



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

Elm Street Tentative Tract Map

(Planning Application 08-0154)

SCH# 2014071028

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

June 2015

1.0 INTRODUCTION

1.1 Background of Environmental Review Process for the Project 1.0-1
1.2 Intended Uses of the IS/MND 1.0-1
1.3 Organization and Scope of this Document 1.0-3

2.0 COMMENTS AND RESPONSES TO COMMENTS

2.1 List of Commenters 2.0-1
2.2 Comments and Responses 2.0-1

3.0 MINOR REVISIONS TO THE IS/MND

3.1 Introduction 3.0-1
3.2 Minor Changes and Edits to the IS/MND 3.0-1

ATTACHMENTS TO THIS DOCUMENT

A Public Notices

TABLE OF CONTENTS

This page intentionally left blank.

1.0 INTRODUCTION

This document, in conjunction with the draft Initial Study/Mitigated Negative Declaration (IS/MND) responds to comments made on the proposed Elm Street Tentative Tract Map (TTM No. 33840) 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

FIRST INITIAL STUDY

The first IS/MND was circulated for public and agency review from July 9, 2014 through August 7, 2014. Three comments were received on this Initial Study. Because of changes proposed to the project, the City decided to revise and recirculate the initial IS/MND.

RECIRCULATED INITIAL STUDY

The recirculated IS/MND was released for public and agency review from March 25, 2015 through April 23, 2015. The City received six comments during this review period.

RESPONSE TO COMMENTS

This document provides a response to comments received on both versions of the IS/MND. The nine comment letters are listed chronologically in Chapter 2.0, Response to Comments. It should be noted that the comments received during the first circulated draft IS/MND were incorporated into the recirculated draft IS/MND.

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

1.0 INTRODUCTION

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.

- (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.

1.0 INTRODUCTION

This page intentionally left blank.

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 Draft MND. As discussed in Chapter 1.0, Introduction, the Initial Study/Mitigated Negative Declaration ("IS/MND") was circulated during two different public review/comment periods. The initial IS/MND was first circulated from July 9, 2014 through August 7, 2014 ("First Distribution"), a revised IS/MND was circulated from March 25, 2015 through April 23, 2015 ("Second Distribution").

Letter	Agency, Organization, or Individual	Date
First Distribution – July 2014		
Aa	Native American Heritage Commission	July 17, 2014
Bb	Johnson & Sedlack	August 7, 2014
Cc	Pechanga Cultural Resources	August 7, 2014
Second Distribution – March 2015		
A	Riverside County Flood Control	April 15, 2015
B	Elsinore Valley Municipal Water District	April 15, 2015
C	California Department of Fish and Wildlife	April 20, 2015
D	Pechanga Cultural Resources	April 23, 2015
1	Bridges-Bucket-St. Marie	April 23, 2015
2	Soboba Band of Luiseno Indians	April 23, 2015

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. Note that the comments span two versions of the IS/MND. 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 these response to comments document to provide responses to comments received on both circulations of 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 Aa

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net
e-mail: ds_nahc@pacbell.net

RECEIVED

JUL 21 2'



July 17, 2014 CITY OF WILDOMAR

Mr. Matthew C. Bassi, Planning Director

City of Wildomar

23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

RE: SCH# 2014071028 CEQA Notice of Completion and Environmental Document Transmittal for the **"Elm Street Tentative Tract Map MND, Change of Zone 08-0154, Tentative Tract Map No. 33840"** project located in the City of Wildomar; Riverside County, California

Dear Mr. Bassi:

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f).

We suggest that this (additional archaeological activity) be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. Any information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant

Aa-1

Letter Aa Continued

to California Government Code Section 6254.10.

Aa-1
cont.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources.

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies." (The California Code is consistent with the Federal Executive Order 12898 regarding 'environmental justice.' Also, applicable to state agencies is Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

Aa-2

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,



Gayle Totton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

Letter Aa Continued
Native American Contacts
Riverside County
July 17, 2014

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

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
(951) 770-8104
(951) 694-0446 Fax

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

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

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed Elm Street Tentative Tract Map MND, Change of Zone 08-0154; Tentative Tract Map No. 33840 Project; located near the City of Wildomar; Riverside County, California for which a Sacred Lands file search and Native American Contacts list were requested.

Comment Letter Aa – Native American Heritage Commission

- Aa-1** The commenter states that pursuant to California Environmental Quality Act (CEQA) 15064.5(f), lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered resources. Furthermore, California Public Resources Code Section 21083.2 requires documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f). The commenter suggests that this (additional archaeological activity) be coordinated with the NAHC, if possible.

Mitigation measure CUL-6 on Page 40 of the IS/MND includes identification and evaluation of accidentally discovered archaeological resources pursuant to CEQA 15064.5(a)(b)(f) and California Public Resources Code Section 21083.2. Mitigation measure CUL-6 has been revised and is reflected in Chapter 3 of the Final IS/MND to include coordination with the NAHC.

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, the Native American Heritage Commission 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 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.

- Aa-2** The commenter states that lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a) and should include provisions for discovery of Native American human remains in their mitigation plan.

Mitigation Measures CUL-3, CUL-4, CUL-5 on Page 40 of the IS/MND include mitigation for addressing sacred and/or historical sites and human remains.

Letter Bb

Johnson & Sedlack

ATTORNEYS AT LAW

Raymond W. Johnson, Esq. AICP, LEED GA 26785 Camino Seco, Temecula, CA 92590
Carl T. Sedlack, Esq. Retired
Abigail A. Smith, Esq.
Kimberly Foy, Esq.
Kendall Holbrook, Esq.

E-mail EsqAICP@gmail.com

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Kendall.JSLaw@gmail.com
Telephone: (951) 506-9925
Facsimile: (951) 506-9725

August 7, 2013

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

VIA US MAIL AND EMAIL

RE: Elm Street Tentative Tract Map No. 33840 (PA 08-0154), Initial Study/Mitigated Negative Declaration.

Greetings:

On behalf of Alliance for Intelligent Planning, I hereby submit these comments on, and in opposition to, the Initial Study/Mitigated Negative Declaration for the Elm Street Tentative Tract Map Mitigated Negative Declaration, TTM No. 33840 ("Project").

The Project foresees the development of TTM 33840 to subdivide an existing 4.16-acre parcel into 12 single family lots, construct a private street, and make improvements to Elm Street from Darby Street to the project site including paving, rolled curbs and gutters, and traffic striping. The Project would rezone parcel from Rural Residential to One-Family Dwelling (R-1).

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." (California Code of Regulations, tit. 14 ("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. (CEQA Guidelines § 15070 (b).)

Letter Bb Continued

August 7, 2014
Page 2

CEQA also mandates that mitigation measures be certain, enforceable, and not deferred. (CEQA Guidelines § 15126.4.) “Formulation of mitigation measures should not be deferred until some future time. (CEQA Guidelines § 15126.4(a)(1)(B).) Deferral can be found improper if unnecessary and no reason is given for such deferral. (*Sacramento Old City Assn. v. City Council* (1991) 229 Cal. App. 3d 1011, 1028-9; 1 Kostka & Zischke Mitigation Measures § 14.12, p. 699.) The MND relies on vague, unenforceable, and deferred mitigation measures not permitted by law. Moreover, all feasible mitigation has not been adopted for this Project.

The adoption of the Mitigated Negative Declaration (“MND”) for the Elm Street Tentative Tract Map, TTM No. 33840 (“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. There is a fair argument of significant unmitigated impacts to, at least, biological resources, hydrology and water quality, and noise. Significant impacts are not shown to be mitigated below a level of significance. For the reasons detailed below, an EIR must be prepared for this Project.

POTENTIAL SIGNIFICANT IMPACTS

Geology Soils

Over-excavation of the building areas and extending distance of at least 5 feet beyond the building areas to a depth of 5 feet is required as a mitigation measure to reduce the potentially significant impacts from expansive soils. While some of the material may be reused, the over-excavation may require exportation and importation of new soils. The MND provides no discussion of the potential amount of soils to be imported/exported, or potential construction air quality and traffic impacts of this soils work.

Bb-1

Hydrology and Water Quality

The MND incorrectly states that the Project site is not located within a 100-year flood hazard area. Yet, the portion of the Project site adjacent to Murrieta Creek Channel is within the 100-year flood hazard area (Zone A) (according to Federal Emergency Management Agency (FEMA) Flood Map Number 06065C2682G). Because a portion of the Project site is located within a 100-year flood hazard area, the Project would place housing within a 100-year flood hazard area and impacts would be potentially significant. The MND does not propose any mitigation to reduce such impacts below a level of significance. Therefore, impacts from placing housing with a 100-year flood should be considered significant and an EIR must be prepared.

Bb-2

Noise

The MND states that since construction noise impacts “would not approach a dangerous threshold”, which is 140 dB, and the City’s noise ordinance places limits on the time of construction, the impacts to temporary ambient noise levels is less than significant. However, the threshold is not whether temporary ambient noise will be above safe noise levels; rather, the issue is whether ambient noise would be increased above *existing* noise levels. The Project is expected to cause construction noise impacts above the General Plan’s 60 dBA CNEL community noise exposure level for single family homes, and thus will cause significant noise

Bb-3

Letter Bb Continued

August 7, 2014
Page 3

impacts well above existing ambient noise levels. Noise increases may be particularly significant on this presently undeveloped site and in an area with rural residences, as the existing noise levels are relatively low so that increases may be more markedly perceived. Therefore, an EIR must be prepared to consider these significant impacts.

Under CEQA, consideration must be given to the magnitude of any noise increase, the existing ambient noise levels, and the location of noise-sensitive receptors in order to determine if a noise increase represents a significant adverse environmental effect. This is because noise impacts may be greater if substantial increases occur in a relatively quiet area, or if noise is added to an existing high noise level in a manner that increases noise to a problem/tipping point level. (*See, e.g., Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1122-23.) Attachments incorporated herein by reference, detail the properties of noise and its potential effects on people, including where noise increases occur in a relatively quiet area. Preparation of an EIR is needed to quantify, disclose, and mitigate the noise impacts of this Project to the extent feasible.

**Bb-3
cont.**

Conclusion

For each of these reasons, an EIR must be prepared for the Elm Street Tentative Tract Map.

Sincerely,



Raymond W. Johnson
JOHNSON & SEDLACK

Letter Bb Continued

August 7, 2014
Page 4

Attachments

1. U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors*.
2. U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges*.
3. U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook*.
4. Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects*.
5. Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control*.

Letter Bb 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 Bb 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 Bb 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 Bb 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

Letter Bb Continued

Lee's Summit, MO 64063
Community Development Director

4/75-6/77

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 Bb – Johnson & Sedlack

- Bb-1 Geology and Soils – the commenter makes recommendations to include a mitigation measure for over-excavation of the building areas to mitigate for expansive soils.**

This request was addressed in the recirculated MND on page 45 as mitigation measure GEO-1 which includes over-excavation requirements prescribed in the accompanying Soils Investigation conducted by John R. Byerly, Inc. (Appendix 6 of the recirculated MND).

- Bb-2 Hydrology and Water Quality – the commenter states that the MND incorrectly states that the project site is not within the 100-year flood hazard area. The commenter states that according to Flood Hazard Map Number 06065C2682G, the project site is within a 100-year flood hazard area and therefore impacts are potentially significant, requiring mitigation.**

A more detailed analysis is provided on page 56 of the recirculated MND which states that a portion of the project may be within the 100-year floodplain as mapped by Flood Insurance Rate Map (FIRM) Panel Number 06065C2682G (FEMA 2008) and therefore, may be subject to flooding. The City’s Municipal Code Chapter 15.96 relates to flood hazard area regulations. One of the provisions of the Flood Hazard Area Regulations is that “for all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices; provided that they permit the automatic entry and exit of floodwaters.” If the area is within the 100-year flood elevation, the FIRM map indicates that flooding would be 1 foot or less in elevation. The 100-year flood line appears to be within the channel and adjacent right-of-way for the Murrieta Creek Channel, but the actual location of the line will need to be determined by final engineering. If the project engineer can demonstrate to the City Engineer that the property is outside of the floodplain, the provisions of Municipal Code Chapter 15.96 will not apply. Either compliance with Chapter 15.96 or evidence that the property is outside of the 100-year floodplain will result in a less than significant impact.

- Bb-3 Noise – The commenter states that the MND states that since construction noise impacts “would not approach a dangerous threshold”, which is 140 dB, and the City’s noise ordinance places limits on the time of construction, the impacts to temporary ambient noise levels is less than significant. The commenter states that the project is expected to cause construction noise impacts above the General Plan’s 60 dBA CNEL community noise exposure level for single family homes, and thus will cause significant noise impacts well above existing ambient noise levels.**

In the recirculated MND, pages 64 through 70 provide a more detailed discussion on temporary construction noise impacts and a temporary increase in ambient noise, Thresholds A and G, respectively. Initially, in the MND dated July 2014, these thresholds were determined to be “Less Than Significant.” However, in the recirculated MND, the determination for these thresholds was revised to “Less than Significant with Mitigation” due to project related construction noise. This determination is based on thresholds of other agencies, since the City’s General Plan does not set decibel standards for

temporary construction noise impacts. Additionally, Chapter 9.48 of the Wildomar Municipal Code contains noise standards in addition to the standards included in the General Plan, but Section 9.48.010 specifically states that the noise standards contained in that chapter are not thresholds of significance for the purposes of CEQA review. However, Section 9.48.020(l) of the Wildomar Municipal Code states that sound emanating from private construction projects located within one-quarter of a mile of an inhabited dwelling is exempt from the noise ordinance, and restricts construction noise from 6:00pm to 6:00am during June through September and 6:00pm to 7:00am during October through May. Therefore, mitigation measure NOI-1 was added. This mitigation measure requires that owners and occupants immediately bordering the project site are notified of major construction activities; puts limitations on the hours of grading and excavation; and requires that noise attenuation measures be implemented and monitored for effectiveness.



Letter Cc

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

August 7, 2014

VIA E-MAIL and USPS

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

RECEIVED

AUG 20 2014

CITY OF WILDOMAR

Re: Pechanga Tribe Comments on the Notice of Availability of a Mitigated Negative Declaration for Tentative Tract Map 33840, Change of Zone 08-0154, Planning Application 12-0364, Elm Street Project

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 any sensitive Luiseño cultural resources and traditional landscapes that could be impacted and to require both archaeological 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.

DRAFT ENVIRONMENTAL IMPACT REPORT MITIGATION MEASURES

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

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

Letter Cc Continued

Pechanga Comment Letter to the City of Wildomar
Re: Pechanga Tribe Comments on TR 33840
August 7, 2014
Page 2

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 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 Mitigated Negative Declaration (MND) and the Project archaeological study. 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 MND as CUL-1 to 6 and -8 and have been copied below for reference. We request that these mitigation measures, with the few minor updated 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. Any unanticipated cultural resources that are discovered shall be evaluated ~~and~~ 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. In the event the significant resources are recovered and 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 and 15126.4 and Public Resources Code Section 21083.2 and the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2. This mitigation measure shall be incorporated in all construction contract documentation.

Cc-1

CUL-2 At least 30 days prior to seeking a grading permit, the project applicant(s) for future development shall contact the Pechanga appropriate¹ Tribe to notify the Tribe of grading, excavation, and the monitoring program and the project applicant(s) shall

Cc-2

¹ It is anticipated that the Pechanga Band of Luiseño Indians will be the "appropriate" Tribe due to their prior and extensive coordination with the surrounding cities City of Wildomar in determining potentially significant impacts and appropriate mitigation measures.

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

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

Letter Cc Continued

Pechanga Comment Letter to the City of Wildomar
 Re: Pechanga Tribe Comments on TR 33840
 August 7, 2014
 Page 3

coordinate with the City of Wildomar and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The agreement shall address the treatment of known cultural resources; the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation, and ground-disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.

Cc-2
 cont.

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." The most likely descendant shall then 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.

Cc-3

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.

Cc-4

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 and 15126.4.

CUL-6 If inadvertent discoveries of subsurface archaeological resources are discovered during grading, work shall be halted immediately within 50 feet of the discovery and the developer, the project archeologist, and the Tribe shall assess the significance of

Cc-5

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

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

Letter Cc Continued

Pechanga Comment Letter to the City of Wildomar
Re: Pechanga Tribe Comments on TR 33840
August 7, 2014
Page 4

~~such resources and the Tribe~~ 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 for decision. 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 to the City Council of 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 CEQA Guidelines Sections 15064.5 and 15126.4 and Public Resources Code Section 21083.2

Cc-5
cont.

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. Final copies of the report will be submitted to the City of Wildomar, the Developer, the Eastern Information Center and the Pechanga Tribe.

Cc-6

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 951-770-8104 or at ahoover@pechanga-nsn.gov once you have had a chance to review these comments if you have any comments or concerns. Thank you.

Sincerely,



Anna Hoover
Cultural Analyst

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*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

Comment Letter Cc – Pechanga Cultural Resources

Cc-1 The commenter states the following revisions be made to mitigation measure CUL-1:

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. In the event the significant resources are recovered and 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 and 15126.4 and Public Resources Code Section 21083.2 and the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2. This mitigation measure shall also be included in all construction contract documentation.

This mitigation measure does not need to be updated because it is written as the commenter requested it in the first distribution. Therefore, no changes were made to the subsequent second distribution of the MND.

Cc-2 The commenter states the following revisions be made to mitigation measure CUL-2:

CUL-2 At least 30 days prior to seeking a grading permit, the project applicant(s) for future development shall contact the appropriate Pechanga Tribe to notify the Tribe of the proposed grading, excavation, and the monitoring program and the project applicant(s) shall coordinate with the City of Wildomar and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement.[‡] The agreement shall address the treatment of known cultural resources; the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation, and ground-disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.

Mitigation measure CUL-2 on page 39 of the IS/MND has been revised and is reflected in the recirculated initial IS/MND.

Cc-3 The commenter states the following revisions be made to mitigation measure CUL-3:

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

[‡] ~~It is anticipated that the Pechanga Band of Luiseño Indians will be the “appropriate” Tribe due to their prior and extensive coordination with the surrounding cities in determining potentially significant impacts and appropriate mitigation measures.~~

COMMENTS AND RESPONSES TO COMMENTS

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." The most likely descendant shall then make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

Mitigation measure CUL-3 on Page 40 of the IS/MND has been revised and is reflected in the recirculated initial IS/MND.

Cc-4 The commenter states the following revisions be made to mitigation measure CUL-5:

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 Guideline Sections 15064.5 and 15126.4.

Mitigation measure CUL-5 on Page 40 of the IS/MND has been revised in the initial IS/MND.

Cc-5 The commenter states the following revisions be made to mitigation measure CUL-6.

CUL-6 If inadvertent discoveries of subsurface archaeological resources are discovered during grading, work shall be halted immediately within 50 feet of the discovery and the developer, the project archaeologist, and the Tribe shall assess the significance of such resource and ~~Tribe~~ shall meet and confer regarding the significance of and 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 for decision. 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 to the City Council of 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 CEQA Guidelines Sections 15064.5 and 15126.4 and Public Resources Code Section 21083.2.

This mitigation measure shall also be included in all construction contract documentation.

Mitigation measure CUL-6 on Page 40 of the IS/MND has been revised in the initial IS/MND.

Cc-6 The commenter states the following revisions be made to mitigation measure CUL-8 (now CUL-7):

CUL-7~~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. Final copies of the report will be submitted to the City of Wildomar, the developer, the Eastern Information Center, and the Pechanga Tribe.

Mitigation measure CUL-7 on Page 41 of the IS/MND has been revised in the initial IS/MND.

Letter A

WARREN D. WILLIAMS
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

169087

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RECEIVED

APR 1 6 2015

CITY OF WILDOMAR

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

Attention: Mathew C. Bassi

Ladies and Gentlemen:

Re: Initial Study/MND for TR 33840 (P808-0154)

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

- No comment.
- This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.
- This project involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.
- This project proposes channels, storm drains 36 inches or larger in diameter or other facilities that could be considered regional in nature and/or a logical extension of the adopted Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.
- This project is located within the limits of the District's Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266.
- The District's previous comments are still valid. Tract 33840

A-1

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final

A-2

Comment Letter A – Riverside County Flood Control

- A-1 The commenter states that the project would not be impacted by District Plan facilities nor are other facilities of regional interest proposed.**

This comment does not raise an environmental issue; therefore, no further response is necessary.

- A-2 The commenter states that the project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. In addition, the commenter states that the applicant is required to provide relevant information (studies, calculations, plans, and other information) if the project involves a Federal Emergency Management Agency (FEMA) flood plain. Further, the commenter requests that a Conditional Letter of Map Revision (CLOMR) be obtained prior to grading or recordation or other final approval.**

NPDES

As stated on page 44 and page 57 (Standard Conditions and Requirements) of the IS/MND, the project is conditioned to provide the City (Engineering Department) evidence of compliance with the NPDES and obtain a construction permit from the SWRCB. Therefore, the project would meet this regulatory requirement.

FEMA

Page 56 of the IS/MND discusses that a portion of the residential project may be located inside of the 100-year floodplain as mapped by FIRM Panel Number 06065C2682G (FEMA 2008) and therefore, may be subject to flooding. The 100-year flood line appears to be within the channel and adjacent right-of-way for the Murrieta Creek Channel, but the actual location of the line will need to be determined by final engineering (see **Figure 7** of the IS/MND). If the area is within the 100-year flood elevation, the FIRM map indicates that flooding would be 1 foot or less in elevation.

Chapter 15.96 of the City's Municipal Code regulates flood hazard areas and requires that "for all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices; provided that they permit the automatic entry and exit of floodwaters." Section 15.96.040 of the City of Wildomar Municipal code requires compliance with Chapter 15.96 of the Municipal Code and precludes any development if there are any conflicts.

It should be noted that if the project engineer can demonstrate to the City Engineer that the property is outside of the floodplain, the provisions of Municipal Code Chapter 15.96 will not apply. As stated on page 56 of the IS/MND, the project has to either comply with Chapter 15.96 or provide evidence that the property is outside of the 100-year floodplain. If the property is demonstrated to be outside of the 100-year floodplain, then it may be prudent to request an amendment to the Flood Insurance Rate Map (FIRM) through a Letter of Map Revision (LOMR) however a map amendment is not required.

Letter B

Board of Directors
Phil Williams, President
Harvey R. Ryan, Vice President
Andy Morris, Treasurer
George Cambero, Director
Nancy Horton, Director



Our Mission...

EVMWD will provide reliable, cost-effective, high quality water and wastewater services that are dedicated to the people we serve.

General Manager
John D. Vega
District Secretary
Terese Quintanar
Legal Counsel
Best Best & Krieger

April 10, 2015

Attn: Matt Bassi
City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

RECEIVED

APR 15 2015

CITY OF WILDOMAR

**Subject: Initial Study/MND for Elm St. TTM 33840 (15 Single Family Homes)
WO# 2013-073**

On March 27, 2015, the District received the above Initial study/MND for review. The project proposes a subdivision of 4.07 acres with 15 single family residential lots, including a change of zone (from R-R to R-1) located south of Gruwell Street, west of Front Street, north of Central Ave. and east of Darby Street (APN 376-043-027).

Please make the following corrections/additions to the document:

- 1) Page 80 – **17. Utilities and Service Systems – b) Less Than Significant Impact.** Correct “Current capacity at lift station B-2 is 3,600 gallons per minute,” to say “2,806” gallons per minute. | B-1
- 2) Page 82 – **f,g) Standard Conditions and Requirements**
 - a) The sewer collection system shall be privately owned and maintained.
 - b) The water system shall be looped; also show an access and maintenance easement in favor of EVMWD for the full width of Street A. | B-2
 - c) Detailed plans and specifications will be required during the plan review process.

Please feel free to call me at (951) 674-3146, Ext. 6705, should you have any questions.

Respectfully,

Imad Baiyasi
Development Services Manager

IB/ac

cc: File

F:\ENGIN\2_Developer Projects\2013\13-073 - Tract 33840 (City of Wildomar)\1. Pre-Planning\3rd PAR\04-10-15 - Comments to City - Initial Study-MND - 13-073.doc

951.674.3146
Fax 951.674.9872
www.evmwd.com

31315 Chaney Street
P.O. Box 3000
Lake Elsinore, CA 92530

Comment Letter B – Elsinore Valley Municipal Water District

- B-1 The commenter requests that the gallons per minute capacity for lift station B-2 LS be corrected on Page 80 , Utilities and Service Systems” for Threshold B.**

Page 80 of the IS/MND has been revised and is reflected in Chapter 3 of the Final IS/MND:

“Current capacity at lift station B-2 LS is ~~3,600~~ 2,806 gallons per minute...”

- B-2 The commenter requests that the project be conditioned to include sewer collection system and water system requirements.**

Page 82 of the IS/MND has been revised and is reflected in Chapter 3 of the Final IS/MND:

- a) The sewer collection system shall be privately owned and maintained.
- b) The water system shall be looped; also show an access and maintenance easement in favor of EVMWD for the full width of Street A.
- c) Detailed plans and specification will be required during the plan review process.

Letter C



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

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



April 20, 2015

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

Subject: Initial Study and Mitigated Negative Declaration
Elm Street Subdivision Project
State Clearinghouse No. 2014071028

Dear Mr. Bassi:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Initial Study (IS) and Mitigated Negative Declaration (MND) for the Elm (Project) [State Clearinghouse No. 2015031036]. The Department is responding to the IS and 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 in the City of Wildomar, California, at the end of Elm Street between Central Street to the northeast and Gruwell Street to the southwest, with the Murrieta Creek Channel drainage course to the northeast. The Riverside County Assessor's Parcel Number (APN) for the Project Site is 376-043-027.

The Project would involve the subdivision of an existing 4.16-acre parcel into 15 parcels, each meeting or exceeding the 7,200-square-foot minimum lot size required in the One-Family Dwelling (R-1) zone. All 15 parcels are intended for future single-family residential dwelling units.

Conserving California's Wildlife Since 1870

Letter C Continued

Initial Study and Mitigated Negative Declaration
 Elm Street Subdivision Project
 SCH No. 2014071028
 Page 2 of 3

Biological Resources and Impacts

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. Impacts to Nesting Birds. Mitigation Measure Bio-1 requires that the developer conduct a pre-construction nesting bird survey during the nesting bird season, described as January 15 – August 31, up to 14 days prior to initiation of construction activities. The Department recommends that the City of Wildomar require the completion of a pre-construction nesting bird survey no more than three (3) days prior to ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner. Because not all species adhere to these nesting dates, the Department recommends that the City of Wildomar require nesting bird surveys regardless of time of year to ensure compliance with all applicable laws related to nesting birds and birds-of-prey. Nesting bird surveys should be carried out over the entire project site, not just areas with trees and shrubs, as some species nest directly on the ground.

Please note that it is the Project proponent'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) or to take, possess, or destroy the nest or 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 as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

C-1

2. Conversion of Oak Woodlands. Oak Woodland, defined by the Riverside County Planning Department's Oak Tree Management Guidelines as "an area of natural vegetation that includes at least one oak tree and associated understory," occurs on-site. Please clarify whether any of the native oak trees on-site will be removed as a result of the Project and, if so, whether mitigation measures under CEQA Guidelines §21083.4(b) (Conversion of Oak Woodlands; exemptions) will be required.

C-2

Letter C Continued

Initial Study and Mitigated Negative Declaration
Elm Street Subdivision Project
SCH No. 2014071028
Page 3 of 3

The Department appreciates the opportunity to comment on the Initial Study and proposed Mitigated Negative Declaration for the Elm Street Subdivision Project (SCH No. 2014071028), and requests that the City address the Department's comments and concerns prior to adoption of the MND. If you should have any questions pertaining to these comments, please contact Gabriele Quillman at (909) 980-3818 or at gabriele.quillman@wildlife.ca.gov.

Sincerely,


(Fm) Leslie MacNair
Acting Regional Manager

cc: State Clearinghouse, Sacramento

Comment Letter C – California Department of Fish and Wildlife

- C-1 The commenter recommends 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. The commenter goes on to state that some avian species may not adhere to the nesting dates stated in the IS/MND, and 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 states that nesting bird surveys should be carried out over the entire project site, not just areas with trees and shrubs, as some species nest directly on the ground. Lastly, the commenter states that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey.

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. Additionally, there is no language in mitigation measure BIO-1 that obviates the need to survey the entire project site, including herbaceous vegetation. Page 36 of the IS/MND has been revised and is reflected in Chapter 3 of the Final IS/MND:

BIO-1 All developers of the proposed project site shall conduct ~~construction and clearing activities outside of the avian nesting season (January 15 August 31), where 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., coastal California gnatcatcher). Surveys shall be conducted by a qualified biologist, up to 3 14 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 may have the potential to disturb or otherwise harm nesting birds.

- C-2 The Commenter incorrectly refers to a Riverside County Ordinance that does not apply within the corporate limits of the City of Wildomar.

There are no state or local requirements regarding the oak trees that apply to the property as noted on page 34 of the initial study.

Letter D



PECHANGA CULTURAL RESOURCES *Temecula Band of Luiseño Mission Indians*

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

April 23, 2015

Chairperson:
Mary Bear Magee

Vice Chairperson:
Darlene Miranda

Committee Members:
Evie Gerber
Bridgett Barcello Maxwell
Richard B. Scearce, III
Neal Ibanez
Michael Vasquez

Director:
Gary DuBois

Coordinator:
Paul Macarro

Planning Specialist:
Tuba Ebru Ozdil

Cultural Analyst:
Anna Hoover

VIA E-Mail and USPS

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

Re: Pechanga Tribe Comments on the Elm Street Tentative Tract Map 33840 Initial Study/Mitigated Negative Declaration (Planning Application No. 08-0154)

Dear Mr. Bassi:

This comment letter is submitted by the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government, in response to receipt of the March 2015 Revised Initial Study/Mitigated Negative Declaration (IS/MND) for the above named project

The Tribe is in agreement with the proposed mitigation measures for cultural resources as presented in the revised document for this Project and request that they be incorporated into the final MND and added as conditions of approval for the Project. Wildomar is a culturally significant area and the Tribe appreciates the opportunity to preserve and protect our sensitive cultural resources and to monitor earthmoving activities in the area. The Tribe thanks the City for the proposed mitigation measures which address the potential impacts to cultural resources, and for the inclusion of the Tribe in those measures.

D-1

The Pechanga Tribe looks forward to continuing to work together with the City of Wildomar in protecting the invaluable Pechanga cultural resources found in the City. Please contact me at 951-770-8113 if you have any questions or comments.

Sincerely,

Tuba Ebru Ozdil
Planning Specialist

cc: Pechanga Office of the General Counsel

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

Comment Letter D – Pechanga Cultural Resources

- D-1 The commenter states that the Tribe agrees with the proposed mitigation measures for cultural resources, as presented in the revised document, and requests that they be incorporated into the final IS/MND and also added as conditions of approval for the project.

The mitigation measures are included in the final IS/MND and included in the Mitigation Monitoring and Reporting Program (MMRP), which is adopted when the Final IS/MND is certified.

Letter 1

April 23, 2015

From: Martha Bridges John Burkett Gerard Ste. Marie
35465 Woshka Lane 32721 Mesa Drive P.O. Box 486
Wildomar, CA 92595 Lake Elsinore, CA 92530 Wildomar, CA 92595

To: City of Wildomar – Attn: Matthew C. Bassi, Planning Director
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595
[By Email to: mbassi@cityofwildomar.org, dlee@cityofwildomar.org]

Re: Written Comments to Elm Street Tentative Tract Map No. 33840 Project (Planning Application No. 08-0154) Mitigated Negative Declaration (SCH No. 2014071028)

To Matthew C. Bassi, Planning Director for the City of Wildomar:
Please consider the following comments to the Elm Street Tentative Tract Map No. 33840 Project (Planning Application No. 08-0154) Mitigated Negative Declaration (SCH No. 2014071028).
Please also make this Letter, and all documents referred to in the Letter, a part of the Administrative Record for this Project.

I. The Conclusion of the MND of a “Less than Significant Impact” Pertaining to Placement of Housing Within a 100-Year Flood Hazard Zone is Contradicted by Facts Cited in the Analysis, which Indicate a “Potentially Significant Impact” Requiring Preparation of an EIR

Under Section 9 (Hydrology and Water Quality) of the “*Initial Study-Mitigated Negative Declaration*” (“MND”) for the Project, while Wildomar acknowledges that “*A portion of the residential project may be located inside of the 100-year floodplain as mapped on a Flood Insurance Rate Map (FIRM) Panel Number 06065C2682G (FEMA 2008) and may be subject to flooding*” (see also Exhibit “1” attached hereto, a Parcel Report from the Riverside County Land Information System indicating the site is “WITHIN AREAS OF FLOODING SENSITIVITY”), the MND inexplicably concludes that there is a “Less Than Significant Impact” under this criteria. However, the conclusion is contradicted by the facts, which constitute a fair argument for a “Potentially Significant Impact” requiring preparation of a full EIR.

Project site is location within a 100-year flood hazard zone is a threshold of

Letter 1 Continued

significance under CEQA which requires preparation of an EIR. The fair argument standard only requires that there be a potentially significant impact under any CEQA threshold of significance to trigger the requirement for preparation of a full EIR. That very low evidentiary standard is easily met here where it is undisputed that the “*project may be located inside of the 100-year floodplain as mapped on a Flood Insurance Rate Map (FIRM) Panel Number 06065C2682G (FEMA 2008) and may be subject to flooding.*” Indeed, the FEMA Flood Insurance Rate Map referred to by Wildomar shows that part of the site is in fact contained within the floodplain, and the attached Parcel Report acknowledges that the site is “WITHIN AREAS OF FLOODING SENSITIVITY.” A full EIR must be prepared.

1-1
Cont.

II. The MND Improperly Defers Analysis and Mitigation of Floodplain Impacts

Furthermore, the MND improperly defers analysis and mitigation of floodplain impacts. Again, under Section 9 (Hydrology and Water Quality) of the MND, Wildomar states “*The 100-year flood line appears to be within the channel and adjacent right-of-way for the Murrieta Creek Channel, but the actual location of the line will need to be determined by final engineering (see Figure 7).*” The purposes of CEQA are only properly served when analysis and mitigation of potential impacts are considered and implemented prior to project approval. Location of the floodplain boundary must be done, and any mitigation determined, prior to project approval, not deferred to some unknown time in the future after the project is approved. The MND fails as an informational document under CEQA, and an EIR must be prepared.

1-2

DATED: April 23, 2015

By: Martha Bridges, John Burkett
& Gerard Ste. Marie

Letter 1 Continued

Exhibit “1” Separator

Exhibit “1” Separator

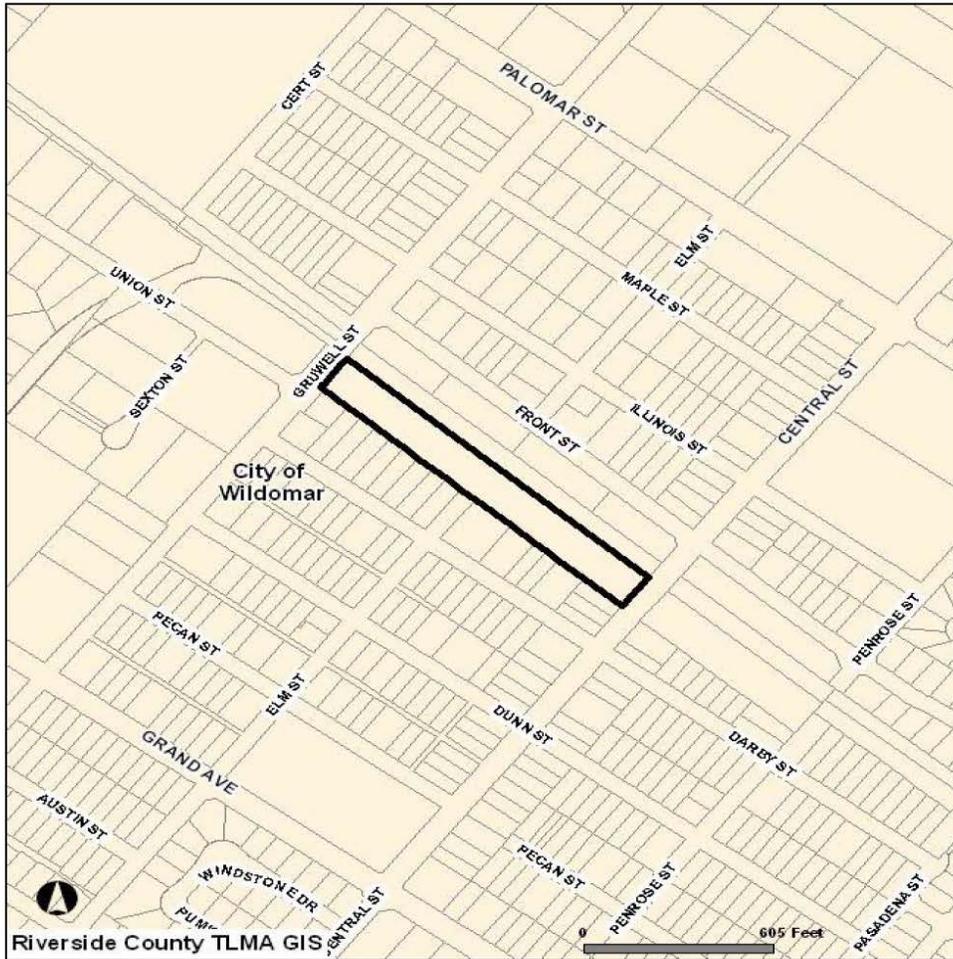
Exhibit “1” Separator

4/23/2015

Riverside County GIS

Letter 1 Continued

Report for APN 376-043-027



Selected parcel(s):
376-043-027

IMPORTANT

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

STANDARD REPORT

APNs
376-043-027-4

OWNER NAME
NOT AVAILABLE ONLINE

ADDRESS
376-043-027

<http://tlmabl5.agency.tlma.co.riverside.ca.us/website/rcdis/MapFrame.htm>

1/5

4/23/2015

Riverside County GIS

Letter 1 Continued

ADDRESS NOT AVAILABLE

MAILING ADDRESS

(SEE OWNER)
3173 VERA VALLEY RD
FRANKLIN TN. 37064

LEGAL DESCRIPTION

RECORDED BOOK/PAGE: MB 6/294 SD
SUBDIVISION NAME: TOWN OF WILDOMAR
LOT/PARCEL: 17, BLOCK: NOT AVAILABLE
TRACT NUMBER: NOT AVAILABLE

LOT SIZE

RECORDED LOT SIZE IS 4.07 ACRES

PROPERTY CHARACTERISTICS

NO PROPERTY DESCRIPTION AVAILABLE

THOMAS BROS. MAPS PAGE/GRID

PAGE: 897 GRID: B7

CITY BOUNDARY/SPHERE

CITY OF WILDOMAR
NOT WITHIN A CITY SPHERE
ANNEXATION DATE: JUL. 1, 2008
LAFCO CASE #: 2007-107-1&3
PROPOSALS: NOT APPLICABLE

MARCH JOINT POWERS AUTHORITY

NOT IN THE JURISDICTION OF THE MARCH JOINT POWERS AUTHORITY

INDIAN TRIBAL LAND

NOT IN A TRIBAL LAND

SUPERVISORIAL DISTRICT 2011 (ORD. 813)

KEVIN JEFFRIES, DISTRICT 1

SUPERVISORIAL DISTRICT (2001 BOUNDARIES)

BOB BUSTER, DISTRICT 1

TOWNSHIP/RANGE

T8SR4W SEC 34
T8SR4W SEC 35

ELEVATION RANGE

1248/1256 FEET

PREVIOUS APN

NO DATA AVAILABLE

PLANNING

LAND USE DESIGNATIONS

Consult with the city for land use information.

SANTA ROSA ESCARPMENT BOUNDARY

NOT IN THE SANTA ROSA ESCARPMENT BOUNDARY

AREA PLAN (RCIP)

ELSINORE

COMMUNITY ADVISORY COUNCILS

NOT IN A COMMUNITY ADVISORY COUNCIL AREA

GENERAL PLAN POLICY OVERLAYS

NOT IN A GENERAL PLAN POLICY OVERLAY AREA

GENERAL PLAN POLICY AREAS

<http://t1mabl05.agency.tlma.co.riverside.ca.us/website/rcdis/MapFrame.htm>

2/5

4/23/2015

Riverside County GIS

Letter 1 Continued

NONE

ZONING CLASSIFICATIONS (ORD. 348)

See the city for more information

ZONING DISTRICTS AND ZONING AREAS

NOT IN A ZONING DISTRICT/AREA

ZONING OVERLAYS

NOT IN A ZONING OVERLAY

HISTORIC PRESERVATION DISTRICTS

NOT IN AN HISTORIC PRESERVATION DISTRICT

SPECIFIC PLANS

NOT WITHIN A SPECIFIC PLAN

AGRICULTURAL PRESERVE

NOT IN AN AGRICULTURAL PRESERVE

REDEVELOPMENT AREAS

PROJECT AREA NAME: 1-1988
 SUBAREA NAME: LAKELAND VILLAGE/WILDOMAR
 AMENDMENT NUMBER: 1
 ADOPTION DATE: JUL. 20, 1999
 ACREAGE: 2888 ACRES

AIRPORT INFLUENCE AREAS

NOT IN AN AIRPORT INFLUENCE AREA

AIRPORT COMPATIBILITY ZONES

NOT IN AN AIRPORT COMPATIBILITY ZONE

ENVIRONMENTAL

CVMSHCP (COACHELLA VALLEY MULTI-SPECIES HABITAT CONSERVATION PLAN) CONSERVATION AREA

NOT IN A CONSERVATION AREA

CVMSHCP FLUVIAL SAND TRANSPORT SPECIAL PROVISION AREAS

NOT IN A FLUVIAL SAND TRANSPORT SPECIAL PROVISION AREA

WRMSHCP (WESTERN RIVERSIDE COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN) CELL GROUP

NOT IN A CELL GROUP

WRMSHCP CELL NUMBER

NOT IN A CELL

HANS/ERP (HABITAT ACQUISITION AND NEGOTIATION STRATEGY/EXPEDITED REVIEW PROCESS)

NONE

VEGETATION (2005)

DEVELOPED/DISTURBED LAND

FIRE

HIGH FIRE AREA (ORD. 787)

NOT IN A HIGH FIRE AREA

FIRE RESPONSIBILITY AREA

NOT IN A FIRE RESPONSIBILITY AREA

DEVELOPMENT FEES

CVMSHCP FEE AREA (ORD. 875)

NOT WITHIN THE COACHELLA VALLEY MSHCP FEE AREA

<http://t1mabld5.agency.tlma.co.riverside.ca.us/website/rcdis/MapFrame.htm>

3/5

4/23/2015

Riverside County GIS

Letter 1 Continued

WRMSHCP FEE AREA (ORD. 810)

IN OR PARTIALLY WITHIN THE WESTERN RIVERSIDE MSHCP FEE AREA. SEE MAP FOR MORE INFORMATION.

ROAD & BRIDGE DISTRICT

SOUTHWEST AREA A

EASTERN TUMF (TRANSPORTATION UNIFORM MITIGATION FEE ORD. 673)

NOT WITHIN THE EASTERN TUMF FEE AREA

WESTERN TUMF (TRANSPORTATION UNIFORM MITIGATION FEE ORD. 824)

IN OR PARTIALLY WITHIN A TUMF FEE AREA. SEE MAP FOR MORE INFORMATION.SOUTHWEST

DIF (DEVELOPMENT IMPACT FEE AREA ORD. 659)

ELSINORE

SKR FEE AREA (STEPHEN'S KANGAROO RAT ORD. 663.10)

NOT WITHIN AN SKR FEE AREA.

DEVELOPMENT AGREEMENTS

NOT IN A DEVELOPMENT AGREEMENT AREA

TRANSPORTATION

CIRCULATION ELEMENT ULTIMATE RIGHT-OF-WAY

IN OR PARTIALLY WITHIN A CIRCULATION ELEMENT RIGHT-OF-WAY. SEE MAP FOR MORE INFORMATION. CONTACT THE TRANSPORTATION DEPT. PERMITS SECTION AT (951) 955-6790 FOR INFORMATION REGARDING THIS PARCEL IF IT IS IN AN UNINCORPORATED AREA.

ROAD BOOK PAGE

77

TRANSPORTATION AGREEMENTS

NOT IN A TRANSPORTATION AGREEMENT

CETAP (COMMUNITY AND ENVIRONMENTAL TRANSPORTATION ACCEPTABILITY PROCESS) CORRIDORS

NOT IN A CETAP CORRIDOR.

HYDROLOGY

FLOOD PLAIN REVIEW

WITHIN AREAS OF FLOODING SENSITIVITY. CONTACT THE FLOOD PLAIN MANAGEMENT SECTION AT (951) 955-1200 FOR INFORMATION

WATER DISTRICT

WMWD

FLOOD CONTROL DISTRICT

RIVERSIDE COUNTY FLOOD CONTROL DISTRICT

WATERSHED

SANTA MARGARITA

GEOLOGIC

FAULT ZONE

NOT IN A FAULT ZONE

FAULTS

WITHIN A 1/2 MILE OF

ELSINORE FAULT

ELSINORE FAULTS

WILDOMAR FAULT

WILLARD FAULT

LIQUEFACTION POTENTIAL

<http://t1mabl5.agency.tlma.co.riverside.ca.us/website/rcdis/MapFrame.htm>

4/5

4/23/2015

Riverside County GIS

Letter 1 Continued

MODERATE

SUBSIDENCE
SUSCEPTIBLE

PALEONTOLOGICAL SENSITIVITY

LOW POTENTIAL.

FOLLOWING A LITERATURE SEARCH, RECORDS CHECK AND A FIELD SURVEY, AREAS MAY BE DETERMINED BY A QUALIFIED VERTEBRATE PALEONTOLOGIST AS HAVING LOW POTENTIAL FOR CONTAINING SIGNIFICANT PALEONTOLOGICAL RESOURCES SUBJECT TO ADVERSE IMPACTS.

MISCELLANEOUS

SCHOOL DISTRICT

LAKE ELSINORE UNIFIED

COMMUNITIES

NOT IN A COMMUNITY

COUNTY SERVICE AREA

NOT IN A COUNTY SERVICE AREA.

LIGHTING (ORD. 655)

ZONE B, 29.09 MILES FROM MT. PALOMAR OBSERVATORY

2010 CENSUS TRACT

043271

FARMLAND

URBAN-BUILT UP LAND

TAX RATE AREAS

025066

- CITY OF WILDOMAR
- COUNTY FREE LIBRARY
- CSA 152
- ELS MURRIETA ANZA RESOURCE CONS
- ELSINORE AREA ELEM SCHOOL FUND
- ELSINORE VAL MUN WTR IMP DIST 1
- ELSINORE VALLEY MUNICIPAL WATER
- ERAF RDV
- FLOOD CONTROL ADMINISTRATION
- FLOOD CONTROL ZONE 7
- GENERAL
- GENERAL PURPOSE
- LAKE ELSINORE UNIF IMP NO 98-1
- LAKE ELSINORE UNIFIED
- METRO WATER EAST 1301999
- METRO WATER WEST
- MT SAN JACINTO JUNIOR COLLEGE
- PROJECT 1-LAKELANDRDV AB1290
- RIV CO REG PARK & OPEN SPACE
- RIV. CO. OFFICE OF EDUCATION
- WESTERN MUNICIPAL WATER
- WILDOMAR CEMETERY
- WILDOMAR FIRE PROTECTION

SPECIAL NOTES

NO SPECIAL NOTES

REPORT PRINTED ON...Thu Apr 23 2015 12:58:46 GMT-0700 (Pacific Daylight Time)
Version 131127

Report for APN 376-043-027

<http://l1mabld5.agency.tlma.co.riverside.ca.us/website/rcgis/MapFrame.htm>

5/5

Comment Letter 1 – Bridges – Bucket – Ste. Marie

- 1-1 The commenter states that the IS/MND incorrectly concludes a “Less than Significant” impact determination for Thresholds G and H of Hydrology and Water Quality (page 56 of the IS/MND) section. The commenter also states that because the project is within a 100-year floodplain and as per the Parcel Report (attachment 1 to the Comment Letter) “within areas of flooding sensitivity,” the correct determination should have been “Potentially Significant Impact” requiring an EIR.

It should be noted that the GIS used by Riverside County to generate a Parcel Report has general information and may not be accurate to the project level scale needed for analysis and development. The two maps depict slightly conflicting information as to the boundary of the 100-year floodplain in relation to the project site. As such, the project engineer has to provide evidence that the property is outside of the 100-year floodplain. If a portion of the project does indeed fall within the 100-year floodplain, the project applicant will be subject to provisions in Chapter 15.96 of the City of Wildomar Municipal Code. See also response to comment A-2.

- 1-2 The commenter states that the MND improperly defers analysis and mitigation of floodplain impacts under Hydrology and Water Quality, (Section 9, Thresholds G and H in the IS/MND) discussion and analysis.

In this case, the Riverside County GIS and FEMA FIRM Panel Number 06065C2682G depict slightly conflicting information as to the boundary of the 100-year floodplain in relation to the project site. The IS/MND conditioned the project to comply with required provisions in Chapter 15.96 of the City of Wildomar Municipal Code, if the project is determined to be within the 100-year floodplain. In fact, reliance on required future compliance with the applicable regulatory framework is common practice (Tracy First V. City of Tracy (2009)). A previous court case (*Oakland Heritage Alliance v. City of Oakland* (2011)) determined that requiring compliance with Seismic Hazards Mapping Act and relevant provisions of State and City’s Building Codes as an EIR mitigation measure is considered acceptable under CEQA and therefore, not considered to be deferring mitigation.

Letter 2

RECEIVED
MAY 06 2015
CITY OF WILDOMAR



April 23, 2015

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

Re: Initial Study/ Mitigated Negative Declaration for Elm Street Tentative Tract Map 33840 (Planning Application No. 08-0154)

The Soboba Band of Luiseño Indians has reviewed the Initial Study/ Mitigated Negative Declaration for this project. We have several concerns regarding the mitigation measures for the cultural resources, and respectfully requested that that revisions be made to the document.

- CUL-1 states, “If during construction or grading 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 archaeologist and the **Pechanga Tribe** (Tribe).

The Project Applicant shall notify **both** the Soboba Band and the Pechanga Band to notify them of grading, excavation, and the proposed monitoring program. Although this project is located outside the Soboba Band’s existing reservation boundaries, the project area does fall within the bounds of our Traditional Luiseno Use Area. This project location is in close proximity to known village sites, is a shared use area that was not just utilized by one existing Band, but rather the Luiseño people, and was used in ongoing trade between tribes. This area is regarded as highly sensitive to the people of Soboba Band, as well as those of the Pechanga Band, and we are equally concerns about potential cultural resources that may be affected by the future ground-disturbance associated with this project.

2-1

- CUL-2 states, “At least 30 days prior to any grading activities, the project applicant(s) shall **contact the Pechanga Tribe** to notify the Tribe of grading, excavation, and the monitoring program and to coordinate with the City of Wildomar and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement.

The Project Applicant shall notify **both** the Soboba Band and the Pechanga Band to notify them of grading, excavation, and the proposed monitoring program.

2-2

As part of the mitigation measures, the tribe requests that it be mandated that an Agreement **between the project applicant and both the Soboba Band and the Pechanga Band shall be provided to the City of Wildomar prior to the issuance of a grading permit** and before conducting any additional archaeological fieldwork

Soboba Band of Luiseño Indians

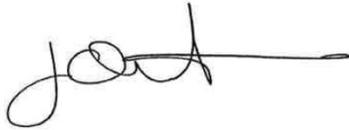
P.O. Box 387

San Jacinto, CA 92581

Letter 2 Continued

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between a representative from the City of Wildomar and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or on my cell phone in order to make arrangements.

Sincerely,



Joseph Ontiveros
Director of Cultural Resources
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Soboba Band of Luiseño Indians

P.O. Box 487

San Jacinto, CA 92581

Comment Letter 2 – Soboba Band of Luiseno Indians

- 2-1 The commenter states mitigation measure CUL-1 should also include the Soboba Band in the notification process.**

Page 39 of the IS/MND has been revised and is reflected in Chapter 3 of the Final IS/MND:

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)~~ and the Soboba Band of Luiseno Indians. Any unanticipated cultural resources that are discovered shall be evaluated 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. In the event the significant resources are recovered and 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 and 15126.4 and Public Resources Code Section 21083.2 and the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2.

This mitigation measure shall be incorporated in all construction contract documentation.

- 2-2 The commenter states that mitigation measure CUL-2 should also include the Soboba Band in the notification process.**

Page 39 of the IS/MND has been revised and is reflected in Chapter 3 of the Final IS/MND:

CUL-2 At least 30 days prior to seeking a grading permit, the project applicant(s) shall contact the Pechanga Tribe and the Soboba Band of Luiseno Indians to notify both tribes ~~the Tribe~~ of grading, excavation, and the monitoring program and to coordinate with the City of Wildomar and the Pechanga Tribe and Soboba Band of Luiseno Indians to develop a Cultural 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; treatment and final disposition of any cultural resources, sacred sites, 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 be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.

This page intentionally left blank.

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 36 is amended as follows:

- BIO-1** All developers of the proposed project site shall conduct ~~construction and clearing activities outside of the avian nesting season (January 15 August 31), where 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., coastal California gnatcatcher). Surveys shall be conducted by a qualified biologist, up to ~~3~~ 14 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 may have the potential to disturb or otherwise harm nesting birds.

CULTURAL RESOURCES

1. Mitigation measure CUL-1 on page 39 is amended 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)~~ and the Soboba Band of Luiseno Indians. Any unanticipated cultural resources that are discovered shall be evaluated 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. In the event the significant resources are recovered and 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 and 15126.4 and Public Resources Code Section 21083.2 and the Cultural Resources Treatment and Monitoring Agreement required by mitigation measure CUL-2.

This mitigation measure shall be incorporated in all construction contract documentation.

3.0 MINOR REVISIONS TO THE IS/MND

2. Mitigation measure CUL-2 on page 39 is amended as follows:

CUL-2 At least 30 days prior to seeking a grading permit, the project applicant(s) shall contact the Pechanga Tribe and the Soboba Band of Luiseno Indians to notify both tribes ~~the Tribe~~ of grading, excavation, and the monitoring program and to coordinate with the City of Wildomar and the Pechanga Tribe and Soboba Band of Luiseno Indians to develop a Cultural 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; treatment and final disposition of any cultural resources, sacred sites, 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 be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.

3. Mitigation measure CUL-6 on page 40 is amended as follows:

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, the Native American Heritage Commission 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 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.

HYDROLOGY AND WATER QUALITY

Thresholds G and H of the IS/MND are amended as follows:

- g, h) **Less Than Significant.** A portion of the residential project may be located inside of the 100-year floodplain as mapped on a Flood Insurance Rate Map (FIRM) Panel Number 06065C2682G (FEMA 2008) and may be subject to flooding. The 100-year flood line appears to be within the channel and adjacent right-of-way for the Murrieta Creek Channel, but the actual location of the line will need to be determined by final engineering (see **Figure 7**). If the area is within the 100-year flood elevation, the FIRM map indicates that flooding would be 1 foot or less in elevation. The City's Municipal Code Chapter 15.96 relates to flood hazard area regulations. One of the provisions of the Flood Hazard Area Regulations is that "for all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. A minimum of two openings having a total

net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices; provided that they permit the automatic entry and exit of floodwaters." If the project engineer can demonstrate to the City Engineer that the property is outside of the floodplain, the provisions of Municipal Code Chapter 15.96 will not apply. If the property is demonstrated to be outside of the 100-year floodplain, then it may be prudent to request an amendment to the Flood Insurance Rate Map (FIRM) through a Letter of Map Revision (LOMR); however a map amendment is not required. Either compliance with Chapter 15.96 or evidence that the property is outside of the 100-year floodplain will result in a less than significant impact.

UTILITIES AND SERVICE SYSTEMS

1. Threshold B on page 49 of the IS/MND is amended as follows:

Current Capacity at lift station B-2 is ~~3,600~~ 2,806 gallons per minute.

2. Standard Conditions and Requirements on Page 82 will be amended as follows:

- 1) The sewer collection system shall be privately owned and maintained.
- 2) The water system shall be looped; also show an access and maintenance easement in favor of EVMWD for the full width of Street A.
- 3) Detailed plans and specification will be required during the plan review process.

3.0 MINOR REVISIONS TO THE IS/MND

This page intentionally left blank.

ATTACHMENTS

ATTACHMENT A: PUBLIC NOTICES

Ben J. Benoit, Mayor
Bridgette Moore, Mayor Pro Tem
Bob Cashman, Council Member
Timothy Walker Council Member
Marsha Swanson, 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: March 25, 2015

SUBJECT: Elm Street Tentative Tract Map 33840 Initial Study/Mitigated Negative Declaration (Planning Application No. 08-0154)

The City of Wildomar (City) is the lead agency for the preparation and review of an Initial Study/Mitigated Negative Declaration (IS/MND) for the Elm Street Tentative Tract Map project.

The residential project will subdivide 4.16 acres into 15 parcels and includes a change of zone from the existing zone designation of R-R (Rural Residential) to a proposed zone designation of R-1 (One-Family Dwelling). All 15 parcels are intended for the development of future single-family residential dwelling units. The change of zone designation will make the zoning consistent with the current Medium Density Residential (MDR) General Plan land use designation for the site.

A previous IS/MND for the proposed project was circulated on July 9, 2014 through August 7, 2014. The State Clearinghouse Number (SCH) is 2014071028. Comments received on the previous IS/MND during the public review period have been included and addressed in this updated IS/MND in accordance with CEQA guidelines.

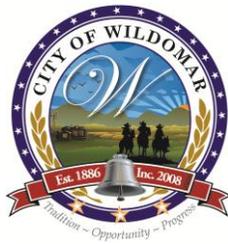
The proposed project site is located in the City of Wildomar, California, at the end of Elm Street between Central Street to the northeast and Gruwell Street to the southwest, with the Murrieta Creek Channel drainage course to the northeast. The Riverside County Assessor's Parcel Number (APN) for the project site is 376-043-027.

At this time, the City is requesting comments on the IS/MND for the proposed project. This notice is being sent to responsible agencies, trustee agencies, and other interested parties in accordance with state CEQA laws along with a copy of the IS/MND on a CD. The public comment period for the IS/MND will begin on **Wednesday, March 25, 2015, and conclude on Thursday, April 23, 2015.** Written comments can be provided to Matthew C. Bassi, Planning Director, City of Wildomar, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595. Comments can also be emailed to mbassi@cityofwildomar.org.

Sincerely,


Matthew C. Bassi
Planning Director

Enclosure – IS/MND on CD



NOTICE OF INTENT TO ADOPT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE ELM STREET TENTATIVE TRACT MAP PROJECT

An Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared by the City of Wildomar for the Elm Street Tentative Tract Map project (Planning Application No. 08-0154). The IS/MND is available for public review and can be downloaded from the City of Wildomar Environmental Documents Center webpage at <http://www.cityofwildomar.org/environmental-documents.asp> beginning Wednesday, March 25, 2015. A printed copy of the Elm Street Tentative Tract IS/MND will also be available for review at Wildomar City Hall, Planning Department, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595 (8 a.m. to 5 p.m., Monday through Thursday).

The proposed project site is located in the City of Wildomar, California, at the end of Elm Street between Central Street to the northeast and Gruwell Street to the southwest, with the Murrieta Creek Channel drainage course to the northeast. The Riverside County Assessor's Parcel Number (APN) for the project site is 376-043-027.

The proposed project would change the existing zone district from R-R (Rural Residential) to R-1 (One-Family Dwelling). The project will also subdivide 4.16 acres into 15 parcels. All 15 parcels are intended for the development of future single-family residential dwelling units. The change of zone designation will make the zoning consistent with the current Medium Density Residential (MDR) General Plan land use designation for the site.

A previous IS/MND for the proposed project was circulated on July 9, 2014 through August 7, 2014. The State Clearinghouse Number is 2014071028. Comments received on the previous IS/MND during the public review period have been included and addressed in this updated IS/MND in accordance with CEQA guidelines.

In accordance with CEQA Guidelines Sections 15072(a) and (b), this public notice is posted to officially notify the public, public agencies, and responsible and trustee agencies that the required 30-day public review period will commence on **Wednesday, March 25, 2015 and will conclude on Thursday, April 23, 2015.** Any written comments (via email or letter) on the IS/MND must be submitted no later than April 23, 2015 by 5 p.m. The Planning Commission is tentatively scheduled to take action on this project at a regular meeting to be held on June 3, 2015. The City Council is tentatively scheduled to take action on this project at a regular meeting to be held on July 8, 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: March 25, 2015

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
FOR THE ELM STREET TENTATIVE TRACT MAP PROJECT**

An Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared by the City of Wildomar for the Elm Street Tentative Tract Map project (Planning Application No. 08-0154). The IS/MND is available for public review and can be downloaded from the City of Wildomar Environmental Documents Center webpage at <http://www.cityofwildomar.org/environmental-documents.asp> beginning Wednesday, March 25, 2015. A printed copy of the Elm Street Tentative Tract IS/MND is also available for review at Wildomar City Hall, Planning Department, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595 (8 a.m. to 5 p.m., Monday through Thursday).

The proposed project site is located in the City of Wildomar, California, at the end of Elm Street between Central Street to the northeast and Gruwell Street to the southwest, with the Murrieta Creek Channel drainage course to the northeast. The Riverside County Assessor's Parcel Number (APN) for the project site is 376-043-027.

The project proposes to change the existing zone designation from R-R (Rural Residential) to R-1 (One-Family Dwelling). The project also proposes to subdivide the 4.16 acre site into 15 parcels for future single family residential development consistent with the existing General Plan land use designation of Medium Density Residential (MDR). The change of zone designation will make the zoning consistent with the current Medium Density Residential (MDR) General Plan land use designation of the site.

A previous IS/MND for the proposed project was circulated on July 9, 2014 through August 7, 2014. The State Clearinghouse Number is 2014071028. Comments received on the previous IS/MND during the public review period have been included and addressed in this updated IS/MND in accordance with CEQA guidelines.

In accordance with CEQA Guidelines Sections 15072(a) and (b), this public notice is posted to officially notify the public, public agencies, and responsible and trustee agencies that the required 30-day public review period will commence on **Wednesday, March 25, 2015 and will conclude on Thursday April 23, 2015**. Any written comments (via email or letter) on the IS/MND must be submitted no later than April 23, 2015 by 5 p.m. The Planning Commission is tentatively scheduled to take action on this project at a regular meeting to be held on June 3, 2015. The City Council is tentatively scheduled to take action on this project at a regular meeting to be held on July 8, 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.

Published: March 25, 2015

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 # **2014071028**

PROJECT TITLE

Elm Street Tentative Tract Map IS/MND (Planning Application No. 08-0154/TM No. 33840)

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
ADDRESS At the end of Elm Street between Central Street to the northeast and Gruwell Street to the southwest, with Murrieta Creek Channel drainage course adjacent to the northeast.	ZIP CODE 92595
ASSESSOR'S PARCEL NUMBER 376-043-027	TOWNSHIP RANGE
SECTION	TOTAL ACRES 4.16
WITHIN 2 MILES: STATE HIGHWAY NUMBER Interstate 15	AIRPORTS None within 2 miles
	SCHOOLS William Collier Elementary (approx. 2 miles to the north) Cal Lutheran HS (approx. 2 miles to the north) Wildomar Elementary (approx. 1/2 mile to the west) Donald Graham Elementary (approx. 2 miles to the west) Davie A. Brown Middle (approx 2 miles to the south)
RAILWAYS None	WATERWAYS Murrieta Creek Channel drainage course to the northeast/adjacent to the project site

DOCUMENT TYPE

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

LOCAL ACTION TYPE

<input type="checkbox"/> General Plan Update	<input type="checkbox"/> Specific Plan Amendment	<input checked="" 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 type="checkbox"/> Use Permit	<input type="checkbox"/> Coastal Permit
<input type="checkbox"/> Community Plan	<input type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Land Division (Subdivision, etc.)	<input type="checkbox"/> Conditional Use Permit (CUP)

DEVELOPMENT TYPE

<input checked="" type="checkbox"/> Residential	Units <u>15</u>	Acres <u>4.16</u>	<input type="checkbox"/> Transportation	Type _____
<input type="checkbox"/> Administrative Building	Sq. ft. _____	Acres _____	<input type="checkbox"/> Mining	Mineral _____
<input type="checkbox"/> Shopping/Commercial	Sq. ft. _____	Acres _____	<input type="checkbox"/> Waste Treatment	Type _____
<input type="checkbox"/> Industrial	Sq. ft. _____	Acres _____	<input type="checkbox"/> Hazardous Waste	Type _____
<input type="checkbox"/> Educational	Sq. ft. _____			
<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 checked="" type="checkbox"/> Flood Plain/Flooding	<input checked="" type="checkbox"/> Schools/Universities	<input checked="" type="checkbox"/> Water Supply
<input type="checkbox"/> Agricultural Land	<input type="checkbox"/> Forest Land/Fire Hazard	<input type="checkbox"/> Septic Systems	<input checked="" 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 checked="" type="checkbox"/> Growth Inducing
<input type="checkbox"/> Coastal Zone	<input checked="" type="checkbox"/> Noise	<input checked="" 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 checked="" type="checkbox"/> Vegetation	<input type="checkbox"/> Other _____
<input type="checkbox"/> Fiscal	<input checked="" type="checkbox"/> Recreation/Parks	<input checked="" type="checkbox"/> Water Quality	

PRESENT LAND USE/ZONING/GENERAL PLAN DESIGNATION: The project site is currently vacant and is designated Medium Density Residential and zoned Rural Residential.

PROJECT DESCRIPTION: The project includes a change of zone from the existing designation of R-R (Rural Residential) to R-1 (One-Family Dwelling). The change of zone designation will make the zoning consistent with the existing General Plan land use designation of Medium Density Residential (MDR). The project also includes a Tentative Tract Map (TTM No. 33840) to subdivide the 4.16-acre parcel into 15 parcels for future single family residential development.

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
- Federal Aviation Authority
- 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

PUBLIC REVIEW PERIOD

Starting Date Wednesday, March 25, 2015

Ending Date Thursday, April 23, 2015

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: