

**1.0-2 NOTICE OF
PREPARATION PUBLIC COMMENTS**

March 9, 2012

Mr. Matthew Bassi, Planning Director
City of Wildomar, Planning Dept.
23873 Clinton Keith Road, Suite 201
Wildomar, Ca. 92595
951) 677-7751

What took us over 30 years to make our Community this beautiful peaceful place is going to take you a short time to destroy. Putting 99 homes in front of our wonderful community will cause so much traffic congestion making it unsafe for us only having 2 methods of entering and exiting the Farm Community. If there was an emergency especially during rush hour, how will the emergency vehicles going to be able to get in or out of here? How many lives are we going to lose due to your project being here? I don't see how you can sleep at night knowing that your project is going to have such an adverse reaction in so many ways affecting not only the people at "The Farm" but the new families coming in also. Each of these 99 homes will bring at least 2 cars per home. This will also cause more accidents, poor air quality and alot of noise. Alot of us moved here to get away from this very thing, not to mention the extra crime it is sure to bring here.

We have a private community that has orange, grapefruit + lemon trees free to us at the farm residents to pick. We have hiking trails, 3 swimming pools, 3 ponds that you can fish in, at the main pond at the "BARN", there's a "TOT LOT" seating area's all around the pond that you can enjoy the ducks, geese + other water birds that enjoy our pond. We are not gated so there's no doubt we would end up having your people coming in to enjoy are many amenities that we pay our monthly association dues for.

As for the extra crime this will bring to our community that we have tried so hard to keep out will be another added problem due to you building here. We have our own "Crime Watch" program where our volunteers go out every night driving our own crime watch car that we bought ourselves, going thru the community checking many area's and reporting back to the base station at the "BARN". We have a very good program + have the backing of the police dept. Now adding your homes will add many new problems to our area. The list of problems goes on + on, on why you should not build here. So please re-think of the many bad things this will do

(Page 3 of 3)

to us and move your project to an area
where you will not hurt so many people.

Thank you.

Sincerely,

(Mrs) Arlene Stovall

33310 Barley Lane

Wildomar, Ca. 92595

951) 244-7879 (Hm)

Lot: (I-35) corner lot of

Barley Lane + The Farm Road



<http://www.dfg.ca.gov>
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

April 13, 2012

M. Matthew C. Bassi
City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

Re: Notice of Preparation of Environmental Impact Report for the Oak Creek
Canyon Residential Project, City of Wildomar, County of Riverside
SCH #2012031064

Dear Mr. Bassi:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Notice of Preparation for the Draft Environmental Impact Report (DEIR) for the for the Oak Creek Canyon Residential Project, in the City of Wildomar. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code Sections 711.7 and 1802 and the California Environmental Quality Act (CEQA) Guidelines Section 15386], and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as a Lake or Streambed Alteration Agreement (Fish and Game Code Sections 1600 *et seq.*) and/or a Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (Incidental Take Permit) [Fish and Game Code Sections 2080 and 2080.1].

The Project is bisected by Bundy Canyon Road between Oak Canyon Drive and Sunset Avenue. The Project involves a specific plan amendment to the Farm Specific Plan No. 116, a zone change from R-1 to R-4 and Tentative Tract Map No. 36388 for a 315 lot residential subdivision and 3.5 acres of commercial on 151.23 acres.

Multiple Species Habitat Conservation Plan (MSHCP)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Planning Program (NCCP Program). On June 22, 2004, the Department issued NCCP approval and take Authorization for the Western Riverside County MSHCP per Section 3800 *et seq.* of the Fish and Game Code. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit.

The proposed Project occurs within the MSHCP and is subject to the provisions and policies of the MSHCP. The Project is located in the Elsinore Area Plan of the MSHCP. The City of Wildomar is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. Participants in the MSHCP are issued take authorization for covered species. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. In order to be considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the Guidelines for the Implementation of CEQA requires that an environmental impact report (EIR) discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and NCCPs. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements.

Any surveys should be conducted prior to submittal of the DEIR and the results included in the DEIR, along with biological studies. The DEIR should include an analysis of the potential and direct effects of the Project on the fish and wildlife resources. The Project has the potential to impact the burrowing owl, and burrowing owl surveys are required for this project. The DEIR should include an analysis of the potential impacts to burrowing owl.

State Jurisdictional Waters

The Department is concerned about the continuing loss of jurisdictional waters of the State and the encroachment of development into areas with native habitat values. The CEQA document should contain sufficient, specific, and current biological information on the existing habitat and species at the Project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna and State waters. If the Project site contains Federally- or State-listed species, the CEQA document should include measures to avoid and minimize impacts to these species as well as mitigation measures to compensate for the loss of biological resources. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.

This Project has the potential to have significant environmental impacts on sensitive flora and fauna resources. Therefore, the CEQA document should include an alternatives analysis which focuses on environmental resources and ways to avoid or minimize impacts to those resources.

To enable Department staff to adequately review and comment on the proposed Project, we suggest that updated biological studies be conducted prior to any environmental or discretionary approvals. The following information should be included in any focused biological report or supplemental environmental report:

1. A summary of the structure, purpose and obligations of the Lead Agency under the MSHCP and an analysis of the Project in relation to the Area Plan and Criteria Cell biological goals and objectives.

- a. Reserve Assembly. The Project is located within the MSHCP Criteria Area and is subject to the conservation requirements for reserve assembly. A discussion of the applicable Area Plan and whether the Project includes Criteria Cells should be addressed. Documents processed through the Resource Conservation Agency (RCA) of the MSHCP should be included in the CEQA document.
 - b. Goals and Objectives. The Area Plan biological goals and objectives for species and habitats and an analysis of the Project's species and habitats in relation to those goals and objectives should be addressed.
 - c. MSHCP Policies. MSHCP policies and procedures applicable to the proposed Project are: the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools (MSHCP Section 6.1.2); the Protection of Narrow Endemic Plant Species (MSHCP Section 6.1.3); the Additional Survey Needs and Procedures (MSHCP Section 6.3.2); Fuels Management (MSHCP Section 6.4); and the Guidelines Pertaining to the Urban Wildlands Interface (MSHCP Section 6.1.4).
 - d. Special Survey Areas. An analysis of the survey requirements for the Project site and results of general and focused biological surveys should be discussed. Surveys should be conducted within one year of submittal of the CEQA document. Survey requirements and results should be included in the CEQA document.
 - e. Biological Resources. A list of biological resources found on the Project site and an analysis of how the Project's implementation would impact those resources should be addressed.
 - f. Mitigation Measures. A list of proposed mitigation measures required by the MSHCP to offset impacts to site species and habitats, including payment of fees or other measures, should be included.
2. Please provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.
- a. Please provide a thorough assessment of rare plants and rare natural communities, following the Department's November 2009 guidance for Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The guidance document can be found at the following link:
[http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols for Surveying and Evaluating Impacts.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols%20for%20Surveying%20and%20Evaluating%20Impacts.pdf)
 - b. A thorough assessment of sensitive fish, wildlife, reptile, and amphibian species should be conducted. Seasonal variations in use of the Project area

should also be considered. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service.

- c. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the California Fish and Game Code.
3. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts.
- a. CEQA Guidelines, 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - b. Project impacts should be analyzed relative to their affects on off-site habitats. Specifically, this should encompass adjacent public lands, open space, adjacent natural habitats, and riparian ecosystems. In addition, impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided.
 - c. The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.
 - d. A cumulative effects analysis should be developed as described under CEQA Guidelines, 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.
 - e. The document should include an analysis of the effect that the Project may have on the Western Riverside Multiple Species Habitat Conservation Plan or on other regional and/or subregional conservation programs in San Diego or Orange Counties. Under Sections 2800-2835 of the California Fish and Game Code, the Department, through the Natural Communities Conservation Planning (NCCP) program is coordinating with local jurisdictions, landowners, and the Federal Government to preserve local and regional biological diversity.

4. A range of alternatives should be analyzed to ensure that alternatives to the proposed Project are fully considered and evaluated (CEQA Guidelines 15126.6). A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.
 - a. Mitigation measures for Project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid and/or otherwise minimize Project impacts. Off-site compensation for unavoidable impacts through acquisition and protection of high-quality habitat should be addressed.
 - b. The Department considers Rare Natural Communities as threatened habitats having both local and regional significance. Thus, these communities should be fully avoided and otherwise protected from Project-related impacts.
 - c. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.

5. A CESA Permit must be obtained if there are impacts to State or Federal listed species and the applicant chooses not to process the Project through the Resource Conservation Agency of the MSHCP.
 - a. A CESA Permit must be obtained if the Project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the Project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the California Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the Project CEQA document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:
 - (i). Biological mitigation, monitoring, and reporting proposals, of sufficient detail and resolution, to satisfy the requirements for a CESA Permit.
 - (ii). A Department-approved Mitigation Agreement and Mitigation Plan for plants listed as rare under the Native Plant Protection Act.

6. Although the proposed Project is within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and could be subject to Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, a Lake and Streambed Alteration Agreement Notification is still required by the Department should the site contain jurisdictional waters. The Department's criteria for determining the presence of jurisdictional waters are generally more comprehensive than the MSHCP criteria in Section 6.1.2. The CEQA document should include a jurisdictional delineation if there are impacts to riparian vegetation or State waters.

The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent or perennial, must be retained or mitigated for and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.

- a. Under Section 1600 *et seq.* of the California Fish and Game Code, the Department requires the Project applicant to notify the Department of any activity that will divert, obstruct or change the natural flow or the bed, channel or bank (which includes associated riparian resources) of a river, stream or lake, or use material from a streambed prior to the applicant's commencement of the activity. Streams include, but are not limited to, intermittent and ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams, and watercourses with subsurface flow. The Department's issuance of a Lake and Streambed Alteration Agreement for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department, as a responsible agency under CEQA, may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the Project. However, if the CEQA document does not fully identify potential impacts to lakes, streams, and associated resources (including, but not limited to riparian and alluvial fan sage scrub habitat) and provide adequate avoidance, mitigation, monitoring, and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Streambed Alteration Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a lake or stream, as well as avoidance and mitigation measures need to be discussed within this CEQA document. The Department recommends the following measures to avoid subsequent CEQA documentation and project delays:
 - (i) Incorporate all information regarding impacts to lakes, streams and associated habitat within the DEIR. Information that should be included within this document includes: (a) a delineation of lakes, streams, and associated habitat that will be directly or indirectly impacted by the proposed Project; (b) details on the biological resources (flora and fauna) associated with the lakes and/or streams; (c) identification of the presence or absence of sensitive plants, animals, or natural communities; (d) a discussion of

environmental alternatives; (e) a discussion of avoidance measures to reduce Project impacts, (f) a discussion of potential mitigation measures required to reduce the Project impacts to a level of insignificance; and (g) an analysis of impacts to habitat caused by a change in the flow of water across the site. The applicant and lead agency should keep in mind that the State also has a policy of no net loss of wetlands.

- (ii) The Department recommends that the Project applicant and/or lead agency consult with the Department to discuss potential Project impacts and avoidance and mitigation measures. Early consultation with the Department is recommended since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement Notification package, please visit our website at:
<http://www.dfg.ca.gov/habcon/1600.html>.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,



Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse, Sacramento

3/9/12

Parrish
24710 Butterchurn Rd.
Wildomar, CA 92595

Dear Mr. Bassi:

I am writing with concern about the purposed project on Bundy Canyon Road.

I would like to know if all you people have lost touch with reality. If you look at a map, you will see this project is over reaching the capabilities of Bundy Canyon and The Farm community. Some mornings and afternoons, too we sit for five to ten minutes trying to get out of The Farm and yes, back into it also.

Unless the County is willing to turn Bundy Canyon into a four lane highway with turn lanes and traffic lights, this is asking for many accidents. Just where will the County get the money to do this?

Just last week our daughter was coming home around 5:30 from work and had two cars passing a truck coming towards her. She was forced onto a shoulder. Thank God there was a shoulder for her to go onto and in many areas there are not.

This community as been attacked by traffic since the building and development of Phase 10 a few years ago. Our once quiet street has turned into a speedway of motorcycles and trucks.

Please consider the problems you are going to cause the residents of The Farm community...over 1,000 people, before granting the owner to build this many homes and retail areas in such a small property. And who is going to buy these homes with very few qualifying for loans right now?

I just read an article on the internet where Wildomar is worried about traffic. You will have may more worries if this project comes to be.

Sincerely,



Cheryl and Ray Parrish

City of Wildomar



Elizabeth Ross
33341 Barley Ln
Wildomar, CA 92595

Re: Oak Creek Canyon Proposed development

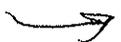
03-05-2012

RECEIVED

MAR 06 2012

CITY OF WILDOMAR

- ① NO!
- ② Especially phase 18 way too dense!
- ③ Too much traffic already - too much speeding.
- ④ People already use The Farm open space that don't belong here, - too much trash - too much vandalism - steal The Farm fruit - too much already!
- ⑤ If thousands of people are jammed in right next to The Farm (esp phase 18) it will totally destroy our way of life here at The Farm, especially those of us who ~~live~~ live @ The Farm Rd/Bundy/Barley Lane. We have ccrs that we must abide and all those excess houses & small lots will use and abuse our ponds, our Ducks, our fishing and not pay a cent. As a matter of fact it will almost certainly raise our POA fees and likely cost us our ponds as the upkeep will be impossible.
- ⑥ Please decrease density. Compensate The Farm. If necessary wall in the new development and put full gates into The Farm and not even allow walk ins without proper key or code. Please protect our lovely, safe neighborhood!



⑦ The city of Wildomar should not allow ANY building until the codes include requirements to have at least 50% solar, put all gray water to drain into yards on plants and lawns and require several or more trees per lot and require all or most plants to be flowering (Rosemary, lavender etc) so we recover our bee population in the U.S. We as a new city could lead the way for sensible, earth friendly requirements. It will make our city better.

⑧ The city of Wildomar should also do what is done in many other cities and have rain water drainage ponds in all neighborhoods to catch rainwater rather ~~that~~ than lose it downstream. This is normal in places like Olympia, Wa and Atwater, Ca. No rain water should ever be lost downstream, it should always be absorbed into the ground and air where it falls. And increasing the tree population locally will help do just that. Let's become a Tree City U.S.A. I have encouraged "Farmers" here at The Farm to plant more trees but if it's a requirement of new development it will be law and be so earth friendly.

Think of us at The Farm
Please
Elizabeth F. Ross RN ret

J. Lanning Dept



E. Ross
33341 Barley Ln.
Wildomar, CA 92595

03-07-2012

Re: Bundy Canyon development

When I wrote a few days ago I left out safety issues unintentionally.

About 3 hours in AM and 3 hours in evenings Bundy Canyon Rd is solid traffic! No more cars could fit! If not for the traffic signal we could not get into or out of the Farm during these hours. Widening the road will only make the speeding and # of crashes greater. Trying to have as many as 200 more cars exiting from phase 18 into roads already used by 1200 hundred homes at the Farm is not even logical. (Total of 800-1000 extra ^{development})

The only way to get out of the Farm is only onto Bundy Canyon. A number of years ago when these hills were burning you could not use Bundy Canyon Rd, so if you were in the Farm you couldn't get out and if you were out you couldn't get in.

My neighbors talk about worry about dogs and family they couldn't get to.

If you allow that much density that must use

the same already limited roads you will have a disaster as well as really damage the safety and security of those of us who already live here and have done so for over 30 years! But in that time there has not been any additional roads to get an already large number of people to safety due to fire, or any other Bundy Canyon road closure for any reason. Don't allow a disaster until the builder decreases density and is required to put in some other exit plan. Perhaps they could put a bridge from phase 18 over Bundy to the other part of the development so no exits from phase 18 will go on the Farm Rd or Harvestway or Bundy directly.

Please consider the density vs safety factors!

Of course there are numerous other reasons that this project is a bad idea for people. I realize the city would benefit from tax revenue but the city will also have expenses of more crashes, crime, road repairs etc. What about schools?

Worried Farm resident

Elizabeth F. Ross RN ret

Fri - 3-9-12

YOU ARE MAKING A BIG MISTAKE BY
ALLOWING PHASE 18 ON THE FARM SIDE
BUNDY CANYON - FIRST IS THERE WILL THREE
HUNDRED MORE CARS - THEN WE HAVE VERY
LITTLE POLICE PROTECTION OR PATROL, FIRE
STATION IS TWO MILES AWAY - I SEEN
THREE KILLED ON BUNDY CANYON - SINCE I'VE
LIVED ^{HERE} ~~NO~~ ~~LITTLE~~ REPAIR ON ROADS, SPEED
AVERAGES 50-55 - NO ENFORCEMENT. FINALLY
THEY PROPOSE TO BUILD TWO HUNDRED PLUS
HOME THE STREET - I'D BE GLAD TO COME
DOWN AND EXPLAIN ALL THE PROBLEMS.!



Emil Vukasovic
(Retired)



Wildomar, CA
951-244-6890

P.O. Box 916
Wikieup, AZ 85360

Joe Watson
2446890

RETIRED POLICEMAN
LOS ANGELES - COUNTY
AGE 87



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262



In Reply Refer To:
FWS-WRIV-12B0169-12CPA0118

APR - 4 2012

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

Subject: Notice of Preparation of a Draft Environmental Impact Report, Oak Creek Canyon Residential Plan Project, City of Wildomar, Riverside County, California

Dear Mr. Bassi:

The U.S. Fish and Wildlife Service (Service) has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Oak Creek Canyon Residential Project. The proposed project is located east of Interstate 15, along Bundy Canyon Road between Oak Canyon Drive and Sunset Avenue in the City of Wildomar. The project is the subdivision of 151.23 acres into 315 lots for residential development, including private park areas, a 3.5 acre neighborhood commercial site, and the realignment of Bundy Canyon Road through the project. The project also includes a Specific Plan Amendment, and a Change of Zone amendment.

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

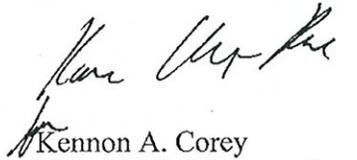
On June 22, 2004, the Service issued a section 10(a)(1)(B) permit for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association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

The proposed project is located within the MSHCP Plan Area and the City of Wildomar is an MSHCP Permittee. Specifically, the project is located in the Elsinore Area Plan of the MSHCP and is adjacent to Proposed Linkage 8 (Sedco Hills/Wildomar). Project implementation of relevant MSHCP Policies and Procedures should be addressed in the DEIR, (e.g. MSHCP section 6.1.4 Guidelines Pertaining to the Urban/Wildlands Interface

and MSHCP section 6.1.2 Protection of Species Associated with Riparian and Riverine Areas and Vernal Pools). The project is located in the Additional Survey Area for burrowing owl (*Athene cunicularia*). We recommend that the results of a habitat assessment and, if needed, focused protocol surveys for burrowing owl be included in the DEIR. Survey results, vegetation mapping and analysis required under the MSHCP including a Determination of Biologically Equivalent or Superior Preservation, as appropriate, should also be included in the DEIR and not deferred to a later date. *DBESP*

We thank you for the opportunity to comment on the NOP. If you have questions or comments regarding this letter, please contact Noelle Ronan of the Service at 760-322-2070, extension 215.

Sincerely,


Kennon A. Corey
Assistant Field Supervisor

cc:
Charles Landry, RCA

FROM: George W. Taylor
34041 Harrow Hill Rd.
Wildomar, Ca. 92595-9296
(In the Farm).

3 April 2011

TO: Wildomar City Planning Commission
23873 Clinton Keith Rd.
Wildomar, Ca. 92595

SUBJECT: Input Regarding The Golden Hills Residential Development.

RE: Agenda Item 3.1

Honorable City Planning Commissioners:

1. On 16 March 2011, a joint meeting between this applicant, Mr. Bill Lo, and the Farm Property Owners Association was convened at 10 AM. Herein and after referred to as the FPOA.

2. In attendance at this meeting were Mr. Bill Lo, his engineer, Rancho Land Associates representatives, Mr. Matthew Bassi, City Planning Director, Mr. Larry Markham, Markham Development Management Group, and seven FPOA Directors, of which I am a Director.

3. The purpose of the meeting was to meet, greet, and discuss the proposed Golden Hills Residential Development, and to identify FPOA concerns, if any, regarding an impact of 314 conventionally (stick) built tract homes that would straddle Bundy Canyon Road, and abut the Farm Development to the north of our boundary.

4. The FPOA was advised that there was an intention to build this tract under Riverside County Specific Plan 116 CW, Amendment # 3, or as revised, however it was mutually agreed that Mr. Lo's development was not interested in becoming any part of the Farm Development. Likewise the FPOA Board of Directors advised Mr. Lo that the FPOA had no desire to annex the Golden Hills Residential Development into our community. We were told that 2013 was a tentative starting date for the development.

5. Mr. Markham led the majority of discussion for the proposed development answering our questions and gave a detailed description of lot sizes, type of homes, passive open areas, and possible costs per home. **Also, we were advised that Mr. Lo had submitted an application to the Elsinore Valley Municipal Water District (EVMWD) in order to obtain a "will serve" letter.**

6. Mr. Markham further described Tract features, in answer to FPOA Board questions. A question of importance concerned the three passive green areas shown on the Tract illustration. In response to this discussion, the FPOA asked about active recreation and suggested that since there appeared to be no other recreation planned, **that Mr. Lo should be conditioned to put in a swimming pool and spa facilities so that during the hot summer weather, his home buyers would not migrate to our nearby FPOA swimming pools to use them without any maintenance support being provided by the Golden Hills Tract Development.**

a. As an example: the earlier Tract 28416 straddling Bundy Canyon with its conditions of approval was originally assumed to become a part of The Farm under Specific Plan 116CW with amendments, and as such, because we had swimming pools 1 and 2 in close proximity to Bundy Canyon Road, the added population was expected to use these pools, and therefore, no active recreation was planned for the "to be annexed" part of our development. Because of the above assumptions, **the conditions of approval were never changed and, NOW, they specifically do not fit the present situation.**

b. **As an added hedge against crime, and possible Migration into our community, the FPOA requests that the developer of the Golden Hills Residential Development be conditioned to wall in the boundaries of his Tract.**

7. Reference is made to State Government Code 66477 the Quimby Act & County Ordinance 460, Section 10.35 Park & Recreation Fees and Dedications as was adopted, and may be modified by the city), this code and Ordinance requires a developer to collect fees as a part of sales prices. **This Ordinance should be reviewed if not presently accomplished, and made a part of the new proposed conditions of approval, as applicable to offset active recreation expense.**

8. Because Bundy Canyon is the only arterial between I-15 and I-215 and because it is heavily traveled especially during the morning and evening commute hours, and additionally because this new development will add to the volume of vehicles at any given time, **we suggested that this developer be conditioned to complete Bundy Canyon Road widening in his development area before this tract construction is started. In our opinion, this requirement needs to become a condition of approval.**

9. As indicated in Paragraph 6a above, The FPOA Board of Directors advised the attendees that the County Specific Plan with amendments (now up to #3), was written by the Riverside Planning Commission to assume that the Original Tract 28416 previously proposed with Conditions of Approval would become a part of The Farm under Specific Plan 116 CW.

As such, there are parts of the present conditions of approval that that were written for this specific plan that will become inconsistent for this new development. As example: "not becoming a part of the Farm Community" and/or, not being annexed into the Farm Mutual Water District, should EVMWD become the water/ sewer supplier, among others.

10. The FPOA provided a copy of these Tract 28416 Conditions of Approval to the City Planning Director with a request to have them re-written to fit the present day circumstances where there is to be no annexation to The Farm and to include a condition that requires the developer to construct active recreation within the Golden Hills Residential Development such as a swimming pool and spa, among others indicated in this letter.

11. **The FPOA does not oppose** the planned commercial development proposed as a part of the Golden Hills project, in fact welcomes it. Please note that the nearest shopping involves travel on Bundy Canyon Road either to Clinton Keith south on I-15, to Lake Elsinore North on I-15 or, additionally to the stores at the intersection of Scott Road and I-215. Sundry and minor grocery items could be obtained by a short trek to this commercial area rather than to expend the fuel needed for an average 14 mile round trip to these other store locations for one or two small items.

12. The Farm has both banner signs and wagons placed at the entrances to The Farm Road and Harvest Way that need to remain in place. The developer of the Golden Hills Tract needs to align the roadways within the new tract so that they enter / exit directly onto Bundy Canyon and not intersect with either The Farm Road, and Harvest Way, as was originally planned for Tract 28416. This action needs to be made a part of the conditions of approval.

13. As examples: The Farm has three entrances / exits. They are "The Farm Road", "Harvest Way" and "Harvest Way East".

a. Previously the Tract Map had a street from Tract 28416 intersecting with the Farm Road just before the intersection with Bundy Canyon. Residents leaving or entering Tract 28416 impacted the Farm Road just before this major intersection.

b. Previously the Tract 28416 Map also had some impact for traffic exiting and entering onto Harvest Way just prior to the Bundy Canyon major intersection.

c. The Harvest Way East Roadway presently is an undedicated fire road that is used by our residents on the east side of the Farm Community, that was to become developed and dedicated as a part of Tract 28416, and now presumably, the Golden Hills Residential Development. As such, Farm residents entering and existing The Farm on this roadway had to travel through Tract 28416 to reach Bundy Canyon Road.

14. As a result of the above, the FPOA, further requests that the Tract Map for the Golden Hills Development Roadways be planned to alleviate the foreseen congestive and inappropriate traffic circulation problems as described above.

A requirement for this action should be made a condition of approval. Discrete entry / exit to Bundy Canyon for the all streets, and especially the problem of Harvest Way East within the Golden Hills Development is an FPOA Concern.

This action is necessary for safety reasons and to retain the specific identity of both The Farm and the Golden Hills Development.

15. To recap, the FPOA is satisfied with the Golden Hills Residential Tract Development **providing that, (1) infrastructure requirements, (2) active recreation requirements , (3) street congestion and safety problem considerations, (4) Farm Signs & Wagons, and (5) Boundary Walls are addressed, and all become a part of a revision of the conditions of approval for this proposed development.**

Respectfully submitted,

George W. Taylor

Wildmaar Resident in The Farm Property Owners Association Development.

Gary A. Andre
31906 Gruwell St.
Wildomar CA

April 3, 2012

Oak Creek Canyon Development: EIR

- Proposed R-4 Zoning: northwest side of Bundy Cyn. is not compatible with the R-R zone that surrounds the property. Please note: R-1 houses with a minimum lot size of 20,000 Sq. Ft. is compatible with the R-R zones. When using the lowest density contained within that zone, the project is a fit with the General plan. This needs to be done to protect Rural way of life in Wildomar. As noted in the City of Wildomar Visioning Report.
- If higher density is desired by the developer, step down zoning along the perimeter of the proposed development northwest side of Bundy Cyn. to protect the existing Ranch Community zoning within the area. Let us consider LAND-USE Element of the General plan. (LU 6.1) Require land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts. (AI 1, 3)
- Buffers are a must! * It is the intent of the General Plan that new and encroaching uses shall provide a mitigation or buffer between existing uses where potential adverse impacts could occur. (LU 6.4) Retain and enhance the integrity of existing residential, employment, agricultural, and open space areas by protecting them from encroachment of land uses that would result in impacts from noise, noxious fumes, glare, shadowing, and traffic. (AI 3) (LU 6.5) Require buffering to the extent possible between urban uses and adjacent rural/equestrian oriented land uses. (AI 3) (LU 6.6) Require buffering between urban uses and adjacent rural/equestrian oriented land uses. (AI 3)
- Where are the proposed water and sewer lines coming from? Land Use-5.3 Review all projects for consistency with individual urban water management plans (AI 5)
- Please note: The Farm rejected a proposed development off of Sunset Rd. about the same size, stating: We do not have enough water for that many homes and we are not allowing you to use our roads.
- New water and sewer lines need to be installed from the freeway to the proposed project. The existing water line running up Bundy Cyn. is 10" in Diameter
- The zoning on the southeast side of Bundy Cyn. needs to be compatible with the existing homes within the Farm. R-1 minimum 7200' up to 20,000 Sq. Ft.
- The Trails need to be public community trails not private, the trails need to connect to the Regional trail on Sunset Rd.

- The Farm sewage system is far from adequate and is primitive in design. See attached picture.
- Sewage water is sprayed all over the hillside near Harvest Way, please note: The Soil needs to be tested to determine contamination levels of sewage. What are the impacts from the sprayed sewage microorganisms when the sewage mist is blown thru the air what (impacts) does this have on the surrounding communities.
- The Farm water system is far from adequate to handle the homes it has, let alone adding more homes to the blighted earthen sewage system. Let's consider the SAFETY Element of the General Plan
- Please note: Several tests on private and public wells along Bundy Cyn. (ALL) wells tested to be contaminated with sewage bacteria. Let's consider the SAFETY Element of the General Plan.
- Adding a water tank will help, but when filling the tank, the volume to the houses will be greatly reduced.
- Southeast side of Bundy Cyn. Between the Farm Rd. and Sunset Rd. several contributory creeks run thru this land. The San Diego Regional Water Quality Board and Fish and Game need contacted prior to the EIR and review their reports, so the EIR can truly reflect all concerns public and private. Let's consider the Land-Use Element of the General Plan.
- Driving westbound on Scott Rd. in Menifee on a two lane road you come into Wildomar where the road changes to Bundy Cyn. and changes to six lane road for a little over a mile then it reduces down to a two lane road again just past the Farm Rd. Does bottle necking of traffic ring a bell? Let's consider the SAFETY and CIRCULATION Element of the General Plan.
- Finally, before this project moves forward all infrastructure along Bundy Cyn. needs to be done.
 - A. Widening of Bundy Cyn. to a minimum of four lanes.
 - B. Install all necessary utility services needed for all future growth off of Bundy Cyn. and Cottonwood Cyn.
 - C. The City of Wildomar needs to complete a much needed flood control plan. So we a community know where the water is going. This needs to be done to prevent unnecessary erosion and destruction of private property.
 - D. The city of Wildomar needs to procure all potential flood control easements.
 - F. Follow the vision of the Community using the Visioning report.

Gary Andre

RECEIVED

FEB 23 2012

CITY OF WILDOMAR

INDEX

DEIR INPUT INDEX
TRACT 36388

PARAGRAPH 1 thru 5 EIR INPUT LETTER DATED 3 MARCH 2012.
PARAGRAPH 6 thru 21 THE FARM BACKGROUND SUMMARY.
PARAGRAPH 22 thru 28 SUMMARY OF TRAFFIC CONGESTION & SAFETY IN
PHASE 18, TRACT 36388, CONCERNS.
PARAGRAPH 29 (1- 11) MONUMENT CONCERNS & BACKGROUND

ATTACHMENTS

1. FLYER TO ALL RESIDENTS OF THE FARM, REGARDING PUBLIC NOTICE.
2. THE FARM COMMUNITY CIRCULATION PLAN.
3. thru 3 C THE FARM BACKGROUND.
4. SPECIFIC PLAN 116 CW FIGURE 4 LAND USE PLAN (THE FARM).
5. 5A, 5B COMMERCIAL SITE DEVELOPMENT PLOT PLAN FOR PHASE 18 TRACT 23467 AMENDMENT NR. 2 FOR REFERENCE ONLY. (COMPARISON)
6. 1982 TRAFFIC STUDY PEAK HOUR DRAWING FOR PM PHASE 18 COMMERCIAL LAND USE IMPACT FOR ADT VOLUME.
7. 1982 TRAFFIC STUDY PEAK HOUR DRAWING FOR AM/PM, THREE COLLECTOR ROADS IN THE FARM.
8. EXTRACT FROM ORIGINAL FARM PHASING MAP, COMMERCIAL PHASE 18.
9. thru 9C EXTRACTS FROM THE 1982 TRAFFIC STUDY.
10. thru 10A PHASE 18 DESCRIPTIVE SUMMARY FOR RESIDENTIAL USE, 54 LOTS TRACT 28416.
11. PROPERTY INCLUDED IN AMENDMENT NO. 3, FIGURE 1 SHADED AREAS.
12. EXTRACT OF PHASE 18, TRACT 28416 SHOWING RESIDENTIAL LOT ARRANGEMENT FOR 54 SPACES. NO COMMERCIAL.
- 13 thru 13F IMPACT OF DEVELOPMENT, 1982 & 1992 TRAFFIC STUDY FINDINGS.
- 14 thru 14C PICTURES OF INTERSECTION OF THE FARM ROAD AND BUNDY CANYON ROAD.
- 15 thru 15E PICTURES OF INTERSECTION OF HARVEST WAY AND BUNDY CANYON ROAD. END.

FROM: George W. Taylor
34041 Harrow Hill Rd.
Wildomar, Ca. 92595 .

3 March 12

TO: City of Wildomar, Planning Department.
23873 Clinton Keith Rd.
Wildomar, Ca. 92595

RECEIVED
MAR 23 2012
CITY OF WILDOMAR

ATTN: Planning Director, Mr. Matthew Bassi

SUBJECT: Input for Proposed DEIR. Per NOP, March 3, 2012, Traffic Safety & Monument concerns.

1. My name is George W. Taylor residing at the above identified address within the City of Wildomar California. I have been a resident at this address since November 1986 having retired from the Air Force, and later from the County of San Bernardino as a Telecommunications Engineer. Since these times, and to the present, I have been involved in local Public Affairs, both in The Farm and in support of the City of Wildomar.

2. I am in receipt of your public notice as pertains to the DEIR Scoping meeting to be held on 13 March 2012 at 6 PM. Unfortunately I have a prior commitment in New York and will not be able to attend this meeting to provide what I and others consider to be valid Environmental concerns. To this end, I am addressing my concerns as a private citizen as follows. Request that my input be considered and become a part of the DEIR in respect to Tentative Tract 36388, The Oak Creek Canyon Residential Development on Bundy Canyon adjacent to the Farm Mobilehome Community.

3. As you may or may not be aware, The Farm Property Owners Association Board of Directors, herein and after referred to as the FPOA, has met with the Developer of the Oak Creek Canyon Project Proposal that would place 315 homes of various types on varied size lots that will straddle Bundy Canyon Roadway at the north boundary of The Farm Community.

4. As noted above, on 16 March 2011, The developer of the Oak Creek Canyon Project, his staff, along with representation by The Markham Development Company met with The FPOA Board of Directors to educate both The Farm and the Developer regarding the Oak Creek Proposal, as Tentative Tract 36388. This meeting resulted in Board action to address community concerns to the City of Wildomar, with a "cc" to the Markham Development Company. A second meeting is presently scheduled to be held in March 2012.

COMMENT: i am not advocating that Phase 18 (Construction phase 1, Sheet 3 of Tract 36388 plan set). be still considered for commercial use but to point out the earlier reasoning for less density land use design of the ingress and egress, where placed in proximity to Bundy Canyon Road. **Page 1 of 7 Pages**

5. Recognizing the need for growth within the city to help increase the needed tax base, I do not oppose the development. However, there are some important concerns that I and other residents have, that relate to traffic safety & congestion, and that manifest these conditions in the present Oak Creek Canyon configuration for Phase 18 (**Construction Phase 1**) of the development.

(See Flyer sent to all residents of the Farm Community as Atch. 1).

Also, a second concern as relates to the placement of Oak Creek Canyon Monuments.

FARM BACKGROUND:

6. SUMMARY

In the early 1970s Dale and Wayne Odekirk had a vision that was ahead of its' time, that would become The Farm Community. A final Sub-division Report for the first phase of construction (Tract 6378 was filed on August 31 1977). It should be noted that all of the planned remaining 17 phases at that time, would be annexed to Tract 6378 Phase 1 of the project. By 1984, eight phases of the community had been completed. **(See Farm Mobilehome Community as Atch 2), also See complete Farm Background history as Atch. 3 thru 3C, extract from SP 116 CW Amendment 3.**

7. In the beginning, all of this property, that included 18 phases of The Farm were spread over 1520 Acres and was planned to be a part of the total Farm community to be build out under County Specific Plan 116 CW. Ultimately there were three amendments to this Specific Plan. Originally, Phase 18 was north of Bundy Canyon Road. Later amendments moved phase 18 (construction Phase 1, Sheet 3 of Plans). to south of Bundy Canyon Road. **(See Atch 12 and 4).**

8. The original name of the project that was put forward was the "Bundy Canyon Mobile Home Community". Later, in 1981 with the first amendment to the Specific Plan, the name of the development among other criteria was changed to be " The Farm Mobilehome Community".

9. Amendment Nr. 1 In 1981 was made to bring the Specific Plan into alignment with new Riverside County Road Department Regulations, among other reasons. Amendment Nr. 2 was originally published in 1983, was presented, was not approved, but was later revived, only to be abandoned again on August 15, 1997.

NOTE: The significance of Amendment Nr. 2 for this input, is that it addressed Traffic Circulation and the commercial component in 1982. Further, it produced a traffic study in 1982 that discussed traffic flow on Bundy Canyon Road, and on the three collector roads in The Farm with Illustrations and drawings as attached. The traffic study that was developed based findings on the Average Daily Trips (ADT) in 1982. The study centered around the proposed commercial area (Phase 18) to be placed between The Farm Road and Harvest Way with no access to Bundy Canyon Road.

(See land use Plan, SP 116 CW, Amendment 3, as Atch. 4, and Amendment 2, as Atch. 5,6,7 & 8, also Atch. 13E), in Tentative Tract 23467 at that time.

10. This traffic study of 1982 projected the ADT for both commercial and residential traffic within the Farm Community that would impact The Farm Road, Harvest Way and Harvest Way East, and Bundy Canyon with its traffic flow both east and west. **(See SP-116 CW, Amendment 2 as Atch. 6 & 7 in 1982).**

11. Since it was planned to have a complete build out by 1992, the study also identified predictions for increased traffic flow at the later time. As indicated above, the complete study with illustrations, and charts may be found in Amendment Nr. 2, Appendix "D", to Specific Plan 116 CW.

12. Please note that the ingress and egress, at that time, for the proposed commercial area between The Farm Road and Harvest Way (Phase 18) **designed so that residents of The Farm community would not have to enter or exit Bundy Canyon Road to shop.** (See Atch. 4 & 13 E) For this reason both of the Phase 18 exit / entrances impact The Farm Road and Impact Harvest Way before Bundy Canyon Road. The commercial development in Phase 18 was to be a part within the Farm with no resident lots that would create a need to either leave The Farm for work or require residents coming from outside The Farm to attempt to enter thus elevating any traffic backup situations at rush hours on a daily basis. **(See Traffic Study extracts as Atch. 6, 7 & 13E).**

13. With the advent of Amendment Nr. 3, Phase 18 between The Farm Road and Harvest Way was still planned for commercial use.

- a. **See SP 116 CW Amendment Nr. 3, Background, I-1 thru I-7, as Atch. 9,**
- b. **Land Use Plan as Atch. 4 & 8.**
- c. **Circulation Plan III-13 as Atchs. 2, 9, 9 A, 9B & 9C,**
- d. **Phase 18 Descriptive Summary III-34,35 as Atch. 10 & 10A,**
- e. **Property included in Amendment 3 of SP 116 CW, The Farm. Figure 1 as Atch. 11.**
- f. **Drawings from Amendment Nr. 3 by WEBB Associates.**

14. Amendment Nr. 3, was adopted by the Riverside County Board of Supervisors on January 29, 2002. Other significant changes were made. Then came Tentative Tract 28416.

15. First, assuming that Tract 28416 would also straddle Bundy Canyon Road with 256 planned lots would be annexed into The Farm.

16. Bennett LTD and ultimately Fiesta Builders eliminated the commercial concept of the area still planned as Phase 18, between The Farm Road and Harvest Way to a low density residential use having only 54 residential lots in that space. **(See Tentative Tract Map for Tract 28416 extract for Phase 18 as Atch. 12 & Phase 18 Descriptive Summary as Atch. 10).**

17. As you can understand from the above dissertation, the reasoning for a Commercial Phase to be where it as was planned in the beginning was so Farm residents did not have to leave the Farm to shop. **The EIR should reflect** the differences between what was originally intended as a commercial area impact in Phase 18, for resident shopping, and the difference in intention in the same area, causing a different traffic flow pattern as generated by 54 then 99 Lot owners having multiple vehicles, especially at peak hours, in the AM and the reverse at peak in the PM(See SP-116 CW, Amendment Nr. 2 Peak Traffic projected Volume on The Farm Road, Harvest Way and on Bundy Canyon in 1982 For commercial use in Phase 18 at that time, as Atch. 6 & 7 in 1982).

COMMENT:

18. It would be interesting to compare the numbers of today against the predictions of the 1982-1992 study.

19. These changes need to be addressed, compared and changed accordingly, and reconfigurations made regarding Street layout, less density, and / or, re-assignment of land use, to be made, specifically in the proposed Phase 18 of Tract 36388.

20. Phase 18 (Construction Phase 1) in Tract 36388, as residential, is no longer a part of The Farm and the intended use is different than what was originally designed for. (See SP-116 CW Amendment Nr. 2, Commercial Development Plan, as Atch 5. and Atch. 13A thru 13 F) for reference.

21. With the advent of The Farm Developer, bankruptcy in 1985, most all the land with the exception of the 8 Phases constructed, and what is now identified as Phase 10 recently annexed, (225 Stick Built Homes) went back to the bank.

TO SUMMARIZE TRAFFIC CONGESTION & SAFETY IN PHASE 18, TRACT 36866:

22. Originally the developer of the Farm designated no residential use for Phase 18 (between The Farm Rd. and Harvest way). Since this area was originally planned to be commercial for the Benefit of Farm residents, the Commercial site plan provided road access inside Farm Boundaries at The Farm Road and at Harvest way so they would not have leave the Farm to shop. Attachment 4 & 5.

23. The past developer of Tract 28416 proposed 256 homes, with a new set of conditions of approval, intended to use the same "Phase 18 area" for placement of only 54 residential lots, again recognizing the need to keep the density low because of the way the access was originally intended and configured. Attachment 12.

24. The present Developer still represents the same area in the Oak Creek Canyon Tentative Tract 36388, as Phase 18, **(with no commercial use)**, that would generate heavy traffic by 99 lots owners, having multiple vehicles per family ,moving them especially at peak hours in the morning and in late afternoon and early evening. Now the traffic pattern will change. Atch 1.

25. This Tract 36388 land use is inconsistent for the area considering the original design reason to position the egress and ingress roadways within the Farm boundaries, close to Bundy Canyon Road, as a part of the Farm Plan. Attached are pictures taken at the intersections of The Farm Road and Bundy Canyon Road. Also taken at the intersection of Harvest Way and Bundy Canyon Road. The pictures also capture the Phase 18 roads where they impact Both The Farm Road and Harvest Way.

(See SP-116 CW, Amendment Nr. 2 page 16, extract "Impact of Commercial Development" as Atch 13 and attached pictures as Atch. 14 thru 14c The Farm Road & Atch 15 thru 15E).

26. The EIR should reflect the differences in traffic patterns, for commercial use by residents within The Farm as originally planned, the difference in the traffic pattern if 54 lots were placed in phase 18 with coming and going specifically at rush hours. And finally the difference in traffic pattern if 99 residential lots are packed on 4500 Sq. Ft. lots in this confined space.

27. Again, These environmental concerns need to be addressed and reconfigurations made regarding Street layout, less density, and / or, re-assignment of land use, specifically in the proposed Phase 18 of Tract 36388.

(In short, the casual driver has to turn into The Farm collector roadways to enter the Oak Creek Canyon Phase 18, with 99 homes). (Specifically at The Farm Road and at Harvest Way. This volume of traffic at peak hours will generate traffic congestion and safety problems if permitted to remain as presently planned).

28. Additional references

- a. (See Pages 22, 33, 37, SP 116 , Extract Amendment Nr. 2 "CIRCULATION ").
- b. (See Two extracts, pages 14 & 35 Amendment Nr. 2, 1982 Drawings, Projected Traffic ADT numbers In and Out of the Farm, AM / PM as a commercial development in 1982).
- c. (See Extract, Amendment Nr. 2, "Impact of Development" page 16.
- d. (See Extract, Amendment Nr. 2, Page 1, 6, 9, 10, & 53, Study "Findings").

NOTE: The complete 1982 Traffic study may be found as Appendix "D" of SP-116 CW, Amendment Nr. 2.

29. MONUMENT CONCERNS:

BACKGROUND:

1. At this same 16 March 11 meeting, it was stated by the developer that while they wanted to build under County Specific Plan 116 as amendment # 4, with new conditions of approval, that they did not want the Oak Creek Canyon Project to be annexed into The Farm. The same desire was irritated back to the developer that the FPOA did not want to annex this new development into The Farm either. (April 3, Letter to the City)

2. Because the previous tentative Tract 28416, and lately, Phase 10, Tracts 23445-1,2-3 were all planned to be annexed into and become a continuing part of The Farm, **(Tract 28416 never materialized. Tract 23445, 1, 2, 3 was annexed)** there was no identifying monument issues involved. (SP 116 CW Amendment 3).

3. **Now**, because this new development **will not have the same name** or be a part of the Farm, yet having streets of the planned Phase 18 egress and ingress within Farm community boundaries, the placement of new monuments, as partly planned, becomes an issue for consideration. (SP 116 CW Proposed Amendment 4).

4. The Farm presently has a Farm Wagon and banners presently in place at both The Farm Road and at Harvest way that occupy a large majority of each corner. **(See Pictures attached as 15 and 16).**

5. According to the proposed Oak Creek Canyon Residential Development Tract Map 36388, and documentation, there are Oak Creek Canyon monuments planned for the intersection at Sunset Road, located at the east boundary of the project on the south side of Bundy Canyon, Monuments at "C" Street, in the middle of the proposed Project on all four corners north and the south sides of Bundy Canyon, and further, Oak Creek Canyon Monuments planned at the intersections of Harvest Way on the north and south sides of Bundy Canyon Road, and more at the intersection of The Farm Road on the south side of Bundy Canyon Road. (City Staff Report)

6. There is no problem with these planned monuments on the north and south side entrances to the Oak Creek Canyon Development off Bundy Canyon Road at "C" Street, at the south side of Bundy Canyon at Sunset Road at the east end of the project. However there is a problem at The Farm Road on the south side of Bundy Canyon Road, and with those planned at the south side of Bundy Canyon at Harvest Way, and at Harvest Way East on the south side of Bundy Canyon Road near the east end of the development.

7. As stated above, The Farm presently has monuments and banners at both The Farm Road and at Harvest Way. It is misleading and unacceptable to place Oak Creek Canyon Monuments at these same corners.

8. With respect to the monument planned for Harvest Way East, we presently have no monument identifying The Farm at that location however, Harvest Way East continues through the Oak Creek Canyon Development and provides egress and ingress for Farm Residents that reside in Phases 8, 8B & 10 of the Farm. (Attachment 1).

If there were a monument there for the Farm it would be miss leading for folks visiting residents of the Oak Creek Canyon Development.

If there are planned Oak Creek Canyon monuments placed there, it would be miss leading for folks visiting Farm residents in Phases 8, 8B and 10 of The Farm

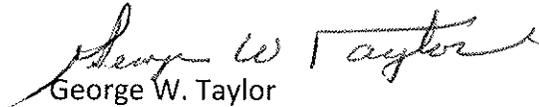
9. (In short, the casual driver has to turn into the Farm collector roadways to enter the Oak Creek Canyon Phase 18, with 99 homes). Specifically at The Farm Road and at Harvest Way. Considering that Harvest Way East is considered to be the third collector road leading into and out from The Farm, the reverse is true.

The casual driver has to turn in to the Oak Creek Canyon development in order to enter the Farm at Harvest Way East * Bundy Canyon Road.

10. (See the original Phasing Map as exhibit 2 to Specific Plan 116, August 1983, L.A. Wainscott & Associates as amended).

11. Again the EIR should reflect this environmental problem that needs to be re-visited.

Respectfully submitted,

A handwritten signature in cursive script that reads "George W. Taylor". The signature is written in black ink and is positioned above the printed name.

George W. Taylor

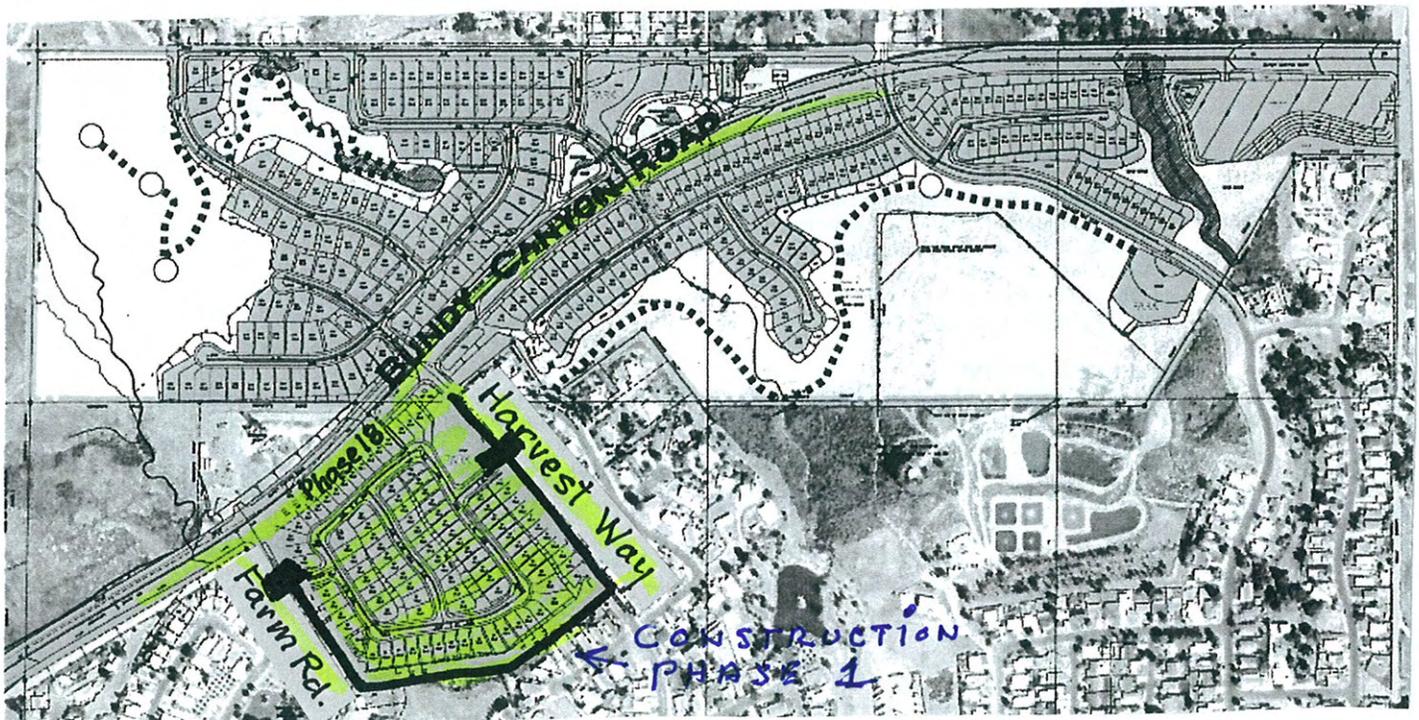
Wildomar Resident at The Farm

TO: CONCERNED FARM RESIDENTS, SHOW UP AT 6:00 P.M. ON MARCH 13, 2012, AT WILDOMAR CITY HALL LOCATED AT 23873 CLINTON KEITH ROAD, SUITE 201. TO ASK QUESTIONS ABOUT THE NOTICE SENT IN THE MAIL REGARDING THE PROPOSED RESIDENTIAL & COMMERCIAL DEVELOPMENT THAT IS AT OUR DOORSTEPS.

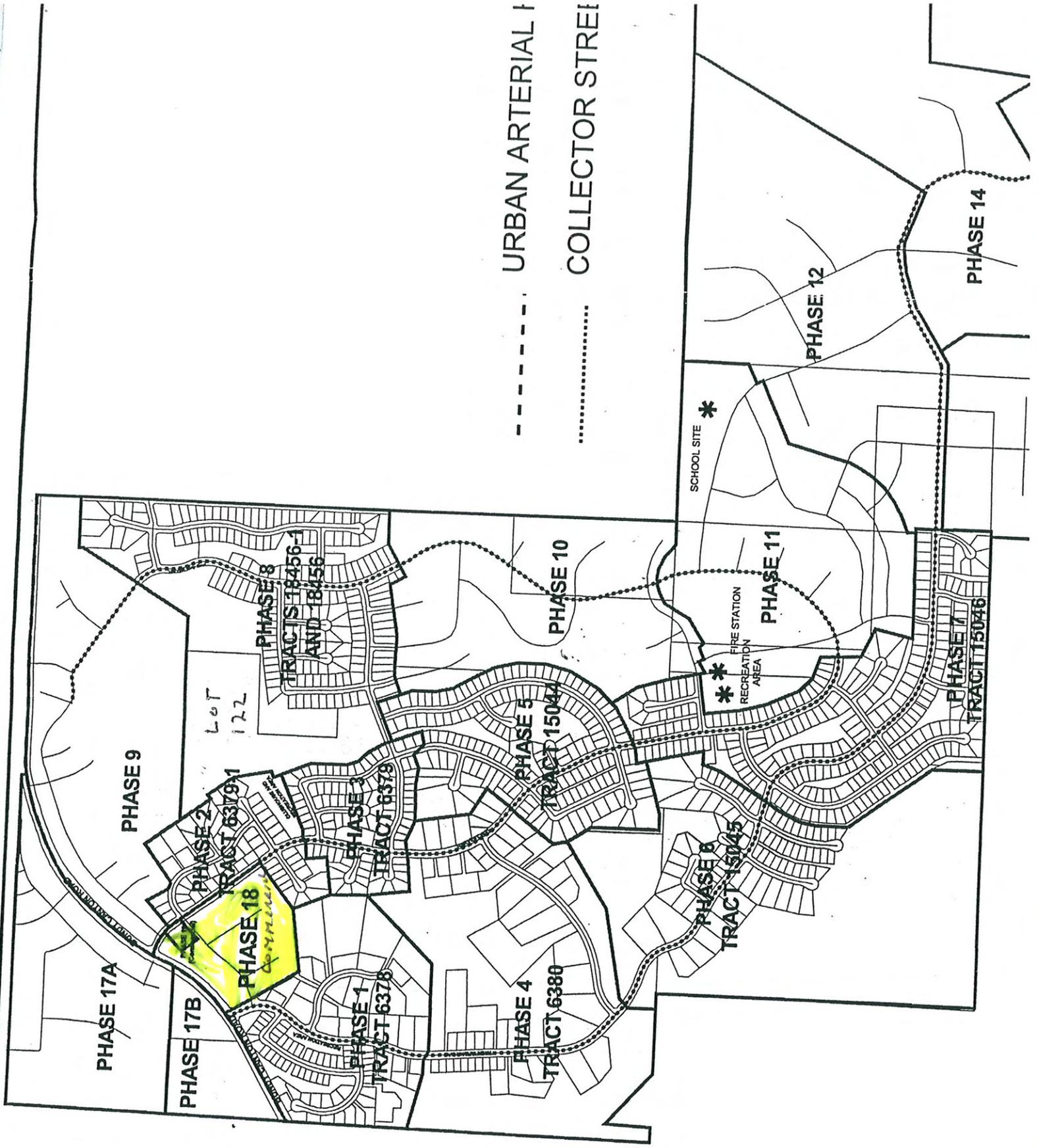
OAK CREEK CANYON PROPOSED DEVELOPMENT

STRADDLING BUNDY CANYON BETWEEN THE FARM ROAD AND SUNSET ROAD

- FPOA BOARD OF DIRECTORS HAS MET WITH THE OAK CREEK CANYON DEVELOPERS.
- FPOA BOARD HAS REQUESTED A SECOND MEETING WITH THE OAK CREEK DEVELOPERS TO CONTINUE VOICING OUR OBJECTIONS TO PLACING 99 HOMES IN PHASE 18 OF THE PROPOSED TRACT LOCATED BETWEEN THE FARM ROAD AND HARVEST WAY.
- DEVELOPER PROPOSES TO PLACE THE 99 HOMES ON 4,500 SQ. FT. LOTS IN PHASE 18.
- FPOA BOARD HAS EXPRESSED CONCERN FOR TRAFFIC CONJESTION, SEE MAP BELOW.
- TWO METHODS OF ENTERING AND EXITING THESE 99 HOMES IN PHASE 18 DUMP IN/OUT AT APPROX. 100 FEET FROM BUNDY CANYON ROAD.
- IMAGINE TRYING TO ENTER OR EXIT THE FARM AT RUSH HOUR WITH CROSS TRAFFIC AS THE NEW DEVELOPMENT RESIDENTS ALSO TRY TO DO THE SAME.
- FPOA BOARD SENT A LETTER TO THE CITY EXPRESSING DISSATISFACTION WITH THE MANY NEW RESIDENTS CREATNG UNDUE TRAFFIC CONGESTION FOR OUR RESIDENTS.
- THERE WILL BE CONFUSION RELATING TO THE PLACEMENT OF THE NEW TRACT'S MONUMENTS BESIDE THE FARM'S MONUMENTS AT THESE NEW INTERSECTIONS.
- WE NEED EVERYONE TO SHOW UP AT CITY HALL ON MARCH 13, AT 6:00 P.M. TO EITHER SPEAK OR TO SHOW A FORCEFUL PRESENCE BY THE FARM RESIDENTS.



TRACT 36388 OAK CREEK CANYON. ATCH 1



----- URBAN ARTERIAL
 COLLECTOR STREET

THE PARK COMMUNITY CIRCULATION PLAN

*EXTENDED FROM SP11660
 ATTACHMENT # 3*

1982
 ARCH 2

B. BACKGROUND

Specific Plan No. 116-C/W

On September 24, 1974, the Riverside County Board of Supervisors adopted Resolution No. 74-326, establishing Specific Plan of Land Use No. 116-C/W. The subject project, known as the "Bundy Canyon Mobilehome Community" consisted of approximately 1,520 acres with the following legal description: "Being all of Sections 19, 29 and the northeast quarter of Section 30; also the northeast half of the northwest quarter of Section 30, Township 6 South, Range 3 West, San Bernardino Base and Meridian, in the unincorporated area of the County of Riverside, State of California".

Preliminary planning and engineering studies for the preparation of the Specific Plan was initiated at the request of AMREC Industries, Inc., and were prepared by McIntire and Quiros, Inc., in conformance with Riverside County Planning Commission Policy, Specific Plans of Land Use, adopted July 12, 1972. The completed studies were depicted on the following Specific Plan exhibits: Specific Plan, Area Density Plan, Phase Development Plan, Storm Drain Study, Sewer Study, and Water Study.

Farm Plan
The "Bundy Canyon Mobilehome Community" Specific Plan consisted of approximately 1,520 acres with residential uses assigned to occupy 776.7 acres. Open space and recreation areas consisting of clubhouse, golf course, park, lake and equestrian facilities encompassed 576.7 acres. Additionally, there were 37.7 acres for school and park purposes, 4.1 acres for a sewage treatment plant and 21.6 acres for commercial use. The remaining 103.2 acres were utilized for street purposes. The Specific Plan proposed sixteen phases (Planning Areas) each with a mix of land uses.

The following is a breakdown of the residential land use of SP 116-C/W, as approved on September 24, 1974:

Residential Density		Acres	Percent of Total Density
4,500 S.F. Average	(900 Lots)	98.3	50.0
1/4 Acre	(350 Lots)	91.4	19.4
1/2 Acre	(350 Lots)	195.9	19.4
1 Acre	(100 Lots)	119.5	5.6
2-1/2 Acre	(100 Lots)	271.6	5.6
TOTAL	1800 Lots	776.7	100.0

Amendment No. 1 to Specific Plan No. 116-C/W

Six phases of the project (consisting of recorded tracts 6378, 6379-1, 6379, 6380, 15044, and 15045) were completed under the specific plan as adopted in 1974. A change in County

Road Department policy with respect to the Specific Plan's "cluster court" street and lot design led to a reevaluation of the project concept. In order to bring the Specific Plan into compliance with the new Road Department criteria, an amendment to the Specific Plan was prepared by J. F. Davidson Associates and was submitted to the Riverside County Planning Department on January 21, 1981. The amended specific plan deleted the "cluster court" concept in favor of the use of conventional Road Department street designs. In order to accommodate the revised street concept, the proposed golf course was deleted from the Specific Plan. Additionally, the project was renamed "The Farm Mobilehome Community".

This first amendment to the specific plan also:

- Increased the average residential lot size to 7,200 square feet but retained the maximum of 1,800 residential lots.
- Adjusted the phasing sequence in order to halt "the illogical and impractical flow of development into Section 29 where the necessary construction of public facilities, i.e. water, sewer, and electric lines, would occur from a single point", and to provide "the desired lot mix, a more logical sequence of access and circulation, and a more economical means of constructing the necessary services and facilities to support the desired phases."
- Adjusted the phasing boundaries in the developed portions of the project to reflect the actual development sequence and pattern.
- Renumbered the phases to a total of 17 to reflect the segmentation of earlier phases.
- Included an orchard concept for many of the common open space areas, added homeowner common recreation areas, designed a site for a future fire station, and adjusted the locations of planned school sites
- Stated that "The school site shown in Phase 8, adjacent to Bundy Canyon Road, is a 10-acre site which was selected by the Menifee Union School District during the approval process for the adopted Specific Plan. Therefore, The Farm project set aside this acreage, at no cost to the District, however, the District has decided that the site is not appropriate. Therefore, The Farm's owner/developers have negotiated to re-purchase the site from the District. In so doing, the Menifee Union School District has found this arrangement to be an appropriate means of mitigating their impaction problem as evidenced by the letter found in Appendix Two." In their letter dated December 22, 1980, the Menifee Union Elementary School District stated "Mr. Wayne Odekirk and the Governing Board of the Menifee Union School District have reached an agreement concerning "The Farm" and its impact upon the school district. The Governing Board earlier refused the ten acres of land designated as a school site as being inadequate and unacceptable. . .The Governing Board agreed to state that the school district has no objection to increasing the density at "The Farm" as a result of utilizing the ten acres originally assigned to a school site".

The Riverside County Board of Supervisors adopted Amendment No. 1 to Specific Plan No. 116-C/W on July 28, 1981 (Resolution No. 81-269).

Substantial Conformance No. 1 to Specific Plan No. 116-C/W

On January 25, 1982, the Riverside County Planning Department made a Determination of Substantial Conformance in order to reverse the designation of Phases 8 and 9, and to address the improvement of recreation and open space areas as required by Condition 22 of the Amendment No. 1 conditions. A revised specific plan map was prepared, which reflected actual development patterns for phases that had developed since the first amendment (Phases 7 and 8, Tracts 15045, 18456-1, and 18456), and renumbered the previous Phase 8 (Bundy Canyon Road frontage east of Harvest Way West) as Phase 9. The Open Space and Recreational Facilities portion of the specific plan text was also revised to reflect additional detail as to the nature and timing of proposed recreational features and agricultural plots.

A comparison of approved land uses between the original plan, the first amendment and the substantial conformance versions of the plan is presented below in Table 1. The only apparent difference between Amendment No. 1 and Substantial Conformance No. 1 in terms of land use was a minor change to the street and lot pattern where Deep Well Road intersects Sunset Avenue.

Table 1
LAND USE COMPARISON

LAND USE	ORIGINAL SPECIFIC PLAN		AMENDMENT NO. 1		SUBSTANTIAL CONFORMANCE NO. 1	
	ACRES	PERCENT	ACRES	PERCENT	ACRES	PERCENT
Residential	776.7	51	737.4	49	737.4	49
Open Space/ Recreation	576.7	38	587.4	39	587.4	39
Public Facilities	44.8	3	33.5	2	33.5	2
Streets	103.2	7	143.1	9	143.1	9
Commercial	18.6	1	18.6	1	18.6	1
TOTALS	1,520.0	100%	1,520.0	100%	1,520.0	100%

Amendment No. 2 to Specific Plan No. 116-C/W

In April 1983, an application for the second amendment to Specific Plan No. 116-C/W was filed with the Riverside County Planning Department. The amendment, prepared by L. A. Wainscott Associates and Urban Environs, proposed the addition of approximately 82 acres and 401 dwelling units. The amendment was filed concurrently with Tentative Tract No.

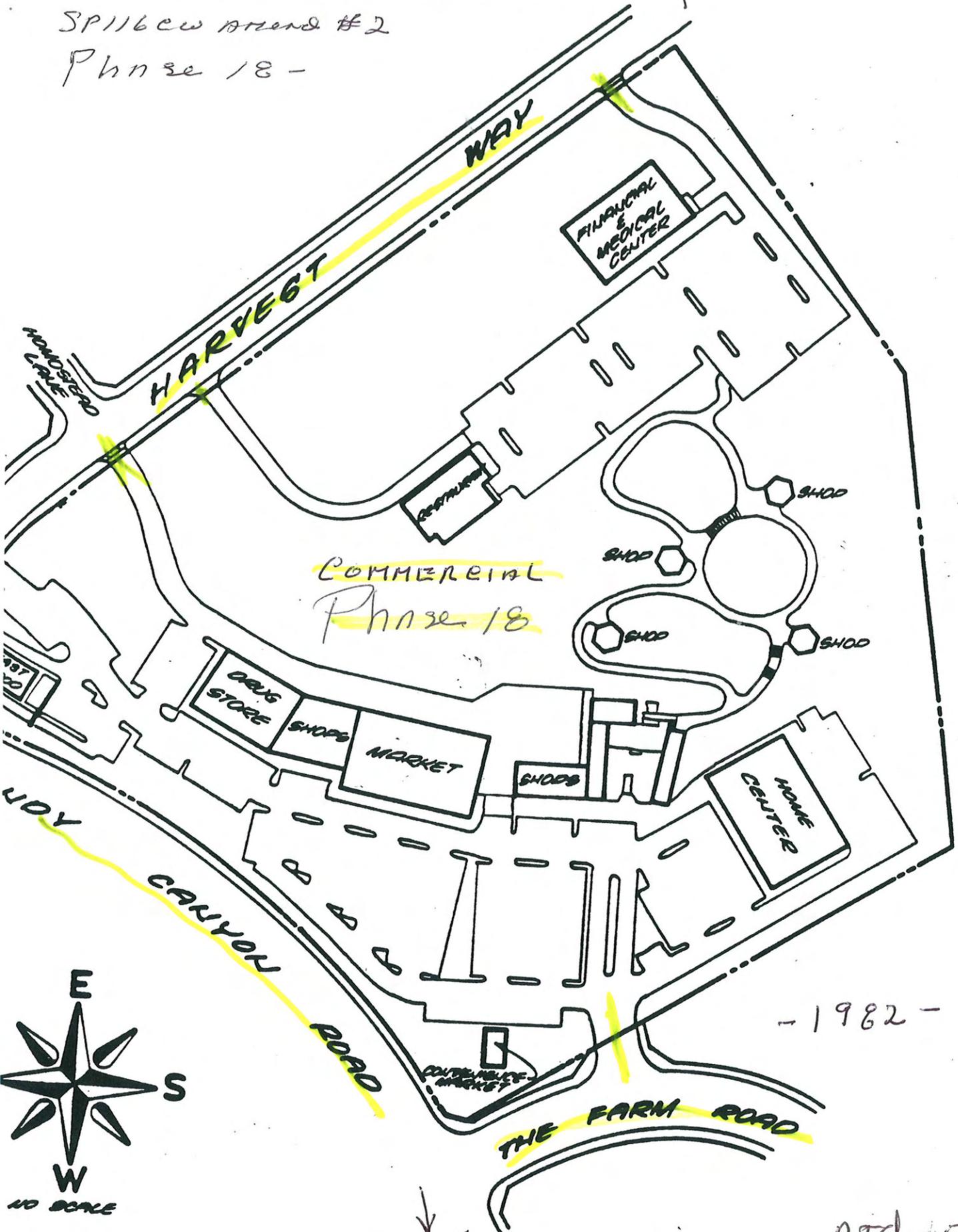
EXJUNCT SP116CW AMEND #3

19306, which proposed 207 dwelling units on the 82 acres being added to the Specific Plan. The remaining 194 additional dwelling units were dispersed throughout the undeveloped portion of Specific Plan No. 116-C/W. The amendment also proposed to resequence the phasing of the Specific Plan, make minor revisions to street design and lot layout, delete both school sites, and redesign Sunset Avenue. After two public hearings in 1984, the Riverside County Planning Commission recommended denial of the proposal. Starting on June 18, 1985, the Board of Supervisors held six public hearings on the matter, and on October 22, 1985 continued the proposal off-calendar.

On December 30, 1988, J.F. Davidson Associates, on behalf of American Real Estate Group, reactivated Amendment No. 2 through its submittal of an application for Revised Amendment No. 2, concurrent with applications for Vesting Tentative Tract No. 23467 and Change of Zone No. 5218. The Revised Amendment deleted the request to add 82 acres to the Specific Plan, and only proposed a total increase of 95 dwelling units to The Farm Specific Plan. Additionally, the revised proposal sought to "legitimize" existing improvements at the site and within Phase 12, and to delete the school site in Phase 12. After three public hearings before the County Planning Commission, the matter was taken off-calendar on September 27, 1989, at the applicant's request, in order for the applicant to resolve several outstanding issues. Following this continuance, there was no significant effort by the applicant to complete the project.

Finally on August 15, 1997, the Riverside County Planning Department, in accordance with Riverside County Board of Supervisors' policy, determined that the applicants had abandoned all applications related to Amendment No. 2 to Specific Plan No. 116-C/W. Additionally, it was determined that in order to avoid confusion with previous Specific Plan Amendment applications, that the next proposed amendment to The Farm Specific Plan would be referred to as Amendment No. 3.

EXTENDED 1982 TRAFFIC STUDY
SP116CW AREAS #2
Phase 18 -

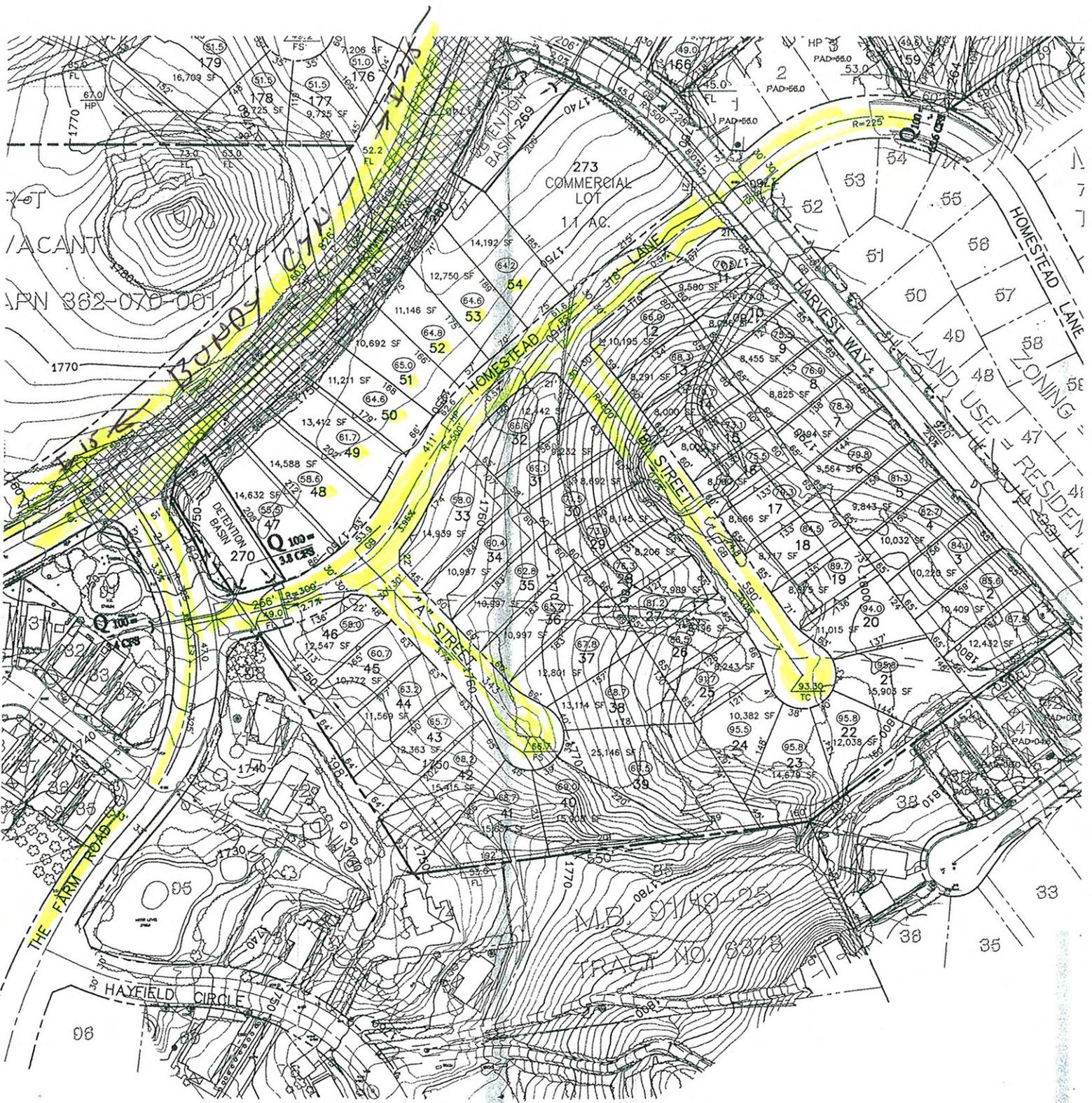


↓
TO I-15

-1982-

SITE DEVELOPMENT PLAN 51

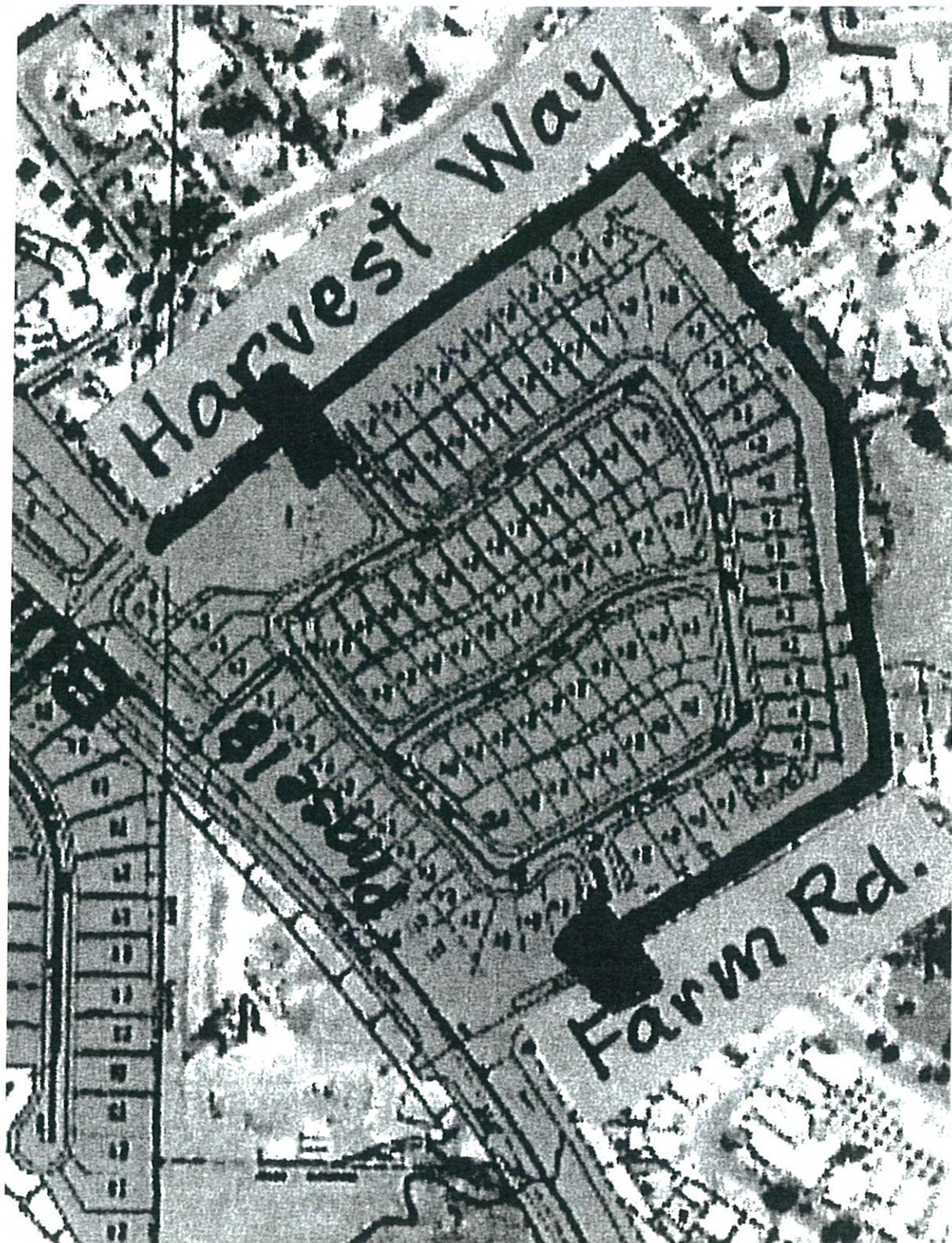
Arch 5



VACANT
 APN 362-070-001

PROPOSED FOR TRACT 28416
 54 LOTS AMEND. 3-SP116CW

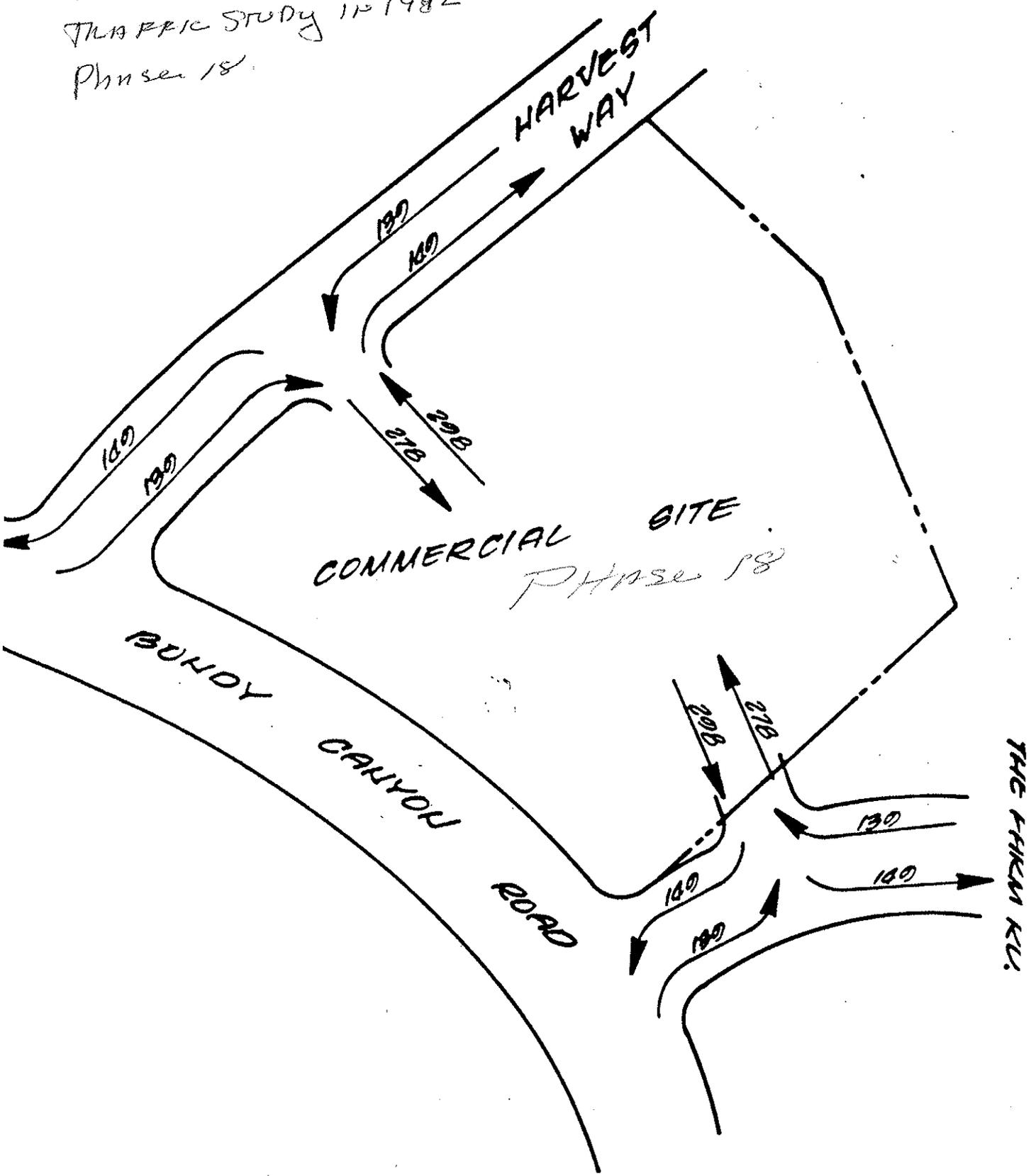
ATCH 5A



99 LOTS - 4500 SQ FT
PROPOSED OAK CREEK CYN
SP 116 CW AMEND. 4

Mch-5 13

EXTRACT SP116 CW AMEND #2
 TRAFFIC STUDY 11/1982
 Phase 18.



COMMERCIAL SITE
 Phase 18

BUNDY CANYON ROAD

ROAD

HARVEST WAY

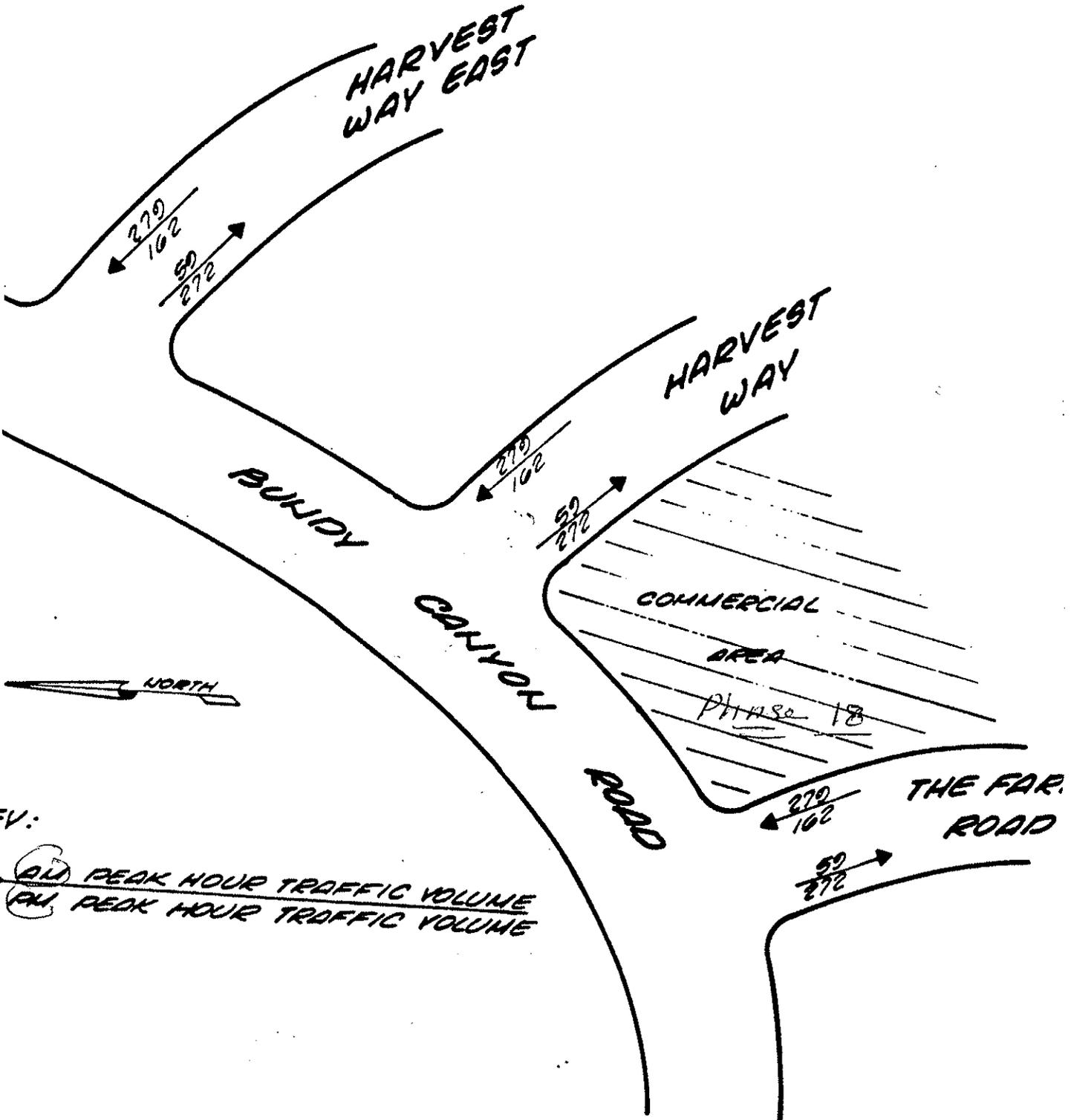
THE FIKM K.V.

KEY:
 00 → (PH) PEAK HOUR TRAFFIC

- 1982 -

SP116 CW AMEND #2
EXTENDED TRAFFIC STUDY

1st - 1982



EV:
(AM) PEAK HOUR TRAFFIC VOLUME
(PM) PEAK HOUR TRAFFIC VOLUME

- 1982 -

3
24

18
19

T. 6 S., R. 4 W.

T. 6 S., R. 3 W.

PHASE 17

FIRE STATION SITE

COMMERCIAL AREA

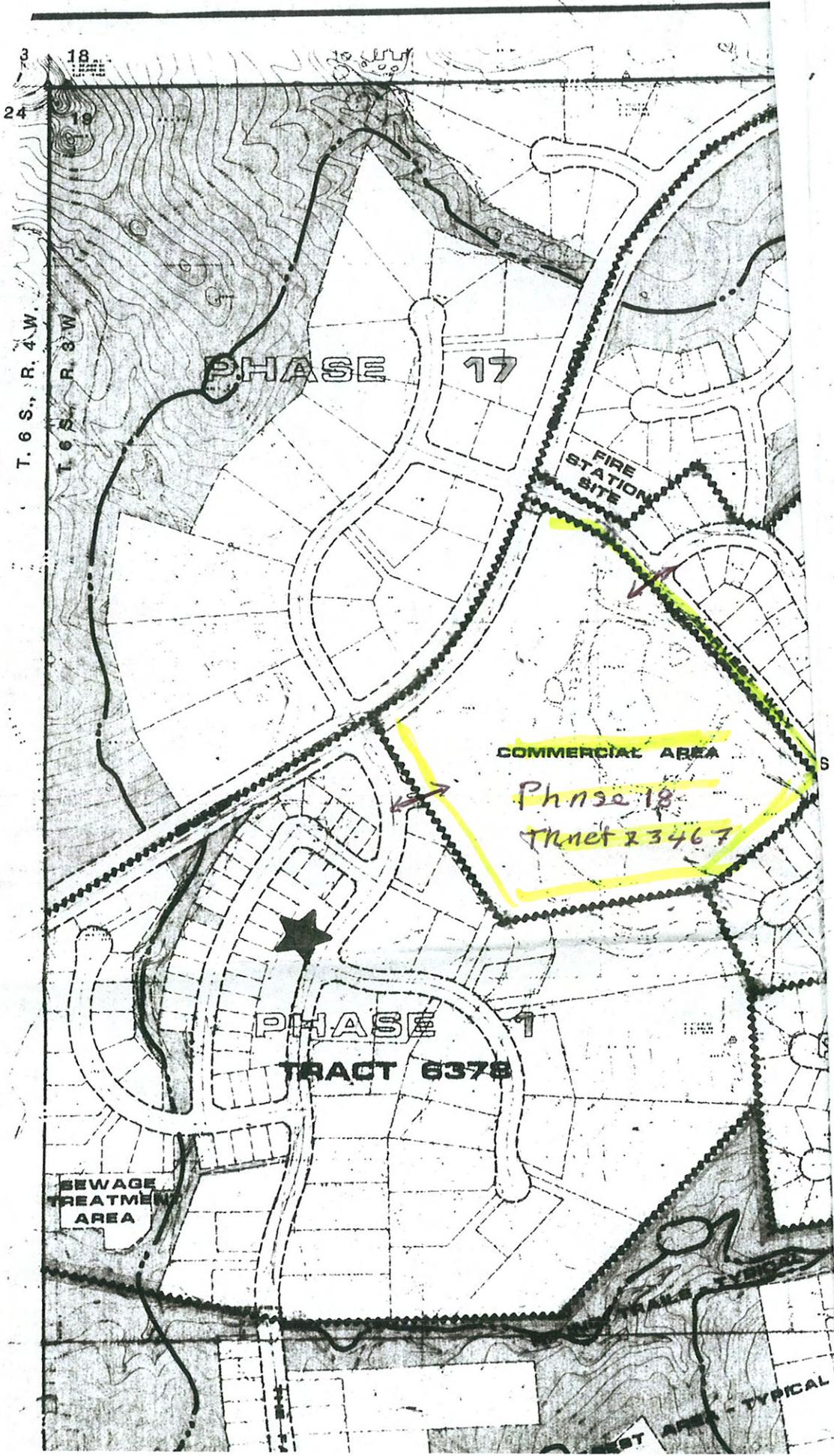
Phase 18
Tract 23467

PHASE 1
TRACT 6378

SEWAGE TREATMENT AREA

ORIGINAL
FARM
PHASING
MAP
EXTRACT.

ATCH 8



2. Additional Environmental Information

Several minor modifications to the original Specific Plan, changes in the phasing, and increased site acreage have occurred during the development of The Farm Mobilehome Community. Most of these changes have been insignificant in nature and in substantial conformance with the original Specific Plan, with no additional environmental impact. Potential impacts associated with the amended Specific Plan are discussed below.

a. Circulation

A traffic study was prepared by Lawrence S. Eisenhart, Consulting Engineer, to address the anticipated impacts on area circulation resulting from the build-out of the project site, including the cumulative impacts of both the residential and commercial land uses. The traffic study is included herein as Appendix D, and is summarized in the following text.

Bundy Canyon Road serves as the primary access route for the project. 1982 traffic counts furnished by Riverside County Traffic Division indicates that Bundy Canyon Road carries 2,282 ADT easterly of Interstate Route 15 and 2,366 ADT westerly of Murrieta Road. Three main collector roads, The Farm Road, Harvest Way, and Harvest Way East, provide primary access to The Farm from Bundy Canyon Road. Future traffic volumes were estimated based upon full development of the project site. These estimates indicate that The Farm Road will carry 395 ADT, Harvest Way will carry 395 ADT, and Harvest Way East will carry 395 ADT. In addition, traffic impacts to Bundy Canyon Road upon build-out were calculated and an average value of 3,000 ADT was considered appropriate for Bundy Canyon Road in the vicinity of the site, with peak hour values being 300 per hour split equally by direction on Bundy Canyon Road.

component. The proposed land uses as depicted indicate detailed lot design and circulation routes, open space areas, recreational facilities, and public facility sites. It should be noted that detailed engineering analysis has not been completed and therefore, specifically with regard to the residential land use, proposed streets and lots are tentative. Development may vary slightly from Exhibit 1 due to unforeseen variables encountered during final engineering of the project; however, the total area of each land use, the land use intensities, and the physical relationships among the various land uses will not be significantly altered.

The Amended One Specific Plan for the undeveloped area proposed 994 units on approximately 1,052 acres, for a gross density of 0.94 dwelling units per acre, with 430 acres of open space (40%). By comparison, the Amended Two Plan proposes 1,388 units on approximately 1,124 acres, for a gross density of 1.23 dwelling units per acre, with 436 acres of open space (38%).

1982

Phase 18

The commercial component, generally located on the south side of Bundy Canyon Road between The Farm Road and Harvest Way, is intended to provide for the development of a variety of retail, commercial, and service activities, which, due to their normal business hours and specific location and design, will be compatible with the adjacent residential component. The commercial component is intended to serve the residential land uses within The Farm Mobilehome Community, as well as the surrounding community. Ample setbacks, landscaping, and amenities will be provided to ensure visual continuity with the surrounding development. The commercial area will be developed in phases as the need arises, and a separate Commercial Specific Plan will be prepared delineating development types and standards.

In addition to residential and commercial land uses, the Specific Plan also proposes land to be developed as parkland and be

3. Circulation

Bundy Canyon Road serves as the primary access to The Farm project from both Interstate Highway 215 and I-15, the Corona Expressway. Bundy Canyon Road is ultimately planned for upgrading to arterial highway status having a 110 foot right-of-way width. That portion of the road which lies within the project limits will be improved to comply with the appropriate Riverside County Road Improvement Standard.

The Circulation Plan is depicted in Exhibit 3.

Two main collector roads, The Farm Road and Harvest Way, provide primary access and traffic circulation for the interior road network of the project. They are constructed with a 66 foot right-of-way width per Riverside County Road Improvement Standards and dedicated to Riverside County for maintenance. The most southerly terminus of The Farm Road will be designed to accommodate a future extension to properties outside the project boundaries.

All remaining streets, excepting short cul-de-sac streets, will be constructed with a 60 foot right-of-way width to Riverside County standards and offered for dedication Riverside County for maintenance. All short cul-de-sac streets will be constructed with a 50 foot right-of-way width per Riverside County standards.

In order to assess the impact of this project on off-site traffic and circulation, a traffic analysis was performed by Lawrence S. Eisenhart for The Farm, and is included as Appendix D. Contained in the traffic study is a detailed description of existing traffic conditions, traffic that will be generated by the project, distribution of the generated traffic to the existing road system, an analysis of impacts, and proposed mitigation measures. (This information is summarized in Section II, A (2) of this Specific Plan.)

2. CIRCULATION PLAN

Bundy Canyon Road serves as the primary access to The Farm project from both Interstate 15 and Interstate 215. Bundy Canyon Road is ultimately planned for upgrading to urban arterial highway status with a 134-foot right-of-way width. That portion of the road, which lies within the project limits, will be improved to comply with Riverside County Road Improvement Standard No. 100A.

Two main collector roads, The Farm Road and Harvest Way, will provide primary access and circulation for the interior road network of the project. They will be constructed with a 66-foot right-of-way width per Riverside County Road Improvement Standard No. 103, Section A, and dedicated to Riverside County for maintenance. The Farm Road will be designed to accommodate a future extension to the south to properties outside the project boundaries. (Possibly Sunset Ridge?)

are they?

All remaining streets, excepting short cul-de-sac streets, will be constructed with a 60 foot right-of-way width per Riverside County Road Improvement Standard No. 104, Section B, and dedicated to Riverside County for maintenance. All short cul-de-sac streets will be constructed with a 50-foot right-of-way width per Riverside County Road Improvement Standard No. 106, Section B.

3. DRAINAGE PLAN

The property presently drains by sheet flow into a number of moderately defined to well-defined natural drainage courses that convey storm water runoff from three (3) major tributary areas into three (3) main canyons. Approximately 525 acres drain toward the northwest into Cottonwood Canyon, approximately 450 acres drain to the west into Bundy Canyon, and the remaining approximately 545 acres drain southwest toward the Murrieta area.

The storm drain system, as shown on Figure 13, Storm Drain System (Exhibit "A" from the original SP 116-C/W), will consist mainly of roadside ditches, standard catch basins, connector pipes, culvert crossings, and similar standard facilities constructed to collect storm and irrigation runoff and convey flows into the natural water courses which are largely being left undisturbed. (Figure 13 is included for historical and illustrative purposes, and does not reflect the SP 116, Amendment No. 3, Land Use Plan.) Necessary caution will be taken to maintain existing overall drainage patterns and to incorporate measures that will minimize erosion, both at points of discharge and downstream locations, in the natural watercourses.

11500

11500
R
Phase

b) Status

Tentative Tract No. 28416 has been processed concurrently with Amendment No. 3 to Specific Plan No. 116-C/W. This subdivision encompasses all of Phases 9, 17A, 18, and 19. This tentative map may be recorded in phases or as a single final map. Within Phase 17A, it provides 88 single-family lots, 2 detention basins, and 3 open space lots.

18. PHASE 17B NO RECREATIONAL AMENITIES PLANNED
~~is a part of the Farm Specific Plan~~
 DO NOT WANT TO BANNER -

a) Descriptive Summary See Amendment #4, SP 315

Phase 17B encompasses 15.4 acres, and has been planned for residential use, and open space. The following is a detailed breakdown of lots, acreages, and densities encompassed in this phase:

Description	Acreage	No. of Lots	Units Per Gross Acre	% of Total Acreage
Residential	7.1	7		46
Open Space	4.6	---		30
Streets	3.7	---		24
TOTALS	15.4	7	0.5	100%

b) Status

To date, there has been no development proposal approved within Phase 17B.

TR 28416

19. PHASE 18 NO RECREATIONAL AMENITIES PLANNED
 IZISTA/Bennett NO AMENITIES REQUESTED

a) Descriptive Summary See Tract 31217 Amendment #4 SP 315

Phase 18 encompasses 19.4 acres, and has been planned for residential use, and open space. Residential lots within this phase may be developed with either mobilehomes or conventionally constructed homes. The following is a detailed breakdown of lots, acreages, and densities encompassed in this phase:

Description	Acreage	No. of Lots	Units Per Gross Acre	% of Total Acreage
Residential	13.8	54		71
Open Space	0.8	---		4
Streets	4.8	---		25

TOTALS 19.4 54 2.8 100%

b) Status

Tentative Tract No. 28416 has been processed concurrently with Amendment No. 3 to Specific Plan No. 116-C/W. This subdivision encompasses all of Phases 9, 17A, 18, and 19. This tentative map may be recorded in phases or as a single final map. Within Phase 18, it provides 54 single-family lots, 2 detention basins, and 1 open space lot.

NO RECREATIONAL FACILITIES PLANNED.
DO NOT WANT TO ANSWER
20. PHASE 19

Has this been approved -

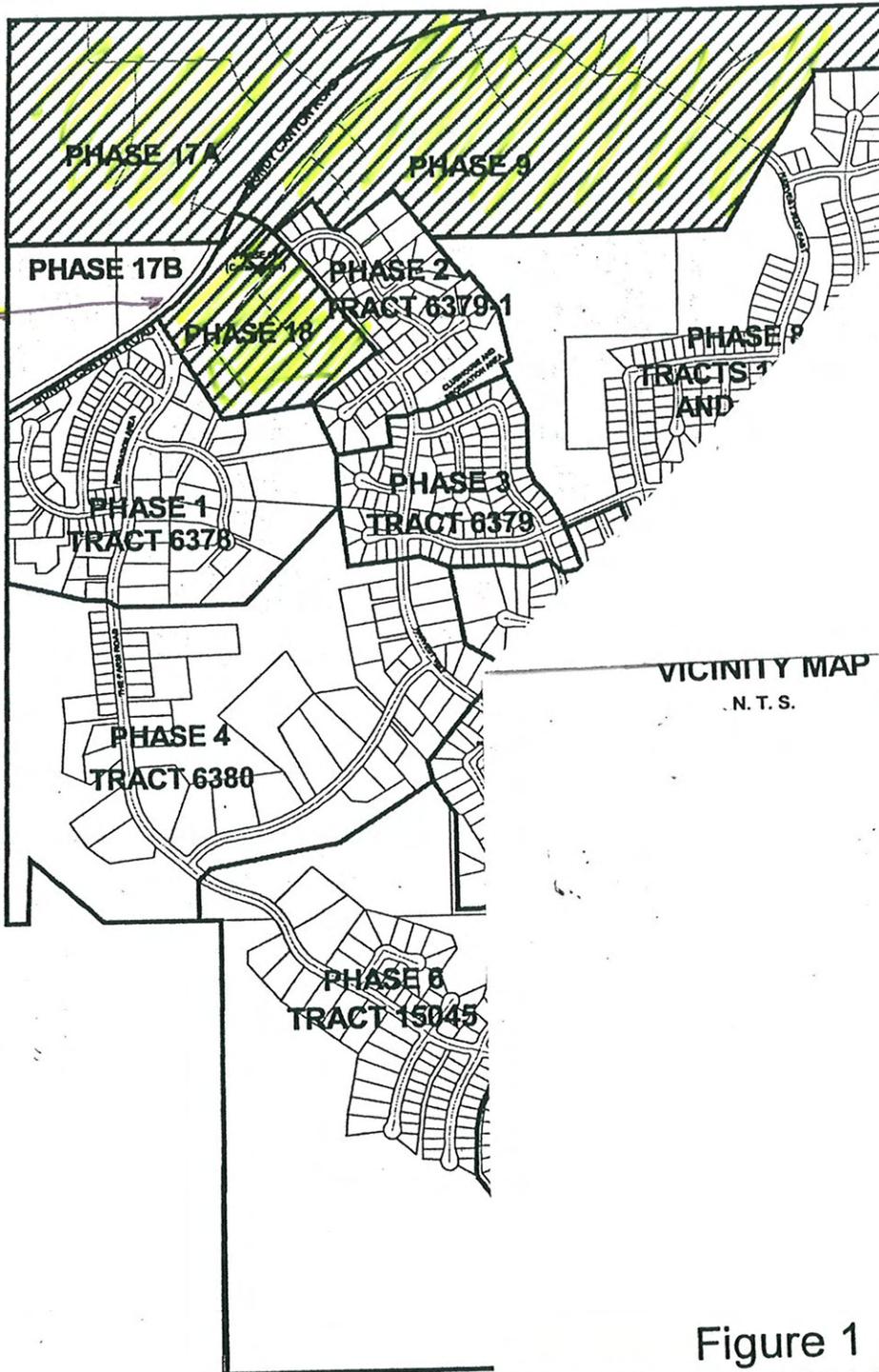
a) Descriptive Summary

Phase 19 encompasses 1.1 acre, and has been planned for commercial use. The following is a detailed breakdown of lots, acreages, and densities encompassed in this phase:

Description	Acreage	No. of Lots	Units Per Gross Acre	% of Total Acreage
Commercial	1.1	---	---	100%

b) Status

To date there have been no proposals for development of the commercial site within The Farm Specific Plan. It is expected that at such time as The Farm Specific Plan and surrounding development is at a level capable of supporting commercial uses, in Phase 19, that this site will develop.



COMMERCIAL

Figure 1
**PROPERTY INCLUDED IN
 AMENDMENT NO. 3**

**CIFIC PLAN NO. 116-C/W
 (THE FARM)
 AMENDMENT NO. 3**

W.O. 95-0130
 JANUARY 2002

ALBERT A.
WEBB
 ASSOCIATES
 ENGINEERING CONSULTANTS

BEING ALL OF SECTIONS 19, 29, AND THE NORTHEAST 1/4 OF SECTION 30, ALSO THE NORTHEAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 6 SOUTH RANGE 3 WEST, SAN BERNARDINO BASE MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

NTS

ATCH 11



54 LOTS SP116 CW AMEND 3

EXTRACT TRACT MAP 28416

ATCH 12

Extract SP116@W n read 2
1982 Traffic Study Cont'd

IMPACT OF DEVELOPMENT

The potential impact of the development of the total site involves Bundy Canyon Road. Traffic generated by the individual businesses will be distributed to The Farm Road and Harvest Way then to Bundy Canyon Road.

The commercial area generated traffic will combine with the residential generated traffic on the Farm Road and Harvest Way and then impact Bundy Canyon Road at the two intersections.

This study will investigate the effect of this additional generated traffic added to the projected increase in off site traffic utilizing Bundy Canyon Road.

EXTRACT SP 116 CLO, Amend #2
1992 TRAFFIC Study

FINDINGS

EXISTING TRAFFIC CONDITIONS

1. Bundy Canyon Road provides the only off site access to the general area of "The Farm."
- * 2. Direct access to of the "The Farm" is provided by three collector streets, Harvest Way East, Harvest Way and The Farm Road.
- * 3. Bundy Canyon Road in the vicinity is currently operating below capacity.
- * 4. The commercial site is vacant except for the offices of "The Farm" which will be converted to a restaurant facility in future. The residential area of "The Farm" have been partially completed.

PROJECT TRAFFIC IMPACTS

- * * 1. The commercial area will generate 8738 vehicle trips per day. The residential areas will generate 11863 vehicle trips per day.
- * * 2. All traffic impacts to area circulation will concern Bundy Canyon Road and the intersections of Bundy Canyon Road / Harvest Way, Bundy Canyon Road / The Farm Road, and Bundy Canyon Road / Harvest Way East.
3. After completion of the development, Bundy Canyon Road as a two lane facility in the vicinity of the project will operate at Level of Service D. A four lane facility will operate at level of Service B.

1/2 sheet SP 116 ew road #2
Continued.

FUTURE TRAFFIC IMPACTS

1. After completion, the commercial site will generate no additional trips because it is considered fully developed.
2. In the year 1992, the residential area of "The Farm" will be completely built out. *ONLY 8 of 18 Phases were BUILT.*
3. Trips from the residential area as well as from areas surrounding "The Farm" will continue to increase as build out occurs.

MITIGATION MEASURES

1. At full build out of "The Farm" (residential and commercial) Traffic signals will be required at the intersections of Bundy Canyon Road/ Harvest Way Bundy Canyon Road/ The Farm Road, and Bundy Canyon Road and Harvest Way East.
2. Bundy Canyon Road along the commercial area frontage will be constructed to Riverside County arterial standards. The necessary transitions from this standard to the existing two lane road should be designed to accommodate the existing prevailing speeds (estimated at 60 MPH). The design should include proper signing, striping and delineation measures.
3. Left turn lanes should be provided on Bundy Canyon Road at the intersections of Harvest Way, The Farm Road, and Harvest Way East.

THE TRUCK SPILLAGE ROAD #2

Continuation TRAFFIC STUDY IN 1992

within a 66 foot right of way width and comply with Riverside County Road Improvement Standard No. 103 (Figure 3).

1982

Traffic counts are not available for The Farm Road, Harvest Way and Harvest Way East. However future traffic volumes can be estimated based upon full development of The Farm. The calculations for these three streets are included under "PROJECT DEVELOPMENT" in this report. This indicates that The Farm Road will carry 3952 ADT, Harvest Way will carry 3952 ADT, and Harvest Way East will carry 3952 ADT.

ESTIMATED SPILL @ W. AMEND #2
1992 TRAFFIC STUDY

PROJECT DEVELOPMENT

The total plan for "The Farm" provides for the commercial site and the completion of the mobile home residential community to be constructed in phases over several years.

As indicated under EXISTING ROAD SYSTEM The Farm Road, Harvest Way and Harvest Way East collect all traffic generated from the total development and distribute this to Bundy Canyon Road.

In order to determine traffic impacts from the development it is necessary to know the amount of traffic that will be using The Farm Road, Harvest Way and Harvest Way East. Also this report assumes that "The Farm" is totally developed, i.e., the commercial area is complete and all the mobile home/residential is complete and fully occupied.

RESIDENTIAL

Full build out of the mobile home/residential community will provide 2205 lots. (995 + 225 = 1220 BUILT OUT)

Trip Generation

As discussed under "TRIP GENERATION" in this report anticipated traffic volumes can be calculated if land uses for a particular development and trip generation data is known. Trip generation data for mobile home/residential development is available

See commercial next page

Exhibit Spillow Amend #2
1992 Traffic Study Contd

and has been included in the Institute of Transportation Engineer's publication, "TRIP GENERATION", (Figure 4).

Utilizing the land use data, 2205 mobile home lots and the trip generation data from Figure 4 the anticipated trip generation is calculated and shown in TABLE 1.

Trip Distribution

Since The Farm Road, Harvest Way and Harvest Way East serve approximately equal number of lots, it is assumed that the generated trips as shown in TABLE 1 will be split equally to the three roads.

A traffic desire diagram utilizing the above data is shown on Figure 5.

*

COMMERCIAL

Phase 1B -

It is proposed to construct a shopping center adjacent to Bundy Canyon Road, between The Farm Road and Harvest Way as shown on the "SITE DEVELOPMENT PLAN" (Figure 6). There will be no direct access from the commercial area to Bundy Canyon Road. All ingress and egress will be via driveways onto The Farm Road and Harvest Way.

EXTRACT SPILLER AREA #2
1992 TRAFFIC STUDY CONTINUED

age day. In order to determine the eighth highest hourly traffic volumes during an average day, methodology has been developed by CALTRANS which indicates that the eighth highest hour may be considered to be $5/8$ x the peak hour volume.

Utilizing the combined peak hour data from Figure 16 the eighth highest approach traffic volumes are calculated.

Warrants sheets for the three intersections (Figure 23, 24 and 25) indicates that all intersections will justify the installation of traffic signals at the time of full build out.

LEFT TURN LANES

After full development of "The Farm", there will be a considerable amount of vehicles making left turns from Bundy Canyon Road into Harvest Way, The Farm Road and Harvest Way East. Also speeds of through vehicles on Bundy Canyon Road will remain high. This combination will create a potential rear-end accident problem. It is recommended that left turn lanes be provided to mitigate this potential.

PAVEMENT TRANSITIONS

Bundy Canyon Road will be widened to its ultimate half width geometric cross section along "The Farm" frontage. This will create one lane to two lanes then back to one lane at each

Looking N of the S.W. Corner of the Farm Rd at Bundy.



west
Bundy
15031

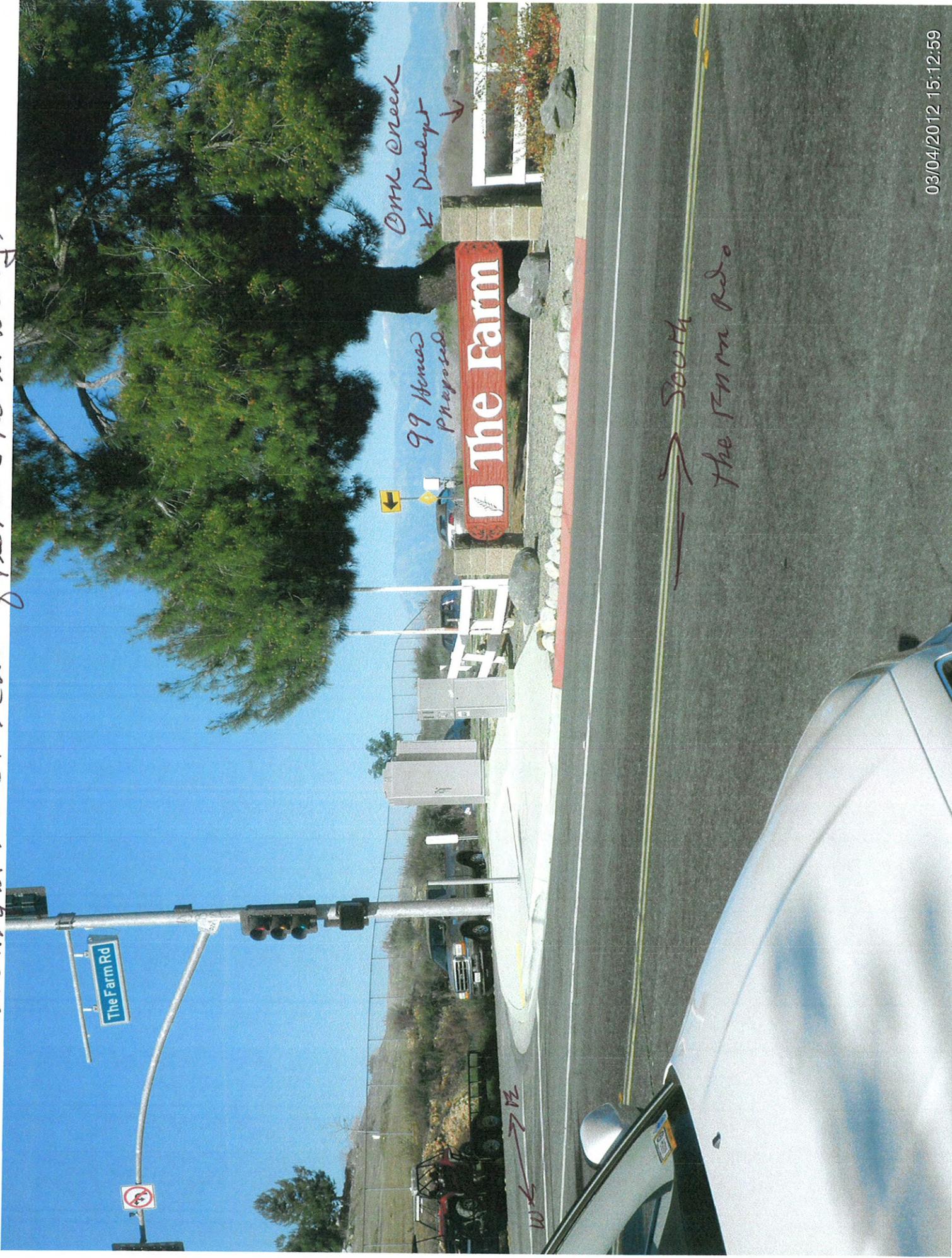
South ← The Farm rd.

03/04/2012 15:14:04

The Farm Road

ATCH 14

LOOKING AT THE S.E. CORNER OF THE FARM RD AT BUNDEY.



Orch Creek
& Dunlop

99 Homes
Proposed

The Farm

South
The Farm Rd

03/04/2012 15:12:59

The Farm Road

APR 14 11

S.W. Corner Close up of Farm wagon Monument Bundy to the Farm Rd.



03/04/2012 15:14:29

The Farm Road

ATCH 14B

LOOKING SIDE - AT CORNER OF THE FARM ROAD & BURDY

Shows Clear Proximity
TO RETURN TO ONK CREEK DISTRICT

ONK CREEK
99 WOOD

ONK CREEK
RETURN
TO FARM

AT Burdy

South
The Farm Rd

03/04/2012 15:15:41

The Farm Road

ARCH 14E

Looking South To Harvest Way At Bundy Canyon Rd



99 Harvest

FARM
wing on
Oak
creek

OAK
CREEK
24th St

OAK CREEK
FARM/STREET
WEST SIDE

OAK CREEK CANYON
Development

FARM
MOUNTAIN

BUNDY CANYON WEST

03/04/2012 15:18:11

ATCH 15

Harvest Way

Looking South TO Harvest Way AT Bundy Canyon Rd

Old creek
↓

Old creek
99 Hwy
↓



03/04/2012 15:18:26

Harvest way

ATCH 157A

FARM BANNER AT S.E. CORNER ANNEX WAY AT BUNDY CANYON RD.

N Old Creek District

The Farm

← Rent Bundy Way →

↑ Annex Way

03/04/2012 15:18:42

Annex way

ATCH 15C

Looking at the South West Corner of Harvest Way & Bundy Exp



Harvest Way
South →

Bundy → West

↑ Farm Way

03/04/2012 15:18:53

Harvest Way

Arch 157D

Looking at the S.B. Conner - Bundy + Harvest way



03/04/2012 15:19:28

Harvest way

March 15/12

MONUMENT ROAD

MONUMENT BOULEVARD

EAST BUNDY CANYON ROAD WEST

OAK Creek Entrance

MONUMENT CANYON RD



April 2, 2012

RECEIVED
APR 02 2012
CITY OF WILDOMAR

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

RE: NOP for Planning Application No. 11-0261 (SP 116 Amendment, CZ and TR 36388)

Dear Mr. Bassi:

Thank you for providing the City of Lake Elsinore an opportunity to review and comment upon the Notice of Preparation for Planning Application No. 11-0261.

The City of Lake Elsinore has no comments at this time. Please forward a copy of the Draft Environmental Impact Report to my attention at the City of Lake Elsinore upon its completion.

If you have any questions or require information for inclusion in the Draft EIR, please feel free to contact me at (951) 674-3124, ext. 209 or e-mail me at rmachott@Lake-Elsinore.org.

Sincerely,

Richard J. MacHott, LEED Green Associate
City of Lake Elsinore, Environmental Planning Consultant

951.674.3124

130 S. MAIN STREET

LAKE ELSINORE, CA 92530

WWW.LAKE-ELSINORE.ORG

Matthew Bassi

To: A & L S
Cc: Frank Oviedo
Subject: RE: Housing development plan on and around the community known as the "Farm"

MATT

Matthew C. Bassi, Planning Director
City of Wildomar Planning Department
23873 Clinton Keith Road, St. 201
Wildomar, CA 92595
Office No.: 951-677-7751
Cell Phone: 909-489-0177
Office Hours: Monday & Wednesday (8-5 pm)

Please Note - City Hall is closed every Friday.

From: A & L S [<mailto:donax2133@gmail.com>]
Sent: Monday, March 12, 2012 6:37 PM
To: Matthew Bassi
Subject: Housing development plan on and around the community known as the "Farm"

Mr. Bassi,

We have been residents of the "Farm" here in Wildomar for 2 years now. We found out that the city is planning on letting a developer come and build not only on our land here at the "Farm" but also across the street and down Bundy Canyon Road. As if the traffic isn't bad enough at times on Bundy Canyon Road already, this is sure to make it nearly impossible ALL the time to turn onto or travel down this road. Bundy Canyon Road is in poor shape so there goes more wear and tear on the road and our vehicles in turn. Not to mention air pollution from all the traffic exhaust from more vehicles and the construction!! What are you thinking? This community has been here over 30 years and we are well known to have little to no crime, (THAT'S sure going to change) many elderly citizens and a vast array of wildlife that is truly amazing. We live on the end of Tractor Trail and we have woodsy areas on both our side and back. We feed over 40 species of birds, (sometimes all 40+ will be in our yard at one time depending on the season), have "Matriarch" lizards such as Alligator, Whiptail and Western Fence Lizards (who can live to be over 20 years old) living and breeding in our yard and surrounding area. Not to mention a Mountain Lion that lives in this area that had a cub when we moved in 2 years ago. There are also Bobcats that live here and have babies every year, plus many different types of frogs and toads and lots of other wildlife. You have already allowed another developer to come in and build on the Harvest Way side which ruined so much of the natural habitat for the wildlife over there and also crushed the way of life for so many residents who have lived there for many years.

People love Wildomar for it's natural beauty. I can see NOTHING good coming out of letting this developer come in here and ruin yet ANOTHER part of this community. We have a lady from the Audubon Society here last Thursday and she said that our surrounding area of our home is the perfect habitat for an endangered species known as the California Gnatcatcher. She has lived in Wildomar for 40 years and that the city allowed developers to come into her community and build and it had a lot of Burrowing Owls (which are NOW an endangered species) and they have all disappeared from there. I find this horrible and at this rate all of the wildlife out here is going to get gobbled up by "all for the sake of progress" and the almighty dollar!!!! We

only bought out here because of the way this community is now. We know that everyone we have talked to in here is angry and does not want yet another developer building here who could care less how it affects the residents OR the wildlife. We would think with you being the Planning Director of Wildomar, we should be able to depend on you to make the right decisions for the citizens who still live here and want to stay. You better believe that we are going to search for this bird and any other endangered species that might be here until time runs out for us to do so. You should also think about how many decent people you might lose as residents of Wildomar due to this project. Not just residents here at the "Farm". It will have an effect on everyone in this whole entire area.

Respectfully,
Leda and Alan Sack

TOPIC: NOD Comment

DATE: 3/5/12

FILE UNDER: Proj. 11-0261

PAGE:

Nancy Brown
Farm Resident

① request that the
DEIR analyze the
need for a Bus Stop
on Bundy Canyon Rd.

② Coordinate w/ ACTA RTA
about providing a
bus stop

951-244-6121

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



April 9, 2012

RECEIVED

APR 11 2012

CITY OF WILDOMAR

Mr. Matthew C. Bassi, Project Planner

City of Wildomar

23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

Re: SCH#2012031064 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the "Oak Creek Canyon Residential Project (Planning Application No. 11-0261);" located in the City of Wildomar; Riverside County, California

Dear Mr. Bassi:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

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

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to California Government Code §6254(r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC

Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

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

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

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

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

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

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

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

Sincerely,


Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts

Riverside County

April 9, 2012

Los Coyotes Band of Mission Indians
Shane Chapparosa, Chairman
P.O. Box 189 Cahuilla
Warner, CA 92086
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(760) 782-2701 - FAX

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
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Anza, CA 92539
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(951) 763-4105
(951) 763-4325 Fax

Pala Band of Mission Indians
Tribal Historic Preservation Office/Shasta Gaugher
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(760) 742-3189 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
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(951) 659-2700
(951) 659-2228 Fax

Pauma & Yuima Reservation
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Pechanga Band of Mission Indians
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This list is current only as of the date of this document.

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

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012031064; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Oak Creek Canyon Residential Project (Planning Application No. 11-0261); located in the City of Wildomar; Riverside County, California

Native American Contacts

Riverside County

April 9, 2012

Rincon Band of Mission Indians
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(951) 654-5544, ext 4137

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(951) 695-1778 Fax

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Prefers e-mail contact

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(951) 694-0446 - FAX

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PECHANGA INDIAN RESERVATION

Temecula Band of Luiseño Mission Indians

OFFICE OF THE GENERAL COUNSEL

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

General Counsel
John L. Macarro

Deputy General Counsel
James E. Cohen
Michele Fahley
Steve Bodmer

April 16, 2012

VIA E-MAIL and U.S. MAIL

Mr. Matthew Bassi
Planning Director
City of Wildomar Planning Department
23873 Clinton Keith Road, Ste 201
Wildomar, CA 92595

Re: Pechanga Tribe Comments on the Notice of Preparation (NOP), Request for SB18 Consultation and the Archaeological Study Prepared for the Oak Creek Canyon Residential Project, PA 11-0261, SPA116, TR 36388

Dear Mr. Bassi:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government in response to the Notice of Preparation and request for SB18 consultation letters received by the Tribe. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the City in preparing appropriate mitigation for the cultural resources that may be discovered during development of this Project. The Tribe knows that the Project area is located in a highly sensitive area and the possibility of impacting cultural resources during earthmoving activities is high. Two previously recorded cultural areas – which include all components of village life – are located within the Project boundaries and the Tribe is concerned that the archaeological study has hastily assessed these sites as "infeasible" for protection without consultation with the City or the Tribe. The Tribe is not opposed to this Project generally; however, we are opposed to any destruction of cultural resources and traditional cultural landscapes.

Cultural resources are a vital element that must be analyzed adequately and effectively in any environmental document. The Tribe believes that these irreplaceable resources should be viewed not only in CEQA significance terms, but from a cultural and tribal viewpoint as well. The Tribe is concerned with not only the preservation of the known sites that may be on the Project, but with “inadvertent finds,” possible human remains, auditory and visual impacts, cumulative impacts and the growth-related or long-term impacts that the Project will have on these sites as well. Further, the Tribe, the City, and the Developer/Land Owner must have measures in place for future care and maintenance of these sites in order to prevent destruction by graffiti or other nuisance issues and intentional vandalism. These issues should be more adequately addressed in the environmental document.

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

It has been the intent of the Federal Government¹ and the State of California² that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe’s traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City of Wildomar consult with the Tribe in order to guarantee an adequate knowledge base for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures.

**LEAD AGENCY CONSULTATION WITH THE PECHANGA TRIBE REQUIRED
PURSUANT TO CAL. GOVT. C. §§ 65351, 65352, 65352.3, AND 65352.4
(SENATE BILL 18 – TRADITIONAL TRIBAL CULTURAL PLACES LAW)**

As the City must process a Specific Plan Amendment on this Project, the Lead Agency is required to consult with the Pechanga Tribe pursuant to a State law entitled Traditional Tribal Cultural Places (also known as SB 18; Cal. Govt. C. § 65352.3). The purpose of consultation is to identify any Native American sacred places and any geographical areas which could potentially yield sacred places, identify proper means of treatment and management of such places, and to ensure the protection and preservation of such places through agreed upon mitigation (Cal. Govt. C. 65352.3; SB18, Chapter 905, Section 1(4)(b)(3)). Consultation must be government-to-government, meaning directly between the Tribe and the Lead Agency, seeking agreement

¹See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.

² See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

where feasible (Cal. Govt. C. § 65352.4; SB18, Chapter 905, Section 1(4)(b)(3)). Lastly, any information conveyed to the Lead Agency concerning Native American sacred places shall be confidential in terms of the specific identity, location, character and use of those places and associated features and objects. This information is not subject to public disclosure pursuant to the California Public Records Act (Cal. Govt. C. 6254(r)).

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area as well as extensive history with both this Project and other projects within the area.

The Pechanga Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Of the many anthropologists and historians who have presented boundaries of the Luiseño traditional territory, none have excluded the Wildomar area from their descriptions (Sparkman 1908; Kroeber 1925; White 1963; Harvey 1974; Oxendine 1983; Smith and Freers 1994), and such territory descriptions correspond almost identically with that communicated to the Pechanga people by our elders. While historic accounts and anthropological and linguistic theories are important in determining traditional Luiseño territory, the most critical sources of information used to define our traditional territories are our songs, creation accounts, and oral traditions.

Luiseño history originates with the creation of all things at *'éxva Teméeku*, the present day City of Temecula, and dispersing out to all corners of creation (what is today known as Luiseño territory). It was at Temecula that the Luiseño deity *Wuyóot* lived and taught the people, and here that he became sick. Several of our traditional songs relate the account of the people taking the dying *Wuyóot* to various hot springs, which included *Churúkuniknu \$ákiwuna* (sliding place where hot water bubbles)--Murrieta Hot Springs and *'iténgvu Wumówmu*--Lake Elsinore, where he died. As he journeyed to these various springs, *Wuyóot* also named the increments of time that had passed, which became the months of the Luiseño calendar. During this time, he taught the First People all of his knowledge (Dubois 1908; Roberts 1933, 6-7). He was cremated at *'éxva Teméeku*. It is the Luiseño creation account that connects Elsinore to Temecula and the places in between, and thus to the Temecula people who were evicted and moved to the Pechanga Reservation, and now known as the Pechanga Band of Luiseño Mission Indians (the Pechanga Tribe). From Elsinore, the people spread out, establishing villages and marking their territories. The first people also became the mountains, plants, animals and heavenly bodies.

Many traditions and stories are passed from generation to generation by songs. One of the Luiseño songs recounts the travels of the people to Elsinore after a great flood (DuBois 1908). During this time, they again spread out to the north, south, east and west. Three songs, called *Moníivol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors, several of which are located near the Project area. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110).

In addition, Pechanga elders state that the Temecula/Pechanga people had usage/gathering rights to an area extending from Rawson Canyon on the east, over to Lake Mathews on the northwest, down Temescal Canyon to Temecula, eastward to Aguanga, and then along the crest of the Cahuilla range back to Rawson Canyon. The Project area is located within the western area of this culturally affiliated territory. The Native American Heritage Commission (NAHC) Most Likely Descendent (MLD) files substantiate this habitation and migration record from oral tradition. These examples illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

Tóota yixélval (rock art) is also an important element in the determination of Luiseño territorial boundaries. *Tóota yixélval* can consist of petroglyphs (incised) elements, or pictographs (painted) elements. The science of archaeology tells us that places can be described through these elements. Riverside and Northern San Diego Counties are home to red-pigmented pictograph panels. Archaeologists have adopted the name for these pictograph-versions, as defined by Ken Hedges of the Museum of Man, as the San Luis Rey style. The San Luis Rey style incorporates elements which include chevrons, zig-zags, dot patterns, sunbursts, handprints, net/chain, anthropomorphic (human-like) and zoomorphic (animal-like) designs. Tribal historians and photographs inform us that some design elements are reminiscent of Luiseño ground paintings. A few of these design elements, particularly the flower motifs, the net/chain and zig-zags, were sometimes depicted in Luiseño basket designs and can be observed in remaining baskets and textiles today.

An additional type of *tóota yixélval*, identified by archaeologists also as rock art or petroglyphs, are cupules. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small pecked and ground indentations, or cupules. Many of these cupule boulders have been identified within a few miles of the Project. Additionally, according to historian Constance DuBois:

When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of

Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (1908:158).

The Interstate 15 corridor, extending from Temescal Valley down into Temecula and San Diego, is known as a major transportation corridor, both historically and prehistorically. The current I-15 was built upon old trails, including the Butterfield Stage Route, which was originally based upon Native American migration routes and trails. Pechanga elders state that the Temecula/Pechanga people had usage/gathering rights in this area. Large complexes such as *Paxávxá* and *Túu'uv* - located southeast of Corona; *Qaxáalku* - located southeast of Lake Mathews; *'iténgvu Wumówmu* - Lake Elsinore; the Audie Murphy Complex in Menifee; the Copper Canyon Complex and many other villages in the area, were connected through networked trails. Cajalco Road follows an ancient trail used to access the large wetland area now known as Lake Mathews, where medicinal plants like swamp root were gathered. The Tribe also knows of a trail that connected *'iténgvu Wumówmu* to other villages more inland; however, its exact location is still being researched by the Tribe. Moreover, the Project is bounded on the eastern side by Murrieta Creek, which eventually empties into the Temecula Creek at *'éxva Teméeku*.

The Project area may be associated with and is located less than 1 ½ miles from the Audie Murphy complex and an additional as-yet unnamed complex located just to the south of Audie Murphy. Because of the importance of *'iténgvu Wumówmu* and *'éxva Teméeku* and the areas in between, the Tribe believes the area that contains the proposed Project is culturally significant. Furthermore, because of its association with the Audie Murphy Complex, it can be defined as one component of what archaeologists term a cultural landscape. As defined in Stapp and Burney, "...Native American cultural landscapes contain a variety of natural and cultural resources that tribes consider part of their heritage: This is where their ancestors lived and died and important events took place, including the actual place where the People originated from" (Stapp and Burney 2002³). They further state, "Actually identifying cultural landscapes and associated archaeological remains and traditional cultural places does not necessarily require disclosing why the area is important" (2002:159). However, the Tribe would like to state the location and significance of the area has been passed down through the oral tradition over many generations as well as recorded by anthropologists and ethnographers. These places are specifically named in songs which indicate that it was an important location and was an area utilized by people from the east and west for habitation, food and medical resource exploitation, trade and travel.

Thus, our songs and stories, our indigenous place names, as well as academic works, demonstrate that the Luiseño people who occupied what we know today as Wildomar and the areas in the surrounding jurisdictions are ancestors of the present-day Luiseño/Pechanga people, and as such, Pechanga is culturally affiliated to this geographic area.

³ Stapp, Darby C. and Michael S. Burney, 2002. *Tribal Cultural Resource Management, The Full Circle to Stewardship*. AltaMira Press.

The Tribe welcomes the opportunity to meet with the City of Wildomar to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction.

COMMENTS ON THE ARCHAEOLOGICAL STUDY

The Tribe is in receipt of the Archaeological Survey Report completed for the Project. The proposed Project is located in a highly sensitive region of Luiseño territory and the Tribe believes that the possibility for impacting known and unknown resources during ground-disturbing activities is high. The Pechanga Band is not opposed to this Project; however, we are opposed to any direct, indirect and cumulative impacts this Project may have to tribal cultural resources.

After review of the archaeological study, the Tribe believes that this is an minimally adequate document under CEQA; however, we have two primary concerns. First, the study states that there is a village located to the north, CA-RIV-1024. According to our records, RIV-1024 is located more than 1 ½ miles to the north, within the Lake Elsinore City limits. While the archaeological report is accurate in that this site is a portion of a larger complex, it is not located within the one-half mile radius that was identified in the report as the research radius and the Tribe is concerned that this may not be the correct site identification number. The Tribe appreciates the efforts put forth by the Project archaeologist in identifying a village complex in the area; however, we are concerned about the accuracy of the locational information.

The archaeological study states that the Pechanga Tribe "...apparently possess specific information regarding the sensitivity of this property for both surface and subsurface cultural resources, but has chosen to share this information only with the City of Wildomar so it cannot be evaluated in this report." There are no mandates that require tribes to present information to archaeological consultants during the initial report preparation phase. The Tribe indicated that we have information about the Project. From an archaeological perspective, we have the same site information as the Eastern Information Center. However, as we have argued so often, the Tribe has specific cultural information about its territory that is often difficult to "analyze" in a scientific, technical study. The Tribe does not view development projects as individual parcels but takes into our analysis the entire area, including biological resources, Luiseño place names, oral traditions, ethnographic information and past experience.

Tribes are the keepers of their own tribal knowledge and history and can assist Lead Agencies with preservation of cultural sites and traditional landscapes which are often written off by archaeologists. For example, the archaeological report states that RIV-1256 is "...a single eroding bedrock milling feature...not considered significant according to CEQA criteria." Further, "[T]here are literally tens of thousands of such features, recorded throughout Riverside County and little information can be gleaned from them beyond recordation of their existence." The Tribe argues that, since this is the generally approved belief by archaeologists, that soon there will not be many milling features remaining because they have all been destroyed.

The Tribe consistently states that “isolated bedrock milling sites” are not at all isolated, but represent a very intentional pattern of settlement design based upon familial size and connections, availability of resources and, possibly most important, personal space and privacy. The Luiseño people understand this about their ancestors and why Pechanga continuously argues for a more culturally sensitive and regional analysis of resources. For example, during his visit to Luiseño settlements in the La Jolla region in 1901, C. Hart Merriam noted that “in many cases the Indians have great masses of tuna, 10-20 feet high, about or near their adobe houses” which “are not near together but scattered about, usually 1/8 or 1/4 of a mile apart and on a cleared place surrounded by chaparral.”⁴ Luiseño settlement patterns have been described ethnographically by Sparkman⁵ and Strong⁶ as sedentary and territorial, with the extended families residing in villages with individual living areas separated anywhere from ¼ of a mile to ½ a mile apart. The proposal that a village footprint covers an expansive area, with each family having its own milling feature(s) is supported by Bean when he argues that “homes were located some distance apart to provide privacy for families, if terrain permitted.”⁷ Bean and Smith also suggest that “a village might occupy three to five square miles.”⁸ While Oxendine’s⁹ dissertation is often cited when discussing late prehistoric village attributes and locations, little has been done to expand on her definition of a village footprint. The idea that villages could cover an expansive area is supported by *Archaeological Investigations at Molpa, San Diego County, California*. Here, True et al¹⁰ suggest that the larger outcrops containing multiple milling features are community milling areas and that each group or family within the community had its own specific milling boulder. In other words “each group then had its milling area and each family woman had her mortar or group of milling elements.” To support this claim, True et al. gives the following example: The milling stones located at Silver Crest (Palomar Mountain State Park) belonging to the adjacent Pauma Village were identified by Max Peters as the property of a specific family. Each family had its own “place” and each mortar hole belonged to a particular “lady.” “If the pattern at Molpa in protohistoric times followed that of the adjacent Pauma Village, it is likely that these “holes” were passed down from mother to daughter and were used until they became too deep to be functional.”¹¹ Thus there is significant support for the Tribe’s

⁴ Merriam, C. Hart. *Studies of California Indians*. The Staff of the Department of Anthropology of the University of California, eds. Berkeley: University of California Press. 1955

⁵ Sparkman, Philip Stedman, *The Culture of the Luiseño Indians*. University of California Publications in American Archaeology and Ethnology 1908, 8(4).

⁶ Strong, William D. *Aboriginal Society in Southern California*. University of California Publications in American Archaeology and Ethnology 26, 1929

⁷ Bean, Lowell J. *Mukat’s People: The Cahuilla Indians of Southern California*. University of California Press, Berkeley, 1972, p. 71

⁸ Bean, Lowell J. and Charles R. Smith. Serrano: In *Handbook of North American Indians, Volume 8, California*, edited by Robert Heizer, Smithsonian Institution, Washington D.C., p. 43.

⁹ Oxendine, Joan. *The Luiseño Village During the Late Prehistoric Era*. Ph.D. Dissertation, University of California, Riverside, 1983

¹⁰ True et al 1974 p. 43

¹¹ Ibid 1974 p. 43

assertion that each milling feature signifies an integral portion of the much larger village present at the site.

Secondly, the Tribe is concerned that preservation of the sites has not been thoroughly explored. The archaeological study and the Tribe's research materials have identified two previously recorded cultural areas within the Project boundaries. These resources – a milling slick and a lithic artifact scatter, are indicative of a larger complex of activities that occurred along the several waterways that flow through the Project and which extend north and southward outside the Project boundaries. Avoidance and preservation in place is the preferred mitigation per CEQA (see 14 CCR §15126.4(b)(3)(A) and (B) and is the Tribe's preference as well. The archaeological report states that preservation of neither site is feasible yet no discussion is provided as to why they cannot be avoided. The Tribe believes that responsible development must include avoidance and preservation of our natural resources such as biology and air quality *and* cultural resources. Therefore, the Tribe requests to meet with the City and the Developer to discuss possible preservation measures.

Given the sensitivity of the area, the known water resources and the previously recorded cultural areas, inadvertent discoveries are foreseeable impacts and thus need to be appropriately mitigated for within the confines of the Project. The identification of surface resources during an archaeological survey should not be the sole determining factor in deciding whether mitigation measures for inadvertent discoveries are required. The cultural significance of the area should play a large part in determining whether specifications concerning unanticipated discoveries should be included.

REQUESTED TRIBAL INVOLVEMENT AND MITIGATION

The proposed Project is on land that is within the traditional territory of the Pechanga Band of Luiseño Indians. The Tribe requests to be involved and participate with the City of Wildomar in assuring that an adequate environmental assessment is completed, and in developing all preservation, avoidance, monitoring and mitigation plans and measures for the duration of the Project. In addition, given the sensitivity of the Project area, it is the position of the Pechanga Tribe that professional Pechanga tribal monitors be required to be present during all ground-disturbing activities conducted in connection with the Project, including any additional archeological excavations performed.

The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines §15064.5). The Tribe believes that adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §1506a.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g);

CALTRANS, Standard Environmental Reference - 5- 10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Project area, such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner. Therefore, as noted previously, it is crucial to adequately address the potential for inadvertent discoveries.

Additionally, CEQA's preferred mitigation for cultural resources is avoidance and preservation in place. (See 14 CCR §15126.4(b)(3)(A) and (B).) After meeting with the City and the Applicant, the Tribe will propose specific mitigation for preservation and avoidance of the known cultural resources on site; however, standard mitigation measures should also be added to the Project's environmental documentation as both mitigation measures and conditions of approval. We further note that all mitigation measures must be fully enforceable through permit conditions, agreements or other legally binding instruments. (14 CCR §15126.4(a)(2).)

The Tribe does not view monitoring as mitigation, but rather, as a way to enforce the project's CEQA mandated mitigation measures. Monitoring, in our view, does not meet the law's preference for avoidance or preservation in place. Rather, monitoring is a salvage operation with the sole function of collecting the last vestiges of tribal cultural heritage that cannot be preserved or avoided before being totally destroyed. Further, we note that while individual "objects" (i.e., artifacts) can be "salvaged" through data recovery and mitigation, their context is forever destroyed and can never be regained, no matter how complete the recovery efforts or subsequent monitoring report offered by an archaeologist. Therefore, it is the position of the Pechanga Tribe, to assist in enforcing the Project mitigation measures and as additional protection for cultural resources, that an agreement specifying appropriate treatment of inadvertent discoveries of cultural resources be executed between the Project Applicant/Developer and the Pechanga Tribe and which agreement must be made a condition precedent to the issuance of a grading permit.

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures for the permit must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a "most likely descendant," who shall be consulted as to the appropriate disposition of the remains. Given the Project's location in Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this Project.

The Tribe requests to participate with the City, the Developer and the Project archaeologist to develop avoidance and preservation measures for the existing sites, including a culturally sensitive archaeological excavation plan if determined to be appropriate and necessary. At this time, we are not proposing mitigation measures but intend to work closely with the City to develop those as consultations progress. We further request to begin formal face-to-face SB18 consultations with the City.

Pechanga Comment Letter to the City of Wildomar
Re: Pechanga Tribe Comments on the Oak Creek Project, TR 36388
April 16, 2012
Page 10

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

The Pechanga Tribe looks forward to working together with the City of Wildomar in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahoover@pechanga-nsn.gov once you have had a chance to review these comments so that we might address the issues concerning the mitigation language. Thank you.

Sincerely,



Michele Fahley
Deputy General Counsel

cc: Pechanga Cultural Resources Department

Trent Thompson
Linda DeVore
Christopher Nelson
Robert Thompson

THOMPSON & ASSOCIATES
Attorneys at Law

152 South Harvard St.
Hemet, CA 92543
P: 951.925.3808
F: 951.925.3239

Reply to:
robert@hemetlegal.com

VIA US MAIL & ELECTRONIC MAIL

April 20, 2012

Mr. Matthew Bassi, Planning Director
City of Wildomar, Planning Department
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595
mbassi@cityofwildomar.org

Re: Public Comment – Planning Application No. 11-0261

Dear Mr. Bassi, et al.:

Our offices have been retained by Mrs. Umbrell for all matters that pertain to Planning Application No. 11-0261, which proposes to amend Specific Plan No. 116, change certain zoning designations, includes Tentative Tract Map No. 36388 (“Tentative Tract”) and realigns Bundy Canyon Road. As such, please direct all communication on the matter to our office and please also include our office on the various mailings that will undoubtedly go out as the matter progresses.

It is our understanding, from the City’s website, and the Notice of Preparation, that the 30-day public review and comment period commenced on Monday, March 5, 2012 and concluded on Friday, April 6, 2012. With that said, it has been brought to our attention that the maps and other information necessary to make reasonably informed comments was not available until after the commencement date. For that reason, we respectfully request that you consider this Public Comment as timely filed despite the technical passing of the comment period deadline.

First and foremost, we want to thank the City for its participation in the Planning Application and review process. We know that the City has a vested interest in ensuring its residents’ concerns are reviewed thoroughly and addressed adequately. And for that we want to express our gratitude to the City for its involvement in the Planning Application.

With that said, and after reviewing in detail the Phasing Map and the Tentative Tract No. 36388, my client does have some very serious concerns about the Planning Application. We trust the City will address her concerns timely and adequately.

In short, it appears that the Planning Application does not adequately take into account the effect that the potential downstream flow of waters will have on the properties located north of Bundy Canyon Road. The Planning Application is based on improper map assumptions, which ultimately and improperly makes my client's property a catch basin itself. If the plan is approved in its current stage, my client's property will necessarily be damaged and become unusable. For that reason, changes to the flow of water must be reconsidered as discussed more thoroughly below.

The Planning Application Mistakenly Presumes The True Course of the Blue Line Stream Flows East of Palm and Over My Client's Parcel

According to Sheets 4 & 5, of the Tentative Tract, the natural flow of water ("Blue Line Stream") enters between Lot No. 117 and 118 (See Sheet No. 4). The Blue Line Stream is then diverted into a drain path that winds down to Lot S Detention Basin and then over to Lot O Detention Basin. From Lot O Detention Basin, it appears a 72" conduit will cause the diverted Blue Line Stream to be reconnected to what the Tentative Track presumes is the current flow of that Blue Line Stream (See Lot N on Sheet 4).

This presumption is based on an inaccurate mapping of the Blue Line Stream flow and will ultimately cause a substantial amount of water to flow over my client's property necessarily making it unusable and creating substantial harm.

To be specific, my client's property is located at 24550 Bundy Canyon Rd., Wildomar, CA 92595. The identifying parcel number is 361-224-008. Attached hereto, and made a part hereof by reference as Exhibit A, is a copy the Riverside County GIS map that shows my client's parcel in relation to the Blue Line Stream.

As you can see from Exhibit 1, the true flow of the Blue Line Stream has two forks and creates what looks like a "Wishbone" shape. The western fork actually crosses Bundy Canyon Road to the west of Palm Avenue. By crossing on the west side of Palm Avenue, it is clear that the Blue Line Stream completely bypasses my clients parcel.

To make this point more clear, attached hereto, and made a part hereof by reference as Exhibit B, is a copy the same Riverside County GIS map showing my client's parcel, but without the geographic land image. From Exhibit B, you can also clearly see that the Blue Line Stream flows west of my client's parcel.

Attached hereto, and made a part hereof by reference as Exhibit C, is a copy the USGS map that also maps the Blue Line Stream in relation to my client's parcel. From Exhibit C, you can see again that the Blue Line Stream completely bypasses my client's parcel.¹

¹ It has been brought to my attention that the City may have a map of the relevant area tending to show a somewhat different flow of the Blue Line Stream. It is noteworthy that the City's map of the Blue Line Stream conflicts with both that provided the County of Riverside and the United States Geological Survey Map; hence the developer may be operating off of a flawed map and therefore this concern must be addressed at the outset.

Additionally, and as discussed more thoroughly below, the three Exhibits also show clearly that there is no other natural flow of water mapped except the Blue Line Stream. As to the Blue Line Stream, it is also clear that the eastern fork crosses Bundy Canyon Road well east of Club Dr./Harvest Way.

Conversely, the Tentative Tract tends to show the Blue Line Stream as flowing directly over my client's parcel. In fact, the Tentative Tract presumes that the 72" conduit from Lot O Detention Basin merely re-connects to the Blue Line Stream at a natural flow point. This, as the attached Exhibits demonstrate, however, is not correct. As such, the diversion of the Blue Line Stream will actually create an unnatural flow of water over my client's parcel necessarily causing damage and making the western portion of her parcel unusable.

Moreover, the 72" conduit, which purports to re-connect to the improper natural location of the Blue Line Stream, will actually increase the flow of the diverted waters making the harm even more substantial.²

This inevitability must be taken into account prior to any Plan approval by the City and before any Phase is developed. My client is open to discussing the matter more fully and in fact she has retained a civil engineer to assist in the matter. The "fix" in actuality is not that difficult and we would be happy to discuss with the City various options in this regard.

The Planning Application Improperly Diverts New Water Flow Over the Eastern Part of My Client's Property

As you can also see from Exhibits A, B, & C, the Eastern fork of the Blue Line Stream flows well east of Club Dr. It appears that the Tentative Tract continues that eastern fork flow via another 72" conduit under Bundy Canyon Road.

With that said, according to Sheet No. 5, it appears that a new flow of water will be diverted between Lot Nos. 141 and 142 (See Sheet No. 5). That new water flow will then be diverted to follow G Street and connect to follow Harvest Way/Club Dr.. From there, it appears to flow out of a 36" conduit on the other side of Bundy Canyon Road.

The outlet effectively causes new and additional waters to be released directly onto my client's eastern portion of her property. This new water diversion will necessarily cause damage and make my client's eastern portion of her property unusable.³

² An inspection of the site will show that currently there is a conduit no larger than 36". With that said, the conduit now in place is not properly located and the City may be responsible for changing its location without going through the proper channels/approval. The net effective result of the current wrongful diversion creates a trespass and improperly altered the natural flow of water thereby implicating the Department of Fish and Game's exercise of jurisdiction. Increasing the diameter to 72" will exacerbate the issues and harm associated therewith and my office has been retained to address this additional issue as well.

³ Currently my client uses the eastern portion of her property for horse raising and training. The risks of West Nile Viruses, and other diseases, associated with stagnant water and horse waste must be addressed. Moreover, should water flow through the property and carry with it the obvious contaminants, other potential environmental risks will naturally flow therefrom and must be considered.

We Request The City To Perform A More Substantive Investigation And Impact Report As The Effect The Proposed Plan Will Have On Properties Located North Of Bundy Canyon Road

It is clear from the Tentative Tract that substantial planning has been conducted to account for the affected land south of Bundy Canyon Road. It is equally clear, however, that inadequate planning has been performed for properties north of Bundy Canyon Road. In fact, the Sheets that make up the Tentative Tract, almost entirely omit from the map the northern properties as though it is assumed they are not impacted by the Proposed Plan.

As discussed more thoroughly above, my client in particular will be uniquely and individually harmed by the Proposed Plan. The increased amount on the western portion of my client's property⁴, coupled with the new flow of water on the eastern portion of my client's property, effectively guarantees substantial harm and makes my client's property unusable. For those reasons and others, my client respectfully requests the City to consider the points raised by this Public Comment.

Additionally, there remains the outstanding issue of the current wrongful diversion of the Blue Line Stream onto my client's property. Knowing that this Public Comment is not necessarily the proper forum to address such an issue, we ask that the City contact our office to discuss this unique issue individually. The issue was nonetheless raised herein because the Proposed Plan and Tentative Tract have naturally made the concern relevant because the current Proposed Plan incorporates the improperly mapped Blue Line Stream. As such, in hopes of reaching a global resolution for all parties concerned, please contact my office to discuss the matter more fully.

Respectfully,

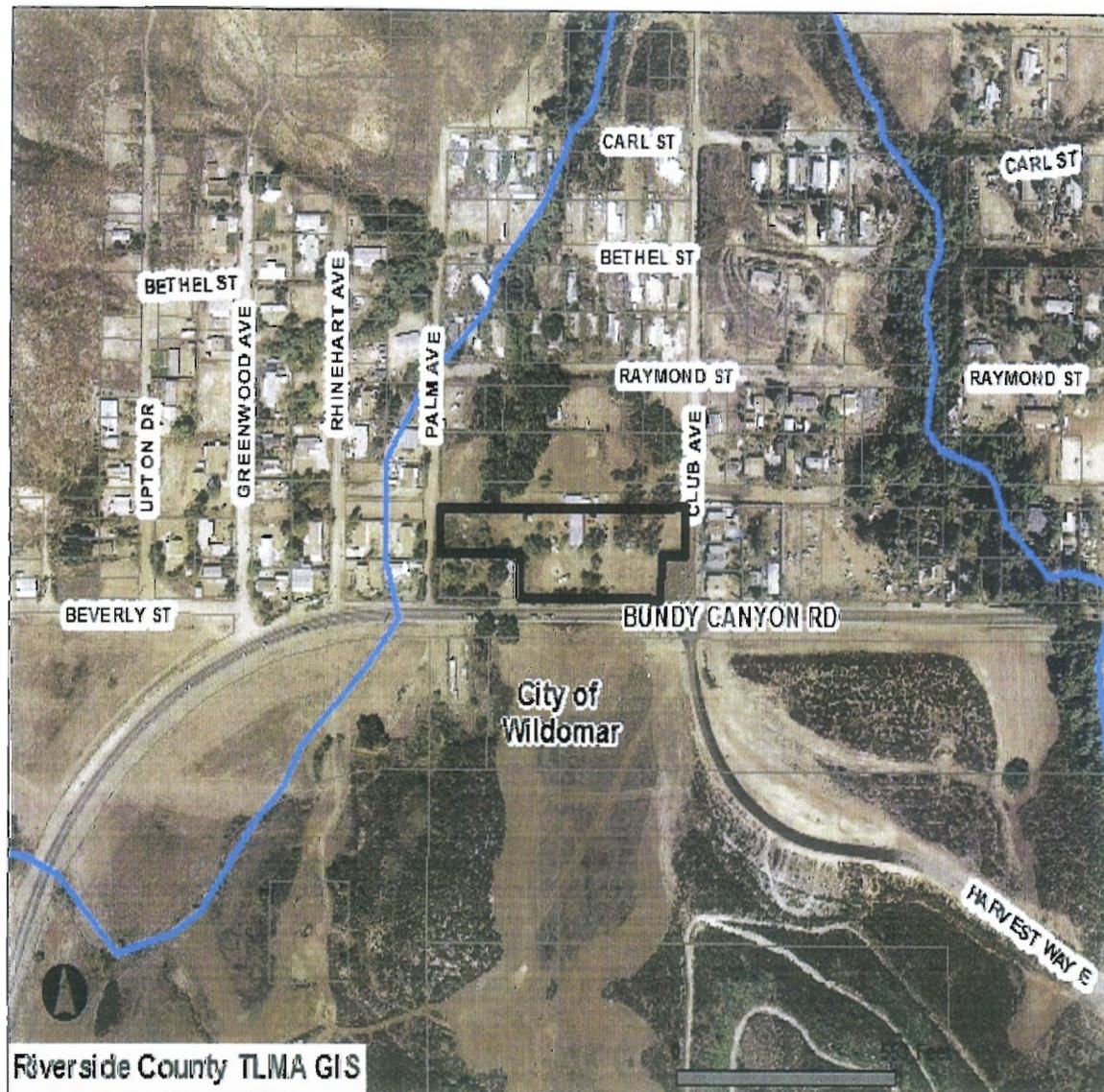


Robert Thompson, Esq. of
Thompson & Associates
152 South Harvard St.
Hemet, CA 92543
P: 951.925.3808
F: 951.925.3239

cc: Penny Umbrell, Daniel Umbrell, and Andrea Umbrell

⁴ The current flow onto the western portion of my client's property is, as discussed in the body of this correspondence, wrongful. It amounts to a diversion of the natural flow of the Blue Line Stream. The example of increased flow is not meant as a concession to accepting continued flow onto the property, but merely meant to be illustrative of the concern only.

24550 Bundy Canyon Rd. Wildomar, Ca. 92595



Selected parcel(s):
361-224-008

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user

REPORT PRINTED ON...Sun Aug 28 20:05:46 2011

Version 110728

EXHIBIT A



EXHIBIT B

24550 Bundy Canyon USGS



Sun Aug 28 22:28:06 MDT 2011

EXHIBIT C



COUNTY OF RIVERSIDE
TRANSPORTATION AND
LAND MANAGEMENT AGENCY
Transportation Department



Juan C. Perez, P.E., T.E.
Director of Transportation

April 5, 2012

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

RE: Notice of Preparation (NOP) for Draft Environmental Impact Report (DEIR) for Oak Creek Canyon Residential Project (Specific Plan No. 116 (Amendment No. 4), a Change of Zone, and Tentative Tract Map No. 36388)

Dear Mr. Bassi:

Thank you for the opportunity to review the NOP for the DEIR for Oak Creek Canyon Residential Project in the City of Wildomar. The project proposes 315 lots for residential development and a 3.5 acre neighborhood commercial site located along Bundy Canyon Road east of Interstate 15.

The Riverside County Transportation Department (RCTD) is working with the City of Wildomar on the planned Bundy Canyon Road widening project. RCTD requests that the City coordinate with the County during the development of the Oak Creek Canyon Residential Project to address road alignments, environmental document content, etc. to reduce duplication of effort and avoid any inconsistencies that may arise from the two projects.

Thank you again for the opportunity to review the NOP. We look forward to receiving the DEIR for the development.

Sincerely,


for Farah Khorashadi
Engineering Division Manager

FK:rg

cc: Juan C. Perez, Director of Transportation
Patricia Romo, Deputy Director of Transportation

Matthew Bassi

From: Robert Cashman [cashman@linkline.com]
Sent: Tuesday, March 13, 2012 1:25 PM
To: Matthew Bassi
Cc: Frank Oviedo
Subject: Scoping session- Oak Creek

Additional comments on the Oak Creek Residential Project

1. I don't think we are wise to proceed on adding more traffic to Bundy Canyon Road ahead of the actual widening of the entire road .
This is our most dangerous road. The area improved by the project does not include the area that has the greatest traffic hazards, namely the road past the Bundy Canyon Christian School and the transition of the road to the housing tract in Wildomar.
2. I don't see any acknowledgement of the need to transition larger properties to more dense properties The proposed design places a relatively high density development right adjacent to larger parcels. Good design practice includes a transition.
3. It's not clear why the project needs 4000 square foot lots when larger lots are the norm in Wildomar. This does not appear to be a compatible development with the community.
4. For this project is is necessary to asses the effect on the wildlife corridor that crosses Bundy Canyon Road. Is there any impact? Mountain lions and Bobcats don't pay attention to criterion cells. Any road improvement may be conditioned to provide under crossing for wildlife. We need to understand where this will be.
5. Please have the Farm Homeowners Association be part of the approval or make an official comment on this project. The design is not compatible with the whole intent of the farm community.
6. Please address water and sewer. Will they be intending to utilize the Farm utilities? This could be a capacity problem.
7. The commercial development should be somewhat larger. It would serve the area better if the commercial were more than a convenience store
7. There are quite a few items that are still incomplete in the submittal. Can I expect a second scoping session?

Bob Cashman
Wildomar



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

RECEIVED

APR 04 2012

CITY OF WILDOMAR

April 4, 2012

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

Notice of Preparation of a CEQA Document for the Oak Creek Canyon Residential Project

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

Air Quality Analysis

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

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

The SCAQMD has developed a methodology for calculating PM_{2.5} emissions from construction and operational activities and processes. In connection with developing PM_{2.5} calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM_{2.5} emissions and compare the results to the recommended PM_{2.5} significance thresholds. Guidance for calculating PM_{2.5} emissions and PM_{2.5} significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

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

Mitigation Measures

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

Data Sources

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

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

Sincerely,



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



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262



In Reply Refer To:
FWS-WRIV-12B0169-12CPA0118

APR - 4 2012

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

Subject: Notice of Preparation of a Draft Environmental Impact Report, Oak Creek Canyon Residential Plan Project, City of Wildomar, Riverside County, California

Dear Mr. Bassi:

The U.S. Fish and Wildlife Service (Service) has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Oak Creek Canyon Residential Project. The proposed project is located east of Interstate 15, along Bundy Canyon Road between Oak Canyon Drive and Sunset Avenue in the City of Wildomar. The project is the subdivision of 151.23 acres into 315 lots for residential development, including private park areas, a 3.5 acre neighborhood commercial site, and the realignment of Bundy Canyon Road through the project. The project also includes a Specific Plan Amendment, and a Change of Zone amendment.

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

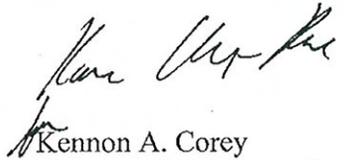
On June 22, 2004, the Service issued a section 10(a)(1)(B) permit for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association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

The proposed project is located within the MSHCP Plan Area and the City of Wildomar is an MSHCP Permittee. Specifically, the project is located in the Elsinore Area Plan of the MSHCP and is adjacent to Proposed Linkage 8 (Sedco Hills/Wildomar). Project implementation of relevant MSHCP Policies and Procedures should be addressed in the DEIR, (e.g. MSHCP section 6.1.4 Guidelines Pertaining to the Urban/Wildlands Interface

and MSHCP section 6.1.2 Protection of Species Associated with Riparian and Riverine Areas and Vernal Pools). The project is located in the Additional Survey Area for burrowing owl (*Athene cunicularia*). We recommend that the results of a habitat assessment and, if needed, focused protocol surveys for burrowing owl be included in the DEIR. Survey results, vegetation mapping and analysis required under the MSHCP including a Determination of Biologically Equivalent or Superior Preservation, as appropriate, should also be included in the DEIR and not deferred to a later date. *DBESP*

We thank you for the opportunity to comment on the NOP. If you have questions or comments regarding this letter, please contact Noelle Ronan of the Service at 760-322-2070, extension 215.

Sincerely,


Kennon A. Corey
Assistant Field Supervisor

cc:
Charles Landry, RCA

