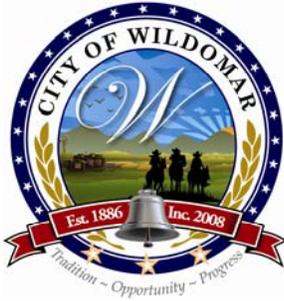


Appendix A:
Notice of Preparation/Responses

A.1 - Notice of Preparation



NOTICE OF PREPARATION AND NOTICE OF PUBLIC SCOPING MEETING

Date: April 21, 2014

To: California State Clearinghouse
Responsible and Trustee Agencies
Interested Parties and Organizations (Local Distribution List)
Affected Property Owners
(see attached distribution list)

Subject: Notice of Preparation (NOP) of the Villa Sienna Residential Project
Environmental Impact Report (EIR) (Planning Application No. 13-0089)

Lead Agency: City of Wildomar

Contact: Matthew C. Bassi, Planning Director

Project Title: Villa Sienna Residential Project EIR (PA 13-0089)

Project Location: The Project site is located in the City of Wildomar, Riverside County, California. Specifically, the proposed Project site is located on the Murrieta, California, United States Geologic Survey 7.5-minute topographic quadrangle map, (Range 3 West, Township 7 South, Section 6 (Latitude 33°35'29" North; Longitude 117° 13'37" West). The Project Assessor Parcel Number (APN) is 380-290-029. The Project site consists of one parcel totaling 9.22 acres, and is generally bounded by Elizabeth Lane and vacant land to the west; Prielipp Road and multi-unit residential properties to the south; two residential properties to the north; and Jana Lane, residential properties, and vacant land to the east.

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Source: Census 2000 Data, The CaSIL, FCS GIS 2014.

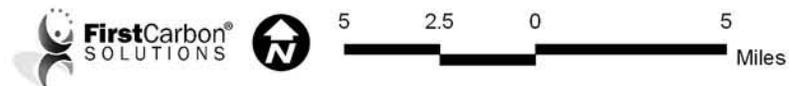


Exhibit 1 Regional Location Map

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In accordance with Section 15021 of the California Environmental Quality Act (CEQA) Guidelines, the City of Wildomar, as lead agency, will prepare an Environmental Impact Report (EIR) for the proposed Villa Sienna Residential Project (Project). Pursuant to Section 15082(a) of the CEQA Guidelines, the City of Wildomar (City) has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the proposed Project and its potential environmental effects. The City is soliciting your comments on the scope of the environmental analysis. This will allow your input to be taken into consideration during the evaluation of the environmental impacts of the Project to be addressed in the EIR. A description of the proposed Project and a location map, along with a preliminary identification of the potential environmental effects are contained in this NOP. If your agency is a responsible agency as defined in Section 15381 of the CEQA Guidelines, your agency will need to use the EIR prepared by the City of Wildomar when considering your permit or other approval for action.

In compliance with the time limits mandated by CEQA, the comment period for this NOP is 30 days, running from **April 21, 2014, to May 20, 2014**. **Your response must be sent at the earliest possible date, but no later than 30 days after the date of this notice pursuant to CEQA Guidelines Section 15082(b)**. The City welcomes public input during this review period. In the event no response or request for additional time is received by any responsible or trustee agency by the end of the review period, the City may presume that the responsible or trustee agency has no response. Please send your written responses to the following address:

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

Please note that responses must include the name of a contact person at your agency or organization and address.

PROJECT DESCRIPTION

Historically, the Project site has been used for residential purposes, and the current General Plan designates the Project site as Medium High Density Residential (MHDR). The Project proposes to develop 170 units of apartments contained within nine (9) separate buildings. Eight buildings will total 235,904 square feet, and one building will total 14,553 square feet (totaling 250,457 square feet). Eight of the nine buildings would utilize a similar design scheme (20 units per building), and generally contain the same number of dwelling units per floor. The ninth building would utilize a similar design scheme and would contain half the number of dwelling units per floor (10 units). Additional components include a club house with offices totaling 1,906 square feet; a pool and spa as well as open space; 368 parking spaces for residents and guests; landscaping; and sidewalks and alleys. The Project would have a total lot coverage of 400,752 square feet. The Project will require a General Plan Amendment from the current General Plan Land Use designation of Medium High Density Residential (MHDR) to Very High Density Residential (VHDR). The Project site consists of 9.22 acres, resulting in a gross density of approximately 18.4 units per acre, which is consistent with the proposed VHDR land use classification of 14-20 units per

acre. Additionally, the Project site is currently zoned Industrial Park (I-P) by the City of Wildomar Zoning Ordinance and will require a zone change to General Residential (R-3).

The Project will require the following approvals:

- General Plan Amendment from Medium High Density Residential (MHDR) to Very High Density Residential (VHDR)
- Zone Change from I-P (Industrial Park) to R-3 (General Residential)
- Plot Plan Approval
- Encroachment Permit

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ENVIRONMENTAL IMPACTS

The City has determined that the Project will require preparation of an EIR to address all aspects of the environmental analysis. Thus, the City will not prepare an Initial Study as permitted in Section 15060(d) of the CEQA Guidelines. The EIR will be prepared to evaluate the potential impacts that would result from implementation of the Project.

The EIR will also evaluate the potential for the Project to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. Mitigation will be proposed for those impacts that are determined to be significant and a mitigation monitoring program will be developed as required by the CEQA Guidelines (Section 15150). The City anticipates the potential for the following significant environmental impacts:

Aesthetics: Construction and operation of the Project could impact views, scenic vistas/resources from surrounding vantage points as well as introduce additional sources of lighting and glare to the site.

Air Quality: Construction and operation of the project could result in air pollutant emissions. Earth is disturbed during site development activities, generating dust, and construction equipment will create short-term pollutant emissions. Development of the project could result in additional vehicular traffic that would generate air pollution.

Biological Resources: The City implements the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephen's Kangaroo Rat Habitat Conservation Plan. Development of the Project may have an adverse effect on rare, threatened, or endangered species and/or the habitat that supports them, including Burrowing Owls. The Project could affect riparian habitat and/or wetlands.

Cultural Resources: Development of the Project may have an adverse effect on historic or archaeological resources. There is the potential for construction-related effects on historical and archaeological resources. Development may adversely impact undiscovered cultural resources.

Geological Resources: Development of the Project may result in soil erosion or the loss of topsoil and/or be located in an area with geologic or soil constraints. There could be impacts associated with grading, such as increased wind and water erosion potential. Impacts may involve disruptions of the soil, changes in topography, erosion from wind or water, and other impacts, as well as a potential impact of development on significant mineral resources.

Greenhouse Gas: It is likely that Project will contribute to cumulative increases in greenhouse gases. The EIR will include methods of reducing greenhouse gases as necessary.

**Hydrology and
Water Quality:**

Development of the Project may affect groundwater supplies, could change drainage patterns, and/or could have the potential to contribute polluted stormwater runoff. There could be impacts related to urban runoff and flooding potential, as well as to water quality.

Land Use and

Planning:

The Project could result in impacts to land use and planning due to changes in zoning designation and densities. The Project would require a change of zone from Industrial Park (I-P) to Residential (R-3), and a land use designation change to Very High Density Residential (VHDR). Surrounding uses may be affected.

Noise:

Increases in traffic and the addition of construction noise sources may result in an increase in ambient and transportation noise. The EIR will utilize new noise measurements and extrapolate future noise conditions using traffic data provided in the Traffic Impact Analysis.

Population and

Housing:

The Project could directly or indirectly induce population growth within the area by establishing 170 units of rentable apartments.

Public Services:

The Project has the potential to impact schools, parks, as well as fire and police protection.

Transportation:

The Project may result in impacts on local and regional roadways. A Traffic Impact Analysis will be produced analyzing the impacts of the Project including alternative transportation modes, internal circulation and access, as well as pedestrian concerns. Mitigation will be included as part of the analysis if warranted.

Utilities and Service

Systems:

The Project has the potential to cause an increase in water demand, wastewater conveyance and treatment, storm water drainage, and landfill capacity.

TYPE OF ENVIRONMENTAL IMPACT REPORT

The City will prepare a Project EIR as defined in Section 15168 of the CEQA Guidelines. As a Project EIR, the analysis will focus primarily on the changes in the environment that would result from the development of the Project. The EIR will examine all phases of the Project including planning, construction, and operation.

PUBLIC SCOPING

A public scoping meeting will be conducted to provide the public with the opportunity to learn more about the Project and to provide an opportunity for a full discussion of the environmental issues that are important to the community. The scoping meeting will include a presentation of the Project and a summary of the environmental issues to be analyzed in the EIR. Following the presentation of the

project, interested agencies, organizations, and members of the public will be encouraged to present views concerning the environmental issues that should be included in the EIR. The oral and written comments provided during the meeting will assist the City in scoping the potential environmental effects of the Project to be addressed by the EIR. The City also invites written comments.

The scoping meeting will be held at the following time and location:

Monday, May 5, 2014 from 6:00 to 7:00 p.m.
City of Wildomar, City Council Chambers
23873 Clinton Keith Road, Suite 111
Wildomar, CA 92595

If you have further questions or require additional information, please contact Matthew C. Bassi, Planning Director, at (951) 677-7751, ext. 213, or mbassi@cityofwildomar.org.

Signature:

A handwritten signature in blue ink that reads "Matthew Bassi".

Planning Director
City of Wildomar

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A.2 - Responses



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

Notice of Preparation

April 18, 2014

RECEIVED

APR 24 2014

CITY OF WILDOMAR

To: Reviewing Agencies

Re: Villa Sienna Residential Project EIR (PA 13-0089)
SCH# 2014041075

Attached for your review and comment is the Notice of Preparation (NOP) for the Villa Sienna Residential Project EIR (PA 13-0089) draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

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

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2014041075
Project Title Villa Sienna Residential Project EIR (PA 13-0089)
Lead Agency Wildomar, City of

Type NOP Notice of Preparation
Description The Project proposes to develop 170 units of apartments contained within nine separate buildings. Eight buildings total 235,904 sf, and one building will total 14,553 sf (totaling 250,457 sf). The Project would have a total lot coverage of 400,752 sf. Additional components include a club house with offices totaling 1,906 sf; a pool and spa as well as open space; 368 parking spaces for residents and guests; landscaping; and sidewalks and alleys. The Project will require a General Plan Amendment from Medium High Density Residential (MHDR) to Very High Density Residential (VHDR), as well as a zone change from Industrial Park (I-P) to General Residential (R-3).

Lead Agency Contact

Name Matthew C. Bassi
Agency City of Wildomar
Phone 951 677-7751 x213 **Fax**
email
Address 23873 Clinton Keith Road, Suite 201
City Wildomar **State** CA **Zip** 92595

Project Location

County Riverside
City Wildomar
Region
Cross Streets Elizabeth Lane to the west; Prielipp Road to the south; and Jana Lane to the east
Lat / Long 33° 35' 29" N / 117° 13' 37" W
Parcel No. 380-290-029
Township 7S **Range** 3W **Section** 6 **Base**

Proximity to:

Highways I-15
Airports Bear Creek
Railways
Waterways
Schools 3 ES
Land Use Residential / Industrial Park / Medium High Density Residential

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 6; Native American Heritage Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Air Resources Board; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 8; Regional Water Quality Control Board, Region 9

Date Received 04/18/2014 **Start of Review** 04/18/2014 **End of Review** 05/19/2014

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH 201404107

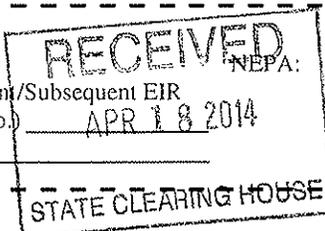
Project Title: Villa Sienna Residential Project EIR (PA 13-0089)

Lead Agency: City of Wildomar Contact Person: Matthew C. Bassi
Mailing Address: 23873 Clinton Keith Rd, Suite 201, Wildomar, CA 92595 Phone: 951.677.7751 x213
City: City of Wildomar Zip: 92595 County: Riverside County

Project Location: County: Riverside County City/Nearest Community: City of Wildomar
Cross Streets: Elizabeth Lane to the west; Prielipp Road to the south; and Jana Lane to the east Zip Code: 92595
Longitude/Latitude (degrees, minutes and seconds): 33 ° 35 ' 29 " N / 117 ° 13 ' 37 " W Total Acres: 9.22
Assessor's Parcel No.: 380-290-029 Section: 6 Twp.: 7 S. Range: 3 W. Base: Murrieta
Within 2 Miles: State Hwy #: I-15 Waterways:
Airports: Bear Creek Airport Railways: N/A Schools: 3 Elementary

Document Type:

CEQA: [X] NOP [] Draft EIR [] NOI Other: [] Joint Document
[] Early Cons [] Supplement/Subsequent EIR [] EA [] Final Document
[] Neg Dec (Prior SCH No.) [] Draft EIS [] Other:
[] Mit Neg Dec Other:
NEPA: [] FONSI



Local Action Type:

[] General Plan Update [] Specific Plan [X] Rezone [] Annexation
[X] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [] Use Permit [] Coastal Permit
[] Community Plan [X] Site Plan [] Land Division (Subdivision, etc.) [X] Other: Encroachment

Development Type:

[X] Residential: Units 170 Acres 9.22
[] Office: Sq.ft. Acres Employees [] Transportation: Type
[] Commercial: Sq.ft. Acres Employees [] Mining: Mineral
[] Industrial: Sq.ft. Acres Employees [] Power: Type MW
[] Educational: [] Waste Treatment: Type MGD
[] Recreational: [] Hazardous Waste: Type
[] Water Facilities: Type MGD [] Other:

Project Issues Discussed in Document:

[X] Aesthetic/Visual [X] Fiscal [X] Recreation/Parks [X] Vegetation
[X] Agricultural Land [X] Flood Plain/Flooding [X] Schools/Universities [X] Water Quality
[X] Air Quality [X] Forest Land/Fire Hazard [X] Septic Systems [X] Water Supply/Groundwater
[X] Archeological/Historical [X] Geologic/Seismic [X] Sewer Capacity [X] Wetland/Riparian
[X] Biological Resources [X] Minerals [X] Soil Erosion/Compaction/Grading [X] Growth Inducement
[] Coastal Zone [X] Noise [X] Solid Waste [X] Land Use
[X] Drainage/Absorption [X] Population/Housing Balance [X] Toxic/Hazardous [X] Cumulative Effects
[X] Economic/Jobs [X] Public Services/Facilities [X] Traffic/Circulation [] Other:

Present Land Use/Zoning/General Plan Designation:

Residential/Industrial Park/Medium High Density Residential

Project Description: (please use a separate page if necessary)

The Project proposes to develop 170 units of apartments contained within nine (9) separate buildings. Eight buildings total 235,904 square feet, and one building will total 14,553 square feet (totaling 250,457 square feet). The Project would have a total lot coverage of 400,752 square feet. Additional components include a club house with offices totaling 1,906 square feet; a pool and spa as well as open space; 368 parking spaces for residents and guests; landscaping; and sidewalks and alleys. The Project will require a General Plan Amendment from Medium High Density Residential (MHDR) to Very High Density Residential (VHDR), as well as a zone change from industrial Park (I-P) to General Residential (R-3).

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Resources Agency

- Resources Agency
Nadell Gayou
 - Dept. of Boating & Waterways
Nicole Wong
 - California Coastal Commission
Elizabeth A. Fuchs
 - Colorado River Board
Tamya Trujillo
 - Dept. of Conservation
Elizabeth Carpenter
 - California Energy Commission
Eric Knight
 - Cal Fire
Dan Foster
 - Central Valley Flood Protection Board
James Herota
 - Office of Historic Preservation
Ron Parsons
- Dept of Parks & Recreation
Environmental Stewardship Section
 - California Department of Resources, Recycling & Recovery
Sue O'Leary
 - S.F. Bay Conservation & Dev't. Comm.
Steve McAdam
 - Dept. of Water Resources Resources Agency
Nadell Gayou

Fish and Game

- Depart. of Fish & Wildlife
Scott Flint
Environmental Services Division
- Fish & Wildlife Region 1
Donald Koch

- Fish & Wildlife Region 1E
Laurie Harnsberger
- Fish & Wildlife Region 2
Jeff Drongesen
- Fish & Wildlife Region 3
Charles Armor
- Fish & Wildlife Region 4
Julie Vance
- Fish & Wildlife Region 5
Leslie Newton-Reed
Habitat Conservation Program
- Fish & Wildlife Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Wildlife Region 6 I/M
Heidi Sickler
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Wildlife M
George Isaac
Marine Region

Other Departments

- Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture
- Depart. of General Services
Public School Construction
- Dept. of General Services
Anna Garbeff
Environmental Services Section
- Dept. of Public Health
Jeffery Worth
Dept. of Health/Drinking Water
- Delta Stewardship Council
Kevan Samsam

Independent Commissions, Boards

- Delta Protection Commission
Michael Machado
- OES (Office of Emergency Services)
Dennis Castrillo

- Native American Heritage Comm.
Debbie Treadway
- Public Utilities Commission
Leo Wong
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Jennifer Deleong
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics
Philip Crimmins
- Caltrans - Planning
Terri Pencovic
- California Highway Patrol
Suzann Ikeuchi
Office of Special Projects
- Housing & Community Development
CEQA Coordinator
Housing Policy Division

Dept. of Transportation

- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcelino Gonzalez
- Caltrans, District 3
Gary Arnold
- Caltrans, District 4
Erik Alm
- Caltrans, District 5
David Murray
- Caltrans, District 6
Michael Navarro
- Caltrans, District 7
Dianna Watson

- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Maureen El Harake

Cal EPA

Air Resources Board

- All Projects
CEQA Coordinator
- Transportation Projects
Nesamani Kalandiyur
- Industrial Projects
Mike Tollstrup
- State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance
- State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality
- State Water Resources Control Board
Phil Crader
Division of Water Rights
- Dept. of Toxic Substances Control
CEQA Tracking Center
- Department of Pesticide Regulation
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- RWQCB 1
Cathleen Hudson
North Coast Region (1)
- RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)
- RWQCB 3
Central Coast Region (3)
- RWQCB 4
Teresa Rodgers
Los Angeles Region (4)
- RWQCB 5S
Central Valley Region (5)
- RWQCB 5F
Central Valley Region (5)
Fresno Branch Office
- RWQCB 5R
Central Valley Region (5)
Redding Branch Office
- RWQCB 6
Lahontan Region (6)
- RWQCB 6V
Lahontan Region (6)
Victorville Branch Office
- RWQCB 7
Colorado River Basin Region (7)
- RWQCB 8
Santa Ana Region (8)
- RWQCB 9
San Diego Region (9)

- Other _____
- _____
- _____
- _____
Conservancy

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING (MS 722)

464 WEST 4th STREET, 6th Floor

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-5936

TTY (909) 383-6300

www.dot.ca.gov/dist8

*Flex your power!
Be energy efficient!***RECEIVED****APR 24 2014****CITY OF WILDOMAR**

April 23, 2014

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

Notice of Preparation of the Villa Sienna Residential Project Planning Application No. 13-0089
(Riv 15 PM 12.59)

Mr. Bassi,

We have completed our initial review for the above mentioned proposal project site to consists of one parcel totaling 9.22 acres, and is generally bounded by Elizabeth Lane and vacant land to the west. The development proposes 170 units of apartments within nine (9) separate buildings, eight (8) building will total 235,904 square feet and one building will total 14,553 square feet totaling 250,457 square feet.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Wildomar due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

We recommend the following to be provided:

Traffic Study

- A Traffic Impact Study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to the State facilities and to propose appropriate mitigation measures. The study should be based on Caltrans' *Guide for the Preparation of Traffic Impact Studies (TIS)* which is located at the following website:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide.

- further away from the project is typically not required because a project's potential impacts to the SHS dissipate to less than significant levels as traffic disperses throughout the transportation system.
- The data used in the TIS should not be more than 2 years old.
- The geographic area examined in the traffic study should include as a minimum all regionally significant arterial system segments and intersections, including State highway facilities where the project will add over 100 peak hour trips. State highway facilities that are experiencing noticeable delays should be analyzed in the scope of the traffic study for projects that add 50 to 100 peak hour trips.
- Traffic Analysis Scenarios should clearly be exhibited as exiting, existing + project, existing + project + cumulative, and existing + project + cumulative + ambient growth.
- Caltrans endeavors that any direct and cumulative impacts to the State highway system be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards.
- The LOS for operating State highway facilities is based upon Measures of Effectiveness (MOE) identified in the Highway Capacity Manual (HCM). Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities; however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than this target LOS, the existing MOE should be maintained. In general, the region-wide goal for an acceptable LOS on all freeways, roadway segments, and intersections is "D". For undeveloped or not densely developed locations, the goal may be to achieve LOS "C".
- Clearly indicate LOS with and without improvements.
- It is recommended that the Synchro Analysis includes all intersections from the Project site to the proposed study areas. A PHF of 0.92 in urban areas is recommended to be used in the Synchro Analysis.
- All freeway entrance and exit ramps where a proposed project will add a significant number of peak-hour trips that may cause any traffic queues to exceed storage capacities should be analyzed. If ramp metering is to occur, a ramp queue analysis for all nearby Caltrans metered on-ramps is required to identify the delay to motorists using the on-ramps and the storage necessary to accommodate the queuing. The effects of ramp metering should be analyzed in the traffic study. For metered freeway ramps, LOS does not apply. However, ramp meter delays above 15 minutes are considered excessive.

Mr. Bassi
April 23, 2014
Page 3

- Proposed improvements should be exhibited in preliminary drawings that indicate the LOS with improvements.
- **Submit a hard copy of all Traffic Impact Analysis documents and an electronic Synchro Analysis file.**

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 806-3957 or myself at (909) 383-4557 for assistance.

Sincerely,



DANIEL KOPULSKY
Office Chief
Community and Regional Planning



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • www.aqmd.gov

RECEIVED

MAY - 5 2014

May 1, 2014

Matthew C. Bassi, Planning Director
City of Wildomar
23837 Clinton Keith Rd, Ste 201
Wildomar, CA 92595

CITY OF WILDOMAR

Notice of Preparation of a CEQA Document for the Villa Sienna Residential Project

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

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. More recent guidance developed since this Handbook was published is also available on SCAQMD's website here: www.aqmd.gov/ceqa/hdbk.html. SCAQMD staff also recommends that the lead agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

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

The SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD staff requests that the lead agency quantify criteria pollutant emissions and compare the results to the recommended regional significance thresholds found here: <http://www.aqmd.gov/ceqa/handbook/signthres.pdf>. In addition to analyzing regional air quality impacts, the SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore,

when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

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

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Perspective*, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying possible mitigation measures for the project, including:

- Chapter 11 of the SCAQMD *CEQA Air Quality Handbook*
- SCAQMD's CEQA web pages at: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.
- SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions
- Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>.

Data Sources

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

The SCAQMD staff is available to work with the Lead Agency to ensure that project emissions are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at imacmillan@aqmd.gov or call me at (909) 396-3244.

Sincerely,



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

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



April 28, 2014

Mr. Matthew C. Bassi, Planning Director

CITY OF WILDOMAR

23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

RECEIVED

MAY - 1 2014

CITY OF WILDOMAR

Sent by U.S. Mail

No. of Pages: 4

RE: SCH#2014041075; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"Villa Sienna Residential Project EIR (PA 13-0089);"** 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).

If there is federal jurisdiction of this project due to funding or regulatory provisions; then the following may apply: the National Environmental Policy Act (NEPA 42 U.S.C 4321-43351) and Section 106 of the National Historic Preservation Act (16 U.S.C 470 *et seq.*) and 36 CFR Part 800.14(b) require consultation with culturally affiliated Native American tribes to determine if the proposed project may have an adverse impact on cultural resources

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 to California Government Code Section 6254.10.

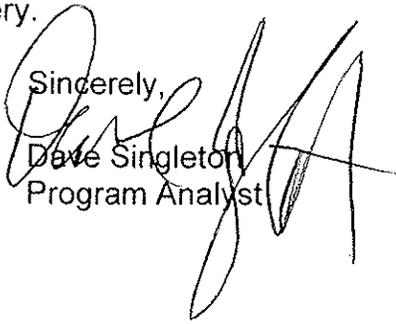
A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources.

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.

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,


Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

Native American Contacts
Riverside County California
April 28, 2014

Pala Band of Mission Indians
Historic Preservation Office/Shasta Gaughen
35008 Pala Temecula Road, PMB Luiseno
Pala , CA 92059 Cupeno
PMB 50
(760) 891-3515
sgaughen@palatribe.com
(760) 742-3189 Fax

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

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

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

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

Cahuilla Band of Indians
Luther Salgado, Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
Chairman@cahuilla.net
760-763-5549
760-763-2631 - Tribal EPA

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 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 local Native Americans with regard to cultural resources for the proposed SCH#2014041075; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Villa Sienna Residential Project EIR (PA13-0089); comprised of 170 apartment units contained within 8 buildings on total lot coverage of 400,553 Square Feet. Located in the City of Wildomar, Riverside County, California.

Native American Contacts
Riverside County California
April 28, 2014

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137
(951) 654-4198-FAX

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

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

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed SCH#2014041075; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Villa Sienna Residential Project EIR (PA13-0089); comprised of 170 apartment units contained within 8 buildings on total lot coverage of 400,553 Square Feet. Located in the City of Wildomar; Riverside County, California.



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



May 19, 2014

Mr. Mathew Bassi
City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

Subject: Notice of Preparation for the Villa Sienna Residential Project
Draft Environmental Impact Report
State Clearinghouse No. 2014041075

Dear Mr. Bassi:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Notice of Preparation (NOP) for the Villa Sienna Residential Project (Project) [State Clearinghouse No. 2014041075]. The Department is responding to the NOP 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 bounded by Prielipp Road to the south, Elizabeth Lane to the west, Jana Lane to the east, and two existing residential properties, south of Cheyenne Circle, to the north, within the City of Wildomar, County of Riverside, State of California; Assessor Parcel Number 380-290-029. The Project proposes develop 170 units of apartments contained within nine (9) separate buildings; a club house, pool, spa, and open space; 368 parking spaces; landscaping, sidewalks, and alleys for a total project footprint of 400,752 square feet.

Biological Resources and Impacts

The CEQA document should contain sufficient, specific, and current biological information on the existing habitat and species at the Project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna and State waters. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.

If state or federal endangered or threatened species have the potential to occur on the Project site, species specific surveys should be conducted using methods approved by the Department or assume the presence of the species throughout the project site. The CEQA document

Conserving California's Wildlife Since 1870

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

Natural Community Conservation Program (NCCP) and California Endangered Species Act (CESA)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the CESA, and administers the Natural Community Conservation Plan Program (NCCP Program). Within the Inland Deserts Region, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section 2800, *et seq.*, of the California Fish and Game Code on June 22, 2004. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit.

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

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. In order to be considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement. The City of Wildomar is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. The Project is located in the Elsinore Plan Area of the MSHCP. MSHCP policies and procedures that will apply to this project include: Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools (MSHCP Section 6.1.2), and Additional Survey Needs and procedures for burrowing owl (MSHCP section 6.3.2).

Lake and Streambed Alteration Program

The Department has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian

resources and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

Although the proposed Project is within the MSHCP, a Notification of Lake or Streambed Alteration may be required by the Department, should the site contain jurisdictional areas, and the Project proposes impacts to these areas. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools).

The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays. Please note that failure to include this analysis in the project's environmental document could preclude the Department from relying on the Lead Agency's analysis to issue an LSA Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project:

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance and minimization measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

Cumulative Impacts

The Project is proposed in a densely populated region of southern California. The regional scarcity of biological resources may increase the cumulative significance of Project activities. Cumulative effects analysis should be developed as described under CEQA Guidelines Section 15130. Please include all potential direct and indirect project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis.

Alternatives Analysis

The CEQA document should analyze a range of fully considered and evaluated alternatives to the Project (CEQA Guidelines Section 15126.6). The analysis should include a range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources. The Department considers Rare Natural Communities as threatened habitats, having both local and regional significance. Thus, these communities should be fully avoided and otherwise protected from Project-related impacts. The CEQA document should include an evaluation of specific alternative locations with lower resource sensitivity where appropriate. Off-site compensation

for unavoidable impacts through acquisition and protection of high-quality habitat should be addressed.

Please note that the Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.

Department Recommendations

The Department has the following concerns about the Project, and requests that these concerns be addressed in the CEQA document:

1. The CEQA document should quantify impacts to habitats and species as per the informational requirements of CEQA. An accompanying map showing the areas of impact should also be included.
2. The CEQA document should include recent biological surveys for fauna and flora (CEQA Guidelines Section 15125(a)). Along with the completion of general habitat assessments and species surveys, the Department recommends that the Lead Agency contact the Department's California Natural Diversity Database (CNDDDB) in Sacramento, (916) 327-5960, to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the California Fish and Game Code. If state or federal threatened or endangered species may occur within the project area, species specific surveys, conducted at the appropriate time of year and time of day, should be included with the CEQA document. Acceptable species specific surveys have been developed by the Department, and by the U.S. Fish and Wildlife Service, and are accessible through each agencies websites. Assessments for rare plants and rare plant natural communities should follow the Department's 2009 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. If the Department's 2009 guidelines were not used, surveys conducted after the issuance of the 2009 guidance should be updated following the 2009 guidelines. The guidance document is available here:
http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf
3. The CEQA document should provide an analysis of habitat conservation plans and natural community conservation plans, including the MSHCP. The CEQA document should include a discussion of how the project will affect reserve assembly; how the Project will affect the goals and objectives of the NCCP; the applicable policies and procedures that pertain to the Project; a discussion of survey requirements; and a list of proposed mitigation measures pursuant to the NCCP. A copy of any documents discussing the Project's consistency with the NCCP (e.g., Determination of Biologically Equivalent or Superior Preservation) should be included with the CEQA document.
4. The analysis in the CEQA document should satisfy the requirements of the Department's Lake and Streambed Alteration Program and CESA (if deemed necessary).

5. The CEQA document should provide a thorough analysis of direct, indirect, and cumulative impacts and identify specific measures to offset such impacts.
6. The CEQA document should analyze a range of fully considered and evaluated alternatives to the Project (CEQA Guidelines Section 15126.6).

In summary, the Department requests that the CEQA document include current information regarding biological resources, adequately address whether the project will be processed through the MSHCP, provide a thorough analysis of cumulative impacts, and provide an alternatives analysis. If you should have any questions pertaining to these comments, please contact Kimberly Freeburn-Marquez at (909) 945-3484.

Sincerely,



Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse, Sacramento



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

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

May 20, 2014

VIA E-MAIL and USPS

Mr. Matthew Bassi
Planning Director
City of Wildomar Planning Dept
23873 Clinton Keith Road, Ste 111
Wildomar, CA 92595

Re: Pechanga Tribe Comments on the Notice of Preparation for an Environmental Impact Report on the Villa Sienna Residential Project, Planning Application 13-0089

Dear Mr. Bassi

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government in response to the Notice of Preparation (NOP) dated April 21, 2014 for the above referenced Project. 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 others pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the City in developing appropriate avoidance and preservation standards for any Pechanga cultural resources that the Project could potentially impact. The Tribe knows that cultural resources were identified immediately to the south, that the Project is in a sensitive area and that the potential to impact cultural resources during grading activities is high. Although the Notice states that the Project has historically been used for residential activities, aerial photographs show that there is still a substantial portion of the Project that has had little to no surface disturbance, thus increasing the possibility for subsurface impacts.

The Tribe generally recommends that an intensive archaeological survey be completed for every Project with participation by a Pechanga Tribe monitor; however, we are aware that an

Chairperson:
Mary Bear Magee

Vice Chairperson:
Darlene Miranda

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

Director:
Gary DuBois

Coordinator:
Paul Macarro

Planning Specialist:
Tuba Ebru Ozdil

Cultural Analyst:
Anna Hoover

archaeological study may have already been completed in 2013 as we submitted comments to a request for information from the archaeologist at that time. However, in the event that a current (within the last 5-6 years) study has not been completed, we request that such a study be drafted for this environmental review.

Although the Tribe received a request for and submitted comments to the City initiating formal SB18 government-to-government consultation, the documentation is unclear as to whether this Project is processing a General Plan, Specific Plan or any Amendments. However, as the Project is in a sensitive area and as more technical studies become available for review, the Tribe may request to meet face-to-face with the City in order to better understand the proposed development and discuss potential avoidance and preservation strategies for the significant resources that could be impacted by the Project.

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

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

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

In the event that a General Plan, Specific Plan or their respective Amendments will be processed on this Project, the Lead Agency is required to consult with the Pechanga Tribe pursuant to a State law entitled Traditional Tribal Cultural Places (also known as SB 18; Cal. Govt. C. § 65352.3). The purpose of consultation is to identify any Native American sacred places and any geographical areas which could potentially yield sacred places, identify proper means of treatment and management of such places, and to ensure the protection and

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

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

preservation of such places through agreed upon mitigation (Cal. Govt. C. 65352.3; SB18, Chapter 905, Section 1(4)(b)(3)). Consultation must be government-to-government, meaning directly between the Tribe and the Lead Agency, seeking agreement where feasible (Cal. Govt. C. § 65352.4; SB18, Chapter 905, Section 1(4)(b)(3)). Lastly, any information conveyed to the Lead Agency concerning Native American sacred places shall be confidential in terms of the specific identity, location, character and use of those places and associated features and objects. This information is not subject to public disclosure pursuant the California Public Records Act (Cal. Govt. C. 6254(r)).

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

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

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

Payómkawichum history originates with the creation of all things at *'éxva Teméeku*, in the present day City of Temecula, and dispersing out to all corners of creation (what is today known as Luiseño territory). It was at Temecula that the Luiseño deity *Wuyóot* lived and taught the people, and here that he became sick, finally expiring at Lake Elsinore. Many of our songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs in the area and finally to the hot springs at Elsinore, where he died (DuBois 1908). He was cremated at *'éxva Teméeku*. It is the Luiseño creation account that connects Elsinore to Temecula, and thus to the Temecula people who were evicted and moved to the Pechanga Reservation, and now known as the Pechanga Band of Luiseño Mission Indians (the Pechanga Tribe). From Elsinore, the people spread out, establishing villages and marking their territories, which included the modern City of Wildomar. The first people also became the mountains, plants, animals and heavenly bodies.

Many traditions and stories are passed from generation to generation by songs. One of the Luiseño songs recounts the travels of the people to Elsinore after a great flood (DuBois 1908). From here, they again spread out to the north, south, east and west. Three songs, called *Káamalam/Moníivol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors, several of which are located near the Project area. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110). In addition, Pechanga elders state that the Temecula/Pechanga people had usage/gathering rights to an area extending from Rawson Canyon on the east, over to Lake Mathews on the northwest, down Temescal Canyon to Temecula, eastward to Aguanga, and then along the crest of the Cahuilla range back to Rawson Canyon. The Project area is located within the south central area of this culturally affiliated territory. The Native American Heritage Commission (NAHC) Most Likely Descendent (MLD) files substantiate this habitation and migration record from oral tradition. These examples illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

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

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

When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (1908:158).

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

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

PROJECT IMPACTS TO CULTURAL RESOURCES

The proposed Project is located in a sensitive region of *Payómkawichum* territory and the Tribe knows that the current development will destroy sensitive and important cultural resources. The Tribe has over thirty-five (35) years of experience in working with various types of construction projects throughout its territory. The combination of this knowledge and experience, along with the knowledge of the culturally-sensitive areas and oral tradition, is what the Tribe relies on to make fairly accurate predictions regarding the likelihood of subsurface resources in a particular location.

The Pechanga Tribe is not opposed to this Project; however, we are opposed to any direct, indirect and cumulative impacts this Project may have to tribal cultural resources. The Tribe 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 requests to be involved and participate with the City of Wildomar in assuring that an adequate environmental assessment is completed, including all archaeological studies and analysis, and in developing all preservation, avoidance, monitoring and mitigation plans and measures for the duration of the Project.

The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines §15064.5). The Tribe believes that adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §15065.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5- 10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Project area, it is not unreasonable to expect to find vestiges of that presence. Such cultural resources and artifacts are significant to

the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner. Therefore, as noted previously, it is crucial to adequately address the potential for inadvertent discoveries.

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

RECOMMENDATIONS FOR DEIR ANALYSIS

The Tribe believes that a DEIR is not complete unless all impacts to cultural resources has been thoroughly vetted and analyzed, especially concerning potential auditory and visual impacts, cumulative impacts and the growth-related or long-term impacts that a Project will have on the surrounding environment. Construction of the proposed buildings will be a visual impediment to the scenic beauty of this region and potentially to any *Payómkawichum* resources found on the Property and within the close vicinity. Because of the size, complexity and impact the Project will have on the surrounding landscape, visual and auditory impacts to cultural resources should be thoroughly evaluated within the final document.

Cumulative impacts are also a major concern for the Tribe. The destruction of any “individual” cultural resource is detrimental to the whole cultural landscape as the destruction of one piece of a complex destroys the integrity of the whole complex. This type of destruction also serves to further destroy the Tribe’s traditional ancestral places. Unfortunately, most of the traditional ancestral places of the Tribe are on private and public lands which are constantly threatened by development. The Tribe is not anti-development; however, we increasingly struggle with lead agencies to protect and preserve our invaluable resources which continue to be destroyed and impacted on nearly a daily basis. Improper recordation and analysis of features within a larger community or habitation context allows for the piecemealing of sites and which can result in improper eligibility determinations which leads ultimately to damage or destruction. While the Tribe is aware that not all sites and cultural resources can be saved during development, it is important to acknowledge in project documentation that these are not renewable resources and thus the impairment or destruction of any site or resource IS a significant cumulative impact that cannot be reduced to a level below significant. The DEIR should further take into account not only any cultural resources that are located within the Project boundaries but those within a close proximity to the Project – such as those that were identified to the south during grading activities on the residential community, regardless whether

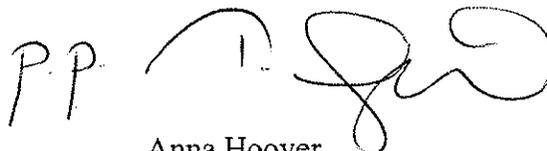
they exist within an arbitrary one-mile radius of an archaeological search, that might be impacted as well.

Finally, the Tribe is concerned about growth-related impacts to this area and their effects on cultural resources. We know that development brings people, and if people are not educated or aware of the importance of cultural resources or if they are not properly 'disguised', the resources will suffer through vandalism, looting, graffiti or destruction. Also, because the Project's archaeological reports will be submitted to the Eastern Information Center (EIC) – the clearinghouse for such documents and the location archaeologists first go to for information, the Tribe requests that the City of Wildomar set a precedent and require that the Project archaeologist address both any identified Project sites and the regional context in the study in order to assist future archaeologists and developers with awareness, preservation and avoidance of this important area.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. Please forward copies of the archaeological studies with confidential appendices, applicable site records, the geotechnical study, hydrological study and any available development plans to my attention for review.

The Pechanga Tribe looks forward to working together with the City of Wildomar in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahover@pechanga-nsn.gov once you have had a chance to review these comments if you have any comments or questions. Thank you.

Sincerely,

Handwritten signature of Anna Hoover, consisting of the initials 'P.P.' followed by a stylized signature.

Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel

May 20, 2014

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

Re: Villa Sienna Residential Project

Mr. Bassi:

Southern California Edison (SCE) appreciates the opportunity to provide comments on the Notice of Preparation of an Environmental Impact Report (EIR) for the Villa Sienna Residential Project. The project proposes development of 170 units of apartments contained within nine separate buildings. Eight buildings would total 235,904 square feet, and one building would total 14,553 square feet (totaling 250,457 square feet). The Project would have a total lot coverage of 400,752 square feet. Additional components include a clubhouse with offices totaling 1,906 square feet; a pool and spa; open space; 368 parking spaces for residents and guests; landscaping; and sidewalks and alleys.

SCE provides electrical service for the City of Wildomar. SCE's electrical system consists of a network of facilities (electrical distribution, transmission, and generation systems). SCE appreciates the development plan notification, which will assist us in planning for future electrical needs for the area. SCE has not evaluated the electric service requirements for the proposed project. Based on the scope of the project, it may require upgrades to SCE's electric system and infrastructure. To initiate the service evaluation, SCE requests that the project developer contact our Local Planning Department at (651) 249-8301.

SCE reviewed the Notice of Preparation for the project and we have no further comments at this time. We look forward to reviewing the Draft EIR, as well as providing the community safe and reliable electrical service, and serving the growth and economic development envisioned by the City. If you have any questions regarding this letter, please do not hesitate to contact me at Jeremy.Goldman@sce.com or (951) 249-8466.

Regards,



Jeremy Goldman
Local Public Affairs Region Manager
Southern California Edison Company