



**RESPONSE TO COMMENTS ON THE INITIAL
STUDY/MITIGATED NEGATIVE DECLARATION FOR**

Sycamore Academy

(Planning Application 14-0074)

SCH# 2014121006

Lead Agency:

CITY OF WILDOMAR

23873 Clinton Keith Road, Suite 201

Wildomar, CA 92595

Prepared by:

PMC

6020 Cornerstone Court West, Suite 260

San Diego, CA 92121

February 2015

1.0 INTRODUCTION

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A Public Notices

1.0 INTRODUCTION

This document, in conjunction with the draft Initial Study/Mitigated Negative Declaration (IS/MND) responds to comments made on the proposed Sycamore Academy project. While the State California Environmental Quality Act (CEQA) Guidelines do not require a final initial study or the preparation of formal responses to comments on draft initial studies/mitigated negative declarations, in order to provide further disclosure of the project's impacts, the City has determined to provide responses to the comments it has received.

1.1 BACKGROUND OF ENVIRONMENTAL REVIEW PROCESS FOR THE PROJECT

INITIAL STUDY

The IS/MND was released for public and agency review on December 1, 2014, with the 30-day review period ending on December 30, 2014. The City received six comment letters during this review period.

RESPONSE TO COMMENTS

This document provides a response to comments received on the IS/MND. The six comment letters are listed chronologically in Chapter 2.0, Comments and Responses to Comments.

1.2 INTENDED USES OF THE IS/MND

The IS/MND in its final form will be used by the City of Wildomar in considering approval of the proposed project. In accordance with CEQA Guidelines Section 15074, the IS/MND will be used as the primary environmental document in consideration of all subsequent planning and permitting actions associated with the project, to the extent such actions require CEQA compliance and as otherwise permitted under applicable law.

CONSIDERATION OF COMMENTS

Prior to taking action on the proposed project, the City will consider the IS/MND, this response to comments document, and any additional comments or testimony. Negative declarations and mitigated declarations are considered and adopted per CEQA Guidelines Section 15074, which reads as follows:

15074. CONSIDERATION AND ADOPTION OF A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

- (a) Any advisory body of a public agency making a recommendation to the decision-making body shall consider the proposed negative declaration or mitigated negative declaration before making its recommendation.*
- (b) Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.*

1.0 INTRODUCTION

- (c) *When adopting a negative declaration or mitigated negative declaration, the lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.*
- (d) *When adopting a mitigated negative declaration, the lead agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects.*
- (e) *A lead agency shall not adopt a negative declaration or mitigated negative declaration for a project within the boundaries of a comprehensive airport land use plan or, if a comprehensive airport land use plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, without first considering whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.*
- (f) *When a non-elected official or decision making body of a local lead agency adopts a negative declaration or mitigated negative declaration, that adoption may be appealed to the agency's elected decision making body, if one exists. For example, adoption of a negative declaration for a project by a city's planning commission may be appealed to the city council. A local lead agency may establish procedures governing such appeals.*

Upon review and consideration of the IS/MND, the City may take action to adopt, revise, or reject the proposed project. A decision to approve the proposed project would be made in a resolution recommending certification of the IS/MND as part of the consideration of the proposed project. The City of Wildomar has prepared this IS/MND and has determined that the environmental impacts of the proposed project have been reduced to a less than significant level through mitigation measures adopted as part of a Mitigation Monitoring and Reporting Program (MMRP).

1.3 ORGANIZATION AND SCOPE OF THIS DOCUMENT

This document is organized in the following manner:

SECTION 1.0 – INTRODUCTION

Section 1.0 provides an overview of the environmental review process to date and discusses the CEQA requirements for consideration and adoption of a mitigated negative declaration.

SECTION 2.0 – COMMENTS AND RESPONSES TO COMMENTS

Section 2.0 provides a list of commenters, copies of written comments (coded for reference), and the responses to those comments made on the IS/MND.

SECTION 3.0 – MINOR REVISIONS TO THE IS/MND

Section 3.0 provides a list of minor edits made to the IS/MND as a result of comments received or other staff-initiated changes.

2.0 RESPONSE TO COMMENTS

2.0 COMMENTS AND RESPONSES TO COMMENTS

2.1 LIST OF COMMENTERS

The following individuals and representatives of organizations and agencies submitted written comments on the IS/MND.

Letter	Agency, Organization, or Individual	Date
A	Riverside County Fire Department	December 22, 2014
B	California Department of Fish and Wildlife	December 23, 2014
C	Pechanga Cultural Resources	December 29, 2014
D	Southern California Edison	December 29, 2014
1	Johnson & Sedlack	December 30, 2014
2	Kenneth Mayes	December 29, 2014

2.2 COMMENTS AND RESPONSES

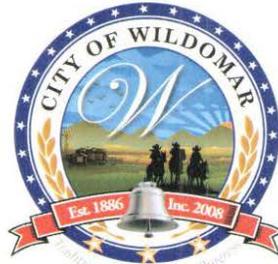
RESPONSES TO COMMENT LETTERS

Written comments on the draft IS/MND are reproduced on the following pages, along with responses to those comments. CEQA does not require lead agencies to provide formal responses to comments received on initial studies supporting proposed mitigated negative declarations; however, the City prepared this response to comments document to provide responses to comments received on the IS/MND in order to provide comprehensive information and disclosure for both the public and City's decision-makers.

Where changes deemed necessary to clarify the draft IS/MND text result from responding to comments, those minor changes are included in the response and demarcated with revision marks (underline for new text, ~~strikeout~~ for deleted text). The six comment letters are listed chronologically.

Letter A

Marsha Swanson, Mayor
Ben Benoit, Mayor Pro Tem
Bob Cashman, Council Member
Bridgette Moore, Council Member
Timothy Walker, Council Member



23873 Clinton Keith Rd, Ste. 201
Wildomar, CA 92595
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951.698.1463 Fax
www.CityofWildomar.org

RIV COUNTY FIRE
PROTECTION PLANNING

DEC 01 2014

RECEIVED

14-WILD-IS-0074

TO: Reviewing Agencies and Other Interested Parties
FROM: Matthew C. Bassi, Planning Director
DATE: November 24, 2014
SUBJECT: Sycamore Canyon Academy Initial Study (Planning Application No. 14-0074)

The City of Wildomar ("City") is the Lead Agency for the preparation and review of an Initial Study for the Sycamore Canyon Academy project. The proposed project comprises the development of public K through 8 charter school on a 9.7-acre vacant lot. More specifically, the proposed project consists of an approximately 28,000 square foot K through 8 public charter school including 22 classrooms arranged in four buildings, a flex-classroom, and an administration building as well as patio space, parking lots, gardens, an amphitheater, and paved and turf play areas. The proposed school would operate from 6:00 AM to 5:00 PM on weekdays with a peak of 35 employees on campus at any given time. Campus hours are 7:30 AM to 4:00 PM Monday through Thursdays. The proposed playfields would not be lighted and, therefore, would not be rented out nor used at night.

In addition to the development of the campus, off-site street improvements include modifications made to the section of Palomar Street in front of the school. This section of Palomar Street will be constructed to a half-section width as an arterial road with a right of way of 128 feet between the project's northern boundary and extending 300 feet south of the southern boundary with a taper rate and design standards set by the City of Wildomar. A striped pocket with a minimum length of 100 feet extending from the school's driveway entrance will be created to allow for left turns into the project's access driveway. Signage will be provided along the Palomar Street frontage that states "no stopping" or "no loading" to discourage parents from using this roadway as a drop-off point.

At this time, the City is requesting comments on the Initial Study for the proposed project. This notice is being sent to responsible agencies, trustee agencies, and other interested parties along with a copy of the Initial Study on CD. The public response period for the Draft EIR will begin on **Monday, December 1 2014 and end on Tuesday, December 30, 2014**. Written comments can be provided to Matthew C. Bassi, Planning Director, City of Wildomar, 23837 Clinton Keith Road, Suite 201, Wildomar, CA 92595. Comments can also be emailed to me at mbassi@cityofwildomar.org.

Sincerely,

Matthew Bassi
Matthew C. Bassi
Planning Director

PWP 14-0074

Enclosure-Initial Study on CD

Letter A Continued

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

2300 Market St., #150, Riverside, CA 92501
Phone: (951) 955-4823
Fax: (951) 955-4886



PROUDLY SERVING THE
UNINCORPORATED AREAS
OF RIVERSIDE COUNTY
AND THE CITIES OF:

- BANNING
- BEAUMONT
- CALIMESA
- CANYON LAKE
- COACHELLA
- DESERT HOT SPRINGS
- EASTVALE
- INDIAN WELLS
- INDIO
- JURUPA VALLEY
- LAKE ELSINORE
- LA QUINTA
- MENIFEE
- MORENO VALLEY
- NORCO
- PALM DESERT
- PERRIS
- RANCHO MIRAGE
- RUBIDOUX CSD
- SAN JACINTO
- TEMECULA
- WILDOMAR

BOARD OF SUPERVISORS:

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DISTRICT 4
- MARION ASHLEY
DISTRICT 5

CASE NUMBER: 14-WILD-IS-0074

Reviewed By: Cecilia Buckley December 22, 2014
Initial Study for Sycamore Canyon Academy project

To: Matthew C. Bassi, Planning Director

The Riverside County Fire Department has reviewed the Initial Study.

There are no comments or conditions for the study however when the Public Use permit is submitted for review the Fire Department will have corrections pertaining to the circulation and access for the site.

- 1 – Site access shall be a minimum 24' drive width
- 2 – Provide for Fire Department Turnaround(s)
- 3 – Drive area to be asphalt or concrete (not dirt)
- *Additional corrections may apply

A-1

Should you have any questions, please contact me at 951-955-4777.

Cecilia Buckley
Fire Safety Specialist

2.0 COMMENTS AND RESPONSES TO COMMENTS

Comment Letter A – Riverside County Fire Department

- A-1** The commenter indicates the following corrections will be made to the proposed project design when the Public Use Permit is submitted to the Fire Department for review: (1) site access to be a minimum 24-foot drive width, (2) provide for Fire Department turnaround(s), and (3) drive area to be asphalt or concrete (not dirt).

Acknowledged. These requirements will be included in the conditions of approval for the project.



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 484-0459
www.wildlife.ca.gov

Letter B

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



December 23, 2014

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

Subject: Initial Study and Proposed Mitigated Negative Declaration
Sycamore Canyon Academy (Planning Application No. 14-0074) Project
State Clearinghouse No. 2014121006

Dear Mr. Bassi:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Initial Study (IS) and Proposed Mitigated Negative Declaration (MND) for the Sycamore Canyon Academy (Planning Application No. 14-0074) Project (Project) [State Clearinghouse No. 2014121006]. The Department is responding to the IS and proposed MND as a Trustee Agency for fish and wildlife resources (California 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 the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

Project Description

The Project is located at 23151 Palomar Street, southeast of the intersection of Palomar Street and Clinton Keith Road and adjacent to Robin Scott Street in the City of Wildomar, County of Riverside. The City of Wildomar proposes the construction of an approximately 28,000 square-foot K through 8 public charter school including 22 classrooms arranged in four buildings, a flex-classroom, and an administration building, as well as patio space, parking lots, gardens, an amphitheater, and paved and turf play areas. The proposed buildings would be located in the northern portion of the project site outside of the required seismic setback line, while the proposed outdoor features would be located in the southern portion of the site.

Conserving California's Wildlife Since 1870

Letter B Continued

Initial Study and Proposed Mitigated Negative Declaration
Sycamore Canyon Academy (Planning Application No. 14-0074) Project
SCH No. 2014121006
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Biological Resources and Impacts

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. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.

B-1

If state or federal endangered or threatened species have the potential to occur on the Project site, species specific surveys should be conducted using methods approved by the Department or assume the presence of the species throughout the project site. Based on a review of the Department's California Natural Diversity Database (CNDDDB) and knowledge of species occurrences within the general vicinity of the Project site, the following state or federally endangered, threatened, or candidate species have the potential to occur on or near the Project site: Stephens' kangaroo rat (*Dipodomys stephensi*), quino checkerspot butterfly (*Euphydryas editha quino*), spreading navarretia (*Navarretia fossalis*), coastal California gnatcatcher (*Polioptila californica californica*), and Riverside fairy shrimp (*Streptocephalus wootoni*).

B-2

The CEQA document should include *recent* survey data (CEQA Guidelines Section 15125(a)). The CEQA document should also address species of special concern and federal critical habitat. To assist with review, an accompanying map showing the areas of impact should be included in the subsequent CEQA document. Additional maps detailing the location of endangered, threatened, or species of special concern should also be included in the subsequent CEQA document.

Following review of the Biological Resources section of the IS, the Department identified a number of questions, comments and concerns, and requests that each of these be addressed prior to adoption of the proposed MND. The Department's questions, comments, and concerns include:

1. Regarding Mitigation Measure BIO-1, the IS states "The project applicant shall conduct construction and clearing activities outside of the avian nesting season (January 15 – August 31)...preconstruction surveys shall be conducted...up to 14 days before initiation of construction activities." Please note that it is the Lead Agency's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 et seq.). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) stipulate the following: Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or

B-3

Letter B Continued

Initial Study and Proposed Mitigated Negative Declaration
 Sycamore Canyon Academy (Planning Application No. 14-0074) Project
 SCH No. 2014121006
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eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA. Because some avian species may not adhere to the nesting dates stated in the IS the Department recommends that the City of Wildomar revise Mitigation Measure BIO-1 to require the completion of nesting bird surveys regardless of time of year to ensure compliance with all applicable laws related to nesting birds and birds of prey. The Department also recommends that BIO-1 be revised to require pre-construction nesting bird surveys no more than three (3) days prior to vegetation clearing or ground-disturbing activities, as instances of nesting may be missed if surveys are conducted sooner.

**B-3
cont.**

2. Following review of 4.b. on page 47 of the IS, the Department has been unable to determine if a biological assessment was completed within the existing artificial pond located on the southeast corner of the project site or if the Lead Agency has appropriately assessed whether the pond is subject to Section 6.1.2 (i.e., Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools) of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Department requests that the CEQA document include a description of the original purpose of the construction of the pond.

B-4

Based on information contained in the IS, the Department would like to point out that the pond displays at least two of the characteristics of a vernal pool, i.e., hydrology and vegetation. Depending on the original purpose for construction of the pond, and if on-site surveys determine that the pond is found to contain appropriate soils (based on the results of the on-site soil analysis), the City may need to prepare a Determination of Biologically Equivalent or Superior Preservation (DBESP) for the potential loss of vernal pool habitat. The Department recommends that the Lead Agency include a summary of the biological surveys and the on-site assessment of soil, hydrology, and vegetation completed within the pond in the CEQA document, prior to adoption of the MND. Furthermore, if the pond is found to support sensitive resources that could be impacted by project activities, the City of Wildomar should create a mitigation measure in the CEQA document that specifically addresses any potential impacts associated with the potential conversion of this area from a seasonal wetland to a permanent wetland.

B-5

Please note that compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the MSHCP please go to:
<http://rctma.org/epd/WR-MSHCP>.

B-6

Letter B Continued

Initial Study and Proposed Mitigated Negative Declaration
Sycamore Canyon Academy (Planning Application No. 14-0074) Project
SCH No. 2014121006
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The Department appreciates the opportunity to comment on the IS and Proposed MND for the Sycamore Canyon Academy Project and recommends that the City of Wildomar address the Department's comments and concerns prior to adoption of the proposed MND. If you should have any questions pertaining to these comments, please contact Joanna Gibson at (909) 987-7449 or at Joanna.gibson@wildlife.ca.gov.

Sincerely,



Leslie MacNair
Acting Regional Manager

cc: State Clearinghouse, Sacramento

Comment Letter B – California Department of Fish and Wildlife

- B-1** The commenter states that the IS/MND should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.

As seen on pages 49–50 of the IS/MND, the Biological Resources mitigation measures do not defer impacts to future regulatory discretionary actions. No features of the proposed project would be subject to Fish and Game Code (FGC) Section 1602 regulations (i.e., bed, channel, or bank of any river, stream, or lake).

- B-2** The commenter states that species-specific surveys should be conducted if state or federal endangered or threatened species have the potential to occur on the project site. Furthermore, the commenter lists state or federally endangered, threatened, or candidate species that have the potential to occur on or near the project site based on a review of the California Natural Diversity Database (CNDDDB). Species mentioned include Stephens' kangaroo rat, Quino checkerspot butterfly, spreading navarretia, coastal California gnatcatcher, and Riverside fairy shrimp.

As stated on pages 44 and 45 of the IS/MND, a query of the US Fish and Wildlife Service (USFWS) Information, Planning, and Conservation System and Critical Habitat Portal, the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database, and the California Native Plant Society (CNPS) Inventory of Rare, Threatened, and Endangered Plants was performed to identify special-status species with the potential to occur on and in the vicinity of the project site. The results of those queries were presented in Appendix 3D of the IS/MND, along with a description of the habitat requirements for each species and conclusions regarding the potential for each species to be affected by project-related activities. Stephen's kangaroo rat, Quino checkerspot butterfly, spreading navarretia, coastal California gnatcatcher, and Riverside fairy shrimp were included in that analysis.

All of these species, with the exception of spreading navarretia, are covered under the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP); therefore, payment of all appropriate mitigation fees associated with participation in the MSHCP will ensure that project-related activities are fully mitigated. The project is also located within the Stephen's Kangaroo Rat HCP fee area; as a result, payment of the associated fees will ensure that project-related impacts to this species are fully mitigated. In addition, there is no suitable habitat within the project area for Quino checkerspot butterfly or coastal California gnatcatcher. While man-made features can be considered fairy shrimp habitat, the on-site pond does not retain the biological functions and values of a vernal pool and is not suitable habitat for fairy shrimp (as referenced in the IS/MND on page 48 and detailed in the MSHCP Consistency Analysis in Appendix 3a). Lastly, no on-site habitat features provide suitable habitat conditions for spreading navarretia, including the man-made retention pond; therefore, impacts to this species are considered to be less than significant.

The commenter states that the CEQA document should include recent survey data per CEQA Guidelines Section 15125(a). The commenter goes on to state that the IS/MND should address species of special concern and federal critical habitat and that accompanying maps showing the area of impact and the location of special-status species should be included in the subsequent CEQA document.

2.0 COMMENTS AND RESPONSES TO COMMENTS

CEQA Guidelines Section 15125(a) requires an EIR to include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the environmental analysis is commenced. The existing environmental setting was characterized on pages 44–46 of the IS/MND; this data was based on surveys conducted in 2014 by Principe and Associates (Appendix 3A of the IS/MND).

As stated above, a query of the USFWS, CDFW, and CNPS databases was performed to assess the potential for special-status species to occur on or in the vicinity of the project. The results of those analyses were presented in Appendix 3D. No critical habitat was identified on or in the vicinity of the proposed project. Three special-status plant species along with the arroyo toad, western spadefoot, western pond turtle, coast horned lizard, burrowing owl, white-tailed kite, Stephen's kangaroo rat, San Diego black-tailed jackrabbit, and Los Angeles pocket mouse were determined to have the potential to be affected by project-related activities. All of the aforementioned species are covered by the MSHCP; therefore, compliance with the MSHCP will ensure that project-related impacts to these species are fully mitigated.

The area of impact was depicted on Figure 5 of the IS/MND, as well as on page 13 of Appendix 3A. A map depicting CNDDDB occurrences within a 1-mile radius of the project site is included.

- B-3** The commenter states that in mitigation measure BIO-1 it is the lead agency's responsibility to comply with all applicable laws related to nesting birds and birds of prey and provides a listing of the applicable laws. Because some avian species may not adhere to the nesting dates stated in the IS/MND, the commenter recommends that the City of Wildomar revise mitigation measure BIO-1 to require the completion of nesting bird surveys regardless of time of year to ensure compliance with all applicable laws related to nesting birds and birds of prey. The commenter goes on to suggest that mitigation measure BIO-1 be revised to require preconstruction nesting bird surveys no more than 3 days prior to vegetation clearing or ground disturbing activities, as instances of nesting may be missed if surveys are conducted sooner.

Mitigation measure BIO-1 was incorporated to ensure that project-related activities will not result impacts to migratory birds. Nesting of migratory birds in Southern California typically occurs between March 15 and August 15, while raptors typically nest between January 15 and August 31; therefore, the proposed survey window was designed to ensure that project-related impacts to special-status birds are less than significant. The following revision will be made to address the CDFW's timing concerns.

- BIO-1** The project applicant shall conduct construction and clearing activities outside of the avian nesting season (January 15–August 31) if feasible. If clearing and/or construction activities occur during the nesting season, preconstruction surveys for nesting raptors, migratory birds, and special-status resident birds (e.g., loggerhead shrike) shall be conducted by a qualified biologist, up to ~~44~~ 3 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.

- B-4** The commenter states that the CDFW was unable to determine if a biological assessment was completed within the existing artificial pond or if the lead agency has appropriately assessed whether the pond is subject to Section 6.1.2 of the MSHCP. The commenter requests that the CEQA document include a description of the original purpose of the construction of the pond.

The original purpose for construction of the pond is unknown. However, as stated on IS/MND page 47 in the discussion of Impact b), it is assumed the pond was created for recreational purposes. The pond currently operates as a detention basin. Please refer to IS/MND page 69 Impact c) for a description of the pond's current purpose. A biological assessment was completed for the pond. Please refer to pages 14-16 of the MSHCP Consistency Analysis report provided in Appendix 3A of the IS/MND for an analysis of the project's compliance with Section 6.1.2 of the MSHCP. The MSHCP consistency analysis concluded that the pond is not subject to MSHCP Section 6.1.2. Also, the on-site pond is not proposed to be impacted by project-related activities.

- B-5** The commenter states that, based on information contained in the IS/MND, the on-site pond displays at least two characteristics of a vernal pool (i.e., hydrology and vegetation) and recommends that the City prepare a Determination of Biologically Equivalent or Superior Preservation (DBESP) for the potential loss of vernal pool habitat. Additionally, the commenter recommends that a wetland delineation be conducted prior to the adoption of the IS/MND, and if the pond is found to support sensitive resources that could be impacted by project activities, the City of Wildomar should create a mitigation measure in the CEQA document that specifically addresses any potential impacts associated with the potential conversion of this area from a seasonal wetland to a permanent wetland.

The existing man-made pond is not impacted by project-related activities. A DBESP is only required if impacts cannot be feasibly avoided. Since no impacts to this feature are anticipated, no further or alternative mitigation is proposed and no DBESP is required.

- B-6** The commenter states that an assessment of the impacts to the MSHCP as a result of the project is necessary to address CEQA requirements per CEQA Guidelines Section 15125(d).

An analysis of the project's consistency with adopted habitat conservation plans, natural community conservation plans, and other approved local, regional, or state habitat conservation plans was provided on pages 48 and 49 of the IS/MND. All of the special-status species with the potential to occur on or in the vicinity of the project are covered under the MSHCP; therefore, compliance with the MSHCP and payment of all associated fees will ensure that project-related impacts to those species are fully mitigated. In addition, mitigation measures BIO-2 and BIO-3 were incorporated to ensure compliance with the MSHCP guidelines regarding burrowing owls.

Letter C



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

Chairperson:
Mary Bear Magee

Vice Chairperson:
Darlene Miranda

Committee Members:
Evie Gerber
Bridgett Barcello Maxwell
Richard B. Searce, III

Director:
Gary DuBois

Coordinator:
Paul Macarro

Planning Specialist:
Tuba Ebru Ozdil

Cultural Analyst:
Anna Hoover

December 29, 2014

VIA E-MAIL and USPS

Mr. Matthew C. Bassi
Planning Director
City of Wildomar Community Development Dept
23873 Clinton Keith Road, Ste 201
Wildomar, CA 92595

**Re: Pechanga Tribe Comments on the Initial Study for the Sycamore Canyon Academy
(Planning Application No. 14-0074)**

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. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). If you have not done so already, please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archaeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Tribe thanks the City of Wildomar and the Developer for providing mitigation to preserve and protect the sensitive Luiseño cultural resources and traditional landscapes that could be impacted and to require both archeological and Pechanga tribal monitoring during earthmoving activities. The State and Federal governments have mandated that cultural resources must be appropriately mitigated for within the confines of development projects. The Tribe appreciates the active role the City takes to maintain the significant history of the Tribe and California.

REQUESTED TRIBAL INVOLVEMENT AND MITIGATION

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. The Tribe's primary concerns stem from the Project's proposed impacts on Native American cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural

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Letter C Continued

Pechanga Comment Letter to the City of Wildomar
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resources, such as Luiseño village sites, sacred sites and archaeological items which would be displaced by ground disturbing work on the Project, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work.

The Tribe is in receipt of the Initial Study (IS) and the archeological study for the Sycamore Canyon Academy Project. The proposed Project is located in a sensitive region of Luiseño territory and the Tribe concurs with the City that there is the potential for impacting cultural resources during earthmoving activities.

Based upon the information provided to the Tribe, there are no known cultural resources located within the Project boundaries. Therefore, the sensitivity of this Project lies with the potential to impact subsurface, unknown cultural resources during earthmoving activities. At this time, the Tribe thanks the City of Wildomar for working closely with us to develop appropriate and adequate mitigation measures. These are identified in the IS as CUL-1 to 7 and have been copied below for reference. We request that these mitigation measures, with the few minor edits proposed, be incorporated into the final MND, as Conditions of Approval and in any other final environmental documents approved by the City for this project

CUL-1 If during grading or construction activities cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archeologist and the Pechanga Tribe (Tribe). Any unanticipated cultural resources that are discovered shall be evaluated ~~and a~~ in the final report prepared by the qualified archeologist. The report shall include a list of the resources discovered, documentation of each site/locality, and interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. If the qualified archaeologist and the Tribe determines the resources to be historic or unique, avoidance and/or mitigation would be required pursuant to and consistent with CEQA Guidelines Sections 15064.5(c) and Public Resources Code Section 21083.2 and the Archeological Resources Treatment and Monitoring Agreement required by mitigation measure **CUL-2**. This mitigation measure shall be incorporated in all construction contract documentation.

C-1

CUL-2 At least 30 days prior to seeking a grading permit, the project applicants for future development shall contact the Pechanga Tribe to notify the Tribe of the proposed grading, and shall coordinate with ~~the City of Wildomar~~ and the Tribe to develop an Archeological Resources Treatment and Monitoring Agreement. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, burial goods and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Tribal monitors during all ground-disturbing activities. A copy of this signed agreement shall

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

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Pechanga Comment Letter to the City of Wildomar
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be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.

CUL-3 If human remains are encountered, California Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within ~~a reasonable time frame~~ 24 hours. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant" ~~within 24 hours of receiving notification from the coroner.~~ The most likely descendant shall then have 48 hours to make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. This mitigation measure shall also be included in all construction contract documentation.

CUL-4 All cultural materials, with the exception of sacred items, burial goods, and human remains, which will be addressed in the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure **CUL-2**, that are collected during the grading monitoring program and from any previous archeological studies or excavations on the project site shall be curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to the Pechanga Tribe's curation facility, which meets the standards set forth in 36 CRF Part 79 for federal repositories.

CUL-5 All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible as determined by a qualified professional in consultation with the Pechanga Tribe. To the extent that a sacred site cannot be feasibly preserved in place or left in an undisturbed state, mitigation measures shall be required pursuant to and consistent with Public Resources Code Section 21083.2 and CEQA Guidelines Sections 15064.5.

CUL-6 If inadvertent discoveries of subsurface archaeological resources are discovered during grading, work shall be halted immediately within 50 feet of the discovery. The developer, the project archeologist, and the Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the developer and the Tribe cannot agree on the significance of or the mitigation for such resources, these issues will be presented to the City of Wildomar Planning Director. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Pechanga Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable

**C-1
cont.**

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Letter C Continued

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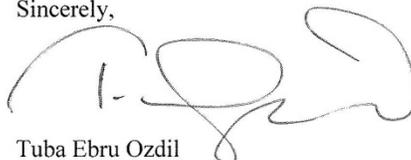
to the City of Wildomar. In the event the significant resources are recovered and if the qualified archaeologist determines the resources to be historic or unique as defined by relevant state and local law, avoidance and mitigation would be required pursuant to and consistent with Public Resources Code Section 21083.2 and CEQA Guidelines Sections 15064.5 and 15126.4. This mitigation measure shall be incorporated into all construction contact documentation.

CUL-8 To address the possibility that cultural resources may be encountered during future grading or construction, a qualified professional archeologist shall monitor all construction activities that could potentially impact archaeological deposits (e.g., grading, excavation, and/or trenching). However, monitoring should be discontinued as soon the qualified professional is satisfied that construction will not disturb cultural resources. A final mitigation monitoring report shall be prepared by the archaeologist documenting any resources found, their treatment, ultimate disposition, new or updated site records and any other pertinent information associated with the Project as outlined in CUL-1. Final copies of the report will be submitted to the City of Wildomar, the Developer, the Eastern Information Center and the Pechanga Tribe.

**C-1
cont.**

The Pechanga Tribe appreciates the consultation efforts and provided mitigation and we look forward to continuing to work together with the City of Wildomar in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8113 or at eozdil@pechanga-nsn.gov once you have had a chance to review these comments if you have any comments or concerns. Thank you.

Sincerely,



Tuba Ebru Ozdil
Planning Specialist

Cc Pechanga Office of the General Counsel
Mark Teague, PMC

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

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2.0 COMMENTS AND RESPONSES TO COMMENTS

Comment Letter C – Pechanga Cultural Resources

C-1 The commenter requests minor edits to the Cultural Resources mitigation measures.

The following changes will be made to mitigation measures CUL-1, CUL-2, CUL-3, and CUL-8 on pages 53–55:

CUL-1 If during grading or construction activities, cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archeologist and the Pechanga Tribe (Tribe). Any unanticipated archaeological resources that are discovered shall be evaluated ~~and a~~ in the final report prepared by the qualified archeologist. The report shall include a list of the resources discovered, documentation of each site/locality, and interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. If the qualified archeologist and the Tribe determine the resources to be historic or unique, avoidance and/or mitigation would be required pursuant to and consistent with CEQA Guidelines Section 15064.5(c) and Public Resources Code Section 21083.2 and the Archaeological Resources Treatment and Monitoring Agreement required by mitigation measure **CUL-2**. This mitigation measure shall be incorporated into all construction contract documentation.

CUL-2 At least 30 days prior to seeking a grading permit, the project applicants shall contact the Pechanga Tribe to notify the Tribe of the proposed grading and shall coordinate with ~~the City of Wildomar and~~ the Tribe to develop an Archaeological Resources Treatment and Monitoring Agreement. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, burial goods and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Tribal monitors during all ground-disturbing activities.

CUL-3 If human remains are encountered, California Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within ~~a reasonable time frame~~ 24 hours. Subsequently, the Native American Heritage Commission shall identify the “most likely descendant” ~~within 24 hours of receiving notification from the coroner.~~ The most likely descendant shall then have 48 hours to make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. This mitigation measure shall be incorporated into all construction contract documentation.

CUL-8 Construction personnel involved in excavation and grading activities shall be informed of the possibility of discovering fossils at any location and the protocol to be followed if fossils are found. A professional meeting the Society of Vertebrate Paleontology standards shall provide the preconstruction training. The City shall ensure the grading plan notes include specific reference to the potential discovery of fossils. A final mitigation monitoring report shall be prepared by the archaeologist documenting any resources found, their treatment, ultimate disposition, new or updated site records, and any other pertinent information associated with the project as outlined in mitigation measure CUL-1. Final copies of the report will be submitted to the City of Wildomar, the developer, the Eastern Information Center, and the Pechanga Tribe.

Letter D



Jeremy Goldman
Local Public Affairs
24487 Prielipp Drive
Wildomar, CA 92595

December 29, 2014

Matthew C. Bassi, Planning Director
City of Wildomar, Planning Department
23837 Clinton Keith Road, Suite 201
Wildomar, CA 92595

Re: Sycamore Canyon Academy Initial Study (Planning Application No. 14-0074)

Dear Matt:

Southern California Edison (SCE) appreciates the opportunity to provide comments on the Initial Study/Mitigated Negative Declaration for the Sycamore Canyon Academy Project. The proposed project comprises the development of public K through 8 charter school on a 9.7-acre vacant lot. The proposed project includes 22 classrooms arranged in four buildings, a flex-classroom, an administration building as well as patio space, parking lots, gardens, an amphitheater, and paved and turf play areas. The proposed project includes off-site street improvements to portions of Palomar Street in front of the school.

Electric service in this area is provided by SCE. SCE's electrical system consists of a network of facilities (electrical distribution, transmission, and generation systems). SCE has an existing 115 kilovolt (kV) subtransmission lines along the southwest side of Palomar Street. The proposed improvements to Palomar Street may require modification or relocation of SCE's existing 115 kV subtransmission lines.

Please be advised that the modification or relocation of subtransmission lines, or electrical facilities that are designed to operate at or above 50 kilovolts (kV) may be subject to the California Public Utilities Commission's (CPUC) General Order 131-D¹, which contains rules relating to the planning and construction of electric generation, transmission/power/distribution line facilities and substations. If the project anticipates the relocation or modification of SCE's adjacent, existing 115 kV subtransmission line, SCE recommends that the Mitigated Negative Declaration be revised to include a brief discussion stating that the off-site road improvements associated with the project may require the modification or relocation of the existing subtransmission line and to include a discussion of potential environmental impacts.

SCE's easement is used to operate and maintain its existing facilities. Any proposed use will be reviewed on a case-by-case basis by SCE. Approvals or denials will be in writing based upon review of the maps provided by the developer and compatibility with SCE's easement. Please forward five (5) sets of project plans, including a PDF copy, depicting SCE's facilities and its associated land rights to the location below.

Real Properties Department
Southern California Edison Company
2131 Walnut Grove Avenue
G.O.3 – Second Floor
Rosemead, CA 91770

If you have any questions regarding this letter, please do not hesitate to contact me at Jeremy.Goldman@sce.com or (951) 249-8466.

Regards,

Jeremy Goldman
Local Public Affairs Region Manager
Southern California Edison Company

¹ <http://docs.cpuc.ca.gov/PUBLISHED/Graphics/589.PDF>

D-1

Comment Letter D – Southern California Edison

D-1 The commenter provides information regarding SCE's electric service in the area.

Acknowledged. The commenter does not raise an issue that affects the environmental analysis. No change to the analysis or IS/MND is required.

Letter 1

Johnson & Sedlack

ATTORNEYS at LAW

Raymond W. Johnson, Esq., AICP, LEED GA

Carl T. Sedlack, Esq., Retired

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Kimberly Foy, Esq.

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Kendall.JSLaw@gmail.com

Telephone: (951) 506-9925

Facsimile: (951) 506-9725

December 30, 2014

VIA US MAIL AND EMAIL

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

***RE: Initial Study/Mitigated Negative Declaration for Sycamore Academy of Science and Arts
(Planning Application No. 14-0074)***

Greetings:

On behalf of concerned area residents, I hereby submit these comments on and in opposition to the Mitigated Negative Declaration and Initial Study for the Sycamore Academy of Science and Arts development project (Planning Application No. 14-0074) (the "Project").

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

The EIR requirement is the "heart of CEQA." (State CEQA Guidelines § 15003(a). An EIR is required for any proposed project that may have a significant effect on the environment. (Public Resources Code § 21100 (a)) A lead agency may prepare a mitigated negative declaration for a proposed project only when: (1) revisions in the project would avoid or mitigate the potentially significant project effects to a point where *clearly* no significant effects would occur; and (2) there is no substantial evidence in light of the whole record that the project as revised *may* have a significant effect on the environment. (State CEQA Guidelines § 15070 (b))

Letter 1 Continued

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The adoption of a Mitigated Negative Declaration (“MND”) for the Project is improper where, as here, there is substantial evidence in the record of a fair argument of significant environmental impacts as a result of the project. For the reasons detailed below, an EIR must be prepared for this Project.

The project is likely to have significant impacts that were not adequately addressed in the MND. Specifically, there is a fair argument that the project will have significant impacts to/from, at least, biological resources, cultural resources, geology, hydrology/water quality, and cumulative impacts. The MND overarchingly fails to adequately or accurately evaluate and disclose potential environmental effects of the Project.

Furthermore, significant impacts are not shown to be mitigated below a level of significance. CEQA requires that, if mitigation is adopted for a project, all proposed mitigation measures be fully enforceable and certain to occur. This Project fails to ensure that mitigation will occur with this Project and instead provides vague, uncertain, deferred, and unenforceable mitigation measures.

Overall, the conclusions in the MND are not based on substantial evidence.

Project Summary

The Project proposes to develop a 28,000-square foot K through 8 public charter school on an undeveloped lot in the City of Wildomar. The Project is located at 23151 Palomar Street, southeast of the Palomar Street/Clinton Keith Road intersection and adjacent to Robin Scott Street (APN 380-170020). The Project would include 22 classrooms arranged in four buildings, a flex-classroom, administration building, patio space, parking lots, gardens, an amphitheater, and paved and turf play areas. The proposed Project expects to serve a maximum of 594 students and would operate from 6:00 AM to 5:00 PM Monday through Thursday and 7:30 AM to 2:00 PM on Fridays.

The Project also includes off-site street improvements to the section of Palomar Street in front of the school. This section of Palomar Street will be constructed to a half section street width between the project’s northern boundary and extending 300 feet south of the southern boundary. A striped pocket with a minimum length of 100 feet extending from the school’s driveway entrance will be created in Palomar Street to allow for left turns into the project driveway.

The Project site is described as assessor’s parcel number (APN) 380-170-020. However, sections of the MND improperly omit 1.79 acres of APN 380-170-020 from the discussion of the Project’s impacts. By excluding the southwestern portion of APN 380-170-020 from the MND the document precludes meaningful analysis of the Project’s environmental impacts; specifically, where Murrieta Creek, a USGS-designated blueline stream, forms the southern boundary of the property. The MND utilizes two different descriptions of the Project Site throughout the MND at time studying impacts to the entirety of APN 380-170-020 and other times evaluating impacts

Letter 1 Continued

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only to the 7.21 area on which the school will be built. Because the MND does not use a consistent Project Site throughout the MND and excludes a portion of APN 380-170-020 in sections of the MND such as the Biological Assessment, the MND fails as an informational document.

1-1
cont.

Biological Impacts

The Project is likely to result in significant and unmitigated biological impacts to/from at least protected species and riparian/riverine habitat. Preparation of an EIR and further study is essential.

PROTECTED SPECIES

Burrowing Owls

Mitigation is vague, insufficient and will not *clearly* reduce impacts to the owls below a level of significance.

A recent "Staff Report on Burrowing Owl Mitigation" by the Department of Fish and Game found that 1) passive relocation is ineffective and 2) construction must occur further from nesting sites to mitigate for impacts to the owls. The Staff Report provides updated guidance on the distance necessary from nesting sites based on construction disturbance, and new methods for passive relocation of burrowing owls. This guidance must be incorporated into any successful mitigation. ("Staff Report on Burrowing Owl Mitigation," State of California Natural Resources Agency, Department of Fish and Game March 7, 2012.

<<http://www.dfg.ca.gov/wildlife/nongame/docs/BUOWStaffReport.pdf>>) CDFW recommends:

1. Where habitat will be temporarily disturbed, restore the disturbed area to pre-project condition including decompacting soil and revegetating. Permanent habitat protection may be warranted if there is the potential that the temporary impacts may render a nesting site (nesting burrow and satellite burrows) unsustainable or unavailable depending on the time frame, resulting in reduced survival or abandonment.
2. Mitigate for permanent impacts to nesting, occupied and satellite burrows and/or burrowing owl habitat such that the habitat acreage, number of burrows and burrowing owls impacted are replaced based on site-specific analysis and accounting for natal area, home range, foraging area, and other factors influencing burrowing owls and burrowing owl population persistence in the project area.
3. Mitigate for permanent impacts to nesting, occupied and satellite burrows and burrowing owl habitat with (a) permanent conservation of similar vegetation communities (grassland, scrublands, desert, urban, and agriculture) to provide for burrowing owl nesting, foraging, wintering, and dispersal (i.e., during breeding and non-breeding seasons) comparable to or better than that of the impact area, and (b) sufficiently large acreage, and presence of fossorial mammals.
4. Alternatively, where a burrowing owl population appears to be highly adapted to

1-2

Letter 1 Continued

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heavily altered habitats such as golf courses, airports, athletic fields, and business complexes, permanently protecting the land, augmenting the site with artificial burrows, and enhancing and maintaining those areas may enhance sustainability of the burrowing owl population onsite. Maintenance includes keeping lands grazed or mowed with weedeaters or push mowers, free from trees and shrubs, and preventing excessive human and human-related disturbance (e.g., walking, jogging, off-road activity, dog-walking) and loose and feral pets (chasing and, presumably, preying upon owls) that make the environment uninhabitable for burrowing owls

1-2
 cont.

5. Permanently protect mitigation land through a conservation easement deeded to a nonprofit conservation organization or public agency with a conservation mission, for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use. If the project is located within the service area of a Department approved burrowing owl conservation bank, the project proponent may purchase available burrowing owl conservation bank credits.

6. Fund the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.

BIO-2 and BIO-3 should be amended to read as follows in order to comply with the MSHCP:

- BIO-2: Per MSHCP Species-Specific Objective 6, a pre-construction presence/absence survey for burrowing owls shall be conducted by a qualified biologist approved by the City within 30 days prior to commencement of any grading or construction activities on- or off-site within a 500 foot buffer adjacent to where grading or construction will be occurring.
 - In the event that the pre-construction surveys identifies no burrowing owls, a grading or construction permit may be issued.
 - In the event active nests are identified onsite, the grading/ construction permits shall not issue and no grading/construction shall occur. Grading or construction may continue once a qualified biologist determines that the owls have fledged and has submitted a report to the City stating the basis for this determination.
- BIO-3:
 - If the pre-construction survey identifies any owls onsite, no grading/ construction shall commence, or recommence after a non-construction period of more than two weeks, during the breeding season: between February 1 and September 15.
 - In the event that the pre-construction survey identifies the presence of burrowing owls between September 15 and February 1, grading/construction may commence

1-3

1-4

Letter 1 Continued

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only after the Project biologist has passively relocated the owls following CDFW protocol.

- In the event that the pre-construction survey identifies the presence of three or more mating pairs of burrowing owl onsite, no grading permit shall be issued and the requirements of MSHCP for the burrowing owl shall be followed.

1-4
cont.

RIPARIAN/RIVERINE HABITAT

The MND fails to adequately evaluate direct and indirect impacts from the Project on riparian/riverine habitat on- and off-site. The MND finds impacts to riparian/riverine habitat will be less than significant because “[n]o drainages, stream courses, or other natural water features occur on the project site.” This finding is not supported by evidence and is contradicted by the Phase I Cultural Resource Assessment and Phase I Environmental Site Assessment, which both identify the presence of Murrieta Creek, a USGS designated blue line stream on the southern boundary of the Project Site.

1-5

The MND does not detail potential direct or indirect effects to riparian/riverine habitat Murrieta Creek, which runs along the southern boundary of the Project site. The MND fails to consider impacts, direct or indirect, to Murrieta Creek, and impacts to/from development adjacent to Murrieta Creek must be considered.

1-6

While the MND does briefly mention potential effects from drainage/runoff and toxics to adjacent waterways, the MND does not detail what effects are expected or the extent of such impacts. The MND does not show that compliance with a Stormwater Pollution Prevention Plan (SWPPP) or Best Management Practices (BMPs) will reduce such potential riparian/riverine effects *below a level of significance*.

1-7

As the MND fails to adequately evaluate or mitigate for impacts to biological resources, an EIR must be prepared.

Cultural Resources

No Paleontology survey was prepared. The conclusion that impacts to paleontological resources are less than significant with mitigation incorporated is unsupported by evidence. A paleontology survey should be prepared prior to Project approval.

1-8

Geology/Soils

No geotechnical investigation was prepared for the MND, and one should be prepared to incorporate information and/or suggested mitigation measures related to soils impacts.

1-9

The MND finds impacts from landslide, rockfall, mudslide, or erosion will be less than significant with mitigation incorporated and impacts from expansive soils are less than

1-10

Letter 1 Continued

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significant. These findings are not supported by evidence, and a site-specific geotechnical investigation including soil sampling and laboratory testing should be performed *prior* to Project approval to confirm the site soil types and expansion potential.

1-10
cont.

Hydrology/Water Quality

Neither the Preliminary Water Quality Management Plan (PWQMP) nor the Stormwater Pollution Prevention Plan (SWPPP) are based on a soils report that confirms the soils types on the Project site. The Preliminary Water Quality Management Plan also omits analysis of the southern portion of the Property through which Murrieta Creek flows. A geotechnical study must be prepared so that the hydrology/water quality analysis is based on a soils report with actual description of the soil types onsite.

1-11

As a result the PWQMP and SWPPP guess at infiltration and percolation capability on the Project site. There is no substantial evidence to support a finding that flows on the Project site will be remediated and that significant runoff impacts will not result.

An EIR must be prepared for this potentially significant impact particularly water from the site will drain to Murrieta Creek.

Cumulative Impacts

The cumulative impact assessment for this Project is negligible. There is no discussion of what cumulative projects were considered. The conclusion that no potentially significant cumulative effects will result from this project is unsupported by evidence or reasoning. An EIR is essential to adequately consider such impacts.

1-12

Conclusion

Thank you for your consideration of these comments.

Sincerely,



Raymond W. Johnson
JOHNSON & SEDLACK

Letter 1 Continued

RAYMOND W. JOHNSON, Esq., AICP LEED GA
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Thirty years subdivision design: residential, commercial and industrial
- Thirty years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
 - Review and supervision of preparation of EIR's and joint EIR/EIS's
 - Preparation of Negative Declarations
 - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Letter 1 Continued

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
 - Sierra Club
 - San Bernardino Valley Audubon Society
 - Sea & Sage Audubon Society
 - San Bernardino County Audubon Society
 - Center for Community Action and Environmental Justice
 - Endangered Habitats League
 - Rural Canyons Conservation Fund
 - California Native Plant Society
 - California Oak Foundation
 - Citizens for Responsible Growth in San Marcos
 - Union for a River Greenbelt Environment
 - Citizens to Enforce CEQA
 - Friends of Riverside's Hills
 - De Luz 2000
 - Save Walker Basin
 - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals
- Member, U.S. Green Building Council, LEED GA

Letter 1 Continued

Johnson & Sedlack, Attorneys at Law

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925

12/97- Present

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions

26785 Camino Seco
Temecula, CA 92590
(909) 506-9825

8/94- Present

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department

Environmental Team
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

6/91-8/94

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department

General Plan Team
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

6/91-6/92

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department

Letter 1 Continued

North Desert Regional Planning Team
15505 Civic
Victorville, CA
(619) 243-8245

6/90-6/91

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting

229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640

2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track. Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO

6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.

Lee's Summit, MO
Owner

9/78-5/84

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association

Lee's Summit, MO
Project Coordinator

6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO
220 SW Main

4/75-6/77

Letter 1 Continued

Lee's Summit, MO 64063
Community Development Director

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff

9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800
Economist/Planner

5/73-4/75

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

Comment Letter 1 – Johnson & Sedlack

- 1-1 The commenter states that the IS/MND improperly omits 1.79 acres from the discussion of the project's impacts and inconsistently describes the acreage of the project site throughout the document.

A lot line adjustment was finalized on September 8, 2014, that moved 1.79 acres to APN 380-017-019, which is located adjacent and to the northwest of the proposed project site (Appendix 1). As a result, this area is not part of the proposed project and will not be affected by the project. The project description properly identifies this project as being on a 7.21-acre site, and the IS/MND consistently analyzes the impacts to the full 7.21-acre site.

- 1-2 The commenter suggests that burrowing owl mitigation is vague, insufficient, and will not clearly reduce impacts to the owls below a level of significance. The commenter states that according to the CDFW 2012 Staff Report on Burrowing Owl Mitigation, (1) passive relocation is ineffective and (2) construction must occur farther from nesting sites to mitigate for impacts to the owls. The commenter goes on to reference the 2012 Staff Report and list CDFW recommendations pertaining to burrowing owl mitigation.

Mitigation measure BIO-2 requires a preconstruction survey of the site. Should owls be discovered, mitigation measure BIO-3 requires that the CDFW be consulted and an appropriate conservation strategy be developed. This is necessary because the conservation strategy is different depending on the number of owls, location of the owls, and time of year of the discovery. Because no owls were found during the site survey on June 11, 2014, it is reasonable to expect that there are no owls on the site. As mitigation measures BIO-2 and BIO-3 address the future discovery of owls, no changes to the mitigation measure are necessary.

- 1-3 The commenter provides a suggested change to mitigation measure BIO-2 in order to comply with the MSHCP.

See response to 1-3 above.

- 1-4 The commenter provides a suggested change to mitigation measure BIO-3 in order to comply with the MSHCP.

See response to 1-3 above.

- 1-5 The commenter states that the IS/MND fails to adequately evaluate direct and indirect impacts from the project on riparian/riverine habitat on- and off-site. The commenter also states that the statement on page 47 regarding the absence of stream courses or natural water features on the project site is contradicted by other project documents, namely the Phase I Cultural Resources Assessment and Phase I Environmental Site Assessment, which both identify the presence of Murrieta Creek.

2.0 COMMENTS AND RESPONSES TO COMMENTS

The APN 380-170-020 boundary line does not include Murrieta Creek, which is in APN 380-017-019 (Appendix 1). Therefore, the IS/MND is correct; as stated on page 47, no drainages, stream courses, or other natural water features occur on the project site. Note that the Phase I Cultural Resources Assessment and Phase I Environmental Site Assessment identify the presence of Murrieta Creek, as these reports were written prior to the parcel boundary change. As of September 8, 2014, a lot line adjustment was made to the lot and Murrieta Creek is now in APN 380-017-019 (Appendix 1) and thus off-site. Because the riparian/riverine area is off the project site, the IS/MND correctly concludes that the project's impacts are less than significant.

- 1-6 The commenter states that the IS/MND does not detail potential direct or indirect effects to riparian/riverine habitat of Murrieta Creek, which runs along the southern boundary of the project site, and that the MND fails to consider impacts, direct or indirect, to Murrieta Creek and impacts to/from development adjacent to Murrieta Creek.

As previously stated, a lot line adjustment was made and Murrieta Creek is now within APN 380-017-019. Thus, there will be no direct impacts to Murrieta Creek as a result of project implementation. Furthermore, no on-site water features connect to Murrieta Creek or any other nearby drainages. The only water feature on the project site is the man-made pond, which, as discussed on page 47, is isolated and not associated with Murrieta Creek hydrology. Finally, there are no anticipated indirect impacts to the creek as a result of project-related activities.

Page 69 of the Hydrology and Water Quality subsection of the IS/MND states, "Murrieta Creek is the closest stream to the proposed project and would be considered a source of recharge for the basin. The proposed project will not affect the recharge capability of Murrieta Creek as it is outside the project boundaries." In addition, on page 69, the MND states, "The impervious area will cover less than 50 percent of the project site and will direct stormwater flow to Murrieta Creek. As the stormwater will be allowed to flow to the creek, and the site will still retain approximately half of its permeability, this impact is considered less than significant." Furthermore, page 69 states, "The project site currently drains overland from northeast to southwest to the existing basin and ultimately to Murrieta Creek to the south. The proposed project would not alter this drainage pattern." Note that the project is required to adhere to water quality standards adopted by the Regional Water Quality Control Board and implemented through compliance with the City of Wildomar's MS4 permit. The Water Quality Control Plan was included as Appendix 8a on the CD accompanying the IS/MND.

- 1-7 The commenter states that while the IS/MND does briefly mention potential effects from drainage/runoff and toxics to adjacent waterways, it does not detail what effects are expected or the extent of such impacts. Furthermore, the IS/MND does not show that compliance with a stormwater pollution prevention plan (SWPPP) or best management practices (BMPs) will reduce such potential riparian/riverine effects.

On page 67 of the Hydrology and Water Quality subsection of the IS/MND, the discussions of Impacts a) and f) explain how the SWPPP incorporates best management practices to ensure that potential water quality impacts are minimized. The following is an excerpt from text starting on page 67 of the IS/MND:

- Construction

2.0 COMMENTS AND RESPONSES TO COMMENTS

- Control sediment by preserve existing vegetation where feasible, stabilizing soils with hydraulic mulch where construction activities have been inactive for more than 14 days, and stabilizing soil stockpiles and slopes
 - Implement temporary sediment controls such as silt fencing, fiber rolls, gravel bag berms, sediment traps, check dams, sediment sweeping and vacuuming, and storm drain inlet protections
 - Reduce sediment tracking onto roadways by stabilizing construction entrances and exits and provide sediment sweeping and vacuuming
 - Control dust by preserving existing vegetation, applying hydraulic mulch, stabilizing soil stockpiles and slopes, and applying water to disturbed soils
 - Control non-stormwater discharges from paving and grinding operations, accidental releases, irrigation, vehicle and equipment fueling and maintenance, and concrete curing
 - Prevent discharges related to waste management by storing waste materials on impervious surfaces, covering stockpiles, storing hazardous materials in watertight containers, disposing of materials off-site at a minimum once per week, and provision of and regular maintenance and off-site disposal of portable toilets.
- Post-construction
 - Hardened and engineered storm drainage systems
 - Permanent erosion control
 - Landscaping
 - Retention/infiltration systems

Both the Water Quality Control Plan and the SWPPP can be found as Appendix 8a and Appendix 8b in the IS/MND, respectively.

- 1-8** The commenter states that no paleontology survey was prepared and therefore the conclusion that impacts to paleontological resources are less than significant with mitigation incorporated is unsupported by evidence.

According to the Riverside County Land Information System (RCLIS), a portion of the project site is classified as having high potential for paleontological sensitivity; therefore, excavations and ground-breaking activity could affect paleontological resources buried within the project site. Accordingly, mitigation measure CUL-8 has been incorporated. Mitigation measure CUL-8 prevents harm to any potential paleontological resources that may be encountered during construction. Therefore, the conclusion identified in the IS/MND is appropriate and does not require modification.

- 1-9** The commenter states that no geotechnical investigation was prepared, and one should be prepared to incorporate information and/or suggested mitigation measures related to soils impacts.

Any potential soil erosion associated with the proposed project during grading and construction requires the implementation of mitigation measure GEO-1 and adherence to City of Wildomar Municipal Code Chapter 15.12, Building Code. Additionally, the City routinely requires the submittal of an erosion/sediment control plan with any grading plans. Erosion control plans detail the project's plan to manage stormwater runoff during

2.0 COMMENTS AND RESPONSES TO COMMENTS

construction and the best management practices that will be used during construction. Additionally, the developer is required to submit a stormwater pollution prevention plan (SWPPP) to the Regional Water Quality Control Board. The SWPPP provides detailed information about the project's stormwater management for construction activities. Before the grading permit is issued, the City will verify that the applicant has a valid Waste Discharge Identification Number (WDID Number), which indicates that the developer has processed a Notice of Intent with the State, which can be used to confirm that the project has a SWPPP. These requirements help to ensure that any potential soil erosion associated with grading of the site is fully mitigated. In this case, the applicant has submitted a SWPPP (Appendix 8 of the IS/MND).

Additional language has been added to the IS/MND to further clarify the process. Chapter 3, Minor Revisions to the IS/MND, notes the addition of these regulatory requirements:

Soil erosion may result during construction of the proposed project, as grading and construction can loosen surface soils and make soils susceptible to the effects of wind and water movement across the surface. The City routinely requires the submittal of detailed erosion control plans with any grading plans. All allowed development associated with the proposed project would be subject to compliance with the requirements set forth in the National Pollutant Discharge Elimination System (NPDES) Storm Water General Construction Permit (GCP) for construction activities. Compliance with the NPDES would minimize effects from erosion and ensure consistency with the Water Quality Control Plan of the San Diego Regional Water Quality Control Board (1994, with amendments effective April 4, 2011), which establishes water quality standards for the groundwater and surface water of the region. The displacement of soil through cut and fill will be controlled by Chapter 33 of the 2013 California Building Code relating to grading and excavation, other applicable building regulations, and standard construction techniques. The implementation of mitigation measure **GEO-1** and compliance with Wildomar Municipal Code Chapter 15.12 (which codifies the California Building Code (CBC) as published by the California Building Standards Commission) will address any erosion issues associated with the grading of the site. As a result, these impacts would be less than significant with mitigation incorporated.

- 1-10** The commenter states that the less than significant impact determination in the IS/MND associated with landslide, rockfall, mudslide, or erosion isn't supported by evidence. The commenter recommends that a site-specific geotechnical investigation, including soil sampling and laboratory testing, be performed prior to project approval.

As noted on page 26 of the IS/MND, "The project site is currently undeveloped but highly disturbed, with evidence of recent clearing and grading activities on the northern portion of the site. The site gently slopes from an elevation of approximately 1,210 feet above mean sea level at the northwestern corner to approximately 1,183 feet at the southwestern corner." Review of the project site and the surrounding topography show that the area is flat and developed and that there are no adjacent slopes which could result in landslide, rockfall, or mudslide onto the property.

The City of Wildomar Municipal Code, the CBC, and other related construction standards apply seismic requirements and address certain grading activities. The CBC includes common engineering practices requiring special design and construction methods that reduce or eliminate potential expansive soil-related impacts. These methods are project-

specific but can include overexcavation of foundations, import of more stable material, positive drainage systems, or changes in structure design. Compliance with CBC regulations would ensure the adequate design and construction of building foundations to resist soil movement. Compliance with the CBC is already required by the Wildomar Municipal Code.

- 1-11** The commenter states that neither the preliminary Water Quality Management Plan (WQMP) nor the stormwater pollution prevention plan are based on a soils report that confirms the soils types, resulting in a guess by these documents about the infiltration and percolation capability on the project site. The commenter further states that an EIR must be prepared to address how the water from the site drains to Murrieta Creek.

Both the WQMP and the SWPPP use soil information from the Web Soil Survey found on the Natural Resources Conservation Services (NRCS) website, which provides soils data and soils types found in a delineated area. The Web Soil Survey provides information on the specific soil types present on the project site. The percolation and infiltration capabilities in the WQMP and SWPPP are based on the soil types identified on-site by the Web Soil Survey.

- 1-12** The commenter states that in the cumulative impact assessment there is no discussion of what cumulative projects were considered, and the conclusion is unsupported by evidence or reasoning. Additionally, the commenter recommends an EIR to adequately consider associated impacts.

The IS/MND analyzes impacts associated with cumulative projects using the projects listed in Table 23, Cumulative Projects Trip Generation. This table is identical to the table in the Traffic Impact Analysis (TIA) (Appendix 10 of the draft IS/MND). The TIA used cumulative information provided by the City, which can be found online at this link: <http://www.cityofwildomar.org/uploads/files/maps/Cumulative%20Dev%20Project%20M-aps-Matrix%2011-17-14%20Web%20Version.pdf>

Based on the information presented in the draft IS/MND, cumulative traffic impacts would be less than significant. As discussed in the IS/MND, the Wildomar Municipal Code requires that the project applicant pay its fair-share contribution toward necessary regional transportation improvements through payment of the Transportation Uniform Mitigation Fee (TUMF). The project's impacts to cumulative traffic conditions would be less than cumulatively considerable. Therefore, the cumulative analysis presented in the IS/MND reflects and analyzes the future cumulative projects in proximity to Sycamore Academy.

Letter 2

Alfredo Garcia

From: Matthew Bassi
Sent: Monday, December 29, 2014 4:24 PM
To: Alfredo Garcia
Cc: Mark Teague (mteague@pmcworld.com); Barbara Hale (b.hale@sycamoreacademycharter.org)
Subject: FW: Sycamore Academy Planning Application 14-0074

Alfredo print this out, stamp it with today's date and scan it into the MND folder. This is an official MND comment

Matthew C. Bassi
Planning Director

City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar CA 92595
951.677.7751 x213
951.698.1463 (Fax)

City Hall Hours:
Monday - Thursday
8:00 a.m. - 5:00 p.m.
Closed Every Friday

www.cityofwildomar.org

RECEIVED

DEC 29 2014

CITY OF WILDOMAR

From: kenny@coastinet.com [mailto:kenny@coastinet.com]
Sent: Monday, December 29, 2014 3:49 PM
To: Matthew Bassi
Subject: Sycamore Academy Planning Application 14-0074

From: Kenneth Mayes
Citizen of Wildomar
kenny@coastinet.com
(951) 316-2449

Hello Matt

Thoughts and comments on Sycamore Academy Planning Application 14-0074 parcel number 380-170-020-1 located at 23151 Palomar Street in the City of Wildomar, CA with mailing address of Murrieta 92562.

This is the first time doing this so please excuse the clustered look.

The items in italics are quotes from the study. Bolds are particular section. All CAPS are my question or response.

This school should not be built on Palomar Street. The one school already on this street further north, Wildomar Elementary School, creates an enormous traffic jam twice a day. As this is a regional

2-1

Letter 2 Continued

roadway servicing the entire length of the valley when Mission Trail and Jefferson Avenue are included causing traffic to slow to 25 mph from the current 50 mph during the school day causes an enormous disruption to the smooth flow of traffic, it also precludes RTA from considering this as a future route. (RTA already tried to eliminate the route 7 further north)

2-1
cont.

In the conceptual drainage notes it is shown that the total parcel size is 9.84 acres (this is confirmed by the County of Riverside Geographic Information Services (GIS), the reports covering this project have varying parcel sizes from 6.7 to 9.84 acres. To ignore portions of land in various studies done such as cultural, biological, hazards, hydrology, etc is exactly what the County of Riverside would have done. Why did this community become a city if the same sloppy planning is to continue. Much of the acreage eliminated from various studies contains both sides of the current Murrieta Creek at the point that Slaughter House Creek confluences with it.

2-2

If as claimed this property is to remain undeveloped it should be conditioned to provide easement to either RCFC&WCD for flood control purposes and/or (preferably and as a trail could be conditioned to access Palomar by way of Robin Scott Road) the City of Wildomar for trails purposes. There is no guarantee that this charter school will survive further approvals from LEUSD therefore this conditions should be obtained while conditions are most favorable.

2-3

There is also the option of dividing the entire parcel into 2 separate parcels as was attempted by the previous owner, but never completed. This would be disastrous to the community on the face of it unless said subdivision include the donation to the city of the smaller parcel which includes the two creeks.

2-4

4. Biological Resources

This section deals with the easterly 6.7 acres while totally ignoring the most westerly portion of this property consisting of approximately 3.14 acres. Just because there are no plans to develop it currently is not a reason to ignore it as it is part of this complete parcel.

2-5

5. Cultural Resources

Report in appendix 4a PHASE-I-CULTURAL-RESOURCES-ASSESSMENT-I list property as 7.1 acres not the 9.84 acres it is. As the portion left out of the study is the confluence of two streams it is likely a source of historical significance an should have been examined by relevant parties.

2-6

8. Hazards and Hazardous Materials

(f)

Report fails to mention the Heliport at Inland Valley Regional Medical Center located 0.8 miles northeast of subject property.
<http://www.gcmap.com/airport/2CL8>

Type: Heliport

Use: Private, Medical

Latitude: 33°35'33"N (33.592524)

Longitude: 117°14'14"W (-117.237257)

Datum: WGS 1984

Elevation: 1327 ft (404 m)

Variation: 12.0°E (WMM2015 magnetic declination)

Helipads: 1

Largest: 75 × 75 ft (23 × 23 m), paved

This Heliport is mentioned again in Section 16 Transportation and Traffic.

2-7

Letter 2 Continued

9. Hydrology and Water Quality

(c) Underground pipes would direct water to bioswales

Who is responsible for cleaning these, on what schedule, will a report be filed with the city to insure this activity is completed.

2-8

Talks of bioswales which the city of Wildomar has a poor history of maintaining (an example would be the bioswale at Marna O'Brien Park which is nothing more than a dirt trench). Who will be responsible for planting (with what) and maintaining this feature. The city of Wildomar or Sycamore Academy, if Sycamore what if any remedy is there if they fail in their responsibility.

(i) Diamond Valley Dam Inundation Area - is it out of the flow line?.

2-9

11. Mineral Resources

The Phase I Environmental Site Assessment prepared for the project site by All Appropriate Inquiries Environmental Corporation in 2014 (Appendix 7a) did not reveal any significant potential for mineral resources at the site or any previous use of the site for mineral resource extraction. As a result, no impacts are anticipated.

2-10

(OIL WELL REMNANTS DISCOVERED per study and a Phase II study was recommended)

16. Transportation/Traffic

c) No Impact. The proposed project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The maximum building height of the project (20 feet) is significantly less than the height of the terrain in the vicinity of the project. Since the location and height of the project would not affect air traffic patterns or aircraft operations from any private or public airport, no impact would occur.

2-11

(NO MENTION OF HELIPORT AT INLAND VALLEY THEREFORE UNKNOWN IF THIS WOULD BE AFFECTED)

This is a school site therefore flyovers maybe affected.

The current right away of 105 feet precludes this ever being a true arterial roadway with a 128 ft right away. This site will continue the practice of lying about what really is.

A proper Arterial Roadway has a 9 foot parkway between curb face and sidewalk, all current sidewalks in the area ignore this practice as they are located at curb face.

d, e) Less Than Significant Impact

Sight Distance

Based on the design speed of 45 mph, the minimum sight distance from the access driveway on Palomar Street would be 360 feet.

2-12

(CURRENT SPEED LIMIT IS 50 MPH, UNTIL A TRAFFIC STUDY DETERMINES THIS CAN BE LOWERED THIS IS A FALSE ASSUMPTION AND THE PROPER DISTANCE OF 430 FEET SHOULD BE USED) THIS ALSO ASSUMES NO PLANTINGS ALONG STREET

THE MODIFIED RIGHT TURN OUT OF THE DRIVEWAY CREATES A DANGEROUS SITUATION IN THAT IT PLACE A SLOWER MOVING VEHICLE INTO MOVING TRAFFIC . IT LOOKS LIKE THE SCHOOL CORPORATION IS TRYING TO SAVE MONEY BY NOT MOVING A UTILITY POLE, TO SAVE MONEY AN PLACE LIVES IN DANGER IS NOT A GOOD TRADE-OFF.

Letter 2 Continued

The future connection of Jefferson with Palomar a short distance to the south of this project should also be taken into consideration. Once this facility is built it is to late to change things. Therefore it might be more prudent to use Decision Sight Distance Table 201.7 of the Highway manual which calls for a distance of 750 feet.

2-12
cont.

f) Less Than Significant Impact.

A paved sidewalk has been constructed on the north side of Palomar Street that provides access from Clinton Keith Road to the project site. A segment of sidewalk has also been constructed on the south side of Palomar Street along the adjacent church property. The proposed project would include frontage improvements along Palomar Street that, in accordance with City standards, would include a sidewalk to further improve pedestrian access in the area. Therefore, this impact would be less than significant.

2-13

(UNLESS A CROSSWALK IS INSTALLED AT HARWOOD LANE THERE IS NO SAFE ACCESS FROM THE NORTHEAST TO THE SOUTHWEST SIDE OF PALOMAR STREET WHICH CREATES A DISCONNECT FROM THE INTERSECTION AT CLINTON KEITH/PALOMAR)

17. Utilities and Service Systems

d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?

2-14

(THERE IS NO MENTION OF RECLAIMED WATER BEING USED OF PLAYFIELDS EVEN THOUGH A LINE RUNS IN PALOMAR STREET FRONTING THE PROPERTY)

ORDINANCE NO. 348.4773

AN ORDINANCE OF THE COUNTY OF RIVERSIDE PROVIDING FOR LAND USE PLANNING AND ZONING REGULATIONS AND RELATED FUNCTIONS.

ARTICLE IXd C-O (COMMERCIAL-OFFICE ZONE)

When Wildomar adopted County Ordinances this became our standards. As such the below sections need to be applied.

B. The following uses are permitted provided a conditional use permit has been approved pursuant to Section 18.28. of this ordinance:

3. Health and exercise centers, provided all facilities are located within an enclosed building.

2-15

(THIS WILL NOT BE THE CASE HERE AS PLAY FIELDS ARE NOT INSIDE)

D. Masonry Wall. Prior to occupancy of any use permitted in this article, a six foot high solid masonry wall or combination landscaped earthen berm and masonry wall shall be constructed on each property line that adjoins any parcel specifically zoned for residential use.

(THERE ARE NO BLOCK WALLS SHOWN IN ANY DRAWING.)

2.0 COMMENTS AND RESPONSES TO COMMENTS

Comment Letter 2 – Kenneth Mayes

- 2-1 The commenter states that the school should not be built on Palomar Street because Wildomar Elementary School, which is located farther north on the street, already creates an enormous traffic jam twice a day.

The proposed project would result in the transfer of students from the existing location in the Renaissance Plaza shopping center near the intersection of Palomar Road and Clinton Keith Road to the proposed location. The existing Sycamore Academy campus served 401 students in grades K–7 as of November 2014. The existing campus is located at 32326 Clinton Keith Road, which is approximately 0.25 miles from the proposed project site (see Figure 2 in the IS/MND). This campus will be closed and the students relocated to the proposed project site once the project is complete. The existing campus currently serves students in grades K–7 and will expand to serve grade 8 at the new site in the 2015–2016 school year. The school expects to serve a maximum of 594 students at this site. As a result, the majority of the student population would be relocated from an existing location. As analyzed in the IS/MND, the incremental increase in traffic would not result in unacceptable levels of service during the peak hours for the 2016 With Project traffic conditions.

- 2-2 The commenter states that the IS/MND does not accurately cover the total parcel size as shown of the County of Riverside Geographic Information Services (GIS) of 9.84 acres.

A boundary line adjustment was made as of September 8, 2014. The proposed project site now only contains 7.21 acres and the remaining land is part of APN 380-017-019 (Appendix 1).

- 2-3 The commenter suggests flood control purposes and/or trails for the undeveloped portion of the property. The commenter states that there is no guarantee that this charter school will survive further approvals from the Lake Elsinore Unified School District (LEUSD).

As previously stated, the “undeveloped” property to which the commenter refers is not part of the parcel. On October 10, 2013, the Lake Elsinore Unified School District voted to approve the renewal of Sycamore Academy of Science and Cultural Arts. The charter is now approved through June 30, 2019, with the expansion to grade 8 (sycamoreacademycharter.org).

- 2-4 The commenter suggests that there is an option to divide the entire parcel into two separate parcels, as attempted by the previous owner.

This comment does raise any environmental issues; therefore, no response is necessary.

- 2-5 The commenter states that the Biological Resources subsection of the IS/MND focuses on the easterly 6.7 acres, while ignoring the westerly 3.14 acres.

The Biological Resources subsection of the IS/MND focuses on the entire 7.21-acre site. The section does not reference 6.7 acres or 3.14 acres.

2.0 COMMENTS AND RESPONSES TO COMMENTS

- 2-6** The commenter states that the Phase I Cultural Resources Assessment lists the property as 7.1 acres and not 9.84 acres.

As previously stated, a boundary line adjustment was made as of September 8, 2014. The proposed project site now only contains 7.21 acres and the remaining land is part of APN 380-017-019 (Appendix 1).

- 2-7** The commenter suggests that the discussion of Impact f) in the Hazards and Hazardous Materials subsection of the IS/MND fails to mention the heliport at Inland Valley Medical Center located 0.8 miles northeast of the project site.

The approach zone for the heliport is along Interstate 15 (I-15), which is located approximately half a mile east of the proposed project site. Neither the location of the school nor the height of proposed construction would impede helicopter operations. Additionally, due to the distance, the location of the proposed school site would not impede air traffic associated with the helipad and therefore would not result in a safety hazard for the students or faculty on campus.

- 2-8** The commenter wants to know who will be responsible for cleaning and maintaining the bioswales.

It is the applicant's responsibility to maintain the bioswales not within the City right-of-way. It is the City's responsibility to maintain the bioswales within the City right-of-way.

- 2-9** The commenter asks whether the Diamond Valley Dam inundation area is out of the flow line.

As stated on page 70 of the IS/MND, the proposed project is not within the inundation area for the Diamond Valley Reservoir.

- 2-10** The commenter states that the Phase I study recommended a Phase II study because oil well remnants were discovered.

On pages 64–65 under the discussion of Impact d) of the Hazards and Hazardous Materials subsection of the IS/MND states that a Phase II ESA was performed to determine whether any of the suspected substances identified in the Phase I ESA are present of the site at levels exceeding applicable regulatory standards. According to the Phase II ESA, laboratory testing was conducted of soil samples taken in the area of the suspected oil well drilling. Based on these laboratory testing results, the Phase II ESA did not recommend any further evaluation of the suspected oil well drilling area or the former orchard area on the project site.

- 2-11** The commenter states that the traffic section does not mention the heliport at Inland Valley Medical Center; therefore, Impact c) in the Transportation/Traffic subsection needs to be reevaluated. Further, the commenter states that the current right-of-way of 105 feet prevents this from being a true arterial roadway with a 128-foot right-of-way.

2.0 COMMENTS AND RESPONSES TO COMMENTS

The approach zone for Inland Valley Medical Center is located along I-15, which is closer to the school's current location than to the site of the proposed school. The approach traffic for the hospital is along I-15, which is approximately half a mile east of the school. Emergency helicopter overflights of the proposed project site would be no greater than would occur for any other building in Wildomar. Construction of the school does not include any tall structures or antennae that could impede helicopter flight or impede operations at the Inland Valley Medical Center helipad.

Regarding the comment regarding the 128-foot right-of-way, Palomar Street runs along the frontage of the property and is classified in the General Plan as an Arterial Highway with a minimum right-of-way of 128 feet in its final configuration. The proposed project includes dedication and construction of a 64-foot half-section along its frontage consistent with the roadway classification. Improvements to the right-of-way will be made in accordance with Wildomar Development Standards as outlined on Sheet 2, Offsite Street Improvement Plan and Profile, of the Project Plans found in Appendix 1 of the draft IS/MND. Note that the City Engineer may require a different roadway configuration for safety and to match existing pavement for Palomar Street to the south of the project. As proposed, the project is consistent with the General Plan.

- 2-12 The commenter states that the current speed limit on Palomar Street is 50 mph, contrary to the IS/MND, which states the speed limit is 45 mph, and that the sight distance from the project driveway should be 430 feet or 750 feet.

The commenter is correct. The posted speed limit on Palomar Road is 50 miles per hour as established by Wildomar Municipal Code Section 10.16.090(1). Access to the school would be provided by a driveway on Palomar Street; no additional driveways are proposed in conjunction with the project. At intersections and project driveways, a substantially clear line of sight will be maintained between the driver of a vehicle waiting at the crossroad and the driver of an approaching vehicle. Sight distance is the continuous length of roadway visible to the user. As noted on page 105 of the IS/MND, Palomar Road is relatively straight and maintains a constant grade for at least 800 feet on either side of the proposed driveway. A preliminary sight distance evaluation prepared for the proposed driveway was based on criteria and procedures from the California Department of Transportation (Caltrans) in the Highway Design Manual (HDM). Table 201.1, Sight Distance Standards, of the HDM relates minimum sight distance values to a range of design speeds. At 45 mph, the minimum sight distance from the access driveway on Palomar Street would be 360 feet. When recalculated for a 50 mph speed, the minimum sight stopping distance would be 435 feet. The minimum stopping distance is less than the available 800 feet.

- 2-13 The commenter states for Impact f) in the Transportation/Traffic subsection that unless a crosswalk is installed at Hardwood Lane, there is no safe access from the northeast to the southwest side of Palomar Street, which creates a disconnect from the intersection at Clinton Keith Road and Palomar Street.

Unlike a traditional school site, Sycamore Academy does not permit students to walk to school. The project includes frontage improvements consistent with the roadway designation that include both a sidewalk and a multi-use trail; however, the students will arrive and depart via personal automobile. Because the students will not be walking to school, there is no need for a crosswalk at Hardwood Lane to support the project. The City Engineer has the authority to establish a crosswalk should demand arise in the future.

- 2-14** The commenter states that in Impact d) of the Utilities subsection of the IS/MND, there is no mention of reclaimed water being using on fields even though a line runs through Palomar Street.

Page 1 of the IS/MND under Project Description explains that the school's fields will be made from turf. In fact, according to the Preliminary Hydrology Water Quality Management Plan (WQMP) (Appendix 8a of the IS/MND), there is approximately 122,000 square feet of turf on the project site. Also, according to the WQMP, reclaimed water will not be used for the non-potable water demands of the project.

- 2-15** The commenter states that the City adopted County ordinances upon incorporation, and the project doesn't comply with County Ordinance 348.4773.

County of Riverside Ordinance 348.4773 is the County's current Zoning Ordinance. The City incorporated in July 2008 and adopted the County's Zoning Ordinance as it existed in July 2008 as the City's Zoning Ordinance. The provisions of County Ordinance 348.4773 cited by commenter are contained in Section 17.84.020(B) and 17.84.030(D) of the City's Municipal Code. As such, the project complies with the applicable City ordinances. These comments don't raise environmental concerns or issues with the IS/MND.

2.0 COMMENTS AND RESPONSES TO COMMENTS

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3.0 MINOR REVISIONS TO THE IS/MND

3.1 INTRODUCTION

This section includes minor edits to the IS/MND. These modifications resulted from responses to comments received during the public review period as well as from staff-initiated changes.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text).

3.2 MINOR CHANGES AND EDITS TO THE IS/MND

The following minor changes are made to clarify the IS/MND based on comments received on the project and review of those comments by the City and by the technical experts responsible for the supporting studies.

BIOLOGICAL RESOURCES

Mitigation measure BIO-1 on page 49 of the IS/MND is amended as follows:

- BIO-1** The project applicant shall conduct construction and clearing activities outside of the avian nesting season (January 15–August 31) if feasible. If clearing and/or construction activities occur during the nesting season, preconstruction surveys for nesting raptors, migratory birds, and special-status resident birds (e.g., loggerhead shrike) shall be conducted by a qualified biologist, up to ~~14~~ 3 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.

CULTURAL RESOURCES

Mitigation measures CUL-1, CUL-2, CUL-3, and CUL-8 on pages 53 through 55 of the IS/MND are revised as follows:

- CUL-1** If during grading or construction activities, cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archeologist and the Pechanga Tribe (Tribe). Any unanticipated archaeological resources that are discovered shall be evaluated ~~and a~~ in the final report prepared by the qualified archeologist. The report shall include a list of the resources discovered, documentation of each site/locality, and interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. If the qualified archeologist and the Tribe determine the resources to be historic or unique, avoidance and/or mitigation would be required pursuant to and consistent with CEQA Guidelines Section 15064.5(c) and Public Resources Code Section 21083.2 and the Archaeological Resources Treatment and Monitoring Agreement required by mitigation measure **CUL-2**. This mitigation measure shall be incorporated into all construction contract documentation.

3.0 MINOR REVISIONS TO THE IS/MND

- CUL-2** At least 30 days prior to seeking a grading permit, the project applicants shall contact the Pechanga Tribe to notify the Tribe of the proposed grading and shall coordinate with ~~the City of Wildomar and~~ the Tribe to develop an Archaeological Resources Treatment and Monitoring Agreement. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, burial goods and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Tribal monitors during all ground-disturbing activities.
- CUL-3** If human remains are encountered, California Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted ~~within a reasonable time frame~~ 24 hours. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant" ~~within 24 hours of receiving notification from the coroner~~. The most likely descendant shall then have 48 hours to make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. This mitigation measure shall be incorporated into all construction contract documentation.
- CUL-8** Construction personnel involved in excavation and grading activities shall be informed of the possibility of discovering fossils at any location and the protocol to be followed if fossils are found. A professional meeting the Society of Vertebrate Paleontology standards shall provide the preconstruction training. The City shall ensure the grading plan notes include specific reference to the potential discovery of fossils. A final mitigation monitoring report shall be prepared by the archaeologist documenting any resources found, their treatment, ultimate disposition, new or updated site records, and any other pertinent information associated with the project as outlined in mitigation measure CUL-1. Final copies of the report will be submitted to the City of Wildomar, the developer, the Eastern Information Center, and the Pechanga Tribe.

GEOLOGY AND SOILS

The following revisions have been made on page 58:

Soil erosion may result during construction of the proposed project, as grading and construction can loosen surface soils and make soils susceptible to the effects of wind and water movement across the surface. The City routinely requires the submittal of detailed erosion control plans with any grading plans. All allowed development associated with the proposed project would be subject to compliance with the requirements set forth in the National Pollutant Discharge Elimination System (NPDES) Storm Water General Construction Permit (GCP) for construction activities. Compliance with the NPDES would minimize effects from erosion and ensure consistency with the Water Quality Control Plan of the San Diego Regional Water Quality Control Board (1994, with amendments effective April 4, 2011), which establishes water quality standards for

the groundwater and surface water of the region. The displacement of soil through cut and fill will be controlled by Chapter 33 of the 2013 California Building Code relating to grading and excavation, other applicable building regulations, and standard construction techniques. The implementation of mitigation measure **GEO-1** and compliance with Wildomar Municipal Code Chapter 15.12 (which codifies the California Building Code (CBC) as published by the California Building Standards Commission) will address any erosion issues associated with the grading of the site. As a result, these impacts would be less than significant with mitigation incorporated.

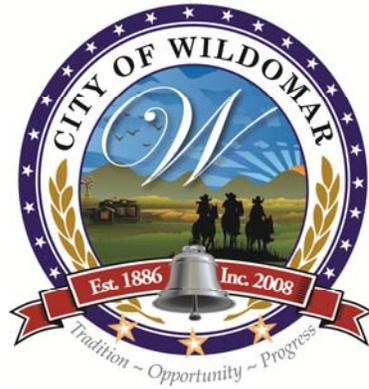
3.0 MINOR REVISIONS TO THE IS/MND

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ATTACHMENTS

ATTACHMENT A: PUBLIC NOTICES

Marsha Swanson, Mayor
Ben Benoit, Mayor Pro Tem
Bob Cashman, Council Member
Bridgette Moore, Council Member
Timothy Walker, Council Member



23873 Clinton Keith Rd, Ste. 201
Wildomar, CA 92595
951.677.7751 Phone
951.698.1463 Fax
www.CityofWildomar.org

TO: Reviewing Agencies and Other Interested Parties
FROM: Matthew C. Bassi, Planning Director
DATE: November 24, 2014
SUBJECT: **Sycamore Canyon Academy Initial Study (Planning Application No. 14-0074)**

The City of Wildomar ("City") is the Lead Agency for the preparation and review of an Initial Study for the Sycamore Canyon Academy project. The proposed project comprises the development of public K through 8 charter school on a 9.7-acre vacant lot. More specifically, the proposed project consists of an approximately 28,000 square foot K through 8 public charter school including 22 classrooms arranged in four buildings, a flex-classroom, and an administration building as well as patio space, parking lots, gardens, an amphitheater, and paved and turf play areas. The proposed school would operate from 6:00 AM to 5:00 PM on weekdays with a peak of 35 employees on campus at any given time. Campus hours are 7:30 AM to 4:00 PM Monday through Thursdays. The proposed playfields would not be lighted and, therefore, would not be rented out nor used at night.

In addition to the development of the campus, off-site street improvements include modifications made to the section of Palomar Street in front of the school. This section of Palomar Street will be constructed to a half-section width as an arterial road with a right of way of 128 feet between the project's northern boundary and extending 300 feet south of the southern boundary with a taper rate and design standards set by the City of Wildomar. A striped pocket with a minimum length of 100 feet extending from the school's driveway entrance will be created to allow for left turns into the project's access driveway. Signage will be provided along the Palomar Street frontage that states "no stopping" or "no loading" to discourage parents from using this roadway as a drop-off point.

At this time, the City is requesting comments on the Initial Study for the proposed project. This notice is being sent to responsible agencies, trustee agencies, and other interested parties along with a copy of the Initial Study on CD. The public response period for the Draft EIR will begin on **Monday, December 1 2014 and end on Tuesday, December 30, 2014.** Written comments can be provided to Matthew C. Bassi, Planning Director, City of Wildomar, 23837 Clinton Keith Road, Suite 201, Wildomar, CA 92595. Comments can also be emailed to me at mbassi@cityofwildomar.org.

Sincerely,


Matthew C. Bassi
Planning Director

Enclosure-Initial Study on CD

City of Wildomar

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, PO Box 3044, Sacramento, CA 95812-3044
 (916) 445-0613 state.clearinghouse@opr.ca.gov

SCH # _____

PROJECT TITLE

Sycamore Canyon Academy Initial Study (Planning Application No. 14-0074)

LEAD AGENCY City of Wildomar	CONTACT PERSON Matthew C. Bassi, Planning Director
STREET ADDRESS 23873 Clinton Keith Road, Suite 201	PHONE 951/677-7751, Ext. 213
CITY Wildomar	ZIP CODE 92595
	COUNTY Riverside

PROJECT LOCATION

COUNTY Riverside	CITY/NEAREST COMMUNITY City of Wildomar		
CROSS STREETS Palomar Street and Clinton Keith Road	ZIP CODE 92595	TOTAL ACRES 9.7	
ASSESSOR'S PARCEL NUMBER 380-170-020	SECTION	TOWNSHIP	RANGE
WITHIN 2 MILES: STATE HIGHWAY NUMBER Interstate 15	AIRPORTS None within 2 miles; closest public airport is French Valley Airport – 7 miles southeast.	SCHOOLS None	
RAILWAYS None	WATERWAYS None		

DOCUMENT TYPE

CEQA	<input type="checkbox"/> NOP <input type="checkbox"/> Early Cons <input checked="" type="checkbox"/> Initial Study <input type="checkbox"/> Draft EIR	<input type="checkbox"/> Supplement/Subsequent EIR (Prior SCH No.) _____ <input type="checkbox"/> Other	NEPA	<input type="checkbox"/> NOI <input type="checkbox"/> EA <input type="checkbox"/> Draft EIS <input type="checkbox"/> FONSI	OTHER	<input type="checkbox"/> Joint Document <input type="checkbox"/> Final Document <input type="checkbox"/> Other _____
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LOCAL ACTION TYPE

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

DEVELOPMENT TYPE

<input type="checkbox"/> Residential	Units _____	Acres _____	Employees _____	<input type="checkbox"/> Transportation	Type _____
<input checked="" type="checkbox"/> Administrative Building	Sq. ft. <u>2,400</u>	Acres _____	Employees _____	<input type="checkbox"/> Mining	Mineral _____
<input type="checkbox"/> Shopping/Commercial	Sq. ft. _____	Acres _____	Employees _____	<input type="checkbox"/> Waste Treatment	Type _____
<input type="checkbox"/> Industrial	Sq. ft. _____	Acres _____	Employees _____	<input type="checkbox"/> Hazardous Waste	Type _____
<input checked="" type="checkbox"/> Educational	Sq. ft. <u>25,510</u>				
<input type="checkbox"/> Other	Sq. ft. _____				
<input type="checkbox"/> Recreational				<input type="checkbox"/> Water Facilities	Type _____ MGD _____
				<input type="checkbox"/> Power	Type _____ Watts _____

FUNDING

Federal \$ _____	State \$ _____	Total \$ _____
------------------	----------------	----------------

PROJECT ISSUES DISCUSSED IN DOCUMENT

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

PRESENT LAND USE/ZONING/GENERAL PLAN DESIGNATION: Commercial Office (CO); Commercial Office (C-O).

PROJECT DESCRIPTION:

The proposed project comprises a public use permit (PUP) for the development of an approximately 28,000 square feet K through 8 public charter school consisting of 22 classrooms arranged in four buildings, a flex-classroom building, and an administration building as well as patio space, parking lots, gardens, an amphitheater, and paved and turf play areas. In addition to the development of the campus, off-site street improvements include modifications made to the section of Palomar Street in front of the school. This section of Palomar Street will be constructed to a half-section width as an arterial road with a right of way of 128 feet between the project's northern boundary and extending 300 feet south of the southern boundary with a taper rate and design standards set by the City of Wildomar. A striped pocket with a minimum length of 100 feet extending from the school's driveway entrance will be created to allow for left turns into the project's access driveway. Signage will be provided along the Palomar Street frontage that states "no stopping" or "no loading" to discourage parents from using this roadway as a drop-off point.

REVIEWING AGENCIES CHECKLIST

- Resources Agency
- Boating & Waterways
- Coastal Conservancy
- Colorado River Board
- Conservation
- Fish and Wildlife
- Forestry & Fire Protection
- Office of Historic Preservation
- Parks and Recreation
- Reclamation Board
- San Francisco Bay Conservation & Development Commission
- Water Resources

Business, Transportation & Housing

- Aeronautics
- California Highway Patrol
- CALTRANS District # 8
- Department of Transportation Planning (headquarters)
- Housing & Community Development
- Food & Agriculture Health & Welfare
- Health Services _____

State & Consumer Services

- General Services

Environmental Protection Agency

- Air Resources Board
- California Waste Management Board
- SWRCB: Clean Water Grants
- SWRCB: Delta Unit
- SWRCB: Water Quality
- SWRCB: Water Rights
- Regional WQCB # 8 (San Ana Region)
- Regional WQCB # 9 (San Diego Region)

Youth & Adult Corrections

- Corrections

Independent Commissions & Offices

- Energy Commission
- Native American Heritage Commission
- Public Utilities Commission
- Santa Monica Mountains Conservancy
- State Lands Commission
- Tahoe Regional Planning Agency

Other U. S. Army Corps of Engineers, San Diego District

Other U. S. Fish & Wildlife Services

PUBLIC REVIEW PERIOD

Starting Date Monday, December 1, 2014

Ending Date Tuesday, December 30, 2014

Signature 
Matthew C. Bassi, Planning Director
City of Wildomar Planning Department

Consultant:
Consulting Firm: Pacific Municipal Consultants
Address: 6020 Cornerstone Court West, Suite 260
City/State/Zip: San Diego, CA 92128
Contact: Mark Teague, AICP
Phone: (858) 453-3602, ext 15201

Lead Agency:
Matthew C. Bassi, Planning Director
City of Wildomar
23837 Clinton Keith Road, Suite 201
Wildomar, CA 92595
Phone: (951) 677-7751

For SCH Use Only: _____
Date Received at SCH _____
Date Review Starts _____
Date to Agencies _____
Date to SCH _____
Clearance Date _____
Notes:

**Sycamore Academy
IS/MND Distribution List
November 21, 2014**

California Dept. of Fish & Wildlife
3602 Inland Empire Blvd. #C-220
Ontario, CA 91764
Attn: Leslie MacNair

U.S. Fish & Wildlife Services
Ecological Svcs – Carlsbad Field Off.
2177 Salk Avenue- Suite 250
Carlsbad, CA 92008-7385
Attn: Michelle Shaughnessy

Sycamore Academy of Science
& Cultural Arts
32326 Clinton Keith Road
Wildomar, CA. 92595
Attn: Barbara Hale, Director/Principal

Riverside County Transportation Dept
4080 Lemon Street, 8th Floor
Riverside, CA 92502
Attn: Farah Khorashadi, Division Mgr.

Western Riverside County
Regional Conservation Authority
Riverside Center Building
3403 10th Street, Suite 320
Riverside, CA 92501

Riverside County Fire Department
2300 Market St., Ste. 150
Riverside, CA 92501
Attn: Dan Wagner

WRCOG
4080 Lemon St. 3rd Floor, MS1032
Riverside, CA 92501-3609
Attn: Rick Bishop, Executive Director

Riverside County Env. Health Dept.
4065 County Circle Dr. #104
Riverside, CA 92503
Attn: Brent Casey

South Coast AQMD
21865 East Copley Drive
Diamond Bar, CA 91765-4182
Attn: Steve Smith, Program
Supervisor Local Government- CEQA

San Diego RWQCB Region (9)
2375 Northside Drive, Suite #100
San Diego, CA 92108
Attn: Program Director

Santa Ana RWQCB Region 8
3737 Main Sreet, Suite 500
Riverside, CA 92501
Attn: Mark G. Adelson

Lake Elsinore Unified School District
545 Chaney Street
Lake Elsinore, CA 92530
Attn: Doug Kimberly

Elsinore Valley Municipal Water Dist.
31315 Chaney Street
Lake Elsinore, CA 92531
Attn: Imad Baiyasi, Project Mgr.

Pechanga Band of Luiseno Indians
Cultural Resources Department
12705 Pechanga Road
Temecula, CA 92593
Attn: Anna Hoover

Southern Calif Assoc of Governments
818 West 7th St, 12th Floor
Los Angeles, CA 90017-3435
Attn: Intergovernmental Review

Southern California Edison
Third Party Environmental Review
2244 Walnut Grove Ave. Quad 4C472A
Rosemead, CA 91770
Attn: Karen Cadavona

Southern California Edison
Local Governmente Affairs
24487 Prielipp Road
Rosemead, CA 91770
Attn: Jeremy Goldman

California Dept. of Transportation
464 W. 4th Street, MS 725
San Bernardino, CA 92401
Attn: Dan Kopulsky, Chief Planner

City of Lake Elsinore Planning Dept.
130 S. Main Street
Lake Elsinore, CA 92530
Attn: Richard MacHott, Acting
Planning Manager

City of Murrieta Planning Department
24601 Jefferson Avenue
Murrieta, CA 92562
Attn: Cynthia Kinser, City Planner

City of Menifee, Planning Department
29714 Haun Road
Menifee, CA 92586
Attn: Planning Director

Cal-Tech/Mount Palomar Observatory
1200 E. California Road, M.S. 105-24
Pasadena, CA 91125
Attn: Robert Brucato, Asst. Director

Army Corps of Engineers
Environmental Resources Branch
915 Wilshire Boulevard
Los Angeles, CA 90017
Attn: Eric Stein

Riverside County Flood Control Dist.
1995 Market Street
Riverside, CA 92501
Attn: Shaheen Mooaman

**NOTICE BY THE CITY OF WILDOMAR OF AN INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION FOR
THE SYCAMORE CANYON ACADEMY PROJECT**

An Initial Study has been prepared by the City of Wildomar for the Sycamore Academy project. The Initial Study is available for public review and can be downloaded from the City of Wildomar website at www.cityofwildomar.org on December 1, 2014. A printed copy of the Cornerstone Community Church DEIR will also be available for review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595 (8 am – 5 pm, Monday – Thursday).

The proposed project is located at 23151 Palomar Street on the west side of Palomar Street south of the existing World Harvest Church located at 23109 Palomar Street. The property is approximately 7.21 acres in size and is vacant with a Riverside County Assessor's Parcel Number of 380-170-020. As proposed a new K through 8th grade charter school will be constructed at this location. The new school will replace the existing Sycamore Academy located and operating at 32326 Clinton Keith Road. The proposed project will result in 22 classrooms arranged in four buildings, a flex-classroom, and an administration building for a total of 28,000 square feet. The site design also includes patio space, parking lots, gardens, and both paved and turf play areas. The proposed school would operate from 6:00 AM to 5:00 PM on weekdays with a peak of 35 employees on campus at any given time. The proposed playfields would not be lighted.

In addition to the development of the campus, off-site street improvements include modifications made to the section of Palomar Street in front of the school. This section of Palomar Street will be constructed to a half-section street width between the project's northern boundary and extending 300 feet south of the southern boundary as directed by the City Engineer. A striped pocket with a minimum length of 100 feet extending from the school's driveway entrance will be created in Palomar Street to allow for left turns into the project driveway. Signage will be provided along the Palomar Street frontage that states "no stopping" or "no loading" to discourage parents from using this roadway as a drop-off point for students.

The Initial Study identifies impacts that require mitigation in the following topic areas: Biological Resources; Cultural Resources; Geology and Soils; and Noise. No significant and unavoidable impacts have been identified. The proposed project site is not on any of the sites enumerated under Section 65962.5 of the Government Code, is not a hazardous waste facility, land designated as hazardous waste property, or a designated hazardous waste disposal site as reported on the California Department of Toxic Substance Control EnviroStor website. <http://www.envirostor.dtsc.ca.gov/public/>.

In accordance with Sections 15072(a) and (b) of the CEQA Guidelines, this Public Notice is posted to officially notify the public, public agencies, responsible and trustee agencies, that the required 30-day public review period will commence on Monday, December 1, 2014 and conclude on Tuesday, December 30, 2014. Any written comments (via email or letter) on the DEIR must be submitted no later than 5 p.m. on December 30, 2014. The Planning Commission is tentative scheduled to take action on this project at its regular meeting of January 21, 2015. Written comments may be mailed to: Matthew C. Bassi, Planning Director, City of Wildomar Planning Department, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595. Email comments can be sent to mbassi@cityofwildomar.org.

Posted: December 1, 2014

Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH # _____

Project Title: Sycamore Canyon Academy Initial Study

Lead Agency: City of Wildomar

Project Location: Wildomar Riverside
City *County*

Project Description (Proposed actions, location, and/or consequences).

PROJECT LOCATION

The project site is located at 23151 Palomar Street, southeast of the Palomar Street/Clinton Keith Road intersection and adjacent Robin Scott Street in Wildomar, California; APN 380-170-020; La Laguna – Stearns Land Grant; Latitude 33.583985 and Longitude 117.2478; Murrieta, California USGS 7.5 minute quadrangle.

PROJECT DESCRIPTION

As proposed a new K through 8th grade charter school will be constructed at this location. The new school will replace the existing Sycamore Academy located and operating at 32326 Clinton Keith Road. The proposed project will result in 22 classrooms arranged in four buildings, a flex-classroom, and an administration building for a total of 28,000 square feet. The site design also includes patio space, parking lots, gardens, and both paved and turf play areas. The proposed school would operate from 6:00 AM to 5:00 PM on weekdays with a peak of 35 employees on campus at any given time. The proposed playfields would not be lighted.

In addition to the development of the campus, off-site street improvements include modifications made to the section of Palomar Street in front of the school. This section of Palomar Street will be constructed to a half-section street width between the project's northern boundary and extending 300 feet south of the southern boundary as directed by the City Engineer. A striped pocket with a minimum length of 100 feet extending from the school's driveway entrance will be created in Palomar Street to allow for left turns into the project driveway. Signage will be provided along the Palomar Street frontage that states "no stopping" or "no loading" to discourage parents from using this roadway as a drop-off point for students.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

The Initial Study identifies impacts that require mitigation in the following topic areas: Biological Resources; Cultural Resources; Geology and Soils; and Noise. No significant and unavoidable impacts have been identified.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

There are no known areas of controversy.

Provide a list of the responsible or trustee agencies for the project.

US Army Corps of Engineers
US Fish & Wildlife Services
California Department of Transportation
California Department of Fish and Game
San Diego Regional Water Quality Control Board (Region 9)
Southern California Association of Governments (SCAG)
South Coast Air Quality Management District
Elsinore Valley Municipal Water District
Western Riverside County Regional Conservation Authority – RCA
Western Riverside Council of Governments (WRCOG)
Southern California Edison Company
Riverside County Transportation Department
Riverside County Flood Control District

