

**FINAL**

**ENVIRONMENTAL IMPACT REPORT**

**STATE CLEARINGHOUSE NO. 2014121064**

**GROVE PARK MIXED-USE DEVELOPMENT (PA NO. 14-0069)**

**CITY OF WILDOMAR**

**RIVERSIDE COUNTY, CALIFORNIA**



**LSA**

December 10, 2015

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**GROVE PARK MIXED-USE DEVELOPMENT (PA NO. 14-0069)**

**CITY OF WILDOMAR**

**RIVERSIDE COUNTY, CALIFORNIA**

Prepared for:

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LSA Project No. CWI402

**LSA**

December 10, 2015

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## **1. INTRODUCTION**

The Final Environmental Impact Report (Final EIR) for the proposed Grove Park Mixed-Use Development is composed of the Draft EIR Grove Park Mixed-Use Development (PA No. 14-0069) State Clearinghouse No. 201410121064 and Appendices; the Response to Comments on the Draft EIR; Mitigation Monitoring and Reporting Program (MMRP), and the Findings, Staff Reports, and Resolutions. Specifically, this portion of the Final EIR includes the Comments and Responses of the Final EIR, EIR modifications or errata to the Draft EIR, and the Mitigation Monitoring and Reporting Program. The purpose of this document is to respond to all comments received by the City of Wildomar (City) regarding the environmental information and analyses contained in the Draft EIR. Additionally, any corrections to the text and/or figures of the Draft EIR generated either from responses to comments or independently by the City, are stated in this volume of the Final EIR.

### **1.1 CONTENT AND FORMAT**

Subsequent to this introductory section, Section 2.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. Section 3 of this document contains corrections and errata to the Draft EIR. Section 4.0 contains the Mitigation Monitoring and Reporting Program.

### **1.2 PUBLIC REVIEW OF THE DRAFT EIR**

As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) and Notice of Availability (NOA) of the Draft EIR State Clearinghouse No. 2014121064 for the Grove Park Mixed-Use Development project was filed with the Office of Planning and Research State Clearinghouse on September 2, 2015, and the NOA of the Draft EIR was filed with the Riverside County Clerk on September 3, 2015.

The Draft EIR was circulated for public review for a period of 45 days, from September 3 to October 19, 2015. Copies of the Draft EIR were distributed to Responsible Agencies and to the State Clearinghouse in addition to various public agencies, Native American tribes, and other parties. Copies of the Draft EIR were also made available for public review at the City's Planning Department and on the internet.

A total of five (5) comment letters were received. All five letters have been responded to within this document. In particular, comments that address environmental issues are responded to in Section 2.0.

### **1.3 POINT OF CONTACT**

The Lead Agency for the proposed project is the City of Wildomar. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

**Matthew C. Bassi, Planning Director**  
Planning Director  
23873 Clinton Keith Road, Suite 201  
Wildomar, California 92595  
Phone: (951) 677-7751 x 213  
Email: [mbassi@cityofwildomar.org](mailto:mbassi@cityofwildomar.org)

### **1.4 PROJECT SUMMARY**

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to project characteristics and project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

#### **1.4.1 Project Location/Existing Conditions**

The project site is located in the southern portion of the city, within southwestern Riverside County. The rectangular-shaped parcel is located directly south of Clinton Keith Road, which intersects Interstates 15 and 215 (I-15 and I-215) approximately 0.85 mile west and 3.35 miles east of the site, respectively. The intersection of Clinton Keith Road and Salida Del Sol is at the northeastern corner of the site, while undeveloped property is located east of the site.

The approximately 19.4-acre project site currently consists of a single parcel (Assessor's Parcel Number [APN] 380-250-003) located in Section 31, Township 6 South, Range 3 West (San Bernardino Base and Meridian). The topography of the project site consists of gently rolling hills, sloping gently in a northeast to southwest direction. Elevations on site range from approximately 1,380 feet above mean sea level (amsl) along the northern boundary to approximately 1,330 feet above amsl along the southwestern boundary.

The project site is undeveloped and consists primarily of disturbed fallow agricultural fields, with a smaller component of native vegetation dominated by California buckwheat (*Eriogonum fasciculatum*), California sagebrush (*Artemisia californica*), chamise (*Adenostoma fasciculatum*), and coast live oak (*Quercus agrifolia*). The property site supports four ephemeral drainage features and an earthen-bermed basin at the southwest corner of the project site. Artificial disturbances consist of recent mechanical disking, trenches excavated for geotechnical studies, and some modern trash dumping. No structures are located within the boundaries of the project site.

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**1.4.2 Proposed Project**

The proposed project envisions the construction and occupation of a mixed (horizontal) use development. The approximately 19.4-acre property is divided into north and south sites of approximately 9.8 and 8.1 acres, respectively, and an approximately 1.4-acre detention basin. Proposed on-site development includes approximately 55,000 square feet (sf) of commercial/retail and office uses to be developed on northern portion of the site adjacent to Clinton Keith Road. Eight three-story multiple-family apartment buildings, containing 162 units, are to be developed on the southern portion of the site. The project includes an approximately 1.9-acre passive park and trailhead proposed directly south of the commercial development and preserves an approximately 1.3-acre natural open space area including a grove of coast live oaks. Table 1.A provides a summary of the project land uses.

**Table 1.A: Project Development Summary**

Area	Use	Acres	Units/Square Footage
North Site (Lot 1)	Office & Commercial/Retail	4.8	55,000 square feet
	Park	1.9	n/a
	Oak Grove Preserve	1.3	
	Slope	0.4	
	Public Roads	1.4	
	<b>Total North Site</b>		<b>9.8</b>
South Site (Lot 2)	Apartments	6.8	162 units 735–1,281 square feet per unit
	Slope	0.6	n/a
	Public Roads	0.7	
	<b>Total South Site</b>		<b>8.1</b>
<b>Lot C</b>	<b>Detention Basin</b>	<b>1.4</b>	
<b>TOTAL</b>		<b>19.4</b>	<b>162 units/55,000 square feet</b>

Sources: Conceptual Site Plan, Grove Park, KTG Architecture and Planning, July 2015.

The project includes the 19.4 acres to be developed and approximately 2.0 acres along portions of the west and east property lines. These areas were included in the impact assessments to account for off-site disturbances from grading activities associated with the development of manufactured slopes and the Yamas Drive improvements.

A retention basin will be developed on approximately 1.4 acres at the southwestern corner of the property. Required on-site and off-site improvements include the installation and/or extension of circulation, access, storm water, and utility improvements, parking, and landscape features.

The project includes a proposal to change the General Plan Land Use designation on the northern portion of the site from Business Park (BP) to Commercial Retail (CR). The CR land use designation allows for the development of local and regional

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servicing retail and service uses. A zoning change for the northern portion of the site from R-R (Rural Residential) to C-P-S (Scenic Highway Commercial) to accommodate the project's proposed commercial/retail uses is additionally proposed.

### **1.4.3 Project Objectives**

The following project objectives have been identified:

- Establish a mixed-use community for Wildomar with a balance of land uses including commercial, multifamily housing, and recreation.
- Deliver an appropriately sized commercial center that provides a mix of retail and office uses with opportunities for employment growth and increased sales tax for Wildomar.
- Provide rental housing opportunities in a quality multifamily setting at a scale and character appropriate to the site and adjacent existing and future developments.
- Utilize architectural styles and design elements that reflect Wildomar's heritage, namely through the use of Ranch, Farmhouse, and Craftsman styles.
- Incorporate a public park within the project site for the overall Wildomar community.
- Preserve the existing on-site oak grove to the maximum extent feasible.
- Create a walkable community that provides convenient non-vehicular access from the residential area to the public park and commercial center.
- Implement a trail system for the project consistent with the Wildomar Multi-Use Trails Master Plan.

### **1.4.4 Required Permits and Discretionary Actions**

#### **City Actions and Permits**

As established in *CEQA Guidelines* Section 15124(d)(2), "If a public agency must make more than one decision on a project, all its decisions subject should be listed." Actions necessary to fully develop the site as proposed include:

- Certification of the EIR;
- Approval of a General Plan Amendment from Business Park (BP) to Commercial Retail (CR) for the northern portion of the site;
- Approval of a Change of Zone from R-R (Rural Residential) to C-P-S (Scenic Highway Commercial) on the northern portion of the site;

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- Approval of Tentative Parcel Map 36673 to divide the 19.4-acre property into three lots; and
- Plot Plan for development of the north and south portions of the site.

In addition to these discretionary actions, the project will require City review and approval of construction, grading, drainage, and related permits to allow for the development of project features and facilities.

**Other Required Actions**

*CEQA Guidelines* Section 15124(d)(1) further requires the City, to the extent the information is known, include a list of the agencies that are expected to use the EIR in their decision-making process, a list of permits and other approvals required to implement the project, and a list of related environmental review/consultation requirements established by Federal, State, or local law, regulation and/or policy. Based on the project as proposed, the additional actions that may be required include, but are not limited to the following:

- San Diego Regional Water Quality Control Board;
- California Department of Fish and Wildlife;
- U.S. Army Corps of Engineers; and
- Requisite approval from utility providers (connection permits/work permits).

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## **2. RESPONSE TO COMMENTS**

A total of five (5) comment letters were received. All were from State agencies or Tribal governments. No comment letters were received from any private organization or individual. All five letters have been responded to within this document. Comments that address environmental concerns have been specifically addressed. Comments that (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; or (3) do request the incorporation of additional information not relevant to environmental issues, do not require a response, pursuant to Section 15088(a) of the State CEQA Guidelines.

Section 15088 of the State CEQA Guidelines, Evaluation of and Response to Comments, states:

- a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.
- b) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail, giving the reasons that specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.
- c) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:
  1. Revise the text in the body of the EIR; or
  2. Include marginal notes showing that the information is revised in the responses to comments.

Information provided in this volume of the Final EIR clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

An Errata section (Section 3.0 in this document) has been prepared to make corrections and clarifications to the Draft EIR resulting from comments received

# **Grove Park Mixed-Use Development (PA No. 14-0069) – City of Wildomar**

## **Final Environmental Impact Report**

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during the public review period. Therefore, this Response to Comments document, along with the Errata is included as part of the Final EIR for consideration by the Planning Commission prior to a recommendation to the City Council to certify the Final EIR.

### **2.1 LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING ON THE DRAFT EIR**

The comments regarding the Draft EIR are listed below. A total of five (5) comment letters were received, all from State and local agencies and none from private organizations, conservation groups, or individuals. Each comment letter received is indexed with a letter and number below.

#### **Comment Letters Received Regarding the Draft EIR**

- Letter A Rincon Band of Luiseño Indians (September 4, 2015)**  
Jim McPherson, Manager - Rincon Cultural Resources Department
- Letter B State of California, Department of Fish and Wildlife, Inland Deserts Region (October 16, 2015)**  
Leslie MacNair, Regional Manager
- Letter C State of California, Department of Transportation, District 8 - Planning (October 19, 2015)**  
Mark Roberts, Office Chief – Intergovernmental Review, Community and Regional Planning
- Letter D Soboba Band of Luiseño Indians (October 19, 2015)**  
Joseph Ontiveros, Soboba Cultural Resources Department
- Letter E United States Fish and Wildlife Service, Palm Springs Fish and Wildlife Office and State of California, Department of Fish and Wildlife, Inland Deserts Region (October 19, 2015)**  
Kennon A. Corey, Assistant Field Supervisor (USWS)  
Leslie MacNair, Regional Manager (CDFW)

### **2.2 RESPONSES TO COMMENTS**

Aside from the courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter and the City's responses are included in this section. Brackets delineating the individual comments and an alphanumeric identifier have been added to the right margin of the letter. Responses to each comment identified

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are included on the page(s) following each comment letter. Responses to comments were sent to the agencies that provided comments.

In the process of responding to the comments by agencies there were no revisions to the Environmental Impact Report. None of the comments or responses constitutes “significant new information” (*CEQA Guidelines* Section 15073.5) that would require recirculation of the Environmental Impact Report.

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# RINCON BAND OF LUISEÑO INDIANS

## Culture Committee

1 W. Tribal Road · Valley Center, California 92082 ·  
(760) 297-2621 or (760) 297-2622 & Fax:(760) 749-8901



September 4, 2015

RECEIVED

SEP 16 2015

CITY OF WILDOMAR

Matthew Bassi  
City of Wildomar  
23876 Clinton Keith Road  
Wildomar, CA 92595

**Re: Grove Park Mixed-Use Development Project PA14-0069**

Dear Mr. Bassi:

This letter is written on behalf of Rincon Band of Luiseño Indians. We have received your notification regarding the Grove Park Mixed-Use Development Project PA14-0069 and we thank you for the SB18/AB52 continued consultation notification. The location you have identified is within the Territory of the Luiseño people.

A1

Embedded in the Luiseño Territory are Rincon's history, culture and identity. The project is within the Territory of the Luiseño people but, is not within Rincon's Historic Boundaries. We do not have any additional information regarding this project but, we defer you to the Pechanga Band of Luiseño Indians or Soboba Band of Luiseño Indians who are closer to your project area.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Jim McPherson  
Manager  
Rincon Cultural Resources Department

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**Response to Letter A  
Rincon Band of Luiseño Indians**

**Response to Comment A-1.** The commenter has identified the project site is located with the territory of the Luiseño people, but not within the Tribe's historic boundaries. Relative to the proposed project, the City recognizes the Tribe's deference to the Soboba Band of Luiseño Indians and the Pechanga Band of Luiseño Indians.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

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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](http://www.wildlife.ca.gov)

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



October 16, 2015

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

Subject: Draft Environmental Impact Report  
Grove Park Mixed-Use Development Project  
State Clearinghouse No. 2014121064

Dear Mr. Bassi:

The California Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Grove Park Mixed-Use Development Project (project) [State Clearinghouse No. 2014121064]. The Department is responding to the DEIR 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 approximately 19.4-acre project site is located south of Clinton Keith Road, approximately 0.25-mile west of Elizabeth Lane, approximately 0.25-mile north of Prielipp Road, and approximately 0.13-mile east of Inland Valley Drive, within the City of Wildomar, Riverside County, California.

The project proposes the development of approximately 55,000 square feet of commercial/retail and office uses on the northern portion of the site and eight three-story multiple-family apartment buildings on the southern portion of the site. The proposed project includes a 1.9-acre passive park, preservation of an existing 1.3-acre oak grove, parking areas, access roads, and stormwater drainage features.

Biological Resources and Impacts

The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources); and administers the Natural Community Conservation Planning Program (NCCP Program). The Department offers the comments and recommendations presented below to assist the City in adequately identifying and/or mitigating the project’s significant, or potentially significant, impacts on biological resources.

Following review of the Biological Resources section of the DEIR, the Department identified a number of questions, comments and concerns, and requests that each of these be addressed prior to adoption of the final EIR. The Department’s questions, comments, and concerns include:

1. Impacts to Sensitive Habitats. Page 27 of the Biological Resources Assessment (Appendix C-1) identifies 0.89-acre of Riversidean sage scrub, 0.61-acre of Riversidean sage scrub/ruderal, and 0.83-acre of ruderal/Riversidean sage scrub habitats on-site. Please note that Riversidean sage scrub is a state-designated G3 S3.1 (“vulnerable”) plant community, and is considered to be sensitive and declining at a local and regional level. The Department encourages the project applicant to avoid and conserve the existing Riversidean sage scrub to the greatest extent feasible.

B1

The Department considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and conservation in perpetuity should be addressed. If it is not possible to avoid and conserve the on-site Riversidean sage scrub habitat, the Department requests that the Final EIR be conditioned to require either off-site restoration and conservation of at least 4.72 acres of Riversidean Sage Scrub, or acquisition and conservation of at least 7.88 acres of Riversidean Sage Scrub.

B2

2. Impacts to Streambed Habitat. The DEIR identifies 0.91-acre of streambed and riparian habitat on the project site. However, following a review of aerial photography, the Department is concerned that Figure 4.4.2 (“Drainage Features”) may under-represent the on-site streambed and riparian resources, particularly in the southwestern portion of “Drainage B”. Figure 4.4.2 indicates that “Drainage B” terminates just north of two earthen berms, which appear to form a basin, and the vegetation patterns within the basin appear to indicate that

B3

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SCH No. 2014121064  
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water ponds in the area. Please describe the nature of the basin, and quantify its area.



B3

Mitigation Measure 4.4.6.2A requires off-site replacement and/or restoration of riparian habitat within the Santa Margarita Watershed at a 1:1 ratio, or within an adjacent watershed at a 2:1 ratio to mitigate for permanent impacts to the on-site streambed. Please note that, due to the net loss of streambed, the distance between the impact area and the restoration area, the uncertainty of success, and the temporal lag between impact and the restoration of full ecological function in the mitigation area, this will likely not be enough to be considered a biologically equivalent value.



B4

The Department appreciates the opportunity to comment on the DEIR for the Grove Park Mixed-Use Development Project (SCH No. 2014121064), and requests that the City address the Department's comments and concerns prior to adoption of the final EIR. 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.



B5

Sincerely,

  
Leslie MacNair  
Regional Manager  
(Fun)

cc: State Clearinghouse, Sacramento

## **Response to Letter B**

### **State of California, Department of Fish and Wildlife, Inland Deserts Region**

**Response to Comment B-1.** The Draft EIR recognizes that RSS is designated as a sensitive vegetation community and, as such, the function and value of the on-site RSS was analyzed as a potentially sensitive community pursuant to CDFW's guidelines<sup>1</sup>, including consideration of the contiguity, extent, and quality of the vegetation and its ability to support sensitive plants and animal species. The native communities within the project site are small, scattered, and are of low quality for sensitive plant and wildlife species. Areas of the site vegetated with Riversidean sage scrub (RSS) are primarily dominated by California buckwheat and to a less extent California sagebrush, deerweed and white sage with an understory of ruderal species. In various locations RSS is intermixed with a higher density of ruderal species. As detailed in the Draft EIR (Figure 4.4-1), on-site occurrences of RSS, whether alone or in combination with ruderal vegetation, is discontinuous. Based on the analysis in the Draft EIR, the on-site RSS did not demonstrate the functions and values of being "sensitive" that would warrant avoidance and/or conservation.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**Response to Comment B-2.** Riversidean sage scrub (RSS) habitat in a more natural setting may have a greater habitat value because of its plant and animal species diversity, and the fact that it can be habitat for rare or endangered species and healthy populations of other special-status species. The RSS habitat on-site is degraded, discontinuous and not considered suitable for the long term preservation. The on-site RSS habitat is isolated from similar habitat in the region and does not support protected plant or animal species. Preservation of the small on-site pockets of this habitat would not contribute to the conservation effort of larger blocks of this habitat in the region. The MSHCP did not identify conservation of any habitats for the project site. In consideration of these factors, impacts to the on-site RSS would not be adversely significant and thus do not require avoidance and/or conservation pursuant to CEQA guidelines.

While the development of the site represents a loss of approximately 2.23 acres of RSS (of various density/quality), this incremental loss of habitat in the region is not considered cumulatively significant when considered in the context of the larger scale conservation efforts achieved through the MSHCP.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

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<sup>1</sup> [http://www.dfg.ca.gov/biogeodata/vegcamp/natural\\_comm\\_background.asp#highpriority](http://www.dfg.ca.gov/biogeodata/vegcamp/natural_comm_background.asp#highpriority)

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**Response to Comment B-3.** The CDFW based its determination of the “likely” nature of the on-site drainages on a review of aerial and site photographs. The evaluation of the on-site drainage features identified in the Biological Resources Assessment was based on several field observations.

From field observations, It appears that Drainage B was hydraulically severed, or isolated, from downstream drainage features through the placement of a large earthen basin (surrounded by an earthen berm) at the southwest corner of the project site which is estimated to have been constructed in the late-1960’s and remains intact. The earthen basin does not exhibit any indication of overtopping. The basin supports a sandy bottom with no field indicators of ponding. A review of historical aerial photographs from the late 1960s to 2014 did not reveal any evidence of ponding in the basin. Due to the absence of any field indicators of hydrology (including a bed and bank or ordinary high water mark [OHWM]) and the remnant and isolated nature of the two patches (0.06 acre) southern willow scrub/ruderal located in the vicinity of the basin, these areas were not considered jurisdictional.

This comment and response clarifies the nature of the existing on-site earthen basin and does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**Response to Comment B-4.** Please refer to the response to Comment E-1, which addresses this issue in more detail.

**Response to Comment B-5.** The CDFW’s comments and concerns have been identified and will be appropriately considered prior to any future City action on the project.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 8

PLANNING (MS 722)

464 WEST 4<sup>th</sup> STREET, 6<sup>th</sup> Floor

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-5936

TTY (909) 383-6300

www.dot.ca.gov/dist8



*Serious drought  
Help save water!*

October 19, 2015

File: 08-RIV-15-PM-13.07

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

**Draft Environmental Impact Report for the Grove Park Mixed-Use Development**

Mr. Bassi,

The California Department of Transportation (Caltrans) has completed the review of the Draft Environmental Impact Report for the Grove Park Mixed-Use Development. The project is located south of Clinton Keith Road, west of Yamas Drive, north of the Santa Rosa Apartment Homes complex, and east of vacant land and Inland Valley Dr. The project proposes the development of 50,000 square feet of commercial/retail and office uses on the 9.8-acre North site adjacent to Clinton Keith Road, including a 30,000 square foot two-story office building, two 6,000 square foot single-story “pad” buildings, an 8,000 square foot retail building, a 1.8 acre passive park, and the preservation of a 1.3-acre live oak grove. The 7.2-acre South site will include 162 units housed in eight three-story multiple-family apartment buildings, with a clubhouse/leasing office and adjacent pool area, and a 1.3-acre retention basin.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Unit reviews land use projects and plans to ensure consistency with our mission and state planning priorities of infill, conservation, and efficient development. Given new policy directives, our unit will focus on ensuring a multimodal transportation system serves the local development project; identifying safety impacts; and encouraging transportation demand management strategies be used in conjunction with projects. Given these considerations, we offer the following comments:

**Multimodal Accessibility:**

Considering the cumulative projects currently in development within a ½ mile radius of the Grove Park Mixed-Use Project, which include the Horizons/Strata Mixed Use Project and the Siena Apartment Project, Caltrans acknowledges and encourages the City’s efforts in planning more mixed-use, dense and transit-accessible communities in the future. It is apparent that this area could be a potential transit priority area for the Riverside Transit Agency, and we suggest

*“Provide a safe, sustainable, integrated and efficient transportation system  
 to enhance California’s economy and livability”*

C1

Mr. Bassi  
October 19, 2015  
Page 2

the City discuss the potential for increased transit to service these new communities, which may include the expansion of the bus frequency and efficient route alterations for Routes 7 and 23. Additionally, Caltrans suggests the applicant, City and RTA consider transit passes or subsidies to stimulate future residents to patronize the local public transit system. Please consider the following:

↑  
C1

- Referring to DEIR Appendix J-1: "Grove Park" Traffic Impact Analysis (TIA), Section 3.3 Bicycle and Pedestrian Facilities, the applicant states "Field observations conducted in August 2013 indicate nominal pedestrian and bicycle activity within the study area". Given the project objectives, in addition to our comments above, Caltrans suggests the applicant reconsider utilizing past data and undeveloped land uses as a sufficient projection of future pedestrian and bicycle activity. We strongly encourage the applicant and City conduct research utilizing both the NACTO Urban Streets Design Guide (<http://nacto.org/publication/urban-street-design-guide/>) and Caltrans' Main Street, California document ([http://www.dot.ca.gov/hq/LandArch/mainstreet/main\\_street\\_3rd\\_edition.pdf](http://www.dot.ca.gov/hq/LandArch/mainstreet/main_street_3rd_edition.pdf)) for solutions that create environments that stimulate greater active transportation travel.
  - In addition, please describe the methodology used during the field observations of pedestrian and bicycle activity.

C2

- Referring to TIA Exhibit 3-4, it appears that both the Daniel Ray Parker Memorial Trail and the Jon Rodarme Regional Trail are within the project study area. Please verify whether the project trail pictured in Exhibit 1-1- Preliminary Site Plan, is a segment of the Jon Rodarme Regional Trail. Caltrans recommends trail implementation for the trails mentioned above.

C3

- We recommend the City consider striping a Class II bicycle lane or Class IV protected bike lane along Clinton Keith from its current terminus to Yamas Drive for project-associated active transportation, cyclist safety and bicycle route continuity.

C4

Thank you for providing us the opportunity to review the Draft Environmental Impact Report for the Grove Park Mixed-Use Development and for your consideration of these and future comments. These recommendations are preliminary and summarize our review of materials provided for our evaluation. If this proposal is revised in any way, please forward appropriate information to this office so that updated recommendations for impact mitigation may be provided. If you have questions concerning these comments, or would like to meet to discuss our concerns, please contact Dustin Foster (909) 806-3955 or myself at (909) 383-4557.

Sincerely,



MARK ROBERTS  
Office Chief  
Intergovernmental Review, Community and Regional Planning

## **Response to Letter C**

### **State of California, Department of Transportation – District 8**

**Response to Comment C-1.** As stated in the Draft EIR (page 4.16-11), two existing Riverside Transit Agency (RTA) bus routes (Routes 7 and 23) run along Inland Valley Drive. Route 7 runs along Clinton Keith Road and turns onto Inland Valley Drive, which runs parallel to the future extension of Yamas Drive; the Route 7 stop nearest to the site is approximately 0.15 mile (790 feet) from the project site. Route 23 runs along Prielipp Road south of the project, and turns north onto Inland Valley Drive with a stop approximately 0.18 mile (950 feet) from the project site. The project will install sidewalk improvements along Clinton Keith Road and the future extension of Yamas Drive to facilitate pedestrian access. In addition, the commercial component will be required to provide bicycle parking facilities pursuant to Section 17.188.060 of the Municipal Code.

Transit service is reviewed and updated by RTA periodically to address ridership, budget, and community demand needs. Changes in land use can affect these periodic adjustments, which may lead to either enhanced or reduced service where appropriate. The proximity of bus transit features (e.g., existing routes, stops) to the project would provide reasonable access to alternative transportation.

There is no reasonable method to establish the effectiveness of incentive methods to promote the use of alternative means of transportation. The Draft EIR concluded the proposed project would not impact the provision or use of alternative transportation facilities. In the absence of an identified impact, the project's proximity to existing bus routes, and in light of the uncertain effectiveness of the recommended incentives, it is reasonable to conclude the further coordination with local transit agencies is not warranted.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**Response to Comment C-2.** As stated in the Traffic Impact Analysis (Appendix J-1, page 21 of the Draft EIR), minimal pedestrian and bicycle activity within the study area was noted during a November 2013 site visit. Similarly, no discernable pedestrian or bicycle activity was noted during a January 2015 site visit. These determinations were made through direct observance of conditions at the time of the site visits. The absence of such pedestrian and bicycle activity may be attributable to the absence of dedicated pedestrian and bicycle facilities (as detailed in Exhibit 3-5 of the Traffic Impact Analysis) in the project area.

## **Grove Park Mixed-Use Development (PA No. 14-0069) – City of Wildomar**

### **Final Environmental Impact Report**

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The project will install sidewalk improvements along Clinton Keith Road and the future extension of Yamas Drive to facilitate pedestrian access. As sidewalks are present on the south side of Clinton Keith Road (west of Inland Valley Drive) it is reasonable to conclude the proposed sidewalks along the project's frontage will be connected to existing sidewalks as intervening parcels are developed per the City's requirements for the provision of sidewalks.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**Response to Comment C-3.** Based on the City's Multi-Use Adopt-A-Trail Map, two trails are located on site or adjacent to the project. As detailed in Draft EIR (Figure 4.15.1) the Jon Rodarme Regional Trail crosses the southeast corner of the site, while the Daniel Ray Parker Regional Memorial Trail runs along the project's eastern boundary.

The City recognizes that a series of multi-use trails is a key component in providing recreational amenities and developing a linked park and open space system. A primary objective for the trail system is to provide connectivity between neighborhoods, open space and park areas, and regional trails beyond the city limits. As stated in the Draft EIR (page 3-37), a decomposed granite trail will lead from the southwest corner of the oak grove preserve and will continue through the southern multifamily portion of the development to the southwest corner of the site. Though not located on the same alignment as the Jon Rodarme Regional Trail, the proposed trail provides a connectivity between the Daniel Ray Park Memorial Trail, and connects to the Jon Rodarme Regional Trail at the southwest corner of the site. The proposed trail is consistent with the City's Multi-Use Trail Plan. The development of trails through the project site will adhere to applicable City policies for the development and maintenance of trails and other recreation features.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**Response to Comment C-4.** Currently, dedicated bike lanes are not provided along Clinton Keith Road in the vicinity of the project site. The installation of bicycle facilities, subject to the applicable policies established by the City, as Clinton Keith Road is improved to its ultimate General Plan capacity.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.



October 19, 2015

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

**Re: Draft Environmental Impact Report (DEIR) for the Grove Park Mixed-Use Development Project (PA 14-0069)**

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in proximity to known sites, is a shared use area that was used in ongoing trade between the tribes, and is considered to be culturally sensitive by the people of Soboba.

D1

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseño Indians regarding the progress of this project should be done as soon as new developments occur.
2. Soboba Band of Luiseño Indians continue to be a consulting tribal entity for this project.
3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.
4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

D2

D3

D4

Sincerely,

A handwritten signature in black ink, appearing to read "JOE", with a long horizontal line extending to the right.

Joseph Ontiveros  
 Soboba Cultural Resource Department  
 P.O. Box 487  
 San Jacinto, CA 92581  
 Phone (951) 654-5544 ext. 4137  
 Cell (951) 663-5279  
[jontiveros@soboba-nsn.gov](mailto:jontiveros@soboba-nsn.gov)

**Cultural Items (Artifacts).** Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

D4

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

### **Treatment and Disposition of Remains**

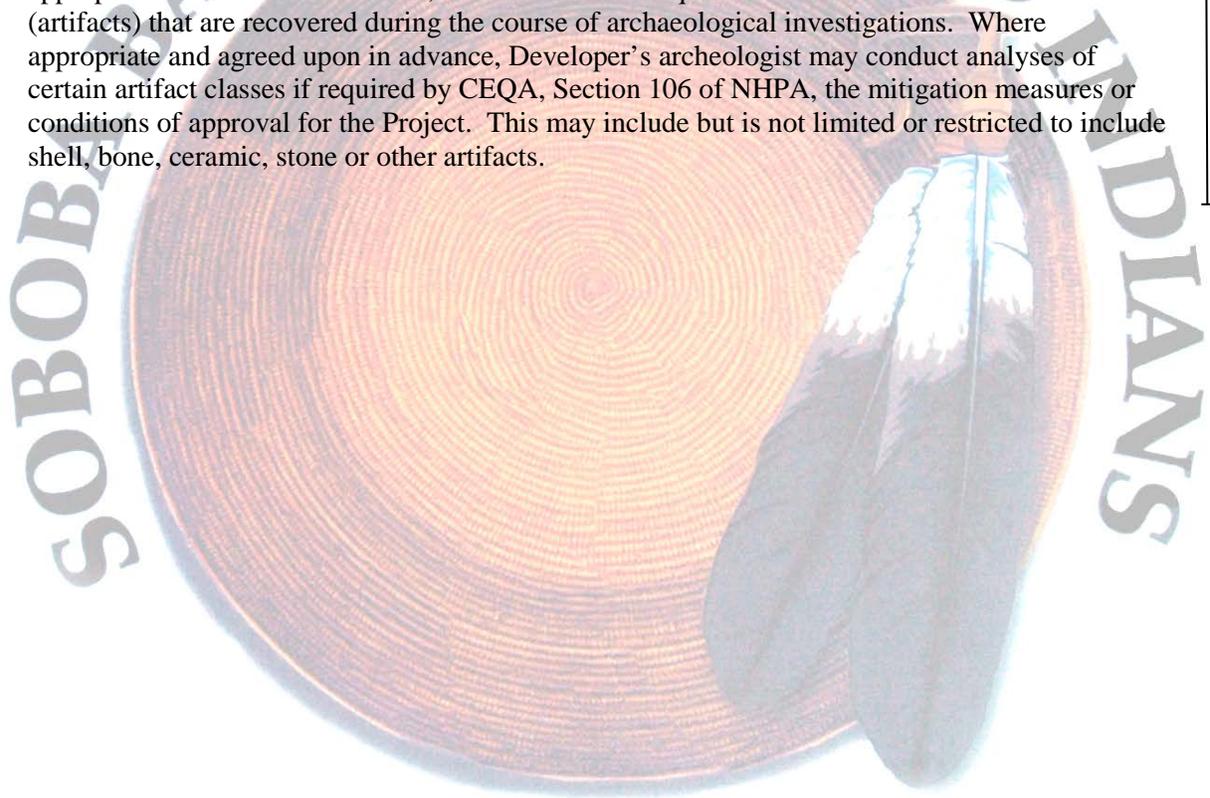
- A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.
- B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.
- C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.
- D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.
- E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact

D5

**Coordination with County Coroner’s Office.** The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

**Non-Disclosure of Location Reburials.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer’s archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.



D5

**Confidentiality:** The entirety of the contents of this letter shall remain confidential between Soboba and the City of Wildomar. No part of the contents of this letter may be shared, copied, or utilized in any way with any other individual, entity, municipality, or tribe, whatsoever, without the expressed written permission of the Soboba Band of Luiseño Indians.

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## **Response to Letter D**

### **Soboba Band of Luiseño Indians**

**Response to Comment D-1.** The Soboba Band of Luiseño Indians (Tribe's) statements regarding the cultural sensitivity of project site are recognized by the City and have been addressed in Section 4.5 (Cultural Resources) of the Draft EIR. The Tribe's concerns will be fully considered during subsequent City actions on the proposed project.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**Response to Comment D-2.** The City recognizes the Tribe's request for consultation pursuant to Senate Bill 18 (SB 18). As evidenced by its response to the Notice of Preparation (NOP) and Draft EIR, the Tribe has been included in the distribution of environmental documents. As appropriate, issues raised during consultation with local Tribal governments have been incorporated into the EIR. The City is committed to continuing the appropriate notification of the Tribe and other Native American parties as the project progresses. Such notification shall be provided to the Tribe prior to any future City action on the proposed project.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**Response to Comment D-3.** The Draft EIR (Section 4.5.6.1) stated no archaeological resources have been identified or previously recorded within the project site. Twelve archaeological sites were identified within one mile of the proposed development. Additionally, the Draft EIR stated the project site is located within the aboriginal territory and "traditional use areas" of one or more local tribes. The Draft EIR concluded that a potential exists that development activities may result in the anticipated discovery of buried resources on site; therefore, Mitigation Measures 4.5.6.1A-F were identified. Specifically, Mitigation Measure 4.5.6.1B requires that prior to seeking a grading permit, the project applicant, the City and interested Tribes develop a Cultural Resources Treatment and Monitoring Agreement. The agreement addresses issues related to: the treatment of cultural resources; project grading and development scheduling; terms of compensation for the construction monitors; the treatment and location of 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.

## **Grove Park Mixed-Use Development (PA No. 14-0069) – City of Wildomar**

### **Final Environmental Impact Report**

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This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**Response to Comment D-4.** As stated previously, Mitigation Measures 4.5.6.1A-F have been identified in the Draft EIR to address potential impact that may result from development of the proposed on-site uses. These measures identify procedures to be followed if archaeological resources, including Native American cultural items, sacred sites, human remains, burial goods or other material is inadvertently discovered on-site. The mitigation requires the appropriate evaluation, reporting, preservation, recovery, and/or curation of any such resources. Additionally, a Cultural Resources Treatment and Monitoring Agreement will be developed by the project applicant, the City and interested Tribes prior to the issuance of any grading permit.

The mitigation measures provide a sufficient mechanism to address the Tribe's concerns and ensures appropriate the protection of cultural materials inadvertently discovered during development of the site.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

**Response to Comment D-5.** As stated in the Draft EIR (Section 4.5.5.2), no evidence exists to suggest the project site has been utilized in the past for human burials. The Draft EIR identifies that the accidental discovery or recognition of any suspected human remains, requires adherence to applicable provisions of the California State Health and Safety Code (HSC) § 7050.5.

If the investigation by the County coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) must be contacted within 24 hours. Upon notification of the coroner, the NAHC must identify the persons it believes to be the most likely descended from the deceased Native American. With the permission of the property owner, the most likely descendants may inspect the site of the discovery and may recommend to the owner or the person responsible for the excavation work, means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code § 5097.98 (PRC § 5097.98).

The disposition of any Native American remains would be conducted pursuant to Cultural Resources Treatment and Monitoring Agreement developed by the project applicant, the City and interested Tribes prior to the issuance of any grading permit.

Adherence to HSC § 7050.5 and PRC § 5097.98 is required for all development. Additionally Mitigation Measures 4.5,6.1A-F provide a sufficient mechanism to

**Grove Park Mixed-Use Development (PA No. 14-0069) – City of Wildomar**  
**Final Environmental Impact Report**

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protect Native American remains inadvertently discovered during development of the site.

This comment and response does not provide new or significant information warranting revision of the Draft EIR. No change in the significance of an identified impact would occur and no change in mitigation is required.

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U.S. Fish and Wildlife Service  
 Palm Springs Fish and Wildlife Office  
 777 East Tahquitz Canyon Way, Suite 208  
 Palm Springs, California 92262  
 760-322-2070  
 FAX 760-322-4648



California Department of Fish and Wildlife  
 Inland Deserts Region  
 3602 Inland Empire Blvd., Suite C-220  
 Ontario, California 91764  
 909-484-0167  
 FAX 909-481-2945

In Reply Refer To:  
 FWS/CDFW-WRIV-16B0020-16CPA0013

OCT 19 2015

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

Subject: Draft Environmental Impact Report for the proposed Grove Park development,  
 City of Wildomar, California

Dear Mr. Bassi:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife have reviewed the draft Environmental Impact Report (DEIR) for the proposed Grove Park Mixed-Use Development Project (project). The DEIR includes mitigation measures designed to ensure that the project will be consistent with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Policy on the Protection of Species Associated with Riparian/Riverine Areas (MSHCP section 6.1.2). These measures are in turn provided in the project's draft Determination of Biologically Equivalent or Superior Preservation (DBESP) in DEIR Appendix C-2. The Service is providing the following comments as they relate to the project's consistency with the MSHCP. We have recommendations regarding the proposed mitigation.

#### Project Description

The proposed project is a mixed-use residential and commercial retail development and includes the following actions by the City of Wildomar:

General Plan Amendment: The project includes a proposal to change the General Plan Land Use designation on the northerly 10 acres of the site from Business Park to Commercial Retail;

Change of Zone: The project includes a Change of Zone from Rural Residential to Scenic Highway Commercial on the northerly 10 acres of the site;

Tentative Parcel Map (TPM 36673): A tentative tract map to subdivide the 20-acre project site into two lots; and

Plot Plan: A plot plan for the 20-acre project site to develop a 162-unit multi-family apartment project with related site development improvements (i.e., parking, landscaping, etc.) and a 55,000 square foot commercial retail office development with related site development improvements (parking, landscaping, etc.), including a park and oak preserve area.

Mr. Matthew Bassi, Planning Director (FWS/CDFW-WRIV-16B0020-16CPA0013) 2

The project site is not located inside the MSHCP Criteria Area or an MSHCP Core or Linkage, but is located immediately to the southwest of Criteria Cell 5558.

The DEIR states that the project will result in permanent impacts to 0.54 acres of MSHCP riparian and riverine resources and 0.10 acres of temporary impacts. The DEIR acknowledges that the loss of MSHCP riparian and riverine areas constitutes a significant impact and must be mitigated. The DEIR and draft DBESP propose to mitigate off-site for 0.54 acres of permanent impacts to MSHCP riparian/riverine resources.

### Mitigation

The draft DBESP includes a long section detailing conceptual mitigation options. However, the draft DBESP does not provide an actual mitigation proposal at a specific site, or located at a specific mitigation bank or an existing in-lieu fee program. If credits at a biologically appropriate mitigation bank or in-lieu fee program are currently unavailable in the Santa Margarita River Watershed, the project proponent should develop a site-specific Permittee-responsible mitigation plan on land which the proponent has acquired, has an option to purchase, or on which the landowner has agreed to a conservation easement which would provide the requisite mitigation for the permanent impacts of the Grove Park Project. We request that the final DBESP specify the project's mitigation strategy.

E1

### Burrowing Owls

We request that DEIR Mitigation Measure 4.4.6.1B be revised and included in the FEIR to read as follows:

“If burrowing owls are identified during the survey periods, the City or project applicant shall develop a burrowing owl relocation and conservation strategy that is acceptable to the California Department of Fish and Wildlife (CDFW), the Western Riverside County Regional Conservation Authority, and the U.S. Fish and Wildlife Service. If passive or active relocation of the owls is approved for the site by the CDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. We recommend that the relocation plan include the following:

E2

- The locations of the nests and the owls proposed for relocation.
- The locations of the proposed relocation sites.
- The numbers of adult owls and juveniles proposed for relocation.
- The time of year when relocation is proposed to take place.
- The name of the biologist proposed to supervise the relocation, and the details of his/her previous experiences capturing, handling, and relocating burrowing owls, including the outcomes of their previous relocation efforts (survival/mortality rates and site-fidelity rates of the relocated owls), and relevant permits held.
- A detailed description of the proposed method of capture, transport, and acclimation of the current project's owls on the proposed relocation site.

Mr. Matthew Bassi, Planning Director (FWS/CDFW-WRIV-16B0020-16CPA0013) 3

- A detailed description of relocation site preparations (e.g., the design and dimensions of the artificial release burrows and hacking cage, duration of hacking activities (including food and water provision).
- Description of the monitoring methods and monitoring duration to be employed to verify survival of the relocated owls and their long-term retention on the relocation site.

E2

We appreciate the opportunity to provide comments on this DEIR, and look forward to reviewing the finalized DBESP. If you have any questions or comments regarding this letter, or to schedule a discussion of mitigation options, please contact please contact Jim Thiede of the Service at 760-322-2070, extension 219, or Heather Pert of the Department at 858-395-9692.

Sincerely,



Kennon A. Corey  
Assistant Field Supervisor  
U.S. Fish and Wildlife Service



Leslie MacNair  
Regional Manager  
California Department of Fish and Wildlife

cc:

Charles Landry, Regional Conservation Authority  
Jeff Brandt, California Department of Fish and Wildlife

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## **Response to Letter E**

### **United States Fish and Wildlife Service and State of California, Department of Fish and Wildlife**

**Response to Comment E-1.** The Determination of Biologically Equivalent Superior Preservation (DBESP) for the project was presented to the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) in late February 2015. Additionally, the City presented the project, including the DBESP to the Western Riverside County Regional Conservation Authority (RCA) in March 2015. Prior to the circulation of the Draft EIR in September 2015, the City had not received any comment from the USFWS, CDFW or the RCA on the proposed project or the DBESP.

Pursuant to requirements of the MSHCP, the DBESP proposed off-site mitigation for permanent impacts to MSHCP Riverine Areas (equivalent to CDFW jurisdictional areas) on the project site to demonstrate biologically equivalent or superior preservation. On-site mitigation was determined infeasible since the proposed development cannot increase the hydrological input into the drainages within the oak grove that will be preserved on-site. Off-site mitigation provides wide-reaching watershed benefits since it is typically part of a larger effort and/or within an area of greater habitat diversity. As demonstrated in the DBESP, the on-site drainages are of low value and limited function. The loss of these drainages would be compensated with off-site mitigation within a larger drainage system in the watershed and pre-secured for in-perpetuity preservation and management by an agency-approved entity. It has been demonstrated that off-site mitigation of this sort (e.g., preservation/restoration/rehabilitation in a broader context) has a greater rate of success than on-site mitigation (and relative limited context).

Currently, there are no agency approved mitigation banks or in-lieu fee programs available in the watershed to provide off-site compensatory mitigation. However, mitigation is currently available within Wilson Creek<sup>1</sup> through a permittee-responsible<sup>3</sup> mitigation effort, and other potential opportunities could occur on lands owned by the Regional Conservation Authority (RCA) or on alternate off-site lands as part of a collaborative group of developers. The off-site mitigation would include creation, restoration and/or enhancement of habitat associated with existing drainages within the Santa Margarita Watershed or possibly within an adjacent watershed. The offsite mitigation would be proposed at a minimum 1:1 ratio for impacts to acreage. As stated in the DBESP, mitigation in areas outside the local

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1. Off-site mitigation currently available through Wilson Creek Farms, LLC is not a resource agency approved mitigation bank or In-Lieu Fee program, but has recently been accepted by the agencies as compensatory mitigation for jurisdictional streambed impacts associated with public and private projects and continues to be evaluated by the agencies for regulatory permitting compensation on a project-by-project basis.

## Grove Park Mixed-Use Development (PA No. 14-0069) – City of Wildomar

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watershed, if approved by the resource agencies, will require a higher mitigation ratio.

Mitigation Measure 4.4.6.2A was identified in the Draft EIR to reduce the significance of potential impacts MSHCP Riverine Areas. As stated in this measure, the amount, location and manner of off-site mitigation required for on-site impacts to riparian/riverine areas would be incorporated into the project permitting, “. . . subject to approval by the regulatory agencies.” Subject to this approval, it is reasonable to conclude that the required that impacts to the on-site riparian/riverine areas will be sufficiently mitigated prior to any on-site disturbance. The revision does not introduce new information or identify a new impact that was not previously identified in the Draft EIR.

**Response to Comment E-2:** Despite previous negative surveys for burrowing owl, due to the presence of suitable habitat and the mobile nature of the species, there is potential for the species to occupy the site prior to development. The Draft EIR included Mitigation Measure 4.4.6.1A requiring a pre-construction burrowing owl survey. If the species was identified on site, Mitigation Measure 4.4.6.1B identified burrowing owl relocation strategies. Similar to the mitigation identified in the Draft EIR, the mitigation recommended by the USFWS and CDFW (agencies) mandates development of burrowing owl conservation and relocation strategy identifying specific and the retention of qualified biologist to prepare the relocation plan. In recognition of the agencies authority, Mitigation Measure 4.4.6.1B has been revised as follows (double-underline text is new text while ~~strike-out text~~ is revised text):

**4.4.6.1B** If burrowing owls are identified during the survey periods, the City or project applicant shall develop a burrowing owl conservation strategy that is acceptable to the California Department of Fish and Wildlife (CDFW), the Western Riverside County Regional Conservation Authority (RCA) and the United States Fish and Wildlife Service (USFWS). If passive or active relocation of owls is approved for the site by the CDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan shall include the following:

- The location of the nests and the owls proposed for relocation;
- The locations of the proposed relocation sites;
- The number of adult owls and juveniles proposed for relocation;
- The time of year when relocation is proposed to occur;
- The name of the biologist proposed to supervise the relocation and the details of his/her experience capturing, handling and relocating burrowing owls, including the outcomes of their previous relocation efforts (survival/mortality rates and site-fidelity rates of the relocated owls) and the relevant permits held;

**Grove Park Mixed-Use Development (PA No. 14-0069) – City of Wildomar  
Final Environmental Impact Report**

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- A detailed description of the proposed method of capture, transport, and acclimation of the current project's owls on the proposed relocation site;
- A detailed description of relocation site preparations (e.g., the design and dimensions of the artificial release burrows and hacking cage, duration of hacking activities, including the provision of food and water.
- A description of the monitoring methods and monitoring duration to be employed to verify survival of the relocate owls and their long-term retention on the relocation site.

~~If burrowing owls are identified during the survey periods, the City shall contact the California Department of Fish and Wildlife to develop a burrowing owl relocation and conservation strategy. Prior to ground-disturbing activities the project applicant shall take the following actions:~~

- ~~• A minimum 75-meter (250-foot) buffer shall be provided around any active nest until fledging has occurred. Following fledging, owls may be passively relocated (use of one-way doors and collapse of burrows) by a qualified biologist.~~
- ~~• If impacts to occupied (non-nesting) burrows are unavoidable, on-site passive relocation techniques, as approved by the CDFW, may be employed to encourage owls to move to alternative burrows outside of the impact area.~~
- ~~• If relocation of the owls is approved for the site by the CDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include all of the following:
  - ~~— The location of the nest and owls proposed for relocation.~~
  - ~~— The location of the proposed relocation site.~~
  - ~~— The number of owls involved and the time of year when the relocation is proposed to take place.~~
  - ~~— The name and credentials of the biologist who will be retained to supervise the relocation.~~
  - ~~— The proposed method of capture and transport for the owls to the new site.~~
  - ~~— A description of site preparation at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control).~~
  - ~~— A description of efforts and funding support proposed to monitor the relocation.~~~~

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As revised, the relocation plan requirements detailed in Mitigation Measure 4.4.6.1B are substantially similar to those identified in the Draft EIR. The revisions only clarify how the burrowing owl relocation plan will be developed and does not introduce new information or identify a new impact that was not previously identified in the Draft EIR.

### **3. REVISIONS TO THE DRAFT EIR**

Any corrections to the Draft Environmental Impact Report (EIR) text and figures generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. These revisions are provided to clarify, refine, and provide supplemental information for the Grove Park Mixed-Use Development Project. None of the information contained in these EIR modifications constitutes significant new information or changes to the analysis or conclusions of the Draft EIR.

The information included in this EIR erratum that resulted from a typographical error does not constitute substantial new information that requires recirculation of the Draft EIR. The California Environmental Quality Act (CEQA) Guidelines, Section 15088.5, states in part:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:
  - (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
  - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
  - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
  - (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

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(b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The changes to the Draft EIR included in these EIR modifications do not constitute “significant” new information because:

- No new significant environmental impact would result from the project or from a new mitigation measure;
- There is no substantial increase in the severity of an environmental impact that would result unless mitigation measures are adopted that reduce the identified significant impacts to a level of insignificance;
- No feasible project alternative or mitigation measure considerably different from others previously analyzed has been proposed or identified that would clearly lessen the significant environmental impacts of the project; and
- The Draft EIR is not fundamentally or basically inadequate or conclusory in nature such that meaningful public review and comment were precluded.

Therefore, recirculation of the Draft EIR is not required because the new information added to the EIR through these modifications clarifies information already provided or makes insignificant modifications to the already adequate Draft EIR.

For simplicity, the EIR modifications contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikeouts (~~strikeouts~~) where text has been removed and by a double underline (underline) where text has been added. The applicable page numbers from the Draft EIR are also provided where necessary for easy reference.

**SECTION 1.0 EXECUTIVE SUMMARY**

**1.D: Grove Park Mixed-Use Project Environmental Impacts and Mitigation Summary (pages 1-16 through 1-19)**

**4.4 BIOLOGICAL RESOURCES**

**Potentially Significant Impacts**

<p><b>4.4.6.1 Candidate, Non-listed Sensitive, or Special-Status Species:</b> The project may impact sensitive species, including burrowing owl, during grading.</p>	<p>Potentially significant</p>	<p><b>4.4.6.1A</b> A pre-construction burrowing owl survey shall be conducted by a qualified biologist prior to the start of ground-disturbing activities. The burrowing owl survey shall be conducted pursuant to the guidelines established by the California Department of Fish and Wildlife and shall require four</p>	<p>Less than Significant</p>
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	<p>site visits (two in the morning and two in the evening) to determine the on-site presence/absence of the species. The final survey shall occur no more than three days prior to the start of ground-disturbing activities. In the event this species is not identified on site, no further mitigation is required. If during the pre-construction burrowing owl survey, this species is found to occupy the site, Mitigation Measure 4.4.6.1B shall be required.</p> <p><b>4.4.6.1B</b> <u>If burrowing owls are identified during the survey periods, the City or project applicant shall develop a burrowing owl conservation strategy that is acceptable to the California Department of Fish and Wildlife (CDFW), the Western Riverside County Regional Conservation Authority (RCA) and the United States Fish and Wildlife Service (USFWS). If passive or active relocation of owls is approved for the site by the CDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan shall include the following:</u></p> <ul style="list-style-type: none"> <li><u>- The location of the nests and the owls proposed for relocation;</u></li> <li><u>- The locations of the proposed relocation sites;</u></li> <li><u>- The number of adult owls and juveniles proposed for relocation;</u></li> <li><u>- The time of year when relocation is proposed to occur;</u></li> <li><u>- The name of the biologist proposed to supervise the relocation and the details of his/her experience capturing, handling and relocating burrowing owls, including the outcomes of their previous</u></li> </ul>	
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	<p><u>relocation efforts (survival/mortality rates and site-fidelity rates of the relocated owls) and the relevant permits held:</u></p> <ul style="list-style-type: none"> <li>- <u>A detailed description of the proposed method of capture, transport, and acclimation of the current project's owls on the proposed relocation site;</u></li> <li>- <u>A detailed description of relocation site preparations (e.g., the design and dimensions of the artificial release burrows and hacking cage, duration of hacking activities, including the provision of food and water.</u></li> <li>- <u>A description of the monitoring methods and monitoring duration to be employed to verify survival of the relocate owls and their long-term retention on the relocation site.</u></li> </ul> <p>If burrowing owls are identified during the survey periods, the City shall contact the California Department of Fish and Wildlife to develop a burrowing owl relocation and conservation strategy. Prior to ground-disturbing activities the project applicant shall take the following actions:</p> <ul style="list-style-type: none"> <li>-A minimum 75-meter (250-foot) buffer shall be provided around any active nest until fledging has occurred. Following fledging, owls may be passively relocated (use of one-way doors and collapse of burrows) by a qualified biologist.</li> <li>-If impacts to occupied (non-nesting) burrows are unavoidable, on-site passive relocation techniques, as approved by the CDFW, may be employed to encourage owls to move to alternative burrows outside of the impact area.</li> </ul> <p>If relocation of the owls is</p>	
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		<p>approved for the site by the GDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include all of the following:</p> <ul style="list-style-type: none"> <li>— The location of the nest and owls proposed for relocation.</li> <li>— The location of the proposed relocation site.</li> <li>— The number of owls involved and the time of year when the relocation is proposed to take place.</li> <li>— The name and credentials of the biologist who will be retained to supervise the relocation.</li> <li>— The proposed method of capture and transport for the owls to the new site.</li> <li>— A description of site preparation at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control).</li> <li>— A description of efforts and funding support proposed to monitor the relocation.</li> </ul>	
<p><b>4.12.6.1 Short-Term Construction Noise Impacts:</b> During this time, construction noise experienced by the closest sensitive receiver, 60 feet from the site, could reach up to 85.2 Leq dBA. The next closest receiver, at 147 feet away, could experience construction noise at levels up to 77.4 dBA.</p>	<p>Potentially Significant</p>	<p><b>4.12.6.1A</b> A noise mitigation plan shall be prepared and submitted to the City for review and approval prior to start of construction. The plan shall identify the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project. Methods to mitigate construction noise <del>may</del> <u>shall</u> include: <del>(but shall not be limited to</del></p> <ul style="list-style-type: none"> <li>- Install temporary noise control barriers, or equally effective noise protection measures, that provide</li> </ul>	<p>Less than Significant</p>

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	<p>a minimum noise level attenuation of 10 dBA when project construction occurs near existing noise-sensitive structures. The noise control barrier must present a solid face from top to bottom. The noise control barrier must be high enough and long enough to block the view of the noise source. Unnecessary openings shall not be made. The noise barriers must be maintained and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.</p> <ul style="list-style-type: none"> <li>- The noise control barriers and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.</li> <li>- During all project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise-sensitive receivers nearest the project site.</li> <li>- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site during all project construction.</li> <li>- The construction contractor shall limit haul truck deliveries to the same hours specified in the Clinton Keith Road (APN: 380-250-003) Traffic Impact Analysis</li> </ul>	
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		<p>with no more than 16 (two-way) haul trips per hour between 7:00 a.m. and 10:00 a.m., up to 30 (two-way) haul trips per hour between 10:00 a.m. and 2:00 p.m., and no more than 16 (two-way) haul trips per hour between 2:00 p.m. and 4:00 p.m. To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.</p>
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#### **4.4 BIOLOGICAL RESOURCES**

##### **Mitigation Measure 4.4.6.1B (page 4.4-24)**

**4.4.6.1B** If burrowing owls are identified during the survey periods, the City or project applicant shall develop a burrowing owl conservation strategy that is acceptable to the California Department of Fish and Wildlife (CDFW), the Western Riverside County Regional Conservation Authority (RCA) and the United States Fish and Wildlife Service (USFWS). If passive or active relocation of owls is approved for the site by the CDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan shall include the following: If burrowing owls are identified during the survey periods, the City shall contact the California Department of Fish and Wildlife to develop a burrowing owl relocation and conservation strategy. Prior to ground-disturbing activities the project applicant shall take the following actions:

- The location of the nests and the owls proposed for relocation;
- The locations of the proposed relocation sites;
- The number of adult owls and juveniles proposed for relocation;
- The time of year when relocation is proposed to occur;
- The name of the biologist proposed to supervise the relocation and the details of his/her experience capturing, handling and relocating burrowing owls, including the outcomes of their previous relocation efforts (survival/mortality rates and site-fidelity rates of the relocated owls) and the relevant permits held;
- A detailed description of the proposed method of capture, transport, and acclimation of the current project's owls on the proposed relocation site;

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- A detailed description of relocation site preparations (e.g., the design and dimensions of the artificial release burrows and hacking cage, duration of hacking activities, including the provision of food and water.
- A description of the monitoring methods and monitoring duration to be employed to verify survival of the relocate owls and their long-term retention on the relocation site.
- ~~A minimum 75-meter (250-foot) buffer shall be provided around any active nest until fledging has occurred. Following fledging, owls may be passively relocated (use of one-way doors and collapse of burrows) by a qualified biologist.~~
- ~~If impacts to occupied (non-nesting) burrows are unavoidable, on-site passive relocation techniques, as approved by the CDFW, may be employed to encourage owls to move to alternative burrows outside of the impact area.~~
- ~~If relocation of the owls is approved for the site by the CDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include all of the following:
  - ~~The location of the nest and owls proposed for relocation.~~
  - ~~The location of the proposed relocation site.~~
  - ~~The number of owls involved and the time of year when the relocation is proposed to take place.~~
  - ~~The name and credentials of the biologist who will be retained to supervise the relocation.~~
  - ~~The proposed method of capture and transport for the owls to the new site.~~
  - ~~A description of site preparation at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control).~~
  - ~~A description of efforts and funding support proposed to monitor the relocation.~~~~

#### 4.4 NOISE

##### Mitigation Measure 4.12.6.1A (page 4.12-33)

**4.12.6.1A** *A noise mitigation plan shall be prepared and submitted to the City for review and approval prior to start of construction. The plan shall identify the location of construction equipment and how the noise from this*

*equipment will be mitigated during construction of the project. Methods to mitigate construction noise ~~may~~ shall include ~~(but shall not be limited to):~~*

- Install temporary noise control barriers, or equally effective noise protection measures, that provide a minimum noise level attenuation of 10 dBA when project construction occurs near existing noise-sensitive structures. The noise control barrier must present a solid face from top to bottom. The noise control barrier must be high enough and long enough to block the view of the noise source. Unnecessary openings shall not be made. The noise barriers must be maintained and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.*
- The noise control barriers and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.*
- During all project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise-sensitive receivers nearest the project site.*
- The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site during all project construction.*
- The construction contractor shall limit haul truck deliveries to the same hours specified in the Clinton Keith Road (APN: 380-250-003) Traffic Impact Analysis with no more than 16 (two-way) haul trips per hour between 7:00 a.m. and 10:00 a.m., up to 30 (two-way) haul trips per hour between 10:00 a.m. and 2:00 p.m., and no more than 16 (two-way) haul trips per hour between 2:00 p.m. and 4:00 p.m. To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.*

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## **4. MITIGATION MONITORING AND REPORTING PROGRAM**

### **4.1 INTRODUCTION**

This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

#### **Grove Park Mixed-Use Development Project (PA No. 14-0069)**

The program has been prepared in compliance with State law for the Grove Park Mixed-Use Development Project Environmental Impact Report (EIR) (State Clearinghouse No. 2014121064) prepared for the project for the City.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resource Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- 3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes the mitigation identified in the Final EIR.

### **4.2 MITIGATION MONITORING AND RESPONSIBILITIES**

As the Lead Agency, the City is responsible for ensuring full compliance with the mitigation measures adopted for the proposed project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor,

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or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

DEIR Section/Mitigation Measure/ Implementing Actions	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non- Compliance
<b>4.3 Air Quality</b>						
<b>4.3.6.1A</b> “Zero-Volatile Organic Compounds” paints (no more than 150 grams/liter of VOC) and/or High Pressure/Low Volume (HPLV) applications consistent with SCAQMD Rule 1113 shall be used during project construction.	City Planning Department	As needed during construction	During project construction	On-site inspection		Issuance of a Stop Work Order
<b>4.3.6.1B</b> All rubber tired dozers and scrapers used during grading operations shall be California Air Resources Board (CARB) Tier 3 certified or better.	City Planning Department	As needed during construction	During project construction	On-site inspection		Issuance of a Stop Work Order
<b>4.3.6.1C</b> Appropriate provisions detailed in SCAQMD Rule 403 shall be implemented for the duration of project construction. Fugitive dust suppression measures include but shall not be limited to the following: <ul style="list-style-type: none"> <li>• All clearing, grading, earthmoving, or excavation activities shall cease when winds exceed 25 miles per hour;</li> <li>• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project site are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day; and</li> <li>• The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.</li> </ul>	City Planning Department	As needed during construction	During project construction	On-site inspection		Issuance of a Stop Work Order
<b>4.3.6.1D</b> On-site construction equipment shall be shut off at or prior to five minutes of idling.	City Planning Department	As needed during construction	During project construction	On-site inspection		Issuance of a Stop Work Order

DEIR Section/Mitigation Measure/ Implementing Actions	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non- Compliance
<b>4.4 Biological Resources</b>						
<p><b>4.4.6.1A</b> A pre-construction burrowing owl survey shall be conducted by a qualified biologist prior to the start of ground-disturbing activities. The burrowing owl survey shall be conducted pursuant to the guidelines established by the California Department of Fish and Wildlife and shall require four site visits (two in the morning and two in the evening) to determine the on-site presence/absence of the species. The final survey shall occur no more than three days prior to the start of ground-disturbing activities. In the event this species is not identified on site, no further mitigation is required. If during the pre-construction burrowing owl survey, this species is found to occupy the site, Mitigation Measure 4.4.6.1B shall be required.</p>	City Planning Department	Once	Prior to the start of ground disturbing activities	Review of pre-construction survey for burrowing owls		Withhold Grading Permits
<p><b>4.4.6.1B</b> If burrowing owls are identified during the survey periods, the City or project applicant shall develop a burrowing owl conservation strategy that is acceptable to the California Department of Fish and Wildlife (CDFW), the Western Riverside County Regional Conservation Authority (RCA) and the United States Fish and Wildlife Service (USFWS). If passive or active relocation of owls is approved for the site by the CDFW, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan shall include the following:</p> <ul style="list-style-type: none"> <li>• The location of the nests and the owls proposed for relocation;</li> <li>• The locations of the proposed relocation sites;</li> <li>• The number of adult owls and juveniles proposed for relocation;</li> <li>• The time of year when relocation is proposed to occur;</li> <li>• The name of the biologist proposed to supervise the relocation and the details of his/her experience</li> </ul>	City Planning Department	Once	Prior to issuance of any grading permits and during construction	Written verification of a relocation plan has been approved by the California Department of Fish and Wildlife		Withhold Grading Permits

DEIR Section/Mitigation Measure/ Implementing Actions	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non- Compliance
<p>capturing, handling and relocating burrowing owls, including the outcomes of their previous relocation efforts (survival/mortality rates and site-fidelity rates of the relocated owls) and the relevant permits held;</p> <ul style="list-style-type: none"> <li>• A detailed description of the proposed method of capture, transport, and acclimation of the current project's owls on the proposed relocation site;</li> <li>• A detailed description of relocation site preparations (e.g., the design and dimensions of the artificial release burrows and hacking cage, duration of hacking activities, including the provision of food and water.</li> <li>• A description of the monitoring methods and monitoring duration to be employed to verify survival of the relocate owls and their long-term retention on the relocation site.</li> </ul>						
<p><b>4.4.6.2A</b> Prior to the issuance of any grading permit for permanent impacts in jurisdictional features, the project applicant shall obtain a Clean Water Act Section 404 permit and/or an Approved Jurisdictional Determination from the USACE, a Clean Water Act Section 401 permit from the RWQCB, and a Streambed Alteration Agreement permit under Section 1602 of the California Fish and Game Code from the CDFW. The following shall be incorporated into the permitting, subject to approval by the regulatory agencies:</p> <ol style="list-style-type: none"> <li>1. Off-site replacement and/or restoration of USACE/RWQCB jurisdictional "waters of the U.S."/"waters of the State" within the Santa Margarita Watershed at a ratio no less than 1:1 or within an adjacent watershed within Riverside County at a ratio no less than 2:1 for permanent impacts, and for any temporary impacts to restore the impact area to pre-project conditions (i.e., pre-project contours and revegetate where applicable). Off-site mitigation may occur on land acquired for the purpose</li> </ol>	City Planning Department	Once prior to issuance of grading permit	Prior to grading permit	Written verification of USACE approval of jurisdictional determination and Clean Water Act Section 404 permit		Withhold Grading Permit

DEIR Section/Mitigation Measure/ Implementing Actions	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non- Compliance
<p>of in-perpetuity preservation, or through the purchase of mitigation credits at an agency-approved off-site mitigation bank.</p> <p>2. Off-site replacement and/or restoration of CDFW jurisdictional streambed and associated riparian habitat within the Santa Margarita Watershed at a ratio no less than 1:1 or within an adjacent watershed at a ratio no less than 2:1 for permanent impacts, and for any temporary impacts to restore the impact area to pre-project conditions (i.e., pre-project contours and revegetate where applicable). Off-site mitigation may occur on land acquired for the purpose of in-perpetuity preservation, or through the purchase of mitigation credits at an agency-approved off-site mitigation bank.</p>						
<p><b>4.4.6.2B</b> Prior to any development activity or the issuance of any permit or approval removing or encroaching upon oak trees on the project site (this generally includes the canopy drip-line of trees within the area of ground disturbance and trees subject to changes in hydrologic regime), an Oak Tree Mitigation Plan prepared by a certified arborist, registered professional forester, botanist, or landscape architect shall be submitted for review and approval by the City that includes:</p> <p>1. A survey showing the location of oak trees 5 inches or more in diameter at breast height (DBH), as defined by Public Resources Code Section 21083.4(a).</p> <p>2. The removal of all oak trees 5 inches or more DBH height shall be mitigated. Removal shall be mitigated by planting (or replanting) and maintaining oak trees. A minimum of three native oak trees of 5 gallons or larger size shall be planted for each oak tree removed that is greater than or equal to 5 inches DBH. The trees shall be planted in areas deemed appropriate by the Oak Tree Mitigation</p>	City Planning Department	Once	Prior to any permit or approval removing or encroaching upon oak trees	Review of Oak Tree Mitigation Plan		Withhold Grading Permits

DEIR Section/Mitigation Measure/ Implementing Actions	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non- Compliance
<p>Plan, considering future lot development and interference with foundations, fencing, roadways, driveways, and utilities. Replanted oak trees shall be maintained for a period of seven years after they are planted. If any of the replanted oak trees die or become diseased, they shall be replaced and maintained for seven years after the new oak trees are planted.</p> <p>3. A replanting schedule and diagram for trees removed or encroached upon by the project shall be submitted to and approved by the City. Replanted trees shall be planted in areas deemed appropriate by the Oak Tree Mitigation Plan, considering future lot development and interference with foundations, fencing, roadways, driveways, and utilities. Trees planted shall be protected from livestock and other animals.</p> <p>4. Oak tree protection measures for trees to be retained within the project site shall be included in construction specifications. Each oak tree to be preserved shall be surrounded by a tree zone identified by the drip-line of the tree. An orange plastic fence or other suitable type of fence shall be used to identify the tree zone during construction activities. No vegetation removal, soil disturbance, or other development activities shall occur within the tree zone in order to protect root systems and minimize compaction of the soil, unless authorized by the Oak Tree Mitigation Plan.</p> <p>5. Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the City.</p>						
<p><b>4.4.6.4A</b> A pre-construction survey for nesting birds and migratory birds shall be conducted by a qualified biologist, no more than three (3) days prior to the initiation of construction activities. A qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone</p>	City Planning Department	Once	Three days or less prior to grading	Written evidence a qualified biologist has been retained		Withhold Grading Permit

DEIR Section/Mitigation Measure/ Implementing Actions	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date/ Initials	Sanctions for Non- Compliance
<p>to determine whether these activities have the potential to disturb or otherwise harm nesting birds. If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet for raptors, around the nest). Alternative exclusion zones may be established through consultation with the CDFW and the USFWS. The exclusion zones shall remain in force until all young have fledged.</p>	City Planning Department	Once	Prior to construction	<p>by the applicant to conduct an onsite nesting survey prior to grading</p> <p>If nesting birds are present biologist will establish a construction buffer zone of a 250 foot minimum from an active listed raptor nest, and 100 feet from other sensitive or protected bird nests</p>		Issuance of a Stop Work Order
<b>4.5 Cultural Resources</b>						
<p><b>4.5.6.1A</b> If, during grading or construction activities, archaeological 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 and Soboba Bands (Tribes). Any unanticipated archaeological resources that are discovered shall be evaluated and a final report prepared by the qualified archaeologist. 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</p>	City Planning Department	As needed	During grading and/or ground disturbing activities	Verification to the City a qualified archaeologist and Pechanga and Soboba Band monitors have been retained.		Issuance of a Stop Work Order

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<p>qualified archaeologist and the Tribe(s) determine 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 4.5.6.1B.</p> <p>This mitigation measure shall be incorporated in all construction contract documentation.</p>	City Planning Director and Building Official	Once	Prior to issuance of grading permit.	Review and approval of construction documents.		Withhold Grading Permit
<p><b>4.5.6.1B</b> At least 30 days prior to seeking a grading permit, the project applicant(s) shall contact the Pechanga and Soboba Bands (Tribes) to notify the Tribes of grading, excavation, and the monitoring program and to coordinate with the City of Wildomar and the Tribes to develop a Cultural Resources Treatment and Monitoring Agreement. The agreement shall include, but shall 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 location of 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.</p>	City Planning Director and Building Official	Once	30 days prior to issuance of grading permit	City review of Cultural Resources Treatment and Monitoring Agreement		Withhold Grading Permit
<p><b>4.5.6.1C</b> In the event agreement on the significance and/or mitigation of archaeological resources cannot be reached, 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</p>	City Planning Director	Once	If a dispute arises over the agreement of significance of discovered	Planning Director shall make the determination based on the		Issuance of Stop Work Order.

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to archaeological resources and shall take into account the religious beliefs, customs, and practices of both the Pechanga and the Soboba Bands (Tribes). Notwithstanding any other rights available under the law, the Planning Director's decision shall be appealable to the City Council 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 laws, 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.			archaeological resources during construction.	provisions of CEQA.		
<b>4.5.6.1D</b> 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 <b>Mitigation Measure 4.5.6.1B</b> , 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 a curation facility, which meets the standards set forth in 36 CRF Part 79 for federal repositories.	City Planning Department	Once	Prior to issuance of Certificate of Occupancy	The applicant shall provide the Planning Department written verification that any archeological resources found during grading activities are curated in certified repository.		Withhold issuance of Certificate of Occupancy
<b>4.5.6.1E</b> All sacred sites, should they be encountered within the project site, shall be avoided and preserved as the preferred mitigation, if feasible as determined by a qualified archaeologist in consultation with the Tribe(s). 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	City Planning Director	Once or more	During grading and ground disturbing activities.  Avoidance of	The qualified archaeologist for the project shall provide written verification to the Planning Director that		Issuance of Stop Work Order

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15126.4.			or in-situ preservation of a scared site.	they have consulted with the Tribe(s).  If a sacred site cannot be feasibly preserved in place or left in an undisturbed state, mitigation measures shall be required and agreed upon by the City.		
<p><b>4.5.6.1F</b> To address the possibility that cultural resources may be encountered during grading or construction, a qualified professional archaeologist shall monitor all construction activities that could potentially impact archaeological deposits (e.g., grading, excavation, and/or trenching). However, monitoring may be discontinued as soon the qualified professional is satisfied that construction will not disturb cultural resources.</p>	City Planning Department	During grading and construction	Prior to issuance of grading permit	Verification to the City that a qualified archeologist has been retained by the contractor prior to grading activities.		Withhold grading permit
<p><b>4.5.6.2A</b> Prior to the issuance of a grading permit, the project applicant(s) shall identify the qualified paleontologist to the City of Wildomar who has been retained to evaluate the significance of any inadvertently discovery paleontological resources. If paleontological resources are encountered during grading or project construction, all work in the area of the find shall cease. The project applicant shall notify the City of Wildomar and retain a qualified paleontologist to investigate the find. The qualified paleontologist shall make recommendations as to the paleontological resource's</p>	City Planning Director	Once	Prior to issuance of grading permit	Verification to the City that a qualified paleontologist has been retained by the contractor prior to grading activities.		Withhold grading permit

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disposition to the City of Wildomar Planning Director. The recommendations shall follow procedures established by the Society of Vertebrate Paleontology (SVP) for assessment and mitigation of impacts to paleontological resources, which the Planning Director shall follow. The developer shall pay for all required treatment and storage of the discovered resources.						
<b>4.5.6.2B</b> A qualified paleontologist or paleontological monitor shall monitor all mass grading and excavation activities. Monitoring will be conducted in areas of grading or excavation in undisturbed formational sediments of the Pauba Formation. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.	City Planning Department	During grading and excavation	Prior to issuance of grading permit	Verification to the City that a qualified paleontologist has been retained by the contractor prior to grading activities.		Withhold grading permit
<b>4.5.6.2C</b> Any recovered paleontological specimens shall be identified to the lowest taxonomic level possible and prepared for permanent preservation, including screen-washing of sediments to recover small invertebrates and vertebrates shall occur if necessary.	City Planning Department	Once	Prior to issuance of Certificate of Occupancy	The applicant shall provide the Planning Department written verification that any paleontological resources found during grading activities are recorded.		Withhold issuance of Certificate of Occupancy

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<p><b>4.5.6.2D</b> Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage shall occur at an institutional repository approved by the City of Wildomar. The paleontological program shall include a written repository agreement prior to the initiation of mitigation activities.</p>	City Planning Department	Once	Prior to issuance of Certificate of Occupancy	The applicant shall provide the Planning Department written verification that any paleontological resources found during grading activities are recorded and deposited in an accredited public museum repository.		Withhold issuance of Certificate of Occupancy
<p><b>4.5.6.2E</b> A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location. The report, when submitted to and accepted by the City of Wildomar, shall signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.</p>	City Planning Department	Once	Prior to issuance of Certificate of Occupancy	Submittal to the City of Final Monitoring and Mitigation Report of Findings and Significance.		Withhold issuance of Certificate of Occupancy
<b>4.9 Hydrology and Water Quality</b>						
<p><b>4.9.6.1A</b> Prior to the issuance of grading permits, the project applicant shall submit evidence to the City that coverage under the SWRCB General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ) has been obtained. As required by the General Permit, Project Applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) to</p>	City Engineer or Designee	Once	Prior to issuance of grading permit	Submittal to the City written verification of filing and approval of a SWPPP to the City, Riverside		Withhold Grading Permit

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<p>the City of Wildomar, Riverside County Flood Control and Water Conservation District, and San Diego Regional Water Quality Control Board for review and approval. The SWPPP shall identify pre- and post-construction Best Management Practices (BMPs) intended to prevent the release of sediment and pollutants into downstream waterways and comply with all other requirements of the General Permit. BMPs to be implemented may include (but shall not be limited to) the following:</p> <ul style="list-style-type: none"> <li>• Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs are to be periodically inspected by the RWQCB during construction, and repairs would be made as required.</li> <li>• Materials that have the potential to contribute non-visible pollutants to storm water must not be placed in drainage ways and must be placed in temporary storage containment areas.</li> <li>• All loose soil, silt, clay, sand, debris, and other earthen material shall be controlled to eliminate discharge from the site. Temporary soil stabilization measures to be considered include: covering disturbed areas with mulch, temporary seeding, soil stabilizing binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Stockpiles shall be surrounded by silt fences and covered with plastic tarps.</li> <li>• The SWPPP shall include inspection forms for routine monitoring of the site during the construction phase.</li> <li>• Additional required BMPs and erosion control measures shall be documented in the SWPPP.</li> </ul> <p>The SWPPP would be kept on site for the duration of project construction and shall be available to the local Regional Water Quality Control Board for inspection at any time.</p>	City's Building Official	Continuous during construction	During construction	<p>County Flood Control and Water Conservation District, and San Diego Regional Water Quality Control Board.</p> <p>Copy of the SWPPP and inspection forms shall be kept onsite.</p>		Issuance of a Stop Work Order

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<p><b>4.9.6.2A</b> Prior to the issuance of grading permits, the Project Applicant shall submit a final Water Quality Management Plan (WQMP) to the City of Wildomar, for review and approval, as required by SDRWQCB Order No. R9-2004-001 (MS4 Permit) and the current Riverside County Water Quality Management Plan for Urban Runoff. The project shall implement site design BMPs, source control BMPs, and treatment control BMPs as identified in the Water Quality Management Plan. This measure shall be implemented to the satisfaction of the City Public Works Department and Planning Division as appropriate.</p>	City Public Works Department and Planning Department	Once	Prior to issuance of grading permits	Applicant shall submit for City review and approval of final WQMP.		Withhold grading permits
<b>4.12 Noise</b>						
<p><b>4.12.6.1A</b> A noise mitigation plan shall be prepared and submitted to the City for review and approval prior to start of construction. The plan shall identify the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project. Methods to mitigate construction noise shall include:</p> <ul style="list-style-type: none"> <li>• Install temporary noise control barriers, or equally effective noise protection measures, that provide a minimum noise level attenuation of 10 dBA when project construction occurs near existing noise-sensitive structures. The noise control barrier must present a solid face from top to bottom. The noise control barrier must be high enough and long enough to block the view of the noise source. Unnecessary openings shall not be made. The noise barriers must be maintained and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired</li> <li>• The noise control barriers and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the</li> </ul>	City Engineer or Designee	Once	Prior to issuance of grading permits	Applicant shall submit for City review and approval a noise mitigation plan.		Withhold Grading Permit

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<p>construction activity.</p> <ul style="list-style-type: none"> <li>• During all project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise-sensitive receivers nearest the project site</li> <li>• The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site during all project construction.</li> <li>• The construction contractor shall limit haul truck deliveries to the same hours specified in the Clinton Keith Road (APN: 380-250-003) Traffic Impact Analysis with no more than 16 (two-way) haul trips per hour between 7:00 a.m. and 10:00 a.m., up to 30 (two-way) haul trips per hour between 10:00 a.m. and 2:00 p.m., and no more than 16 (two-way) haul trips per hour between 2:00 p.m. and 4:00 p.m. To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings.</li> </ul>						
<p><b>4.12.6.1B</b> Prior to approval of grading plans and/or issuance of building permits, plans shall include a requirement that noise-generating project construction activities shall occur between the permitted hours of 6:00 a.m. and 6:00 p.m. during the months of June through September, and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May (Section 9.48.020). The project construction supervisor shall ensure compliance with the requirement and the City shall conduct periodic inspection at</p>	City Engineer or Designee or Building Official	Once	Prior to issuance of Grading Permit and/or Building Permit	Review and approval of construction documents restricting allowed construction times.		Withhold Grading Permit and/or Building Permit

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its discretion.						
<b>4.12.6.1C</b> The construction contractor shall post a publicly visible sign with the telephone number and person to contact regarding noise complaints. The construction manager, within 72 hours of receipt of a noise complaint, shall either take corrective actions or, if immediate action is not feasible, provide a plan or corrective action to address the source of the noise complaint.	City Engineer or Designee	Once	Prior to issuance of grading permit.	Visual verification of posted notice onsite.		Issuance of Stop Work Order
<p><b>4.12.6.2A</b> Buildings adjacent to Clinton Keith Road and Yamas Drive will require a Noise Level Reduction (NLR) of up to 24.3 dBA and a windows closed condition requiring a means of mechanical ventilation (e.g., air conditioning). In order to meet the City of Wildomar 45 dBA CNEL interior noise standards, the project plans shall include measures to achieve the following:</p> <ul style="list-style-type: none"> <li>- <i>Windows:</i> All windows and sliding glass doors shall be well fitted, with well weather-stripped assemblies and shall have a minimum sound transmission class (STC) rating of 27. Air gaps and rattling shall not be permitted.</li> <li>- <i>Doors:</i> All exterior doors shall be well weather-stripped solid core assemblies at least 1.25 inches thick.</li> <li>- <i>Roof:</i> <i>Roof sheathing of wood construction shall be well fitted or caulked</i> plywood of at least 0.5 inch thick. Ceilings shall be well fitted, well-sealed gypsum board of at least 0.5 inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.</li> <li>- <i>Ventilation:</i> Arrangements for any habitable room shall be such that any exterior door or window can be kept closed when the room is in use. A forced air</li> </ul>	City Building Official	Once	Prior to issuance of building permits	Review and approval of building plans		Withhold issuance of Building Permits.

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circulation system (e.g., air conditioning) shall be provided which satisfy the requirements of the Uniform Mechanical Code.						
<b>4.16 Transportation and Traffic</b>						
<p><b>4.16.6.1A Salida del Sol/Yamas Drive/Clinton Keith Road:</b> Install a traffic signal with protected left-turn phasing on the eastbound and westbound approaches of Clinton Keith Road and construct the intersection with the following geometrics:</p> <ul style="list-style-type: none"> <li>• Northbound Approach: One left-turn lane, one shared through/right-turn lane.</li> <li>• Southbound Approach: One left-turn lane, one shared through/right-turn lane.</li> <li>• Eastbound Approach: One left-turn lane, one shared through/right-turn lane.</li> <li>• Westbound Approach: One left-turn lane, one shared through/right-turn lane.</li> </ul> <p>The scope of required improvements at this location shall be reviewed and approved by the City Engineer and be consistent with all applicable City standards.</p>	City Engineer or Designee	Once	Prior to issuance of the first Certificate of Occupancy	Review and approval of roadway improvements by City.		Withhold issuance of Certificate of Occupancy.
<p><b>4.16.6.1B</b> Prior to the issuance of building permits, the project applicant shall submit evidence to the City that the Transportation Uniform Mitigation Fee (TUMF), Development Impact Fee (DIF), and/or fair-share contribution for the required improvements has been paid. As permitted by the City, payment of required fees may be offset by in-lieu fee credit derived by the applicant's installation of the improvement identified in <b>Mitigation Measure 4.16.6.1A</b>.</p>	City Engineer of Designee	Once	Prior to issuance of building permits	Evidence to the City of payment of TUMF and DIF fees.		Withhold Building Permit
<p><b>4.16.6.2A</b> Construction activity associated with soil import activities shall occur outside of the typical morning and evening peak commute hours (i.e., 7:00–9:00 a.m. and 4:00–</p>	City Engineer or Designee	Once	Prior to issuance of grading	City review and approval of Construction		Withhold Grading Permit

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<p>6:00 p.m.).</p> <p>Prior to the issuance of grading permits, the project applicant shall submit to the City for review and approval, a Construction Traffic Management Plan. Construction-related traffic (including soil import activity) shall operate on the routes and/or during the hours of operation defined in the Construction Traffic Management Plan.</p>			permits	Traffic Management Plan.		
<p><b>4.16.6.3A</b> Prior to the issuance of first occupancy permit, the project applicant shall submit evidence to the City that the Transportation Uniform Mitigation Fee (TUMF), and Development Impact Fee (DIF) payment for the following improvements have been made:</p> <ul style="list-style-type: none"> <li>• George Avenue/Clinton Keith Road: <ul style="list-style-type: none"> <li>○ Restripe the eastbound right-turn lane as a shared through/right-turn lane (TUMF/DIF); and</li> <li>○ Construct a westbound shared through/right-turn lane (DIF).</li> </ul> </li> <li>• Inland Valley Drive/Clinton Keith Road: <ul style="list-style-type: none"> <li>○ Construct an eastbound through lane (TUMF); and</li> <li>○ Construct a westbound through lane (TUMF).</li> </ul> </li> <li>• <i>As required by the City's Public Works Director:</i> <ul style="list-style-type: none"> <li>○ Provide traffic signal interconnection.</li> </ul> </li> </ul>	City Public Works Director or Designee	Once	Prior to issuance of first occupancy permit	Evidence to the City of payment of TUMF and DIF payments		Withhold Occupancy Permit
<p><b>4.16.6.4A</b> Prior to the issuance of first occupancy permit, the project applicant shall submit evidence to the City that required Transportation Uniform Mitigation Fee (TUMF), Development Impact Fee (DIF), and/or fair-share contribution for cumulative project impacts have been made.</p>	City Public Works Director or Designee	Once	Prior to issuance of first occupancy permit	Evidence to the City of payment of TUMF and DIF payments		Withhold Occupancy Permit