BAMIYAN MARKETPLACE
PLANNING APPLICATION NO. 2019-07

TENTATIVE TRACT MAP NO. 37578
CONDITIONAL USE PERMIT NO. 2019-03
COMMERCIAL DESIGN REVIEW NO. 2019-05
UNIFORM SIGN PROGRAM NO. 2019-01

ENVIRONMENTAL REVIEW NO. 2019-04

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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December 2021

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Table of Contents

Table of Contents (cont.)

LIST OF APPENDICES

LIST OF FIGURES

LIST OF TABLES

I. INTRODUCTION

A. PURPOSE

This document is an Initial Study for evaluation of environmental impacts resulting from implementation of the Bamiyan Marketplace project. For purposes of this document, this application will be called the "project" or "proposed project."

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As defined by Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to CEQA Guidelines Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The project has the potential to: substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory.

- The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

- The project has possible environmental effects that are individually limited but cumulatively considerable.

- The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

According to CEQA Section 21080(c)(1) and CEQA Guidelines Section 15070(a), a **Negative Declaration** can be adopted if it can be determined that the project will not have a significant effect on the environment.

According to CEQA Section 21080(c)(2) and CEQA Guidelines Section 15070(b), a **Mitigated Negative Declaration** can be adopted if it is determined that although the **Initial Study** identifies that the project may have potentially significant effects on the environment, revisions in the project plans and/or mitigation measures, which would avoid or mitigate the effects to below the level of significance, have been made or agreed to by the applicant.

This Initial Study has determined that the proposed project may result in potentially significant environmental effects but that said effects can be reduced to below the level of significance through the implementation of mitigation measures and therefore, a Mitigated Negative Declaration is deemed the appropriate document to provide the necessary environmental evaluations and clearance.

This Initial Study and Mitigated Negative Declaration are prepared in conformance with the California Environmental Quality Act of 1970 , as amended (Public Resources Code, Section 21000 *et seq.*); the State Guidelines for Implementation of the California Environmental Quality Act ("CEQA Guidelines"), as

amended (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000, *et seq.*); applicable requirements of the City of Lake Elsinore; and the regulations, requirements, and procedures of other responsible public agencies or agencies with jurisdiction by law.

The City of Lake Elsinore is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for carrying out or approving a project which may have significant effects upon the environment.

C. INTENDED USES OF INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

This Initial Study and Mitigated Negative Declaration are informational documents which are intended to inform the City of Lake Elsinore decision-makers, other responsible or interested agencies, and the general public of the potential environmental effects of the proposed project. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible agencies must balance adverse environmental effects against other public objectives, including economic and social goals (CEQA Guidelines Section 15021).

The City of Lake Elsinore City Council, as Lead Agency, has determined that environmental clearance for the proposed project can be provided with a Mitigated Negative Declaration. The Initial Study and Notice of Availability and Intent to Adopt prepared for the Mitigated Negative Declaration will be circulated for a period of 30 days for public and agency review. Comments received on the document will be considered by the Lead Agency before it acts on the proposed project.

D. CONTENTS OF INITIAL STUDY

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed project.

I. INTRODUCTION presents an introduction to the entire report. This section identifies City of Lake Elsinore contact persons involved in the process, scope of environmental review, environmental procedures, and incorporation by reference documents.

II. PROJECT DESCRIPTION describes the proposed project. A description of discretionary approvals and permits required for project implementation is also included.

III. ENVIRONMENTAL CHECKLIST contains the City's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed project and those areas that would have either a potentially significant impact, a less than significant impact with mitigation incorporated, a less than significant impact, or no impact.

IV. ENVIRONMENTAL ANALYSIS provides the background analysis supporting each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation. In this section, mitigation measures are also set forth, as appropriate, that would reduce potentially significant adverse impacts to levels of less than significance.

V. MANDATORY FINDINGS presents the background analysis supporting each response provided in the environmental checklist form for the Mandatory Findings of Significance set forth in Section 21083(b) of CEQA and Section 15065 of the CEQA Guidelines.

VI. PERSONS AND ORGANIZATIONS CONSULTED identifies those individuals consulted and involved in the preparation of this Initial Study and Mitigated Negative Declaration.

VII. REFERENCES lists bibliographical materials used in preparation of this document.

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is stated and responses are provided according to the analysis undertaken as part of the Initial Study. Responses will consider the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Project impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A "No Impact" response is adequately supported if the referenced information sources show that the impact simply does not apply to the proposed project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. **Less Than Significant Impact:** Development associated with project implementation will have the potential to impact the environment. These impacts, however, will be less than the levels of thresholds that are considered significant and no additional analysis is required.

3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The Lead Agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.

4. **Potentially Significant Impact:** There is substantial evidence that the proposed project may have impacts that are considered potentially significant and an EIR is required.

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

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

1. Tiered Documents

As permitted in CEQA Guidelines Section 15152(a), the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.

Tiering is defined in CEQA Guidelines Section 15385 as follows:

> "Tiering" refers to the coverage of general matters in broader EIRs (such as on general plans or policy statements) with subsequent narrower EIRs or ultimately site-specific EIRs incorporating by reference the general discussions and concentrating solely on the issues specific to the EIR subsequently prepared. Tiering is appropriate when the sequence of EIRs is:
>
> (a) From a general plan, policy, or program EIR to a program, plan, or policy EIR of lesser scope or to a site-specific EIR;
>
> (b) From an EIR on a specific action at an early stage to a subsequent EIR or a supplement to an EIR at a later stage. Tiering in such cases is appropriate when it helps the Lead Agency to focus on the issues which are ripe for decision and exclude from consideration issues already decided or not yet ripe.

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

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

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

> "Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:
>
> (1) Were not examined as significant effects on the environment in the prior EIR; or
>
> (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions or other means."

For this document, the "City of Lake Elsinore General Plan Update Final Recirculated Program Environmental Impact Report" certified December 13, 2011 (SCH #2005121019) serves as the broader document, since it analyzes the entire City area, which includes the proposed project site. However, as discussed, site-specific impacts, which the broader document (City of Lake Elsinore General Plan Update Final Recirculated Program Environmental Impact Report) cannot adequately address, may occur for certain issue areas. This document, therefore, evaluates each environmental issue alone and will rely upon the analysis contained within the Lake Elsinore General Plan Final EIR with respect to remaining issue areas.

2. Incorporation by Reference

An EIR or Negative Declaration may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. 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. (CEQA Guidelines Section 15150[a])

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

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

- Where part of another document is incorporated by reference, such other document shall be made available to the public for inspection at a public place or public building. The EIR or Negative Declaration shall state where the incorporated documents will be available for inspection. At a minimum, the incorporated document shall be made available to the public in an office of the Lead Agency. (CEQA Guidelines Section 15150[b])

- The incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The relationship between the incorporated part of the referenced document and the EIR shall be described. (CEQA Guidelines Section 15150[c])

- This document must include the State identification number of the incorporated document (CEQA Guidelines Section 15150[d]).

3. Documents Incorporated by Reference/Technical Studies

a. The following document(s) is/are incorporated by reference:

   - City of Lake Elsinore General Plan Update Final Recirculated Program Environmental Impact Report ("General Plan EIR") (SCH #2005121019), certified December 13, 2011. The General Plan EIR, from which this document is tiered, addresses the entire City of Lake Elsinore and provides background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

b. Various technical reports have been prepared to assess specific issues that may result from the construction and operation of the proposed project. As relevant, information from these technical reports has been incorporated into the Initial Study. The following technical reports are included as appendices to this Initial Study:

   - Appendix A: *Air Quality and Greenhouse Gas Analysis Report, Bamiyan Marketplace*, Lake Elsinore, California, Mitchell Air Quality Consulting, December 26, 2019

   - Appendix B: *Bamiyan Marketplace Mixed Use Project – Addendum to the Air Quality and Greenhouse Gas Analysis Report*, Mitchell Air Quality Consulting, July 15, 2021

- Appendix C: *Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis for Lake Elsinore Mixed Use Development*, 15749 Grand Avenue, Lake Elsinore California 92530, Kinsinger Environmental Consulting, October 4, 2018

- Appendix D: *Cultural Resources Survey Report for the Bamiyan Marketplace Project*, Laguna Mountain Environmental, Inc., April 2020

- Appendix E: *Geotechnical Engineering and Percolation Testing Report, Proposed Bamiyan Marketplace*, Earth Systems Pacific, January 17, 2019

- Appendix F: *Regulatory/Historical Review and Environmental Opinion, 15749 Grand Avenue, Lake Elsinore California*, Advantage Environmental Consultants, LLC, June 21, 2019

- Appendix G: *Project-Specific Water Quality Management Plan, Bamiyan Marketplace,* SB&O, Inc., May 5, 2021.

- Appendix H: *Preliminary Drainage Study, Bamiyan Marketplace,* SB&O, Inc., March 1, 2021.

- Appendix I: *Revised Noise Impact Analysis for Bamiyan Marketplace*, Eilar Associates, Inc., August 10, 2021.

- Appendix J: *Traffic Analysis for Bamiyan Marketplace,* Urban Crossroads, June 22, 2021.

- Appendix K: *Bamiyan Market Place VMT Analysis,* Darnell & Associates, June 29, 2020.

- Appendix L: *Dry Utility Profile Report, Lake Elsinore Mixed Use Grand & Ortega*, NV5, January 10, 2019

c. The above-listed documents and technical studies are available for review at:

City of Lake Elsinore
Planning Division
130 S. Main Street
Lake Elsinore, California 92530

Hours: Mon-Thurs: 8 a.m. - 5 p.m.
Friday: 8 a.m. - 4 p.m.
Closed Holidays

II. PROJECT DESCRIPTION

A. PROJECT LOCATION AND SETTING

The proposed project is located in the City of Lake Elsinore (City), in the western portion of Riverside County, California (see Figure 1, *Regional Location*). The approximately 12.60-acre project site consists of two parcels (Assessor's Parcel Numbers 381-320-023 and 381-320-020) located at the northwest corner of Grand Avenue and State Route (SR) 74/Ortega Highway (see Figure 2, *Project Vicinity [USGS Topography]*, and Figure 3, *Project Vicinity [Aerial Photograph]*). The project site is located one block west of the Lake Elsinore shoreline in the southern portion of the City's Lake Edge District. The project is within an unsectioned portion of the La Laguna Grant lands within Township 6 South, Range 5 West, as shown on the Alberhill and Lake Elsinore U.S. Geologic Survey (USGS) 7.5' quadrangles. The zoning and General Plan land use designation for the site are Commercial Mixed Use (CMU).

The site is bordered by Grand Avenue to the northeast, Ortega Highway to the southeast, Macy Street to the northwest, and residential development located off Lake Terrace Drive to the southwest. Surrounding land uses include single-family residences to the southwest; vacant lots, commercial development, and residential development to the northwest and northeast across Macy Street and Grand Avenue; and commercial uses (e.g., fast food restaurants and a grocery store) to the southeast across Ortega Highway.

The project site is currently vacant/undeveloped, with annual ruderal grassland habitat present throughout the site and some trees along the western perimeter. Several existing large-scale utilities occur on site, including a Riverside County Flood Control and Water Conservation District (District) underground drainage channel and Southern California Edison (SCE) overhead distribution facilities. The District's underground drainage channel spans the southwestern portion of the property before sweeping northeast towards Lake Elsinore near Serena Way. Overhead distribution lines traverse the southern side of Grand Avenue along the entire length of the northeastern property boundary, and along the southeastern property boundary on the western side of Ortega Highway.

Topographically, the project site is relatively flat with a 15-foot ascending slope located along the southwestern property boundary. Elevations within the project site range from 1,280 feet above mean sea level (AMSL) to 1,360 feet AMSL. The project area is underlain by Holocene-age alluvial fan and valley deposits, capped by moderate- to well-developed soils. According to the Natural Resource Conservation Service (NRCS) soil mapping, on-site soils consist of Hanford sandy loam formed in alluvium derived from granitic sources.

B. PROJECT DESCRIPTION

The proposed project involves a Tentative Tract Map (TTM; No. 37578), Conditional Use Permit (CUP; No. 2019-03), Commercial Design Review (CDR; No. 2019-05), and Uniform Sign Program (USP; No. 2019-01). TTM 37578 would subdivide the 12.60-acre project site into seven (7) lots for mixed-use commercial and residential development that would be constructed in three phases. The first phase (Phase 1) would include a 10-dispenser ARCO gasoline station with a 6,840-square foot (SF) canopy, a 4,354-SF AM/PM convenience store, an attached 1,960-SF quick-serve restaurant (with no drive-through service), and a 4,054-SF automated self-service car wash. A 2,000-SF office would be located on the second story above the quick-serve restaurant. Phase 1 would also include grading of the site, installation of the majority of the utility infrastructure, development of internal circulation driveways and parking, and construction of off-site improvements (discussed in further detail below). The second phase (Phase 2) would consist of two 2,400-SF fast food restaurants with drive-through lanes, and a two-story mixed-use commercial/retail and multi-family residential building. The mixed-use building would consist of six commercial/retail spaces totaling approximately 23,000 SF on the ground floor and 14 apartments or

condominium units totaling 20,000 SF on the second floor. The third (and final) phase (Phase 3) of the project would consist of five three-story multi-family residential buildings containing up to 60 residential units totaling 53,220 SF. The multi-family residential development would include enclosed parking and a 2,800-SF club house with pool and outdoor living amenities. A reciprocal parking and circulation easement would be recorded for the site concurrently with the tentative tract map. See Figure 4, *Site Plan.*

Table 1, *Tentative Tract Map Lots,* presents information on proposed uses and sizes for the project's seven TTM lots.

Table 1
Tentative Tract Map Lots

Lot Number	Phase Number	Lot Size (acres)[1]	Proposed Use	Building Size
1	1	1.35	ARCO gas station, AM/PM convenience store, quick-serve restaurant, office	6,840 SF (gas station canopy) 4,354 SF (convenience store) 1,960 SF (restaurant) 2,000 SF (office)
2	2	0.35	Restaurant with drive-through lane	2,400 SF
3	2	0.25	Restaurant with drive-through lane	2,400 SF
4	1	0.79	Car wash	4,054 SF
5	2	0.78	Two-story mixed-use building	23,000 SF (commercial/ retail) 20,000 SF (multi-family residential
6	2	4.09	Common area (circulation/joint-use parking)	--
7	3	4.13	Multi-family residential	53,220 SF (multi-family residential) 2,800 SF (club house)

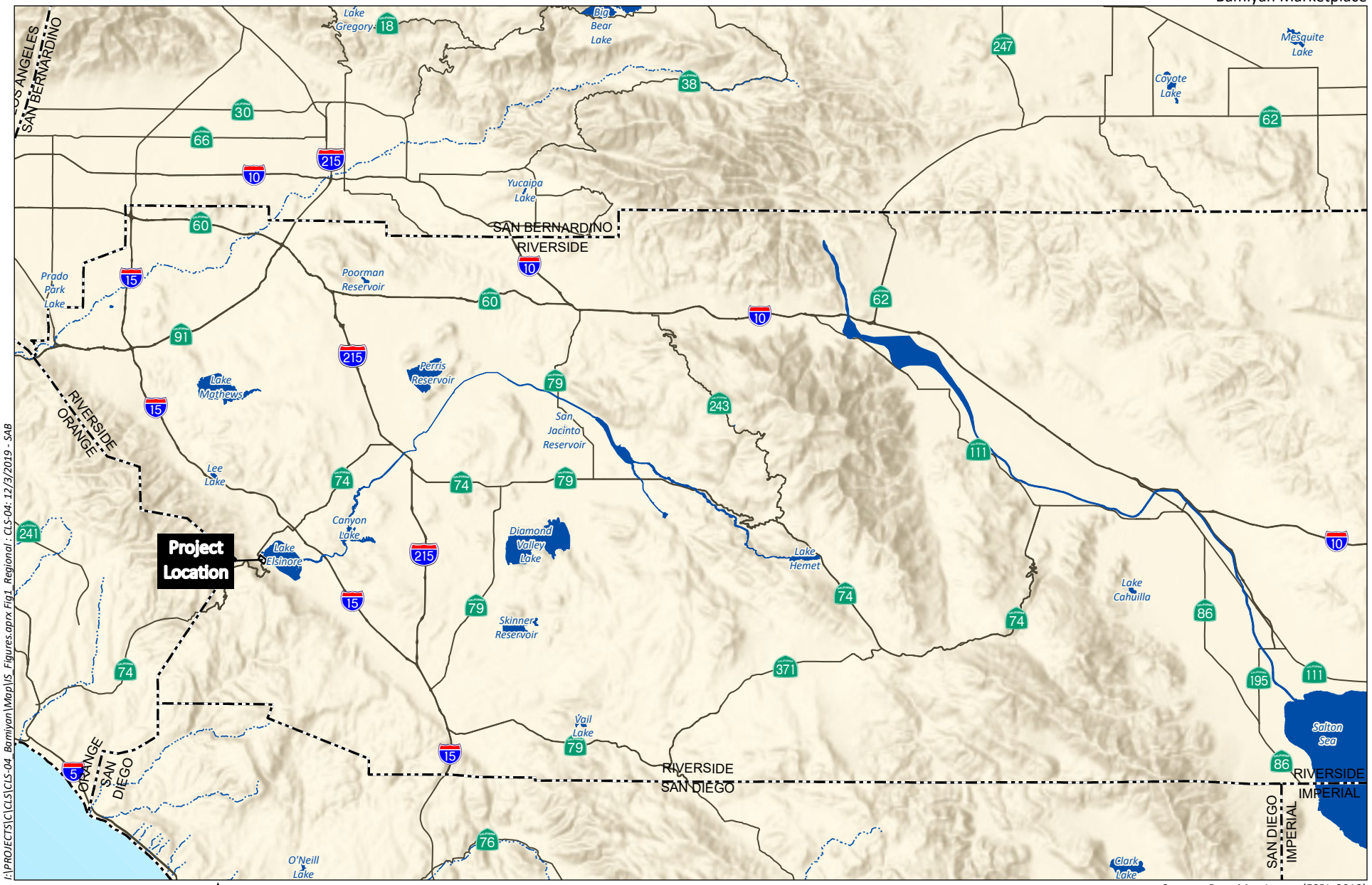
[1] Lots total 11.74 acres; the remaining 0.84 acres of the site is attributed to right-of-way for adjacent roadways.
SF = square feet

Phase 1 of the project would include the following off-site improvements:

- Ortega Highway would be widened by 10 feet along the southeastern project site boundary to bring it to its ultimate width for a Major roadway (four lanes, 100-foot right-of-way [ROW]), as identified in the City's General Plan Circulation Element. Curb, gutter, and sidewalk would be installed. A partial-width raised median would be constructed to control cross-traffic. One driveway, with only right turns allowed in and out, would be constructed to serve the project.

- Grand Avenue would be widened by 20 feet along the northeastern project site boundary to the ultimate width for an Urban Arterial (six lanes, 120-foot ROW), as identified in the City's General Plan Circulation Element. Curb, gutter, and sidewalk would be installed. In accordance with the General Plan, a Class II bike lane would be striped along Grand Avenue. No new lanes would be added as the road already has two signalized right-turn lanes at Ortega Highway and one through lane. A bus turnout would be installed to serve Riverside Transit Authority (RTA) Route 8. One driveway, with only right-turns allowed in and out, would be constructed to serve the project from Grand Avenue across from Serena Way.

- Because of the widening of both Ortega Highway and Grand Avenue, the existing traffic signal at that intersection would be reconstructed, maintaining its present function.



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Source: Base Map Layers (ESRI, 2013)

HELIX Environmental Planning

Regional Location

Figure 1

I:\PROJECTS\C\CLS\CLS-04_Bamiyan\Map\IS_Figures.aprx Fig2_USGS : CLS-04; 12/3/2019 - SAB

0 2,000 Feet

Source: ALBERHILL & LAKE ELSINORE 7.5' Quad (USGS)

HELIX Environmental Planning

Project Vicinity (USGS Topography)

Figure 2

I:\PROJECTS\C\CLS\CLS-04_Bamiyan\Map\IS_Figures.aprx Fig3_Vicinity : CLS-04: 12/11/2019 - SAB

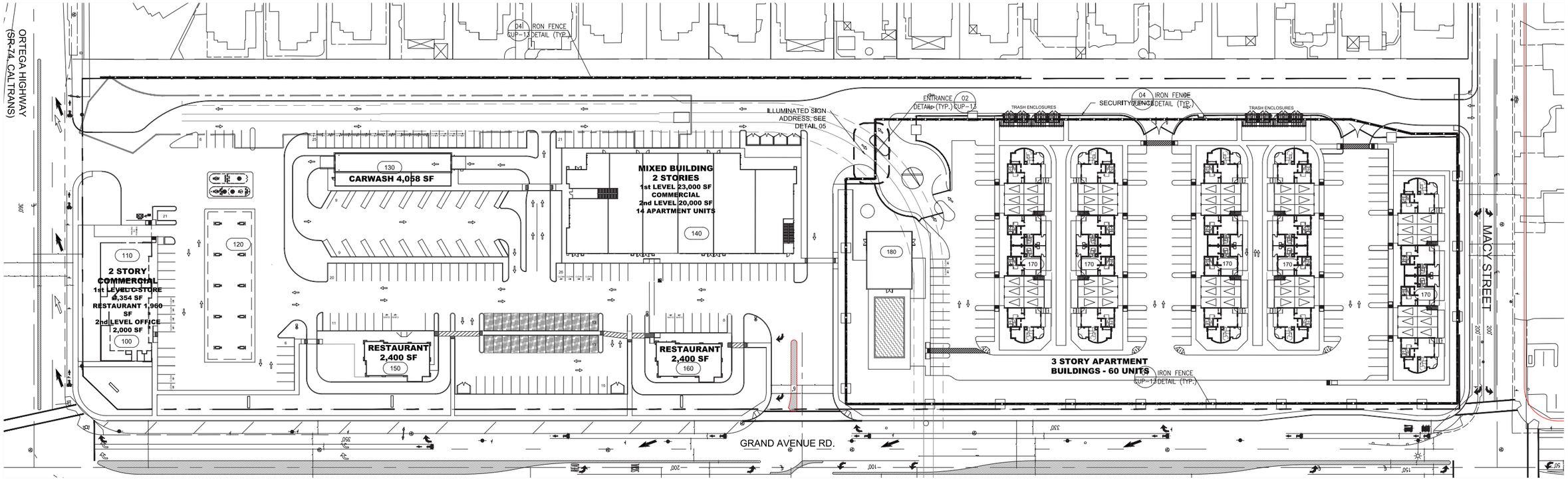
0 1,200 Feet

Source: Aerial (NAIP, 2016)

HELIX Environmental Planning

Project Vicinity (Aerial Photograph)

Figure 3



01 PROPOSED SITE PLAN
SCALE: 1"=50'

N

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Source:AGC Design Concepts 2021

HELIX Environmental Planning

Site Plan
Figure 4

- Macy Street would be widened by approximately nine feet along the northwestern project site boundary to accommodate a revised lane configuration and a new traffic signal would be installed at the intersection with Grand Avenue. One project driveway would be constructed for access to the project from Macy Street.

- Existing overhead SCE distribution lines would be converted to an underground system.

Pursuant to the CMU zoning requirements, the project would be subject to a CUP (No. 2019-03) to construct the ARCO gasoline station and car wash facilities proposed in Phase 1 and the two fast food restaurants with drive-through lanes proposed in Phase 2. CDR (No. 2019-05) provides specific comprehensive design review for the ARCO gas station, AM/PM convenience store, quick-serve restaurant, and the car wash. CDR 2019-05 also provides conceptual design for each of the two fast food restaurants, the two-story mixed-use building, and the multi-family residential buildings that would likely be developed at different times. Subsequent site-specific CDR applications would be required for each restaurant on Lots 2 and 3 to ensure that each site complies with the design criteria, style, colors, and materials established for the entire project site. A combination Commercial/Residential Design Review would be needed for the mixed-use building on Lot 5, and a Residential Design Review application would be needed for the Phase 3 residential project on Lot 7. Lot 6 is the common-area lot, which would contain most of the reciprocal parking and driveways; no buildings are proposed on this lot.

The project has been designed in compliance with the goals and policies of the City's General Plan Land Use Element and the CMU land use and zoning designation for the site. This designation provides for a mix of residential and non-residential uses within a single proposed development area, with an emphasis on retail, service, civic, and professional office uses. The project would meet the CMU zoning requirements per the Lake Elsinore Municipal Code (LEMC) Chapter 17.134, as shown in Table 2, *Compliance with Commercial Mixed-use Zoning Requirements*.

Table 2
Compliance with Commercial Mixed-use Zoning Requirements

Category	CMU Zoning Requirement	Project Compliance
Predominant Use	Commercial development required to be greater than 50 percent of net lot area	Commercial development within Lots 1 through 5 plus 80 percent of Lot 6 totals 6.79 acres, or 58 percent, of the total net area (11.74 acres)
Floor Area Ratio (FAR)	0.8:1 maximum	Building area for Lots 1 through 6 plus first floor of Lot 5 totals 40,166 SF of the total proposed square footage (295,775 SF), which equates to a FAR of 0.14:1
Residential Density	7 to 18 dwelling units per acre allowed	Lot 5: 14 units / 0.78 acre = 17.9 units per acre Lot 7: 60 units / 4.13 acres = 14.5 units per acre
Setbacks	Front yard: 10-foot minimum Rear yard: 20-foot minimum adjacent to residential	Closest front setbacks to Grand Avenue are Lots 2 and 3 at 28 feet Setbacks from residential are 97 feet for Lots 4 and 5 and 92 feet for Lot 7
Building Height	Varied rooflines	Maximum Lot 5: Roof 32'8", Parapet 37'0" Maximum Lot 7: Parapet 30'3", Ridge 34'10"

Source: LEMC Chapter 17.134, CMU Commercial Mixed-Use District

Access, Circulation, and Parking

Vehicular and pedestrian circulation would be provided from Ortega Highway, Grand Avenue, and Macy Street by driveways constructed in the ultimate location of finished interior roads and walkways during

Phase 1. Roads and walkways would be designed to be incorporated into the finished site design of each phase of development.

A total of 173 parking spaces would be provided in Phases 1 and 2, including 5 accessible spaces, 16 clean air vehicle spaces (eight percent of total required), and 12 electric vehicle charging station spaces (six percent of total required). Phase 3 would include a total of 137 parking spaces, including 5 accessible spaces, 12 clean air vehicle spaces, and 60 covered garages.

Architectural Design

The CMU zoning of the project site requires varied roofline heights. The project's buildings would range in height from 13 feet 7 inches (for the carwash) to 34 feet 10 inches (for the Lot 7 residential structures). Except for the carwash building and gas station canopy, the maximum height of each building would not be uniform across the building. Rather, the buildings would incorporate varying façades and architectural elements (such as parapets) of different heights that would provide for a varying roofline (see Figures 5a-b, *Conceptual Building Elevations*). The gas station canopy would have a height of 18 feet 6 inches and would be supported by two rows of five columns, forming a T-shaped structure.

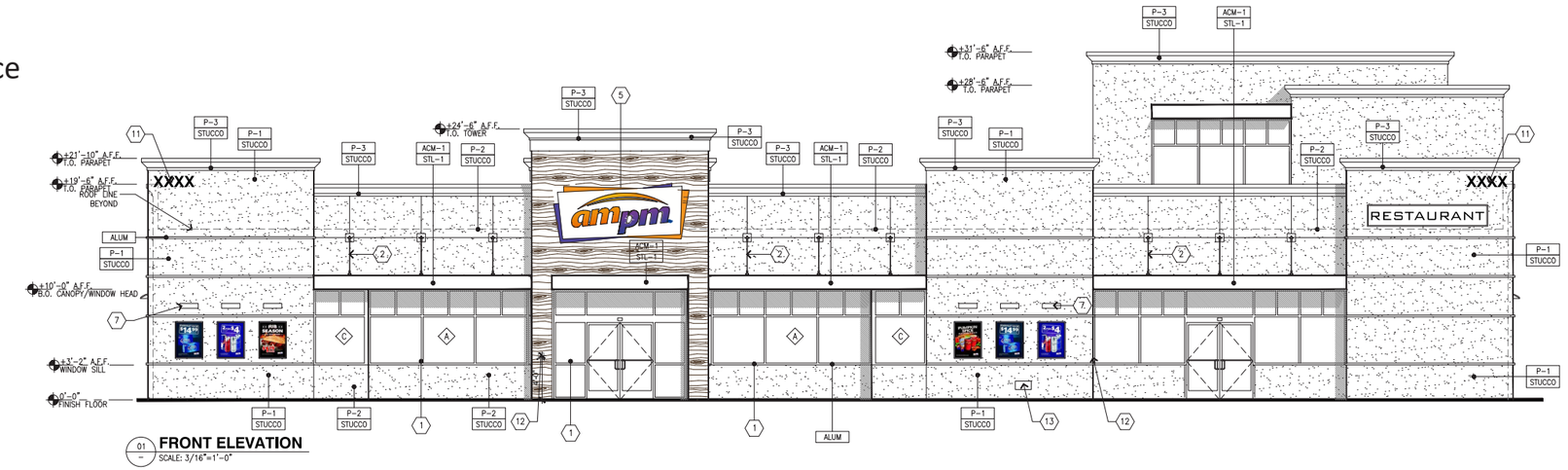
The exterior building materials would include cement plaster, aluminum composite material, seamless steel siding, and faux stone veneer. Exterior finishes would generally be earth-tone (tans, browns, and grays) with signage for the ARCO and AM/PM facilities incorporating blue and orange. The material type, as well as massing and height, would vary for the multiple façades and architectural components proposed for each building. The buildings would incorporate decorative architectural features, including LED light fixtures and steel awnings.

Landscaping, Retaining Walls, and Fencing

The project would provide approximately 109,000 SF of landscaping, representing 21 percent of the site (see Figure 6, *Conceptual Landscape Plan*). A variety of deciduous shade/street trees (e.g., Chinese pistache, ginko, jacaranda, California sycamore), evergreen shade/street trees (e.g., Canary Island pine, fern pine, African sumac, southern magnolia), large native evergreen trees (e.g., coast live oak, holly oak), small flowering accent trees (e.g., western redbud, crape myrtle), and shrubs/groundcover would be located along the project site boundaries, adjacent to the project's buildings, and within parking lot medians. The large trees that would be located along the project site's southwestern boundary would provide visual screening between the adjacent off-site residential development and the project site. The slope adjacent to the off-site residential development would be planted with shrubs and groundcover behind the trees. A parking lot screening hedge would be installed along the project site's northwestern, northeastern, and southeastern boundaries between Macy Street, Grand Avenue, and Ortega Highway and the project site. Numerous bioretention planters and modular wetlands would be installed throughout the site to accommodate stormwater runoff.

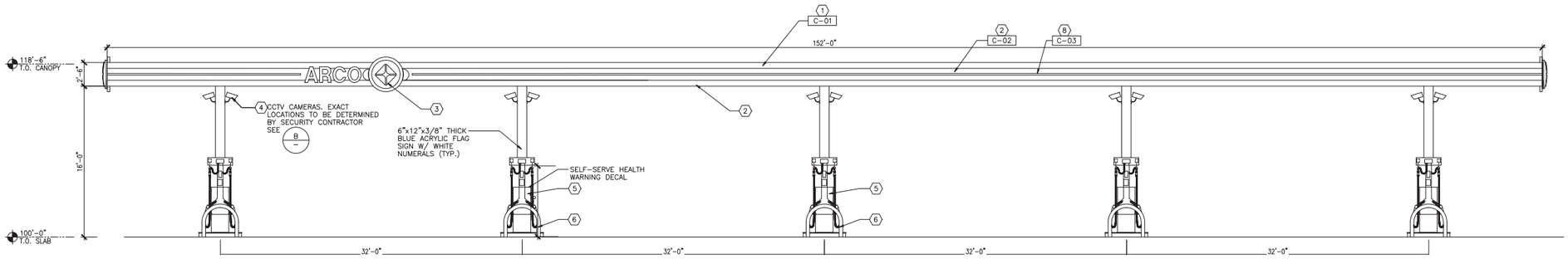
A maximum 10-foot-high, split-face concrete masonry unit retaining wall would be constructed along the southwestern property boundary between the project's Lot 7 residential development and adjacent off-site residential development, where the existing topography slopes down from the adjacent residential development. An additional retaining wall with a maximum height of four feet would be constructed along Grand Avenue adjacent to the gas station in Lot 1 and the fast-food restaurants with drive-through lanes in Lots 2 and 3. The coloring of the retaining wall would match the architectural details of the proposed buildings. Wrought iron fencing with concrete masonry unit pilasters is proposed to enclose the Lot 7 residential development.

AM/PM Convenience Store and Quick-serve Restaurant



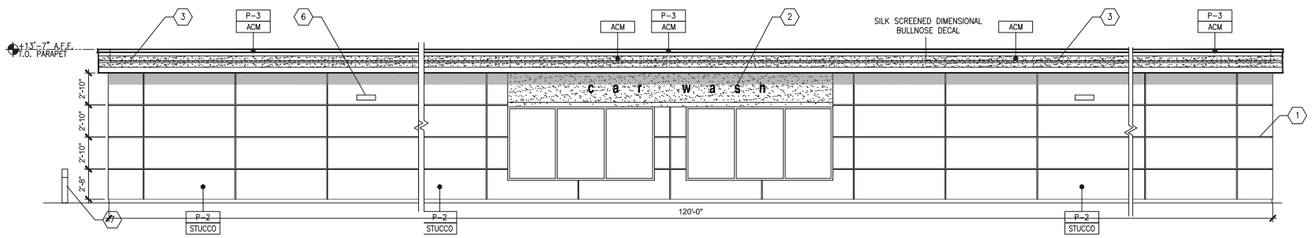
01 **FRONT ELEVATION**
SCALE: 3/16"=1'-0"

ARCO Gas Station



03 **FRONT ELEVATION**
SCALE: 3/16"=1'-0"

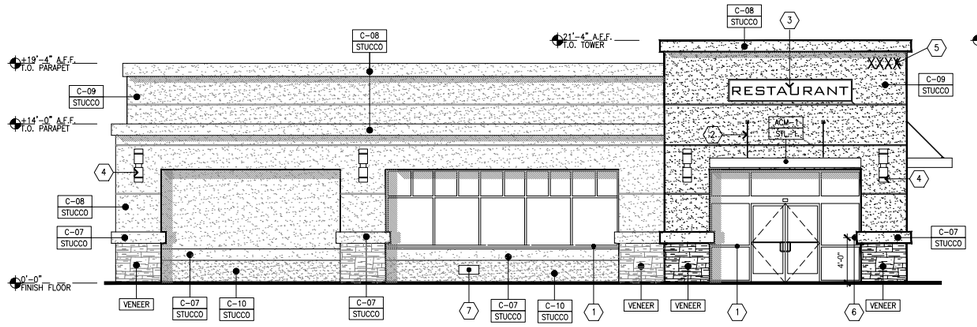
Car Wash



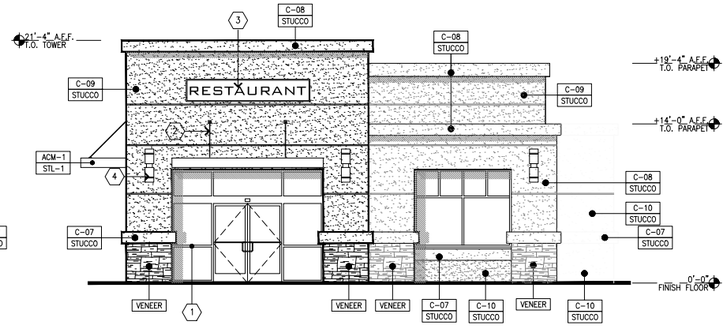
02 **CAR WASH ELEVATION**
SCALE: 3/16"=1'-0"

Source:AGC Design Concepts 2021

Fast Food Restaurant with Drive-through Lane

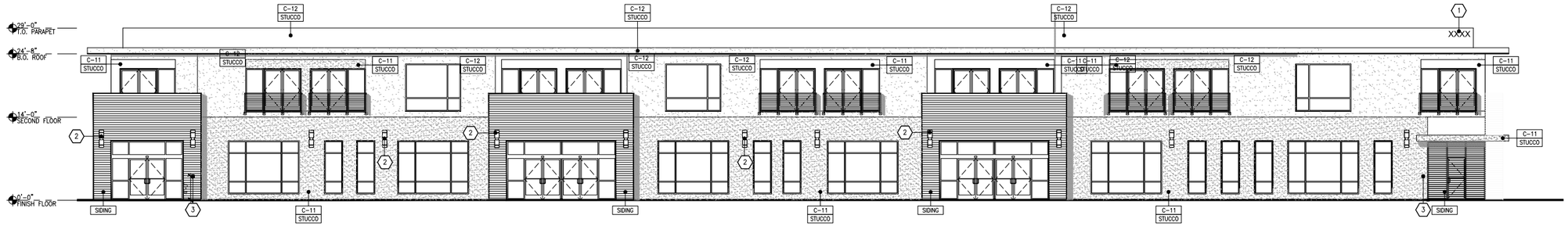


01 – **FRONT ELEVATION**
SCALE: 3/16"=1'-0"



02 – **LEFT ELEVATION**
SCALE: 3/16"=1'-0"

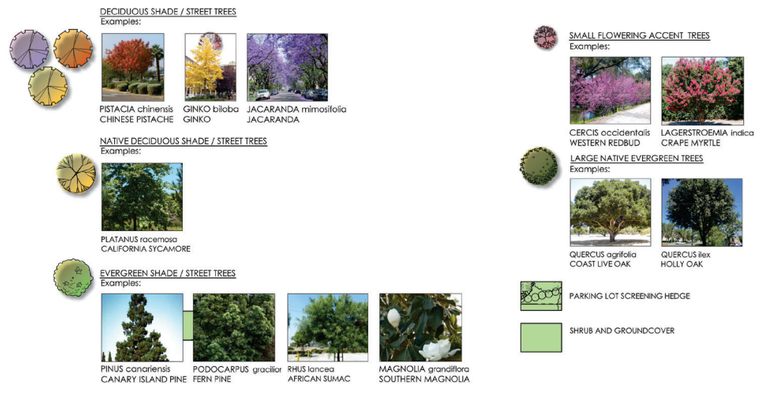
Two-story Mixed-Use Building



01 – **FRONT ELEVATION**
SCALE: 1/8"=1'-0"

Multi-family Residential

Source:AGC Design Concepts 2021



Source:Urban Ecosystem Solutions 2021

Signage

The project's sign program presents a coordinated signage theme encompassing the three phases of the project. The signs would reflect the architecture proposed for the commercial and mixed-use aspects of the project and feature modern non-traditional shapes, lower and longer than might be planned for other similar-sized projects. Proposed signs include:

- Two gasoline price signs and a corner monument sign on Lot 1, the ARCO AM/PM site.
- Illuminated gas price signs on the southeast wall of the AM/PM building facing Ortega Highway.
- Two low signs for the two fast food restaurants fronting Grand Avenue.
- One central pylon sign on the Grand Avenue frontage, with a maximum height of 24 feet 6 inches.
- Low monument signs at the corners of the project site at Macy Street and Ortega Highway, identifying Bamiyan Marketplace and the multi-family project component on Lot 7.

Utilities

Project electricity would be provided by SCE via connections to the existing on-site infrastructure. As noted above, existing overhead distribution lines would be converted to an underground system during Phase 1. Potable water would be provided to the project site by Elsinore Valley Municipal Water District (EVMWD) via existing 8-inch water lines located within Ortega Highway and Macy Street, which ultimately connect to a 14-inch water line within Grand Avenue. New 8-inch water lines would be installed on site to connect to the existing lines. New on-site 8-inch sewer lines would connect to an existing 8-inch EVMWD sewer line located within Grand Avenue. A new 24-inch high-density polyethylene (HDPE) storm drain would be installed along the project site's northeastern boundary along Grand Avenue.

Prior to construction of the project, the District would need to reconstruct a portion of the Ortega Channel that traverses the site in an existing underground conduit. The current 84-inch-diameter pipe would be replaced with a 12-foot-wide by 10-foot-high concrete box culvert to improve flowage capacity and reduce maintenance costs. A new easement would be established that would include provisions for reciprocal access during the District's periodic maintenance operations. On-site storm drains would tie into the District's infrastructure.

Project Phasing and Construction Schedule

Construction of the project is expected to begin in 2022 with development of Phase 1. As noted above, most major off-site construction would be completed during Phase 1, including roadway widening and partial-width full-length medians to prevent unwanted traffic movements. The Phase 2 fast food restaurants and mixed-use building and Phase 3 residential development would each be on separate lots (as shown in Table 1) and may be developed at different times depending upon the timing of leasing, sales, and permitting/design approval. Full buildout of the project is anticipated to be completed in late 2024.

III. ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. **Project Title:** Bamiyan Marketplace

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

3. **Contact Person and Phone Number:** Damaris Abraham, Senior Planner (951) 674-3124, ext. 913

4. **Project Location:** At the northwest corner of Grand Avenue and Ortega Highway

5. **Project Sponsor's Name and Address:** Zairey, Inc., c/o Ahmad Zaki, 45 Cinch Road, Bell Canyon, CA 91307

6. **General Plan Designation:** Commercial Mixed Use (CMU)

7. **Zoning:** Commercial Mixed Use (CMU)

8. **Description of Project:** See project description in Section II.B, *Project Description*, above.

9. **Surrounding Land Uses and Setting:** See project location and setting in Section II.A, *Project Location and Setting*, above.

10. **Other Public Agencies Whose Approval is Required**: The project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction of Land Disturbance Activities (State Water Resources Control Board [SWRCB] Order No. 2009-0009-DWQ, NPDES No. CA2000002), in addition to related City requirements for storm water and erosion control; an encroachment permit would be obtained from the California Department of Transportation (Caltrans) for off-site roadway improvements; South Coast Air Quality Management District (SCAQMD) Permit to Operate.

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

In accordance with the requirements of Assembly Bill (AB) 52, the City sent notification to six Tribes on August 28, 2019. The Pechanga Band of Luiseño Mission Indians (Pechanga), Soboba Band of Luiseño Indians (Soboba), and Rincon Band of Luiseño Indians (Rincon) have requested consultation. Meetings were held with Soboba on October 1, 2019, with Rincon on October 24, 2019, and with Pechanga on February 21, 2020. The City concluded consultation with the Rincon Band of Luiseño Indians on December 30, 2019 and with the Soboba Band of Luiseño Indians on April 15, 2020. The City has not yet concluded consultation with the Pechanga Band of Luiseño Indians. It is anticipated that consultation will conclude upon review of this Initial Study and preparation of a Final Initial Study.

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agricultural and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☒ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

C. DETERMINATION

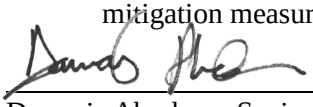
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Damaris Abraham, Senior Planner

December 15, 2021
Date

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I.	**AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:**				
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c)	In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
II.	**AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:**				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest uses?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☒
III.	**AIR QUALITY. Where available, significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:**				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐
IV.	**BIOLOGICAL RESOURCES. Would the project:**				
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐
V.	**CULTURAL RESOURCES. Would the project:**				
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☐	☒
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐
VI.	**ENERGY. Would the project:**				
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐
VII.	**GEOLOGY AND SOILS. Would the project:**				
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	ii) Strong seismic ground shaking?	☐	☐	☒	☐
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv) Landslides?	☐	☐	☒	☐
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
VIII.	**GREENHOUSE GAS EMISSIONS. Would the project:**				
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
IX.	**HAZARDS AND HAZARDOUS MATERIALS. Would the project:**				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X.	**HYDROLOGY AND WATER QUALITY. Would the project:**				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge, such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
	iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
	iv) Impede or redirect flood flows?	☐	☐	☒	☐
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐
XI.	**LAND USE AND PLANNING. Would the project:**				
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
XII.	**MINERAL RESOURCES. Would the project:**				
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or other applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
XV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public services/facilities?	☐	☐	☒	☐
XVI. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☒	☐
XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐
XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒
XX.	**WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:**				
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐
XXI.	**MANDATORY FINDINGS OF SIGNIFICANCE**				
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

IV. ENVIRONMENTAL ANALYSIS

This section provides an evaluation of the impact categories and questions contained in the Environmental Checklist. A complete list of the reference sources applicable to the following source abbreviations is contained in Section VII, References, of this document.

I. AESTHETICS

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

The City's aesthetic setting is characterized by urbanized development of various densities occurring within varied topographical features and interspersed with undeveloped natural areas. Scenic resources within and surrounding the City include Lake Elsinore, portions of the Cleveland National Forest, rugged hillside land, distant mountains and ridgelines, rocky outcroppings, streams, vacant land with native vegetation, parkland, and buildings of historical and cultural significance. Views of these scenic resources within and surrounding the City are the prominent scenic vistas identified in the General Plan and General Plan EIR. Due to the importance of Lake Elsinore as the largest natural lake in southern California, scenic resources were addressed in the General Plan by identifying public vantage points of the lake throughout the City. Vantage points identified in Figure 4.10 of the General Plan include northbound Interstate (I-) 15, Ortega Highway, the Lake Elsinore Recreation Area and Campground, the baseball stadium, the boat launch on the eastern edge of the lake, and the Aloha Pier lookout. While the project site is located along a small portion of Ortega Highway, the project's proposed development would not obstruct views of Lake Elsinore from Ortega Highway where views currently exist. The primary vantage points afforded from Ortega Highway are south of the project site at higher elevations within the mountains. These vantage points would not be affected by the project. As such, the proposed project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan Resource Protection & Preservation Element, General Plan EIR)

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Less Than Significant Impact)

California's Scenic Highway Program was created by the legislature in 1963 to protect and enhance the natural scenic beauty of California highways and adjacent corridors. The State Scenic Highway System includes a list of highways that are either currently designated or eligible for designation as scenic highways. Caltrans currently identifies both I-15 and SR 74 as eligible for listing as state scenic highways, but they are not yet officially designated (Caltrans 2018). The project site is located approximately 3.1 miles southwest of I-15 and is not visible from I-15. Although the site is located immediately adjacent to SR 74 and would involve the removal of some existing ornamental trees during construction, new trees would be provided on site as part of the project in greater number than in the existing condition. The project would not result in impacts to rock outcroppings or historic buildings. As such, impacts to scenic resources within a designated state scenic highway would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: California State Scenic Highway System Map [Caltrans 2018])

c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly

accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (Less Than Significant Impact)

CEQA defines the term "urbanized area" to mean an incorporated city that has a population of at least 100,000 persons, or has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons. U.S. Department of Commerce Bureau of the Census (U.S. Census Bureau) data from 2019 indicates that the City has a population of 69,283 and the adjacent City of Wildomar has a population of 37,229 (U.S. Census Bureau 2020). Thus, the project site is considered to be located within an urbanized area and is evaluated relative to applicable zoning and other regulations governing scenic quality.

The project site is currently designated/zoned as Commercial Mixed Use (General Plan). The project site is located within the northwest area of the General Plan Lake Edge District of the City. The character of the Lake Edge District has an emphasis towards recreation, custom homes with lake access, commercial mixed uses, open space, and several miles of shoreline. A variety of commercial designations have been assigned to the northwest to help provide further stimulus to the emerging commercial neighborhood. This area is planned to include open space, housing, commercial mixed-uses, and general commercial uses. Development applications are reviewed by the City for consistency with the goals, policies, and development standards of the General Plan. Review of the project for consistency with applicable zoning regulations as part of the approval process would ensure that the project would not conflict with applicable regulations governing scenic quality. The proposed project would not conflict with the applicable zoning or other regulations governing scenic quality, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan Lake Edge District)

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

According to the City's General Plan, light and glare impacts to the Mount Palomar Observatory are of concern to the City. Areas of light pollution impacts have been identified through a "ring analysis," where primary impacts to the Observatory are within a 30-mile radius, and secondary impacts are within a radius of up to 45 miles. According to General Plan Figure 4.12, the project site is located within the 45-mile secondary impact radius. The project site is currently undeveloped, with no existing on-site sources of light or glare. Existing off-site sources of night lighting attributed to nearby residential and commercial development include streetlamps, accent and security lighting, parking lot lighting, and vehicle headlights. Nighttime project lighting would be similar to the existing nighttime lighting of surrounding uses. In addition, project development would be required to comply with the Lake Elsinore Municipal Code (LEMC). Section 17.112.040 requires outdoor lighting fixtures in excess of 60 watts to be oriented and shielded to prevent direct illumination above the horizontal plane passing through the luminaire and prevent glare or illumination on adjacent properties or streets. This section of the LEMC encourages the use of low-pressure sodium vapor lighting due to the City's proximity to the Mount Palomar Observatory.

Sources of glare result primarily during the day from parked cars located in large parking lots and from sunlight reflected from window glazing on buildings. The proposed project would introduce new sources of daytime glare due to the new building surfaces and vehicles traveling to and from the site; however, glare created by the proposed project would be consistent with the levels of glare that are emitted by the surrounding development. Based on the above considerations, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area, and potential impacts associated with light or glare would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan, LEMC)

II. AGRICULTURE AND FORESTRY RESOURCES

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (No Impact)

According to the City's General Plan EIR (City 2011b), agricultural uses constitute approximately 0.8 percent of the City's total acreage. Some of this existing agricultural land, as well as vacant land used for purposes other than agriculture, are designated by the California Department of Conservation (CDC) Farmland Mapping and Monitoring Program (FMMP) as Farmland of Local Importance (554 acres within the City), Grazing Land (827 acres within the City), and Unique Farmland (25 acres within the City) (City 2011b). Remaining land is considered Urban/Built-Up Land or Other Land, reflecting its developed uses or other characteristics making it unsuitable for agriculture. The project site is an undeveloped property that is designated by the FMMP as Farmland of Local Importance (CDC 2016). The site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. In addition, the site has a land use designation of Commercial Mixed Use. The site is currently not used for agriculture nor is it planned to be used for agriculture. Therefore, the project would not convert Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to a non-agricultural use. No impact would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR, FMMP [CDC 2016])

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

The project site is not zoned for agricultural use and the Lake Elsinore Zoning Code does not contain agricultural zones or zones that principally allow for agriculture. Further, the City's General Plan EIR indicates that there are no Williamson Act agricultural preserves within the City boundaries. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR, Zoning Map)

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (No Impact)

d) Result in the loss of forest land or conversion of forest land to non-forest uses? (No Impact)

Public Resources Code Section 12220(g) identifies forest land as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The City's General Plan does not identify specific designation for forest land or timberland uses, nor is there a zoning designated for forest land, timberland, or timberland

zoned Timberland Production within City limits. The project site is vacant and not currently being managed or used for forest land or timberland. No impact would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan, Zoning Map, Public Resources Code Section 12220[g])

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

There are no agricultural operations or timberland production operations within the project site or vicinity. The project does not propose changes that could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impact would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: Zoning Map)

III. AIR QUALITY

This section is based on the Air Quality and Greenhouse Gas (GHG) Analysis Report (Mitchell Air Quality Consulting 2019; Appendix A) and the Addendum to the Air Quality and Greenhouse Gas Analysis Report (Mitchell Air Quality Consulting 2021; Appendix B) prepared for the project. The project's construction and operational emissions were calculated using the California Emissions Estimator Model (CalEEMod), Version 2016.3.2. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with construction and operations from a variety of land use projects.

a) Conflict with or obstruct implementation of the applicable air quality plan? (Less Than Significant With Mitigation Incorporated)

The City is located within the South Coast Air Basin (SCAB) under the jurisdiction of SCAQMD. SCAQMD and the Southern California Association of Governments (SCAG) are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the SCAB. The AQMP is a series of plans adopted for the purpose of reaching short- and long-term goals for those pollutants the SCAB is designated as a 'nonattainment' area because the SCAQMD does not meet federal and/or State Ambient Air Quality Standards (AAQS). The land use and transportation control portions of the AQMP are based on the regional growth forecasts included in SCAG's Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS), which is a long-range transportation plan that uses growth forecasts to project trends over a 20-year period to identify regional transportation strategies to address mobility needs. Both the RTP/SCS and AQMP are based, in part, on projections originating with County and City General Plans. The two principal criteria for conformance to the AQMP are (1) whether a project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards; and (2) whether a project would conflict with applicable SCAQMD control measures or exceed the assumptions in the AQMP.

As described below under Item III(b), pollutant emissions from the project would be less than the SCAQMD thresholds and would not result in a significant impact. Further, the project does not involve a change to a General Plan or zoning designation and, therefore, would not exceed the growth assumptions in the AQMP. To ensure that the project complies with the applicable SCAQMD control measures, **mitigation measure**

(MM) AQ-1 would be required. With **MM AQ-1,** impacts associated with conflict with the applicable air quality plan would be less than significant.

Mitigation Measures:

MM AQ-1: **Fugitive Dust Emissions.** During site preparation and grading construction phases, haul trucks transporting soil to or from the project site shall be covered to prevent fugitive dust emissions. Construction equipment shall be properly maintained according to manufacturer specifications. Contractors shall turn off construction equipment and delivery vehicles when not in use or limit on-site idling for no more than five minutes in any one hour. On-site electrical hook ups to a power grid shall be provided for electric construction tools including saws, drills, and compressors, where feasible, to reduce the need for diesel-powered electric generators. The project shall demonstrate compliance with SCAQMD Rule 403 concerning fugitive dust and provide appropriate documentation to the City. Traffic speeds on unpaved portions of the project site shall be reduced to 15 miles per hour or less. Street sweepers that comply with SCAQMD Rules 1186 and 1186.1 shall be used at the end of the day if visible soil is carried onto adjacent public paved roads.

(Sources: Air Quality and GHG Analysis Report [Mitchell Air Quality Consulting 2019])

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Less Than Significant Impact)

The project would result in criteria pollutant emissions during construction and operation. Construction activities that would generate emissions are anticipated to include site preparation, grading, building construction, paving, and architectural coating. Operational sources of emissions would include mobile sources (vehicle travel), energy sources (natural gas use), and area sources (landscape equipment use, consumer products, and architectural coatings). Both construction and operation would result in emissions of carbon monoxide (CO), reactive organic gases (ROGs), nitrogen oxides (NO_X), sulfur oxides (SO_X), and particulate matter (PM_{10} and $PM_{2.5}$). The SCAQMD has thresholds for emissions of each of these pollutants, as identified below in Table 3, *Maximum Daily Emissions Thresholds.* The attainment status for criteria pollutants in the SCAB is shown in Table 4, *South Coast Air Basin Criteria Pollutant Attainment Status.*

Table 3
Maximum Daily Emissions Thresholds
(pounds per day)

Pollutant	Construction	Operations
Reactive Organic Gases (ROG)	75	55
Nitrogen Oxides (NO_X)	100	55
Carbon Monoxide (CO)	550	550
Particulate Matter 10 microns in diameter (PM_{10})	150	150
Particulate Matter 2.5 microns in diameter ($PM_{2.5}$)	55	55
Sulfur Oxides (SO_X)	150	150

Source: SCAQMD 2019

Table 4
South Coast Air Basin Criteria Pollutant Attainment Status

Criteria Pollutant	Federal Designation	State Designation
Ozone (O_3) – 1-hour standard	Nonattainment (Extreme)[1]	Nonattainment
Ozone (O_3) – 8-hour Standard	Nonattainment (Extreme)	Nonattainment
Carbon Monoxide (CO)	Attainment (Maintenance)	Attainment
Particulate Matter 10 microns in diameter (PM_{10})	Attainment (Maintenance)	Nonattainment
Particulate Matter 2.5 microns in diameter ($PM_{2.5}$)	Nonattainment (Serious)	Nonattainment
Nitrogen Dioxide (NO_2)	Attainment/Unclassifiable	Attainment
Sulfur Dioxide (SO_2)	Attainment/Unclassifiable	Attainment
Sulfates	(No federal standard)	Attainment

Source: SCAQMD 2016

[1] 1-hour ozone standard (0.12 ppm) was revoked, effective June 15, 2005; however, the SCAB has not attained this standard based on 2008 – 2010 data and is still subject to anti-backsliding requirements.

If the project's criteria pollutant and precursor emissions during construction and operation are below the SCAQMD daily regional thresholds, the project would not result in a cumulatively considerable net increase of a criteria pollutant. To determine whether the project's emissions would result a cumulatively considerable net increase of a criteria pollutant for which the region is in non-attainment, or contribute substantially to a projected air quality violation, the project's emissions were evaluated based on the quantitative emission thresholds established by the SCAQMD, as described below and shown in Table 5, *Maximum Daily Construction Emissions,* and Table 6, *Maximum Daily Operational Emissions*. The project does not contain sources of SO_X emissions during construction and operation. Modeling conducted for the project show that SO_X emissions are well below SCAQMD thresholds; therefore, no further analysis of SO_X is required.

Construction

As discussed above, the project would result in criteria pollutant emissions during its various construction activities, including site preparation, grading, building construction, paving, and architectural coating. Dust is typically the primary concern during construction of new buildings and infrastructure. Because such emissions are not amenable to collection and discharge through a controlled source, they are called "fugitive emissions." Fugitive dust emissions include PM_{10} and $PM_{2.5}$. The SCAQMD requires the use of best available control measures (BACMs) for fugitive dust from construction activities, per SCAQMD Rule 403. The estimated construction emissions calculated for the proposed project are presented below in Table 5.

Table 5
Maximum Daily Construction Emissions
(pounds per day)

Category	ROG	NO_X	CO	PM_{10}[1]	$PM_{2.5}$[1]
Site Preparation and Grading	4.43	45.64	22.86	10.72	6.72
Phase 1 Construction	11.35	22.78	17.64	4.13	2.53
Phase 2 Construction	19.78	26.43	21.60	4.39	2.73
Phase 3 Construction	23.19	24.78	18.47	4.28	2.63
Highest Construction Emissions	**23.19**	**45.64**	**22.86**	**10.72**	**6.72**
SCAQMD Thresholds	*75*	*100*	*550*	*150*	*55*
Exceeds Threshold?	***No***	***No***	***No***	***No***	***No***

Source: Mitchell Air Quality Consulting 2019
[1] Emissions are from the mitigated output to reflect compliance with Rule 403—Fugitive Dust
ROG = reactive organic gas; NO_X = nitrogen oxides; CO = carbon monoxide; PM_{10} = particulate matter 10 microns or less in diameter; $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter

As shown in Table 5, maximum daily construction emissions are estimated to be below SCAQMD significance thresholds. Therefore, project construction would not result in a cumulatively considerable net increase of criteria pollutant emissions and impacts would be less than significant.

Operations

Operational emissions associated with the proposed project are shown below in Table 6.

Table 6
Maximum Daily Operational Emissions
(pounds per day)

Category	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Phase 1					
Area	0.47	<0.1	<0.1	<0.1	<0.1
Energy	<0.1	0.71	0.60	<0.1	<0.1
Mobile	16.41	9.52	93.84	16.09	4.36
Total Emissions Phase 1	**16.95**	**10.23**	**94.44**	**16.14**	**4.42**
Phase 2					
Area	4.42	0.30	8.28	1.08	1.08
Energy	<0.1	<0.1	<0.1	<0.1	<0.1
Mobile	1.33	1.60	12.89	3.80	1.03
Total Emissions Phase 2	**5.75**	**1.99**	**21.22**	**4.88**	**2.11**
Phase 3					
Area	18.88	1.43	39.01	5.07	5.07
Energy	<0.1	0.38	0.16	<0.1	<0.1
Mobile	0.80	1.39	8.59	3.49	0.94
Total Emissions Phase 3	**19.72**	**3.20**	**47.76**	**8.60**	**6.05**
Total Project					
Total Emissions Project	**42.43**	**15.43**	**165.08**	**29.62**	**12.57**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*55*
Exceeds Threshold?	***No***	***No***	***No***	***No***	***No***

Source: Mitchell Air Quality Consulting 2019
ROG = reactive organic gas; NO_X = nitrogen oxides; CO = carbon monoxide; PM_{10} = particulate matter 10 microns or less in diameter; $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter

As shown in Table 6, operational emissions would be below the SCAQMD CEQA significance thresholds. Therefore, project operation would not result in a cumulatively considerable net increase of criteria pollutant emissions and impacts would be less than significant.

Concurrent Construction and Operations

The project would be constructed in phases, which would result in portions of the project being operational while other portions are being constructed. Table 7, *Concurrent Maximum Daily Construction and Operational Emissions,* shows the concurrent emissions estimates for the project's construction and operational phases expected to overlap.

Table 7
Concurrent Maximum Daily Construction and Operational Emissions
(pounds per day)

Category	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Phase 1 Operations	16.95	10.23	94.44	16.14	4.42
Phase 2 Construction	2.06	15.24	14.83	2.94	1.75
Total Concurrent Emissions	**19.02**	**25.47**	**109.27**	**19.08**	**6.16**
Phases 1 and 2 Operations	22.71	15.43	165.08	29.62	12.57
Phase 3 Construction	23.18	14.95	17.85	1.28	0.82
Total Concurrent Emissions	**45.89**	**30.38**	**182.93**	**30.91**	**13.39**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*55*
Exceeds Threshold?	***No***	***No***	***No***	***No***	***No***

Source: Mitchell Air Quality Consulting 2019
ROG = reactive organic gas; NO_X = nitrogen oxides; CO = carbon monoxide; PM_{10} = particulate matter 10 microns or less in diameter; $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter

As shown in Table 7, concurrent construction and operational emissions would be below the SCAQMD CEQA significance thresholds. Therefore, project operation would not result in a cumulatively considerable net increase of criteria pollutant emissions and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Air Quality and GHG Analysis Report [Mitchell Air Quality Consulting 2019])

c) Expose sensitive receptors to substantial pollutant concentrations? (Less Than Significant Impact)

Air quality impacts are analyzed relative to those persons with the greatest sensitivity to air pollution exposure. Such persons are called "sensitive receptors." Sensitive population groups include young children, the elderly, and the acutely and chronically ill (especially those with cardio-respiratory disease). Residential areas are considered to be sensitive to air pollution exposure because they may be occupied for extended periods, and residents may be outdoors when exposure is highest. Schools are similarly considered to be sensitive receptors. The closest existing sensitive receptors to the project site are the adjacent residential properties to the southwest. The project's proposed residential properties would also be considered sensitive receptors once operational and occupied.

The following analysis addresses potential impacts to sensitive receptors associated with localized criteria pollutant emissions, toxic air contaminants (TACs), and CO hot spots.

Localized Criteria Pollutant Emissions

The SCAQMD has developed analysis parameters to evaluate ambient air quality on a local level, called Localized Significance Thresholds (LSTs). LSTs represent the maximum emissions from a project that could occur, beyond which the project would cause or contribute measurably to an exceedance of the most stringent applicable federal or state ambient air quality standard. LSTs are only applicable to the following criteria pollutants: NO_x, CO, PM_{10}, and $PM_{2.5}$. LSTs are developed based on the ambient pollutant concentrations for each source area, distance to the nearest sensitive receptor, and size of the project site, and are applicable for a sensitive receptor where it is possible that an individual could remain for 24 hours such as a residence, hospital, or convalescent facility.

The LST methodology limits the emissions of consideration to those generated from on-site activities. This analysis is conservative in that it accounts for total construction emissions, including off-site emissions, for comparison to the LSTs. Operational emissions considered herein are only for on-site emissions. The applicable LSTs and emissions are shown in Table 8, *Maximum Localized Daily Emissions*.

Table 8
Maximum Localized Daily Emissions
(pounds per day)

Pollutant	Construction	Operation
Distance to Nearest Receptor (meters)	14	14
NO_x Analysis		
NOx Threshold	*371*	*371*
Project NOx Emissions	**26.43**	**2.99**
Significant?	***No***	***No***
CO Analysis		
CO Threshold	*750*	*750*
Project CO Emissions	**21.85**	**12.80**
Significant?	*No*	*No*
PM_{10} Analysis		
PM_{10} Threshold	*13*	*4*
Project PM_{10} Emissions	**4.39**	**0.90**
Significant?	***No***	***No***
$PM_{2.5}$ Analysis		
$PM_{2.5}$ Threshold	*8*	*2*
Project $PM_{2.5}$ Emissions	**2.73**	**0.41**
Significant?	***No***	***No***

Source: Mitchell Air Quality Consulting 2019; SCAQMD 2009.
Thresholds are for Source Receptor Area 25 (Lake Elsinore), a project site size of 5 acres, and a distance of less than 25 meters.
NO_X = nitrogen oxides; CO = carbon monoxide; PM_{10} = particulate matter 10 microns or less in diameter; $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter

As indicated in Table 8, project emissions would be below the applicable LSTs for construction and operation, and LST impacts would be less than significant.

Toxic Air Contaminants

Construction

TACs are a diverse group of air pollutants that may cause or contribute to an increase in deaths or in serious illness or that may pose a present or potential hazard to human health. Emissions during construction would

be related to diesel particulate matter (DPM) associated with heavy equipment operations during earth-moving activities. The amount of DPM to which the receptors could be exposed, which is a function of concentration and duration of exposure, is the primary factor used to determine health risk. Current models and methodologies for conducting cancer health risk assessments are associated with longer-term exposure periods (typically 30 years for individual residents) and are best suited for evaluation of long duration TAC emissions with predictable schedules and locations. These assessment models and methodologies do not correlate well with the temporary and highly variable nature of construction activities. Due to the anticipated short construction schedule, TAC emissions from the project's construction activity would not expose sensitive receptors to substantial pollutant concentrations. As such, project-related TAC emission impacts during construction would be less than significant.

Operations

The project includes a gasoline station that is a source of TACs (primarily benzene). The SCAQMD developed Emission Inventory and Risk Assessment Guidelines for Gasoline Dispensing Stations in 2007 (SCAQMD 2007). The guidelines include screening tables based on throughput and the distance to the nearest sensitive receptor to determine if a project should prepare a full health risk assessment (HRA) using dispersion modeling to determine health risks from gasoline dispensing stations.

The project is expected to sell 1,800,000 gallons of gasoline per year. The nearest residential receptor would be the second-floor condominiums included in Phase 2 of the project. The receptors are located 68 meters from the nearest fueling position. Off-site receptors are more distant from the fueling station than the on-site receptor, so the on-site receptor location represents the maximum impacted receptor. The SCAQMD gasoline station HRA screening tables provides maximum individual cancer risk (MICR) at various distances from 25 meters to 1,000 meters downwind of the gasoline station per 1,000,000 gallons per year throughput (i.e., the amount of gasoline that the station dispenses in a year). The cancer risk per million gallons at 60 meters is 1.18 in one million. Therefore, the cancer risk at the project throughput is 2.12 in one million, which is less than the SCAQMD cancer risk threshold of 10 in one million. In addition, the fuel pump portion of the proposed development would be permitted by SCAQMD through a Permit to Operate and would be regulated by SCAQMD Rule 461. The gasoline dispensing facilities would be required to use Phase I/II Enhanced Vapor Recovery systems to restrict fugitive emissions. As such, impacts related to health impacts from operation of the gas station would be less than significant.

Carbon Monoxide Hotspot

A CO hotspot is an area of localized CO pollution caused by severe vehicle congestion on major roadways, typically near intersections. A quantitative screening is required in two instances: (1) if a project increases the average delay at signalized intersections operating at level of service (LOS) E or F; or (2) if a project causes an intersection that would operate at LOS D or better without the project to operate at LOS E or F with the project. According to the Traffic Analysis prepared for the project (Urban Crossroads 2021, Appendix J]), neither of these two scenarios would occur with implementation of the project. Therefore, the project would not result in a CO hotspot and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Air Quality and GHG Analysis Report [Mitchell Air Quality Consulting 2019], Traffic Analysis [Urban Crossroads 2021])

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Less Than Significant Impact)

The State of California Health and Safety Code Sections 41700 and 41705 prohibit emissions from any source whatsoever in such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to the public health or damage to property. The project could produce odors during proposed construction activities resulting from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings. However, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction.

The California Air Resources Board (CARB) Air Quality and Land Use Handbook includes a list of the most common sources of odor complaints received by local air districts. Typical sources of odor complaints include facilities such as sewage treatment plants, landfills, recycling facilities, petroleum refineries, and livestock operations (CARB 2005). The proposed project would not include such facilities. However, the project would include three fast-food restaurants and a gas station which could generate odors. Restaurants sometimes generate cooking-related odors from charbroilers and other processes. No specific restaurant types have been identified for the project; however, fast-food restaurants are often located near residential development without issue. In the event that a restaurant causes odor complaints, the SCAQMD can take enforcement action under Rule 402. The SCAQMD's role is to protect the public's health from air pollution by overseeing and enforcing regulations. Therefore, the project would not result in emissions leading to odors that would adversely affect a substantial number of people and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Air Quality and GHG Analysis Report [Mitchell Air Quality Consulting 2019], CARB Air Quality and Land Use Handbook [CARB 2005])

IV. BIOLOGICAL RESOURCES

This section is based on the Burrowing Owl Habitat Suitability Assessment and Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis prepared for the project by Kinsinger Environmental Consulting (2018; Appendix C) to identify on-site biological resources and assess the project's consistency with the goals and objectives of the Western Riverside County MSHCP. The study area encompassed the 12.6-acre project site, which is dominated by annual grassland habitat, and a 500-foot buffer that included two adjacent vacant lots.

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Less Than Significant With Mitigation Incorporated)

The MSHCP Consistency Analysis investigated the likelihood of impact to special status plant and wildlife species in the vicinity of the project site. A complete list of sensitive plant and animal species known to occur in the area is provided in the MSHCP Consistency Analysis Report (Appendix B). A summary of the status of sensitive species within the project site and vicinity, as well as potential impacts to these species, are presented below.

Sensitive Plant Species

Sensitive plant species are those listed as federally threatened or endangered by the U.S. Fish and Wildlife Service (USFWS); state listed as threatened or endangered or considered sensitive by the California Department of Fish and Wildlife (CDFW); included in the MSHCP as Covered Species, Non-Covered Species, Criteria Area Species, and/or Narrow Endemic Plant Species; and/or are California Native Plant Society (CNPS) List 1A, 1B, or 2 species, as recognized in the CNPS' Inventory of Rare and Endangered Vascular Plants of California and consistent with the CEQA Guidelines. No sensitive plant species were observed during surveys conducted as part of the MSHCP Consistency Analysis, and none of the 26 sensitive plant species considered for their potential to occur are expected to occur at the site (Kinsinger 2019). As such, the project would not result in impacts to sensitive plant species.

Sensitive Animal Species

Sensitive animal species are those listed as threatened or endangered, proposed for listing, or candidates for listing by the USFWS; considered sensitive animals by the CDFW; and/or included in the MSHCP as Covered Species, Non-Covered Species, and/or Criteria Area Species. The MSHCP Consistency Analysis determined that 23 sensitive animal species have either a low or moderate potential to occur at the project site. The yellow warbler, Downy woodpecker, and merlin were observed on site and have a moderate potential to occur; however, nesting on site is not expected due to lack of suitable habitat. In addition, the three are MSHCP-covered species, so impacts to these species would be considered less than significant. White-tailed kite (a CDFW fully protected species) and burrowing owl (a CDFW Species of Special Concern) are both ranked as having a moderate potential to forage, roost, or nest on the project site. White-tailed kite prefers habitat consisting of mature oak trees within or near open grasslands with small mammal populations. Although the site lacks mature oaks and a small mammal population, there is at least moderate potential for white-tailed kite to forage and perhaps nest on site. Impacts to white-tailed kite would be considered significant, and **MM BIO-1** would be required to reduce impacts to a less-than-significant level. Due to the presence of annual grasslands on site that have potential to serve as burrowing owl habitat, a burrowing owl survey was conducted in 2019. The survey did not reveal past or present signs of use and no suitable burrows were present on site; however, the potential for burrowing owl to occur is still considered moderate. As such, **MM BIO-2** would be required to ensure potential impacts to burrowing owl are reduced to a less-than-significant level. Seven other birds that are CDFW Species of Species of Special Concern have low potential to either forage or nest on the project site, including Bell's sage sparrow; California horned lark, Cooper's hawk, ferruginous hawk, golden eagle, Southern California rufous-crowned sparrow, and long-eared owl. The seven are MSHCP-covered species, and potential impacts to these species are therefore considered less than significant. Potential impacts from habitat loss to other sensitive wildlife species with low or moderate potential to occur on site, including two reptiles and nine mammals, are considered less than significant because these species depend primarily on native habitats or annual grassland/native scrub ecotones, which are not present on site. Direct impacts to these species would be less than significant because the project site's non-native habitat does not support substantial numbers of these species that could affect the species on a local level or cause extirpation once the habitat is removed.

Nesting Migratory Birds

Given the location of Lake Elsinore within the City, there are a variety of birds that migrate seasonally through the City on the Pacific Flyway, as well as certain birds that permanently reside locally. Pursuant to the Migratory Bird Treaty Act (MBTA), development of the proposed project could disturb or destroy active migratory bird nests if ground disturbance occurs during the identified breeding season (between February 1 and August 31). Disturbance to or destruction of migratory bird nests are in violation of the MBTA and are, therefore, considered to be a potentially significant impact. Implementation of **MM-BIO-1**

would ensure that potential impacts to birds protected under the MBTA and California Fish and Game Code are avoided during construction.

Mitigation Measures:

MM BIO-1: ***Nesting Bird Pre-construction Surveys.*** To avoid impacts to white-tailed kite and avoid violation of the federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code, construction activities shall be avoided to the greatest extent feasible during the nesting season (generally February 1 to August 31).

If construction activities are to occur during the nesting season, a pre-construction nesting survey shall be conducted within three days prior to the commencement of construction. A qualified biologist shall perform the nesting survey to ascertain whether there are active raptor nests within 500 feet of the project footprint or other protected bird nests within 300 feet of the project footprint. If no nests are found, no further action is required. If active nests are found, their locations shall be flagged and then mapped onto an aerial photograph of the site and recorded with a GPS unit. An appropriate avoidance buffer (size of buffer depending upon the species and the proposed work activity) shall be determined and demarcated by a qualified biologist. No work shall occur within the avoidance buffer, and a qualified biologist shall be present on site to monitor bird behavior and ensure no disturbance to the nest occurs, as necessary. If disturbance is detected (e.g., alarm calling, flight from the nest) as determined by the qualified biologist, work in the area should halt immediately until such time as the young have left the nest of their own volition. Work may take place on other areas of the project site as long the activity does not likewise result in disturbance to the nest or nesting bird, as determined by a qualified biologist. .

MM BIO-2: ***Burrowing Owl Surveys***. A qualified biologist shall conduct pre-construction focused species surveys in accordance with the California Department of Fish and Wildlife's (CDFW's) *Staff Report on Burrowing Owl Mitigation* (CDFW 2012) within 30 days prior to commencement of construction activities. If burrowing owls are determined to occupy the site during pre-construction surveys and impacts to occupied burrows cannot be avoided, the City shall consult with the CDFW and prepare and implement a project-specific Burrowing Owl Mitigation Plan. The plan shall be reviewed and approved by the CDFW and implemented prior to activities that could affect burrowing owl within the project site. To avoid take, impacted individuals shall be relocated outside of the impact area by a qualified biologist prior to initiation of construction activities using passive or active methodologies approved by CDFW. The relocation shall occur outside of the breeding season for the burrowing owl. Existing burrows shall be destroyed once they are vacated.

(Sources: Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis [Kinsinger Environmental Consulting 2018])

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Less Than Significant With Mitigation Incorporated)

Sensitive natural communities include land that supports unique vegetation communities or the habitats of rare or endangered species or subspecies of animals or plants as defined by Section 15380 of the CEQA Guidelines. The MSHCP Consistency Analysis conducted for the project involved a general habitat

assessment that included vegetation mapping and an MSHCP Riparian/Riverine and Vernal Pool Resource assessment. The results of the field surveys indicated that annual grassland habitat occurs on site. There are no riparian/riverine habitats or other sensitive natural communities on or immediately adjacent to the property. As such, the project would not result in direct impacts to riparian habitat or sensitive natural communities. To avoid potential indirect impacts of runoff to riparian habitats from storm drains located on the site, the project would implement MSHCP construction best management practices (BMPs) in accordance with **MM BIO-3**.

The project site is located in the Elsinore Area Plan of the MSHCP, but not within a criteria cell; therefore, while the project is required to show MSHCP compliance through specific habitat assessments, applicable biological surveys, and provision of an MSHCP compliance analysis, no on-site conservation is required. No substantial adverse effects to riparian habitat or other sensitive natural communities would occur, and impacts would be less than significant

Mitigation Measures:

MM BIO-3: ***MSHCP Construction Best Management Practices Implementation.*** Prior to the issuance of a grading permit, the Property Owner/Developer shall include a note on the plans that outlines the following Construction BMPs from Volume I, Appendix C of the MSHCP shown in italics, and specific requirements in plain text:

Construction Best Management Practices:

1. *A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Endangered Species Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall retain a qualified biologist to prepare and implement a Worker Environmental Awareness Program (WEAP) to train construction personnel prior to grading. The details of the training should be consistent with MSHCP Appendix C Standard BMP No. 1, the general provisions of the Endangered Species Act, include a detailed discussion of how to identify the potential special-status plant and animal species that may be encountered during ground disturbance and construction activities, and necessary actions to take if the species are observed on site.

2. *Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall submit to the City a project-specific Storm Water Pollution Prevention Plan (SWPPP) prior to initial ground disturbance. The project-specific SWPPP shall describe BMPs that will be implemented in pre-, during-, and post-construction phases. Examples of BMPs may include dust suppression BMPs, Low Impact Developments (LIDs) such as vegetated swales, and a spill response protocol. The SWPPP is a dynamic document that shall be

amended when site conditions warrant changes to protect natural resources and prevent discharge of non-stormwater to neighboring parcels.

The Qualified Stormwater Developer (QSD) shall develop and implement the SWPPP with site-specific BMPs to prevent/reduce the potential for erosion, sedimentation, and off-site discharge of non-stormwater in accordance with the Construction General Permit (CGP), National Pollutant Discharge Elimination System (NPDES) MS4 permit, and a 401 Water Quality Certification Permit (if applicable). The QSD shall provide training to the contractor for performing regular site inspections, and for pre-, during-, and post-storm events to ensure that BMPs are functioning as intended.

3. *The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall submit to the City a construction management plan that demonstrates that the construction footprint will remain within the limits of the current property boundary, site ingress/ egress will be limited to the least impactful location on the project site. Track-out (riprap, rumble strips) shall be installed to prevent tracking of sediment to public roadways.

4. *The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall submit to the City a construction management plan that the construction footprint will remain within the limits of the current property boundary, project site boundaries shall be clearly delineated with visible means (i.e., stakes, rope, flagging, snow fence, etc.). The contractor shall adhere to the measures and conditions in environmental permits to protect Jurisdictional Waters of the United States.

5. *Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern.*

   The Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis found that no habitat for target species was observed within the project boundaries. The project site does not contain stream channels, gravel bars, or streambanks. Project-related construction activities would occur within the property boundaries and no equipment or personnel would work outside the clearly identified project boundaries.

6. *Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian identified in MSHCP Global Species Objective No. 7.*

   Prior to the issuance of a grading permit, the Property Owner/Developer shall retain a qualified wildlife biologist to monitor ground disturbance activities that would occur during the nesting season. The Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis found that no sensitive habitats were observed within the project boundaries, including riparian habitat. The Construction Contractor shall

ensure that construction activities do not negatively impact potentially sensitive habitats or species surrounding the project site. Construction equipment and personnel shall be made aware of MSHCP Global Species Objective No. 7 as part of the WEAP training and would remain within project site boundaries.

7. *When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing of other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments off site. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care shall be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream.*

   No water diversion activities are proposed during project activities. The Property Owner/Developer shall implement erosion and sediment control BMPs as identified in the Water Quality Management Plan (WQMP) throughout the project site to reduce/prevent sediment impacts in pre-, during- and post-construction phases.

8. *Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities, including but not limited to applicable jurisdictional city, USFWS, CDFW, and SARWQCB, and shall be cleaned up immediately and contaminated soils removed to an approved disposal areas.*

   Ongoing during construction and operation, project activities shall occur within the property boundary. Equipment storage, fueling and staging areas shall be located outside sensitive habitats and in areas with no risk of direct drainage into riparian areas and other sensitive habitats. Fuel storage tanks shall have secondary containment to retain fuel spills. The project site-specific SWPPP shall have BMPs designed to prevent the release of cement or other toxic substances into surface waters or bare soil, as required by the RWQCB. Potentially hazardous materials shall be stored appropriately on site away from sensitive habitats or Waters of the United States. Concrete washouts and active/inactive materials stockpiles shall have secondary containment BMPs to prevent the accidental release of hazardous substances to bare soil. The SWPPP is required to have a Spill Prevention Control and Countermeasure (SPCC) to describe necessary actions that should occur in the event of a spill or release of potentially hazardous substances. Spills or releases of toxic substances greater than five gallons shall be reported to the RWQCB, California Department of Toxic Substances Control (DTSC), Local Municipalities, and/or federal agencies, as appropriate.

9. *Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.*

   Materials stockpiles shall be located away from sensitive areas. Inactive materials stockpiles shall be covered and bermed to prevent windborne dust or accidental release.

The SWPPP shall describe BMPs to prevent fugitive dust from migrating to neighboring parcels or Lake Elsinore.

10. *The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.*

    Prior to the issuance of a grading permit, the Property Owner/Developer shall retain a qualified wildlife biologist to monitor ground disturbance activities to ensure that measures to protect species on and off site are being implemented during construction activities, including burrowing owl surveys **(MM BIO-1)**, and nesting bird surveys **(MM BIO-2)**. Additional protective measures recommended by the qualified wildlife biologist shall be implemented as necessary by the Property Owner/Developer to avoid incidental disturbance of habitat and species of concern outside the project footprint.

11. *The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.*

    No clearing and grubbing of native vegetation would be anticipated during the project activities as the project site is almost entirely devoid of native vegetation.

12. *Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.*

    No exotic species were encountered during the project Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis and none would be utilized in revegetation efforts. The final landscaping design may incorporate native plant species; however, regular landscape maintenance shall prevent exotic, or noxious plant species from taking root on the Project Site.

13. *To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).*

    The SWPPP shall contain BMPs for trash storage and removal, including containment of sanitation facilities (e.g., portable toilets), and covering waste disposal containers at the end of every business day and before rain events. Trash cans shall have a fastenable lid to prevent animals from accessing or spreading trash on site. The Project QSD should consult the MSHCP Appendix C Standard Best Management Practices, RWQCB recommendations, and applicable environmental permit measures and conditions when developing the project SWPPP.

14. *Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.*

In accordance with the WEAP, project activities would occur within the clearly delineated property boundaries. Construction activities shall be confined to the project footprint, and approved routes of travel shall be established, including ingress/egress points. Exclusion fencing shall be utilized throughout the project duration.

15. *The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions, including these BMPs.*

    The Contractor shall allow the Permittee access to the construction site. Visitors shall check in with the Project Engineer (or Site Supervisor) prior to accessing the construction site and will be escorted within project boundaries during normal business hours when construction activities are occurring.

(Sources: Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis [Kinsinger Environmental Consulting 2018])

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Less Than Significant With Mitigation Incorporated)

No federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) occur within or near the project area. Therefore, no direct impacts wetlands would occur. Potential indirect impacts to off-site jurisdictional features would be avoided through implementation of MSHCP BMPs in accordance with **MM BIO-3**.

Mitigation Measures: MM BIO-3

(Sources: Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis [Kinsinger Environmental Consulting 2018])

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Less Than Significant With Mitigation Incorporated)

According to the General Plan EIR, there are numerous identified or potential wildlife movement corridors located within the City, especially where development is sparse and open space or ephemeral watercourses are available. In addition, the City provides forage and nesting sites for both locally common and rare bird species and migrating birds covered by the MBTA. The project site is an isolated parcel of annual grassland habitat surrounded by roadways and development, but it has the potential to function as a wildlife corridor for migratory birds. The General Plan EIR concluded that implementation of future projects permitted pursuant to the General Plan could result in the loss of established wildlife movement corridors and the loss or disturbance of nesting habitat for avian species protected by the MBTA and California Fish and Game Code. In order to address the potential loss or disturbance of nesting habitat for burrowing owl and migratory birds, the project would implement **MM-BIO-1** and **MM BIO-2** during construction. With these measures, impacts to wildlife corridors would be less than significant.

Mitigation Measures: MM-BIO-1 and MM BIO-2

(Sources: Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis [Kinsinger Environmental Consulting 2018])

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (No Impact)

The proposed project would be consistent with local policies and ordinances related to biological resources. The LEMC includes a City Tree Preservation Ordinance (Ordinance 1256) that protects the City's streetscape and trees. There are ornamental trees growing along the southwestern boundary of the site. These trees would be removed as part of the proposed project. As part of the project landscaping, tree spacing, distance from curbs and sidewalks, and other aesthetic guidelines shall be followed in accordance with LEMC Ordinance 1256. The City has also determined that certain species of palm trees in the family Palmaceae are locally significant resources through the City Significant Palm Tree Ordinance (LEMC Ordinance 1160); however, no palm trees covered under the ordinance occur on site. Therefore, no impact would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis [Kinsinger Environmental Consulting 2018])

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Less Than Significant With Mitigation Incorporated)

The Western Riverside County MSHCP is a comprehensive, multi-jurisdictional effort that includes unincorporated County of Riverside lands and multiple cities in the western portion of the County, including the City. Rather than address sensitive species on an individual basis, the MSHCP focuses on the conservation of 146 species, proposing a reserve system of approximately 500,000 acres and a mechanism to fund and implement the reserve system, The MSHCP allows participating entities to issue take permits for listed species so that individual applicants need not seek their own permits from the USFWS and/or CDFW. The MSHCP was adopted on June 17, 2003 by the County Board of Supervisors. The Incidental Take Permit was issued by both the USFWS and CDFW on June 22, 2004.

The project site is within the Western Riverside County MSHCP, Elsinore Plan Area, Subunit 3 Elsinore. It is part of MSHCP "Rough Step 9" and within the MSHCP Fee Area Elsinore Area 15. It is subject to those fees as a condition of approval for occupancy. The development fee supports habitat conservation planning that mitigates for development that the City permits. The project would be in compliance with the development fee requirement.

The MSHCP divides its Area Plans into Subunits and further into Criteria Cells with specific conservation objectives identified for each. The project site is not within or adjacent to a Criteria Cell; therefore, the project is not subject to cell criteria identified in the MSHCP. The project site is also not adjacent to MSHCP Conservation Areas, Core Areas, Linkages, or Public/Quasi-Public lands. Habitat loss associated with the project thus does not need to be evaluated, and no on-site conservation is required.

The MSHCP consistency analysis conducted for the project involved a review of project plans, a burrowing owl habitat assessment and survey, and a general habitat assessment that included vegetation mapping and an MSHCP Riparian/Riverine and Vernal Pool Resource assessment. There would be no direct impacts to riparian/riverine resources as a result of project implementation. Potential indirect impacts would be avoided through implementation of BMPs in accordance with **MM BIO-3**. The project site is not with a MSHCP survey area for criteria species, narrow endemic plant species, mammals, amphibians, or burrowing owl; however, due to the presence of potential suitable habitat for burrowing owl at the project site, a burrowing owl survey was conducted. No burrowing owl or signs of burrowing owl were detected

during the survey. While no impacts to burrowing owl are anticipated, **MM BIO-2**, which involves a preconstruction burrowing owl survey, would be required to ensure no significant impacts occur. Potential impacts to nesting birds would be avoided through implementation of **MM BIO-1**, which requires pre-construction surveys to be conducted if construction activities are to occur during the nesting season (between February 1 and August 31). The project would implement BMPs contained in Appendix C of Volume 1 of the MSHCP to avoid potential indirect off-site impacts, per **MM BIO-3**. Because the project site and 500-foot buffer study area are not within or adjacent to MSHCP Criteria Cells, Conservation Areas, Core Areas, Linkages, or Public/Quasi-Public lands, the project is not subject to the MSHCP Urban/Wildlands Interface Guidelines contained in Section 6.1.4 of the MSHCP. As such, with the mitigation measures mentioned above, the project would not conflict with the MSHCP, and impacts would be less than significant.

Mitigation Measures: MM BIO-1, MM BIO-2, MM BIO-3.

(Sources: Burrowing Owl Habitat Suitability Assessment and MSHCP Consistency Analysis [Kinsinger Environmental Consulting 2018])

V. CULTURAL RESOURCES

This section is based on the Cultural Resources Survey Report prepared for the project by Laguna Mountain Environmental, Inc. (2020; Appendix D) to identify potentially significant cultural resources within the project study area. The investigation included a records search, literature review, examination of historic maps, and an archaeological field survey of the project area.

a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5? (No Impact)

A records search was conducted as part of the Cultural Resources Survey Report at the Eastern Information Center at the University of California, Riverside. The records search results indicated that the project area was previously surveyed in 2005 for a pump storage project, but that no recorded resources occur in the proposed project area. At least 47 cultural investigations have been conducted within a one-mile radius of the project site, resulting in the recording of 28 cultural resources. Of the 28 resources, 20 are historic cultural resources and consist of residences, ranches, foundations, walls, an orchard of deodar trees, and a trash deposit. The remaining eight resources are prehistoric resources consisting of artifact scatters and isolate artifacts. None of the resources were recorded within the project site. A review of historic maps indicate portions of the project site were used for growing citrus trees in the early 20th century. A residential structure appears to have been present in the northern portion of the project area from at least 1955 to 1980, but no remains of the structure were present on the surface of the parcel (Laguna Mountain Environmental Inc. 2020). Further, no cultural resources were observed within the project area during the pedestrian survey conducted for Cultural Resources Survey Report. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: Cultural Resources Survey Report [Laguna Mountain Environmental, Inc. 2020])

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

As discussed above in Item V(a), no known cultural resources are present at the project site; however, due to the presence of a past historic structure on the property, the presence of colluvial soils, and the proximity of the project area to the shoreline of Lake Elsinore (which is associated with past human occupation), there is potential for unknown buried cultural resources to be present at the site. As such, **MM CUL-1** through **MM CUL-5** would be implemented and would reduce potential impacts to a less-than-significant level.

Mitigation Measures:

MM CUL-1: ***Unanticipated Resources.*** The Property Owner/Developer or a successor in interest shall comply with the following for the life of this permit. If during ground disturbance activities, unanticipated cultural resources are discovered, the following procedures shall be followed:

1. Ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the Project Archaeologist, the Native American tribal representative(s) from consulting tribes (or other appropriate ethnic/cultural group representative), and the Community Development Director or their designee to discuss the significance of the find.

2. The developer shall call the Community Development Director or their designee immediately upon discovery of the cultural resource to convene the meeting.

3. At the meeting with the aforementioned parties, the significance of the discoveries shall be discussed and a decision is to be made, with the concurrence of the Community Development Director or their designee, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resource.

4. Further ground disturbance shall not resume within the area of the discovery until a meeting has been convened with the aforementioned parties and a decision is made, with the concurrence of the Community Development Director or their designee, as to the appropriate mitigation measures.

MM CUL-2: ***Archaeologist/Cultural Resources Monitoring Program*****.** Prior to issuance of grading permits, the Property Owner/Developer shall provide evidence to the Community Development Department that a Secretary of Interior Standards qualified and certified Registered Professional Archaeologist (RPA) has been contracted to implement a Cultural Resource Monitoring Program (CRMP) that addresses the details of activities that must be completed and procedures that must be followed regarding cultural resources associated with this project. The CRMP document shall be created in coordination with the consulting tribe(s), and provided to the Community Development Director or their designee for review and approval prior to issuance of the grading permit. The CRMP provides direction as to how the project mitigation measures will be implemented. The CRMP requires that impacts on cultural resources will not occur without procedures in place, which would reduce impacts to less than significant. These measures shall include, but shall not be limited to, the following:

Archaeological Monitor - An adequate number of qualified monitors shall be present to ensure that earth-moving activities are observed and shall be on-site during grading

activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist, in consultation with the Tribal monitor.

Cultural Sensitivity Training - The Project Archaeologist and a representative designated by the consulting Tribe(s) shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for construction personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and other appropriate protocols. This is a mandatory training and construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

Unanticipated Resources - In the event that previously unidentified potentially significant cultural resources are discovered, the Archaeological and/or Tribal Monitor(s) shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Project Archaeologist, in consultation with the Tribal monitor(s) shall determine the significance of the discovered resources. The Community Development Director or their designee must concur with the evaluation before construction activities will be allowed to resume in the affected area. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods.

Phase IV Report - A final archaeological report shall be prepared by the Project archaeologist and submitted to the Community Development Director or their designee prior to grading final. The report shall follow County of Riverside requirements and shall include at a minimum: a discussion of the monitoring methods and techniques used; the results of the monitoring program including artifacts recovered; an inventory of resources recovered; updated DPR forms for sites affected by the development; final disposition of the resources including GPS data; artifact catalog and additional recommendations. A final copy shall be submitted to the City, Project Applicant, the Eastern Information Center, and the Tribe.

MM CUL-3: ***Cultural Resources Disposition.*** In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the Community Development Department:

1. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.

2. Relocation of the resources on the Project property. The measures for relocation shall include, at least, the following: Measures and provisions to protect the future reburial

area from future impacts by means of a deed restriction or other form of protection (e.g., conservation easement) in order to demonstrate avoidance in perpetuity.

Relocation shall not occur until legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains, as they are excluded. Reburial processes shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.

3. If relocation is not agreed upon by the Consulting Tribes, then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources, ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of inadvertent discoveries shall be included in the Phase IV monitoring report.

MM CUL-4: ***Tribal Monitoring.*** Prior to the issuance of a grading permit, the applicant shall contact the consulting Native American Tribe(s) that have requested monitoring through consultation with the City during the AB 52 and/or the Senate Bill (SB) 18 process ("Monitoring Tribes"). The applicant shall coordinate with the Tribe(s) to develop individual Tribal Monitoring Agreement(s). A copy of the signed agreement(s) shall be provided to the City of Lake Elsinore Community Development Department, Planning Division prior to the issuance of a grading permit. The Agreement shall address the treatment of known tribal cultural resources (TCRs) including the project's approved mitigation measures and conditions of approval; the designation, responsibilities, and participation of professional Tribal Monitors during grading, excavation and ground-disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of cultural resources, sacred sites, and human remains/burial goods discovered on the site per the Tribe(s) customs and traditions and the City's mitigation measures/conditions of approval. The Tribal Monitor will have the authority to stop and redirect grading in the immediate area of a find in order to evaluate the find and determine the appropriate next steps, in consultation with the Project archaeologist.

MM CUL-5: ***Phase IV Report.*** Upon completion of the implementation phase, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for ground-disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the County website. The report shall include results of feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting.

(Sources: Cultural Resources Survey Report [Laguna Mountain Environmental, Inc. 2020])

c) Disturb any human remains, including those interred outside of formal cemeteries? (Less Than Significant With Mitigation Incorporated)

The project is not located on or adjacent to a known formal or informal cemetery. No impacts to human remains, including those interred outside of formal cemeteries, are anticipated. In the unlikely event that unknown human remains are uncovered during project construction, **MM CUL-6** and **MM CUL-7**, pursuant to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, would be implemented to ensure that the project's impacts would be less than significant.

Mitigation Measure:

MM CUL-6: ***Discovery of Human Remains*.** In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving, the construction contractors, project archaeologist and/or designated Native American Monitor shall immediately stop activities within 100 feet of the find. The project applicant shall then inform the Riverside County Coroner and the City of Lake Elsinore Community Development Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains and that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. If human remains are determined to be Native American, the applicant shall comply with the state law relating to the disposition of Native American burials that fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resources Code [PRC] Section 5097). The coroner shall contact the NAHC within 24 hours and the NAHC will make the determination of most likely descendant. The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resource Code Section 5097.98. In the event that the applicant and the MLD disagree regarding the disposition of the remains, State law will apply and the mediation process will occur with the NAHC, if requested (see PRC Section 5097.98(e) and 5097.94(k)).

According to the California Health and Safety Code, six or more human burial at one location constitutes a cemetery (Section 81 00), and disturbance of Native American cemeteries is a felony (Section 7052).

MM CUL-7: ***Non-Disclosure of Reburial Location*.** It is understood by the parties that unless otherwise required by law, the site of reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r), 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).

(Sources: Public Resources Code Section 5097.98)

VI. ENERGY

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Less Than Significant Impact)

Energy used during construction would primarily consist of fuels in the form of diesel and gasoline for the operation of off-road construction equipment, construction delivery trucks, and construction worker vehicles. While construction activities would consume petroleum-based fuels, consumption of such resources would be temporary and would cease upon the completion of construction. Construction of the proposed development would require the typical use of energy resources. There are no unusual project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities, or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in construction of the project would therefore not result in wasteful, inefficient, or unnecessary consumption of fuel.

Energy used during project operations would primarily consist of fuel in the form of gasoline for visitor and employee vehicles traveling to and from the project site and electricity and natural gas for the proposed uses. As discussed further under Item XVII(b), the project would not result in a substantial generation of vehicle miles traveled (VMT) as it would be in a low VMT-generating area, thus resulting in reduced vehicle travel and associated energy usage. It should also be noted that over the lifetime of the project, the fuel efficiency of vehicles is expected to increase. As such, the amount of gasoline consumed as a result of vehicular trips to and from the project site during operation is expected to decrease over time. As for electricity and natural gas usage, development would be subject to and required to comply with, at a minimum, the California Building Energy Efficiency Standards (California Code of Regulations [CCR] Title 24, Part 6) and CALGreen (CCR Title 24, Part 11), which establish energy efficiency standards for residential and non-residential buildings constructed in California in order to reduce energy demand and consumption. Based on these considerations, the project would not result in a substantial increase in demand of local or regional energy supplies, and would not result in wasteful, inefficient, or unnecessary consumption of energy. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: VMT Analysis [Darnell & Associates 2020])

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Less Than Significant Impact)

The project would be built and operated in accordance with existing applicable regulations governing energy efficiency. As noted above, the proposed project would be subject to, at a minimum, the California Building Energy Efficiency Standards (CCR Title 24, Part 6) and California Green Building Standards Code (CCR Title 24, Part 11). The City has adopted a Climate Action Plan (CAP), which outlines the actions necessary to achieve the City's proportional share of state GHG emission reductions to be compliant with AB 32 and Executive Order S-3-05 (City 2011c). Appendix D of the CAP includes a project-level CAP consistency worksheet used to demonstrate consistency with the CAP, including compliance with energy efficient building standards. According to the Air Quality and GHG Technical Report, the proposed project would be consistent with the CAP measures for energy efficiency (Mitchell 2019). In addition, construction equipment would be maintained to allow for continuous energy-efficient operations. Accordingly, the project would not conflict with state or local plans related to renewable energy or energy efficiency, and potential impacts associated with obstructing a state or local plan for renewable energy or energy efficiency would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Air Quality and GHG Analysis Report [Mitchell Air Quality Consulting 2019])

VII. GEOLOGY AND SOILS

This section is based on the Geotechnical Engineering and Percolation Testing Report prepared for the project by Earth Systems Pacific (2019; Appendix E) to document geologic conditions for the project site and develop design specifications for hazards such as seismic shaking and related effects.

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Less Than Significant Impact)

The project site is located within the Peninsular Ranges Geomorphic Province of California, a seismically active region where several known earthquake faults occur. The geologic structure of the entire region is dominated mainly by northwest-trending faults associated with the San Andreas system, including the San Andreas Fault, San Jacinto Fault, Newport-Inglewood Fault, and Whittier-Elsinore Fault. The project site is located within the Elsinore fault zone. No on-site faults were observed during the geotechnical field investigation and no active faults are known to traverse the project site (Earth Systems Pacific 2019). However, the Glen Ivy fault is mapped approximately 0.2 miles northeast of the project site. While the potential for ground rupture due to faulting at the site is considered low, lurching or cracking of the ground surface as a result of a nearby seismic event is possible. Design and construction of future development within the project site would be required to comply with seismic-safety development requirements, including the Title 24 standards of the Uniform Building Code (UBC) and the California Building Code (CBC). Conformance with applicable seismic-safety development requirements would minimize seismic fault rupture effects in the event of a major earthquake and ensure that the potential seismic or geologic hazard impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Source: Geotechnical Engineering and Percolation Testing Report [Earth Systems Pacific 2019])

ii) Strong seismic ground shaking? (Less Than Significant Impact)

As noted in Section VII(a)(i) although no faults are located within the project site, the Glen Ivy fault is located approximately 0.2 miles to the northeast. A seismic event could cause significant ground shaking on the project site. The proposed project would be required to conform to applicable seismic-safety development requirements to minimize seismic ground shaking effects in the event of a major earthquake. Mandatory compliance with the Title 24 standards of the current UBC and CBC during the design and construction of the project would minimize seismic ground shaking effects in the event of a major earthquake. Therefore, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Source: Geotechnical Engineering and Percolation Testing Report [Earth Systems Pacific 2019])

iii) Seismic-related ground failure, including liquefaction? (Less Than Significant Impact)

Liquefaction is the phenomenon that occurs during severe ground shaking whereby soils reduce greatly in strength and temporarily behave similarly to a fluid rather than a solid. Severe or extended liquefaction can result in significant effects to surface and subsurface facilities through the loss of support and/or foundation integrity. Liquefaction is restricted to certain geologic and hydrologic environments, primarily recently deposited sand and silt in areas with high groundwater levels. According to the Geotechnical Engineering and Percolation Testing Report, the site is classified as having a moderate risk for liquefaction due to the historic groundwater being located less than 50 feet below ground (Earth Systems Pacific 2019). However, groundwater is not anticipated to be encountered during construction and the project would comply with applicable building and design standards to avoid potential impacts. Therefore, impacts related to liquefaction would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Source: Geotechnical Engineering and Percolation Testing Report [Earth Systems Pacific 2019])

iv) Landslides? (Less Than Significant Impact)

According to the Geotechnical Engineering and Percolation Testing Report, the project site is relatively flat and evidence of landslides was not observed on or near the project site. Slopes of 30 percent or steeper are at risk of seismically induced slope failure. The Riverside County General Plan and Elsinore Area Plan include maps showing areas of general slope failure hazard. Since there are several faults capable of generating peak ground accelerations of over 0.10 g in the vicinity of Lake Elsinore, there is a high potential for seismically induced rock falls and landslides to occur. Development of the project site would require conformance with applicable regulations and standards for construction safety and landslide stability. Therefore, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Source: Geotechnical Engineering and Percolation Testing Report [Earth Systems Pacific 2019])

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

The project has the potential to result in soil erosion during mass grading and construction. However, potential short-term erosion impacts from construction activities would be addressed through the implementation of BMPs in accordance with the California Stormwater Quality Association's Stormwater Best Management Practices Handbook to control erosion and protect the quality of surface water runoff. Additionally, potential sedimentation and erosion impacts would be minimized or avoided with the implementation of erosion and sedimentation control measures in compliance with NPDES permit requirements. Therefore, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Less Than Significant Impact)

As discussed above in VII(a)(iii) and VII(a)(iv), the project would not be subject to landslide-related risks and liquefaction-related risks are considered moderate. However, the project would comply with the CBC

to accommodate potential geologic hazards. Based on the incorporation of applicable design guidelines, potential impacts associated with a geologic unit or soil that is unstable would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Source: Geotechnical Engineering and Percolation Testing Report [Earth Systems Pacific 2019])

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (No Impact)

Expansive soils are attributable to the water holding capacity of clay materials. Such behavior can adversely affect structural integrity (including underground facilities) through shifting of support materials during the shrink-swell process. According to the California Geological Survey, the project site is located on soils with low potential for expansion as defined in Table 18-1-B of the UBC. The Geotechnical Engineering and Percolation Testing Report prepared for the project concluded the on-site soils would have a low potential for expansion (Earth Systems Pacific 2019). Therefore, no impact would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: California Geological Survey, (Source: Geotechnical Engineering and Percolation Testing Report [Earth Systems Pacific 2019])

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (No Impact)

No septic tanks or alternative wastewater disposal systems would be installed as part of the proposed project. The project would use the existing sewer system for the disposal of wastewater and would not use septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur.

Mitigation Measures: No mitigation measures are required.

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

According to Figure 3.2-3 of the General Plan EIR, the project site is located in area of low paleontological sensitivity and is therefore not anticipated to directly or indirectly destroy paleontological resources. The project site is vacant and does not include known unique geologic features. The possibility of finding buried paleontological deposits on site is very low. Therefore, potential impacts to a unique paleontological resource or unique geologic feature would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR)

VIII. GREENHOUSE GAS EMISSIONS

This section is based on the Air Quality and GHG Analysis Report prepared for the project by Mitchell Air Quality Consulting (2019; Appendix A). The project's construction and operational emissions were calculated using CalEEMod.

Global climate change refers to changes in average climatic conditions on Earth as a whole. GHGs contribute to an increase in the temperature of the earth's atmosphere by allowing solar radiation (sunlight)

into the Earth's atmosphere, but preventing radiative heat from escaping. The principal GHGs include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), ozone, and water vapor. For purposes of planning and regulation, CCR Section 15364.5 defines GHGs to include CO_2, CH_4, N_2O, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (SF_6). GHGs are emitted by both natural processes and human activities. Fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of GHG emissions, accounting for approximately half of GHG emissions globally. Industrial and commercial sources are the second largest contributors of GHG emissions with about one-fourth of total emissions. Emissions of GHGs in excess of natural ambient concentrations are thought to be responsible for the enhancement of the greenhouse effect and contributing to what is termed "global warming," the trend of warming of the Earth's climate from anthropogenic activities.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Less Than Significant Impact)

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Less Than Significant Impact)

Section 15064.4(b) of the CEQA Guidelines' 2018 amendment for GHG emissions states that a lead agency may consider the following three considerations in assessing the significance of impacts from GHG emissions:

- **Consideration #1:** The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.

- **Consideration #2:** Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

- **Consideration #3:** The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

In order to comply with Consideration #1, a quantitative assessment is provided to show the increase in GHG emissions compared to the existing environment. The site is currently vacant, so the baseline emissions for the existing environment are zero. No quantitative GHG emissions threshold has been adopted by SCAQMD or the City to identify consistency with the SB 32 emissions reductions targets; therefore, no analysis for Consideration #2 is feasible. For Consideration #3, compliance with the City's CAP is assessed. The City adopted a CAP that outlines the actions for City to undertake to achieve its proportional share of state GHG emission reductions to be compliant with AB 32 and Executive Order S-3-05 (City 2011c). Appendix D of the CAP includes a project-level consistency worksheet used to help demonstrate consistency with the General Plan growth potential and CAP. If the project is consistent with the land use designation, population and employment projections, and incorporates applicable CAP measures in the

project design, then the project would be deemed consistent with the General Plan and CAP, and would therefore have a less-than-significant impact on GHG emissions.

The significance determination for this analysis is therefore based on consistency with the City's CAP per Consideration #3. Estimates of the project construction and operational emissions are also provided in accordance with Consideration #1, as discussed above, for informational purposes.

Construction Emissions

GHG emissions would be released by equipment used for the project's various construction activities. GHG emissions also would result from worker and vendor trips to and from the project site. Emissions of GHGs related to the construction of the project would be temporary. The estimated construction GHG emissions for the proposed project are shown in Table 9, *Estimated Construction Greenhouse Gas Emissions*. For construction emissions, SCAQMD recommends that the emissions be amortized (i.e., averaged) over 30 years and added to operational emissions since they may remain in the atmosphere for years after construction is complete. In order to account for the construction emissions, amortization of the total emissions generated during construction were based on the life of the development (residential—30 years) and added to the operational emissions.

Table 9
Estimated Construction Greenhouse Gas Emissions

Scenario	Total Emissions (MT CO_2e)	Amortized Emissions (MT CO_2e)[1]
All Phases of Proposed Project	1,196.91	39.90

Source: Mitchell Air Quality Consulting 2019
[1] Construction emissions amortized over 30 years.
MT = metric tons; CO_2e = carbon dioxide equivalents

Operational Emissions

Once the proposed project is constructed, continuous GHG emissions would result from mobile, area, and other operational sources. Area sources, including consumer products, landscaping equipment, and other sources, would result primarily in emissions of CO_2. Energy utilization (i.e., electricity and natural gas) and water consumption also would result primarily in emissions of CO_2. Mobile sources, including vehicle trips to and from the project site, would result primarily in emissions of CO_2, with minor emissions of CH_4 and N_2O. Disposal of solid waste would result in emissions of CH_4 from the decomposition of waste at landfills, coupled with CO_2 emission from the handling and transport of solid waste. These sources combine to define the long-term GHG emissions for the project.

The proposed project would comply with applicable rules and regulations regarding energy efficiency, vehicle fuel efficiency, renewable energy usage, and other GHG reduction policies. In addition to rules and regulations, the project would reduce project VMT compared with default values through proposed project design features. The project would construct pedestrian infrastructure connecting internal and adjacent land uses and has direct access to the regional bikeways network. The project site is located on RTA Route 8 along Grand Avenue, which connects to major retail and recreation opportunities. The project design features would result in reductions in energy use and support walking and bicycling. Measures that are part of the project design do not require additional mitigation measures to ensure they are accomplished. The total operational and annualized construction emissions for the proposed project are identified in Table 10, *Estimated Annual Operational Greenhouse Gas Emissions*.

Table 10
Estimated Annual Operational Greenhouse Gas Emissions

Emission Sources	Phase 1 (2021)[1] CO_2e Emissions (MT/year)	Phase 2 (2022) CO_2e Emissions (MT/year)	Phase 3 (2023) CO_2e Emissions (MT/year)	Total
Area Sources	0.00	3.29	15.49	18.77
Energy Sources	300.16	103.43	178.33	581.92
Vehicular (Mobile) Sources	2,489.91	543.19	473.83	3,506.93
Solid Waste Sources	45.69	9.24	11.45	66.38
Water Sources	14.19	11.55	22.82	48.56
Operational Subtotal	**2,849.96**	**670.69**	**701.92**	**4,222**
		Amortized	*Construction Emissions*	39.90
			Total Emissions[2]	**4,262.46**

Source: Mitchell Air Quality Consulting 2019
[1] Emissions were conservatively modeled assuming Phase 1 becomes operational in 2021. In actuality, project operations would commence at a later date. This represents a conservative analysis as vehicle emissions decrease over time due to more stringent emissions regulations and newer technologies.
[2] Totals may not sum due to rounding.
CO2e = carbon dioxide equivalents; MT = metric tons

CAP Consistency

The worksheet considers the following three questions to determine if a project is consistent with the General Plan growth potential and CAP (City 2011c):

1. Is the project consistent with the General Plan land use designation?

2. Is the project consistent with the General Plan population and employment projections for the site, upon which the CAP modeling is based?

3. Does the project incorporate CAP measures as binding and enforceable components of the project? Until these measures have been formally adopted by the City and incorporated in to applicable codes, the requirements must be incorporated as mitigation measures applicable to the project (CEQA Guidelines, Section 15183.5(b)(2)).

The project, as a mixed-use commercial and residential development, is consistent with the site's land use designation of Commercial Mixed Use, and is therefore also consistent with General Plan population and employment projections for the site, upon which the CAP projections are based. Furthermore, the project would be consistent with applicable CAP measures through both project design and compliance with measures that have been codified by the City. Consistency with the CAP measures is detailed in Table 11, *CAP Measure Consistency.*

Table 11
CAP Measure Consistency

CAP Measure	Project Consistency
T-1.2: Pedestrian Infrastructure	
Does the project provide sidewalks along new and reconstructed streets?	***Consistent.*** The project will provide sidewalks along street frontage where they do not currently exist.
Does the project provide sidewalks or paths to internally link uses in a project where applicable?	***Consistent.*** The project site plan includes internal pedestrian infrastructure connecting the various uses.
Does the project provide connections to neighborhood activity centers, major destinations, and transit contiguous to site?	***Consistent.*** The project site is located on RTA Route 8 along Grand Avenue, which connects to major retail and recreation opportunities.
T-1.4: Bicycle Infrastructure	
Where applicable, does the project implement the network of Class I, II and II bikeways, trails and safety features identified in the General Plan, Bike Lane Master Plan, Trails Master Plan and Western Riverside County Non-Motorized Transportation plan?	***Consistent.*** The project is served by streets with existing Class I and II bikeways. Grand Avenue south of project site has Class I/II striped bike lanes. Grand Avenue north of the project site and Ortega Highway are Class II bikeways.
Does the project, where applicable, provide connections to the network identified in those plans?	***Consistent.*** The project connects to the regional bikeway network with the Grand Avenue Bikeway and the Ortega Highway Bikeway.
T-1.5: Bicycle Parking	
Does new, non-residential development that is anticipated to generate visitor traffic provide permanently anchored bicycle racks within 200 feet of the visitor entrance, readily visible to passers-by, for 5 percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack?	***Consistent.*** The project will install bike racks meeting City standards. The project is a mixed-use development. The gasoline station and convenience store portion of the project is designed to serve mostly motor vehicle users, but bike parking would be installed for the convenience store users who may access the site by bike. The fast-food restaurants are also automobile-oriented but will install bike parking in accordance with City standards. The measure is enforced during review of building plans.
Does the development propose a building with over 10 tenant spaces? If so, does it provide secure bicycle parking for 5 percent of tenant-occupied motorized vehicle parking capacity, with a minimum of one space?	***Not applicable.*** The individual project businesses would not be expected to have 10 tenant parking spaces. Most parking is devoted to customers for short-term use.
T-2.1: Designated Parking for Fuel-Efficient Vehicles	
Does a non-residential development designate 10 percent of its total parking spaces for "Clean Air Vehicles?"	***Consistent.*** The project development is mixed-use retail and residential with most parking intended for short-term use. Parking will meet CALGreen Code EV Clean Air vehicle parking requirements. The measure is enforced during review of building plans.
E-1.1: Tree Planting	
Does the developer provide a 15-gallon non-deciduous, umbrella-form tree per 30 linear feet of boundary length, near buildings, or to shade pavement in parking lots and streets?	***Consistent.*** The project will submit landscaping plans with trees reflecting compliance with this measure at appropriate locations on the site.
E-1.2: Cool Roof Requirements	
Does the new non-residential development use roofing materials having solar reflectance, thermal emittance or Solar Reflectance Index 3 per CALGreen Tier 1 values?	***Consistent.*** The project will comply with the CALGreen Code requirements for solar reflectance. The measure is enforced during review of building plans.

CAP Measure	Project Consistency
E-1.3: Energy Efficient Building Standards	
Does new construction achieve CALGreen Tier 1 energy efficiency standards?	***Consistent.*** The project will meet the current Title 24 Building Energy Efficiency Standards that are more efficient than CALGreen Tier 1 requirements in effect at the time the CAP was adopted. The City has incorporated CALGreen Building Code Standards into City Ordinance Chapter 15.42. The measure is enforced during review of building plans.
E-1.2: Energy Efficient Street and Traffic Signal Lights	
Does the project involve the installation of street or traffic signal lights? If so, are they Low Emitting Diode (LED) lights?	***Consistent.*** The project would comply for its installation of traffic signals.
E-4.1: Landscaping	
Does the development comply with the City's AB 1881 Landscaping Ordinance?	***Consistent.*** The project will comply with City Ordinance Chapter 19.08 Water Efficient Landscape Requirements. The project will submit a landscaping plan meeting the City Ordinance.
E-4.2: Indoor Water Conservation Requirements	
Does the development reduce indoor water consumption by 30%, consistent with CALGreen Tier 1, Section A5.303.2.3.1?	***Consistent.*** The project will comply with CALGreen requirements for water conservation. The measure is enforced during review of building plans.
S-1.4: Construction and Demolition Waste Diversion	
Is the project accompanied by a waste management plan that demonstrates how 65% of the nonhazardous construction and demolition debris generated at the site will be recycled or salvaged?	***Consistent.*** The project will submit a Waste Management Plan to comply with City Ordinance Chapter 14.12 Construction and Demolition Waste Management.

Source: Mitchell Air Quality Consulting 2019

The project is consistent with the CAP and contributes to achieving the City's fair share of reductions needed for the State to achieve reduction targets set forth in AB 32 and SB 32. The project also promotes the goals of CARB's 2017 Climate Change Scoping Plan through its mixed-use design and energy and water efficient buildings and infrastructure meeting the latest State standards. As such, the project would not conflict with plans to reduce GHG emissions, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Air Quality and GHG Analysis Report [Mitchell Air Quality Consulting 2019])

IX. HAZARDS AND HAZARDOUS MATERIALS

This section is based in part on the Regulatory/Historical Review and Environmental Opinion prepared for the project by Advantage Environmental Consultants, LLC (2019; Appendix F) to identify and evaluate actual and potential environmental conditions within the project site and vicinity. The assessment included site reconnaissance, review of geologic and hydrogeologic settings, an environmental database search to identify documented "hazardous waste" facilities within 0.5 to 1 mile of the project site, and a review of historical records to assess historical land use and indications of potential contamination or sources of contamination within the project site.

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

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

The proposed project entails the development of a mixed-use commercial property. During construction, the proposed project would involve the use and/or generation of materials including fuels (gasoline and diesel), equipment fluids (oils and antifreeze), concrete, cleaning solutions, paints, solvents, and adhesives. Commercial operations associated with the proposed project would include the use of a gas station, carwash, and fast-food restaurants. In addition, future residents and workers would commute to and from the project site via private vehicles. Project landscaping could also potentially involve the use of chemical pesticides in certain instances. However, these operations would comply with applicable hazardous materials regulations and would not create a significant hazard to the public or the environment. Applicable regulatory requirements associated with hazardous materials during construction-related activities would be met through implementation of a WQMP and related BMPs. While the potential exists for indirect impacts to human health and the environment from reasonably foreseeable accidental spills of small amounts of hazardous materials, the proposed project would be required to comply with federal, state, and local regulations pertaining to the transport, use, disposal, handling, and storage of hazardous wastes during construction and operations. This would include implementation of BMPs and best available technology to reduce or eliminate this potential hazard. Therefore, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Regulatory/Historical Review and Environmental Opinion [Advantage Environmental Consultants, LLC 2019])

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

There are no existing or proposed schools within a quarter mile of the project site. In addition, as previously discussed, future development within the project site would be required to comply with federal, state, and local regulations pertaining to the transport, use, disposal, handling, and storage of hazardous wastes during construction and operations. As a result, no impact related to handling or emissions of hazardous materials near a school would occur.

Mitigation Measures: No mitigation measures are required.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (No Impact)

According to the records and database searches conducted as part of the Regulatory/Historical Review and Environmental Opinion (Advantage Environmental Consultants, LLC 2019])), no listed sites that would result in significant hazard to the public or the environment are located within the project site or immediate vicinity. No evidence was observed that the project site has been adversely impacted by contamination and no evidence of recognized environmental conditions exist on the project site. Therefore, no impact would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: Regulatory/Historical Review and Environmental Opinion [Advantage Environmental Consultants, LLC 2019])

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (No Impact)

The proposed project is not located within an airport land use plan or within two miles of a public airport. The nearest public airports are Perris Valley Airport located approximately 11 miles to the northeast, Hemet-Ryan Airport located approximately 24 miles to the east, and French Valley Airport located approximately 15 miles to the southeast. No impacts related to airport safety hazards would occur.

Mitigation Measures: No mitigation measures are required.

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

Emergency management services are overseen by the Riverside County Fire Department (RCFD) and California Department of Forestry and Fire Protection (CAL FIRE). Construction activities that would be reasonably foreseeable with implementation of the proposed project would have the potential to temporarily restrict access for emergency vehicles; however, it is anticipated that construction would not result in the full closure of roadways or other means of emergency access. Compliance with the County of Riverside's Emergency Operations Plan would be required during construction to ensure adequate emergency access. Operations associated with the project would not impair or interfere with implementation of adopted emergency response plans or evacuation plans. As such, implementation of the project would not impair an emergency response or evacuation plan, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan, County of Riverside's Emergency Operations Plan)

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Less Than Significant Impact)

A large portion of the City, including the project site, is located within High and Very High Fire Hazard Severity Zones (VHFHSZ) pursuant to Figure 3.10-2 of the General Plan EIR, which is based on CAL FIRE's fire hazard severity zone mapping. The site and surrounding areas support vegetation that serves as a prime fuel source for wildfire, and the wildfire susceptibility in this area is defined as very high. The proposed project would be required to comply with CBC requirements for fire protection in areas prone to wildfires, in particular Section 701A that requires construction with fire resistant materials and methods to minimize property damage. In addition, the project would undergo a fire, life, and safety review by the City Fire Department to determine the specific fire requirements applicable to ensure compliance with these requirements. Compliance with existing building code requirements and provision of adequate fire protection services would ensure that impacts related to a significant risk of loss, injury, or death involving wildland fires would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR)

X. HYDROLOGY AND WATER QUALITY

This section is based on a Project Specific Water Quality Management Plan and a Preliminary Drainage Study prepared for the project by SB&O, Inc. (2021a and 2021b; Appendix G and Appendix H).

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Less Than Significant Impact)

The project site is located within the San Jacinto River Sub-watershed of the Santa Ana Watershed region of Riverside County. The Santa Ana Regional Water Quality Control Board (SARWQCB) sets water quality standards for ground and surface waters within the region. Water quality standards are defined under the Clean Water Act to include both the beneficial uses of specific water bodies and the levels of water quality that must be met and maintained to protect those uses (water quality objectives).

Construction of the proposed project would include grading, excavation, installation of subsurface infrastructure, and other earthmoving activities that have the potential to cause erosion that could degrade surface or ground water quality and/or violate water quality standards. The use of heavy construction equipment could result in the accidental release of hazardous materials (e.g., oils, fuels, and other water quality pollutants) that also could potentially affect surface and/or ground water quality. As required by the Clean Water Act, the project would comply with the Santa Ana Municipal Separate Storm Sewer (MS4) NPDES Permit. The NPDES MS4 Permit Program, which is administered in the project area by Riverside County and is issued by the SARWQCB, regulates storm water and urban runoff discharges from developments to natural and constructed storm drain systems in the City. Since the proposed project would disturb one or more acres of soil, construction activities would be subject to the Construction General Permit (NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 2009-0009-DWQ, adopted September 2, 2009 and effective as of July 2, 2010) issued by the SWRCB. The Construction General Permit requires implementation of a SWPPP for site clearing, grading, and disturbances such as stockpiling or excavation. The SWPPP would generally contain a site map showing the construction perimeter, proposed buildings, storm water collection and discharge points, general pre- and post-construction topography, drainage patterns across the site, and adjacent roadways.

Development of the currently vacant project site would result in an increase in impervious surfaces associated with roadways, parking lots, sidewalks, buildings, and other hardscape features. This increase in on-site impervious surfaces would allow less water to percolate into the ground and would therefore generate more surface water during rainfall events. Impervious surfaces would collect sediments, oil and grease, trash and debris, and other impurities that would then be assimilated into surface runoff. A WQMP (SB&O, Inc. 2021b) has been prepared for the project to address the increase in polluted runoff that would occur from the proposed project. The project would incorporate numerous bioretention planters and modular wetlands throughout the site. The bioretention planters and modular wetlands would be shallow, vegetated basins underlain by an engineered soil media that would be incorporated into the site landscaping in parking islands, medians, and site entrances. These facilities would collect runoff where it would be temporarily retained in the soil media. The plants and biological activity in the root zone would then function to take up pollutants and runoff, thus filtering the water before it is released into the storm drain system that eventually leads to Lake Elsinore.

The project's various uses that have the potential to result in additional discharges would also incorporate source control BMPs to restrict certain discharges from being transported into the proposed storm drain system and bio-retention basin. Specifically, the carwash wastewater would be retained or collected into a sanitary sewer drain, instead of the storm drain, for disposal. The gas station would include quick-shutoff fuel dispensing nozzles and would use the floor around the fuel dispensing area as a containment system. Implementation of these BMPs, along with regulatory compliance, would preclude violations of applicable

standards and discharge regulations. The project would not otherwise substantially degrade surface or ground water quality. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: WQMP [SB&O, Inc. 2021b])

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge, such that the project may impede sustainable groundwater management of the basin? (Less Than Significant Impact)

The project site is located within the Elsinore Groundwater Management Zone (GMZ). Since the City has a large amount of vacant land, substantial changes to recharge systems could occur from development of the vacant parcels. The increase in impervious surfaces that would occur for the project, as discussed above in Item X(a), would result in decreased on-site percolation capabilities; however, the project proposes pervious surfaces including on-site landscaping, bioretention planters, and modular wetlands that would collect stormwater runoff from the project site. Water collected in the bioretention planters and modular wetlands would be treated and then released into the storm drain system for output into Lake Elsinore, where infiltration and groundwater recharge occur. This would be consistent with the City's requirement that treated stormwater be directed to Lake Elsinore and not infiltrated on site. Therefore, implementation of the project would not substantially decrease groundwater supplies or interfere with groundwater recharge or impede sustainable groundwater management of the basin. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR, WQMP [SB&O, Inc. 2021b])

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site? (Less Than Significant Impact)

The existing on-site drainage pattern in generally overland from west to east toward Grand Avenue. Site and frontage runoff is directed to a localized low point near the midpoint of the Grand Avenue frontage. While the project would maintain this same general drainage pattern, impervious surfaces would be constructed on currently vacant land, which would increase the amount, and change the drainage flow, of on-site runoff. The project would incorporate on-site curbs and gutters that would collect on-site runoff and convey it to proposed bioretention planters and modular wetlands located throughout the site that would treat runoff before it is released to the storm drain system. With these features, storm water runoff generated during project operation would be adequately captured on site and would not result in substantial erosion or siltation on or off site. There is a potential for erosion and siltation to occur during project construction, specifically during site clearing, grading, and other earthmoving activities. Grading activities would be conducted in accordance with the City of Lake Elsinore Grading Ordinance Nos. 636, 801, and 882, and the standards outlined in the City's Plan Preparation and Design Manual (City 2005). Implementation of the NPDES permit requirements and an erosion control plan would reduce potential erosion, siltation, and water quality impacts to receiving water bodies and adjacent property. Therefore, potential impacts associated with erosion or siltation would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Preliminary Drainage Study [SB&O, Inc. 2021a], WQMP [SB&O, Inc. 2021b])

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Less Than Significant Impact)

As discussed above in Item X(c)(i), implementation of the project would alter the drainage pattern of the site through an increase in impervious surfaces, which would result in an increase in surface runoff; however, proposed drainage infrastructure and the on-site bioretention planters and modular wetlands would be designed to adequately accommodate runoff. Therefore, the project would not result in on- or off-site flooding and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Preliminary Drainage Study [SB&O, Inc. 2021a], WQMP [SB&O, Inc. 2021b])

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or; (Less Than Significant Impact)

As discussed above in Item X(c)(i), implementation of the project would alter the drainage pattern of the site through an increase in impervious surfaces, which would result in an increase in surface runoff; however, proposed drainage infrastructure and the on-site bioretention planters and modular wetlands would be designed to adequately accommodate runoff and result in the slow release of stormwater to the storm drain system. Therefore, the project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Preliminary Drainage Study [SB&O, Inc. 2021a], WQMP [SB&O, Inc. 2021b])

iv. Impede or redirect flood flows? (Less Than Significant Impact)

The project site is located within Federal Emergency Management Agency (FEMA) flood "Zone X" defined as areas of 0.2 percent annual chance flood hazard, areas of 1 percent annual chance flood with average depth of less than 1 foot or with drainage areas of less than one square mile (FEMA 2008). No portion of the site is mapped within a special flood hazard area subject to inundation by the 1 percent annual chance flood. As such, the risk of flooding at the site is low and the project is not anticipated to substantially impede or redirect flood flows. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: FEMA Flood Map Service Center [FEMA 2008])

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (No Impact)

As discussed above in Item X(c)(iv), the project site is not within a special flood hazard area and risk of flood at the project site is considered low (FEMA 2008). The project site is located 0.25 miles west of Lake Elsinore, which would preclude impacts associated with inundation by seiche. Additionally, because the

project site is located more than twenty miles inland, the project site would not be inundated by a tsunami. As such, impacts would not occur

Mitigation Measures: No mitigation measures are required.

(Sources: FEMA Flood Map Service Center [FEMA 2008])

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less Than Significant Impact)

The project site is located within the Santa Ana River watershed, which is regulated by the SARWQCB. The SARWQCB has developed a "Water Quality Control Plan" for the Santa Ana River Basin (herein, "Basin Plan"). The Basin Plan establishes water quality standards for the ground and surface waters of the region. The Basin Plan includes an implementation plan describing the actions by the SARWQCB and others that are necessary to achieve and maintain the water quality standards. The SARWQCB regulates waste discharges to minimize and control their effects on the quality of the region's ground and surface water. Permits are issued under several programs and authorities. The terms and conditions of these discharge permits are enforced through a variety of technical, administrative, and legal means. The SARWQCB ensures compliance with the Basin Plan through its issuance of NPDES Permits, issuance of Waste Discharge Requirements (WDR), and Water Quality Certifications pursuant to Section 401 of the Clean Water Act. In conformance with these requirements, the proposed project would prepare a WQMP to meet applicable requirements of the Basin Plan, including requirements and conditions of approval associated with NPDES permits, issuance of WDRs, and Water Quality Certifications. Therefore, the proposed project would not conflict with the Basin Plan, and potential impacts associated with implementation of a water quality control plan would be less than significant.

As discussed above in Item X(a), the project site is located within the Elsinore GMZ. Since the City has a large amount of vacant land, substantial changes to recharge systems could occur from development of the vacant parcels. In order to reduce pollutants, the City has implemented policies to minimize pollutants in the local and regional waterways, which includes water that percolates into the groundwater through Water Resources Policies 4.1, 4.2, and 4.3. Water Resources Policies 4.1 and 4.2 require development projects to acquire a NPDES permit and implement BMPs to reduce pollutants. Water Resources Policy 4.3 requires the City to review future development project's beneficial uses during the environmental review stage. Therefore, the project would not conflict with sustainable groundwater management plans, and potential impacts associated with implementation of a groundwater management plan would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: SARWQCB, General Plan EIR)

XI. LAND USE AND PLANNING

a) Physically divide an established community? (No Impact)

A significant impact would occur if the proposed project were sufficiently large or configured in such a way so as to create a physical barrier within an established community. The proposed project is surrounded by residential uses to the south and west, vacant land and rural residences to the north, and commercial development to the east. The project site is not currently used for access between existing uses and implementation of the project would not create a physical barrier that would divide an established community. Moreover, project implementation would not provide for infrastructure systems such as new

roadways that would divide or disrupt neighborhoods or other established community elements in a previously developed and urbanized area. No impact would occur.

Mitigation Measures: No mitigation measures are required.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Less Than Significant Impact)

The project site is zoned and has a General Plan Land Use designation of Commercial Mixed Use (CMU). The two-story mixed-use commercial/residential component and the multi-family residential component are consistent with the CMU designation. The ARCO gasoline station, car wash facilities, and the two fast food restaurants with drive-through lanes are permitted uses subject to a CUP, which the project would obtain. The proposed project has been designed to meet the development standards as identified in the LEMC, including but not limited to setbacks, building heights, parking spaces, drive aisles, and floor area ratio, and to be consistent with the applicable land use policies and regulations of the General Plan. Review of the project for consistency with applicable zoning regulations as part of the approval process would ensure that the project would not conflict with applicable land use plans, polices, or regulations adopted for the purpose of avoiding or mitigating an environmental impact.

As discussed in Item IV(f), above, the project would not conflict with the MSHCP or other approved local, regional, or state habitat conservation plans. Land use-related impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Zoning Map, General Plan, MSHCP)

XII. MINERAL RESOURCES

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

Substantial mineral resources have been identified within the City and are noted within the City's General Plan, in particular aggregate type mineral resources. These resource areas are primarily designated within Mineral Resource Zone (MRZ) 2 pursuant to the Surface Mining and Reclamation Act (SMARA) and California Mineral Land Classification System Diagram based on available geological information. The designation of MRZ 2 indicates the area is underlain by mineral deposits where geologic data shows that significant measured or indicated resources are present. According to Figure 3.12-1 of the General Plan EIR, the project site is located within MRZ 3, or areas containing mineral deposits, the significance of which cannot be evaluated from available data. The project site is not located within an area that has been classified or designated as a mineral resource area by the State Board of Mining and Geology, nor has mineral extraction been documented to occur on site. The project site has a land use designation of Commercial Mixed Use and is not planned for mineral extraction use. Further, given the size and location of the site in relation to surrounding development, it is highly unlikely that surface mining or mineral recovery operations could occur on site. Therefore, no impact to the availability of mineral resources of value to the region or state would result from implementation of the project.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR)

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (No Impact)

As discussed in Item XII(a), the project is located in an area designated as MRZ 3, considered to have moderate potential for the discovery of economic mineral deposits; however, because the project site is not located within one of the designated locally important mineral resource areas within the City, no impacts to locally-important mineral resources would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR)

XIII. NOISE

This section is based on the Noise Impact Analysis prepared for the project by Eilar Associates, Inc. (2021; Appendix I) to assess the project's potential construction and operational noise-related impacts.

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or other applicable standards of other agencies? (Less Than Significant With Mitigation Incorporated)

Construction Noise Generation

Noise from project construction activity would be considered significant for nearby single-family residential properties if noise levels exceed 75 A-weighted decibels (dBA) for non-scheduled, intermittent, short-term (less than 10 days) operation of mobile equipment; if noise levels exceed 60 dBA for repetitively scheduled and relatively long-term operation of stationary equipment; or if construction activity occurs between the hours of 7:00 p.m. and 7:00 a.m. of the next day, on a weekend, or on a holiday (per LEMC Section 17.176.080). Although mobile equipment would operate on site for a duration exceeding ten days, equipment is not expected to be focused near residential receivers for extended durations, considering the large area of the project site; therefore, for this analysis, the mobile construction equipment noise limit of 75 dBA is used.

Project construction noise was analyzed using the Roadway Construction Noise Model (RCNM), which utilizes measured and estimated sound levels from standard construction equipment. RCNM calculates the hourly L_{EQ} (where L_{EQ} is the time-averaged noise level within a specified duration) from individual and combined operation of equipment. Noise levels were calculated at residential receivers to the south, as other off-site receivers are located at a greater distance from the project site and therefore would be exposed to lesser noise levels. Mobile construction noise sources were placed near the center of the various work areas to evaluate typical noise levels at these residential receivers as equipment moves around the property. The approximate center of work is located roughly 200 feet from the nearest sensitive receiver location during Phases 1 and 3, and 130 feet during Phase 2.

The most substantial noise increases from construction activities that may affect off-site uses would occur during grading and vertical building construction. During grading it is anticipated that an excavator, backhoe, water truck, and grader would be used. Building construction would require the use of a telescopic forklift. The highest calculated noise level during construction would be 70 dBA L_{EQ} at the NSLU property line during Phase 2 (Eliar Associates, Inc. 2021). Therefore, the use of mobile construction equipment would not exceed the 75 dBA L_{EQ} threshold for non-scheduled, intermittent, short-term operation of mobile equipment. Since other project construction activities would be expected to use less intensive mobile

equipment or fewer pieces of equipment simultaneously, project construction noise would comply with the City Noise Ordinance.

Stationary equipment anticipated at the project site is limited to air compressors during the framing stage of construction. An air compressor generates a noise level of approximately 61 dBA at 50 feet from the equipment. As the air compressors would be used for building construction, they would be located in close proximity to the building pads. The nearest building pad to the residential property line to the south is the southernmost residential building to be constructed in Phase 3, which is located approximately 85 feet from the south property line. At a distance of 85 feet, an air compressor would generate a noise level of approximately 56 dBA. As this noise level does not exceed the 60 dBA threshold for stationary construction equipment operation, and as other potential compressor locations would be placed at a further distance from the property line, thereby resulting in lower noise levels at the property line, stationary equipment operation would remain in compliance with the City of Lake Elsinore noise limit for stationary construction equipment noise.

Construction would not be scheduled to occur between the hours of 7:00 p.m. and 7:00 a.m. of the next day, on a weekend, or on a holiday. Therefore, temporary increases in ambient noise levels from construction activity would be less than significant.

Operational Noise Generation

LEMC Section 17.176.060, states that noise standards for single-family residential properties are 40 dBA between the hours of 10:00 p.m. and 7:00 a.m. (nighttime hours) and 50 dBA between the hours of 7:00 a.m. and 10:00 p.m. (daytime hours). Noise standards for general commercial properties are 60 dBA for nighttime hours and 65 dBA for daytime hours. The LEMC states that the noise standard would be the noise limit for noise sources present for a cumulative period of 30 minutes in an hour; and that, for noise sources present for a cumulative period of 15 minutes in an hour, the noise limit would be the noise standard plus five decibels. Additionally, the LEMC states that, on the boundary between two different zones, the noise level limit applicable to the lower noise zone plus six decibels shall apply. These considerations were considered for the application of noise limits for various sources on the property, and noise limits were applied as follows:

- Heating, ventilation, and air conditioning (HVAC) operation: Assumed to be operational for 30 minutes out of an hour and potentially during nighttime hours. Noise limits: 46 dBA at single-family and multifamily residential properties (40 dBA noise standard + 6 dBA for commercial adjacency) and 60 dBA at commercial properties.

- Car wash and vacuum operation: Assumed to be operational for 15 minutes out of an hour and only during daytime hours. Noise limits: 61 dBA at single-family and multifamily residential properties (50 dBA noise standard + 5 dBA for 15-minute operation + 6 dBA for commercial adjacency) and 70 dBA at commercial properties.

The project's operational noise was analyzed using the Computer Aided Noise Abatement (CadnaA) model, which is a model-based computer program developed by DataKustik for predicting noise levels in a wide variety of conditions. The primary sources of operational noise generated by the project are anticipated to be the car wash, central vacuum unit, and HVAC equipment. Noise levels were calculated at the nearest single-family property lines and the proposed on-site residential units. Car wash, vacuum, and HVAC equipment were evaluated as operating simultaneously for the daytime scenario, and HVAC equipment only was calculated for the nighttime scenario. Calculated noise levels at adjacent property lines and at proposed on-site residential units are in compliance with applicable limits (Eilar Associates, Inc. 2021). Therefore, noise levels from on-site mechanical equipment would not impact nearby noise-sensitive land

uses. Other sources of operational noise may include restaurant and gas station patrons. Commercial deliveries and patrons in the proposed parking areas may generate noise related to vehicle movement, engines starting and stopping, doors slamming, car alarms and horns, and conversations. However, it is not anticipated that parking lot noise would exceed City standards, and long-term project operational on-site noise sources would not result in a permanent increase in ambient noise levels above the City's acceptable standards. Impact would be less than significant.

Transportation Noise Generation

A significant direct off-site traffic-related impact would occur if project traffic combines with existing traffic and causes a doubling of sound energy, which is an increase of 3 dBA. Direct impacts were assessed by comparing existing traffic volumes to existing plus project traffic volumes in the Traffic Noise Model (TNM). A cumulative impact may occur when project traffic combines with traffic generated by other proposed projects in the area and causes an increase of 3 dBA. Cumulative impacts are assessed by comparing existing traffic volumes to existing plus project plus cumulative traffic volumes. Receivers along Macy Street, Grand Avenue, and Ortega Highway were considered as these roadways would accommodate a large share of project-generated traffic. The modeling determined that no direct or cumulative impacts would result from implementation of the project (Eilar Associates, Inc. 2021). Project-generated transportation noise would not result in the generation of a substantial permanent increase in ambient noise levels in the vicinity of the project and the impact would be less than significant.

Operational Noise Exposure

Exterior Noise

Per the City General Plan Public Safety and Welfare Element, noise levels at residential outdoor use areas should not exceed 60 Community Noise Equivalent Level (CNEL). This exterior noise standard applies to common outdoor use areas and private patios and balconies. Common outdoor use areas are provided on the north side of the multifamily residential portion of the project (a pool area), and presumably a small area to the south of the clubhouse. It is anticipated that private balconies and patios would be provided for residential units at both the mixed-use building and the multi-family buildings on the project site. As such, exterior noise levels were calculated at the project's proposed common outdoor use areas and private balconies and patios using CadnaA.

The noise level from roadway traffic at the project's pool area, with consideration of attenuation provided by on-site buildings, was calculated to be 65 CNEL, which exceeds the 60-CNEL limit. Therefore, **MM NOI-1**, which requires construction of a six-foot tall noise attenuation barrier surrounding the pool area on three sides, would be required to reduce impacts to a less-than-significant level. Because exact locations of future balconies and patios are unknown, receivers were placed around the perimeter of the residential portion of the mixed-use building and around the multi-family residential buildings. Private patios and/or balconies located on the north side of the project site with a direct line-of-sight to Grand Avenue are expected to have future noise levels that exceed 60 CNEL. Therefore, **MM NOI-2**, which requires noise attenuation barriers at balconies and patios, would be required to reduce impacts to a less-than-significant level.

Interior Noise

Per the City General Plan Public Safety and Welfare Element and the California Building Code, interior noise levels should not exceed 45 CNEL in habitable residential space. Current exterior building construction is generally expected to achieve at least 15 decibels of exterior-to-interior noise attenuation.

Therefore, proposed project building structures exposed to exterior noise levels greater than 60 CNEL could be subject to interior noise levels exceeding the 45 CNEL noise limit for residential habitable space.

Future noise levels at multiple façade locations at the project's proposed mixed-use building and multi-family residential buildings would exceed 60 CNEL; therefore, interior noise levels have the potential to exceed the 45-CNEL standard. As such, **MM NOI-3** would be required to ensure impacts are reduced to a less-than-significant level.

Mitigation Measures:

MM NOI-1: ***Common Outdoor Use Area Noise Barrier.*** A minimum six-foot tall noise attenuation barrier shall be provided on the northwestern, northeastern, and southeastern sides of the proposed pool area, as depicted on Figure 7, *Noise Mitigation Requirements*. The barrier must be solid and constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, with no cracks or gaps, through or below the wall. Seams or cracks must be filled or caulked as much as feasible. If wood is used, it can be tongue and groove and must be at least 7/8-inch thick or have a surface density of at least 3.5 pounds per square foot. Where architectural or aesthetic factors allow, glass or clear plastic may be used, if it is desirable to preserve a view.

MM NOI-2: ***Balcony and Patio Noise Barriers.*** Four- and five-foot tall noise attenuation barriers shall be provided at balconies and/or patios of the proposed residential units, as indicated on Figure 7. The barriers must be solid and constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, with no cracks or gaps, through or below the wall. Seams or cracks must be filled or caulked as much as feasible. If wood is used, it can be tongue and groove and must be at least 7/8-inch thick or have a surface density of at least 3.5 pounds per square foot. Where architectural or aesthetic factors allow, glass or clear plastic may be used, if it is desirable to preserve a view.

MM NOI-3: ***Exterior-to-Interior Noise Analysis.*** For residential units where façade noise levels exceed 60 CNEL (as indicated on Figure 7), the project applicant shall coordinate with the project architects and contractors to ensure interior noise level compliance with the 45-CNEL standard. This shall be achieved through an exterior-to-interior noise analysis once specific building plans are available. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on other openings in the building shell. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site buildings. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to the 45-CNEL limit.

(Sources: Noise Impact Analysis [Eilar Associates, Inc. 2021])

b) Generation of excessive groundborne vibration or groundborne noise levels? (Less Than Significant Impact)

The paving stage of construction has the potential to generate the highest vibration levels, as paving activities would take place closest to residential receivers and may consist of the use of a vibratory roller. According to the Federal Transit Administration Transit Noise and Vibration Assessment Manual, a vibratory roller generates a peak particle velocity (PPV) of approximately 0.210 inch/second at a distance of 25 feet from equipment. The evaluation of an impact's significance can be determined by reviewing both

the likelihood of annoyance to individuals as well as the potential for damage to existing structures. According to the Caltrans Transportation and Construction Vibration Guidance Manual (2020), the appropriate threshold for damage to modern residential structures is a PPV of 0.5 inches/second. Annoyance is assessed based on levels of perception, with a PPV of 0.01 being considered "barely perceptible," 0.04 inch/second as "distinctly perceptible," 0.1 inches/second as "strongly perceptible," and 0.4 inch/second as "severe."

It is estimated that the nearest location to sensitive receptors would be approximately 50 feet from the nearest residential structure, when the roller is used at the southern boundary of the site. At this distance, the PPV would be approximately 0.074 inches/second. This level of vibration falls well below the building damage PPV criteria of 0.5 inches/second. The impact falls between the "distinctly perceptible" and "strongly perceptible" PPV criteria for annoyance; however, vibration would be reduced to "distinctly perceptible" levels by the time the roller is located at a distance of 75 feet from receivers, and "barely perceptible" at 195 feet from receivers. As construction vibration is not anticipated to cause damage to off-site buildings and will only approach the threshold of "strongly perceptible" vibration for a short period of time when work is performed near the southern boundary of the property, temporary construction vibration impacts would not be "excessive" and therefore are less than significant.

Mitigation Measures: No mitigation measures are required

(Sources: Noise Impact Analysis [Eilar Associates, Inc. 2021])

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (No Impact)

The project site is not located within an airport land use plan nor is it located within two miles of a private airstrip, public airport, or public use airport. Therefore, the proposed project would not expose people working in the project area to excessive noise levels from such uses. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

XIV. POPULATION AND HOUSING

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Less Than Significant Impact)

The proposed project would not directly or indirectly induce population growth. Population growth is a complex interaction between immigration, emigration, birth, deaths, and economic factors. The U.S. Census indicated that the City had a population of 28,930 in 2000 and 51,821 as of 2010, which would represent an approximately 79 percent increase. The SCAG 2020-2045 RTP/SCS estimated a 2016 population for Lake Elsinore of 61,500 and projected an estimated population of 111,600 by 2045, representing an 81 percent increase (SCAG 2020).

The housing provided by the proposed project would accommodate planned regional growth. The proposed project includes a mixed-used building with 14 condominium units and five three-story buildings with up to 60 residential units. Assuming 3.4 people per unit (2010 Census), approximately 252 residents may be added to the City's population. This would represent a population increase of less than one percent of the existing population within the City, and is not considered substantial. Although the project would result in

an increase in temporary construction jobs and permanent commercial jobs, these jobs are expected to be filled by members of the existing population of the area. Therefore, implementation of the proposed project would result in less than significant impacts related to inducing substantial unplanned population growth.

Mitigation Measures: No mitigation measures are required.

(Sources: U.S. Department of Commerce Bureau of the Census, SCAG RTP/SCS)

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

The proposed project site is currently undeveloped. No existing housing would be displaced upon implementation of the project. No impact would occur.

Mitigation Measures: No mitigation measures are required.

XV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection? (Less Than Significant Impact)

The City Fire Department is comprised of contracted fire services with RCFD and CAL FIRE. The RCFD operates 93 fire stations in 17 battalions, providing fire suppression, emergency medical, rescue, and fire prevention services throughout Riverside County. Equipment used by RCFD has the ability to respond to both urban and wildland emergency conditions. Specifically, Battalion 2 in the Southwest Division of RCFD services the City. The nearest fire station is Station No. 11, located approximately 2.3 miles southeast of the project site.

Development of the project would be subject to the City's policies and ordinances for hazard mitigation and fire prevention. The project would be required to comply with applicable fire code requirements for construction and access to the site and as such, will be reviewed by the City Fire Department to determine the specific fire requirements applicable to ensure compliance with these requirements. Chapter 16.74 of the LEMC establishes a program for the adoption and administration of development impact fees by the City for the benefit of the citizens whereby as a condition to the issuance of a building permit or certificate of occupancy by the City, the property owner or land developer is required to pay development impact fees or provide other consideration to the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which will benefit such new development. Section 16.74.049 includes a "fire facilities fee" to mitigate the additional burdens created by new development for City fire facilities. Since the proposed project includes new housing, impacts must be offset through the payment of the appropriate development impact fees. As described above in Item XIV(a), the proposed project would add up to 74 new housing units which could add approximately 252 additional residents to the City. The increase in demand for fire protection services from this increase in population is not anticipated to require the construction of new facilities or infrastructure. Therefore, the proposed project would not result in substantial adverse physical impacts related to fire protection, and impacts would be less than significant.

Project Site

Common Outdoor Use Area Noise Attenuation Requirements (MM NOI-1)

6-foot-Tall Noise Barrier

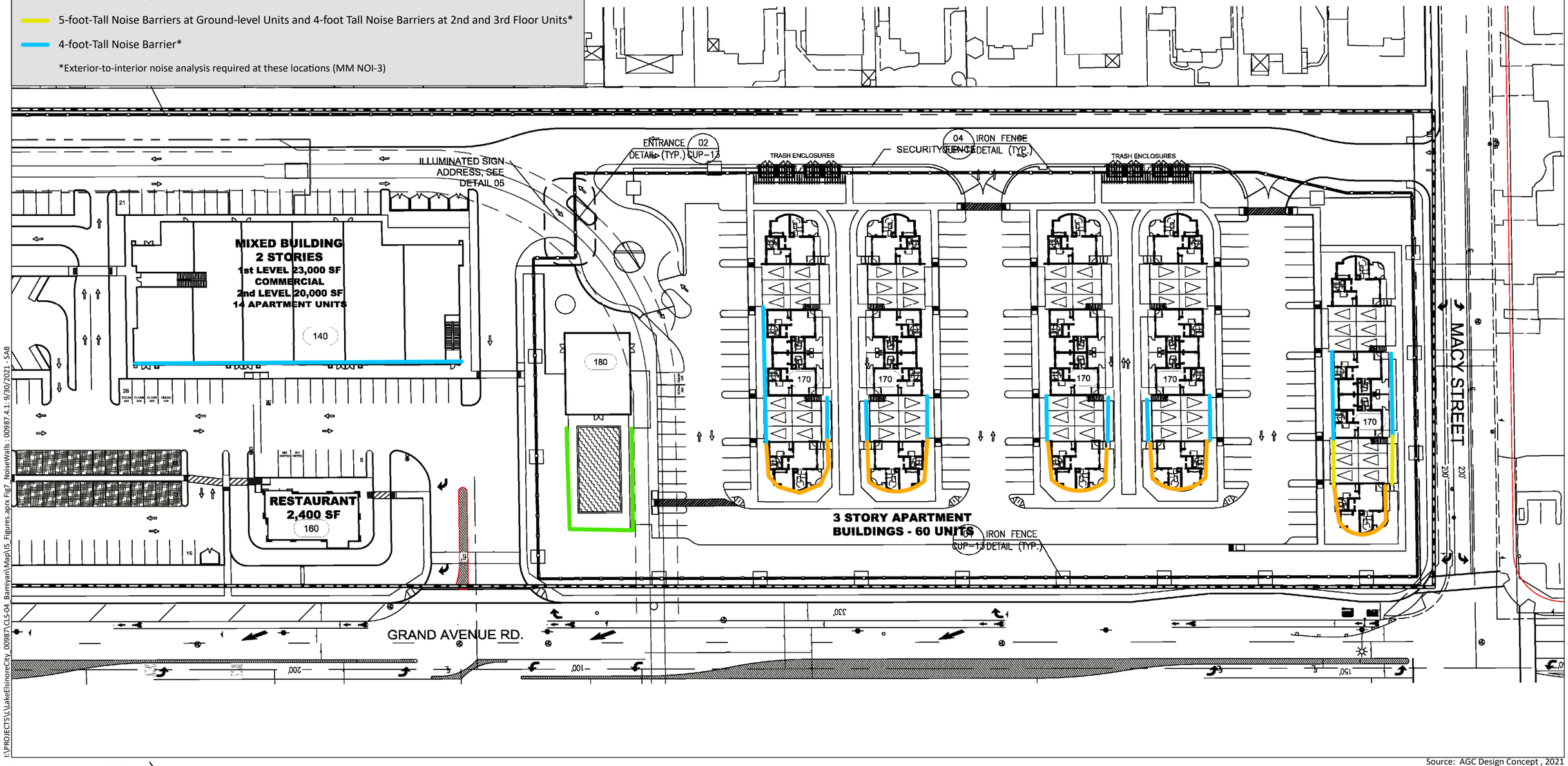
Residential Balcony/Patio Noise Attenuation Requirements (MM NOI-2)

5-foot-Tall Noise Barrier*

5-foot-Tall Noise Barriers at Ground-level Units and 4-foot Tall Noise Barriers at 2nd and 3rd Floor Units*

4-foot-Tall Noise Barrier*

*Exterior-to-interior noise analysis required at these locations (MM NOI-3)



0 70 Feet

Source: AGC Design Concept , 2021

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HELIX Environmental Planning

Noise Mitigation Requirements

Figure 7

Mitigation Measures: No mitigation measures are required.

b) Police protection? (Less Than Significant Impact)

As a contract service to the City provided by the Riverside County Sheriff's Department, the Lake Elsinore Police Department is responsible for police protection within the City, including enforcement of local, state, and federal statutes; public safety; traffic enforcement; and maintaining public order. The California Highway Patrol provides traffic enforcement to the County with additional support from the local County Sheriff's Department. The Lake Elsinore Police Department/Sheriff's Station is located at 333 Limited Avenue, approximately 3 miles east of the project site.

Chapter 16.74 of the LEMC establishes a program for the adoption and administration of development impact fees by the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which would benefit such new development. The proposed project would participate in this development impact fee program to mitigate potential impacts to police protection resources. Additionally, the project would be required to comply with applicable law enforcement requirements and standards to ensure adequate law enforcement protection is available to serve the project site. Potential impacts would be considered incremental and can be offset through the payment of the development impact fee and compliance with regulatory requirements. The proposed project would not result in substantial adverse physical impacts related to police protection. Therefore, potential impacts associated with police projection would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan, LEMC)

c) Schools? (Less Than Significant Impact)

The Lake Elsinore Unified School District (LEUSD) covers a 144-square mile area within the City of Lake Elsinore, City of Canyon Lake, City of Wildomar, and a portion of the unincorporated County of Riverside. LEUSD is composed of 25 schools including 13 elementary schools, 2 K-8 schools, 4 middle schools, 3 comprehensive high schools, a continuation school, and 2 alternative education centers. The proposed project would generate new housing to accommodate planned population growth. Therefore, the proposed project would require expanded school facilities to accommodate the anticipated growth. As described above in Item XIV(a), the proposed project would add up to 74 new housing units, which could add approximately 252 additional residents to the City. Development of these residences could generate new students who would attend the local LEUSD schools. To offset potential impacts resulting from the increase in demand on school facilities and services, the project would be subject to payment of school development fees. Therefore, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: LEMC)

d) Parks? (Less Than Significant Impact)

The City includes 19 parks with hundreds of acres of active and passive recreation opportunities. The proposed project includes the development of up to 74 residential units, which would result in additional usage of the existing parks in the City. Section 16.34.060 in Chapter 16.34 (Required Improvements) for the LEMC requires that prior to the issuance of a building permit, the property owner or developer must pay fees for the purposes set forth in that section. Paragraph D of Section 16.34.060 describes the City's

Park Capital Improvement Fund and describes that the City Council has the option to request dedication for park purposes or in lieu thereof, request that the property owner or developer pay a fee for the purpose of purchasing the land and developing and maintaining the City park system. The project would be required to pay park fees to the City for the purpose of establishing, improving, and maintaining park land within the City. Potential impacts would be offset through the payment of the appropriate park fees. Therefore, the proposed project would not result in substantial adverse physical effects related to parks, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: LEMC)

e) Other public services/facilities? (Less Than Significant Impact)

The City is part of the Riverside County Library System. The closest library to the project site is the Lakeside Library at 32593 Riverside Drive, approximately 0.7 mile northwest of the project site. Section 16.34.060 in Chapter 16.34 (Required Improvements) of the LEMC requires that prior to the issuance of a building permit, the property owner or developer must pay fees for the purposes set forth in that section. Paragraph B of Section 16.34.060 describes the City's Library Mitigation Fee and states that an in-lieu fee for future construction of library improvements shall be paid to the City to assure the necessary library facilities are provided to the community. Since the proposed project would include new housing, potential impacts must be offset through the payment of the appropriate library mitigation fees. Therefore, potential impacts associated with libraries would be less than significant.

Chapter 16.74 of the LEMC establishes a program for the adoption and administration of development impact fees by the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which would benefit such new development. Section 16.74.048 includes an "Animal shelter facilities fee" to mitigate the additional burdens created by new development for animal facilities. In addition, the property owner would be required to pay City Hall & Public Works fees, Community Center Fees, and Marina Facilities Fees prior to the issuance of building permits. Therefore, potential impacts associated with other public services and facilities would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: LEMC)

XVI. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Less Than Significant Impact)

The City's Parks and Recreation Master Plan 2008 – 2030 (adopted July 14, 2009) establishes a goal of providing five acres of park space per 1,000 residents. The proposed project would include the development of up to 74 residential units that would result in increased demand for neighborhood and regional parks or other recreational facilities. Impacts to park facilities from the proposed project would include additional use of existing park facilities by the new residents. As described in Item XIV(d), the project applicant would be required to pay park fees to the City for the purpose of establishing, improving, and maintaining parkland within the City. Potential project-related impacts would be offset through the payment of the appropriate

park fees. Therefore, potential impacts associated with parks or recreational facilities would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: Parks and Recreation Master Plan, LEMC)

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (No Impact)

As discussed in Item XVI(a), the proposed project does not include recreational facilities, nor would it require the construction or expansion of existing facilities. Therefore, no impact would occur.

Mitigation Measures: No mitigation measures are required.

XVII. TRANSPORTATION

A Traffic Analysis (Urban Crossroads 2021; Appendix J) and a VMT Analysis (Darnell & Associates 2020; Appendix K) were prepared for the proposed project to assess the project's potential to affect the circulation system and to generate VMT. Portions of the following analysis are based on the findings of these reports.

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Less Than Significant Impact)

The proposed project consists of a gas station with a convenience store and quick-serve restaurant, car wash, two fast food restaurants with drive through lanes, a mixed-use commercial/residential component, and multi-family residential units, which would generate vehicle trips to and from the currently vacant site. The project would thus increase vehicular traffic volumes on nearby roadways compared to existing conditions. The increased traffic volumes could generate impacts to the existing roadways and intersections, which could potentially result in conflicts with an adopted plan, ordinance or policy addressing the circulation system. The Traffic Analysis prepared for the project (Urban Crossroads 2021) assessed the project's potential to affect the circulation system and provided recommendations for improvements to the roadway system. These recommendations would be incorporated as part of the project and would include, but not be limited to widening Ortega Highway, Grand Avenue, and Macy Street; installing a traffic signal at the intersection of Grand Avenue and Macy Street; providing stop control at the project's access points along Ortega Highway and Macy Street; and constructing various turn lanes. In addition, the project would construct sidewalks along Ortega Highway, Grand Avenue, and Macy Street in conjunction with the roadway widening improvements. A class II bike lane and a bus turn for RTA Route 8 would be provided along Grand Avenue. As such, the project would not conflict with an adopted plan, ordinance or policy addressing the circulation system with implementation of proposed design features, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Source: Traffic Analysis [Urban Crossroads 2021])

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (Less Than Significant Impact)

CEQA Guidelines Section 15064.3 subdivision (b) sets forth specific criteria for determining the significance of transportation impacts as related to VMT. In accordance with CEQA Guidelines Section 15064.3 subdivision (b) and Senate Bill (SB) 743, the City recently updated their Traffic Impact Analysis Preparation Guide to include VMT analysis methodology. Land use projects that have the potential to increase the average VMT per service population (compared to the City's baseline threshold) are evaluated for potential impacts.

Per the City's *Traffic Impact Analysis Preparation Guide,* adopted June 23, 2020 (City 2020), there are four types of Western Riverside Council of Governments (WRCOG) screening criteria. If a project satisfies one or more of the four screening criteria, it can be presumed to not have a significant impact related to VMT and can be effectively screened from having to do additional project-level VMT analysis. The four types include the following:

1. Transit Priority Area (TPA) screening.
2. Low VMT-generating traffic analysis zone (TAZ) based on total VMT area screening
3. Low VMT-generating TAZ based on residential home-based VMT screening.
4. Low VMT-generating TAZ based on home-based VMT screening.

The project would be consistent with screening criteria 2 and 4. The jurisdictional average 2012 daily total VMT per service population is 37.87 and the project TAZ 2012 daily total VMT per service population is 32.64, which is 5.23 lower than the jurisdictional average. The jurisdictional average 2012 daily home-based VMT per worker is 14.83 and the project TAZ 2012 daily home-based VMT per worker is 5.75, which is 9.08 lower than the jurisdictional average. As such, no additional VMT analysis is required. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: VMT Analysis [Darnell & Associates 2020])

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (No Impact)

The proposed project is compatible with surrounding land uses and would not increase hazards due to design features or incompatible uses. The project does not propose a dangerous design feature, nor would the proposed access driveways connect to existing roadways in such a way that would pose a danger to increased traffic. Sight distance and project access would be reviewed by the City Engineer prior to issuance of building permits to ensure that project circulation and access has been designed per City regulations. Therefore, no impacts associated with hazardous geometric design features would occur.

Mitigation Measures: No mitigation measures are required.

d) Result in inadequate emergency access? (Less Than Significant Impact)

The proposed project would be constructed on a vacant site along Grande Avenue. The site would be accessed via driveways along Grand Avenue, Macy Street, and Ortega Highway. In conjunction with the review and approval of building permits, the City's Fire and Police Departments would review plans to ensure compliance with applicable emergency access and safety requirements. With application of project review procedures, impacts involving emergency access would be less than significant.

Mitigation Measures: No mitigation measures are required.

XVIII. TRIBAL CULTURAL RESOURCES

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). (Less Than Significant With Mitigation Incorporated)

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Less Than Significant With Mitigation Incorporated)

As previously discussed in Item V(a), the Cultural Resources Survey Report indicated that 28 cultural resource sites have been identified within a one-mile radius of the project site, which include prehistoric lithic artifact scatters and prehistoric isolates that may be considered potentially significant TCRs. None of the resources are located within the project site, and no new resources were identified during the field survey conducted at the project site.

To identify potential TCRs at the project site, a Sacred Lands File Search was conducted with the Native American Heritage Commission. The results of Sacred Lands File Search were negative and no resources have been previously identified in the immediate project area.

AB 52, signed into law in 2014, amended CEQA and established new requirements for tribal notification and consultation. AB 52 applies to projects for which a notice of preparation or notice of intent to adopt a negative declaration/mitigated negative declaration is issued after July 1, 2015. AB 52 also broadly defines a new resource category of tribal cultural resources and establishes a more robust process for meaningful consultation that includes:

- Prescribed notification and response timelines;
- Consultation on alternatives, resource identification, significance determinations, impact evaluation, and mitigation measures; and
- Documentation of consultation efforts to support CEQA findings.

A tribe must submit a written request to the relevant lead agency if it wishes to be notified of projects within its traditionally and culturally affiliated area. The lead agency must provide written, formal notification to the tribes that have requested it within 14 days of determining that a project application is complete or deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receipt of the notification if it wishes to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the request for consultation. Consultation concludes when either (1) the parties agree to mitigation measures to avoid a significant effect, if one exists, on a tribal cultural resource, or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. AB 52 also addresses confidentiality during tribal consultation per Public Resources Code Section 21082.3(c).

In accordance with the requirements of AB 52, the City sent notification to six Tribes on August 28, 2019. Pechanga, Soboba, and Rincon have requested consultation. Meetings were held with Soboba on October 1, 2019, with Rincon on October 24, 2019, and with Pechanga on February 21, 2020. The City concluded

consultation with the Rincon Band of Luiseño Indians on December 30, 2019 and with the Soboba Band of Luiseño Indians on April 15, 2020. The City has not yet concluded consultation with the Pechanga Band of Luiseño Indians. It is anticipated that consultation will conclude upon review of this Initial Study and preparation of a Final Initial Study.

Based on the absence of recorded resources within or adjacent to the project site, no adverse changes in the significance of TCRs are anticipated; however, it is possible that unknown TCRs may be discovered during grading and other ground-disturbing activities. Therefore, **MM CUL-1** through **MM CUL-7**, identified in Item V, above, would be implemented to ensure that potential impacts to TCRs pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 would be less than significant.

Mitigation Measures: MM-CUL-1 through MM-CUL-7

(Sources: Cultural Resources Survey Report [Laguna Mountain Environmental, Inc. 2020])

XIX. UTILITIES AND SERVICE SYSTEMS

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Less Than Significant Impact)

The project site is within the service boundary for EVMWD. The project would be served by existing water and wastewater treatment facilities, and would not require or result in the construction or expansion of off-site facilities. In addition, the project would provide on-site storm water drainage facilities that would connect to the existing municipal storm drain system. Electrical power and natural gas would be provided to the site by SCE. The project would require the undergrounding of electrical and telecommunication utilities on Grand Avenue to accommodate the proposed expansion of the roadway. Impacts associated with undergrounding activities are analyzed throughout this IS. An existing natural gas line under Grand Avenue would serve the project site. Therefore, the proposed project would not require the construction or expansion of new off-site facilities. Based on these considerations, potential impacts associated with the relocation or construction of new or expanded utility infrastructure would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR, EVMWD Will Serve Letter)

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Less Than Significant Impact)

Construction activities associated with the proposed project would require the use of water for dust control during grading activities. The amount of water used during construction would, however, be minimal. During operation, the anticipated water use for the proposed project would generate increased demand for water supplies. EVMWD, which obtains its potable water supplies from imported water from The Metropolitan Water District of Southern California, local surface water from Canyon Lake, and local groundwater from the Elsinore Basin, would provide water service to the project site. According to EVMWD's Urban Water Management Plan, EVMWD has determined that it has current and anticipated future supplies are sufficient to meet the projected dry-year and multiple dry-year demand. Thus, there are sufficient water supplies as well as water shortage contingency plans to protect existing and future water needs within the EVMWD service area. Therefore, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: EVMWD Urban Water Management Plan, EVMWD Will Serve Letter)

c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Less Than Significant Impact)

EVMWD would provide wastewater service to the proposed project site. The proposed project would result in increased demand for wastewater treatment, given the project's size and service needs. However, the project's Will Serve Letter dated July 2019 indicates that EVMWD's Regional Reclamation Facility has sufficient capacity to service the proposed project site. Additionally, the project would be required to pay development impact fees. Therefore, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: EVMWD Urban Water Management Plan, EVMWD Will Serve Letter)

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Less Than Significant Impact)

Riverside County Waste Management facilitates solid waste disposal services for Riverside County, and the City contracts with CR&R, Inc. Environmental Services for trash pickup. Lake Elsinore is served by a number of landfills, including El Sobrante Landfill, Badlands Landfill, and Lamb Canyon Landfill. El Sobrante Landfill is expected to reach capacity by 2045. Badlands Landfill is expected to reach capacity by 2024 and Lamb Canyon Landfill by 2021. Both Badlands and Lamb Canyon Landfills have the potential to expand their facilities and capacity.

Solid waste disposal is managed at the regional level; therefore, generation of solid waste within the City, including by the proposed project, is one part of a regional issue. The project would be required to comply with applicable State and local regulations, including Section 40050 et seq. of the California Public Resources Code, to reduce the volume of solid waste entering landfills. Chapter 14.12 of the LEMC requires that project construction divert a minimum of 50 percent of construction and demolition debris. The project is anticipated to meet or exceed this requirement during construction. The amount of solid waste generated by the proposed project is anticipated to be accommodated by the existing landfills, and recycling and green waste collection would reduce the overall solid waste generated. Therefore, potential impacts associated with solid waste disposal would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR, LEMC)

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (No Impact)

The California Integrated Waste Management Act of 1989 (AB 939, Sher, Chapter 1095, Statutes of 1989 as amended) under the Public Resource Code requires that local jurisdictions divert at least 50 percent of solid waste generated by January 1, 2000, and 50 percent diversion each year following. As of 2006, the City achieved a 50 percent waste diversion rate. In addition, Chapter 14.12 of the LEMC requires that project applicants divert a minimum of 50 percent of construction and demolition debris; the project would

meet or exceed this requirement. The proposed project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, no impacts associated with solid waste would occur.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR, LEMC, Public Resources Code)

XX. WILDFIRE

a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Less Than Significant Impact)

Refer to Item IX(f). Potential impacts to emergency response or evacuation plans would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan, County of Riverside's Emergency Operations Plan)

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Less Than Significant Impact)

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Less Than Significant Impact)

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Less Than Significant Impact)

According to the CAL FIRE VHFHSZ mapping for Riverside County and Figure 3.10-2 (City of Lake Elsinore Wildfire Susceptibility) of the General Plan EIR, the project site is located within both High and VHFHSZs. The site and surrounding areas support vegetation that serves as a prime fuel source for wildfire. The extended drought characteristic of the region's Mediterranean climate and increasingly severe dry periods associated with climate change result in large areas of dry native vegetation that provide fuel for wildland fires.

Emergency management services are overseen by the RCFD and CAL FIRE. While the project would require the expansion of the adjacent roadways, this would not exacerbate wildfire risk or result in temporary or ongoing impacts to the environment. The project site is not located within an area that would be subject to downslope or downstream flooding or landslides as a result of runoff, slope instability, or drainage changes in post-fire conditions. Additionally, the project would comply with CBC requirements for fire protection in areas prone to wildfires, in particular Section 701A that requires construction with fire resistant materials and methods to minimize property damage. With the implementation of existing building code requirements and adequate fire protection services, impacts from wildfire on the proposed development would be less than significant.

Mitigation Measures: No mitigation measures are required.

(Sources: General Plan EIR)

V. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 21083 of CEQA and Section 15065 of the CEQA Guidelines.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Less Than Significant With Mitigation Incorporated)

Potentially significant impacts to the environment resulting from the proposed project have been identified for air quality, biological resources, cultural resources, noise, and TCRs. Potentially significant impacts to air quality related to fugitive dust emissions would be reduced to a less-than-significant level with implementation of **MM AQ-1**. Potentially significant impacts to biological resources related to sensitive wildlife species, burrowing owl, nesting birds, off-site riparian habitats, and wildlife corridors would be reduced to a less-than-significant level with implementation of **MM BIO-1**, **MM BIO-2**, and **MM BIO-3**. The project is not expected to impact resources related to major periods of California history or prehistory. Based on the presence of cultural resources in the vicinity of the project site and the cultural sensitivity of the area, however, the project would have the potential to impact unknown subsurface cultural resources and/or TCRs. With implementation of **MM-CUL-1** through **MM-CUL-7**, however, impacts to unknown subsurface cultural resources would be reduced to a less-than-significant level. Potentially significant impacts related to exposure of noise to future project residents would be reduced to a less-than-significant level with implementation of **MM NOI-1**, **MM NOI-2**, and **MM NOI-3**. Therefore, the project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

Mitigation Measures: MM AQ-1, MM BIO-1 through **MM BIO-3, MM CUL-1** through **MM CUL-7,** and **MM NOI-1** through **MM NOI-3.**

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Less Than Significant With Mitigation Incorporated)

Cumulative impacts are defined as two or more individual project effects that, when considered together or in concert with other projects, combine to result in a significant impact (CEQA Guidelines Section 15355). As demonstrated in this Initial Study, the proposed project would result in potentially significant project-specific impacts to air quality, biological resources, cultural resources, noise, and TCRs; however, project-related effects either would be avoided by incorporation of project design measures or mitigated to levels below significance.

As discussed in Item III, the project would not result in air pollutant emissions during construction or operation that would exceed the applicable SCAQMD thresholds; the project would therefore not result in a cumulatively considerable net increase of criteria pollutant emissions for which the region in non-attainment (O_3, PM_{10}, and $PM_{2.5}$). **MM AQ-1** would ensure that the project does not result in fugitive dust emissions that could result in a cumulatively considerable impact.

As described in Item IV, project construction could result in potentially significant direct and/or indirect impacts to sensitive wildlife species, burrowing owl, nesting birds and raptors, off-site riparian areas, and migratory birds and their habitat. Potentially significant impacts would be reduced to a level of less than significant through compliance with applicable permits (pursuant to the federal Clean Water Act, MBTA, federal Endangered Species Act, and California Endangered Species Act) and implementation of **MM BIO-1** through **MM BIO-3**. Other development in the project area also would be required to comply with applicable environmental laws and mitigation requirements. The Western Riverside County MSHCP, which has been adopted by local jurisdictions and approved by the wildlife agencies, is largely designed to address potential cumulative impacts to sensitive biological resources resulting from development in the western portion of the County through assembly of a comprehensive reserve system. Based on the project-specific mitigation measures that would be implemented and on the existence of an approved region-wide conservation plan, the proposed project would not incrementally contribute to a significant cumulative biological resources impact.

As discussed in Items V and XVIII, the proposed project would not adversely affect known cultural resources. Potentially significant impacts could occur if archaeological resources, TCRs, and/or human remains are disturbed during ground-disturbing activities associated with project construction. While it is possible that unknown cultural resources or TCRs may be encountered during construction, mitigation measures **MM CUL**-1 through **MM CUL-7** have been included that would reduce impacts to these resources to below a level of significance. Accordingly, the proposed project would not incrementally contribute to a significant cumulative cultural resources impact.

Impacts related to noise exposure to future project residents from cumulative traffic volumes on roadways surrounding the project site would be reduced to a less-than-significant level through implementation of **MM NOI-1** through **MM NOI-3**.

Nine cumulative projects were included in the Traffic Analysis (Urban Crossroads 2021) prepared for the project:

1. Village at Lakeshore – 163-dwelling unit condo/townhomes
2. Circle K – 4,500-SF gas station
3. Lakeview Plaza – 43,000-SF shopping center
4. Ortega Plaza – 16-pump super convenience market/gas station
5. Chevron Gas Station – 12-pump super convenience market/gas station, 1,785-SF office, 2,315-SF fast food restaurant with drive through
6. Wake Rider Beach Resort – 50-room resort hotel, 7,395-SF quality restaurant, and 15-berth marina
7. CUP190013 – 4,467-SF cannabis retail
8. TTM37531 – 48-dwelling unit single family residential development
9. PPT180004 – 2,400-SF auto repair facility

These nine projects, in combination with the proposed project, would generate vehicular traffic on Macy Street, Grand Avenue, and Ortega Highway. As discussed in Item XVII(a), the project would incorporate recommendations provided in the Traffic Analysis to ensure adequate circulation to accommodate long-term traffic volumes. Associated impacts would be less than significant.

The proposed project is consistent with the site's Commercial Mixed Use land use designation and underlying zoning. Therefore, incremental increases in impacts to the environment would be within the

thresholds set by the General Plan and supporting planning and regulatory documents. When considering potential environmental impacts of the proposed project, including impacts identified as less than significant in the Initial Study, together with the impacts of other present, past, and reasonably foreseeable future projects, there would not be a cumulatively considerable impact on the environment.

Mitigation Measures: MM AQ-1, MM BIO-1 through **MM BIO-3, MM CUL-1** through **MM CUL-7,** and **MM NOI-1** through **MM NOI-3.**

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

The project's potentially significant impacts that would have the potential to affect humans are related to fugitive dust emissions and exposure of future on-site residents to excessive noise levels from traffic along Grand Avenue. These potentially significant impacts, however, would be reduced to below a level of significance through implementation of **MM AQ-1**, **MM NOI-1**, **MM NOI-2**, and **MM NOI-3**. The proposed project would also adhere to regulatory codes, ordinances, regulations, standards, and guidelines applicable to each of the environmental issue areas analyzed herein. As evidenced by the Initial Study, no other substantial adverse effects on human beings, either indirectly or directly, would occur as a result of project implementation.

VI. PERSONS AND ORGANIZATIONS CONSULTED

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

HELIX Environmental Planning
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- Brendan Sullivan, Environmental Planner

City of Lake Elsinore
- Damaris Abraham, Senior Planner

Nick Lowe, PE|MS, Consultant Traffic Engineer

VII. REFERENCES

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