time period to relinquish the refuse collection and hauling right to the City's franchise hauler, whoever it may be then.
6. Section 3.7, Greenhouse Gas (GHG) Emissions. Table 3.7-3 shows that the solid waste sector contributed to approximately 4.3% of the total community-wide emissions that included GHG emissions from organic waste sent to the landfills. Is this 4.3% contribution entirely from the decomposition of the City's waste buried in the landfills, or does it also include the GHG emissions from truck hauling of the waste to the landfills? The same clarification is needed for the forecasted solid waste GHG emissions for 2020 and 2030. Moreover, there is a discrepancy in the value of the total reduction potential from State and local measures for 2030 in Tables 3.7-8, 3.7-9, and 3.7-10. The value is 768,105 MTCO₂E in both Tables 3.7-8 and 3.7-10, but is 764,853 MTCO₂E in Table 3.7-9.
7. Section 3.10, Hazards and Hazardous Materials. This section should discuss the history of the ongoing cooperation between the City and Riverside County Waste Management Department in operating the City's permanent HHW Collecting Facility (PHHWCF) that facilitates the proper disposal of household hazardous materials generated by city residents. It should be noted that the County Department of Environmental Health is no longer involved in the County's mobile HHW collection program or the running of the PHHWCF of the City of Lake Elsinore.

If you have any questions regarding the above comments, please feel free to contact me at (951) 486-3283.

Sincerely,



Sung Key Ma
Urban/Regional Planner IV



COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Transportation Department

Juan C. Perez, P.E., T.E.
Director of Transportation

October 20, 2011

Mr. Richard J. MacHott
Environmental Planning Consultant
Community Development Department – Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

RE: LAKE ELSINORE GENERAL PLAN UPDATE, ANNEXATION NO. 81 ("3RD STREET ANNEXATION"),
DOWNTOWN MASTER PLAN, HOUSING ELEMENT, CLIMATE ACTION PLAN

Dear Mr. MacHott,

Thank you for the opportunity to review the Recirculated Draft Program Environmental Impact Report for the Lake Elsinore's General Plan Update, Annexation No. 81 ("3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan hereafter referred to as the RDP-EIR. The Transportation Department has reviewed the RDP-EIR and has the following comments.

Based on a comparison between the County's General Plan Circulation Element and the proposed Circulation Element for the City of Lake Elsinore found in the RDP-EIR, there would be design inconsistencies if the City's plan were to be adopted. The design inconsistencies between the County and City Circulation Elements are related to paved roadway widths and/or number of lanes. At a number of locations both at the City/County boundary and within the City's Sphere of Influence, the proposed City Circulation Element classifies roadways with higher designations than their respective counterparts on the County Circulation Element. An example of this can be seen with Grand Avenue between Riverside Drive and Corydon Street. Under the City's proposed Circulation Element, Grand Avenue is designated as a six-lane Urban Arterial with a curb-to-curb width of 96 feet. In contrast, the County designates Grand Avenue as a four-lane Major Highway with a curb-to-curb width of 76 feet. There are also a few instances where the City's proposed Circulation Element includes roads that are not recognized as designated roadways in the County's Circulation Element. Potentially conflicting designations such as these may result in inconsistent improvements related to roadway design and transitions between the City and the County as well as right-of-way preservation issues.

The Transportation Department requests to meet with the City to coordinate and resolve the inconsistencies between the County's and City's proposed Circulation Element prior to the approval of the Lake Elsinore General Plan Update and its associated plans.

If you have any questions about these comments, please contact me at (951) 955-2091 or at fkhorash@rctlma.org.

Sincerely,



farah Farah Khorashadi
Engineering Division Manager

cc: Juan C. Perez, Director of Transportation
Patricia Romo, Deputy Director of Transportation



October 21, 2011

RECEIVED

OCT 21 2011

**CITY OF LAKE ELSINORE
PLANNING DIVISION**

Wallace W. Edgerton
Mayor

John V. Denver
Mayor Pro Tem

Darcy Kuenzi
Councilmember

Thomas Fuhrman
Councilmember

Sue Kristjansson
Councilmember

Richard J. MacHott, Environmental Planning Consultant
Community Development Department – Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

RE: City of Lake Elsinore General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element and Climate Action Plan

Dear Mr. MacHott:

Thank you for the opportunity for the City of Menifee's Community Development Department to review the Lake Elsinore's Recirculated Draft Program Environmental Impact Report (RDP – EIR) for the afore-referenced project.

Please make note of the City of Menifee's correct address. It changed from 29683 New Hub Drive to 29714 Haun Road, Menifee, CA 92586.

As the City of Menifee interfaces with the City of Lake Elsinore in the area of the Canyon Hills Specific Plan along its southeastern boundary lines within the Lake Elsinore Hills District Plan, we would like to provide comments on the RDP – EIR.

The City of Menifee previously noted its concern with potential traffic impacts on Holland Road. We noted that we would like to coordinate with the City of Lake Elsinore on any mitigation measures or future improvements on Holland Road. The City of Menifee also requested 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 RDP – EIR does not appear to have studied Holland Road at the southeastern city limit nor addressed the City's request regarding trails and future bikeway improvements along Holland Road. To ensure that the City of Menifee's concerns are recognized, we would ask to be added as agency to be consulted in future actions. The references are as follows:

Transportation and Circulation

Table 3.4-4, General Plan Transportation and Circulation Goals, Policies and Implementation Programs, Goal 9, Policy 9.1 (Page 3.4-49) add the City of Menifee.

Table 3.4-5, District Plan Transportation and Circulation Goals, Policies and Implementation Programs, Lake Elsinore Hills District Plan, Goal 4, add a New Policy LEH 4.7 to read "Consider the development of a strategic plan with the City of Menifee to ensure that bikeway and trail construction is coordinated along Holland Road."

Figure 3.4-24, City of Lake Elsinore, Elsinore Area Trails System (Page 3.4-113) add to the exhibit the City of Menifee Trail System easterly of Lake Elsinore's southeastern boundary line.

Parks and Recreation

Table 3.15-3, General Plan Parks and Recreation Goals, Policies and Implementation Programs, Goal 9, Policy 9.1 (Page 3.15-11) add the City of Menifee.

Thank you again for the opportunity to provide comments. Please forward any hearing notices regarding this project to my attention.

Sincerely,

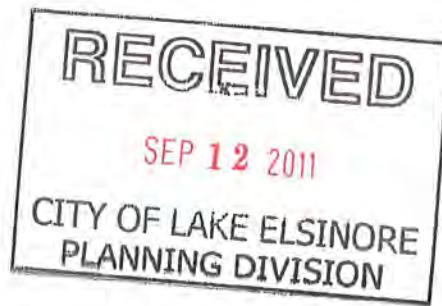


Lisa Gordon
Senior Planner
Community Development Department



**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



September 9, 2011

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

Re: Lake Elsinore General Plan Update, Annexation No. 81

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.

Sincerely,

Shasta C. Gaughen, PhD
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.

MORONGO
BAND OF
MISSION
INDIANS



September 12, 2011

City of Lake Elsinore
c/o Richard J. MacHott, Environment Planning Consultant
130 South Main Street
Lake Elsinore, CA 92530

**SUBJECT: Notice of Availability/Notice of Completion of a
Recirculated Draft Program Environmental Impact Report
General Plan Update
State Clearing House #:2005121019**

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:

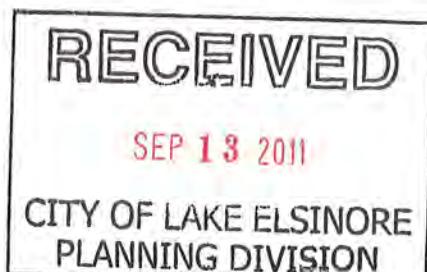
The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). A review of the policies contained in Section 3.2 of the Recirculated DEIR, Cultural and Paleontological Resources, appears to adequately address the Tribe's concerns with regard to cultural and/or archaeological resources and buried cultural materials. Based upon this finding, the Morongo Band of Mission Indians has no comments at this time but reserves the right to comment on any future development proposals.

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



September 22, 2011

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



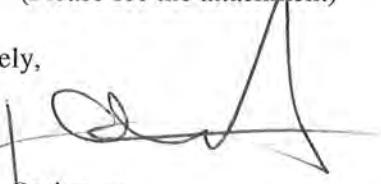
Re: Notice of Availability/Notice of Completion of a Recirculated Draft Program Environmental Impact Report for the City of Lake Elsinore General Plan Update, Annexation No. 81 (SCH # 2005121019)

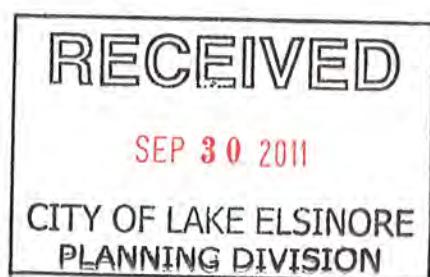
The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing 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,


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



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).

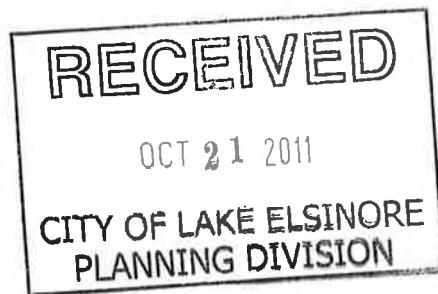
Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records 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.

Via E-mail (rmachott@lake-elsinore.org)

October 18, 2011

Mr. Richard MacHott
Community Development Department – Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530



Re: Comments on the Environmental Impact Report for the Lake Elsinore General Plan Update Project

Dear Mr. MacHott,

Thank you for the opportunity to comment on Lake Elsinore's General Plan Update ("GPU") and its accompanying EIR. On behalf of Endangered Habitats League and its members and activists who work in Riverside County and the surrounding areas we provide the following comments on the GPU.

I. Population Growth Projections

While we appreciate the need for increased build out to accommodate a growing population, we are concerned with the huge disparity between the GPU's planned residential housing capacity and the population growth estimates of the Southern California Association of Governments ("SCAG"). As is noted in the GPU, the SCAG population projection for the incorporated area within Lake Elsinore's sphere of influence is 85,376 in the year 2030. By contrast, Lake Elsinore projects a capacity of 209,756 in that same area and time frame. This massive disparity between population and development capacity in the GPU is, in our opinion, not properly explained in the GPU.

The GPU acknowledges the disparity but claims that SCAG's statistics are based on projected annual growth rates rather than the proposed build out under the general plan. This rings hollow. While the proposed build out may indeed have space to accommodate this increase in population, no substantive data is offered to support a level of growth which overwhelmingly exceeds SCAG's 2030 population forecast.

The GPU argues that the build out is needed to afford Lake Elsinore greater flexibility in providing state mandated affordable housing. While exceeding the SCAG population projections by nearly 250% for the incorporated area no doubt affords greater flexibility, we are convinced that the same flexibility could be achieved without the drastic increase in capacity present in the current build out scenario.

The GPU goes on to argue that the GPU mandates a job-housing balance that meets or exceeds regional goals. While this is a laudable inclusion in the GPU, more discussion is needed. There is no mention of how Lake Elsinore will square the proposed build out with the regional jobs-housing balance goals or even what those goals are. The data should be more fully presented so that the claim can be properly assessed. (See CEQA Guidelines § 15125(d) [“The EIR shall discuss any inconsistencies between the proposed project and . . . regional plans” including “regional blueprint plans”].)

A. Build Out in the Proposed Alternatives

This overcapacity permeates both the proposed project and project alternatives. The general plan as it now exists provides capacity for a population of 287,400 by 2030. The low density and high density alternatives provide capacity for populations of 151,984 and 335,514 respectively. Ultimately, none of these build out projections are ever convincingly or analytically tied to actual projected growth models.

II. Alternatives

CEQA provides that a lead agency must develop an EIR which describes:

[A] range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.

(CEQA Guidelines § 15126.6) The current EIR fails to adequately develop the mandated range of reasonable alternatives.

The three alternatives (including the “no project” alternative) currently examined under the proposed plan fail to provide reasonable, differentiated options distinct from the proposed project. We also note (as above) that the alternatives persist in relying on the arbitrarily derived 2030 build out capacities as opposed to analytically supported population growth models. This continued emphasis on simple population capacity renders the alternatives largely useless, as a focus on raw capacity rather than a reasoned growth analysis creates alternatives that are little more than echo chambers.

Moreover, the low density alternative, which is designated the environmentally superior alternative, fails to differentiate itself environmentally in any meaningful way from either the proposed project or the other alternatives. The EIR notes, for example, that under the low density alternative GHG emissions and impacts on biological resources would be similar to the proposed project. The plan goes on to note several times that a mere reduction in intensity would not result in substantial changes from the proposed project in various categories.

For example, the Lake Elsinore Hills District is described in the GPU as historically “undisturbed by development”. The GPU itself notes that the Lake Elsinore Hills District is one of the “largest and most diverse open landscape areas”. Under the proposed GPU, however, 5,340 of the district’s 7,500 acres are given over to a variety of specific plans for the purpose of constructing primarily low density residential housing. We are particularly concerned by the movement, sadly seen too often in Riverside, to push residential and commercial development into previously open areas.

Similarly, the North Peak District is described as “mostly pristine”. Here too, however, the GPU plans to allow new residential development under the North Peak Specific Plan. While we commend the city for preserving a great deal of open space under the specific plan, we question the wisdom of placing any additional Hillside Residential and recreational facilities (including a golf course) in the area. As a result of this development the GPU acknowledges the need for new roads into the area as most of it is currently “inaccessible”. Given the amount of new housing already slated for Lake Elsinore and its SOI we are not convinced that the proposed development in North Peak is either needed or ecologically sensitive.

III. Statement of Overriding Considerations Precluded

The EIR concludes that the proposed project would result in significant unmitigable impacts on traffic volume and mobile emissions, requiring a valid Statement of Overriding Considerations. California courts have held that CEQA precludes approval of a project with such impacts “[i]f there are *feasible alternatives* or feasible mitigation measures that would accomplish most of the objectives of a project and substantially lessen the significant environmental effects of a project subject to CEQA, the project may not be approved without incorporating those measures.” (Center for Biological Diversity, Inc. v. FPL Group, Inc. (2008) 166 Cal.App.4th 1349, 1371 fn 19, citation to (Pub. Res. Code § 21000(g), 21002; CEQA Guidelines § 15091.) The city’s findings of infeasibility must be supported by substantial evidence. (CEQA Guidelines § 15093.) Because feasible alternatives exist which could mitigate the impacts to mobile emissions and traffic volume currently deemed unavoidable, there is simply not substantial evidence in the current EIR or general plan to support a finding that environmentally superior alternatives meeting project objectives are infeasible.

To the contrary, as we explain above, feasible, environmentally superior alternatives to the proposed project meeting all project objectives could be developed. A higher density plan which would reduce the project’s environmental footprint while providing the required housing to accommodate Lake Elsinore’s population growth would constitute the precise manner of impact-lessening alternative contemplated by CEQA in the above quoted section. Unless the City is able to find based on substantial evidence that such an alternative is infeasible, it is precluded from approving the Project under CEQA.

Even if such a high density, smart growth based alternative was more costly or failed to achieve certain project objectives, it would not necessarily be considered infeasible. The CEQA guidelines note that alternatives can be considered feasible “even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” (CEQA Guidelines § 15126.6(b).)

For the aforementioned reasons, project approval is precluded until such time as City has developed a reasonable range of potentially feasible alternatives and has found substantial evidence supporting a conclusion that such alternatives are in fact not feasible.

IV. Recommendations

- Address the population disparity between the GPU’s build out projections and the population growth figures of the Southern California Association of Governments. Attempts to explain the disparity within the GPU ring hollow and are not supported by adequate analysis. Planned capacity in the GPU is grossly inflated and not necessary to achieve project purposes.
- The project alternatives should be reevaluated to include a reasonable range of alternatives, including a truly environmentally superior alternative. We believe the most effective path to such an alternative lies in a commitment to denser, ecologically sensitive residential development, resulting in a smaller build out footprint. As noted above, a scant amount of land has been designated high density residential and, in our view, too much has been designated for low density and hillside residential. We would appreciate a greater emphasis placed on pairing areas of denser residential development and public transit hubs. While we recognize that a number of challenges accompany the shift from the auto-centric developmental sprawl seen too often in Riverside County, we would appreciate a more emphatic commitment from Lake Elsinore to implement real living and transportation solutions.

We would be glad to meet with you and discuss any of these concerns with you at greater length. Thank you for your consideration of these comments.

Gaston Rauch
EHL Legal Intern
(210) 849-7186
gaston.rauch@gmail.com

Michael Fitts
EHL Staff Attorney
(310) 316-5053
gostodas1@yahoo.com



ENDANGERED HABITATS LEAGUE

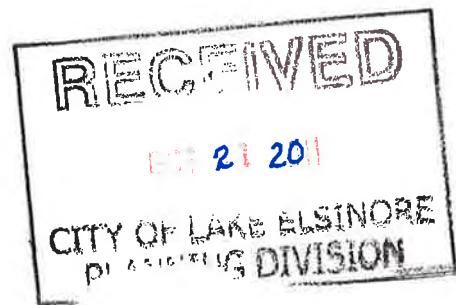
DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



October 19, 2011

VIA ELECTRONIC AND US MAIL

Richard J MacHott
Community Development Dept – Planning Division
City of Lake Elsinore
130 S Main St
Lake Elsinore, CA 92530
<rmachott@lake-elsinore.org>



RE: Lake Elsinore General Plan Update

Dear Mr. MacHott:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on the Draft PEIR for the Lake Elsinore General Plan Update. These comments address biological issues; a second set of comments will be transmitted under separate cover regarding land use.

For your reference, EHL is Southern California's only regional conservation group. For over a decade, EHL has been involved in the development and implementation of Western Riverside County's Multiple Species Habitat Conservation Plan (MSHCP).

EHL supports the City's participation in MSHCP as the mechanism for mitigation of biological impacts associated with infrastructure and development. We therefore concur with incorporating the MSHCP into the Update's goals and policies and with using it as the basis for environmental mitigation in the draft PEIR for the Plan.

The value of the MSHCP lies in its streamlined mitigation of impacts on the project- specific, cumulative, and growth inducing levels. Through its participation, the City confers upon itself and third party beneficiaries the major time and cost benefit of tiering off the MSHCP EIR/EIS for disclosure, analysis, and mitigation biological impacts. This value extends to many important infrastructure projects benefiting the City.

EHL is interested in working with the City on its implementation of the MSHCP. Please place EHL on notification and distribution lists for the MSHCP Implementation Guidelines and the Lake Elsinore Acquisition Process (LEAP).

In conclusion, the MSHCP is essential for the City's economic development and for achieving the balance with the natural world that is the Update's goal. Please retain EHL on all mailing and distribution lists for this project.

Yours truly,



Dan Silver
Executive Director



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

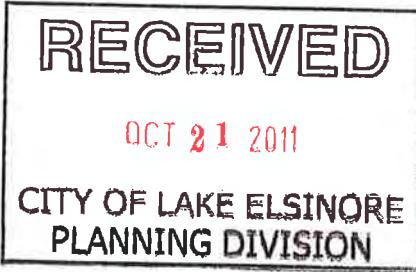
Committee Members:
Evie Gerber
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Director:
Gary DuBois

Coordinator:
Paul Macarro

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October 19, 2011



VIA E-MAIL and USPS

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

Re: Pechanga Tribe Comments on the Notice of Availability/Notice of Completion of a Recirculated Draft Program Environmental Impact Report, City of Lake Elsinore

Dear Mr. MacHott:

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 regarding the recirculation of the Draft Program EIR for the City of Lake Elsinore. The Tribe formally requests, 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”). If you have not already, please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological 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 requests incorporation of these comments into the record of approval.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources for future implementing projects within the City's boundaries and sphere of influence. Further, in conjunction with the environmental review of the Project, the information is provided to assist the City in preparing appropriate mitigation on a policy level for the cultural resources that may be discovered during these future projects. Lake Elsinore is an important and sacred region to the Luiseño and Pechanga peoples. It is named multiple times within our creation stories and songs and is the place where *Wuyóot* - the central figure in Luiseño beliefs, died. At least three village complexes and over 200 previously recorded cultural sites are known to be within the boundaries and sphere of influence of the City. The Tribe has a vested interest in working with the City of Lake Elsinore to protect and preserve our important places and cultural locations.

**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 Government¹ and the State of California² 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 effects, as well as generating adequate mitigation measures.

In addition to the above consultation requirements, this General Plan update is subject to the requirements of SB 18. The Tribe began consultation under SB 18 with the City in 2005 and we appreciate the ongoing efforts of the City to continue consulting on this important Project. We look forward to further discussing our concerns as outlined in this comment letter.

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe has a legal and cultural interest in the proper protection of sacred places and all Luiseño cultural resources. The Tribe is concerned about both the protection of important and irreplaceable cultural resources, such as Luiseño Village Complexes, sacred/ceremonial locations, habitations and other cultural resources which would be displaced by development, 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 development and improvements within the County.

The proposed General Plan Update boundaries encompass multiple village and habitation areas as well as numerous *tóota yixélval* and domestic activity areas. Human remains have also been identified in areas subject to the Amendment, for which Pechanga has been named Most Likely Descendant (MLD) by the Native American Heritage Commission (NAHC). The Tribe knows that culturally significant resources will be impacted by any future implementing development projects proposed within the GP Update and requests that the City take into account both known and unknown resources when determining the most appropriate designations for proposed land use in all areas to be changed through this process.

¹See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.

² See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

Further, as the City may be aware, as of 2009, the federal government holds 30 acres of land within the Meadowbrook area in trust for the Tribe. These lands are considered to be a non-contiguous part of the reservation and are under the Tribe's jurisdiction. The Tribe believes that acknowledgment of the federal lands adjacent to the City's SOI within the DPEIR would be appropriate. Further, it is the Tribe's contention that, as the tribe with the closest reservation, Pechanga should be considered by the City of Lake Elsinore to be the lead consulting tribe.

The Tribe has previously submitted detailed comments on its affiliation in the original 2008 DEIR. 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.

CONCERN WITH THE RECIRCULATED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (DPEIR)

The Tribe requests to continue to be involved and to participate with the City in developing applicable Goals and Policies for the General Plan regarding the protection and preservation of cultural resources, as well as appropriate mitigation within the DPEIR. As a general principle, the Tribe believes that the City should not rely on narrow interpretations of definitions of cultural/archaeological resources, but must also take into account the cultural knowledge and perspective of tribes.³ Such acknowledgement comports with the purpose and intent of cultural resources preservation. To accomplish this, meaningful consultation with tribes is needed during all phases of investigation and evaluation of cultural resources so that the knowledge and information that the tribes have regarding their cultural resources, which is based on tradition and history, can be incorporated into significance determinations. This specialized knowledge is not necessarily shared with or agreed upon by archaeological professionals, whose primary focus is the scientific aspect of a site or artifact rather than the cultural and historical significance of such resources to the tribes themselves – which is no less important than a scientific determination. Failing to take this information into account reduces the importance of these resources to that of merely scientific interest and ignores the integral part these resources play in the tradition, history and contemporary situations of the true owners of cultural resources, the tribes.

The Tribe submits the comments below as requested by the City regarding the recirculation of the DPEIR. The Tribe has previously submitted detailed comments regarding its concerns about potential impacts to cultural resources within the City of Lake Elsinore in 2008 and on the NOP in 2011, both of which are incorporated by reference. The Tribe has also had

³ As a related matter, the DPEIR Cultural Resources Chapter incorrectly implies that of 157 recorded archaeological sites within the project area, only eight were considered important enough to evaluate for NRHP eligibility. Under Section 106, all resources must be evaluated for their eligibility to meet NRHP criteria. A similar process must be completed for an adequate CEQA evaluation.

multiple meeting with City staff to discuss these concerns. We were assured that our concerns would be addressed in this new document; however it appears that not all of the promised changes were made in this version of the document. While the Tribe understands that personnel changes over the course of time, it also expects the City to stick with its commitments. We have listed our concerns below in order of presentation within the DPEIR (strikeouts are removals and underlines are additions). We look forward to meeting again once you have reviewed our comments.

Chapter 3.2 Cultural and Paleontological Resources

2005 Cultural Study Appendix B: The date on the archaeological study that was completed for this GP update is out of date and should be revised to reflect new information that has been recorded within the previous six years. This study was conducted in 2005, prior to the height of the housing boom and subsequent economy downturn. While it was current for the 2008 release of the DPEIR, it does not reflect current information today. The Tribe knows there are many more resources that have been recorded as a result of development and were not included in the old study, as well as new information regarding village complexes and Luiseño place names that were not addressed or taken into account in evaluating and assessing potential impacts to cultural resources. The Tribe recommends a new study be conducted, in consultation with the Pechanga Tribe.

Page 3.1-2 Prehistoric Context: The Tribe is particularly concerned with the designation of Lake Elsinore as a ‘shared use’ area between the Luiseño and desert tribes such as the Cahuilla. Oral traditions, ethnographic and ethnohistoric studies as well as anthropological and archaeological studies acknowledge that this area was utilized primarily by the Luiseño (Sparkman 1908; Kroeber 1925; White 1963; Harvey 1974; Oxendine 1983; Smith and Freers 1994, etc) with possible use by the Juaneño in prehistoric times. This information has been shared multiple times with the City. The Tribe understands that this information was taken from an out-of-date archaeological study with no consultation with the Tribe. As stated above, we recommend the City commission a new study with updated information and consultation with the Tribe.

Page 3.2-5 Ethnographic Setting: The Luiseño place names within this section are misspelled and some are incorrect. The Tribe suggests the following revisions to the third paragraph in this section:

Villages were located in diverse ecological zones typically located along valley bottoms, streams, or coastal strands near mountain ranges. Each village area contained many named places associated with food products, raw materials, or sacred beings, and each place was owned by an individual, family, the chief, or

by the group collectively (Bean and Shipek 1978). The village of Paiahche is ethnographically documented immediately north of the lake by (Kroeber 1925) however consultation with the Pechanga Tribe shows that the village was located northwest of the Lake and that the correct spelling is Páayaxchi. This name also refers to the Lake itself. The Luiseño knew Lake Elsinore as Paahashnan. The area around and including the Elsinore hot springs was known to the Luiseño as 'Atengvo íténgvu Wumówmu (meaning "hot springs"). The hot springs also figure prominently into Luiseño oral tradition in the local creation myth. The location, Itengvu Wumówmu 'íténgvu Wumówmu, is named in a song about the death of Wiyot Wuyóot, a religious leader who led the people in their migration from the north (Du Bois 1908; Harrington 1978 in Grenda et al. 1997). Several additional Luiseño place names are within the Lake Elsinore area and SOI including We'eva, Píi'iv, Oawiimay, Páayaxchi Nivé'wuna, Anóomay and others, reflecting this diverse and well utilized region.

Page 3.2-6: Again, the Tribe does not agree with the last section of the Ethnographic Setting and requests that the City strike this paragraph from the document.

Page 3.2-7 Founding of the Town: Last paragraph typo on "...ancient hot springs of the Pai-ah-che..." should read Páayaxchi.

Figure 3.2-1 Cultural Resources Areas Map: The Tribe has previously requested that this map be removed from the environmental document because the Tribe does not feel that such information should be publically circulated. Further, this map is based upon old information and archaeological constructs of cultural resources determination. The Tribe was not consulted when preparing the map and it thus contains inaccurate and outdated information. Therefore, the Tribe requests that this map be removed from this document as it is misleading.⁴

Section 3.2.4 General Plan Update Goals and Policies: Table 3.2-3: The Tribe suggests the following changes:

Goal 5: Preserve, protect, and promote the cultural heritage of the City and surrounding region for the education and enjoyment of all City residents and visitors, as well as for the advancement of historic and archaeological knowledge.

Policy 5.1: Encourage the preservation of significant archaeological, historical, and other cultural resources located within the City.

Policy 5.2: The City shall consult with the appropriate Native American tribe(s) both for projects identified under SB18 (Traditional Tribal Cultural Places)—as well as general entitlement projects which would entail ground-disturbing activities.

⁴ The Tribe is willing to work with the City and the Project archaeologist to develop a revised map that would be available for internal City Staff-use only.

Policy 5.3: When significant cultural/archaeological sites or artifacts are discovered on a site project, coordination with professional archaeologists, relevant state and, if applicable, federal agencies, and concerned the appropriate Native American tribe(s) regarding preservation of sites in place or professional retrieval and preservation of artifacts by other means of preservation and protection of artifacts and sites prior to development of the site project shall be required. Because ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices, developers should shall waive any and all claims to ownership and agree to return all Native American ceremonial items of cultural patrimony that may be found on a project site to the appropriate tribe for treatment. 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. Intentional disturbance, theft or destruction of Native American human remains or cultural artifacts is illegal and the person(s) will be prosecuted to the full extent of the law.

Policy 5.4: If archaeological excavations are recommended on a project site, the City shall require that all such investigations include Native American consultation and participation, which shall occur prior to project approval release of the environmental documents and public review.

Goal 6 Support state-of-the-art research designs and analytical approaches to archaeological and cultural resources investigations while at the same time acknowledging the traditional knowledge and experience of the Native American tribes regarding Native American culture.

Policy 6.1 Consult with California Native American tribes prior to decision-making processes for the purpose of preserving cultural places located on land within the City's jurisdiction that may be affected by the proposed plan, in accordance with State, Federal or other applicable requirements.

Policy 6.2 Continue to identify, document, evaluate, designate, and preserve the cultural resources in the City through consultation with Native American tribes and other Culture Groups in the area.

Policy 6.3 Continue to update a citywide inventory of cultural resources in conformance with state standard and procedures while maintaining the confidentiality of information as required by law.

Policy 6.4 Support the permanent curation of archaeological artifact collections by universities, or museums, or other appropriate tribal facilities.

Policy 6.5 Increase opportunities for cultural heritage tourism by promoting the history of Lake Elsinore to attract cultural heritage travelers while maintaining the confidentiality of Native American sites, places and other information as required by law.

Goal 9 Encourage the preservation, protection, avoidance, and restoration of historical and cultural resources.

Policy 9.2 Integrate historic and cultural resources in land use planning processes by utilizing avoidance, design and protection measures where feasible to avoid conflict between the preservation of historic resources and alternative land uses.

3rd Street Annexation Area: The Tribe has not been provided with any information regarding the proposed annexation other than the attached document in Appendix C. The Tribe has two primary concerns regarding the annexation. First, the Tribe believes that the new land use designations may adversely impact cultural resources located in these areas. It is our experience that commercial zones do not allow for preservation and/or protection of cultural resources due to the large building footprints and need for extensive parking spaces. Moreover, the DPEIR states that there are cultural resources located in a close proximity to the annexation. We understand that conducting an archaeological study may not feasible for the City at this time. Therefore, the Tribe recommends that the City require an archaeological study be performed prior to every future implementing project proposed in this area. The Tribe also requests to be included during the survey and in consultation meetings with the City and Applicant(s) on these future projects so that in the event cultural resources are identified, they can be appropriately designed around for protection and preservation, in accord with Cultural and Paleontological Resources Goal 5 and Policy 5.1 in the PEIR.

Secondly, the Tribe is concerned with the Hillside Residential designation on the southern portion of the annexation. Any development on these prominent ridgelines that define the City could be considered a visual and aesthetic impact and could impact cultural resources as well. The limited space to build a residence could severely inhibit the preservation and avoidance of any cultural site. Therefore, the Tribe requests that the ridges be zoned such that they are placed in Open Space lots, to reduce any visual, aesthetic and cultural impacts. As of now, pursuant to the Tribe's review of available documentation, there appears to be no such designated lands within the Annexation Area.

Page 3.2-41-42 Threshold: Would the project cause a substantial adverse change in the significance of an archaeological resource...Analysis: The Tribe knows that the records search conducted for this Project is out-of-date and that there are a significantly larger number of cultural resources located within the City and SOI than is identified. Further, the Tribe would like to reiterate to the City that the Tribe believes that all cultural resources are important and significant and that such cultural perspective should be taken in to account as a cornerstone of cultural resource evaluations and preservation. Any proposed impacts to cultural resources, whether or not determined by an archaeologist to be

significant or insignificant by CEQA, should be preserved, avoided or protected as the first option.

Table 3.2-4:

Business District: Although not addressed in the DPEIR as containing archaeological resources, the Tribe is concerned that resources may be below existing structures. It is well documented that historic structures, or those constructed prior to modern building codes, often have Native American cultural resources subsurface. Therefore, the Tribe requests early consultation with the City on future implementing projects within this District, especially on projects requiring demolition of structures older than 1975.

Country Club Heights: Although not addressed in the DPEIR as containing archaeological resources, the Tribe is concerned that resources may be below existing structures. It is well documented that historic structures, or those constructed prior to modern building codes, often have Native American cultural resources subsurface. Further, there are many parcels within this District that have never been developed and could contain cultural resources. Therefore, the Tribe requests early consultation with the City on future implementing projects within this District, especially on projects requiring demolition of structures older than 1975 and those proposing development on vacant lands.

Historic District: Although not addressed in the DPEIR as containing archaeological resources, the Tribe is concerned that resources may be below existing structures. It is well documented that historic structures, or those constructed prior to modern building codes, often have Native American cultural resources subsurface. Further, there are many parcels within this District that have never been developed and could contain cultural resources. Therefore, the Tribe requests early consultation with the City on future implementing projects within this District, especially on projects requiring demolition of structures older than 1975 and those proposing development on vacant lands.

Table 3.2-5:

Alberhill District: The Tribe does not agree with the Potential Cultural Resources Impacts. Oral tradition tells us that very significant events related to the Luiseño origin stories occurred within this area. Further, there are documented Luiseño place names within areas designated as Specific Plan. The Tribe does not agree that the majority of the areas are in Open Space. Early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

Lake View Sphere District: While the Tribe agrees that a large portion of this SOI has been developed, primarily near the Lake and along Grand Avenue, there is still a high potential for impacting cultural resources with development in this area. The Tribe requests early consultation on any future implementing project proposed for this area.

Lakeland Village Sphere District: This District is a highly sensitive area. Development in this area will likely impact cultural resources. Early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

East Lake: This District is a highly sensitive area. Development in this area will likely impact cultural resources. Early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

Ballpark District: This District is a highly sensitive area. The Tribe is currently working with the City for preservation and avoidance of significant cultural resources in this area.

Meadowbrook Sphere: This SOI is a highly sensitive area. Development in this area will likely impact cultural resources. Further, as noted previously, this SOI is located one half (1/2) mile from Pechanga Tribal Trust (reservation) lands and therefore early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

Northpeak District: This District is a highly sensitive area. Development in this area will impact cultural resources. Although the Tribe consulted during early processing of the Specific Plan, little to no communication has been received in the past few years on this Project. The Tribe would like to emphasize that, in the event that this Specific Plan and any other implementing project should recommence, early consultation must occur with the Tribe in order to avoid significant impacts to important cultural resources.

MM Cultural/Paleontological Resources 2: Prior to issuance of grading permit(s) for the project, the project applicant shall retain an Riverside County qualified 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 Cultural/Paleontological Resources 4: Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City ~~and County~~ ~~(if required)~~ to document the proposed methodology for grading activity observation. Etc...

Page 3.2-49 Threshold: *Would the project disturb any human remains, including those interred outside of formal cemeteries.* As indicated elsewhere in this letter, the Tribe believes that no mitigation other than avoidance would successfully reduce the level of significance of impacts to cultural resources, especially in the context of human remains where the Tribe considers any disturbance of remains to be a significant impact.

MM Cultural/Paleontological Resources 10: 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~~ ~~24 hours~~. 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.

Section 3.2.7 Level of Significance after Mitigation: The Tribe strongly disagrees that implementation of the project’s goals, policies and implementation programs will reduce the impacts to human remains to a less-than-significant level. It is the Tribe’s belief that no mitigation will reduce the significance of the impacts once remains have been disturbed.

Section 4.0 Cumulative Impacts; 4.3.4 Cultural and Paleontological Resources: The Tribe believes that destruction of cultural resources at any level can be considered a cumulative impact and should be appropriately addressed in every future development project. Habitation sites, which include specific activity areas like lithic scatters, bedrock milling locations and plant gathering areas, are of utmost importance to the Tribe because they are the last physical remains of where our ancestors lived. They contain information and data that are reflective of every aspect of tribal culture. These places are where our ancestors lived their daily lives-raising families, carrying out customs and performing ceremonies. In order to preserve these complexes, it is important to not disturb portions of the complex, lest such disturbances are actually destroying the complex itself. It is important to preserve these habitations.

If indiscriminate destruction of individual “sites” or “loci” (i.e., individual features) is allowed to continue with little to no effort put forth by the Lead Agency or Archaeologists to attempt to accommodate both the goal of preservation alongside the goal of development, the only remaining features of our villages will be small portions that have been chosen by archeologists to be “saved” based only on a scientific assessment and valuation of the site rather than the cultural significance attributed to it by the Tribe. This sort of methodology completely ignores the value of an individual feature/site’s contribution to the entire habitation area or cultural landscape and the cultural importance of these villages, habitation areas and cultural landscapes. The Tribe would like to encourage the City as well as archaeologists to not just look at the number of sites or ‘contributing factors’ but to also evaluate how these features relate to each other and to the larger environment or landscape.

Pechanga Comment Letter to the City of Lake Elsinore

Re: Pechanga Tribe Comments on the Recirculated DPEIR for the General Plan Update

October 19, 2011

Page 11

The Tribe encourages the City to work with the Tribe and project archaeologists to take the PEIR goals (5, 6 and 9) and associated policies seriously by preserving, protecting and avoiding historic and cultural sites within the City boundaries and SOI. Early consultation and surface surveys with the Tribe present are key to identification of these resources. Further, resources identified early have a better chance at being avoided through project design and open space designation.

REQUESTED TRIBAL INVOLVEMENT AND MITIGATION

The Tribe intends to continue working with the City to ensure that the protection and mitigation language provided for cultural, archaeological and historic resources at the policy level are appropriately addressed. The Tribe thanks the City for the level of consultation that has occurred to date and requests to continue formal government-to-government consultation as the Project progresses. We further request to discuss our recommended changes with the City prior to release of the final PEIR.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide additional comment on the Project's impacts to cultural resources and potential mitigation for such impacts.

The Pechanga Tribe looks forward to working together with the City of Lake Elsinore on current and future projects to protect, preserve and avoid the invaluable Pechanga cultural resources found in the City boundaries and Spheres Of Influence. Please contact me at 951-770-8104 once you have had a chance to review these comments so that we might address our concerns. Thank you.

Sincerely,



Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel
Brenda Tomaras, Tomaras & Ogas, LLP



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

RECEIVED

OCT 21 2011

CITY OF LAKE ELSINORE
PLANNING DIVISION

October 21, 2011

Via E-Mail and Federal Express

Mr. Richard J. MacHott
Environmental Planning Consultant
Community Development Department – Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Dear Mr. Machott:

Notice of Availability/Notice of Completion of a
Recirculated Draft Program Environmental Impact Report

The Metropolitan Water District of Southern California (Metropolitan) has reviewed the Recirculated Draft Program Environmental Impact Report (Recirculated Draft EIR) for the proposed Lake Elsinore General Plan Update, Annexation No. 81 (Project). The Project proposes the annexation of approximately 320 acres from the County to the City. This letter contains Metropolitan's comments on the Recirculated Draft EIR as a Responsible Agency.

Preliminary review of the Project indicates that some of the proposed annexations are outside of Metropolitan's service area. Please note that any use of or benefits from Metropolitan's imported water will require annexation into Metropolitan's service area. Additionally, as Metropolitan's approval would be required for any annexation into its service area, the Final EIR should identify Metropolitan as a Responsible Agency.

Additionally, Metropolitan encourages projects within its service area to include water conservation measures. While Metropolitan continues to build new supplies and develop means for more efficient use of current resources, projected population and economic growth will increase demands on the current system. Water conservation, reclaimed water use, and groundwater recharge programs are integral components to regional water supply planning. Metropolitan supports mitigation measures such as using water efficient fixtures, drought-tolerant landscaping, and reclaimed water to offset any increase in water use associated with the proposed project.

Mr. Richard J. MacHott

Page 2

October 21, 2011

We appreciate the opportunity to provide input to your planning process and we look forward to discussing the Project and proposed annexation with you. If you have any questions, please contact Ms. Ethel Young at (213) 217-7677.

Very truly yours,



Deirdre West

Manager, Environmental Planning Team

WF/wf



October 21, 2011

Mr. Richard J. MacHott, Environmental Planning Consultant
Community Development Department – Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530
rmachott@lake-elsinore.org
(Sent via US mail and email)

RECEIVED
OCT 21 2011
CITY OF LAKE ELSINORE
PLANNING DIVISION

RE: Comment Letter on the Recirculated Draft Program Environmental Impact Report for the City of Lake Elsinore General Plan Update (State Clearinghouse Number 2005121019)

Dear Mr. MacHott:

I am writing to you on behalf of McMillin Summerly, LLC, the owner and developer of the Summerly community, and Civic Partners, who through wholly owned affiliates is owner of many parcels within the East Lake Specific Plan Area, and the designated Master Developer under an existing Disposition and Development Agreement with the Redevelopment Agency of the City of Lake Elsinore. These parties hold land use entitlements which were secured under ordinance-adopted specific plans, permits, and development agreements, each of which pre-dated the pending general plan update program. The entitlements were additionally secured following implementation of project-specific CEQA analysis, findings, and mitigation measures imposed by the lead agency. Last, the entitlement holders have secured their interests through the payment of assessments and fees for local and regional facilities as prescribed by the respective agencies. Both Civic Partners and McMillin Summerly, LLC intend to implement their approved plans in response to market conditions.

McMillin Summerly, LLC and Civic Partners have owned the Summerly property since 2010 and Civic partners has owned property in the East Lake Specific Plan and elsewhere in the city since the early 1990's. These firms have vested themselves in the City of Lake Elsinore and have partnered with the City on numerous benefit programs. We appreciate all of the hard work that the City staff, Planning Commission and City Council have put into creating a thoughtful and long-lasting vision for the future of the City, and bringing the City's General Plan Update (GPU) to this point. Given their interests in the community and in our properties, their involvement is important and highly warranted at this final stage in the General Plan update process to ensure the rights associated with their properties are fully addressed and preserved in the General Plan.

We have reviewed as many of the GPU and Recirculated Draft Program Environmental Impact Report (DEIR) documents as possible before the October 21, 2011 deadline for public review comments on the DEIR. Many of our comments may simply require clarification, while others may necessitate some changes in the GPU or DEIR analysis. In either case, our comments are meant to clarify and improve the value of the documents and not to be critical of the vision or analysis. In this light, we hope these comments will lead to a dialogue between the City Community Development Department staff and our clients to review and address the points raised in this letter.

Please consider and respond to the following comments on the draft General Plan and DEIR:

General Plan Update Comments:

1. Please clarify which General Plan document (including District Plans) is the one that is analyzed in the DEIR and will be presented to the Planning Commission and City Council for consideration. The City's General Plan Update website (<http://www.lake-elsinore.org/index.aspx?page=794>) provides links to a draft General Plan that is different than the draft General Plan that is available for viewing on another City General Plan Update website (<http://www.lake-elsinore.org/index.aspx?page=909>).
2. Page 1-5 of the 2011 draft General Plan document states: "This Plan recognizes the adopted specific plan land uses as well as other existing neighborhoods in the City in a series of District Plans." After completing more than a quarter-century of planning, entitlement and environmental review efforts on the East Lake Specific Plan and nine amendments, The Diamond Specific Plan and the Summerly community, we are sensitive to any goals, policies or objectives in GPU or mitigation measures in the DEIR that could impact the implementation of the approved specific plans. We believe that is not the intent of the draft General Plan; however, we want to avoid potential misinterpretations in the future. Therefore, rather than using the somewhat vague term "recognizes," please incorporate a policy in the General Plan stating that "*the General Plan will not preclude the full implementation of the approved Specific Plans.*" If the Specific Plans truly are the baseline conditions under which the General Plan is considered, the recommended language will fortify that underlying condition.
3. Figure 2.6 of the 2011 draft General Plan document incorrectly illustrates that some of the East Lake Specific Plan (ELSP) as "Public/Quasi Public Land." This map should be rectified to match the approved ELSP document as amended. In addition, an area with the same Public/Quasi Public Land designation is not configured correctly. Please see Attachment 1 for notes on the areas in question. The approved 2003 ELSP land use plan and Amendment 8 ELSP are attached as Attachment 2 for your reference. On both maps, the area is identified as Commercial Park (CP). Please correct this on Figure 2.6.
4. Figure 2.7 of the 2011 draft General Plan document illustrates the "Airport Influence Area;" however, this area is undefined in the General Plan. It is not clear how the limits of this influence area were derived or how the area impacts the underlying land uses. Additionally, it is our understanding that the FAA has not previously recognized this area or the airstrip as an airport or an airport influence area. Our Clients own property in the area that the plan appears to designate as within the Airport Influence Area; therefore, we are particularly concerned about impacts of this designation on our land use entitlements and property values. Please see Attachment 3 for notes on the areas in question. The issues to be answered in the responses to comments should be whether the City intends for this airstrip land use to be expanded into a fully-recognized airport consistent with FAA rules and regulations, and what environmental impacts will such a use have on the pre-existing entitlements for the East Lake Specific Plan and the subsequent amendments?
5. See comments in #3 above related to Figure 2.8 of the 2011 draft General Plan document. In addition, a proposed park is shown in the ELSP area, adjacent to Mission Trail; however, it is not clear which park is proposed at this location. Please see Attachment 4 for notes on the areas in question.
6. Page EL-7 of the 2011 draft District Plans document includes policies EL 1.1, 1.3 and 1.4 that provide direction on compatibility between residential and commercial uses and the airport

and the motocross. We support the continuation of these uses; however, it is important to note that residential and commercial uses have been approved on nearby properties and certain desirable recreational and sport activities are contemplated by the Master Developer. As stated in comment #2 above, the ability to implement the approved Specific Plans must not be compromised by the policies in this document.

DEIR Comments:

7. Mitigation Measure (MM) Land Use 3 on Page S.0-28 of the DEIR states:

Each project will be reviewed for its consistency with the Land Use Planning Handbook Recommendations when individual projects are proposed. This review will include analysis and subsequent review under CEQA. The feasibility of the proposed mitigation measures must be determined on a project-specific level.

This MM is recommended to address a potential impact associated with future development that may be consistent with the General Plan and District Plan but inconsistent with other existing uses; however, it is not clear where this mitigation measure should be applied. Logically this MM should only be applicable to new land uses adjacent to an *existing* airport; however, the extent of the area adjacent to an airport is not identified in this DEIR section or in Section 3.1, Land Use. Related to our client's properties adjacent to the Skylark airport, this MM is not appropriate because the properties are already entitled pursuant to the approved Specific Plans. Therefore, the consistency between the approved land uses and the Skylark airport have already been considered and further consistency review is not necessary unless specifically indicated in the Specific Plan or approved mitigation measures. Clarification should be provided on the extent this MM should be applied and that land uses pursuant to approved Specific Plans are exempt from this MM.

8. MM Land Use 4 on Page S.0-28 of the DEIR states:

If the motocross track is relocated adjacent to the new location for the airport, future development within the East Lake District Plan shall be required to conform with mitigation measures identified in the East Lake Specific Plan EIR...The subsequent project-level review will include an analysis of potential land use compatibility issues with locating the motocross site in proximity to the airport.

Please clarify the new location for the airport. There is no discussion about a proposed location of the airport in the General Plan or DEIR. If a new location for the airport is proposed, the impact of the airport on the existing and approved land uses should be analyzed in the DEIR. It is also not clear how the relocation of the motocross track relates to new development complying with the ELSP EIR. Finally, the last sentence pertaining to subsequent project-level review is confusing. Is the subsequent project-level environmental review associated with the new motocross site, other development in the ELSP or the airport?

9. MM Noise 4, pg. S.0-39 of the DEIR states:

For projects proposing new recreational uses or increased intensity of recreational activity in proximity to sensitive receptors, the City shall require the project applicant to demonstrate the recreational use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation

measures that will reduce the noise received to acceptable levels. For projects proposing new residential uses in proximity to recreational areas, the City shall require the project applicant to demonstrate the recreational use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

The bolded statement above seems to confuse what land use would be subject to additional burdens related to demonstrating compliance with the City's noise standards. A project applicant proposing a residential development on a particular site should not be required to show a different site's recreational use is in compliance with the City noise standards. In addition, this MM does not consider the existence of approved land uses as part of adopted Specific Plans, which would not be subject to these requirements. It would customarily be the responsibility of the new land use to provide mitigation to the existing and pre-committed land uses as part of its approvals and certifications. That does not appear to be what MM Noise 4 is requiring.

10. Pg. S.0-55, of the DEIR states:

The Land Use Plan would allow development of residential and commercial uses in the vicinity of the airport. However, no features of the GPU or the Land Use Plan would conflict with requirements of the FAA regarding proximity of development to airports. All future development proposed within proximity to the airport would be required to comply with FAA regulations to ensure that future residents or employees are not subject to significant hazards. The potential inconsistencies of future development with the densities allowed for in the Land Use Planning Handbook are considered to be a potentially significant land use compatibility impact at a programmatic level.

See comment under #7, above as well as # 4 above under the GPU heading.

11. MM Hazards 4, Pg. S.0-55 of the DEIR states:

Proposed development projects within proximity to the Skylark Airport will be evaluated for consistency with continued operations at the airport. The project applicant of each such development project shall comply with the applicable requirements of the Federal Aviation Administration (FAA) regarding any encroachment into the airport's navigable airspace in accordance with Federal Aviation Regulations (FAR) Part 77.

See comment under #7, above pertaining to CEQA, and #4 above under the GPU heading. The comments are further expanded to request a definition of whether the subject airport is a special use airport for which its approved scope of activities and operating hours are fully known, and to what extent it is addressed through the Riverside County Airport Land Use Plan administered by ALUC.

12. Pg. 3.1-35 of the DEIR states:

Land Use Incompatibility. Within the traffic pattern zone of Skylark Airport, the Airport Land Use Planning Handbook recommends no more than 3 du/acre and exclusion of areas that attract large assemblages of people to minimize hazards including fuel spills. Low-medium residential areas (1-6 du/acre) currently exist and are designated in the Land Use Plan

adjacent to the airport use area. The potential inconsistencies of future development with the densities allowed for in the Land Use Planning Handbook are considered to be a significant land use compatibility impact at a programmatic level. However, each project will be reviewed for its consistency with the Land Use Planning Handbook Recommendations when individual projects are proposed. This review will include analysis and subsequent review under CEQA.

See comment under #7 and #11, above.

13. Pg. 3.1-36 of the DEIR states:

Impacts of proposed motocross track: According to the East Lake Specific Plan Amendment No. 8 EIR, noise impacts will be less than significant with the use of setbacks from surrounding land uses. The relocation of the motocross track to the southernmost parcel of East Lake Specific Plan Amendment 8 planning area would be consistent with recreation land use set forth in the GPU and the developed open space land use set forth in the East Lake Specific Plan Amendment 8 EIR. Therefore, according to the East Lake Specific Plan Amendment 8 EIR, impacts on land use compatibility would be less than significant.

The above statement indicates that setbacks around the future motocross track will be required; however, it is not clear how large these setbacks will be or how they will impact the approved land uses in the ELSP. As stated in comment number 6 above, Civic Partners and McMillin Summerly, LLC support the continuation of the motocross use; however, it is important to note that residential and commercial uses have been approved on nearby properties. To ensure these approved uses can be implemented as planned, an additional policy statement should be added like the one suggested in comment #2, above that protects the ability to implement the approved Specific Plans.

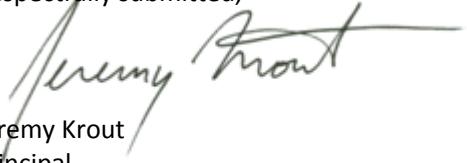
14. See comments 3 and 5 above regarding Figure 3.15.1 of the DEIR.

15. See comments 10 through 12 regarding Pgs. 3.10-24 and -25 of the DEIR

We applaud the City of Lake Elsinore on its continued efforts and persistence to complete such a major planning effort through one of the most trying economic times in the City's history. Thank you for the opportunity to review the DEIR and GPU and your consideration of our comments.

Given the City's clear desire to complete the GPU process, we will make ourselves available to meet and discuss our comments further. Please contact me at jkrou@rgpcorp.com or at (949) 450-0171 x313 to schedule a meeting at your earliest convenience.

Respectfully submitted,



Jeremy Krout
Principal

Cc: James D. Stroffe, Friedman Stroffe & Gerard, P.C.
Tina Alexander
Steven Semingson
Brian Milich

Attachments (1)

o:\jeremy\lake elsinore\lake elsinore gpu deir comment letter.docx

ATTACHMENT 1

- ~ I-15
- ~ SHWY-74
- SPHERE OF INFLUENCE
- CITY BOUNDARY
- WATER BODIES
- REGIONAL PARKS
- PUBLIC/QUASI PUBLIC LANDS

LAKE ELSINORE TRAIL SYSTEM

- ~ REGIONAL TRAIL
- ~ LAKE ELSINORE LAKE, RIVER, LEVEE REGIONAL TRAIL

COMMUNITY TRAIL

- ~ HISTORIC TRAIL
- ~ LAKE LOOP TRAIL

COUNTY TRAIL SYSTEM

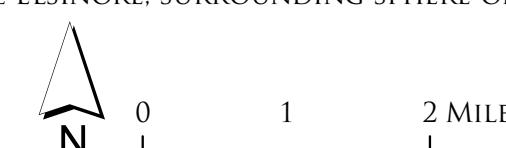
- ◆◆ COMBINATION TRAIL (REGIONAL AND CLASS I BIKEWAY)
- ◆◆ REGIONAL TRAIL
- ◆◆ COMMUNITY TRAIL
- ◆◆ OPEN SPACE TRAIL
- ◆◆ DESIGN GUIDELINE TRAIL

WILDOMAR TRAIL SYSTEM

- ◆◆ REGIONAL TRAIL
- ◆◆ COMMUNITY TRAIL

Incorrect; not public/quasi public land. Designated Commercial Park in the ELSP.

configuration of public/quasi public land is not consistent with underlying area



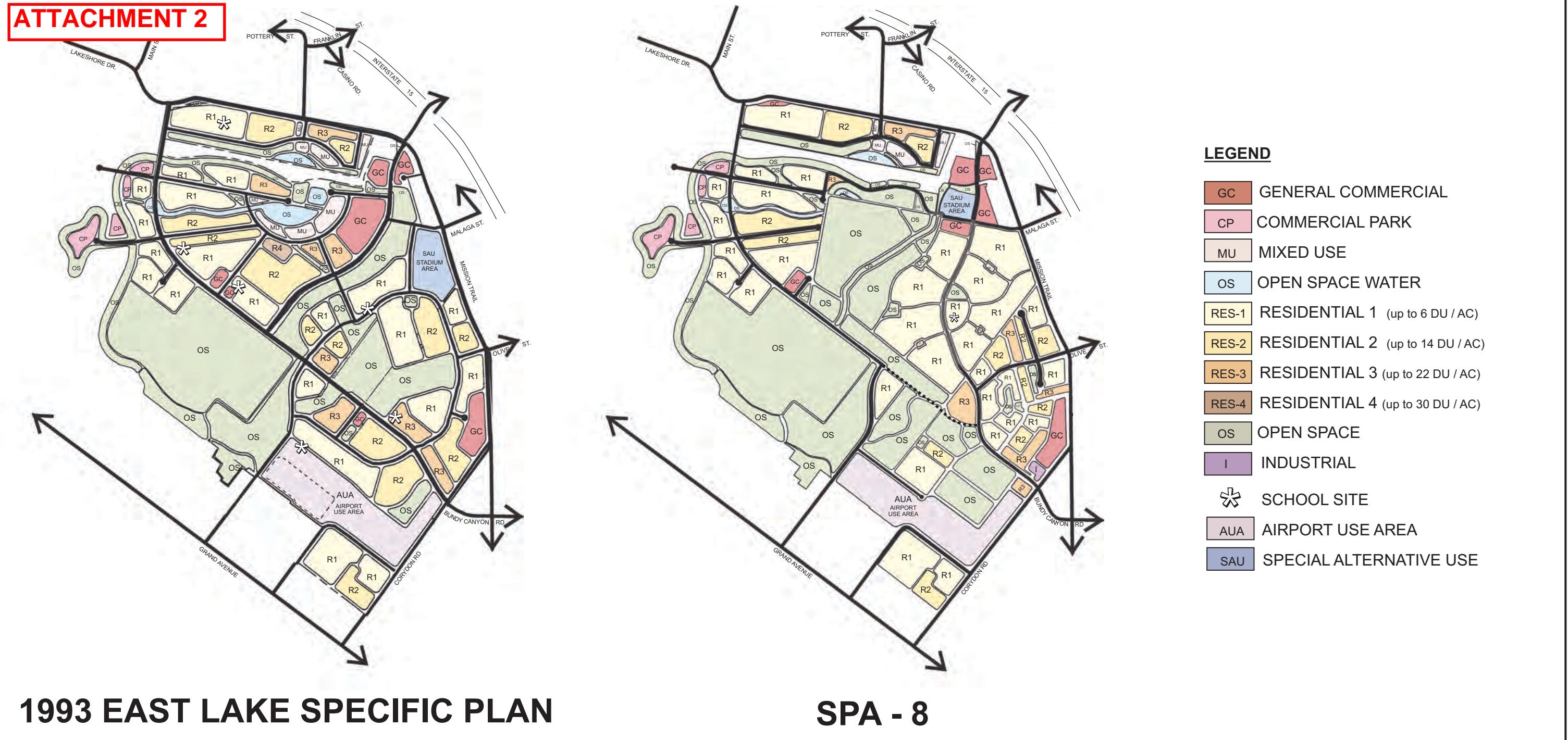
SOURCES: GARY ANDRE, DISTRICT 1, RIVERSIDE COUNTY TRAILS COMMITTEE, CITY OF LAKE ELSINORE

NOTE: THIS MAP ILLUSTRATES A PROPOSED TRAIL NETWORK FOR THE CITY OF LAKE ELSINORE, SURROUNDING SPHERE OF INFLUENCE AREAS AND NEARBY REGIONAL AREAS.



CITY OF LAKE ELSINORE
EL SINORE AREA TRAILS SYSTEM
FIGURE 2.6

ATTACHMENT 2



1993 EAST LAKE SPECIFIC PLAN

SPA - 8

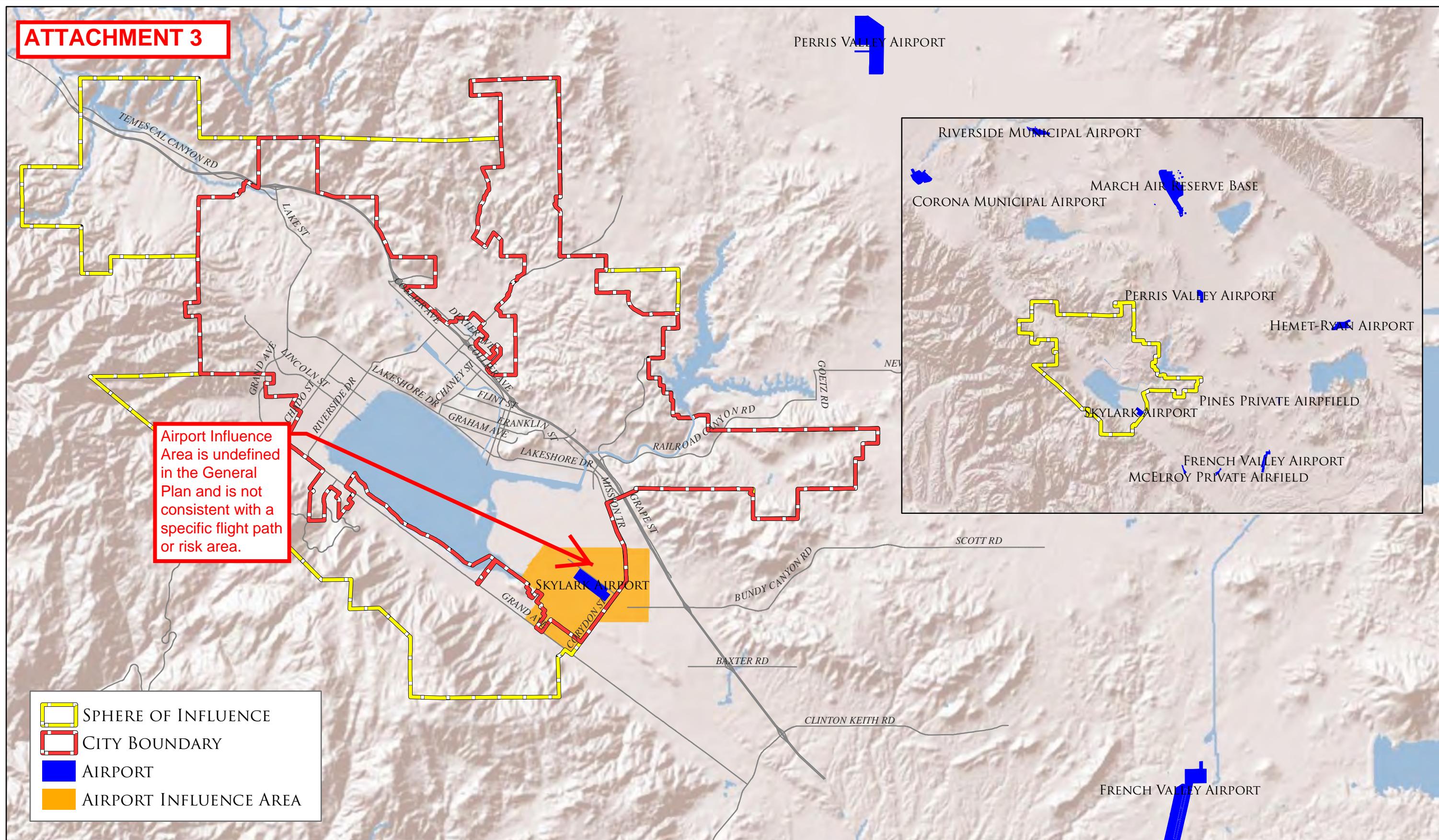


Lumos Communities, LLC
East Lake Specific Plan

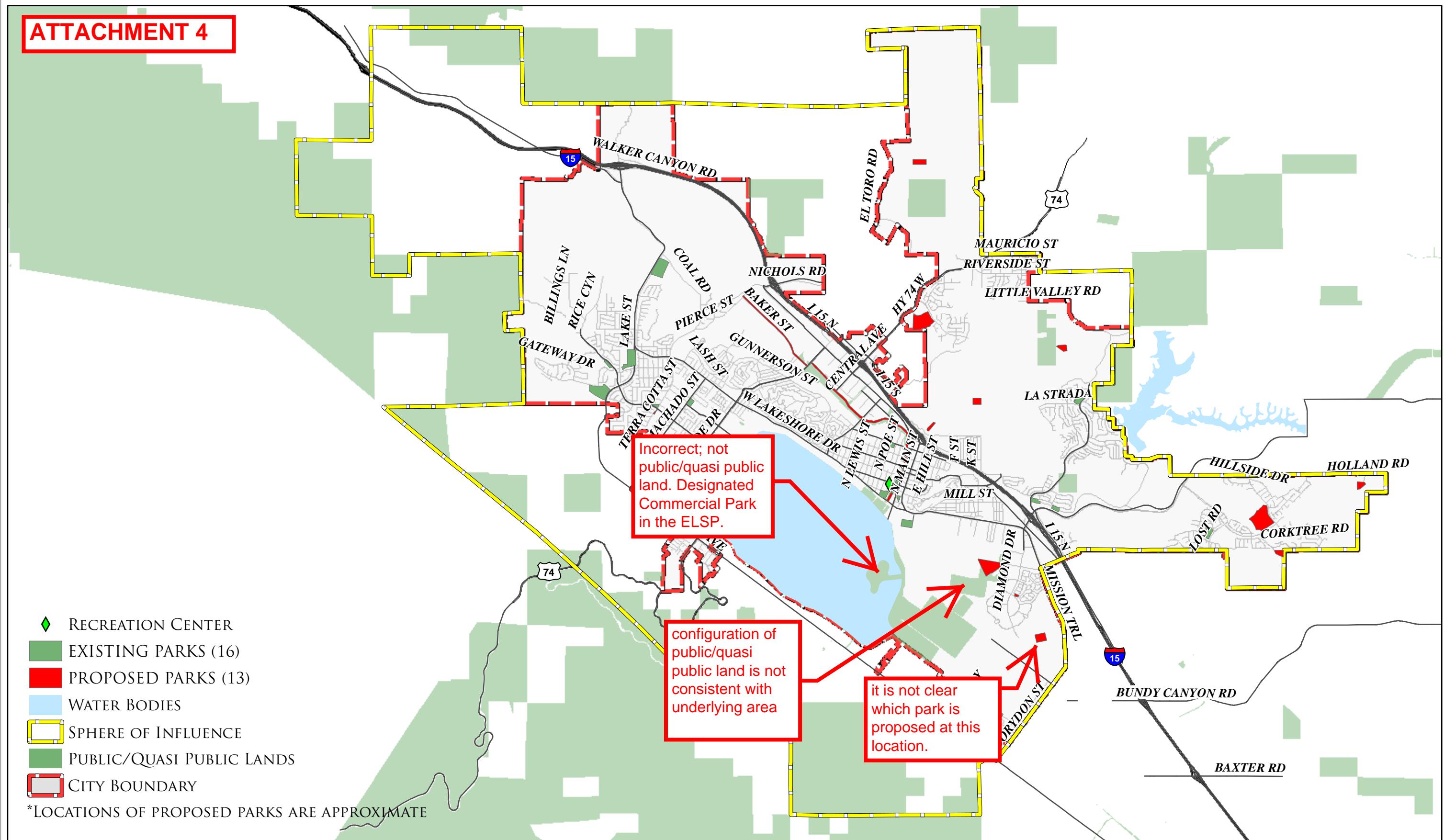
FIGURE 4
EAST LAKE SPECIFIC PLAN - AMENDMENT 8
LAND USE PLAN COMPARISON

ATTACHMENT 3

PERRIS VALLEY AIRPORT



SOURCES: CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE

ATTACHMENT 4

Richard MacHott

From: Estes Real Estate Estes, Inc. [estesinfo@gmail.com]
Sent: Friday, October 21, 2011 5:14 PM
To: Carole Donohoe; Richard MacHott
Subject: City of Lake Elsinore Recirculated General Plan-Comments From Rick Estes-Sierra Club, San Gorgonio Chapter

1. The proposed Climate Action Plan as described on the City of Lake Elsinore's Web site as part of the proposed General plan amendment is totally inadequate. A hollow document intended to give the appearance of complying with California mandated AB 32 when in fact it proposes nothing to reduce Green House gases not already mandated by Current California law.

Reduction of Green House Gases by the City of Lake Elsinore proposed "Climate Action Plan" are less or no greater than statewide mandated Green House reductions already approved by California regulations and law. In other words the City meets its stated goals by proposing nothing more than is already (or will be) required by state law. The Climate Action is a sham Climate Action Plan and a disservice to the citizens (made up of trusting and innocent men, women and children) who will pay the price of this proposal.

2. Efficiencies claimed for the installation of energy saving devices by the city are nothing more than normal required equipment replacement with more efficient devices of later and newer makeup which the city would have had to install anyway. Replacement of worn out equipment that will take place regardless of whether the city has a "Climate Action Plan is not sufficient and does not meet the intent or requirements of AB32.

3. The climate action plan does not contain mention of the promotion of locally produced farm products. Farming is not encouraged in any way. The obvious energy savings of locally produced vegetables and farm produce is not addressed and should be. Cities throughout California are adopting the support of local farming in their Climate Action Plans, so should the city of lake Elsinore.

3. Support for bicycles transportation is almost non-existent. Specific, concrete actions to be taken by the City in the years of this plan or virtually non-existent. Showers and changing rooms for bicyclists as a worthy goal is not a Bicycle plan. The Climate action plan does not contain a realistic bicycle plan .

Sincerely,
Rick Estes-Sierra Club, San Gorgonio Chapter
cell-951-314-3328

3.0 CORRECTIONS, ERRATA, AND CHANGES FROM RDP-EIR INCLUDED IN FINAL RECIRCULATED PROGRAM EIR

3.1 INTRODUCTION

Corrections, errata and changes from the RDP-EIR that are included in this Final Recirculated Program EIR represent additional information or corrections that do not change the impacts of the proposed project and/or mitigation measures such that new or more severe environmental impacts result from the proposed project. Such items are sometimes added as a result of comments received from responsible agencies or are minor corrections or clarifications. These modifications and clarifications are not “significant new information” under Section 15088.5 of the State CEQA Guidelines because they represent minor modifications, clarifications or amplifications to the analysis and significance conclusions already clearly stated in the RDP-EIR. Further, no new issues or additional environmental impacts will result from these changes. Finally, because these additions merely clarify and amplify the discussion in the RDP-EIR, the RDP-EIR has not been “changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the proposed project or a feasible way to mitigate or avoid such an effect. (State CEQA Guidelines Section 15088.5(a)). Accordingly, the responses to comments, corrections, errata and changes, and other material contained in this Final Recirculated Program EIR do not require recirculation under CEQA (Section 15088.5(b) of the State CEQA Guidelines).

Any changes identified to the mitigation measures described below in Section 3.2 (Corrections/Errata and Changes) are not required to reduce significant impacts to a less than significant level, nor are they imposed due to the discovery of new significant impacts. Instead, the clarifications made to the mitigation measures included in the RDP-EIR provide minor changes that make mitigation clearer and more specific. However, none of these clarified mitigation measures will result in any potentially significant impacts of their own. Accordingly, these clarifications do not require recirculation of the Recirculated Program EIR under CEQA. (See State CEQA Guidelines, Section 15088.5.)

The following discussion presents the location and types of changes or corrections made within the listed sections by this Final Recirculated Program EIR since the RDP-EIR was published. Those sections of the RDP-EIR not listed below have not been modified. The revisions are presented in a strike-through/underline format, with underlines being additions and strike-through being deletions.

3.2 CORRECTIONS/ERRATA AND CHANGES

Section S.0 - Executive Summary

1. For consistency, Table S.0-2, Summary of Environmental Impacts and Mitigation Measures, has been revised to reflect the minor modifications and clarifications made to the mitigation measures, as described below.
2. In order to make a minor correction to Table S.0-2 (Summary of Environmental Impacts and Mitigation Measures), the Table S.0-2 was amended by merging the second row of text under the heading “3.7 - Greenhouse Gas Emissions” on page S.0-47 with the first row of text.
3. In order to make a minor correction to Table S.0-2 (Summary of Environmental Impacts and Mitigation Measures), Table S.0-2 was amended by deleting the duplicate listing of mitigation measures MM Biological Resources 4 and MM Biological Resources 5 on page S.0-51.

Section 3.1 – Land Use and Planning

4. In order to make a minor correction to a textual cross-reference in Section 3.1 (Land Use and Planning), the reference to “Table 3.1-4” on page 3.1-30 of the RDP-EIR located in the first paragraph after Table 3.1-5 was revised to read “Table 3.1-5”.
5. In order to make a minor correction to textual references in Section 3.1 (Land Use and Planning) to Table 3.1-6 (District Plan Land Use Impacts), the references to “Table 3.1-5” located on pages 3.1-31, 3.1-32 and 3.1-38 of the RDP-EIR were revised to read “Table 3.1-6”.
6. Mitigation measure MM Land Use 3 on page 3.1-40 of the RDP-EIR was clarified as follows:

MM Land Use 3: Each project within the Skylark Airport Influence Area, as shown on Figure 2.7 of the General Plan, will be reviewed for its consistency with the Airport Land Use Planning Handbook Recommendations when individual projects are proposed. This review will include analysis and subsequent review under CEQA. The feasibility of the proposed mitigation measures must be determined on a project-specific level.

7. Mitigation measure MM Land Use 4 on page 3.1-40 of the RDP-EIR was clarified as follows:

MM Land Use 4: If the motocross track is relocated ~~adjacent to the new location for the airport~~, future development within the East Lake District Plan shall be required to ~~conform~~ ~~comply~~ with mitigation measures identified in the East Lake Specific Plan EIR. ~~These measures are summarized in Table 3.1-6 of this EIR.~~

However, additional project-specific CEQA environmental analysis and review will be required when a detailed project is proposed at the new motocross site. ~~The subsequent~~This project-level review will include an analysis of potential land use compatibility issues ~~with locating the motocross site in proximity to the airport.~~

Section 3.2 – Cultural and Paleontological Resources

8. The paragraph under the “Prehistoric Context” heading on page 3.2-1 of the RDP-EIR was revised as follows:

A distinct cultural sequence has yet to be specifically defined for Lake Elsinore. Traditionally, this area has been incorporated within discussion of Luiseño ethnographic traits, and previous descriptions depended upon the similarity of the limited assemblages with those from the more extensively studied Pauma Valley sites. A discussion of Moratto’s (1984) Southern Coast Region (San Diego) sequence is based on these comparisons and included here. In addition, ~~in response to ethnographic references to shared use of this territory by groups to the east of the Luiseño, particularly the Cahuilla, Moratto’s (1984) Desert Region (Colorado River) sequence is also discussed.~~

9. The third paragraph under the “Ethnographic Setting” heading on page 3.2-5 of the RDP-EIR is hereby revised as follows:

Villages were located in diverse ecological zones typically located along valley bottoms, streams, or coastal strands near mountain ranges. Each village area contained many named places associated with food products, raw materials, or sacred beings, and each place was owned by an individual, family, the chief, or by the group collectively (Bean and Shipek 1978). The village of Paiahche is ethnographically documented immediately north of the lake ~~by~~(Kroeber (1925), however consultation with the Pechanga Tribe shows that the village was located northwest of the Lake and that the correct spelling is Páayaxchi. This name also refers to the Lake itself. The Luiseño knew Lake Elsinore as Paahashnan. The area around and including the Elsinore hot springs was known to the Luiseño as ~~‘Atengvø iténgvu Wumówmu~~ (meaning “hot springs”). The hot springs also figure prominently ~~in the local creation myth~~into Luiseño oral tradition. The location, ~~Itengvø Wumówmu~~, is named in a song about the death of ~~WiyetWuyóot~~, a religious leader who led the people in their migration from the north (Du Bois 1908; Harrington 1978 in Grenda et al. 1997). ~~Several additional Luiseño place names are within the Lake Elsinore area and SOI including We’éeva, Pií’iv, Qawiimay, Páayaxchi Nivé’wuna, Anóomay and others, reflecting this diverse and well utilized region.~~

10. The fourth sentence of the last paragraph on page 3.2-7 of the RDP-EIR is hereby amended as follows:

In early 1887, one of Heald's major accomplishments was the building of a Bathhouse in the ancient hot springs of the Pai-ah-che Páayaxchi, known as the Crescent.

11. The first paragraph under the heading "Prehistoric Archaeological Sites" on page 3.2-12 of the RDP-EIR was amended as follows:

The previous studies conducted within the planning area identified prehistoric archaeological sites including villages, rock shelters, habitation sites, lithic scatters, and milling slicks. (Figure 3.2-1, Cultural Resource Areas). Isolated artifacts not associated with the larger sites have also been identified within the project area. Previously identified archaeological sites can be used as a general guideline to understanding the nature of localized prehistoric inhabitation and provide assistance in determining areas of known sensitivity for prehistoric archaeological resources.

12. The second paragraph on Page 3.2-12 in Section 3.2.2 (Environmental Setting) of the RDP-EIR was revised as follows:

The record search also indicated that 157 prehistoric and historical archaeological sites have been recorded in the project area. Of these sites, ~~eight were considered important enough to be evaluated for NRHP eligibility. Of those so evaluated,~~ two prehistoric archaeological sites (the rock shelter site CA-RIV-1022 and the prehistoric village site CA-RIV-2798) were determined eligible for listing in the NRHP.

13. Figure 3.2-1 (Cultural Resource Areas) on page 3.2-15 of the RDP-EIR was deleted. Figure 3.2-1 was replaced with a page that states "Figure 3.2-1 has been deleted."

14. Inasmuch that Table 3.2-3 on page 3.2-32 in the RDP-EIR incorrectly numbered the proposed General Plan Goals and Policies. Therefore, this table and any references to the goals and policies contained in Section 3.2 and Section 4.0 of the RDP-EIR were revised to reflect that Goals 5, 6, 7, 8 and 9 and associated policies contained in Chapter 4.0 of the proposed General Plan are corrected to be Goals 6, 7, 8, 9 and 10 and associated policies.

15. Table 3.2-3 (General Plan Cultural Resources Goals, Policies and Implementation Programs) on page 3.2-32 of the RDP-EIR was revised to the following revisions:

Goal 6 Preserve, <u>protect</u> , and promote the cultural heritage of the City and surrounding region for the education and enjoyment of all City residents and visitors, as well as for the advancement of historical and archeological knowledge.
Policy 6.2 The City shall consult with the <u>appropriate</u> Native American tribes for projects

identified under SB 18 (Traditional Tribal Cultural Places).

Policy 6.3 When significant cultural/archeological sites or artifacts are discovered on a site, coordination with professional archeologists, relevant state and, if applicable, federal agencies, and concerned the appropriate Native American tribes regarding preservation of sites or professional retrieval and preservation of artifacts or by other means of protection, prior to development of the site shall be required. Because ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices, developers should shall waive any and all claims to ownership and agree to return all Native American ceremonial items and items of cultural patrimony that may be found on a project site to the appropriate tribe for treatment. 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.

Goal 7 Support state-of-the-art research designs and analytical approaches to archeological and cultural resource investigations while also acknowledging the traditional knowledge and experience of the Native American tribes regarding Native American culture.

Policy 7.1 Consult with California Native American tribes prior to decision-making processes for the purpose of preserving cultural places located on land within the City's jurisdiction that may be affected by the proposed plan, in accordance with State or Federal requirements.

Policy 7.3 Continue to update a citywide inventory of cultural resources in conformance with state standards and procedures while maintaining the confidentiality of information as required by law.

Policy 7.4 Support the permanent curation of archeological artifact collections by universities, museums or other appropriate tribal facilities.

Policy 7.5 Increase opportunities for cultural heritage tourism by promoting the history of Lake Elsinore by attract cultural heritage travelers while maintaining the confidentiality of Native American sites, places and other information as required by law.

16. Mitigation measure MM Cultural/Paleontological Resources 10 located on page 3.2-50 of the RDP-EIR was revised as follows:

MM Cultural/Paleontological Resources 10: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission shall be contacted within a reasonable timeframe 24 hours. Subsequently, the Native American Heritage Commission shall identify the person or persons it believes to be the "most likely descendant." The most likely descendant shall may then

make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

Section 3.4 – Transportation and Circulation

17. In a letter dated November 9, 2011, Urban Crossroads re-analyzed the Traffic Impact Analysis contained in Appendix D of the RDP-EIR. As a result of this analysis, Urban Crossroads determined that the projected General Plan buildout traffic volumes for two relatively minor “loop” roadways located west of Lincoln Street and south of Interstate 15 can be accommodated by the Divided Collector roadway classification. As a result of this analysis the following minor corrections to the analysis contained in Section 3.4 (Transportation and Circulation) and Appendix D (Traffic Studies) of the RDP-EIR have been made.
 - a. The November 9, 2011 letter from Urban Crossroads has been added to Appendix D of the RDP-EIR.
 - b. Figure 3.4-14 (Recommended Circulation Roadway System) was updated to show the two minor “loop” roadways located west of Lincoln Street and south of Interstate 15 as “Divided Collector (2-Lanes with Potential Augmented Intersections)” roadways.
 - c. The description of Road “A” from “W of Temescal Rd” to “Temescal Rd” located in Table 3.4-10 (Highway Link/Roadway Capacity Analysis – General Plan Buildout Conditions) on page 3.4-87 of the RDP-EIR was updated as follows:

ROADWAY	FROM:	TO:	CLASSIFICATION	LOS E. CAPACITY	TOTAL DAILY TRAFFIC VOLUMES	V/C	CAPACITY CALCULATION
Road “A”	W of Temescal Canyon Rd	Temescal Canyon Rd	<u>Secondary</u> <u>Divided Collector</u>	<u>25,900</u> <u>18,000</u>	10,000	<u>0.39</u> <u>0.56</u>	Acceptable

18. In order to make a minor spelling correction to Figure 3.4-15 (Recommended Roadway Cross Sections) on page 3.4-69 of the RDP-EIR, the word “Senario” at the top of the figure was corrected to read “Scenario”.
19. Figure 3.4-24 was revised to modify the background of the Elsinore Area Trails System figure by replacing the “public/quasi public lands” background with a topographic relief background and to include the adopted Riverside County trails system, which includes the City of Menifee Trail System.

20. In order to make a minor correction to reference to the General Plan's bikeway map, the first sentence on page 3.4-115 of the RDP-EIR was corrected to read:

Figure 3.4-25, Proposed Bikeways, presents the City's Proposed Bikeway Map which is also shown as Figure 2.6 2.5 in the City's General Plan Update.

Section 3.5 - Noise

21. Mitigation measure MM Noise 4 on page 3.5-43 was clarified as follows:

MM Noise 4: For projects proposing new recreational uses or increased intensity of recreational activity in proximity to sensitive receptors, the City shall require the project applicant to demonstrate the recreational use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

For projects proposing new residential uses in proximity to recreational areas, the City shall require the project applicant to demonstrate the recreational residential use's compliance with City noise standards with respect to the existing recreational areas. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

Section 3.7 – Greenhouse Gas Emissions

22. Table 3.7-9 on page 3.7-32 of the RDP-EIR was corrected to show the values contained in Table 3.7-8 of the RDP-EIR as follows:

Table 3.7-9, Reductions Relative to Targets

	2020 (MT CO ₂ E)	2020 (MT CO ₂ E/ SP ¹)	2030 (MT CO ₂ E)	2030 (MT CO ₂ E/ SP)
Total Projected Business-as-Usual Emissions	1,064,565	7.4	2,028,819	6.7
Total Reduction from State and Local Measures	399,224	2.8	<u>764,853</u> <u>768,105</u>	2.5
Total Projected Emissions with CAP	665,341	4.6	<u>1,263,966</u> <u>1,260,714</u>	4.2
GHG Emissions Target	944,737	6.6	1,334,243	4.4
Amount Exceeding Target	279,396	2.0	<u>70,277</u> <u>73,529</u>	0.2

Source: Appendix G (City of Lake Elsinore Climate Action Plan, Table 5-4).
¹SP = Service Population; 2020 service population = 143,142; 2030 service population = 303,237

These corrections were also made to Table 5-4 and Table B-7 in the Climate Action Plan attached as Appendix G of the RDP-EIR.

23. Table 3.7-10 on page 3.7-33 was corrected to show the values contained in Table 3.7-8 of the RDP-EIR as follows:

Table 3.7-10, Reduction Target Analysis

REDUCTION FOCUS AREA	2020 REDUCTION POTENTIAL (MT CO ₂ E)	2020 REDUCTION POTENTIAL (MT CO ₂ E/SP ¹)	2030 REDUCTION POTENTIAL (MT CO ₂ E)	2030 REDUCTION POTENTIAL (MT CO ₂ E/SP ¹)
Total Reduction from Transportation and Land Use Measures	62,138	0.4	124,279	0.4
Total Reduction from Energy Measures	89,131	0.6	177,817	0.6
Total Reduction from Solid Waste Measures	8,427	0.1	9,525	0.03
Total Reduction from Education and Outreach Measures	Contributes to other measures		Contributes to other measures	
Total Reduction from State-Level Regulations	239,528	1.7	456,484	1.5
Total Reduction from Measures	399,224	2.8	768,105	2.5
Projected Emissions with CAP Measures	665,341	4.6	<u>1,263,966</u> <u>1,260,714</u>	4.2
GHG Emissions Target	944,737	6.6	1,334,243	4.4
Amount Exceeding Target	279,396	2.0	<u>70,277</u> <u>73,529</u>	0.2

Source: Appendix G (City of Lake Elsinore Climate Action Plan, Table E-3).
¹SP = Service Population; 2020 service population = 143,142; 2030 service population = 303,237

These corrections were also made to Table ES-3 in the Climate Action Plan attached as Appendix G of the RDP-EIR

24. The duplicate reference to AB 32 within Section 3.7.8 (References) on page 3.7-36 of the RDP-EIR was deleted.

Section 3.10 – Hazards and Hazardous Materials

25. The first full paragraph on page 3.10-20 of Section 3.10 (Hazards and Hazardous Materials) of the RDP-EIR was revised as follows:

An increase in the generation, storage, and disposal of household hazardous wastes would be associated with buildout of the GPU. A household hazardous waste is any waste generated by households that can cause illness or death or pose a threat to health or the environment when improperly stored, disposed, or otherwise managed. Establishment of permanent collection centers or periodic collection events at temporary locations are the most common methods for gathering household hazardous waste for disposal other than through the municipal garbage collection system. Through ongoing cooperation between the City of Lake Elsinore and the Riverside County Waste Management District, the Lake Elsinore Regional Permanent Household Hazardous Waste Collection Facility (PHHWCF) serves City and County residents. The PHHWCF is located at 521 North Langstaff Street within the City of Lake Elsinore. Household hazardous waste collection and education programs will continue to operate in the City pursuant to Policy 3.4 of the Public Safety and Welfare chapter's Hazards and Hazardous Materials section.

26. Mitigation measure MM Hazards 4 on page 3.10-25 of the RDP-EIR was clarified as follows:

MM Hazards 4: Proposed development projects within ~~proximity to the Skylark Airport the Skylark Airport Influence Area, as shown on Figure 2.7 of the General Plan~~ will be evaluated for consistency with continued operations at the airport. The project applicant of each such development project shall comply with the applicable requirements of the Federal Aviation Administration (FAA) regarding any encroachment into the airport's navigable airspace in accordance with Federal Aviation Regulations (FAR) Part 77.

Section 3.15 – Parks and Recreation

27. Figure 3.15-1 of the RDP-EIR was revised to modify the background of the General Plan Parks figure by replacing the “public/quasi public lands” background with a topographic relief background.

Section 3.16 – Utilities and Service Systems

28. The 2nd, 3rd and 4th paragraphs on page 3.16-5 in Section 3.16.2 (Environmental Setting) of the RDP-EIR were amended as follows:

CR&R is responsible for trash disposal in the City of Lake Elsinore as well as in Temecula, Canyon Lake, and parts of the unincorporated County of Riverside.

Residents are provided a 60-gallon trash container for garbage. Trash is taken to either a landfill within Riverside County or the Materials Recovery Facility (MRF). There are no landfills in the City. Riverside County Waste Management Department (RCWMD) manages the landfills used by the City of Lake Elsinore. Capacity levels of landfills within RCWMD's jurisdiction are calculated according to the system-wide capacity level. Landfills within their jurisdiction adhere to state guidelines, which specify that a minimum of 15 years of system-wide landfill capacity shall be provided.

RCWMD facilitates waste management services for Riverside County. These services are provided on a countywide basis, and each private or public entity determines which landfill or transfer station to use. Typically, this determination is made based on geographic proximity. The landfills typically used by the City of Lake Elsinore are the El Sobrante, Badlands, and Lamb Canyon Landfills. All three of the landfills are Class III municipal solid waste landfills.

The El Sobrante Landfill is located east of I-15 and Temescal Canyon Road, south of the city of Corona at 10910 Dawson Canyon Road. The landfill is the only private landfill in Riverside County and is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc. The existing landfill encompasses 1,322 acres, of which ~~485~~ 468 acres are permitted for landfilling. The El Sobrante Landfill is currently permitted to receive a maximum of 70,000 tons per 7-day week of refuse, with a daily tonnage limit of that shall not exceed 16,054 tons (of which up to 5,000 tons are in-County wastes) in any single day. The landfill has a total capacity of approximately ~~109~~ 184 million tons, or ~~184.93~~ 209.91 million cubic yards. Pursuant to the Second Amendment to the Second Landfill Agreement between the County of Riverside and the landfill owner, a maximum of 52.32 million tons of the landfill's design capacity and 5,000 tons of the permitted daily capacity are reserved for refuse generated within Riverside County. As of the end of ~~2009~~ 2010, the landfill had a remaining total capacity of approximately ~~125.118~~ 110.783 million tons and an in-county disposal capacity of approximately ~~50.047~~ 44.313 million tons¹. The landfill is expected to reach capacity by approximately 2045.

29. The paragraph immediately after Table 3.16-11 on page 3.16-10 of the RDP-EIR was amended as follows:

As shown in **Table 3.16-11**, implementation of the proposed project would generate an estimated total of approximately 412,039 tons of solid waste during buildout. However, pursuant to the Integrated Waste Management Act, the State of California has established 50 percent as the minimum waste reduction rate for all cities. Additionally, Chapter 14.12 of the LEMC mandates that a minimum of 50 percent of C&D debris to be diverted away from landfills. Thus recycling of construction and demolition waste generated during construction will greatly reduce the amount of such waste that is directed into landfills and the estimated

maximum amount of C&D debris that will be placed into landfills would be 206,019.8 tons or an average of 10,300.99 tons per year over the next 20 years. This average represents approximately ~~0.1~~ 0.25 percent of the total annual capacity (~~9,144,710~~ 4,061,000 tons per year⁴) of all landfills currently serving the City.

30. Footnote 4 on page 3.16-30 was amended as follows:

~~⁴Daily total daily capacity multiplied by 365 days per year. Daily total tonnage of 4,000 tons on in-County waste for each the El Sobrante Landfill and the Badlands Landfills multiplied by 307 days of operation per year and a daily tonnage of 5,000 tons of waste for the Lamb Canyon Landfill multiplied by 321 days of operation per year.~~

31. The third paragraph on page 3.16-31 of the RDP-EIR was amended follows:

Therefore, the maximum estimated increase in solid waste that would be placed into landfills at general plan buildout (2030) would be 87,747 tons per year. This represents approximately ~~4.4~~ 2.1 percent of the current combined daily permitted capacity (25,054 tons per day) of all landfills currently serving the City. Although buildout of the proposed project will result in an increase in the amount of solid waste that is sent to landfills, the remaining combined capacity at the landfills is sufficient to accommodate buildout of the proposed project.

32. The discussion regarding the 3rd Street Annexation on page 3.16-32 of the RDP-EIR was amended as follows:

~~Service provider will change from Riverside County Waste Management to the City of Lake Elsinore under contract with CR&R, Inc. The current waste collection service provider for the 3rd Street Annexation Area is Burrtec Waste Industries, Inc. In accordance with California law, the County franchise hauler for the annexation area will have a 5-year “sunset” time period to relinquish the refuse collection and hauling right to the City’s franchise hauler. Currently, CR&R, Inc. provides solid waste collection and hauling services within the City under contract with the City of Lake Elsinore. No additional waste management facilities or staffing would be required to serve the proposed 3rd Street Annexation territory.~~

Climate Action Plan (Appendix G of RDP-EIR)

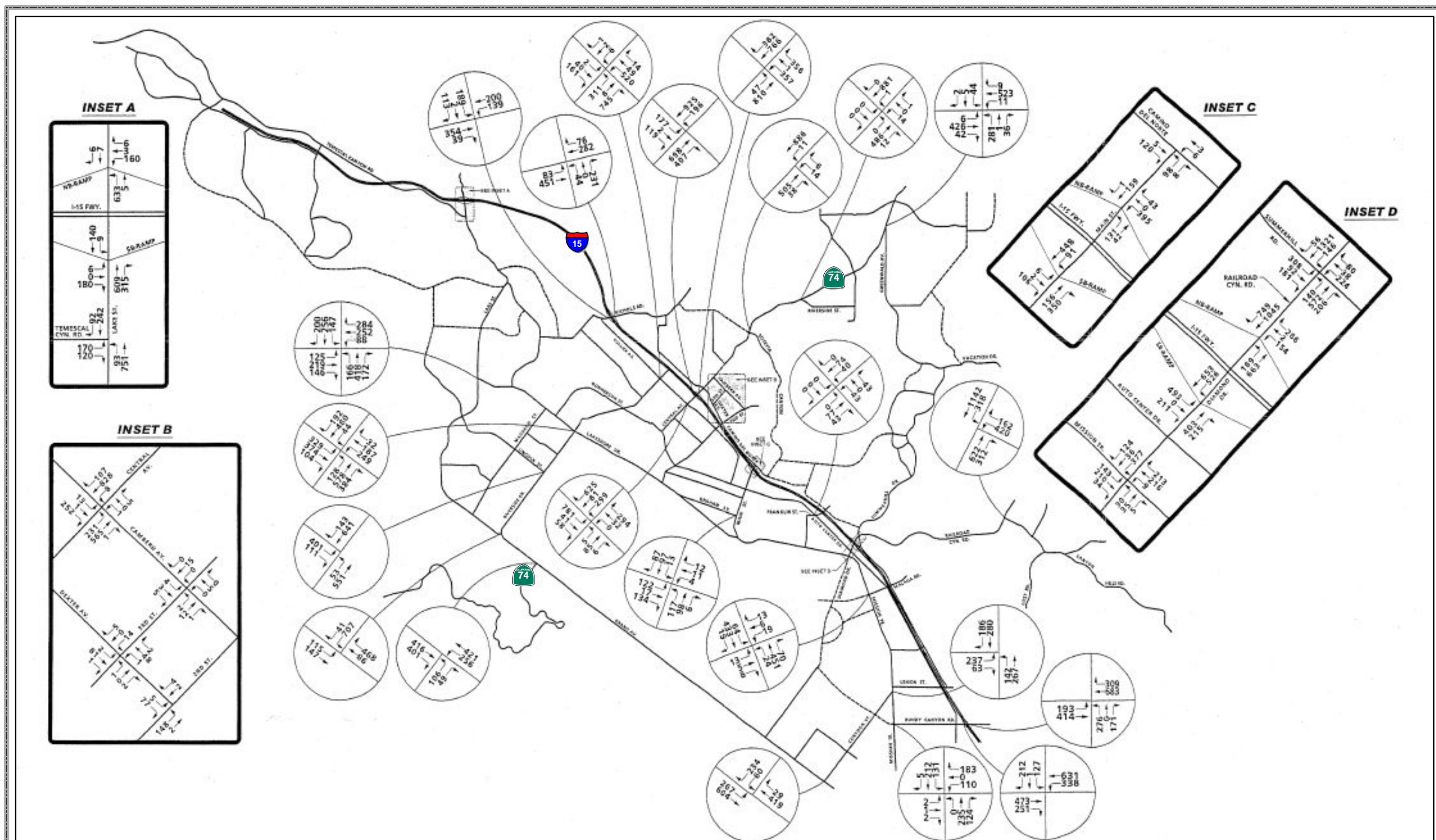
33. In order to correct a typographical error, the title of “Table E-3” on page ES-7 of the Climate Action Plan (Appendix G of the RDP-EIR) was corrected to read “Table ES-3”.

- 34. As described above, Table ES-3 on page ES-7 of the Climate Action Plan (Appendix G of the RDP-EIR) was corrected to show the values contained in Table 3.7-8 (Climate Action Plan Table 5-3).
- 35. As described above, Tables 5-4 and B-7 were corrected to show the values contained in Table 3.7-8 of the RDP-EIR (Climate Action Plan Table 5-3).
- 36. In order to correct a typographical error, Line 3 on page 1-1 of the Climate Action Plan the reference to “Executive Order S-3-50” was corrected to read “Executive Order S-3-05”.



3.3 MODIFIED RDP-EIR FIGURES

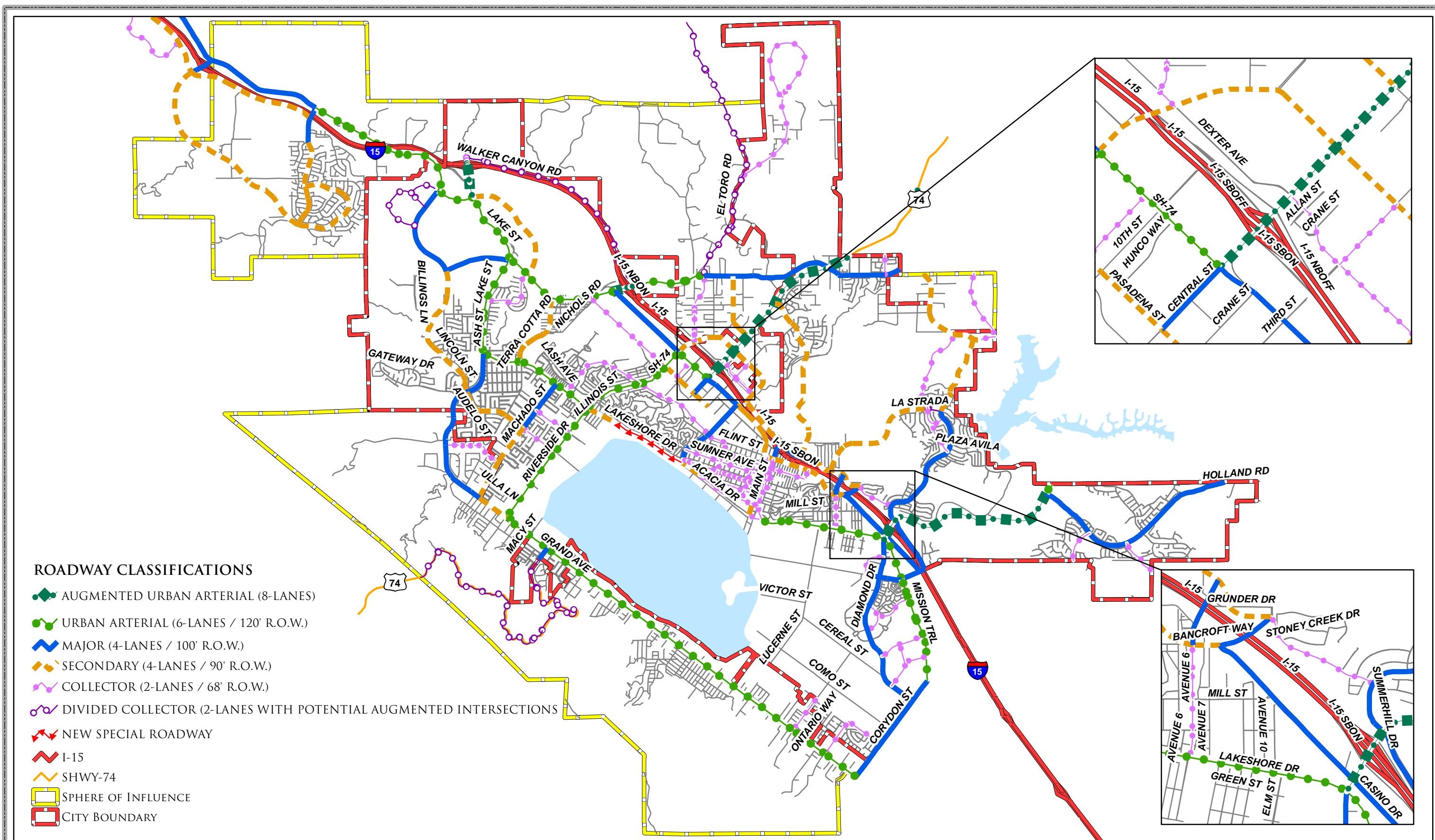
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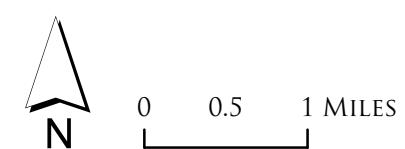
SOURCES: URBAN CROSSROADS



CITY OF LAKE ELSINORE
EXISTING (2005) AM PEAK HOUR INTERSECTION VOLUMES
FIGURE 3.4-7

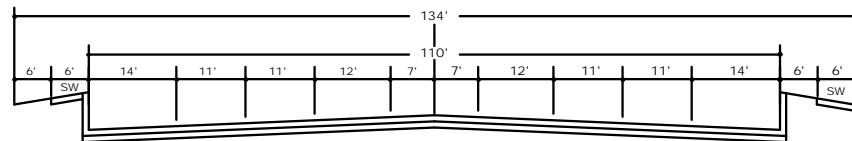


SOURCES: CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE

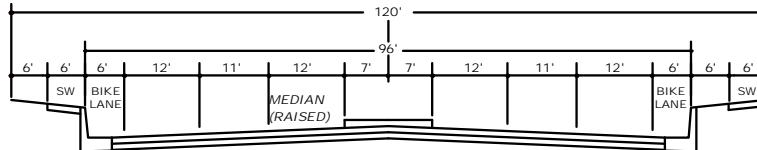


CITY OF LAKE ELSINORE
RECOMMENDED CIRCULATION ROADWAY SYSTEM
FIGURE 3.4-14

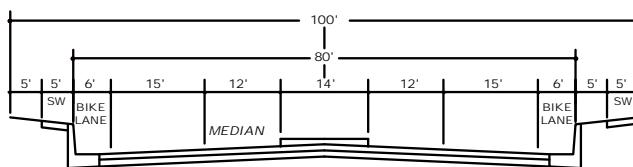
CITY OF LAKE ELSINORE PROPOSED LAND USE PLAN SCENARIO RECOMMENDED ROADWAY CROSS-SECTIONS



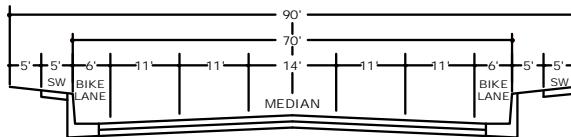
AUGMENTED URBAN ARTERIAL - STATE HIGHWAY
(8-LANE)



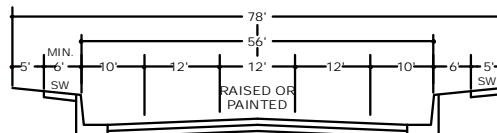
URBAN ARTERIAL HIGHWAY
(6-LANE)



MAJOR HIGHWAY
(4-LANE)

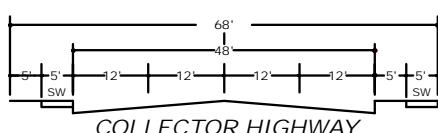


SECONDARY HIGHWAY
(4-LANE)

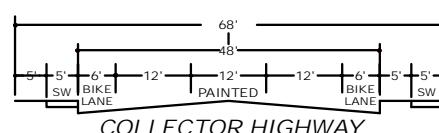


DIVIDED COLLECTOR
(2-LANE)

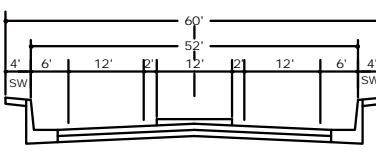
BIKES USE SHOULDER



COLLECTOR HIGHWAY



COLLECTOR HIGHWAY



NEW SPECIAL ROADWAY

(2-LANE)

(PROPOSED FOR LAKESHORE DRIVE IN THE COUNTRY CLUB HEIGHT DISTRICT)

* BIKE LANES ARE NOT MANDATORY UNLESS SHOWN ON THE BIKEWAY CIRCULATION ELEMENT PLAN

PRECISE SIDEWALK LOCATION SUBJECT TO CITY ENGINEER APPROVAL

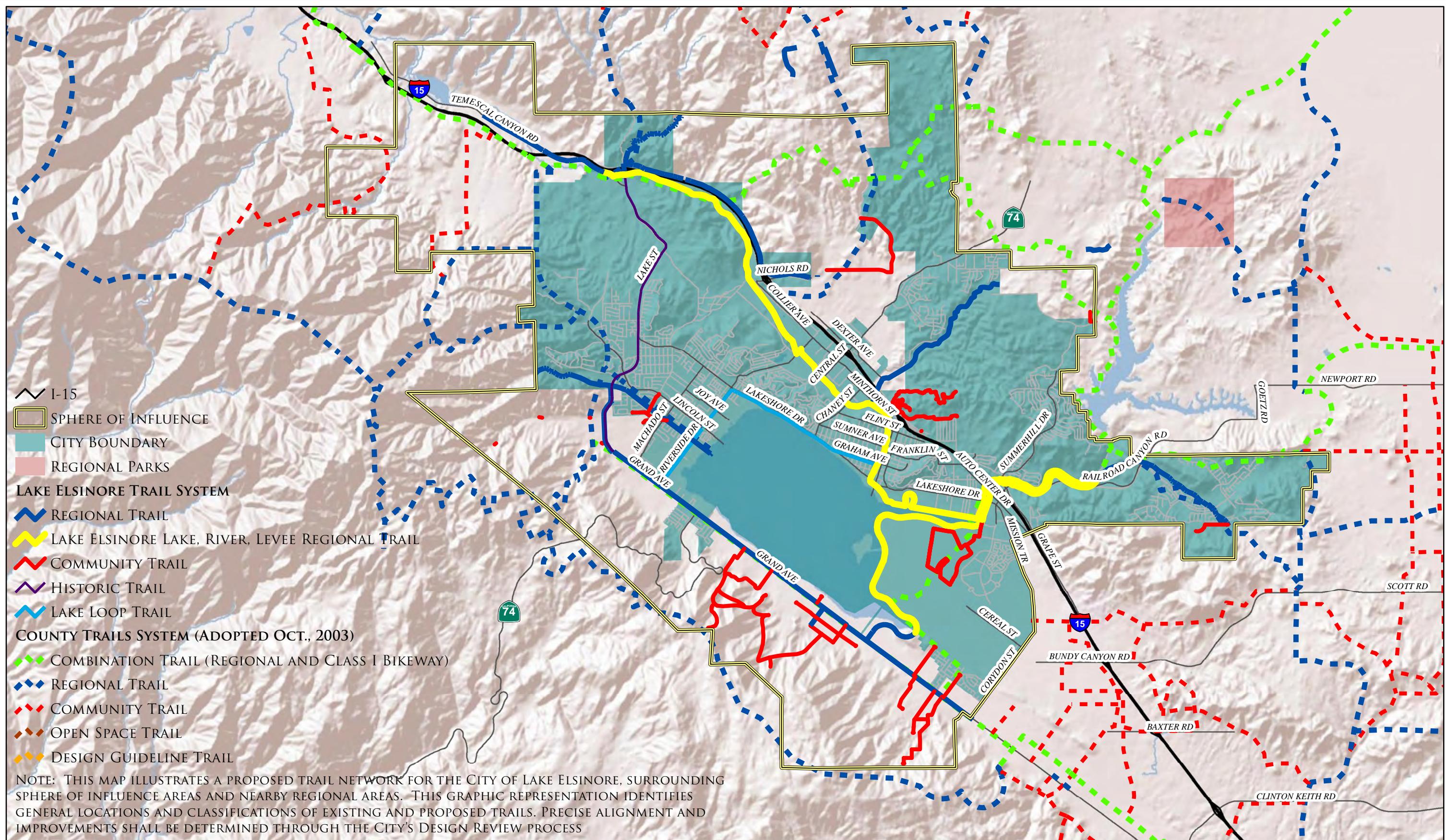
NOTE: CHECK THE DISTRICT PLAN OF YOUR AREA FOR ANY REQUIRED SPECIAL ROADWAY CROSS-SECTION, ESPECIALLY THE LAKE EDGE AND COUNTRY CLUB HEIGHTS DISTRICT PLANS.

STRIPPING OF COLLECTOR HIGHWAY AS DIRECTED BY CITY ENGINEER.

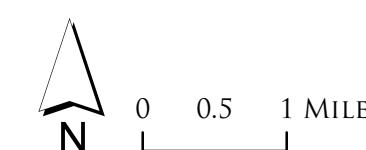
DATA SOURCE: URBAN CROSSROADS



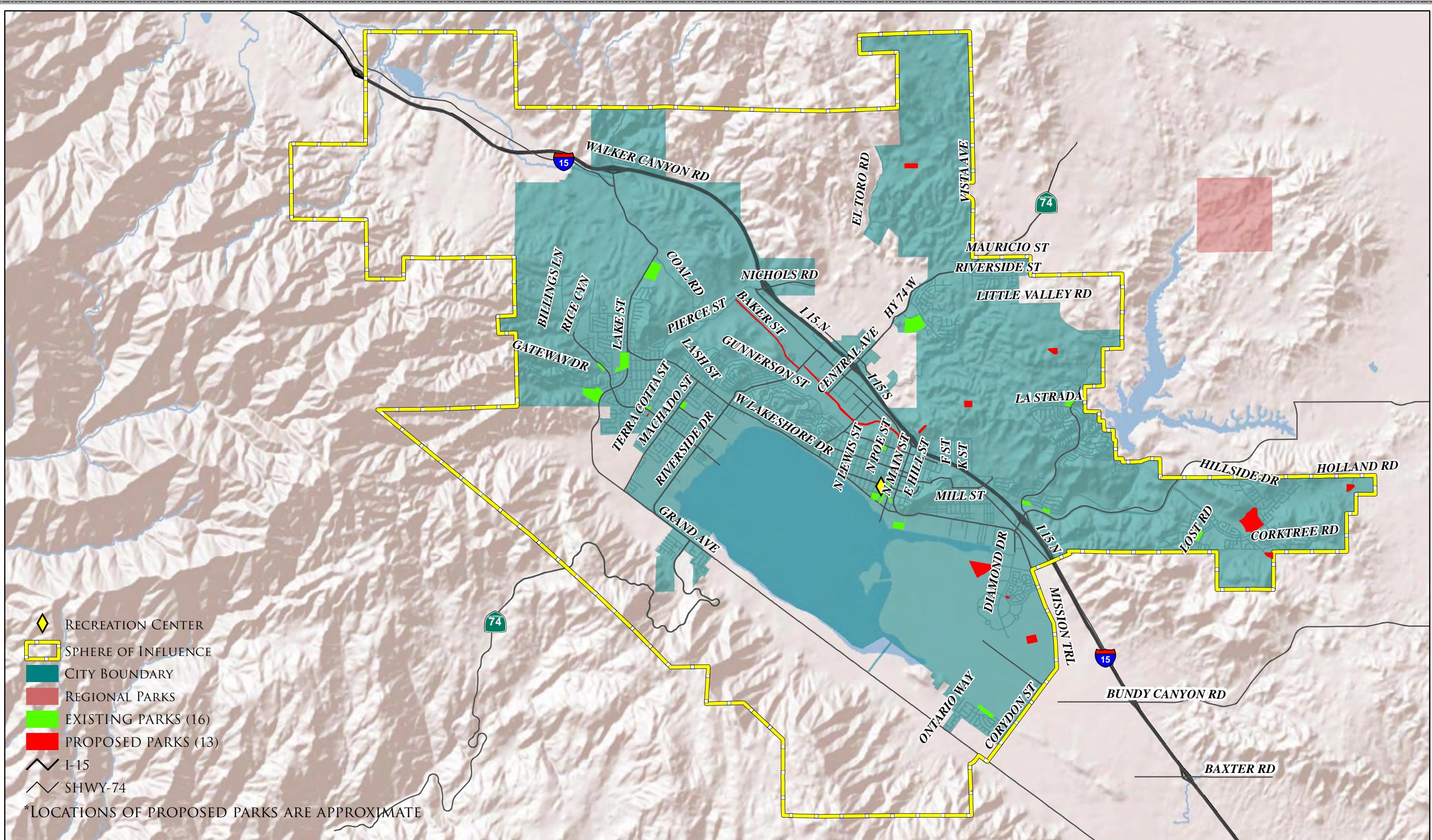
CITY OF LAKE ELSINORE
RECOMENDED ROADWAY CROSS SECTIONS
FIGURE 3.4-15



SOURCES: GARY ANDRE, DISTRICT 1, RIVERSIDE COUNTY TRAILS COMMITTEE, CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE



**CITY OF LAKE ELSINORE
EL SINORE AREA TRAILS SYSTEM
FIGURE 3.4-24**



SOURCES: CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE



CITY OF LAKE ELSINORE
PARKS
FIGURE 3.15-1



4.0 RECIRCULATED DRAFT PROGRAM EIR NOTICES AND DISTRIBUTION INFORMATION

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OCT 27 2011

SEP 07 2011

LARRY W. WARD, CLERK

By *R. Anderson* R. Anderson
Deputy

CITY CLERKS OFFICE

**NOTICE OF AVAILABILITY/NOTICE OF COMPLETION OF
A RECIRCULATED DRAFT PROGRAM ENVIRONMENTAL
IMPACT REPORT**

DATE: September 6, 2011

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

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

The City of Lake Elsinore, as lead agency under the California Environmental Quality Act (CEQA), is issuing notification that it has completed the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the project described below and that the completed document is available for review:

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 (City) is located in the southwestern portion of Riverside County. The City encompasses approximately 43 square miles (27,747 acres). 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. 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. The City's Sphere of Influence (SOI) is more than 72 square miles (46,565 acres) and includes the land within City boundaries as well as unincorporated land surrounding the City to the north, west, and south. (Latitude/Longitude: 33°40'2.8" North/117°19'40.4" West)

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. 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 has prepared an update to its General Plan. The proposed General Plan Update would:

- Replace the existing 1990 City of Lake Elsinore General Plan;

COUNTY CLERK
Neg Declaration/No Determination
Filed per P.R.C. 21152
POSTED

SEP 07 2011

NOTICE OF AVAILABILITY
SEPTEMBER 2011

PAGE 1

Removed: *10/21/11*
By: *R. Anderson* Dept.
County of Riverside, State of California

- 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 City's General Plan Update is a large-scale planning update that covers all land within the City's corporate boundaries and its sphere of influence. 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 "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 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 3rd Street Annexation territory is currently within the City's Sphere of Influence. 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, 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).

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.

POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS: The RDP-EIR discusses the project's potential environmental impacts and concluded that the project will have no potentially significant impacts upon Greenhouse Gas Emissions, Mineral Resources, Population and Housing and Utilities and Service Systems and as a result, no mitigation measures beyond the goals, policies and implementation programs identified in the proposed General Plan Update are required for these issue areas. The RDP-EIR also determined that the following issue areas have potentially significant environmental impacts that will be mitigated to below a level of significance: Aesthetics, Biological Resources, Cultural and Paleontological Resources, Geology and Soils, Hazards and Hazardous Material, Hydrology and Water Quality, Land Use & Planning (including Agricultural Resources), Parks and Recreation and Public Services. The RDP-EIR determined that the proposed project will have significant and unavoidable project-level and cumulative impacts related to Air Quality, Noise and Transportation and Circulation, which cannot be mitigated to below a level of significance. As a result, a Statement of Overriding Considerations will be required in order for the project to be approved.

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

NOTICE PURSUANT TO STATE CEQA GUIDELINES SECTION 15088.5(f): In 2007, a Draft PEIR was prepared for the proposed project in accordance with then-current CEQA regulations and guidelines. The first Draft PEIR was circulated for a 45-day public review period on or about December 6, 2007. Notice is hereby provided pursuant to the provisions of State CEQA Guidelines Section 15088.5(f)(1) that although comments received regarding the previously circulated Draft PEIR are part of the administrative record, the previous comments do not require a written response in the Final PEIR. **New comments must be submitted for the RDP-EIR.**

DOCUMENT AVAILABILITY: The Recirculated Draft Program Environmental Impact Report (State Clearinghouse Number 2005121019) and associated Technical Appendices are available for review on the City's website at <http://www.lake-elsinore.org> and at the following locations:

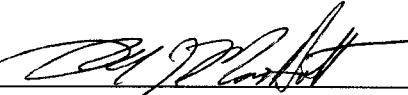
- **City of Lake Elsinore**, 130 South Main Street, Lake Elsinore, CA 92530
- **Altha Merrifield Memorial Library**, 600 West Graham Avenue, Lake Elsinore, CA 92530
- **Vick Knight Community Library**, 32593 Riverside Drive, Building 200, Lake Elsinore, CA 92530

PUBLIC REVIEW PERIOD: A 45-day review period has been established for the RDP-EIR beginning **Wednesday, September 7, 2011** and **ending on October 21, 2011**. All comments on the RDP-EIR may be submitted as soon as possible, but must be received **no later than 4:00 p.m. on Friday, October 21, 2011**. All comments must be submitted in writing to the address listed below:

Mr. Richard J. MacHott, Environmental Planning Consultant
Community Development Department - Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530
E-mail: rmachott@lake-elsinore.org
Telephone: 951.674.3124 Ext. 209/Fax: 951.471.1419

PUBLIC HEARINGS: Written and oral comments regarding the RDP-EIR may also be submitted at public hearings that will be held before the City of Lake Elsinore Planning Commission and the City Council. Notification of the date, time, and place of future public hearings will be provided in compliance with City and CEQA requirements.

Date: September 6, 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CR&R
PO Box 1208
Perris, CA 92572

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

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

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

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

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

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

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

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

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

Pechanga Band of Luiseno Indians
Attn: Michele Fahley, Deputy General Counsel
PO Box 1477
Temecula, CA 92593

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

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

Rincon Band of Mission Indians
Attn: Rose Duro, Cultural Committee Chair
P. O. Box 68
Valley Center, CA 92082

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

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

Santa Rosa Band of Mission Indians
Mayme Estrada, Chairwoman
P. O. Box 609
Hemet, CA 92546

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

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

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

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

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

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

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

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

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

Lake Elsinore Historical Society
P.O. Box 84
Lake Elsinore, CA 92531

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

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

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

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

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

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

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

Inland Empire Waterkeepers
6876 Indiana Avenue, Suite D
Riverside 92506

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

Mark Knorrunga, Executive Officer
Building Industry Assoc. of Southern California
3891 11th Street
Riverside, CA 92501

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

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

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

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

The Shopoff Group
Attn: Edward Fitzpatrick, Exec. Vice President
8951 Research Drive
Irvine, CA 92618

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

Mr. Tim Fleming
17970 Lakeshore Drive
Lake Elsinore, CA 92530-3109

Mr. Hardy Strozier, AICP
The Planning Associates
3151 Airway Avenue, Suite R-1
Costa Mesa, CA 92626

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

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

THE PRESS-ENTERPRISE

Ad Copy:

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

Publication(s): Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: /

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 in 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:

09/07/2011

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

Date: October 21, 2011
At: Riverside, California



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

Ad Number: 0000611257-01

P.O. Number:

NOTICE OF AVAILABILITY/NOTICE OF COMPLETION OF A RECIRCULATED DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT

The City of Lake Elsinore, as lead agency under the California Environmental Quality Act (CEQA), is issuing notification that it has completed the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (State Clearinghouse Number 2005121019) for the project described below and that the completed document is available for review:

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 (City) is located in the southwestern portion of Riverside County. The City encompasses approximately 43 square miles (27,747 acres). 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. 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. The City's Sphere of Influence (SOI) is more than 72 square miles (46,565 acres) and includes the land within City boundaries as well as unincorporated land surrounding the City to the north, west, and south.

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. 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 has prepared 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 City's General Plan Update is a large-scale planning update that covers all land within the City's corporate boundaries and its sphere of influence. 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 "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 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 3rd Street Annexation territory is currently within the City's Sphere of Influence. The 3rd Street Annexation territory is generally bounded by State Route 74 to the northwest; recent residential development in the Romsgate Specific Plan Area to the north; a mixture of developed and undeveloped land to the east and south; and Dexter Avenue, Camborn 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).

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 filing and streamlining of future projects within Lake Elsinore pursuant to CEQA Guidelines Sections 15152 and 15183.5.

POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS: The RDP-EIR discusses the project's potential environmental impacts and concluded that the project will have no potentially significant impacts upon Greenhouse Gas Emissions, Mineral Resources, Population and Housing and Utilities and Service Systems and as a result, no mitigation measures beyond the goals, policies and implementation programs identified in the proposed General Plan Update are required for these issue areas. The RDP-EIR also determined that the following issue areas have potentially significant environmental impacts that will be mitigated to below a level of significance: Aesthetics, Biological Resources, Cultural and Paleontological Resources, Geology and Soils, Hazards and Hazardous Material, Hydrology and Water Quality, Land Use & Planning (including Agricultural Resources), Parks and Recreation and Public Services. The RDP-EIR determined that the proposed project will have significant and unavoidable project-level and cumulative impacts related to Air Quality, Noise and Transportation and Circulation, which cannot be mitigated to below a level of significance. As a result, a Statement of Overriding Considerations will be required in order for the project to be approved.

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

NOTICE PURSUANT TO STATE CEQA GUIDELINES SECTION 15088.5(f): In 2007, a Draft PEIR was prepared for the proposed project in accordance with then-current CEQA regulations and guidelines. The first Draft PEIR was circulated for a 45-day public review period on or about December 6, 2007. Notice is hereby provided pursuant to the provisions of State CEQA Guidelines Section 15088.5(f)(1) that although comments received regarding the previously circulated Draft PEIR are part of the administrative record, the previous comments do not require a written response in the Final PEIR. New comments must be submitted for the RDP-EIR.

DOCUMENT AVAILABILITY: The Recirculated Draft Program Environmental Impact Report (State Clearinghouse Number 2005121019) and associated Technical Appendices are available for review on the City's website at <http://www.lake-elsinore.org> and at the following locations:

- City of Lake Elsinore, 130 South Main Street, Lake Elsinore, CA 92530
- Altha Merrifield Memorial Library, 600 West Gra-

hain Avenue, Lake Elsinore, CA 92530

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

PUBLIC REVIEW PERIOD: A 45-day review period has been established for the RDP-EIR beginning **Wednesday, September 7, 2011** and ending on **October 21, 2011**. All comments on the RDP-EIR may be submitted as soon as possible, but must be received no later than 4:00 p.m. on **Friday, October 21, 2011**. All comments must be submitted in writing to the address listed below:

Mr. Richard J. MacHoff,
Environmental Planning Consultant
Community Development Department -
Planning Division
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530
E-mail: rmachoff@lake-elsinore.org
Telephone: 951.674.3124 Ext. 209/Fax: 951.471.1419

PUBLIC HEARINGS: Written and oral comments regarding the RDP-EIR may also be submitted at public hearings that will be held before the City of Lake Elsinore Planning Commission and the City Council. Notification of the date, time, and place of future public hearings will be provided in compliance with City and CEQA requirements.

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, Extension 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: 46,565

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:	<input type="checkbox"/> NOP	<input checked="" type="checkbox"/> Draft EIR	NEPA:	<input type="checkbox"/> NOI	Other:	<input type="checkbox"/> Joint Document
	<input type="checkbox"/> Early Cons	<input type="checkbox"/> Supplement/Subsequent EIR		<input type="checkbox"/> EA		<input type="checkbox"/> Final Document
	<input type="checkbox"/> Neg Dec	(Prior SCH No.) _____		<input type="checkbox"/> Draft EIS		<input type="checkbox"/> Other: _____
	<input type="checkbox"/> Mit Neg Dec	Other: _____		<input type="checkbox"/> FONSI		

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 checked="" type="checkbox"/> Residential: Units <u>94,616</u> Acres <u>27,223</u>	<input type="checkbox"/> Transportation: Type _____
<input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Mining: Mineral _____
<input checked="" type="checkbox"/> Commercial: Sq.ft. <u>2,039</u> Acres <u>2,039</u> Employees _____	<input type="checkbox"/> Power: Type _____ MW _____
<input checked="" type="checkbox"/> Industrial: Sq.ft. <u>1,091</u> Acres <u>1,091</u> Employees _____	<input type="checkbox"/> Waste Treatment: Type _____ MGD _____
<input checked="" type="checkbox"/> Educational: Public Institutional - <u>2,016</u> acres	<input type="checkbox"/> Hazardous Waste: Type _____
<input type="checkbox"/> Recreational: <u>1,353</u> acres	<input checked="" type="checkbox"/> Other: Open Space - <u>9,369</u> acres, Floodway/Lake - <u>3,474</u>
<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 checked="" 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 “3rd 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 has prepared 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 currently within the City’s Sphere of Influence. 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, Cambern Avenue, and Interstate 15 to the southwest.

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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 checked="" type="checkbox"/> S	Air Resources Board	<input checked="" type="checkbox"/> S	Office of Emergency Services
<input type="checkbox"/>	Boating & Waterways, Department of	<input checked="" type="checkbox"/> X	Office of Historic Preservation
<input type="checkbox"/>	California Highway Patrol	<input type="checkbox"/>	Office of Public School Construction
<input checked="" type="checkbox"/> S	Caltrans District # 8	<input checked="" type="checkbox"/> X	Parks & Recreation, Department of
<input checked="" type="checkbox"/> X	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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> S	Toxic Substances Control, Department of
<input type="checkbox"/>	General Services, Department of	<input checked="" type="checkbox"/> X	Water Resources, Department of
<input type="checkbox"/>	Health Services, Department of	<input type="checkbox"/>	Other: _____
<input checked="" type="checkbox"/> S	Housing & Community Development	<input type="checkbox"/>	Other: _____
<input type="checkbox"/>	Integrated Waste Management Board		
<input checked="" type="checkbox"/> S	Native American Heritage Commission		

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

Starting Date September 7, 2011

Ending Date October 21, 2011

Lead Agency (Complete if applicable):

Consulting Firm: _____
Address: _____
City/State/Zip: _____
Contact: _____
Phone: _____

Applicant: City of Lake Elsinore
Address: 130 South Main Street
City/State/Zip: Lake Elsinore, CA 92530
Phone: 951.674.3124, Extension 209

Signature of Lead Agency Representative:

Date: 9/6/11

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

California Home

Wednesday, September 21, 2011



OPR Home > CEQAnet Home > CEQAnet Query > Search Results > Document Description

General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, Climate Action Plan

SCH Number: 2005121019**Document Type:** EIR - Draft EIR

Alternate 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 City of Lake Elsinore General Plan Update Lake Elsinore General Plan Update

Project Lead Agency: Lake Elsinore, City of

Project Description

CA Government Code Section 65300 requires each city and county in CA to adopt a comprehensive, long-term general plan. The City of Lake Elsinore has prepared 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.

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

Residential, Commercial, Industrial, Educational (Public Institutional - 2,016 acres), Other (Open Space - 9,369 acres, Floodway/Lake - 3,474)

Local Action

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

Project Issues

Agricultural Land, Cumulative Effects, Aesthetic/Visual, Economics/Jobs, 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

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

Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Department of Housing and Community Development; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission

Date Received: 9/7/2011 **Start of Review:** 9/7/2011 **End of Review:** 10/21/2011

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STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor



Ken Alex
Director

October 24, 2011

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

Subject: General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, Climate Action Plan
SCH#: 2005121019

Dear Richard J. MacHott:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on October 21, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Document Details Report
State Clearinghouse Data Base

SCH#	2005121019
Project Title	General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element, Climate Action
Lead Agency	Plan Lake Elsinore, City of

Type	EIR	Draft EIR
Description	CA Government Code Section 65300 requires each city and county in CA to adopt a comprehensive, long-term general plan. The City of Lake Elsinore has prepared 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.	

Lead Agency Contact

Name	Richard J. MacHott	
Agency	City of Lake Elsinore	
Phone	(951) 674-3124 ext. 209	Fax
email	rmachott@lake-elsinore.org	
Address	130 S. Main Street	
City	Lake Elsinore	State CA Zip 92530

Project Location

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

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

Project Issues	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; Aesthetic/Visual; Economics/Jobs
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Reviewing Agencies	Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Department of Housing and Community Development; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission
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Date Received 09/07/2011 **Start of Review** 09/07/2011 **End of Review** 10/21/2011

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

5.1 INTRODUCTION

Pursuant to Section 21081.6 of the California Environmental Quality Act (California Public Resources Code, Sections 21000 et seq.) and Section 15097 of the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.), public agencies are required to adopt a mitigation monitoring and reporting program to ensure that the mitigation measures identified in an Environmental Impact Report are implemented. As stated in Section 21081.6(a)(1) of the Public Resources Code:

“The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

The following table (Mitigation and Monitoring Program) provides the required information which includes the various mitigation measures set forth in the Recirculated Draft Program EIR for the proposed project, applicable implementation timing, identification of the agencies responsible for verifying implementation and the monitoring method for each identified mitigation measure.

The mitigation measures contain several acronyms that are defined in the RDP-EIR and Final Recirculated Program EIR, but may not be defined in the mitigation measures themselves. As used in the mitigation measures, these acronyms are defined as follows:

AQMD	Air Quality Management District
CDD	Community Development Director
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
GPU	General Plan Update
I-15	Interstate 15
MSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
SARI	Santa Ana Regional Interceptor
SR-74	State Route 74

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5.2 MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
3.1 Land Use and Planning				
<p>MM Land Use 1: The Growth Management Program developed by the City provides a strategy for developing a pattern and rate of growth to ensure that adequate public facilities and infrastructure can be provided to meet the rate of new construction and population growth. The goals and policies under the Growth Management section of the Community Form chapter provide principles for a growth management section. Implementation of the development pattern provided in the Growth Management Program and implementation of policies from the Growth Management Section of the Community Form chapter, in association with future development, would reduce impacts related to the population and housing forecasts.</p>	<p>Review of discretionary land use applications during City's development review process.</p>	<p>Determination of project consistency with General Plan.</p>	<p>Community Development Department - Planning Division</p>	<p>Prior to approval of discretionary land use applications.</p>
<p>MM Land Use 2: Implementation of the GPU, the Land Use Plan, and District Plans could result in significant impacts related to disturbance of areas described for conservation in the MSHCP. Individual projects implemented pursuant to the Land Use Plan and District Plans in accordance with the Resource Protection and Preservation Chapter, Biological Resources Section, Goal 1, Policies 1.1-1.11 will be required to demonstrate their avoidance of significant impacts associated with areas described for conservation in the</p>	<p>Review of discretionary land use applications during City's development review process.</p>	<p>Determination of project consistency with MSHCP.</p>	<p>Community Development Department - Planning Division</p>	<p>Prior to approval of discretionary land use applications.</p>

Section 5.0 - Mitigation Monitoring and Reporting Program



MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
MSHCP Conservation Areas. Future projects may be allowed to alter the Conservation Area boundaries through criteria refinement, minor amendments, or other means, but would be required to do so in conformance with all regulations and mitigation requirements of the MSHCP.				
MM Land Use 3: Each project within the Skylark Airport Influence Area, as shown on Figure 2.7 of the General Plan, will be reviewed for its consistency with the Airport Land Use Planning Handbook Recommendations when individual projects are proposed. This review will include analysis and subsequent review under CEQA. The feasibility of the proposed mitigation measures must be determined on a project-specific level.	Project-specific CEQA environmental analysis and the incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of individual projects in East Lake District.
MM Land Use 4: If the motocross track is relocated, future development within the East Lake District Plan shall be required to comply with mitigation measures identified in the East Lake Specific Plan EIR. However, additional project-specific CEQA environmental analysis and review will be required when a detailed project is proposed at the new motocross site. This project-level review will include an analysis of potential land use compatibility issues.	Project-specific CEQA environmental analysis and the incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of individual projects in East Lake District.
Implementation of mitigation measures MM Land Use 1 through MM Land Use 4 is required.	Review of discretionary land use applications during City's development review process.	Determination of project consistency with General Plan.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
3.2 Cultural and Paleontological Resources				



Section 5.0 - Mitigation Monitoring and Reporting Program

MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
MM Cultural/Paleontological Resources 1: Individual projects implemented in accordance with the Land Use Plan shall also demonstrate compliance with Land Use Policies 4.1-4.4, Cultural and Paleontological Resources Policy 6.1, and Historic Preservation Policies 9.1-9.4, and 10.1-10.4. As well as compliance with applicable District Plan Policies related to cultural and paleontological resources.	Review of discretionary land use applications during City's development review process.	Determination of project consistency with General Plan.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Cultural/Paleontological Resources 2: Prior to issuance of grading permit(s) for the 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.	Project-specific CEQA environmental analysis with incorporation of a mitigation measure into individual projects' conditions of approval which requires that an applicant-retained qualified archaeologist monitor all ground disturbing activities and to submit summary report.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division Public Works Department - Engineering Division	Prior to approval of discretionary land use applications. Prior to issuance of grading permit
MM Cultural/Paleontological Resources 3: At least 30 days prior to seeking a grading permit, the project applicant shall contact the appropriate tribe to notify that 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,	Project-specific CEQA environmental analysis with incorporation of a mitigation measure into individual projects' conditions of approval which requires the submittal of an executed Cultural Resources Treatment and Monitoring	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division Public Works Department - Engineering Division	Prior to approval of discretionary land use applications.
		Review and approval of	Community	At least 30 days prior to

Section 5.0 - Mitigation Monitoring and Reporting Program



MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.	Agreement at least 30 days prior to seeking a grading permit.	Cultural Resources Treatment and Monitoring Agreement.	Development Department - Planning Division Public Works Department - Engineering Division	issuance of a grading permit.
MM Cultural/Paleontological Resources 4: Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) 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 Cultural/Paleontological Resources 2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate 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 ground breaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archeologist.	Project-specific CEQA environmental analysis with incorporation of a mitigation measure into individual projects' conditions of approval which requires the submittal of a pre-grading report documenting the proposed methodology for grading activity observation.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division Public Works Department - Engineering Division	Prior to approval of discretionary land use applications.
		Review and approval of the pre-grading report.	Community Development Department - Planning Division Public Works Department - Engineering Division	Prior to the issuance of grading permit.
MM Cultural/Paleontological Resources 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 appropriate tribe	Project-specific CEQA environmental analysis with incorporation of a mitigation measure into individual projects'	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications and ongoing during project construction.



Section 5.0 - Mitigation Monitoring and Reporting Program

MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
for proper treatment and disposition.	conditions of approval which requires the landowner to relinquish ownership of all cultural resources that are found on the project area to the appropriate tribe.			
MM Cultural/Paleontological Resources 6: All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.	Project-specific CEQA environmental analysis with incorporation of a mitigation measure into individual projects' conditions of approval which requires that all sacred sites, should they be encountered, shall be avoided and preserved, if feasible.	Compliance with project-specific conditions of approval	Community Development Department - Planning Division	Prior to approval of discretionary land use applications and ongoing during project construction.
MM Cultural/Paleontological Resources 7: If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the appropriate tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of the California Environmental Quality Act with respect to	Project-specific CEQA environmental analysis with incorporation of a mitigation measure into individual projects' conditions of approval which requires that if inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project	Compliance with project-specific conditions of approval	Community Development Department - Planning Division	Prior to approval of discretionary land use applications
		Review and approval of a mitigation plan agreed upon by applicant-retained qualified archaeologist and Tribal Monitor.	Community Development Department - Planning Division	Ongoing during project construction.

Section 5.0 - Mitigation Monitoring and Reporting Program



MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate tribe. Notwithstanding any other rights available under the law, the decision of the CDD shall be appealable to the City of Lake Elsinore.	archaeologist, and the appropriate tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources.			
MM Cultural/Paleontological Resources 8: Individual projects implemented in accordance with the Land Use Plan shall also demonstrate compliance with Cultural and Paleontological Resources Policies 6.2 -6.4 and 7.1-7.5. As well as compliance with applicable District Plan Policies related to cultural and paleontological resources.	Review of discretionary land use applications during City's development review process.	Determination of project consistency with General Plan.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Cultural/Paleontological Resources 9: Individual projects implemented in accordance with the Land Use Plan shall also demonstrate compliance with Cultural and Paleontological Resources Policy 8.1. As well as compliance with applicable District Plan Policies related to cultural and paleontological resources.	Review of discretionary land use applications during City's development review process.	Determination of project consistency with General Plan.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Cultural/Paleontological Resources 10: 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	Project-specific CEQA environmental analysis with incorporation of a mitigation measure into individual projects' conditions of approval which addresses the accidental discovery of human remains during project construction.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.



Section 5.0 - Mitigation Monitoring and Reporting Program

MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
<p>determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. Subsequently, the Native American Heritage Commission shall identify the person or persons it believes to be the "most likely descendant." The most likely descendant may then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.</p>	<p>Applicant-retained qualified archaeologist to stop construction if human remains are encountered and to contact Riverside County Coroner.</p>	<p>Notification of discovery to Riverside County Coroner/Native American Heritage Commission</p>	<p>Community Development Department - Planning Division Qualified Archaeologist/Tribal Monitor</p>	<p>Ongoing during project construction.</p>
3.3 Aesthetics				
<p>MM Aesthetics 1: Future development projects will be required to prepare visual simulations demonstrating compliance with the applicable GPU goals and policies. Preparation of visual simulations demonstrating compliance with the GPU goals and policies would be required for future development projects located in scenic viewsheds along the I-15 corridor and other areas at the discretion of the Director of Community Development.</p>	<p>Review of discretionary land use applications during City's development review process.</p>	<p>Determination of project consistency with General Plan.</p>	<p>Community Development Department - Planning Division</p>	<p>Prior to approval of discretionary land use applications.</p>
3.4 Transportation and Circulation				
<p>MM Transportation 1: The intersection of Old Franklin Street at Auto Center Drive shall be configured as a through street parallel to I-15, with the overcrossing of the freeway forming a "T" intersection.</p>	<p>Review of design plans for intersection of Old Franklin Street at Auto Center Drive and freeway overcrossing.</p>	<p>Approval of intersection design plans.</p>	<p>Public Works Department - Engineering Division</p>	<p>At time that construction of intersection improvements is proposed.</p>
<p>MM Transportation 2: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts through implementation of the</p>	<p>Project-specific CEQA environmental analysis with incorporation of any mitigation</p>	<p>Compliance with project-specific conditions of approval.</p>	<p>Community Development Department - Planning Division</p>	<p>Prior to approval of discretionary land use applications.</p>

Section 5.0 - Mitigation Monitoring and Reporting Program



MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
ultimate roadway and intersection classifications and improvements shown on the Land Use Plan and the Capital Improvement Program as well as the goals and policies set forth by the Circulation Section of the Community Form Chapter. With implementation of these goals and policies, individual projects implemented in accordance with the GPU and Land Use Plan would not result in significant and unavoidable adverse impacts on traffic levels.	measures and required roadway improvements into individual project's conditions of approval.		Public Works Department - Engineering Division	
MM Transportation 3: Individual projects implemented pursuant to the Land Use Plan within the 3rd Street Annexation will be required to demonstrate their avoidance of significant impacts through: <ul style="list-style-type: none"> implementation of the ultimate roadway and intersection classifications and improvements shown on the Land Use Plan and the Capital Improvement Program; the goals and policies set forth by the Circulation Section of the Community Form Chapter; implementation of improvements to signalization and the curve radius for the alignment from 2nd Street to Camino Del Norte identified in the Traffic Study. 	Project-specific CEQA environmental analysis with incorporation of any mitigation measures and required roadway improvements into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division Public Works Department - Engineering Division	Prior to approval of discretionary land use applications.
MM Transportation 4: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts through implementation of the	Project-specific CEQA environmental analysis with incorporation of any mitigation	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.



Section 5.0 - Mitigation Monitoring and Reporting Program

MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
ultimate roadway and intersection classifications and improvements shown on the Land Use plan and the Capital Improvement Program as well as the goals and policies set forth by the Circulation Section of the Community Form Chapter.	measures and required roadway improvements into individual project's conditions of approval.		Public Works Department - Engineering Division	
MM Transportation 5: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts through implementation of the ultimate roadway and intersection classifications and improvements shown on the Land Use Plan and the Capital Improvement Program as well as the goals and policies set forth by the Circulation Section of the Community Form Chapter.	Project-specific CEQA environmental analysis with incorporation of any mitigation measures and required roadway improvements into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division Public Works Department - Engineering Division	Prior to approval of discretionary land use applications.
3.5 Noise				
MM Noise 1: In accordance with the policies of the Lake Elsinore General Plan Update and the City's Zoning Code, the City shall require the applicant for any future development to analyze the impacts of increased traffic volume on noise conditions along affected roadways. Where project-specific analysis concludes that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the traffic noise to acceptable levels. For projects placing noise-sensitive land uses adjacent to or in the vicinity of a major roadway, the City shall require the project applicant to demonstrate the new use's compliance with City standards regarding traffic noise received on the site. Where project-specific analysis determines that noise standards may be exceeded, then the	Project-specific CEQA environmental analysis and review of discretionary land use applications during City's development review process.	Incorporation of mitigation measures into individual project's conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.

Section 5.0 - Mitigation Monitoring and Reporting Program



MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
<p>City shall require binding mitigation measures that will reduce the noise received to acceptable levels. However, in some cases where realignments or upgrades of roadways are proposed or traffic levels will increase substantially like that anticipated for I-15, SR-74, Riverside Drive, Grand Avenue, Lakeshore Drive, and Lake Street there may be no mitigation that would adequately reduce future traffic noise as experienced by existing land uses or future development projects, resulting in significant and unmitigated impacts at the project level.</p>				
<p>MM Noise 2: For projects proposing new commercial uses in the vicinity of sensitive receptors, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.</p>	<p>Project-specific CEQA environmental analysis including review and approval of a project-specific acoustical analysis with incorporation of any mitigation measures into individual project's conditions of approval.</p>	<p>Compliance with project-specific conditions of approval.</p>	<p>Community Development Department - Planning Division</p>	<p>Prior to approval of discretionary land use applications.</p>
<p>MM Noise 3: For residential projects proposed adjacent to schools, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.</p> <p>The City shall require all school projects to conduct site-specific noise analysis in accordance with State</p>	<p>Project-specific CEQA environmental analysis including review and approval of project-specific acoustical analysis with incorporation of any mitigation measures into individual project's conditions of approval.</p>	<p>Compliance with project-specific conditions of approval.</p>	<p>Community Development Department - Planning Division</p>	<p>Prior to approval of discretionary land use applications.</p>



Section 5.0 - Mitigation Monitoring and Reporting Program

MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
requirements.				
<p>MM Noise 4: For projects proposing new recreational uses or increased intensity of recreational activity in proximity to sensitive receptors, the City shall require the project applicant to demonstrate the recreational use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.</p> <p>For projects proposing new residential uses in proximity to recreational areas, the City shall require the project applicant to demonstrate the residential use's compliance with City noise standards with respect to the existing recreational areas. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.</p>	Project-specific CEQA environmental analysis including review and approval of project-specific acoustical analysis with incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
<p>MM Noise 5: For projects proposing new industrial/mining operations in the vicinity of sensitive receptors or projects that propose new sensitive uses in the vicinity of industrial/mining operations, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.</p>	Project-specific CEQA environmental analysis including review and approval of project-specific acoustical analysis with incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Noise 6: The City shall require 3rd Street	Project-specific CEQA	Compliance with	Community	Prior to approval of

Section 5.0 - Mitigation Monitoring and Reporting Program



MITIGATION MEASURES	IMPLEMENTATION ACTION	MONITORING METHOD	RESPONSIBLE MONITORING PARTY	TIMING
<p>Annexation project applicants to demonstrate their compliance with City standards regarding construction noise. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the construction noise to acceptable levels.</p> <p>For 3rd Street Annexation projects placing noise-sensitive land uses adjacent to or in the vicinity of I-15, SR-74, Camborn Avenue, and Camino del Norte, the City shall require the project applicant to demonstrate the new use's compliance with City standards regarding traffic noise received on the site. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.</p> <p>For 3rd Street Annexation projects proposing new commercial uses in the vicinity of sensitive receptors, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.</p>	<p>environmental analysis including review and approval of project-specific acoustical analysis with incorporation of any mitigation measures into individual project's conditions of approval.</p>	<p>project-specific conditions of approval.</p>	<p>Development Department - Planning Division</p>	<p>discretionary land use applications.</p>
<p>MM Noise 7: For projects that have a potential to generate construction-related groundborne vibration (e.g., use of pile drivers, rock drills, and pavement breakers), the City shall require the project applicant to submit a construction-related vibration mitigation plan to the City for review and approval. The mitigation plan shall depict the</p>	<p>Project-specific CEQA environmental analysis including review and approval of a construction-related vibration mitigation plan with incorporation</p>	<p>Compliance with project-specific conditions of approval.</p>	<p>Community Development Department - Planning Division</p>	<p>Prior to approval of discretionary land use applications.</p>



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location of the construction equipment and activities and how the vibration from this equipment and activity would be mitigated during construction of the project. The City shall require binding mitigation measures implementing the approved mitigation plan.	of any mitigation measures into individual project's conditions of approval.			
MM Noise 8: For projects proposing new industrial/mining operations in the vicinity of sensitive receptors or projects that propose new sensitive uses in the vicinity of industrial/mining operations, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines there is a potential for significant vibration-related impacts, the City shall require binding mitigation measures that will reduce the vibration received to acceptable levels.	Project-specific CEQA environmental analysis including review and approval of project-specific acoustical analysis with incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division Public Works Department - Engineering Division	Prior to approval of discretionary land use applications.
MM Noise 9: The City shall require project applicants to demonstrate their compliance with City standards regarding construction noise. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the construction noise to acceptable levels.	Project-specific CEQA environmental analysis including review and approval of project-specific acoustical analysis with incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Noise 10: For projects proposing sensitive uses that may receive airport noise, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that	Project-specific CEQA environmental analysis including review and approval of project-specific acoustical	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.

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noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.	analysis with incorporation of any mitigation measures into individual project's conditions of approval.			
3.6 Air Quality				
MM Air Quality 1: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate their avoidance of significant impacts on air quality from construction activities through implementation of regulatory requirements and the goals and policies set forth in the proposed GPU. Where project-specific analysis determines that air quality standards may be exceeded, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable.	Project-specific CEQA environmental analysis including review and approval of project-specific air quality impact analysis with incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Air Quality 2: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate a reduction in impacts on air quality from operational emissions through implementation of goals and policies listed within the General Plan. Where project-specific analysis determines that air quality standards may be exceeded, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable. All applicants for future development shall comply with AQMP control measures so as to reduce this impact to the greatest extent possible.	Project-specific CEQA environmental analysis including review and approval of project-specific air quality impact analysis with incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Air Quality 3: Individual projects implemented pursuant to the Land Use Plan	Project-specific CEQA environmental analysis	Compliance with project-specific	Community Development	Prior to approval of discretionary land use



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within each District Plan will be required to demonstrate a reduction in impacts on air quality from operational emissions through implementation of the General Plan's goals and policies. Where project-specific analysis determines that air quality standards may be exceeded, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable. All applicants for future development shall comply with AQMP control measures so as to reduce this impact to the greatest extent possible.	including review and approval of project-specific air quality impact analysis with incorporation of any mitigation measures into individual project's conditions of approval.	conditions of approval.	Department - Planning Division	applications.
MM Air Quality 4: Individual projects implemented pursuant to the Land Use Plan within the 3rd Street Annexation will be required to demonstrate a reduction in impacts on air quality from operational emissions through compliance with the General Plan's goals and policies. Where project-specific analysis determines that air quality standards may be exceeded, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable. All applicants for future development shall comply with AQMP control measures so as to reduce this impact to the greatest extent possible.	Project-specific CEQA environmental analysis including review and approval of project-specific air quality impact analysis with incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Air Quality 5: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts on air quality emissions associated with sensitive land uses. Where project-specific analysis determines that air quality emissions will adversely affect sensitive receptors,	Project-specific CEQA environmental analysis including review and approval of project-specific air quality impact analysis with incorporation of any	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.

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the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable	mitigation measures into individual project's conditions of approval.			
MM Air Quality 6: Through the City's project review process, individual projects implemented pursuant to the Land Use Plan will be evaluated to determine their potential for creating objectionable odors that would potentially impact a substantial number of persons. Where project-specific analysis determines that objectionable odors will occur, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable.	Project-specific CEQA environmental analysis including review and approval of project-specific air quality impact analysis with incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
3.8 Biological Resources				
MM Biological Resources 1: Project-specific analysis of plant and wildlife impacts and habitat impacts completed in accordance with the MSHCP will be required to determine the significance of impacts and identify mitigation measures to reduce the impacts of future developments on plant and wildlife species and vegetation communities to less-than-significant levels.	Project-specific CEQA environmental analysis including review and approval of a project-specific analysis of plant and wildlife impacts and habitat impacts, and the incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Biological Resources 2: Project-specific analysis of habitat impacts and impacts on special-status wildlife species completed in accordance with the MSHCP and the Resource Protection and Preservation Chapter, Biological Resources Section, Goal 1, Policies 1.1-1.8 and Policy 2.2 will be	Project-specific CEQA environmental analysis including review and approval of a project-specific analysis of habitat and special-	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.



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required to determine the significance of impacts and identify mitigation measures to minimize the impacts to less-than-significant levels.	status wildlife species impacts, and the incorporation of any mitigation measures into individual project's conditions of approval.			
MM Biological Resources 3: Individual environmental review conducted for future development projects will be required to identify any impacts on riparian areas and wetlands and, in consultation with the appropriate resource agencies and applicable regional plans, must ensure incorporation of adequate mitigation to preserve the viability of these important biological resources.	Project-specific CEQA environmental analysis including review and approval of a project-specific analysis that identifies any impacts on riparian areas and wetlands impacts, and, in consultation with the appropriate resource agencies and applicable regional plans, incorporation of any mitigation measures into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Biological Resources 4: Not more than thirty days prior to construction activities that occur between February 1 and August 15 of any year, surveys for nesting bird species shall be conducted by a qualified biologist selected by the developer and approved by the City. If no active avian nests are identified on or within 250 feet of the limits of the construction area, up to the limits of the project	Project-specific CEQA environmental analysis with incorporation of mitigation measure MM Biological Resources 4 into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.

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site, no further mitigation is necessary. Alternatively, to avoid impacts, the City may allow individual projects the option of beginning construction after the previous breeding season for bird species has ended (after August 15) and before the next breeding season begins (before February 15).	Construction of individual development projects to avoid nesting season or qualified biologist to prepare surveys for nesting birds and ensure that nesting birds are avoided during construction.	Review grading permit timing and review and approval of pre-construction nesting bird surveys.	Qualified Biologist Community Development Department - Planning Division	Prior to the issuance of grading permits and ongoing during project construction.
MM Biological Resources 5: If active nests for avian species are found within the construction footprint of any future project, construction activities shall be delayed within a minimum 250-foot buffer zone surrounding nests of other special-status avian species until the young have fledged. This buffer zone shall not extend beyond the project site. No action other than avoidance shall be taken without CDFG consultation.	Project-specific CEQA environmental analysis with incorporation of mitigation measure MM Biological Resources 5 into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
	Construction of individual development projects to avoid nesting season or qualified biologist to prepare surveys for nesting birds and ensure that nesting birds are avoided during construction.	Review grading permit timing and review and approval of pre-construction nesting bird surveys.	Qualified Biologist Community Development Department - Planning Division	Prior to the issuance of grading permits and ongoing during project construction.
3.9 Hydrology and Water Quality				
MM Hydrology 1: The following goals and policies of the GPU must be implemented as a part of future development to mitigate potential	Review of discretionary land use applications during City's	Determination of project consistency with General Plan and	Community Development Department - Planning	Prior to approval of discretionary land use



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impacts associated with 1) alteration of drainage patterns and associated erosion; 2) development within the 100 year floodplain and 3) water quality: <ul style="list-style-type: none">• Flooding and Floodplains Policies 5.1–5.2• Water Resources Policies 4.1–4.4• Biological Resources Policies 1.1–1.8 and 2.1–2.2	development review process, including project-specific CEQA environmental analysis and the incorporation of any appropriate mitigation measures into individual project's conditions of approval.	compliance with project-specific conditions of approval.	Division Public Works Department – Engineering Division	applications.
3.10 Hazards and Hazardous Materials				
MM Hazards 1: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate their avoidance of significant impacts associated with use and storage of hazardous materials and disposal of hazardous waste through implementation of Policies 3.1 through 3.4 of the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter.	Review of discretionary land use applications during City's development review process, including project-specific CEQA environmental analysis and the incorporation of any appropriate mitigation measures into individual project's conditions of approval.	Determination of project consistency with General Plan and compliance with project-specific conditions of approval.	Community Development Department – Planning Division Public Works Department – Engineering Division	Prior to approval of discretionary land use applications.
MM Hazards 2: Individual projects implemented pursuant to the Land Use Plan within the District Plans will be required to demonstrate their avoidance of significant impacts associated with exposure to hazardous materials through implementation of Policy 3.5 of the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter. Proposed development projects on or adjacent to the SARI line in these districts would be required to analyze risks specific	Review of discretionary land use applications during City's development review process, including project-specific CEQA environmental analysis and the incorporation of any appropriate mitigation measures	Determination of project consistency with General Plan and compliance with project-specific conditions of approval.	Community Development Department – Planning Division Public Works Department – Engineering Division	Prior to approval of discretionary land use applications.

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to sensitive land uses and the extent of the subsurface components involved with building in these locations.	into individual project's conditions of approval.			
MM Hazards 3: Individual projects implemented pursuant to the Land Use Plan within the 3rd Street Annexation will be required to demonstrate their avoidance of significant impacts associated with use and storage of hazardous materials and disposal of hazardous waste through implementation of Policies 3.1 through 3.4 of the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter.	Review of discretionary land use applications during City's development review process, including project-specific CEQA environmental analysis and the incorporation of any appropriate mitigation measures into individual project's conditions of approval.	Determination of project consistency with General Plan and compliance with project-specific conditions of approval.	Community Development Department - Planning Division Public Works Department - Engineering Division	Prior to approval of discretionary land use applications.
MM Hazards 4: Proposed development projects within the Skylark Airport Influence Area, as shown on Figure 2.7 of the General Plan, will be evaluated for consistency with continued operations at the airport. The project applicant of each such development project shall comply with the applicable requirements of the Federal Aviation Administration (FAA) regarding any encroachment into the airport's navigable airspace in accordance with Federal Aviation Regulations (FAR) Part 77.	Review of discretionary land use applications within proximity to the Skylark Airport during City's development review process, including project-specific CEQA environmental analysis; and where appropriate, the incorporation of the requirement to comply with FAR Part 77 requirements into individual project's conditions of approval.	Compliance with project-specific conditions of approval.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Hazards 5: Individual projects implemented	Review of discretionary	Determination of	Community	Prior to approval of



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pursuant to the Land Use Plan in each District and within the 3rd Street Annexation Area will be required to demonstrate their avoidance of significant impacts associated with wildfire hazards through implementation of all policies under the Wildfire Hazards section of the Public Safety and Welfare chapter.	land use applications during City's development review process, including project-specific CEQA environmental analysis and the incorporation of any appropriate mitigation measures into individual project's conditions of approval.	project consistency with General Plan and compliance with project-specific conditions of approval.	Development Department - Planning Division City of Lake Elsinore Fire Department	discretionary land use applications.
3.11 Geology and Soils				
MM Geology and Soils 1: Individual projects implemented pursuant to the proposed project will be required to demonstrate their avoidance of significant impacts associated with seismic hazards including ground-shaking, liquefaction, landslides, subsidence and collapse through implementation of all goals and policies under the Land Use section of the Community Form Chapter and the Seismic Activity section of the Public Safety and Welfare chapter of the GPU.	Project-specific CEQA environmental analysis including review and approval of project-specific geotechnical investigation with incorporation of any mitigation measures into individual project's conditions of approval.	Review and approval of project-specific geotechnical investigation.	Public Works Department - Engineering Division Community Development Department - Planning Division	Prior to approval of discretionary land use applications.
MM Geology and Soils 2: The City shall continue to enforce the seismic design provisions for Seismic Zone 4 of the California Building Code, including near-source seismic conditions for all new construction in the City.	Project-specific CEQA environmental analysis including review and approval of project-specific geotechnical investigation with incorporation of any mitigation measures into individual project's	Review and approval of project-specific geotechnical investigation.	Public Works Department - Engineering Division Community Development Department - Planning Division	Prior to approval of discretionary land use applications.

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	conditions of approval.			
MM Geology and Soils 3: Individual projects implemented pursuant to the proposed project will be required to demonstrate their avoidance of significant impacts associated with expansive or corrosive soils through implementation of the policies under the Seismic Activity section of the Public Safety and Welfare chapter.	Project-specific CEQA environmental analysis including review and approval of project-specific geotechnical investigation with incorporation of any mitigation measures into individual project's conditions of approval.	Review and approval of project-specific geotechnical investigation.	Public Works Department – Engineering Division Community Development Department – Planning Division	Prior to approval of discretionary land use applications.
Section 3.14 Public Services				
MM Public Services 1: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate their avoidance of significant impacts associated with public services related to 1) police service, 2) fire protection, 3) schools, 4) libraries, , and 5) animal control through implementation of the following: <ul style="list-style-type: none"> • Compliance with applicable State and local laws and regulations, • Policy 1.6 of the Community Form chapter, Land Use section, • Policies 8.1 through 8.4 under Goal 8 of the Community Facilities and Protection Services section of the Public Safety and Welfare chapter, and • Goals 9 through 11 and associated policies of the Community Facilities and Protection Services section of the Public 	Review of discretionary land use applications during City's development review process.	Determination of project consistency with General Plan.	Community Development Department – Planning Division	Prior to approval of discretionary land use applications.



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Safety and Welfare chapter addressing schools, libraries, and animal control services.				
Section 3.15 Parks and Recreation				
MM Parks and Recreation 1: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate their avoidance of significant impacts associated with community services related to parks and recreation through implementation of the following: <ul style="list-style-type: none">• Policies under Goals 8 and 9 of the Parks and Recreation section of the Community Form chapter.• Policies 1.1 and 2.1 of the Community Form chapter, Land Use section.	Review of discretionary land use applications during City's development review process.	Determination of project consistency with General Plan.	Community Development Department - Planning Division	Prior to approval of discretionary land use applications.