

**Facts, Findings and Statement of Overriding Considerations
Regarding the Environmental Effects and the Approval of the
Baxter Village Mixed Use Project (PA No. 14-0002)
(State Clearinghouse No. 2014121047)**

I. INTRODUCTION

The City Council of the City of Wildomar (this “Council”), in certifying the EIR for the Baxter Village Mixed Use project and approving:

1) a General Plan Amendment (GPA) to change the existing land use designation for the entire project site from Mixed Use Planning Area (MUPA) to Very High Density Residential (VHDR) on 11.3 acres, to Medium High Density Residential (MHDR) on 12.5 acres, and to Commercial Retail (CR) on 12.2 acres;

2) a Change of Zone to a) remove the existing Mixed Use Overlay Zone from the entire project area, b) change the existing zoning from C-P-S (Scenic Highway Commercial) to R-4 (Planned Residential Zone) on the northwestern third (12.5 acres) of the project site, and c) change the zoning from C-P-S (Scenic Highway Commercial) to R-3 (General Residential) for the northeastern third (11.3 acres) of the project site;

3) approval of a Tentative Tract Map (TTM No. 36674) to subdivide the 36-acre project area into 82 lots; and

4) approval of a Plot Plan authorizing the development of a mixed use (horizontal) development which includes approximately 75,000 square feet of commercial/retail uses, 204 multi-family apartment units, and 66 single family dwelling units (the “project”).

The Environmental Impact Report (“EIR”) was prepared by the City of Wildomar (“City”) acting as lead agency pursuant to the California Environmental Quality Act (“CEQA”). Hereafter, unless specifically identified, the Notice of Preparation (“NOP”), Notice of Availability & Completion (“NOA/NOC”), Draft EIR (“DEIR”), Technical Studies, Final EIR containing

comments received on the DEIR and the City's responses to those comments and textual revisions to the DEIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The project is generally located in the central portion of the City of Wildomar within the western portion of Riverside County, California. The project site is bordered on the east by Interstate 15 (I-15 freeway), Baxter Road on the south, White Street on the west and Grove Street on the north. The portions of White and Grove Streets that border the project site are unimproved dirt roads. The project site is approximately 3.3 miles southeast of Lake Elsinore and 4.1 miles southwest of Canyon Lake.

The project site consists of Assessor's Parcel Numbers (APNs) 367-180-015 and 367-180-043 and is located in Section 26 of Township 6 South, Range 4 West of the San Bernardino Baseline and Meridian. As depicted on the U.S. Geological Survey (USGS) 7.5-minute series Wildomar, California quadrangle (1988) and has latitude 33° 36' 50" north and longitude 117° 15' 52" west. The project site consists of rolling terrain with a general slope to the southwest at approximately 3.4 percent. Elevations on site range from approximately 1,373 feet above mean sea level (amsl) at the northeastern corner down to 1,329 feet amsl along the southern end.

2. Project Description

The project site is approximately 36 acres and its development would include a mixed-use project that would contain 1) a General Plan Amendment (GPA) to change the existing land use designation for the entire project site from Mixed Use Planning Area (MUPA) to Very High Density Residential (VHDR) on 11.3 acres, to Medium High Density Residential (MHDR) on 12.5 acres, and to Commercial Retail (CR) on 12.2 acres; 2) a Change of Zone (3 components)

to a) remove the existing Mixed Use Overlay Zone from the entire project area, b) change the existing zoning from C-P-S (Scenic Highway Commercial) to R-4 (Planned Residential Zone) on the northwestern third (12.5 acres) of the project site, and c) change the zoning from C-P-S (Scenic Highway Commercial) to R-3 (General Residential) for the northeastern third (11.3 acres) of the project site; 3) approval of a Tentative Tract Map (TTM No. 36674) to subdivide the 36-acre project area into 82 lots; and 4) approval of a Plot Plan authorizing the development of a mixed use (horizontal) development which includes approximately 75,000 square feet of commercial/retail uses, 204 multi-family apartment units, and 66 single family dwelling units.

Commercial Retail. The commercial retail portion of the project would consist of eight (8) commercial retail buildings of various sizes ranging from 7,000 to 26,000 square feet and total approximately 75,000 square feet. The commercial retail buildings would be single story and comply with Section 17.76.030 of the Wildomar Municipal Code, which restricts building heights in C-P-S (Scenic Highway Commercial) zones to no more than 50 feet. Potential uses include retail shops and restaurants, etc.

Multi-family Apartments. The multi-family apartment portion of project would consist of 42 one-bedroom apartments, 102 two-bedroom apartments, and 60 three-bedroom apartments, for a total of 204 apartments. The multi-family apartment buildings would be three stories and comply with Section 17.44.020 of the Wildomar Municipal Code, which restricts building heights in R-3 (General Residential) zones to no more than 50 feet. The multi-family development would have a density of 18.05 units per acre consistent with the VHDR land use designation.

Single Family Homes. The single-family residential portion of the project would include 66 single family detached dwelling units on approximately 4,200 square-foot lots. The single-family homes would be two-story buildings and would comply with Section 17.60.070 of the Wildomar Municipal Code, which restricts single-family residences to heights of no more than 40 feet. The single-family area would have a density of 5.33 dwelling units per acre consistent with the MHDR land use designation.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals (“Approvals”):

- Approval of a General Plan Amendment from Mixed Use Planning Area (MUPA) to Very High Density Residential (VHDR) on 11.3 acres, Medium High Density Residential (MHDR) on 12.5 acres and Commercial Retail (CR) on 12.2 acres to accommodate the mixed-use development project;
- Approval of a Change of Zone to remove the Mixed Use Overlay (MU) zone designation on the entire project site; and a change of zone from C-P-S (Scenic Highway Commercial) to R-3 (General Residential) on 11.3 acres, and to R-4 (Planned Residential Zone) on 12.5 acres,
- Approval of Tentative Tract Map (TTM No. 36674) to subdivide the approximate 36 acre project site into 82 lots; and
- Approval of a Plot Plan authorizing the development of a mixed use (horizontal) development which includes approximately 75,000 square feet of commercial/retail uses, 204 multi-family apartment units, and 66 single family dwelling units.

B. PROJECT OBJECTIVES

The City has outlined the following objectives for the proposed project relative to the planning and CEQA processes:

- Establish a mixed-use community for Wildomar with a balance of land uses including commercial, single-family housing, and multi-family housing.
- Provide both rental and ownership housing opportunities to accommodate a variety of housing preferences and lifecycles.
- Deliver an appropriately sized commercial center that provides a mix of retail, and dining uses with opportunities for employment growth and increased sales tax for Wildomar.

- Utilize architectural styles and design elements that reflect Wildomar’s heritage, namely through the use of Ranch, Farmhouse, and Craftsman styles.
- Incorporate a public gathering place within the commercial area for the overall Wildomar community.
- Design the project’s vehicular circulation routes to minimize traffic on White Street.
- Create a walkable community that provides convenient non-vehicular access from the residential areas to the commercial center.
- Implement a trail system for the project consistent with the Wildomar Multi-Use Trails Master Plan.
- Provide a transition along White Street and the project edge through architectural massing articulation and a landscaped buffer.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this project which included the DEIR, FEIR, and supporting technical studies, along with a public review and comment period first during the circulation of the Notice of Preparation and then through the circulation of the DEIR. The following is a summary of the environmental review of this project:

- On December 15, 2014, the City circulated a Notice of Preparation (“NOP”) that identified the environmental issues that the City anticipated would be analyzed in the project’s DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On January 12, 2015, the City conducted the first public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 35 days, from December 15, 2014 to January 19, 2015. Written comments on the NOP were received from (6) six different

agencies or organizations. The scope of the issues identified in the comments expressing concern included potential impacts associated with:

- Cultural resources of the Pechanga Band of Luiseño Indians. This issue is discussed in Section 4.5, Cultural Resources, of the EIR;
 - Potential water-related impacts (flooding, drainage, water quality of runoff from the project) are addressed in Section 4.9, Hydrology and Water Quality, in the EIR;
 - Potential biological resource impacts (habitat, species, and Multiple Species Habitat Conservation Plan (MSHCP) consistency) are addressed in Section 4.4, Biological Resources, in the EIR;
 - Potential public services impacts (fire, police, and schools) are addressed in Section 4.14, Public Services, in the EIR; and
 - Recommendations regarding the analysis and mitigation of potential air quality impacts are addressed in Section 4.3 Air Quality and Section 4.7 Greenhouse Gases, in the EIR.
- On June 11, 2015, the City circulated a second Notice of Preparation (“NOP”) that identified changes to the proposed General Plan Amendment and removal of the Mixed Use Overlay zone from the entire project site.
 - On June 29, 2015, the City conducted the second public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the revised project and DEIR.
 - The second NOP public review period ran for 30 days, from June 11 to July 10, 2015. Written comments on the NOP were received from (3) three agencies, or organizations. The scope of the issues identified in the comments expressing concern included potential impacts associated with:
 - Cultural resources of the Soboba Band of Luiseño Indians. This issue is discussed in Section 4.5, Cultural Resources, of the EIR;

- Short-term and long-term air pollutant emissions including criteria pollutants, LSTs, Health Risk Assessment, and dust. This issue is discussed in Section 4.3, Air Quality, of the EIR; and
 - Potential biological resource impacts (habitat, species, and MSHCP consistency) are addressed in Section 4.4, Biological Resources, in the EIR.
- As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the DEIR State Clearinghouse No. 2014121064 for the Baxter Village Mixed Use project was filed with the State Clearinghouse on December 30, 2015, and the Notice of Availability (NOA) of the DEIR was filed with the Riverside County Clerk on December 30, 2015.
- The DEIR was circulated for public review for a period of not less than 45 days from December 30, 2015 to February 12, 2016. Copies of the DEIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the DEIR were also made available for public review at the City Hall, and on the City's website (Environmental Documents Center). A total of eight (8) comment letters were received on the DEIR. Six comment letters received were from federal, State, Tribal entities and local agencies, and two comment letters were received from private organizations and individuals. The City has prepared specific responses to all public comments. The responses to comments are included in Section 2.0 of the FEIR.
- On or before May 5, 2016 in accordance with *Public Resources Code* Section 21092.5, the City provided written responses to public agencies that commented on the DEIR 10 days prior to the public hearing for the proposed project.
- On May 6, 2016, the City published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of the May 18, 2016 Planning Commission public hearing/meeting to consider the proposed Baxter Village Mixed Use project. In addition, on May 4, 2016, the City mailed a public

hearing notice to all property owners within a 600-foot radius of the project site notifying them of the May 18, 2016 Planning Commission public hearing/meeting to consider the proposed Baxter Village Mixed Use project.

- On May 18, 2016 the Planning Commission held a public hearing to consider the proposed project, public comments and staff recommendations. The Planning Commission, after considering written comments and oral testimony on the project EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, the Planning Commission recommended City Council certification of the EIR, Facts, Findings and Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program (MMRP).
- On May 27, 2016, the City published a legal notice in the Press Enterprise, a local newspaper of general circulation, notifying the general public of the June 8, 2016 City Council public hearing/meeting to consider the recommendation from the Planning Commission on the proposed Baxter Village Mixed Use project. In addition, on May 25, 2016, the City mailed a public hearing notice to all property owners within a 600-foot radius of the project site notifying them of the June 8, 2016 City Council public hearing/meeting to consider the proposed Baxter Village Mixed Use project.
- On June 8, 2016 the City Council held a public hearing to consider the proposed project, public comments and staff recommendations. The City Council, upon recommendation from the Planning Commission, after considering written comments and oral testimony on the project EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, the City Council certified the EIR, Facts, Findings and Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program (MMRP).

IV. INDEPENDENT JUDGMENT FINDING

The City retained the independent consulting firm of LSA Associates, Inc. (“LSA”) to prepare the EIR for the Baxter Village Mixed Use project. LSA has prepared the EIR under the supervision, direction and review of the City. The City of Wildomar is the Lead Agency for the preparation of the EIR, as defined by CEQA California Public Resource Code (CPRC) Section 21067 as amended. The Planning Commission and City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the project.

Finding: The EIR for the project reflects the City’s independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c) (3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this project, City staff incorporated the mitigation measures recommended in the EIR into the project Conditions of Approval as applicable to the project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council’s intent to adopt all mitigation measures recommended by the EIR. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In the event of any inconsistencies between the Mitigation Measures set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings, and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the project is presented in Section 4.0 of the DEIR and Sections 3.0 and 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 2.0 of the FEIR.

The EIR evaluated 17 major environmental categories for potential impacts including Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions and Climate Change, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Traffic and Circulation, and Utilities and Service Systems. Both project-specific and cumulative impacts were evaluated. Of these 17 major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V.B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Wildomar City Council hereby finds that the following potential environmental impacts of the project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. **Aesthetics**

a. **Scenic Vistas**

Potentially Significant Impact: Would the proposed project have a substantial adverse effect on a scenic vista?

Findings: Potential impacts of the project related to aesthetics are discussed in detail in Section 4.1 of the DEIR and the Response to Comments in the FEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to scenic vistas; therefore, no mitigation is required.

Facts in Support of the Findings: The proposed residential and commercial buildings would to some degree block the views of motorists from I-15 looking west toward the Santa Ana Mountains and motorists and pedestrians traveling along White Street looking toward the Sedco Hills. Blocked views would be limited to the lower portions of the Santa Ana Mountains and Sedco Hills. The views of the Santa Ana Mountains can still be seen to the northwest and southwest of the project site. The Sedco Hills can also be seen to the northeast and southeast of the site. Therefore, the project will not have a significant impact on scenic vistas and no mitigation is required (DEIR pgs. 4.1-18 and 4.1-19).

b. **Scenic Resources and Scenic Highways**

Potentially Significant Impact: Would the proposed project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway and/or local scenic road?

Findings: Potential impacts of the project related to aesthetics are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to scenic highways; therefore, no mitigation is required.

Facts in Support of the Findings: No State-designated scenic highways are near the project site. The portion of I-15 that intersects the State Route 91 and travels south through Riverside County is an Eligible Scenic Highway-Not Officially Designated. This section of I-15 is adjacent to the project site. The project is not required to provide a formal Visual Impact Assessment

(VIA) to Caltrans since it is not visible from any officially state-designated scenic highways. There are no designated local scenic roadways near the project site. Therefore, the proposed project will not affect scenic resources within a state scenic highway or a local scenic road, and no mitigation is required (DEIR pg. 4.1-19).

c. Existing Visual Character and Surroundings

Potentially Significant Impact: Would the proposed project substantially degrade the existing visual character or quality of the site and its surroundings?

Findings: Potential impacts of the project related to aesthetics are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to visual character; therefore, no mitigation is required.

Facts in Support of the Findings: Development of the proposed project would substantially and fundamentally change the existing character of the project site from undeveloped vacant space to residential and commercial. This area within the City of Wildomar is in the process of transitioning from a rural area to an urban/suburban area consistent with the vision of the City's General Plan which designates the areas surrounding the project as Medium Density Residential. The proposed residential and commercial uses are consistent with surrounding residential uses to the north and west and nearby commercial uses on the east side of I-15. For these reasons, the proposed project would be consistent with the General Plan land use vision for this area. The renderings provided by the applicant indicate that the proposed single-family homes, apartment buildings, and commercial buildings will be visually similar to other ranch/farmhouse style buildings constructed recently within the City. The project will also be required to comply with all City of Wildomar ordinances and regulations which will reduce impacts to the existing visual characteristics of the site to less than significant. No mitigation is required (DEIR pgs. 4.1-19 through 4.1-21).

d. Light and Glare

Potentially Significant Impact: Would the proposed project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Findings: Potential impacts of the project related to aesthetics are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to light and glare; therefore, no mitigation is required.

Facts in Support of the Findings: The site is currently undeveloped and does not generate light or glare. Existing sources of light and glare in the surrounding area include lights from nearby residential homes, streetlights along I-15, and lighting along the Baxter Road off-ramp. Development of the project site would introduce new sources of light and glare into the area in the form of street lighting, parking lots, and security lighting for the commercial and residential buildings, and nighttime traffic. The City's building permit review process will help ensure that development on the site complies with City design standards regulating light and glare for the planned residential and commercial uses. Adherence to the existing Wildomar Municipal Code will help control lighting impacts of the proposed project relative to adjacent residential properties and help reduce them to less than significant levels. Additionally, all development within the City is subject to Chapter 8.64 Light Pollution, of the Wildomar Municipal Code. Therefore, potential impacts on the observatory will be less than significant (DEIR pg. 4.1-21).

e. Cumulative Aesthetic Impacts

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cumulatively increase impacts to aesthetics?

Findings: Potential impacts of the project related to cumulative aesthetic impacts are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant cumulative aesthetic impacts and, therefore, no mitigation is required.

Facts in Support of the Findings: Cumulative development would further alter the viewsheds and visual character in the project area. Although the development of the proposed project would partially obstruct views of the Santa Ana Mountains and Sedco Hills from current vantage points near the project structures, vistas would not be completely obstructed from viewpoints afforded from the circulation network, openings between rows of buildings or trees, or at the end of vehicular rights-of-way.

Compliance with the City's General Plan standards and the City's Municipal Code standards would ensure that the proposed project in combination with other projects in the area would not result in significant impacts upon scenic vistas, scenic resources, and visual character. As a result, the project would create a less than significant cumulative impact on local scenic vistas, scenic resources, and visual character.

Ambient lighting levels will incrementally increase in the area as proposed, existing, and future development occurs and the valley area slowly transitions to a more urbanized area. The project site is located in an already semi-urbanized area and is adjacent to a major freeway and ramps that currently provide a substantial amount of light. The construction of the project would not significantly increase the cumulative lighting impact in the City of Wildomar. As with past and currently proposed development, cumulative lighting-related impacts would be reduced through the adherence to applicable City lighting standards. No cumulatively significant lighting impact would result from implementation of the proposed project (DEIR, pg. 4.1-22).

2. Agricultural Resources

a. Forest Land Zoning and Conversion of Forest Land

Potentially Significant Impact: Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Findings: Potential impacts of the project related to agricultural resources are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to loss or conversion of forest land; therefore, no mitigation is required.

Facts in Support of the Findings: There are no areas designated as forest land or timberland on or near the project site. The project site includes approximately 0.73 acre or 1 percent of woodland on site as described in the Baxter Village Biological Resources Assessment and MSHCP report. Although trees are located on the project site, the quantity and species of these

trees are not appropriate for consideration as forest land. No significant impacts would occur from the implementation of the project, and no mitigation is required (DEIR pg. 4.2-8).

b. Farmland Conversion

Potentially Significant Impact: Would the project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural land use?

Findings: Potential impacts of the project related to agricultural resources are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to farmland conversion; therefore, no mitigation is required.

Facts in Support of the Findings: According to the State Farmland Mapping and Monitoring Program, the entire site is classified as Farmland of Local Importance. However, the FMMP does not designate any of the site as Prime, Unique, or Farmland of Statewide Importance. Therefore, project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural land uses. No impact would occur and no mitigation is required (DEIR pg. 4.2-9).

c. Conversion of Farmland to Non-Agricultural Uses

Potential Significant Impact: Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use?

Findings: Potential impacts of the project related to agricultural resources are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to conversion of farmland to non-agricultural uses; therefore, no mitigation is required.

Facts in Support of the Findings: Historically, the project site has been used as an olive tree orchard and remnants of the olive orchard remain on the site. The project site is designated as Farmland of Local Importance because the site contains what would be Prime Soils if the site

was irrigated. There is no land within the City with an agricultural General Plan land use designation. The County's EIR for the 2003 General Plan noted that the total amount of land designated for agricultural uses represented a 32.5 percent decrease in the amount of agricultural land in the County, and concluded that the potential impacts of the conversion of farmland to non-agricultural uses from the adoption of the General Plan were significant and unavoidable. The County adopted a statement of overriding considerations for these impacts. Since the project site was not designated for agricultural use in the 2003 General Plan, the impacts stemming from the conversion of this site from agricultural uses to commercial and residential uses was evaluated in the 2003 General Plan EIR. No new impacts are associated with the changes to the land use designations and zoning that are proposed as a part of this project. Therefore, in the context of this DEIR, impacts on the conversion of farmland to non-agricultural uses are considered to be less than significant (DEIR pgs. 4.2-9 and 4.2-10).

d. Existing Zoning and Williamson Act Contract

Potentially Significant Impact: Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

Findings: Potential impacts of the project related to agricultural resources are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to existing agricultural zoning and Williamson Act contract land; therefore, no mitigation is required.

Facts in Support of the Findings: There is no land zoned for Williamson Act contracts either on the project site or on any adjacent properties. Because the project would not conflict with any Williamson Act contracts, the impacts related to this issue would be less than significant, and no mitigation is required (DEIR pg. 4.2-10).

e. Cumulative Agriculture and Forestry Impacts

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cumulatively increase impacts to agricultural and forestry resources.

Findings: Potential impacts of the project related to cumulative agricultural and forestry impacts are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant cumulative agricultural and forestry impacts and, therefore, no mitigation is required.

Facts in Support of the Findings: The DOC Office of Land Conservation publishes a Farmland Conversion Report every two years as part of its FMMP. These reports document by acreage land use conversion for each California County. The loss of 36 acres of Farmland of Local Importance, on a site that has little agricultural value without irrigation and is surrounded by development and a freeway, does not represent a considerable contribution to the cumulative loss of important agricultural soils in the County or State. In addition, the cumulative impacts associated with the conversion of this site to non-agricultural uses were considered as a part of the 2003 General Plan EIR when the project site was designated for non-agricultural uses, and there are no new impacts associated with this project.

There is no forest or timber land on or adjacent to the site. Implementation of the project would not result in any loss of forest resources. Therefore, the project could not contribute to cumulative impacts related to forest resources (DEIR, pg. 4.2-10).

3. Air Quality

a. Air Quality Management Plan Consistency

Potentially Significant Impact: Would the proposed project conflict with or obstruct implementation of the applicable air quality plan?

Findings: Potential impacts of the project related to air quality are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to air quality management plan consistency and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the proposed project would not violate National or California Ambient Air Quality Standards (CAAQS). As discussed later in Section V.B, project emissions would be reduced below applicable LSTs and so the project would be consistent with South Coast Air Quality Management District's (SCAQMD) Criterion No. 1. The

project does require a General Plan Amendment and zone change to modify land use designations/boundaries on the site. The proposed project is less intense than uses that could be built on the site under the current General Plan land use and zoning designations for the site. Since the development proposed on the site would be no more intensive than would be allowed under existing General Plan and zoning designations, the proposed project at buildout would not exceed the assumptions of the AQMP and would be consistent with SCAQMD's Criterion No. 2. Therefore, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan and no mitigation is required (DEIR, pgs. 4.3-21 through 4.3-22).

b. Health Risk Assessment

Potential Significant Impact: Would the proposed project expose sensitive receptors to substantial pollutant concentrations?

Findings: Potential impacts of the project related to air quality are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to health risks and, therefore, no mitigation is required.

Facts in Support of the Findings: The Health Risk Assessment (HRA) for the proposed project identified the potential risk of locating the proposed residential land uses adjacent to the I-15 freeway. Mitigation has been added to install air filtration units for the proposed housing. With the addition of the air filtration units, the HRA determined that the maximum exposed residential receptor for carcinogenic (cancer) exposures totaled 7.81 in one million for a 30-year exposure and 2.34 in one million for a 9-year exposure. The threshold level is 10 in one million for both the 30-year and 9-year exposures; therefore, the carcinogenic risks will not exceed any applicable thresholds for either scenario. The filtration units were incorporated into new Mitigation Measures 4.3.6.3B through 4.3.6.3D in response to comments on the Draft EIR.

The maximum exposed residential receptor SCAQMD significance thresholds are $2.5 \mu\text{g}/\text{m}^3$ and $1.0 \mu\text{g}/\text{m}^3$ for 24-hour and annual averaging times. The HRA determined that I-15 freeway produces PM_{10} concentrations at $1.09 \mu\text{g}/\text{m}^3$ and $0.59 \mu\text{g}/\text{m}^3$. Maximum 24-hour average concentration of $\text{PM}_{2.5}$ was determined to be $1.44 \mu\text{g}/\text{m}^3$, which is also below the $2.5 \mu\text{g}/\text{m}^3$ threshold. The proposed project does not generate significant quantities of other air pollutants

that can cause serious health impacts. Therefore, the project does not have a significant impact related to health risks (DEIR, pgs. 4.3-22 through 4.3-23). However, filtration units were incorporated into new Mitigation Measures 4.3.6.3B through 4.3.6.3D in response to comments on the Draft EIR.

c. Long-Term Microscale (CO Hotspot) Impacts

Potential Significant Impact: Would the proposed project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

For CO, the applicable thresholds are:

- California State one-hour CO standard of 20.0 ppm; and
- California State eight-hour CO standard of 9.0 ppm.

Findings: Potential impacts of the project related to air quality are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to long-term CO “hotspots” and, therefore, no mitigation is required.

Facts in Support of the Findings: The highest CO concentrations would normally occur during peak traffic hours; therefore, CO impacts calculated under peak traffic conditions represent a worst-case analysis. CO monitoring analyses have typically revealed that a project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour in order to generate a significant CO impact. The project is estimated to generate a net total of approximately 4,777 net trip-ends per day on a typical weekday. Given the existing extremely low level of CO concentrations in the project area, anticipated project-related traffic is not expected to result in the CO concentrations exceeding the State or federal CO standards; therefore, CO hotspot impacts would not occur. Localized air quality impacts related to mobile-source emissions would be less than significant and no mitigation is required (DEIR, pgs. 4.3-23 and 4.3-24).

d. Odors

Potential Significant Impact: Would the proposed project create objectionable odors affecting a substantial number of people?

Findings: Potential impacts of the project related to air quality are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to odors and, therefore, no mitigation is required.

Facts in Support of the Findings: Various diesel-powered vehicles and other equipment used during on-site construction would create odors. While construction activities, application of architectural coatings and installation of asphalt may temporarily generate odors, these odors are not likely to be noticeable beyond the project boundaries.

Long-term objectionable odors are not expected to occur during the occupancy of the proposed project since it is residential and commercial in nature. The City's solid waste design guidelines will require covered waste receptacles for the commercial center, including any restaurants, so food waste-related odors will be minimized. There are no fueling stations associated with the proposed project; therefore, evaporative emissions from fuel storage tanks would not be emitted from the site.

Solid waste generated by the proposed on-site uses would be collected by a contracted waste hauler, ensuring that any odors resulting from on-site operations would be adequately managed. Due to the distance from the trash enclosures to the nearest sensitive receptors and because solid waste from the project would be managed and collected in manner to prevent the proliferation of odors, no significant odor impact would occur and no mitigation is required (DEIR, pgs. 4.3-24 and 4.3-25).

e. Cumulative Impacts from Air Quality Emissions

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cumulatively increase the risk of impacts related to air quality emissions.

Findings: Potential impacts of the project related to cumulative air quality impacts are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant cumulative air quality impacts and, therefore, no mitigation is required.

Facts in Support of the Findings: The project area is designated as an extreme non-attainment area for ozone and a non-attainment area for PM₁₀ and PM_{2.5}. The South Coast Air Quality Management District (SCAQMD) has published a report on how to address cumulative impacts from air pollution. This reports states, "... the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR". ... Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.

After application of Best Available Control Measures (BACMs) and implementation of required mitigation measures, project construction-source air pollutant emissions will not exceed established thresholds. Project operational source emissions will not exceed applicable SCAQMD regional thresholds. As established thresholds are not exceeded, the per SCAQMD significance guidance, project air pollutant emissions levels are also considered cumulatively less than significant over the life of the project (DEIR, pg. 4.3-35).

4. Biological Resources

a. Adopted Policies and/or Ordinances

Potentially Significant Impact: Would the proposed project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Findings: Potential impacts of the project related to biological resources are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to adopted policies and/or ordinances related to biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: The City does not have a tree preservation ordinance or any other local ordinance that pertains to the protection of biological resources. Therefore, the project will have no impact related to adopted policies and/or ordinances and no mitigation is required. Regional policies (Western Riverside County Multiple Species Habitat Conservation Plan "MSHCP") are discussed in DEIR Section 4.4.6.5 (DEIR, pg. 4.4-12).

b. Cumulative Impacts to Biological Resources

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cumulatively increase the risk of impacts related to biological resources.

Findings: Potential impacts of the project related to cumulative biological resources are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant cumulative biological resource impacts and, therefore, no mitigation is required.

Facts in Support of the Findings: Focused biological resource studies have been conducted to assess potential impacts associated with development of the proposed uses. The project would not have potentially significant impacts related to local ordinances or regulations protecting biological resources. Although the project could have significant impacts to plant communities, sensitive wildlife species, habitat fragmentation, wildlife movement, jurisdictional waters, and habitat conservation plans, the compliance with the mitigation measures identified in DEIR Section 4.4 and payment of development impact fees would reduce impacts to less than significant levels.

All projects within the cumulative impact area would be required to comply with applicable provisions of the MSHCP. By complying with the provisions of the MSHCPs (e.g., the payment of fees, adherence to appropriate guidelines, and completion of additional required surveys), individual development projects participate in the conservation of critical biological resources in western Riverside County. With mitigation, the project-specific biological resource impacts have been effectively reduced to a less than significant level. Since all development within the MSHCP area would be required to implement similar measures, development in compliance with the MSHCPs furthers the stated regional conservation goals. Accordingly, cumulatively significant biological resource impacts would not occur (DEIR, pg. 4.4-23).

5. Cultural Resources

a. Human Remains

Potential Significant Impact: Would the proposed project disturb any human remains, including those interred outside of formal cemeteries?

Findings: Potential impacts of the project related to cultural and paleontological resources are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to human remains and, therefore, no mitigation is required.

Facts in Support of the Findings: While no evidence exists to suggest the project site has been utilized in the past for human burials, on-site construction could uncover previously unknown buried human remains. In the event of an accidental discovery or recognition of any suspected human remains, California State Health and Safety Code § 7050.5 dictates that no further excavation or disturbance of the site (or any nearby area reasonably suspected to overlie adjacent human remains) may occur until the Riverside County coroner determines that no investigation of the cause of death is required. If the 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. Adherence to the aforementioned provisions of existing State law is required of all development projects; therefore, potential impacts related to the discovery of buried human remains would be less than significant (DEIR, pg. 4.5-10). However, Mitigation Measure 4.5.6.1F was added in response to comments on the Draft EIR in this regard.

b. Historic Resources

Potential Significant Impact: Would the proposed project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 of the State CEQA Guidelines?

Findings: Potential impacts of the project related to cultural and paleontological resources are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council

finds that development of the project will not result in significant impacts to historic resources and, therefore, no mitigation is required.

Facts in Support of the Findings: The project site currently contains the Brown House and associated water tower which was originally located on the Brown Ranch at 22060 Grand Avenue in the City of Wildomar and moved to the project site in 2006. Various reports and assessments have been completed for the Brown Ranch and the Brown House. According to the most recent Cultural Resource Assessment Report, the Brown House and water tower lack historical context because they have been moved from their original location. Because the Brown House does not meet the eligibility criteria for state or federal historical listing, impacts to the structures would not be significant under CEQA (DEIR, pg. 4.5-14).

c. Cumulative Impacts to Cultural and Paleontological Resources

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cumulatively increase the risk of impacts related to cultural and paleontological resources.

Findings: Potential impacts of the project related to cumulative cultural and paleontological resources are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant cumulative cultural or paleontological resource impacts and, therefore, no mitigation is required.

Facts in Support of the Findings: Since the City of Wildomar contains archaeological, historical, and paleontological resources that have been found in the past, future development in the surrounding region may affect these resources as well. However, implementation of the mitigation measures outlined in the DEIR, and other CEQA documents for development projects in the area, will reduce potential impacts to cultural resources to less than significant levels. With implementation of the project-level mitigation for future development identified in DEIR Section 4.5.6, the proposed project will not have significant impacts related to cultural resources and will also not make any significant contributions to cumulatively considerable impacts relative to cultural resources. Therefore, no additional mitigation is required to reduce cumulative impacts on cultural and paleontological resources (DEIR, pg. 4.5-19).

6. Geology and Soils

a. Fault Rupture

Potential Significant Impact: Would the proposed project expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo (A-P) Earthquake Fault Zone Maps issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Findings: Potential impacts of the project related to geology and soils are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to fault rupture and, therefore, no mitigation is required.

Facts in Support of the Findings: The nearest fault that could cause substantial damage to the project is the Temecula branch of the Elsinore Fault approximately 2.6 miles west of the project site. The eastern portion of the site is located within a Riverside County Fault Hazard Zone. A fault rupture hazard investigation was completed by Geocon West to determine the absence or presence of faults within the county-designated fault hazard zone. The results of fault rupture hazard investigation concluded that active faults are not present on the project site.

The proposed site is not located within an Earthquake Fault Zone as defined by the State of California in the A-P Act or as defined by the City of Wildomar General Plan. Therefore, no significant impacts will occur in relation to fault ruptures and no mitigation is required (DEIR, pgs. 4.6-14 and 4.6-15).

b. Unstable Soils

Potential Significant Impact: Would the proposed project be located on expansive soil, creating substantial risks to life or property?

Findings: Potential impacts of the project related to geology and soils are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to unstable soils and, therefore, no mitigation is required.

Facts in Support of the Findings: Expansive soils generally have a substantial amount of clay particles, which can give up water (shrink) or absorb water (swell). The change in the volume exerts stress on buildings and other loads placed on these soils. Geocon West completed soil borings that determined that the soil is considered to have very low expansive potential and is classified as “non-expansive” based on the 2010 CBC Section 1803.5.3. Therefore, the project site is not considered to be located on expansive soils, will not have a significant impact and no mitigation is required (DEIR, pg. 4.6-15).

c. Seismic-Related Ground Failure

Potential Significant Impact: Would the proposed project expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic ground failure?

Findings: Potential impacts of the project related to geology and soils are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to seismic-related ground failure and, therefore, no mitigation is required.

Facts in Support of the Findings: According to the project geotechnical study, the gently sloping topography of the site would not be subject to landslides. The site is not near or in the path of any known or potential landslides. Geologic hazards associated with land sliding are not anticipated at the site.

The geotechnical study identifies the site as an area that is considered susceptible to subsidence. After remedial grading of the site, the on-site conditions that would make the site vulnerable to subsidence will no longer be present and the possibility of subsidence will be low. Due to the dense and well-consolidated nature of the soils on the project site, seismically-induced settlement is not anticipated. Therefore, a less than significant impact related to subsidence or settlement would occur and no mitigation is required.

The potential for liquefaction generally occurs during strong ground shaking within relatively cohesionless loose sediments where the groundwater is typically less than 50 feet below the surface. According to Geocon West, the project site is located in an area of moderate liquefaction potential based on underlying soil deposits. However, the Pauba Sandstone and

granitic bedrock found below the on-site soils are well-consolidated and not considered to be susceptible to liquefaction. Therefore, with remedial grading, the potential for liquefaction on site is very low. The project will have a less than significant impact due to seismic-related ground failure and no mitigation is required (DEIR, pgs. 4.6-15 and 4.6-16).

d. Soil Erosion or Loss of Topsoil

Potential Significant Impact: Would the proposed project result in substantial soil erosion or the loss of topsoil?

Findings: Potential impacts of the project related to geology and soils are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to soil erosion or loss of topsoil and, therefore, no mitigation is required.

Facts in Support of the Findings: Development of the site will require the excavation (cut) and placement (fill) of approximately 723,422 cubic yards (cy) and 142,652 cy of material, respectively. These activities have the potential to cause erosion both on site and off site. Prior to the issuance of grading permits, the project proponent will be required to prepare and submit detailed grading plans that conform with applicable standards of the City of Wildomar. The project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) prepared for the NPDES permit will identify the Best Management Practices (BMPs) required to address the erosion and discharge impacts associated with the proposed on-site grading.

A preliminary Water Quality Management Plan (WQMP) was prepared for the project site. The preliminary WQMP contains post-construction measures, which will help reduce potential impacts to soil erosion to less than significant levels and identifies measures to treat and/or limit the entry of contaminants into the storm drain system.

Soils at the project site generally have a low erosion potential. As the project would be required to adhere to the conditions detailed in the NPDES Permit, the project-specific SWPPP and a WQMP, soil-erosion impacts are considered to be less than significant. No mitigation is required (DEIR, pgs. 4.6-16 through 4.6-18).

e. Septic Tanks

Potential Significant Impact: Would the proposed project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Findings: Potential impacts of the project related to geology and soils are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to septic tanks and, therefore, no mitigation is required.

Facts in Support of the Findings: The project does not include the installation or use of septic systems. On-site wastewater flows will be collected in and conveyed to new or existing wastewater pipelines. In the absence of any on-site septic use, no impact will occur. No mitigation is required (DEIR, pg. 4.6-18).

f. Cumulative Impacts from Geology and Soils

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cumulatively increase the risk of impacts related to geology and soils.

Findings: Potential impacts of the project related to cumulative geology and soils impacts are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant cumulative geology and soils impacts and, therefore, no mitigation is required.

Facts in Support of the Findings: The presence of regional faults creates the potential for damage to structures or injury to persons during seismic events. However, City, County, and State regulations provide guidelines for development in areas with geologic constraints and ensure that the design of buildings is in accordance with applicable CBC standards and other applicable standards, which reduces potential property damage and human safety risks to less than significant levels. Anticipated development in the City and surrounding area in general will not have a cumulatively considerable impact on earth resources, nor will regional geotechnical constraints have a cumulatively considerable impact on the proposed project or cumulative

projects, as long as proper design and engineering are implemented based on available seismic and other geotechnical data. The proposed project represents only an incremental portion of this potential impact, so the project will not have cumulatively significant impacts in this regard. Because it is reasonable to conclude that all development within seismically active areas will be required to adhere to applicable State regulations, CBC standards, and the design and siting standards required by local agencies, a less than significant cumulative impact would occur with implementation of the proposed project (DEIR, pgs. 4.6-19 and 4.6-20).

7. Greenhouse Gas Emissions and Climate Change

a. Greenhouse Gas Plan, Policy, Regulation Consistency

Potential Significant Impact: Would the proposed project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Findings: Potential impacts of the project related to greenhouse gas plan, policy, and regulation consistency are discussed in detail in Section 4.7 of the DEIR and various Responses to Comments in the FEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related greenhouse gas plan, policy, and regulation consistency and, therefore, no mitigation is required.

Facts in Support of the Findings: The California Climate Action Team (CAT) and the California Air Resources Board (CARB) have developed several reports to achieve the Governor's Greenhouse Gas (GHG) targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. The reports identify strategies to reduce California's emissions to the levels proposed in Executive Order (EO) S-3-05 and Assembly Bill (AB) 32 that are applicable to the project. The project would be consistent with the goals of AB 32 by exceeding the 28.5 percent reduction below Business As Usual (BAU) standard. The project would comply with specific policies contained in the CARB Scoping Plan.

The project is also required to comply with SB 375, which requires local Metropolitan Planning Organizations (MPO) to prepare a Sustainable Communities Strategy (SCS) that demonstrates how the region will meet its GHG reduction targets through integrated land use, housing, and

transportation planning. The project generally supports the provisions of the SCS because it would locate residential development next to commercial uses, reducing vehicle usage. Based on the preceding analysis, the project is consistent with State, regional, and local policies regarding climate change. Therefore, it would not conflict with any plans or policies created for the purpose of reducing greenhouse gas emissions. Impacts are less than significant and no mitigation is required (DEIR, pgs. 4.7-34 through 4.7-36).

b. Cumulative Impacts from Greenhouse Gas Emissions and Climate Change

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cumulatively increase the risk of impacts related to greenhouse gas emissions and climate change.

Findings: Potential impacts of the project related to cumulative greenhouse gas emissions and climate change are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant cumulative greenhouse gas emissions and climate change impacts and, therefore, no mitigation is required.

Facts in Support of the Findings: The project's greenhouse gas emissions would not exceed any established thresholds, nor would it conflict with any plan established for the purpose of reducing greenhouse gas emissions. The analysis above demonstrates that the project would achieve a 33.58 percent GHG emissions reduction from the BAU scenario with implementation of design features and mitigation measures, thereby exceeding reductions mandated by AB 32. As a result, the project's contribution to Global Climate Change (GCC) is not considered cumulatively significant (DEIR, pg. 4.7-42).

8. Hazards and Hazardous Materials

a. Routine Transport, Use, or Disposal of Hazardous Materials and Reasonable Foreseeable Upset and Accident Conditions

Potential Significant Impact: Would the proposed project create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials? Would the

proposed project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident?

Findings: Potential impacts of the project related to hazards and hazardous materials into the environment are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to routine transport, use or disposal of hazardous materials and, therefore, no mitigation is required.

Facts in Support of the Findings: The project does not include any uses that would generate, store, transport or dispose of hazardous material. Equipment and vehicles utilized during construction would be similar to those found on typical construction sites such as graders, dozers, water trucks, and pickup trucks. Hazardous materials associated with equipment and vehicles would consist of fluids used to operate/drive equipment and vehicles. During the operation of the proposed project, hazardous materials such as petroleum products, pesticides, fertilizer, and household hazardous products such as paint products, solvents, and cleaning products may be stored, used, or sold on-site. Due to the nature of the proposed on-site uses, it is anticipated that hazardous material usage would be minor and incidental.

Table 4.8.A in the DEIR shows that the project would be consistent with General Plan policies regarding hazards and hazardous materials. All activity involving hazardous substances during the construction and operation of the proposed project would be conducted in accordance with applicable local, State, and federal safety standards. Therefore, impacts associated with the use, transport, storage, and disposal of hazardous materials during the construction and operation of the project would be less than significant. No mitigation is required (DEIR, pg. 4.8-7).

b. Located on a List Hazardous Material Sites

Potential Significant Impact: Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?

Findings: Potential impacts of the project related to hazards and hazardous materials are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council

finds that development of the project will not result in significant impacts due to the project's location on a hazardous material site and, therefore, no mitigation is required.

Facts in Support of the Findings: No reported hazardous materials or evidence of any past hazardous materials spills were identified in the Phase I Environmental Site Assessment (ESA) prepared for the proposed project. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Since no hazardous materials were identified during the Phase I ESA, the project site has never been developed, and the visual inspection of immediate adjacent land uses did not reveal evidence of storage tanks or the storage of hazardous materials, the presence of hazardous materials on-site is considered unlikely; therefore, impacts associated with this issue are considered less than significant. No mitigation is required (DEIR, pg. 4.8-8).

c. Within Two Miles of a Private Airport or Within an Airport Land Use Plan or within Two Miles of a Public Airport

Potential Significant Impact: For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the proposed project area? Would the project be located within an airport land use plan or where such a plan has not been adopted within two miles of a public airport or public use airport, resulting in a safety hazard for people residing or working in the project area?

Findings: Potential impacts of the project related to hazards and hazardous materials are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to proximity to airports and, therefore, no mitigation is required.

Facts in Support of the Findings: The project is not located within two miles of a public airport or within an airport land use plan. The nearest airport or airstrip is Skylark Airstrip, a private airstrip located approximately 1.9 miles northwest of the project. The project is located outside of any safety zones associated with the Skylark Airstrip. Because the site is outside the area of influence of any public or private airport, no impact related to this issue would occur. No mitigation is required (DEIR, pg. 4.8-8).

d. Existing or Proposed Schools

Potential Significant Impact: Would the proposed project emit hazardous emissions or handle acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Findings: Potential impacts of the project related to hazards and hazardous materials are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to existing or proposed schools and, therefore, no mitigation is required.

Facts in Support of the Findings: The nearest existing school is Cornerstone Christian School, which is located approximately 0.2 mile northeast of the project site and across the 15 freeway. California Lutheran High School is located approximately 0.4 mile southwest of the project site. Given the residential and commercial nature of the proposed project, the type of hazardous materials that would be used during project construction and operation would be limited to vehicle fuels and fluids, cleaning chemicals, and landscaping chemicals. Handling and disposal of all such materials are subject to applicable local, State, and Federal standards, ordinances, and regulations. As discussed in Section 4.3, Air Quality, the project would not emit significant hazardous emissions. Impacts would be less than significant and no mitigation is required. (DEIR, pg. 4.8-9).

e. Conflict with Emergency Response Plans

Potential Significant Impact: Would the project impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation?

Findings: Potential impacts of the project related to hazards and hazardous materials are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to emergency response plans and, therefore, no mitigation is required.

Facts in Support of the Findings: The developer of the project would be required to design, construct, and maintain structures, roadways, and facilities to maintain appropriate emergency/evacuation access. Construction activities that may temporarily restrict vehicular

traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. The City General Plan Circulation Element and Municipal Code (Section 16.08.020, General Street Design) require the design of roadways to allow adequate evacuation times. The City of Wildomar Local Hazard Mitigation Plan specifies actions for the coordination of operations, management, and resources during emergencies. Compliance with existing regulations for emergency access and evacuation will ensure that impacts related to this issue are less than significant and no mitigation is required (DEIR, pg. 4.8-9).

f. Wildland Fire Risks

Potential Significant Impact: Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Findings: Potential impacts of the project related to hazards and hazardous materials are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to wildland fires and, therefore, no mitigation is required.

Facts in Support of the Findings: The areas around the project site are prone to very high, high, and moderate fire risks. However, the project site is in an urbanized area that, according to the City of Wildomar General Plan, does not have any risk of wildfires. The project would be consistent with the General Plan Safety Element, as discussed in Table 4.8.C. In addition, I-15 acts as a fire break from the Sedco Hills, which have a high risk of wildfire. Therefore, the project will have a less than significant impact and no mitigation is required. (DEIR, pgs. 4.8-9 and 4.8-10).

g. Cumulative Impacts from Hazards and Hazardous Materials

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cumulatively increase the risk of hazardous materials and exposure to hazardous materials.

Findings: Potential impacts of the project related to cumulative hazardous materials impacts are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to cumulative hazardous materials and, therefore, no mitigation is required.

Facts in Support of the Findings: The project would not result in significant cumulative impacts associated with the routine transport, use, and disposal of hazardous materials; the emission or handling of hazardous substances. It is impossible to predict the occurrences of accidental spills and leaks and the likelihood of such events occurring in close proximity to each other at the same time is very small; therefore, such events cannot be considered cumulatively. The implementation of policies and adherence to standards mandated by the City, including the enforcement of existing local, State, and federal practices applicable to businesses that transport, sell, or use hazardous materials, would ensure that no cumulative impact would result from the construction and operation of the proposed project or other planned development within the City.

Moreover, the project would not result in any safety hazards related to nearby airports, airstrips, adopted emergency response plans, or wildland fire hazards. The project would not combine with other projects to result in a cumulatively considerable impact with respect to these potential hazards. Therefore, the project will not make a significant contribution to any cumulatively considerable impacts related to hazardous materials, hazardous waste, or the creation of any health hazards (DEIR, pg. 4.8-12).

9. Hydrology and Water Quality

a. Drainage Pattern and Capacity-Related Impacts

Potential Significant Impact: Would the proposed project substantially alter the existing local drainage patterns of the site and substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion, siltation, or flooding on site or off site?

Would the proposed project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Findings: Potential impacts of the project related to hydrology and water quality are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to drainage pattern and capacity and, therefore, no mitigation is required.

Facts in Support of the Findings: The project hydrology study identified the project site flow and volume rates prior to the construction of the project, after the construction of the project without any water quality control design measures, and the difference between pre- and post-project flows. The difference between the pre-project and post-project rates was used to design five sand filter basins and two subsurface basins. The increase in volume would be stored within the proposed sand filter basins and the subsurface systems. By providing this volume, the post-project flows will be reduced to less than pre-project levels. The basins would also provide some pollution prevention by trapping pollutants in the sand basins. To insure construction of these basins the City Public Works Department will inspect the final plans and construction to ensure filters are installed as indicated in the project plans. The project would implement Best Management Practices detailed in the WQMP and SWPPP. As a result, the project would not have a significant impact to existing drainage volumes or storm water retention capacity of the project site that could result in substantial erosion, siltation, flooding, or pollution off site. No mitigation is required (DEIR, pgs. 4.9-18 and 4.9-19).

b. Dam Inundation Impacts

Potential Significant Impact: Would the project expose people or structure to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

Findings: Potential impacts of the project related to hydrology and water quality are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to dam inundation and, therefore, no mitigation is required.

Facts in Support of the Findings: The project site and City of Wildomar are not identified as being located within the a mapped inundation area or within the vicinity of any levees; therefore, the proposed project would not result in the exposure of people or structures to risk of loss, injury, or death involving flooding as a result of failure of a nearby dam or other water retention

facility. Impacts related to this issue would be less than significant, and no mitigation is required (DEIR, pg. 4.9-19).

c. Seismic-Related Impacts

Potential Significant Impact: Would the project expose people or structure to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow?

Findings: Potential impacts of the project related to hydrology and water quality are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to seiche, tsunami or mudflow and, therefore, no mitigation is required.

Facts in Support of the Findings: The project area is not at risk of inundation by a tsunami due to its distance from the Pacific Ocean and the presence of Santa Ana Mountains between it and the ocean. No bodies of water or enclosed water storage features are located in the project area; therefore, there is no potential for flooding related to seiche events. The site is essentially flat with no steep slopes on site. However, the Sedco Hills are located approximately 1,200 feet from the project site, adjacent to and east of I-15. According to the City General Plan, however, the Sedco Hills have a low to moderate susceptibility to seismically induced landslides and rockfalls. In event of a landslide, the project site would not be impacted because of the separation distance from the Sedco Hills and intervening land barriers such as the I-15 freeway. There is a less than significant impact associated with landslides, rockfalls, or mudslides, and no mitigation is required (DEIR, pg. 4.9-20).

d. Groundwater

Potential Significant Impact: Would the proposed project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

Findings: Potential impacts of the project related to hydrology and water quality are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to groundwater and, therefore, no mitigation is required.

Facts in Support of the Findings: According to the Elsinore Valley Municipal Water District (EVMWD) 2010 UWMP the average daily per capita water use in the EVMD service area is 248 gallons per day. Therefore, the water demand of the project residential portion would be approximately 161,944 gallons per day. EVMWD's assessment of groundwater usage in its UWMP took into account planned growth in its service area. Although the project requires a General Plan Amendment and zone change, the proposed development is of similar or lesser intensity than land uses under the existing General Plan and zoning.

In 2005, the EVMWD adopted a Groundwater Management Plan for portions of the DWR-designated Elsinore Groundwater Basin (Basin No. 8-4), on which EVMWD relies for water supply. The state has designated the Elsinore Basin as high priority. EVMWD has been actively managing groundwater resources in most of the Elsinore Basin for decades." In addition, EVMWD has adopted a Water Shortage Contingency Plan (WSCP) in 2015 which addresses EVMWD's plan to compare projected water supplies and demands, as well as assesses the overall reliability of EVMWD's future supplies based on anticipated drought conditions.

For these reasons, any increase in groundwater use from the proposed project would have been accounted for in the UWMP and its various water conservations and drought response plans. As such, the project would not substantially deplete groundwater supplies. Impacts are less than significant.

The project would reduce infiltration of storm water on site through the addition of impervious cover. The project incorporates several design features, including 5.41 acres of open space and landscaped areas as well as BMPs identified in the WQMP, that increase infiltration of storm water. The project would therefore not significantly affect groundwater recharge or the availability of groundwater. Impacts are less than significant and no mitigation is required (DEIR, pgs. 4.9-21 and 4.9-22).

e. 100-Year Flooding-Related Impacts

Potential Significant Impact: Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Findings: Potential impacts of the project related to hydrology and water quality are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to flood hazard areas and, therefore, no mitigation is required.

Facts in Support of the Findings: The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identify areas subject to flooding during the 100-year storm. Based on the most current FIRM map for this area, the project site is not located in a 100-year floodplain. A 100-year floodplain is located southwest of the project site. Because the project site does not lie within an identified 100-year floodplain and is not constructing housing in a 100-year flood zone, impacts related to this issue are less than significant and no mitigation is required (DEIR, pg. 4.9-22).

f. Construction-Related Water Quality Impacts

Potential Significant Impact: Would the proposed project violate any water quality standards or waste discharge requirements during construction phases of the project in form of increased soil erosion, sedimentation, or storm water discharges?

Findings: Potential impacts of the project related to hydrology and water quality are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to construction water quality and, therefore, no mitigation is required.

Facts in Support of the Findings: The grading phases of any portion of the project will require temporary disturbance of surface soils and removal of vegetative cover, which could potentially result in erosion and sedimentation, major visible water quality impacts attributable to construction activities. Stockpiles and excavated areas would be susceptible to high rates of erosion from wind and rain and, if not managed properly, could result in increased sedimentation in local watercourses.

Short-term storm water pollutant discharges from within the project will be mitigated through compliance with the required NPDES permits, resulting in a less than significant impact. The NPDES permit program was established under Section 402 of the CWA, which prohibits the

unauthorized discharge of pollutants, including municipal, commercial, and industrial wastewater discharges, from point sources to U.S. waters.

The implementation of NPDES permits, including the General Construction permit, ensures that the Federal and State standards for clean water are met. Enforcement of required NPDES permit requirements will prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. A SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES General Construction permit. The SWPPP establishes a plan whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed specifically to prevent or control the discharge of the identified pollutants into storm water runoff.

The proposed project contains a variety of landscaped areas and sand filter basins that will provide water quality treatment of onsite runoff before discharge to the City storm drain system. While on-site grading and development activities will increase the potential for the erosion of soils, adherence to the BMPs mandated by NPDES and SWPPP will reduce impacts associated with short-term (construction) storm water discharges during project construction to a less than significant level. No mitigation is required (DEIR, pgs. 4.9-22 through 4.9-26).

g. Operational-Related Water Quality Impacts

Potential Significant Impact: Would the proposed project violate any water quality standards or waste discharge requirements during the operational phases of the project in the form of increased soil erosion, sedimentation, or urban runoff?

Findings: Potential impacts of the project related to hydrology and water quality are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts related to operational water quality and, therefore, no mitigation is required.

Facts in Support of the Findings: The pollutants associated with the operations of the proposed land uses include sediments, nutrients, toxic organic compounds, trash and debris, bacterial indicators, oil and grease, pesticides, and metals. The WQMP prepared for the project identifies BMPs to be implemented that will minimize the project's effects on site hydrology, urban runoff flow rates, and pollutant loads. This comprehensive water quality approach will be

implemented throughout the project and will establish a three-tier program for achieving water quality goals through the enforcement of site design, source control, and treatment control BMPs.

The proposed project's on-site drainage control structures and programs are sufficient to meet the applicable Federal, State, and local water quality requirements. Through the use of site design BMPs, source control BMPs and treatment control BMPs, the resulting pollutant loads coming from the project will be reduced, thereby reducing pollutants discharged from urban storm water runoff to surface water bodies. Compliance with the requirements of the NPDES permit and BMPs outlined in the WQMP will reduce impact to less than significant levels. No mitigation is required. (DEIR, pgs. 4.9-22 through 4.9-26).

h. Hydrology and Water Quality Cumulative Impacts

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would have significant cumulative impacts on hydrology and water quality.

Findings: Potential impacts of the project related to cumulative hydrology and water quality impacts are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant cumulative impacts to hydrology and water quality and, therefore, no mitigation is required.

Facts in Support of the Findings: All future development in the City and throughout the San Diego Regional Water Quality Control Board (RWQCB) will be required to comply with the applicable requirements of the NPDES permit program and water quality standards defined by local, regional, State and Federal agencies. Continued growth is anticipated to occur in the City and surrounding areas and all new development and significant redevelopment will be required to minimize its individual impacts to water quality and pollutant transport through implementation of BMPs. Therefore, since all new developments will be required to mitigate for impacts to water quality, a less than significant cumulative impact to water quality will occur.

Cumulatively, continued development within the Elsinore Valley will put additional pressure on water supplies from the local groundwater basins, including the Elsinore and Temescal Valley Basins. The EVMD's ability to import water would prevent significant groundwater depletion with

cumulative projects in its service area. The proposed project will make an incremental contribution to production of urban pollutants, but the site-specific water quality BMPs will help ensure that these contributions will not make a significant contribution to any cumulatively considerable regional water quality impacts.

The drainage system for the proposed project will be designed so that peak flows from post-development runoff are captured by landscape features and BMPs like infiltration basins, and treated prior to their discharge into storm drains and water bodies. Similar requirements will be placed on all other development in the vicinity of the project site by the City. Therefore, the project will not result in a local or regional cumulatively significant impact related to water quality or the capacity of drainage systems.

The construction impacts of Riverside County Flood Control Lateral C would be similar to those of other underground utilities and are addressed through mitigation contained in the EIR, or through implementation of existing City and District ordinances and policies identified in the EIR for construction impacts. Construction of Lateral C in this alignment would reduce the potential for flooding in the area consistent with the Riverside County Flood Control and Water Conservation District Master Drainage Plan for the Wildomar Area, Zone 7, and reduce the environmental impact associated with the proposed route through the existing natural drainage. The change in alignment of Lateral C would not affect the implementation of the Master Drainage Plan and will not make a considerable contribution to runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (DEIR, pgs. 4.9-29 through 4.9-31).

10. Land Use and Planning

a. Physically Divide an Established Community

Potential Significant Impact: Would the proposed project physically divide an established community?

Findings: Potential impacts of the project related to land use and planning are discussed in detail in Section 4.10 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts due to a physical divide of an established community and, therefore, no mitigation is required.

Facts in Support of the Findings: The adjacent properties west and north of the project site are residential. The adjacent property south of the project site is vacant and the east side of the project site is bordered by I-15 freeway with commercial services located on the east side of the freeway. Farther west, north, and south of the project site are residential neighborhoods. Because the majority of the surrounding area is residential, the existing residential communities will become more contiguous with the conversion of the project site from vacant open space to mostly residential uses and commercial uses. The project would not divide an established community and no significant impact would occur. No mitigation is required (DEIR, pg. 4.10-8).

**b. Conflict with Applicable Land Use Plans, Policies, or Regulations
(Local)**

Potential Significant Impact: Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Findings: Potential impacts of the project related to land use and planning are discussed in detail in Section 4.10 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts due to a conflict with any applicable land use plans, policies, or regulations and, therefore, no mitigation is required.

Facts in Support of the Findings: While the development of commercial uses would change the existing semi-rural character of the area, this pattern of development is generally consistent with recent and planned development along this portion of Baxter Road, which includes a mix of residential and commercial uses. Therefore, it is reasonable that uses proposed by the project would occur in this area of the City. The types of uses proposed by the project are similar to what could be proposed under the current General Plan Land Use and Zoning of the site.

The project is generally consistent with the goals, objectives, and policies of the City of Wildomar General Plan. The proposed General Plan Amendment and Zone Change would not significantly affect the goals and objectives of the General Plan because they would result in uses that are similar to those envisioned in the General Plan. The overall pattern of development planned for the area along Baxter Road would not change. Additionally, the proposed project is generally consistent with the goals of SCAG's Regional Comprehensive

Plan, Compass Plan and Regional Transportation, and the Basin Plan and Drainage Area Management Plan (DAMP). Therefore, a less than significant impacts in relation to land use plans, policies, or regulations would occur and no mitigation is required (DEIR, pgs. 4.10-9 through 4.10-25).

c. Conflict with Any Applicable Habitat or Natural Community Conservation Plan

Potential Significant Impact: Would the proposed project conflict with any applicable habitat conservation plans (HCP) or natural community conservation plan (NCCP)?

Findings: Potential impacts of the project related to land use and planning are discussed in detail in Section 4.10 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant impacts due to a conflict with any applicable habitat or natural community conservation plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The project site is within the MSHCP area and the fee area for the Stephens' kangaroo rat. The project site is not within a Criteria Cell, designated cell group, or a subunit. Conservation of site and is not required pursuant to the MSHCP. Due to its location, the project requires compliance with the following MSHCP policies: Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools (Section 6.1.2 of the MSHCP), and The Burrowing Owl Survey Area (Section 6.3.2 of the MSHCP).

Potential impacts related to riverine areas and burrowing owl are discussed in greater detail in Section 4.4 Biological Resources of the EIR. Mitigation measures have been identified in Section 4.4.5 to reduce potential MSHCP resource impacts to less than significant levels. No additional mitigation other than those identified in Section 4.4 of this EIR is required (DEIR, pg. 4.10-25).

d. Land Use and Planning Cumulative Impacts

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would have significant cumulative impacts on land use and planning.

Findings: Potential impacts of the project related to cumulative land use and planning impacts are discussed in detail in Section 4.10 of the DEIR. Based on the entire record before us, this Council finds that development of the project will not result in significant cumulative impacts to land use and planning and, therefore, no mitigation is required.

Facts in Support of the Findings: The project would not have significant project-related impacts related to dividing an existing community, conflicts with applicable land use plans, policies, or regulations with approval of the proposed General Plan Amendment (GPA) or zone change, or conflict with an approved habitat conservation plan. While the project would represent a shift in land use designation for the project site, this shift does not significantly contribute to a cumulative land use impact; therefore, no mitigation is warranted (DEIR, pg. 4.10-26).

11. Minerals

a. **Loss of Statewide, Regional, or Locally Important Mineral Resources**

Potential Significant Impacts: Would the proposed project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? Would the proposed project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plans?

Findings: Potential impacts of the project relating to loss of mineral resources are discussed in detail in Section 4.11 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related loss of mineral resources will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The project site and the property in the surrounding area are designated as Mineral Resource Zone (MRZ)-3a. Mineral resources in this category have undetermined value and are not considered locally important mineral resource recovery sites. Neither the City's General Plan nor the Zoning ordinance designate the site for mining or mineral extraction uses. While it is possible that the site could yield mineral resources, the physical characteristics of the site provide no indication of a unique or valuable mineral resource. No historic or current mining or mineral extraction is located within the proposed

project limits. Therefore, the development of the project site would not result in a loss of statewide, regional, or locally important mineral resources. No significant impact associated with this issue, would occur and no mitigation is required (DEIR, pg. 4.11-3).

b. Cumulative Mineral Resources Impacts

Potential Significant Impacts: Whether the project in connection with past, current, and probable future project would cause cumulative mineral resources impacts within the City of Wildomar.

Findings: Potential impacts of the project relating to loss of mineral resources are discussed in detail in Section 4.11 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related cumulative loss of mineral resources will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: As population levels increase in the region, greater demand will be placed on mineral resources, including sand, gravel and aggregate. Development in the City where these resources are known or expected to occur would result in the loss of availability of these mineral resources. Because the project site is not identified as a significant mineral resource site or the site of an existing mining/mineral extraction operation, development of the site as proposed would not cumulatively decrease the local or regional availability of mineral resources. No cumulatively significant impact would occur; therefore, no mitigation is required (DEIR, pg. 4.11-4).

12. Noise

a. Airport Noise Impacts

Potential Significant Impact: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, results in exposure of people residing or working in the project area to excessive noise levels.

For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

Findings: Potential impacts of the project relating to noise impacts are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no

significant impacts related to airport noise will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The nearest airport to the project site is Skylark Field airport in the City of Lake Elsinore, however, the site is not located within any airport influence planning area or noise contour established for this facility; therefore, the proposed project would not have the potential to expose people to excessive noise levels from airport operations. In the absence of any such exposure, no airport-related noise impact would occur. No mitigation is warranted (DEIR, pg. 4.12-22).

b. Groundborne Vibration and Noise Impacts

Potential Significant Impact: Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Findings: Potential impacts of the project related to noise are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundborne vibration and noise that will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: It is expected that groundborne vibration from project construction activities would cause only intermittent, localized intrusion. Construction activities that would occur within the project site are expected to include excavation and grading, which would have the potential to generate low levels of groundborne vibration. The greatest potential vibration impacts would be experienced by the sensitive receptors located at rural residences to the north and west of the site.

The maximum level of vibration that would be felt by the nearest sensitive receptor would be approximately 78 VdB. This is below the FTA human annoyance standard of 80 VdB. Construction vibration would be intermittent and short-term. As a result, the project site will not include or require equipment, facilities, or activities that would result in a perceptible human response (annoyance). Impacts are less than significant.

During operation of the project, delivery trucks accessing the commercial/retail portion of the site could generate vibration. However, these trucks will travel at very low speeds and are not

expected to generate a ground vibration level of greater than 65 VdB, which is approximately the threshold of human perception. Therefore, operation of the project will not create significant long-term vibration impacts. Impacts are less than significant (DEIR, pg. 4.12-23).

c. Cumulative Noise Impacts

Potential Significant Impact: Whether the project in connection with past, current, and probable future project would cause cumulative noise impacts within the City of Wildomar.

Findings: Potential impacts of the project related to cumulative noise are discussed in detail in Section 4.12 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to noise will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The net increase in project site noise levels generated by project construction activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance. Although it is not possible to predict if contiguous properties may be constructed at the same time, each project's adherence to applicable provisions of the City's Municipal Code regulating construction activities would render cumulative construction-related noise impacts less than significant.

On-site operational noises are individual occurrences and are not typically additive in nature. Noise sources would have to be adjacent to or in close proximity to one another in order for individual noise sources to intermingle. Similarly, noise receivers would also have to be adjacent to or in close proximity to the noise generators. It is reasonable to conclude the owner/operator/occupant of adjacent properties would adhere to applicable provisions of the City's Municipal Code related to operational and nuisance noise from their respective properties; therefore, the cumulative nature of operational noise from the project and other development would be less than significant. In the absence of a cumulatively significant noise impact, no mitigation is required (DEIR, pgs. 4.12-32 and 4.12-33).

13. Population and Housing

a. Population Growth

Potential Significant Impact: Would the proposed project induce substantial population growth in an area, either directly (e.g., new homes and businesses) or indirectly (e.g., extension of roads and infrastructure)?

Would the proposed project induce substantial population growth in an area, either directly (e.g., new homes and businesses) or indirectly (e.g., extension of roads and infrastructure)?

Findings: Potential impacts of the project related to population, housing, and employment are discussed in detail in Section 4.13 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to population that will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The proposed project will contribute both jobs and housing to the City. The housing portion of the project would add approximately 653 people to the City and the commercial/retail space would provide approximately 150 jobs. As a part of the City's 2014-2021 Housing Element Update, the project site was identified as satisfying a portion of the City's RHNA for low, very low and extremely low income households due to its Mixed Use Planning Area (MUPA) land use designation and the Mixed Use Overlay zoning on the project. The project proposes to change the land use designation and remove the Mixed Use Overlay from the project site; thus, the residences proposed as a part of the project will not count toward the City's RHNA obligations for low, very low and extremely low income households. However, the remainder of the Mixed Use Planning Area (MUPA) land in the City is able to accommodate the City's low, very low and extremely low income RHNA. In this way, the project is generally consistent with the Housing Element and General Plan, and the potential population increase as a result of the project is not considered significant in terms of CEQA. Therefore, the project will not induce a population increase above that which has been planned for by the City, or which would be expected to result in fiscal or economic impacts. Impacts related to this issue are less than significant and no mitigation is required (DEIR, pgs. 4.13-5 through 4.13-7).

b. Displace Substantial Housing/People

Potential Significant Impact: Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Findings: Potential impacts of the project related to population, housing, and employment are discussed in detail in Section 4.13 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to displacement of substantial number of housing or people that will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The project site is currently vacant and undeveloped although an unoccupied single-family house is currently being stored on the site (the “Brown House,” see DEIR Section 4.5.1.2, Historic Resources). Since the site is currently not used for any dwelling purposes, there is no potential for the project to displace people or housing. The project would, conversely, increase available housing with the development of 270 dwelling units. Therefore, no impacts relative to displacing people or housing would occur, and no mitigation is required (DEIR, pg. 4.13-7).

c. Consistent with General Plan Growth Policies

Potential Significant Impact: Would the proposed project be consistent with the policies and goals of the City’s General Plan relative to population and housing growth?

Findings: Potential impacts of the project related to consistency with General Plan growth policies are discussed in detail in Section 4.13 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with General Plan growth policies will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: DEIR Table 4.13.C analyzes the project’s consistency with Wildomar General Plan. Although the project will require a General Plan Amendment, it is generally consistent with the General Plan because the project provides both commercial and

residential land uses that contribute to the City's planned growth. Therefore, less than significant impacts would occur in relation to General Plan policies and no mitigation is required (DEIR, pgs. 4.13-7 and 4.13-8).

d. Cumulative Population and Housing Impacts

Potential Significant Impact: Whether the project in connection with past, current, and probable future project would cause cumulative population, housing, and employment impacts within the City of Wildomar.

Findings: Potential impacts of the project related to cumulative population, housing, and employment are discussed in detail in Section 4.13 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to population, housing, and employment will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative area for the discussion of population and housing impacts is the City of Wildomar. Approval of the project includes a General Plan Amendment that would change the land use from Mixed Use Planning Area (MUPA) to Very High Density Residential (VHDR) on 11.3 acres, Medium High Density Residential (MHDR) on 12.5 acres, and Commercial Retail (CR) on 12.2 acres. Approval of the project also includes a zone change that would change portions of the project site zoning from C P S (Scenic Highway Commercial) to R 3 (General Residential Zone) and R 4 (Planned Residential Zone). The zone change would also remove the Mixed Use Overlay (MU) designation from the entire site. While the project would generate approximately 150 jobs and 653 residents, this growth has been anticipated by the General Plan and therefore not considered substantial. While the project site will no longer be able to be counted toward the City's low, very low, and extremely low RHNA obligation, the remaining Mixed Use Planning Area (MUPA) properties in the City are able to absorb the units that the project site would have accommodated so that approval of the project will not negatively impact the City's ability to meet its RHNA obligations. Therefore, the project would not significantly contribute to a City or regional cumulative housing or population impact (DEIR, pg. 4.13-8).

14. Public Services and Facilities

a. Police Protection

Potential Significant Impact: Would the proposed project result in substantial adverse physical impacts associated with the provision of new or physically altered law enforcement facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services?

Findings: Potential impacts of the project related to public service and facilities are discussed in detail in Section 4.14 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to law enforcement facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The development and operation of the project would increase demand for police protection services. During occupation of the project, potential impacts would be an increased need for police protection services routinely associated with residential and commercial growth, including routine patrols, responding to calls for service such as graffiti or vandalism, robbery, domestic violence, etc. The City collects fees from developers to offset police-related service impacts associated with new development, per City Municipal Code Chapter 3.44. The project would be designed and operated per applicable standards required by the City for new development in regard to public safety. The project will be required to annex into CFD 2013-1 and the residential portion will be levied a public safety special tax to fund police and fire services. In addition, development fees would be used to fund capital costs associated with constructing new public safety structures and purchasing equipment for new public safety structures. Therefore, impacts related to law enforcement facilities are less than significant (DEIR, pgs. 4.14-4 and 4.14-5).

b. Fire Protection

Potential Significant Impact: Would the proposed project result in substantial adverse physical impacts associated with the provision of new or physically altered fire-fighting facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire services?

Findings: Potential impacts of the project related to public services and facilities are discussed in detail in Section 4.14 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to fire-fighting facilities or incompatible uses will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The construction and occupation of the proposed uses would incrementally increase the demand for fire protection, prevention, and emergency medical services in the City. The project's incremental increase in the amount of fire protection-requiring responses within the City would not cause the nearest fire station to have unacceptable response times. The project will be required to annex into CFD 2013-1 and the residential portion will be levied a public safety special tax to fund police and fire services. As with all new development within the City, the project would be required to pay Development Impact Fees (DIFs) to the City. Such fees would be used to fund capital costs associated with land acquisition, construction, purchasing equipment, and providing for additional staff. With these provisions, the proposed project will not require the construction of new firefighting facilities and will have a less than significant impact on fire services and no mitigation is required (DEIR, pg. 4.14-5).

c. Schools

Potential Significant Impact: Would the proposed project result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

Findings: Potential impacts of the project related to public services and facilities are discussed in detail in Section 4.14 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to school facilities or incompatible uses will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: As detailed in DEIR Table 4.14.C, the addition of 627 students would not cause project area schools to exceed capacity. Therefore, the construction of new or physically altered school facilities would not be required. In addition, the project would be required to pay development fees to the school district that would help fund school facilities

and programs. Per California Government Code, “The payment or satisfaction of a fee, charge, or other requirement levied or imposed ... are hereby deemed to be full and complete mitigation of the impacts ... on the provision of adequate school facilities.” The project will be required to pay these development fees in accordance with Government Code 65995 and Education Code 17620 (DEIR, pgs. 4.14-6 through 4.14-7).

d. Other Municipal Facilities

Potential Significant Impact: Would the proposed project result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

Findings: Potential impacts of the project related to public services and facilities are discussed in detail in Section 4.14 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to other public facilities or incompatible uses will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: It is reasonable to conclude the payment of required fees, property taxes, and other payments by the owners/occupants of the proposed development would sufficiently offset any incremental increase in demand or use of these facilities. Due to the minor increase in population, use, or demand, the construction of new or expansion of existing library, medical, or governmental facilities is not required. No significant impact to these facilities would occur; therefore, no mitigation is required (DEIR, pg. 4.14-8).

e. Cumulative Public Services and Facilities Impacts

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cause cumulative public services and facilities impacts within the City of Wildomar.

Findings: Potential impacts of the project related cumulative impacts to public services and facilities are discussed in detail in Section 4.14 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to public services and

facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: As additional development occurs in the City, there may be an overall increase in the demand for law enforcement and fire protection services, including personnel, equipment, and/or facilities. Increases in demand are routinely assessed by these agencies as part of the annual monitoring and budgeting process. All development within the service areas of the Riverside County Sheriff's and Fire Departments would be required to adhere to conditions established by these agencies and would be subject to applicable fees that will contribute to the maintenance of their facilities. The project would result in the development of uses that are typical of those currently present in the service area for the Riverside County Sheriff's and Fire Departments, and does not include any use or structure anticipated to disproportionately increase service demand beyond that which currently exists. In addition, the project will be required to annex into CFD 2013-1 and the residential portion will be levied a public safety special tax to fund police and fire services. With adherence to standard conditions and payment of required fees, no significant cumulative impact on law enforcement and fire services in the City would occur.

The cumulative area for school-related services is the Lake Elsinore Unified School District (LEUSD). The LEUSD requires the payment of development fees to provide for maintenance of existing and the expansion or construction of new facilities. All new development is required to provide school impact fees at the level identified by the LEUSD, it is anticipated that no cumulatively significant impact to school services would occur with implementation of the proposed project (DEIR, pgs. 4.14-8 and 4.14-9).

15. Recreation and Parks

a. Increased Use of Existing Recreational Facilities

Potential Significant Impact: Would the project result in increased use of existing neighborhood and regional parks or other recreational facilities where substantial physical deterioration would occur or be accelerated?

Findings: Potential impacts of the project related to recreational facilities are discussed in detail in Section 4.15 of the DEIR. Based on the entire record before us, this Council finds that no

significant impacts related to existing recreational facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The implementation of the proposed project would convert 36 acres of undeveloped land into residential and commercial/retail uses. A total of 5.41 acres of the project site would be maintained as open space. The proposed project would result in an increase in population within the City of approximately 653 people, which would result in an increased demand for parks and recreational facilities.

The project proponent would be required to pay the Quimby Act fee and the City's park DIF. Payment of these fees and taxes will result in project impacts associated with this issue being less than significant. No mitigation is required. As the project will pay the required Quimby Act fee and park DIF, no significant impact would occur. No mitigation is required (DEIR, pgs. 4.15-6 and 4.15-7).

b. New or Physically Altered Recreational and Park Facilities

Potential Significant Impact: Would the project result in construction or expansion of recreational facilities that would have an adverse physical effect on the environment?

Findings: Potential impacts of the project related to recreational facilities are discussed in detail in Section 4.15 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to new or physically altered recreational and park facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The construction of amenities associated with recreation facilities within the project area are included as part of the project site's development. As the environmental effects for the project site are included as part of the entire analysis of environmental effects in the EIR, the construction or expansion of such areas would not result in an adverse physical effect on the environment beyond those analyzed for the overall development of the project. Therefore, the project would not result in additional construction or expansion of recreational facilities not identified in this EIR. For these reasons, impacts associated with this issue are considered to be less than significant. No mitigation is required (DEIR, pg. 4.15-7).

c. Cumulative Recreation and Parks Impacts

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would cause cumulative recreation and parks impacts within the City of Wildomar.

Findings: Potential cumulative impacts of the project related to recreational facilities are discussed in detail in Section 4.15 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to recreational facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the proposed project in combination with cumulative projects in the City would increase use of existing parks and recreation facilities. However, as future residential development is proposed, the City will require developers to provide the appropriate amount of parkland or pay the in-lieu fees, which will contribute to future recreational facilities. Payment of these fees and/or implementation of facilities on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities. When considered with other projects in the City, the cumulative park impact of the proposed project is less than significant and no mitigation is required (DEIR, pg. 4.15-8).

16. Transportation and Traffic

a. Air Traffic Patterns

Potential Significant Impact: Would the proposed project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Findings: Potential impacts of the project related to transportation and traffic are discussed in detail in Section 4.16 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to air traffic patterns will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The nearest air facility to the project site is Skylark Field airport in the City of Lake Elsinore, located approximately located 1.9 miles northwest of the

site. The project does not include any use that would interfere with or alter air traffic volumes or otherwise affect air traffic patterns, nor does the project include any visual, electronic, or physical feature that would present a flight hazard to aircraft using Skylark Field or any other air facility. As such, no impacts associated with this issue would occur and no mitigation is required (DEIR, pg. 4.16-27).

b. Design Features or Incompatible Uses

Potential Significant Impact: Would the proposed project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Findings: Potential impacts of the project related to transportation and traffic are discussed in detail in Section 4.16 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to design features or incompatible uses will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The design of project's circulation system does not include any sharp curves or dangerous intersections. Roadway improvements in and around the project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control, site access requirements and internal circulation. As part of the City's standard plan check process, the final design of all roadways, intersections, and circulation within and adjacent to the project site would be reviewed by and subject to approval by City staff prior to issuance (as relevant) of any grading, construction, or occupancy permit. The review and approval by City staff sufficiently ensures the project will incorporate the necessary design features to ensure safe travel to, from, and within the project site. Adherence to applicable existing requirements of the City would reduce impacts associated with this issue to a less than significant level and no mitigation is required (DEIR, pg. 4.16-27).

c. Inadequate Emergency Access

Potential Significant Impact: Would the proposed project result in inadequate emergency access?

Findings: Potential impacts of the project related to transportation and traffic are discussed in detail in Section 4.16 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The project would be designed, constructed, and maintained to provide required emergency/evacuation access. As part of the development process, project plans will be submitted to law enforcement, fire protection, and/or other emergency service providers (as appropriate) for review. Adherence to applicable existing requirements of the City of Wildomar, emergency service providers, and other agencies would reduce impacts associated with this issue to a less than significant level and no further discussion is required.

The project is not expected to cause any significant impacts at study area intersections that may be used by emergency vehicles. With the installation of project improvements and full participation in the applicable fee programs, it is reasonable to conclude that the long-term emergency access features required for the project site and the City in general will be installed and appropriately maintained. Therefore, potential impacts are less than significant and no mitigation is required (DEIR, pg. 4.16-28).

d. Alternative Transportation

Potential Significant Impact: Would the proposed project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Findings: Potential impacts of the project related to transportation and traffic are discussed in detail in Section 4.16 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the and, therefore, no mitigation is required.

Facts in Support of the Findings: The project would provide alternative transportation design features that satisfy adopted policies supporting alternative transportation. Sidewalk improvements are planned along White Street, Baxter Road, and Central Avenue to facilitate pedestrian access. The project would also provide bicycle parking facilities. The City outlines

requirements for bicycle parking facilities in Municipal Code Section 17.188.060; requirements include having one bicycle parking space per 25 required employee parking spaces, and one bicycle parking space per 33 patron parking spaces. The project would therefore provide 13 bicycle parking spaces for visitors and 17 parking spaces for employees. For projects with over 201 parking spaces, the CALGreen Building Code requires that 8 percent of spaces be reserved for carpools, electric vehicles, and hybrid vehicles. The project would comply with the CALGreen Building Code by reserving 34 vehicle spaces for these transportation types. Project impacts related to non-vehicular traffic will be less than significant and no mitigation is required (DEIR, pg. 4.16-28 and 4.16-29).

17. Utilities and Service Systems

a. Construction or Expansion of Water Treatment Facilities

Potential Significant Impact: Would the proposed project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Would the proposed project require the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

Findings: Potential impacts of the project related to utilities and service systems are discussed in detail in Section 4.17 of the DEIR and various Responses to Comments in the FEIR. Based on the entire record before us, this Council finds that no significant impacts related to water supply and water treatment facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: Based on its UWMP, the EVMWD's total potable water production capacity is currently 66,500 acre-feet per year (AFY), while the average production is 43,800 AFY. Since the project would use approximately 206.94 AFY, this would only incrementally increase demand and not require the construction of new water treatment facilities or expansion of existing facilities, which could cause significant environmental effects. Per the EVMWD's development review process, the project applicant will be required to submit plans to for review and approval. No significant impacts associated with the delivery of water to the

project site are anticipated; therefore, no mitigation is warranted (DEIR, pgs. 4.17-14 and 4.17-15).

b. Storm Water Drainage Requirements

Potential Significant Impact: Would the proposed project result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Findings: Potential impacts of the project related to utilities and service systems are discussed in detail in Section 4.17 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to storm water drainage requirements will occur as a result of development of the project and no new wastewater treatment facilities or expansion of existing facilities would be required, therefore, no mitigation is required.

Facts in Support of the Findings: Development of the project would result in the construction of impervious surfaces, increasing the amount of runoff on the site. Off-site flows will be collected and conveyed through the project site. Untreated on-site flows will not co-mingle with off-site flows. While the installation of impervious surfaces will increase the volume of storm water drainage, the on-site storm drain system has been designed to accommodate the post-development storm water flows.

The project hydrology study demonstrated that increases in storm water runoff would be captured and treated by on-site drainage features. Additionally, the site's design will maintain the general pattern of existing flow. With development of the facilities and implementation of the practices detailed in the Final Water Quality Management Plan (WQMP) prepared for the project, no significant drainage or drainage capacity impact would result from the development of the project. The construction of the drainage features detailed in the Final WQMP and Section 4.9 are considered part of the proposed project and the environmental effect of the installation of these features is addressed in previous sections of the DEIR. Therefore, development of the project would not result in a significant impact relative to the extension or expansion of storm water drainage facilities. No mitigation is required (DEIR, pgs. 4.17-16).

c. Wastewater Treatment Requirements

Potential Significant Impact: Would the proposed project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Findings: Potential impacts of the project related to utilities and service systems are discussed in detail in Section 4.17 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to wastewater treatment requirements will occur as a result of development of the and, therefore, no mitigation is required.

Facts in Support of the Findings: It is anticipated that all wastewater generated by the proposed project would be routed to and treated by the Regional Water Reclamation Facility (WRF), which is considered to be a Publicly Owned Treatment Works (POTW), so operational discharge flows treated at the WRF would be required to comply with WDRs for that facility. Compliance with condition or permit requirements established by the City and WDRs at the WRF would ensure that discharges into the wastewater treatment facility system from the operation of the proposed project would not exceed applicable San Diego RWQCB wastewater treatment requirements. Expected wastewater flows from the proposed project will not exceed the capabilities of the serving treatment plant, therefore, no significant impact related to this issue would occur and no mitigation would be required (DEIR, pg. 4.17-16 and 4.17-17).

d. Wastewater Treatment Capacity and/or New and Expanded Wastewater Treatment Facilities

Potential Significant Impact: Would the proposed project result in a determination by the wastewater treatment provider, which serves or may serve the project, that it lacks adequate capacity to serve the project's projected demand in addition to the wastewater provider's existing commitments?

Would the proposed project require the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Findings: Potential impacts of the project related to utilities and service systems are discussed in detail in Section 4.17 of the DEIR. Based on the entire record before us, this Council finds

that no significant impacts related to wastewater treatment capacity and/or new and expanded wastewater treatment facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The project would generate approximately 65,300 gallons of wastewater per day (0.065 mgd). This increase is well within the current treatment capacity of the Regional WRF, which is 8.0 mgd. The increase in wastewater flow associated with the project represents 2.41 percent of the WRF's existing 2.7 mgd surplus capacity. Relative to the total surplus capacity, this increase is insignificant and would not require the construction of new or expansion of existing wastewater treatment facilities. Therefore, impacts to wastewater treatment capacity are less than significant and no mitigation is required.

No wastewater conveyance facilities that would serve the project currently operate near or over capacity. Per the EVMWD's development review process, the project applicant will be required to submit plans for review and approval. No significant impacts associated with wastewater conveyance facilities are anticipated; therefore, no mitigation is warranted (DEIR, pg. 4.17-17).

e. Solid Waste Facilities

Potential Significant Impact: Would the proposed project be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?

Findings: Potential impacts of the project related to utilities and services systems are discussed in detail in Section 4.17 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to solid waste facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: No structures are located on the project site; therefore, no demolition activities (or resulting demolition waste) would occur during development. Based on typical construction waste generation factors, site development would generate approximately 880.4 tons of solid waste during construction. Approximately 267.7 tons of solid waste per year would be generated from the residential portion of the project. The commercial/retail portion of the project would generate 129 tons of waste annually. Combined, the project would generate approximately 396.7 tons of solid waste annually (1.09 tons daily).

Solid waste would be hauled from the site by CR&R Inc. to the Perris transfer station, after which non-recyclable material would be sent to Lamb Canyon Landfill. Lamb Canyon has a permitted daily throughput of 3,000 tons, an average daily throughput of 1,827.6 tons, and a remaining capacity of 18.9 million cubic yards.

The daily surplus capacity of Lamb Canyon Landfill is 1,172.4 tons. Project-generated waste would make up 0.09 percent of daily surplus capacity at the landfill. As adequate daily surplus capacity exists at the receiving regional landfills, development of the proposed project would not significantly affect current operations or the expected lifetime of the landfills serving the project area. No significant solid waste disposal impact would occur and no mitigation is required (DEIR, pg. 4.17-18).

f. Solid Waste Reduction

Potential Significant Impact: Would the proposed project fail to comply with applicable federal, State, and local statutes and regulations related to solid waste?

Findings: Potential impacts of the project related to utilities and services systems are discussed in detail in Section 4.17 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to solid waste reduction will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City contracts with franchise solid waste haulers, who offer recycling services to meet the requirements of the City SRRE. The project would be required to coordinate with the waste hauler to enact a program for the collection of recyclable materials as established by applicable local, regional, and State programs. Recyclable materials that may be included in such a recycling program include paper products, glass, aluminum, and plastic.

Additionally, the proposed project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to regional landfills is reduced in accordance with existing regulations. Impacts are considered less than significant and require no mitigation (DEIR, pg. 4.17-18 and 4.17-19).

g. Cumulative Impacts to Water Supply and Storm Drain Facilities

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would result in cumulative impacts to water supply and storm drain facilities.

Findings: Potential impacts of the project related to cumulative water supply and storm drain facilities are discussed in detail in Section 4.17 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to water supply and storm drain facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: As development occurs, each project will be required to assess its separate and cumulative effect on water supply and water treatment/delivery systems. The existing and future land use patterns/designations and demographic projects for the EVMWD service area are taken into consideration during the development of local and regional water planning documents. As EVMWD and the MWD has established that current and future water supplies are sufficient to address normal, single dry year, and multiple dry year conditions, no cumulatively significant water supply or delivery impact would occur. No mitigation is warranted (DEIR, pgs. 4.17-19 and 4.17-20).

h. Cumulative Impacts to Wastewater Facilities

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would result in cumulative impacts to wastewater facilities.

Findings: Potential impacts of the project related to cumulative wastewater facilities are discussed in detail in Section 4.17 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to wastewater facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: Cumulative population increases and development within the service area would increase the overall regional demand for wastewater treatment service. On average, the Regional WRF is designed to treat 8.0 mgd of flow and has a peak capacity to

treat 16.0 mgd. The WRF is expected to have adequate capacity to service the Regional Collection System's needs through 2030.

The project would not have a cumulatively significant impact on wastewater infrastructure because it would not require the expansion of existing infrastructure; only connections to existing infrastructure would be required by the project. By adhering to the wastewater treatment requirements, wastewater from the project site that is processed through the Regional Collection System would meet established standards. As the wastewater from all development within EVMWD's service area would be similarly treated, no cumulatively significant wastewater treatment impact would occur (DEIR, pg. 4.17-20).

i. Cumulative Impacts to Solid Waste Services

Potential Significant Impact: Whether the project in connection with past, current, and probable future projects would have an incremental impact on solid waste services.

Findings: Potential impacts of the project related to cumulative solid waste services are discussed in detail in Section 4.17 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to solid waste facilities will occur as a result of development of the project and, therefore, no mitigation is required.

Facts in Support of the Findings: The project and other projects within the City would increase demand for solid waste services. Cumulative projects would result in increased generation of solid waste that would need to be processed at the Perris transfer station and Lamb Canyon Landfill. In addition to the Lamb Canyon Landfill, five additional regional landfills are available to supplement disposal capacity. With planned expansion activities of landfills in the project vicinity and projected growth rates contained in the City's General Plan EIR, sufficient landfill capacity exists to accommodate future disposal needs through 2030. Therefore, development according to the City General Plan would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant (DEIR, pg. 4.17-20).

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

(a)(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

(a)(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(a)(3) Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR.

Certain impacts to the environmental categories analyzed in the EIR, including air quality, biological resources, cultural resources, geology, greenhouse gas emissions, hazards, and noise were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the Mitigation Monitoring and Reporting Program (MMRP) adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. Air Quality

a. Short-Term Construction-Related Emissions

Potentially Significant Impact: The EIR evaluated and concluded that the project has the potential to result in significant construction related emissions.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts of the construction-related emission impacts to less than significant:

- 4.3.6.1A** *All rubber-tired dozers and scrapers used during grading operations shall be California Air Resources Board (CARB) Tier 3 certified or better. The project contractor will provide specific equipment information to the City Public Works Department which shall be verified by inspection during construction.*
- 4.3.6.1B** *Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that grading plans include a requirement for the posting of an on-site sign instructing construction workers to shut off engines at or before five minutes of idling.*
- 4.3.6.1C** *During grading operations, no more than 5 acres of land will be disturbed per day to help reduce particulate air pollution on surrounding residences. Violation of this restriction will be cause for work to be halted for a period of one day for each violation.*

Facts in Support of the Finding: Construction emissions for construction worker vehicles traveling to and from the project site, as well as vendor trips (construction materials delivered to the project site) were estimated based on CalEEMod defaults. Table 4.3.F in the DEIR, summarizes the construction-related emissions based on the previously stated activity and equipment assumptions. Under the assumed construction scenario, emissions will exceed the SCAQMD thresholds established for VOCs and NO_x. The exceedance of SCAQMD thresholds is a significant impact requiring mitigation. Best Available Control Measures (BACMs) refer to an approach to pollution control that is based on adopting the most effective methods of controlling emissions of pollutants from sources such as roadway dust, soot and ash from woodstoves, and open burning of timber, grasslands, or rubbish. Additionally, during construction activities, the proposed project would be subject to applicable rules established by the SCAQMD to reduce construction emissions. Upon incorporation of BACMs, adherence to standard SCAQMD regulations and implementation of **Mitigation Measures 4.3.6.1A through 4.3.6.1C**, construction emissions would be reduced to below established SCAQMD thresholds.

Short-Term Regional Construction Emissions (with mitigation and compliance with applicable SCAQMD rules)

Year	Total Regional Pollutant Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2014	6.4	94.9	66.7	0.2	10.0	5.4
2015	6.2	88.0	64.8	0.2	14.5	6.4
2016	5.7	41.1	48.1	0.1	6.8	3.4
2017	67.4	37.8	45.1	0.1	6.6	3.2
2018	66.8	2.9	5.2	0.0	1.0	0.4
Maximum Daily Emissions	67.4	94.9	66.7	0.2	14.5	6.4
SCAQMD Thresholds	75	100	550	150	150	55
Significant Emissions?	No	No	No	No	No	No

Source: Tables 4.3.G, *Baxter Village Mixed Used Development Draft EIR*, LSA Associates, Inc., December 2015.

CO = carbon monoxide
 lbs/day = pounds per day
 NO_x = nitrogen oxides
 VOC = volatile organic compounds

PM_{2.5} = particulate matter less than 2.5 microns in size
 PM₁₀ = particulate matter less than 10 microns in size
 SCAQMD = South Coast Air Quality Management District
 SO_x = sulfur oxides

Correspondingly, impacts would be reduced to a less than significant level (DEIR, pgs. 4.3-24 through 4.3-28, FEIR Section 3).

b. Construction-Related Localized Emissions

Potentially Significant Impact: The EIR evaluated and concluded that the project has the potential to result in significant construction related localized emissions.

Finding: Implementation of **Mitigation Measures 4.3.6.1A through 4.3.6.1C** will reduce the impact related to construction-related localized emissions to less than significant.

Facts in Support of the Finding: The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the Federal and/or State AAQS. As detailed in DEIR Table 4.3.H, localized emissions of PM₁₀ and PM_{2.5} at the nearest receptor would exceed the SCAQMD’s thresholds. The exceedance of SCAQMD thresholds is a significant impact requiring mitigation. Previously identified **Mitigation Measures 4.3.6.1A through 4.3.6.1C** address the incorporation of BACMs and applicable SCAQMD Rules to reduce the level of pollutants emitted during on-site construction activities.

Summary of Localized Construction Emissions (with Mitigation)

On-Site Grading Emissions	Emissions (pounds per day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Daily Emissions	80.72	51.58	12.69	7.19
Mitigated Daily Emissions	46.48	37.24	5.80	3.64
SCAQMD Localized Threshold	279.67	1,383.33	9.00	5.33
Threshold Exceeded?	NO	NO	NO	NO

Source: Tables 4.3.H-I, *Baxter Village Mixed Used Project Draft EIR*, LSA Associates, Inc., December 2015.

Specifically, adherence to provisions of Rule 403 will reduce PM₁₀ emissions from on-site activities that have the potential to generate fugitive dust. With implementation of the above mitigation measures impacts would be less than significant (DEIR, pgs. 4.3-28 through 4.3-30).

c. Long-Term Project Operational Emissions

Potentially Significant Impact: The EIR evaluated and concluded that the project has the potential to result in significant project operational related emissions.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts of the operation-related emission impacts to less than significant:

4.3.6.3A *Prior to the issuance of building permits, the Project Applicant shall submit energy demand calculations to the City (Planning and Building Departments) demonstrating that the increment of the project for which building permits are being requested would achieve a minimum 15 percent increase in energy efficiencies beyond current California Building Code Title 24 performance standards. Representative energy efficiency/energy conservation measures to be incorporated in the project would include, but would not be not limited to, those listed below (it being understood that the items listed below are not all required and merely present examples; the list is not all-inclusive and other features that would demonstrably reduce energy consumption and promote energy conservation would also be acceptable):*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*

- *Limit air leakage through the structure and/or within the heating and cooling distribution system;*
- *Use of energy-efficient space heating and cooling equipment;*
- *Installation of electrical hook-ups at loading dock areas;*
- *Installation of dual-paned or other energy efficient windows;*
- *Use of interior and exterior energy efficient lighting that exceeds then incumbent California Title 24 Energy Efficiency performance standards;*
- *Installation of automatic devices to turn off lights where they are not needed;*
- *Application of a paint and surface color palette that emphasizes light and off-white colors that reflect heat away from buildings;*
- *Design of buildings with “cool roofs” using products certified by the Cool Roof Rating Council, and/or exposed roof surfaces using light and off-white colors;*
- *Design of buildings to accommodate photo-voltaic solar electricity systems or the installation of photo-voltaic solar electricity systems; and*
- *Installation of ENERGY STAR-qualified energy-efficient appliances, heating and cooling systems, office equipment, and/or lighting products.*

4.3.6.3B *Prior to issuance of a building permit for each multi-family (apartment) building, the applicant shall demonstrate that the Heating, Ventilating, and Air Conditioning (HVAC) system in each unit is served by an air filtration system with an efficiency equal to or exceeding a Minimum Efficiency Reporting Value (MERV) 14 as defined by the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2 (2)1.*

4.3.6.3C *Prior to issuance of a building permit for each single family unit, the applicant shall demonstrate that the Heating, Ventilating, and Air Conditioning (HVAC)*

system in each unit has an air filtration system with an efficiency equal to or exceeding a Minimum Efficiency Reporting Value (MERV) 8 as defined by the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 52.2 (2)2.

4.3.6.3D *Prior to issuance of an occupancy permit for any residential unit, the applicant shall demonstrate that each unit has or is served by an appropriate air filtration system as outlined in Mitigation Measures 4.3.6.3B and 4.3.6.3C. In addition, the applicant shall demonstrate that it has paid for at least ten years of maintenance for such systems and provided each homeowner or apartment manager with information on filter system operation and maintenance.*

4.3.6.3E *Prior to issuance of the first certificate of occupancy, the Project Applicant shall coordinate with RTA and the City of Wildomar to provide its fair share contribution of a future bus stop improvement within walking distance (approximately a quarter mile or less) to the site.*

Facts in Support of the Finding: The proposed project would result in net increases in both stationary- and mobile-source emissions. The stationary-source emissions would come from sources such as consumer products, landscape equipment, general energy, and solid waste. Mobile-source emissions are based on the trip generation factors included in the provided in the traffic study prepared for the proposed project. DEIR Tables 4.3.J and 4.3.K show that the increase of NO_x as a result of the proposed project without mitigation would exceed the SCAQMD daily emission thresholds for criteria pollutants. Therefore, project-related long-term air quality impacts would be significant and require mitigation. Upon adherence to standard SCAQMD regulations and implementation of **Mitigation Measures 4.3.6.3A through 4.3.6.3E** operational emissions would be reduced to below established SCAQMD thresholds.

Regional Operational Emissions Summer (with mitigation and with compliance with applicable SCAQMD rules)

Source	Pollutant Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Proposed Residences						
Area Sources	17.5	0.3	22.6	<0.1	0.5	0.5
Energy Sources	0.1	1.1	0.5	<0.1	0.1	0.1
Mobile Sources	19.1	50.6	174.0	0.5	32.8	9.7
Maximum Daily Emissions	36.7	52.0	197.1	0.5	33.4	10.3
SCAQMD Thresholds	55.0	55.0	550.0	150.0	150.0	55.0
Significant?	No	No	No	No	No	No

Source: Tables 4.3.N, *Baxter Village Mixed Used Project Draft EIR*, LSA Associates, Inc., December 2015.

Regional Operational Emissions Winter (with mitigation and with compliance with applicable SCAQMD rules)

Source	Pollutant Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Proposed Residences						
Area Sources	17.5	0.3	22.6	<0.1	0.5	0.5
Energy Sources	0.1	1.1	0.5	<0.1	0.1	0.1
Mobile Sources	19.1	50.6	174.0	0.5	32.3	9.1
Total Project Emissions	36.7	52.0	197.1	0.5	32.9	9.7
SCAQMD Thresholds	55.0	55.0	550.0	150.0	150.0	55.0
Significant?	No	No	No	No	No	No

Source: Tables 4.3.M, *Baxter Village Mixed Used Project Draft EIR*, LSA Associates, Inc., December 2015.

Correspondingly, impacts would be reduced to a less than significant level (DEIR, pgs. 4.3-30 through 4.3-34, FEIR Section 3).

2. Biological Resources

a. Candidate, Non-listed Sensitive, or Special-Status Animal Species

Potential Significant Impact: The EIR evaluated and concluded that the project has the potential to have a significant impact on special-status wildlife species.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to special-status wildlife species to less than significant:

4.4.6.1A *Within 30 days prior to ground disturbance, a pre-construction survey for burrowing owl shall be conducted to avoid potential direct take of burrowing owls that may occupy the site in the future.*

In the event no burrowing owls are observed within the limits of ground disturbance, no further mitigation is required.

If burrowing owls are identified during the survey periods, the City or project applicant will develop a burrowing owl relocation and conservation strategy that is acceptable to the California Department of Fish and Wildlife, the Western Riverside County Regional Conservation Authority (RCA), 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 relocation plan will include the following elements:

- 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.*
- 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.*

Facts in Support of the Finding: The project would result in the removal of one special status plant species, the paniculate tarplant (*Deinandra paniculata*). According to documentation by Calflora and CNPS, the paniculate tarplant is widely distributed throughout Riverside County (PCR, 2013). This species is not covered or considered for coverage under the MSHCP. Therefore, the paniculate tarplant is not considered sensitive and no significant impact to special-status plants would occur.

According to the Biological Resource Assessment, 13 special-status species were determined to have potential to occur on or near the project site. Focused surveys determined that burrowing owl is not present on the project site. Of the remaining 12 species, 7 species are considered Covered Species under the MSHCP and do not require surveys with payment of the MSHCP development fee. Other State Species of Special Concern that have potential to occur on site include Jacumba pocket mouse, San Diego dessert woodrat, western mastiff bat, and pallid bat. Jacumba pocket mouse and San Diego desert woodrat have low potential of occurring on site based on the limited, scattered, and disturbed habitat on the project site. Western mastiff bat and pallid bat have a low potential of occurrence because foraging and the foraging habitat on site is considered to be very limited for these species.

The last species that has potential to occur on site is the least Bell's vireo, which is a Covered Species under the MSHCP and requires additional surveys. It was determined that the existing southern willow scrub/eucalyptus woodland community on site would only serve as a migratory stopover habitat for least Bell's vireo. The southern willow scrub/eucalyptus woodland was considered to not be suitable habitat due to the declining structure of the understory and the limited size of the habitat, which was considered to be too small for a breeding habitat.

Although all special-status species were determined to have low potential for occurring on site, impacts to candidate, non-listed, or special status species are still potentially significant due to the presence of potentially suitable habitat for burrowing owl. The potential on-site presence of burrowing owls is a potentially significant impact requiring **Mitigation Measures 4.4.6.1A** (DEIR, pgs. 4.4-12 through 4.4-14, FEIR Section 3). The mitigation recommended by the

USFWS and CDFW (agencies) mandates a preconstruction burrowing owl survey and, in the event the species is identified on-site, the development of burrowing owl conservation and relocation strategy identifying specific parameters and the retention of qualified biologist to prepare the relocation plan. Any such plan would be developed in consultation with the CDFW, the Western Riverside County Regional Conservation Authority (RCA), and the United States Fish and Wildlife Service (USFWS). The conducting of the pre-construction survey, and adherence to the provisions of the burrowing owl conservation and relocation strategies (as applicable), would ensure impacts to the species remain less than significant.

b. Riparian Habitat or Other Sensitive Natural Communities

Potential Significant Impact: The EIR evaluated and concluded that the project has the potential to affect riparian habitat or other sensitive natural communities.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to riparian habitat or other sensitive natural communities to less than significant:

4.4.6.2A *Prior to ground disturbance or issuance of a grading permit, impacts to 0.36 acre of southern willow scrub/eucalyptus woodland (including 0.33 acre on site and 0.03 acre off site) and 0.10 acre of southern riparian scrub (off site) shall be compensated for by the developer providing no less than a 1:1 ratio of off-site land within the Santa Margarita Watershed or an adjacent watershed to be acquired for the purpose of in-perpetuity preservation, or through the purchase of mitigation credits at an established off-site mitigation bank or in-lieu fee program. Purchase of mitigation credits shall occur prior to any impacts to the southern willow scrub/eucalyptus woodland or southern riparian scrub habitats.*

Mitigation proposed on land acquired for the purpose of in-perpetuity mitigation that is not part of an agency-approved mitigation bank or in-lieu fee program shall include the preservation, creation, restoration, and/or enhancement of similar habitat within the Santa Margarita Watershed or an adjacent watershed pursuant to a Habitat Mitigation and Monitoring Plan (HMMP). The HMMP shall be prepared prior to any impacts to the southern willow scrub/eucalyptus woodland and southern riparian scrub habitats, and shall provide details as to the

implementation of the mitigation, maintenance, and future monitoring. The goal of the mitigation shall be to preserve, create, restore, and/or enhance similar habitat with equal or greater function and value than the affected habitat.

4.4.6.3A *Prior to the issuance of any grading permit for permanent impacts in either on-site or off-site jurisdictional features, the project applicant shall obtain a Clean Water Act Section 404 permit and an Approved Jurisdictional Determination from the USACE, a Clean Water Act Section 404 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:*

- 1. Off-site replacement and/or restoration of USACE/RWQCB jurisdictional “waters of the U.S.” or “waters of the State” within the Santa Margarita Watershed at a ratio of no less than 1:1 or within an adjacent watershed at a ratio of 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 or within an agency-accepted off-site permittee-responsible mitigation area.*
- 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 or within an agency-accepted off-site permittee-responsible mitigation area.*

3. *Approval of a project-specific Determination of a Biologically Equivalent or Superior Preservation (DBESP) report by the resource agencies as appropriate and consistent with established MSHCP procedures.*

Facts in Support of the Findings: The project site contains two sensitive natural communities (southern willow scrub/eucalyptus woodland and southern riparian scrub). Although these two communities are not in optimal condition, they are still considered sensitive plant communities by the CNDDDB. The proposed project would remove both of these communities during construction. Therefore, the project would have a significant impact in relation to sensitive natural communities and **Mitigation Measures 4.4.6.2A and 4.4.6.3A** are required (DEIR, pgs. 4.4-14 through 4.4-20). This measure requires compensation for the removal and impact to 0.36 acre of southern willow scrub/eucalyptus woodland in the form of a 1:1 ratio of off-site land within the Santa Margarita Watershed or an adjacent watershed to be acquired for the purpose of in-perpetuity preservation, or through the purchase of mitigation credits at an established off-site mitigation bank or in-lieu fee program. It is reasonable to conclude, with implementation of the stated measure, the project would preserve, create, restore, and/or enhance similar habitat with equal or greater function and value than the affected habitat.

c. Jurisdictional Water/Wetlands

Potential Significant Impact: The EIR evaluated and concluded that the project has the potential to affect jurisdictional drainages.

Findings: Implementation of the following mitigation measures will reduce the potential adverse impacts to riparian habitat or other sensitive natural communities to less than significant:

4.4.6.3A *Prior to the issuance of any grading permit for permanent impacts in either on-site or off-site jurisdictional features, the project applicant shall obtain a Clean Water Act Section 404 permit and an Approved Jurisdictional Determination from the USACE, a Clean Water Act Section 404 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:*

1. *Off-site replacement and/or restoration of USACE/RWQCB jurisdictional “waters of the U.S.” or “waters of the State” within the Santa Margarita Watershed at a ratio of no less than 1:1 or within an adjacent watershed at a ratio of 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 or within an agency-accepted off-site permittee-responsible mitigation area.*
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 or within an agency-accepted off-site permittee-responsible mitigation area.*
3. *Approval of a project-specific Determination of a Biologically Equivalent or Superior Preservation (DBESP) report by the resource agencies as appropriate and consistent with established MSHCP procedures.*

Facts in Support of the Findings: The proposed project site does support non-wetland, ephemeral drainages that may be regulated by the CWA. The Determination of Biologically Equivalent or Superior Preservation (DBESP) determined that Drainage A is not associated with any historic drainage feature and was solely formed by human-controlled discharge. Drainage A is not considered a USACE jurisdictional “waters of the U.S.” but is considered “waters of the State” based on CDFW and the RWQCB criteria. Off-site Drainage B is an unvegetated ephemeral drainage feature that does not provide biological functions and values due to the absence of riparian/riverine associated vegetation. The MSHCP riverine area associated with Drainage B is equivalent to CDFW jurisdiction totaling 0.02 acre. This includes 0.01 acres of USACE jurisdiction. Drainage C initiates from a small pipe culvert located beneath the off-ramp

structure and drains into a pipe culvert beneath Baxter Road. Drainage C is not suitable habitat for the amphibians, birds, fish, invertebrate-crustacean, and plant species afforded protection under the MSHCP. The DBESP determined that the proposed project would have a total direct impact to approximately 0.13 acre of riparian/riverine areas (Drainage Areas B and C). In addition, the project may cause indirect impact to the following hydrologic functions: flood storage, flood flow modification, nutrient retention and transformation, sediment trapping and transport, toxic trapping, public use, and wildlife habitat. The project DBESP concluded that the loss of riparian/riverine areas could be mitigated through off-site replacement, as described in **Mitigation Measure 4.4.6.3A** (DEIR, pgs. 4.4-16 through 4.4-20). 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.

d. Habitat Fragmentation/Wildlife Movement

Potential Significant Impact: The EIR evaluated and concluded that the project has the potential to have significant impacts nesting bird species.

Findings: Implementation of the following mitigation measures will reduce the potential adverse impacts to nesting birds to less than significant:

4.4.6.4A *Pursuant to the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC), site preparation activities (removal of trees and vegetation) shall be avoided during the nesting season of potentially occurring native and migratory bird species (generally February 1 to September 15). If site preparation activities must occur during the nesting season, a pre-activity field survey shall be conducted by a qualified biologist prior to issuance of grading permits for such development. The survey shall determine if active nests of species protected by the MBTA or CFGC are present in the construction zone. If active nests of these species are found, the developer shall establish an appropriate buffer zone with no grading or heavy equipment activity within of 500 feet from an active listed species or raptor nest, 300 feet from other sensitive or protected bird nests (non-*

listed), or 100 feet for sensitive or protected songbird nests. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, Mitigation Measure 4.4.6.4B shall also apply.

4.4.6.4B *If it is determined that project-related grading or construction will affect nesting special status avian species, no grading or heavy equipment activity shall take place within the limits established in Mitigation Measure 4.4.6.4A until it has been determined by a qualified biologist that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow.*

Facts in Support of the Findings: The project site is adjacent to I-15 to the east and nearby rural and suburban residential development to the north and west. Vacant land is located south of the project site; however, suburban residential developed areas are located beyond this open area. Due to the developed nature of the surrounding areas, regional movement of wildlife is restricted around the project site. The project site would offer limited opportunities for regional wildlife movement and could provide opportunities for “local” or smaller scale movement. These local species are expected to persist in the vicinity of the project following construction due their existing adaptation to urban areas. In addition, the project site is not identified as being in any core or linkage areas as identified by the MSHCP or South Coast Missing Linkages document. This means that the MSHCP and South Coast Wildlands have not identified the site as supporting habitat that connects two or more habitat patches that would otherwise be fragmented or isolated from one another with the development of the project. For these reasons, the project would not significantly impact a native or migratory wildlife corridor or cause habitat fragmentation. The project site and surrounding area contain suitable nesting habitat for several tree-, shrub-, and ground-nesting avian species. Since there is the potential to have a significant impact on nesting birds **Mitigation Measure 4.4.6.4A** is required. (DEIR, pgs. 4.4-20 through 4.4-22). This measure requires a pre-construction nesting bird survey and identifies the establishment of avoidance/exclusion zone(s) in any area where active nesting is discovered. This measure also requires the maintenance of any such avoidance/exclusion zone(s) until nesting activity has been completed; therefore, it is reasonable to conclude impacts to on-site nesting activity would be reduced to a less than significant level through the implementation of this measure.

e. Adopted Habitat Conservation Plans

Potential Significant Impact: The EIR evaluated and concluded that the project has the potential to have a significant impact on adopted habitat conservation plans such as the MSHCP.

Finding: Implementation of **Mitigation Measure 4.4.6.1A** will reduce the impact related to adopted habitat conservation plans to less than significant.

Facts in Support of the Finding: As described in DEIR Section 4.4.6.3, the project site contains an on-site drainage feature (Drainage A) and two off-site drainage features (Drainage B and C). Drainage A is not a riparian/riverine area but is considered to be regulated by the RWQCB and CDFW as “waters of the State.” In addition, Drainage B meets the definition of riverine area and Drainage C is meets the definition of riparian area. After further investigation of the site, Drainage B does not provide biological functions and values of riparian/riverine areas due to the absence of riparian/riverine vegetation. Drainage C does not to provide suitable habitat for amphibians, birds, fish, invertebrate-crustacean, and plant species provided protection under the MSHCP. Although the site does not currently support burrowing owls, there is potential for them to exist on the project site in the future. Burrowing owls are a covered species by the MSHCP and compliance with **Mitigation Measure 4.4.6.1A** is therefore required. (DEIR, pg. 4.4-22). Compliance with the Riparian/Riverine and Burrowing Owl sections for the MSHCP and the payment of the MSHCP development fee and implementation of the recommended mitigation measures will reduce impacts to adopted habitat conservation plans to less than significant levels.

3. Cultural Resources

a. Archaeological Resources

Potential Significant Impact: The EIR evaluated and concluded that the project has the potential to affect undetected subsurface archaeological resources.

Finding: Implementation of the following mitigation measures will reduce the impact to archaeological resources to less than significant:

4.5.6.1A *At least 30 days prior to seeking a grading permit, the Project Applicant shall contact the Pechanga Tribe to notify the Tribe of grading, excavation and the monitoring*

program, and to coordinate with the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

4.5.6.1B *Prior to the issuance of a grading permit, the Project Applicant shall retain a Riverside County qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.*

4.5.6.1C *Prior to issuance of any grading permit, the Project Archaeologist shall file a pre-grading report with the City to document the proposed methodology for grading activity observation which will be determined in consultation with the Pechanga Tribe. Said methodology shall include the requirement for a qualified archaeological monitor and a Pechanga Tribal monitor to be present and to have the authority to temporarily stop and redirect grading activities in order to evaluate the significance of any archaeological and cultural resources discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation and groundbreaking activities.*

4.5.6.1D *If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the Developer, the project archaeologist and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The City Planning Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious*

beliefs, customs, and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the Wildomar City Council.

4.5.6.1E *All cultural materials, that are collected during the grading monitoring program and, if applicable, from any previous archaeological studies or excavations on the project site, with the exception of sacred items, burial goods and human remains which will be addressed in the Treatment Agreement required in Mitigation Measure 4.5.6.1A shall be tribally curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to the Pechanga Tribe's curation facility which meets the standards set forth in 36 CRF Part 79 for federal repositories. All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.*

4.5.6.1F *If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in Mitigation Measure 4.5.6.1A.*

Facts in Support of the Finding: While no archaeological resources have been identified or previously recorded within the project site, 8 archaeological sites have been identified within one mile of the proposed development. Of the eight cultural resources, two are isolated prehistoric artifacts, four are prehistoric archaeological sites, one is a site with prehistoric and historic components, and one is a historic archaeological site.

A Sacred Land File search did not reveal any Native American cultural resources within the project site. No archaeological sites were discovered on the project site during field surveys. It is possible, however, that cultural artifacts may be uncovered during grading for the project. This is a potentially significant impact and requires implementation of **Mitigation Measures 4.5.6.1A through 4.5.6.1F** (DEIR, pgs. 4.5-16 through 4.5-18). Working with affected Tribal governments and the City, the applicant will be required to prepare a Cultural Resources Treatment and Monitoring Agreement prior to any on-site ground disturbance. This agreement will address 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. The mitigation measures further identify the 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, as well as the appropriate evaluation, reporting, preservation, recovery, and/or curation of any such resources. The mitigation measures provide a sufficient mechanism to address the Tribes' concerns, ensuring the appropriate protection of any on-site cultural resource and the reduction of impacts to a less than significant level.

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the project could have the potential to affect known or previously undetected subsurface paleontological resources.

Finding: Implementation of the following mitigation measures will reduce the impact to paleontological resources to less than significant:

4.5.6.2A *If paleontological resources (fossils) are discovered during project grading, work will be halted in that area until a qualified paleontologist can be retained to assess the significance of the find. The project paleontologist shall monitor remaining earthmoving activities at the project site and shall be equipped to record and salvage fossil resources that may be unearthed during grading activities. The paleontologist shall be empowered to temporarily halt or divert grading equipment to allow recording and removal of the unearthed resources. Any fossils found shall be*

evaluated in accordance with the CEQA Guidelines and offered for curation at an accredited facility approved by the City of Wildomar. Once grading activities have ceased or the paleontologist determines that monitoring is no longer necessary, monitoring activities shall be discontinued.

4.5.6.2B *A qualified paleontologist shall be retained and conduct a pre-construction meeting prior to ground disturbance to instruct workers on proper fossil identification and subsequent notification of a trained professional.*

Facts in Support of the Finding: The majority of the project site is underlain by younger Quaternary alluvial fan deposits and Pleistocene Pauba Formation. Both of these geologic units have produced vertebrate fossils in the past. However, there are no known paleontological resources located within the project limits. Because both the younger Quaternary alluvial fan deposits and the Pleistocene Pauba Formation have yielded paleontological resources in many nearby areas in Southern California in the past, the area is considered paleontologically sensitive. Therefore, impacts are potentially significant and **Mitigation Measures 4.5.6.2A and 4.5.6.2B** are required (DEIR, pg. 4.5-18 and FEIR Section 3). This measure requires that the developer halt grading and retain a qualified paleontologist to monitor construction and remove any fossils found on the project site. This measure will reduce potential impacts to paleontological resources to less than significant levels.

4. Geology and Soils

a. Ground Shaking

Potential Significant Impact: The EIR evaluated and concluded that the project could experience substantial adverse effects due to strong ground shaking.

Finding: Implementation of the following mitigation measures will reduce the impact from ground shaking to less than significant:

4.6.6.1A *The developer shall implement the seismic design recommendations of the project geotechnical assessment conducted by Geocon West, Inc. dated March 26, 2015 (revised). These site-specific recommendations shall be incorporated as appropriate into project building plans, project grading, etc.*

Facts in Support of the Finding: Southern California is a seismically active area and, therefore, will continue to be subject to ground shaking resulting from seismic activity on regional faults. Ground shaking from earthquakes associated with nearby and more distant faults is expected to occur during the lifetime of the project.

The project specific Geotechnical Report calculated the maximum earthquake magnitude for known faults within a 60-mile radius of the project site. The nearest fault to the site is the Temecula branch of the Elsinore Fault, which has a peak site acceleration of 0.844 g. The next nearest fault is the Glen Ivy branch of the Elsinore Fault, which has a peak site acceleration of 0.593 g. The project site is expected to be subject to moderate to severe ground shaking in the event of a major earthquake on any of the nearby faults. This is a potentially significant impact that, in addition to compliance with current CBC requirements, will require additional mitigation. Therefore, **Mitigation Measure 4.6.6.1A** is required (DEIR, pg. 4.6-18 and 4.6-19). This measure requires that the developer implement seismic design recommendation from the project geotechnical assessment that will reduce potential impacts from moderate to severe ground shaking impacts to less than significant levels.

5. Greenhouse Gas Emissions and Climate Change

a. Greenhouse Gas Emissions

Potential Significant Impact: The EIR evaluated and concluded that the project has the potential to result in significant greenhouse gas emissions.

Findings: Implementation of **Mitigation Measures 4.3.6.1A, 4.3.6.1B, and 4.3.6.3A** will reduce the impact related to greenhouse gas emissions to less than significant.

Facts in Support of the Findings: Construction and operation of the project would generate GHG emissions, with the majority of energy consumption (and associated generation of GHG emissions) occurring during the project's operation. GHG emissions associated with the project would occur over the short term from construction activities and would consist primarily of emissions from equipment exhaust. There would also be long-term regional emissions associated with project-related new vehicular trips and stationary-source emissions, such as natural gas used for heating and electricity usage for lighting.

The GHG emission estimates presented in DEIR Table 4.7.D show the total emissions associated with the full buildout in a BAU scenario. The BAU project would generate up to 9,443.47 metric ton (MT) of CO₂e/yr of new emissions. By applying regulatory changes from the baseline as well as **Mitigation Measures 4.3.6.1A** through **4.3.6.1D**, the 2020 model achieves a 33.58 percent reduction in GHG emissions from the BAU model. Regulatory requirements, such as those limiting vehicle emissions, would over time decrease project GHG emissions. Thus, with mitigation and regulatory developments, the project's GHG reduction would exceed the AB 32 reduction target of 28.5 percent. In addition, various Response to Comments in the Final EIR provide additional analysis demonstrating the project would not exceed the SCAQMD's efficiency threshold for GHG emissions. With mitigation incorporated, the operation of the project would not create significant impact related to GHG emissions or GCC (DEIR, pgs. 4.7-35 through 4.7-39 and FEIR Letter H analysis).

6. Hazards and Hazardous Materials

a. On-Site Conditions Involving Hazardous Materials

Potential Significant Impact: The EIR evaluated and concluded that the project site could contain a septic tank that will require removal.

Findings: Implementation of the following mitigation measures will reduce the impact from the on-site septic tank to less than significant:

4.8.6.1A *Prior to grading, evidence of the existence or absence of a septic tank and/or water well shall be identified. If a septic tank and/or water well is present on site, it will be removed and disposed of by a licensed contractor under the direction of the Riverside County Health Department.*

Facts in Support of the Findings: The project site specific Phase I ESA historical review determined that the project site has been used for agricultural purposes since the early 1930s. The project site is not actively being used as an orchard today but remnant olive trees still exist on the western portion of the site. A limited Phase II soil sampling report found no elevated levels of pesticides or arsenic-containing compounds, which might be from past applications of agricultural chemicals.

A previous Phase I ESA that was completed for the site in March 2005 concluded that the site may include an on-site septic tank due to the historical presence of a residence that was previously on the site. The March 2005 report also mentioned the presence of an on-site water well. However, the January 2008 Phase I ESA concluded that no further investigation of the site was warranted. Therefore, due to the lack of information on the existence/condition of the septic tank and water well, **Mitigation Measure 4.8.6.1A** is required. This measure provides protocol on how to properly dispose of a potential septic tank or well if they are discovered on the site. This measure reduces potential impacts to less than significant levels.

7. Noise

a. Short-Term Construction Noise Impacts

Potential Significant Impact: The EIR evaluated and concluded that noise levels from grading and other construction activities would be potentially significant due to the proximity of adjacent residential land uses.

Finding: Implementation of the following mitigation measures will reduce the impact from construction noise to less than significant:

4.12.6.1A *A construction 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 activity, proximity to identified noise receptors, and demonstrate either a minimum 10 dBA reduction in noise levels off-site, or that noise levels would not exceed 85 dBA at any time when measured at the nearest property line of noise receptors. Methods to mitigate construction noise may include (but shall not be limited to):*

Install temporary noise control barriers, or equally effective noise protection measures. The noise barriers shall be maintained and any damage promptly repaired. 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.

Facts in Support of the Finding: The project's unmitigated noise levels at the nearest noise receiver locations for each phase of construction are identified in DEIR Table 4.12.D. The unmitigated peak construction noise levels are expected to range from 63.2 to 87.1 dBA Leq. As detailed in DEIR Table 4.12.D, grading operations will generate the highest noise levels during construction; therefore, this level of noise is identified as the "peak" noise used to identify construction-related noise impacts. Construction noise experienced by the closest sensitive receiver could reach up to 87.1 Leq dBA. Since construction noise would be greater than the City's construction noise threshold of 85 dBA could potentially result in a significant impact.

Because construction noise may create a temporary increase in noise, **Mitigation Measures 4.12.6.1A** is required (DEIR, pgs. 4.12-23 through 4.12-27 and Response to Comments in the FEIR for Letter H). Construction activity at the receiver, closest to the site, is unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment is operating near the project boundary. The mitigation measures require preparation of a Noise Monitoring Plan that identifies options for limiting construction noise at off-site locations. Additionally, the project will be required to adhere to restrictions on the times and days construction may occur. Implementation of applicable noise control options, in tandem with restrictions on construction timing will ensure short-term construction-related noise impacts are reduced to a less than significant level.

b. Long-Term Noise Impacts

Potential Significant Impact: The EIR evaluated and concluded that project may result in a significant increase in ambient noise levels from project-generated traffic.

Finding: The following measures are recommended to reduce potential interior ambient noise impacts to less than significant:

4.12.6.2A *To satisfy the City of Wildomar 45 dBA CNEL interior noise level criteria, lots facing the I-15 Freeway will require a Noise Level Reduction (NLR) of up to 27.7 dBA and a windows closed condition requiring a means of mechanical ventilation (e.g., air conditioning). Specific window recommendations will be made once final architectural plans are available and detailed interior noise reduction calculations can be calculated based on actual building assembly details. The preliminary interior noise analysis indicates that in order to meet the City of Wildomar 45 dBA CNEL interior noise standards, the project shall provide the following noise mitigation measures:*

- **Windows:** *All windows and sliding glass doors shall be well fitted, well weather-stripped assemblies and shall have a minimum STC of 32.*
- **Exterior Walls:** *Provide exterior walls with a minimum Sound Transmission Class (STC) rating of 46. Typical walls with this rating will have 2 x 4 studs or greater, 16" o.c. with R-13 insulation, a minimum 7/8" exterior surface of cement plaster and a minimum interior surface of 1/2" gypsum board.*
- **Doors:** *All exterior doors shall be well weather-stripped solid core assemblies at least 1 3/4" thick.*
- **Roof:** *Roof sheathing of wood construction shall be well fitted or caulked plywood of at least one-half inch thick. Ceilings shall be well fitted, well-sealed gypsum board of at least 1/2" thick. Insulation with at least a rating of R-19 shall be used in the attic space.*
- **Ventilation:** *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 circulation system (e.g., air conditioning) shall be provided which satisfy the requirements of the Uniform Mechanical Code.*
- **Landscaping:** *A screen of planting containing predominantly evergreen tree and shrub species between the property and the freeway will help to reduce noise and visual impacts associated with freeway vehicle movement.*

Facts in Support of the Finding: The proposed project would generate an unmitigated exterior noise level increase of up to 1.6 dBA. The greatest noise level increase would occur on Monte Vista Drive south of Bundy Canyon Road. As noise levels at this location do not exceed 65 dBA in the no project condition, the addition of the project traffic would not create a significant noise level increase. As a result, the project would not produce a substantial increase in noise as a result of increasing traffic in the study area. However, traffic noise levels from I-15 and White Street were also estimated and as identified in DEIR Table 4.12.H, noise levels experienced at multi-family housing adjacent to I-15 will exceed the City's exterior noise standard. This is a significant impact that requires **Mitigation Measure 4.12.6.2A**.

The stationary noise sources would result from the residential and commercial portions of the proposed project. The residential portion of the project will not generate a new substantial stationary source of noise. The commercial/retail uses will result in noise from truck deliveries, rooftop air conditioning units, parking lot vehicle movement, and trash compacting. The scale of these commercial/retail uses will be relatively small (75,000 square feet) compared to typical retail centers in the City and are not expected to generate a significant amount of stationary noise. The stationary noise levels affecting the nearest residents would range from 41.1 to 44.3 dBA Leq. The distance between stationary noise sources and on-site sensitive receivers is sufficient to reduce noise levels below City General Plan stationary source standards (DEIR, pgs. 4.12-27 through 4.12-32).

Mitigation Measure 4.12.6.2A identifies construction requirements related to the installation of doors, windows, roofs and ventilation features that provide a minimum 27.7 dBA exterior-to-interior noise reduction. With the incorporation of these features, interior noise levels at the proposed structures would be reduced to below the City's 45 dBA interior noise standard, reducing potential impacts to a less than significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

- (a)(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- (a)(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (a)(3) Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR.

Individual and cumulative traffic impacts to Caltrans facilities were found to be significant. This Council hereby finds pursuant to Public Resources Code Section 21081(a)(3) that specific economic and legal considerations make mitigation of these impacts infeasible. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. Transportation and Traffic

a. Conflict with Applicable Circulation Plan and Traffic and Level of Service Impacts – Existing plus Project

Significant Unavoidable Impact: The EIR evaluated and concluded that the project would exceed City standards at intersections under the Existing plus Project condition.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant and while the mitigation measures below would reduce impacts to City roadway segments no feasible mitigation measures are available to reduce impacts to Caltrans' ramps as impacts are outside the jurisdiction of the City of Wildomar and Caltrans has not adopted, and to the City's knowledge is not considering adopting, any program that would require new development to contribute its fair share toward freeway improvements necessary to

accommodate increased traffic. Therefore, existing plus project transportation impacts are considered significant and unavoidable.

4.16.6.1A **Central Street/Baxter Road intersection:** *The following intersection improvements shall be completed prior to the issuance of a certificate of occupancy for development on the project site that would, combined with any previous development on the site, generate 50 or more AM peak-hour outbound trips at this intersection:*

- *Traffic signal with protected left-turn phasing on the eastbound approach of Baxter Road*
- *Northbound approach: N/A*
- *Southbound approach: one left-turn lane, one right-turn lane.*
- *Eastbound approach: one left-turn lane, one through lane.*
- *Westbound approach: one through lane, one right-turn lane.*

Any application for development prior to installation of the intersection improvements shall provide to the City an estimate of trips associated with the proposal prepared by a traffic engineer, demonstrating that the number of trips at this intersection are below the threshold of 50 AM -our outbound trips, or the intersection improvements shall be required prior to occupancy.

4.16.6.1B *Prior to the issuance of the first building permit, application shall be made to Caltrans and the City of Wildomar for construction of a traffic signal and associated improvements at the I-15 Southbound Ramps/Baxter Road intersection. Construction of the signals shall begin prior to construction of more than 22 single-family dwelling units (or 30 apartments), or construction of more than 10,000 square feet of commercial retail uses, whichever occurs first.*

Facts in Support of the Finding: The addition of project traffic would cause the level of service to fall from acceptable to unacceptable levels at intersection 3, Central Street/Baxter Road, during both the AM and PM peak hour and at intersection 5, I-15 Southbound Ramps/Baxter Road, during the PM peak hour. The addition of project traffic would also cause existing unacceptable delays to be increased by more than 5 seconds at intersection 5, I 15 Southbound Ramps/Baxter Road, during the AM peak hour and intersection 7, Monte Vista Drive/Bundy

Canyon Road, during the PM peak hour. These are significant impacts and **Mitigation Measures 4.16.6.1A** and **4.16.6.1B** are required. Implementation of these measures will ensure that all intersections operate at an acceptable level of service under the Existing Plus Project scenario.

Mitigation Measure 4.16.6.1A restricts development of the proposed project to a level that would allow operation of the Central Street/Baxter Road intersection at an acceptable level of service until the signal and intersection improvements are installed. As the improvements will occur prior to a reduction in the level of service, this impact is less than significant with mitigation incorporated.

However, with respect to intersection 5, the City does not have the sole authority to implement signal improvements in the Caltrans right-of-way. The City cannot guarantee that the proposed traffic signal in **Mitigation Measure 4.16.6.1B** will be constructed as proposed because the project must obtain an encroachment permit from Caltrans to install the signal. Because the City cannot be certain that the improvements will occur, the EIR must assume that the improvements may not occur and that the project impacts at intersection 5 would remain resulting in a significant and unavoidable impact (DEIR pgs. 4.16-29 through 4.16-34).

b. Conflict with Applicable Circulation Plan and Traffic and Level of Service Impacts – Opening Year (2018)

Significant Unavoidable Impact: The EIR evaluated and concluded that the project would exceed City standards at intersections under the Opening Year (2018) condition.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant and while the mitigation measure below would reduce impacts to City roadway segments no feasible mitigation measures are available to reduce impacts to Caltrans' ramps as impacts are outside the jurisdiction of the City of Wildomar and Caltrans has not adopted, and to the City's knowledge is not considering adopting, any program that would require new development to contribute its fair share toward freeway improvements necessary to accommodate increased traffic. Therefore, opening year (2018) transportation impacts are considered significant and unavoidable.

4.16.6.2A *Prior to the issuance of the first building permit, application shall be made to Caltrans and the City of Wildomar for construction of a traffic signal and associated improvements at the I-15 Northbound Ramps/Baxter Road intersection. Construction of the signals shall begin prior to construction of more than 22 single-family dwelling units (or 30 apartments), or construction of more than 10,000 square feet of commercial retail uses whichever occurs first.*

Facts in Support of the Finding: DEIR Table 4.16.J identifies that the following intersections would operate at an unsatisfactory level of service under the Opening Year (2018) with Project condition: I-15 Northbound Ramps/Baxter Road (LOS E during PM peak hour) and Monte Vista Drive/Baxter Road (LOS F during AM peak hour).

While these intersections operate at a deficient level both with and without the project, the proposed project increases delay at these intersections by more than 5 seconds; therefore, the impacts at these intersections are significant. These are significant impacts and **Mitigation Measure 4.16.6.2A** is required. The traffic analysis notes that widening of the Baxter Road Bridge over Interstate 15 is not necessary, as the recommended improvements at the I-15 northbound ramps at Baxter Road are sufficient enough to provide an acceptable level of service during both the AM and PM peak hours. However, construction of the signal will require approval of an encroachment permit from Caltrans which is beyond the City's ability to control in terms of timing or issuance. Therefore, the DEIR assumes that the signals might not be installed leaving this impact without mitigation and therefore significant and unavoidable (DEIR pgs. 4.16-34 through 4.16-37).

c. Conflict with Applicable Circulation Plan and Traffic and Level of Service Impacts – General Plan Buildout (Post-2035)

Significant Unavoidable Impact: The EIR evaluated and concluded that the project would exceed City standards at intersections under General Plan Buildout (post-2035)..

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant and no feasible mitigation measures are available to reduce impacts to Caltrans' ramps as impacts are outside the jurisdiction of the City of Wildomar and Caltrans has not adopted, and to the City's knowledge is not considering adopting, any program that would require new development to contribute its fair share toward freeway improvements necessary to

accommodate increased traffic. Therefore, General Plan Buildout (Post-2035) transportation impacts are considered significant and unavoidable.

Facts in Support of the Finding: Level of service calculations were conducted for the study intersections to evaluate their operations under General Plan Buildout (Post-2035) without and with project conditions. Compared to the Without Project condition, the project would not cause additional study area intersections to operate at an unacceptable level of service, with the exception of Driveway 2/Baxter Road (LOS F during PM peak hour). The other intersections operating at an unsatisfactory level of service would experience a significant increase in delay due to the project (greater than 5 seconds). Improvements have been recommended at intersections that have been identified as cumulatively affected to reduce each location's peak-hour delay and improve the associated level of service to LOS D or better. These improvements are consistent with or less than the geometrics assumed in the City's General Plan Circulation Element.

As the project is conditioned to install improvements and because other improvements are included in the approved TUMF and DIF programs, it is reasonably certain the required improvements will be in place to offset any identified level of service impact at the stated intersections. Therefore, impacts occurring under the General Plan Buildout (Post-2035) condition are reduced to a less than significant level. While the effects of the project on freeway merge/diverge and mainline segment level of service is small, the project will result in impacts. There are no plans to widen the interstate at this location, and Caltrans does not have a fee program that would allow the project to pay a pro rata share of widening costs. The width of the roadway is limited by existing development, interchanges, and utilities. Further, freeway widening is very expensive and beyond the capability of the City to construct. For these reasons, there is no feasible method to mitigate project impacts on the Interstate 15 mainline; therefore, the project will have a significant and unavoidable impact (DEIR pgs. 4.16-37 through 4.16-40).

d. Conflict with Applicable Circulation Plan and Traffic and Level of Service Impacts – Freeway Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the project would exceed Caltrans standards on freeway mainline segments or at freeway ramps.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant and no feasible mitigation measures are available to reduce impacts to Caltrans' ramps as impacts are outside the jurisdiction of the City of Wildomar and Caltrans has not adopted, and to the City's knowledge is not considering adopting, any program that would require new development to contribute its fair share toward freeway improvements necessary to accommodate increased traffic. Therefore, freeway transportation impacts are considered significant and unavoidable.

Facts in Support of the Finding: The freeway segments analyzed in the DEIR operate at an acceptable level of service (i.e., LOS D or better) during the peak hours for Existing (2013) and Existing Plus Project conditions. Under the Opening Year Cumulative (without and with the project) condition, the I-15 freeway segments analyzed would also all operate at a satisfactory level of service. However, Under the General Plan Buildout (Post-2035) condition (without and with the project), all freeway segments would operate at an unacceptable level of service during peak hours. Freeway segments evaluated are all anticipated to operate at an unacceptable level of service (i.e., LOS E or worse) during the AM or PM peak hours for General Plan Buildout (Post-2035) conditions even with planned improvements.

All of the freeway ramp merge/diverge junctions in the study area operate at an acceptable level of service under the Existing plus Project condition. All I-15 merge/diverge junctions are projected to operate at an acceptable level of service during peak hours under Opening Year (2018) conditions without or with the project. However, all freeway ramp merge/diverge junctions operate at an unacceptable level of service during the AM or PM peak hours under the General Plan Buildout (Post-2035) condition, either with or without the project. The potential queues at I-15 Southbound Off-Ramp/Baxter Road southbound shared left turn/through/right turn (during the AM peak hour) would exceed the turn pocket lengths and could spill back into the adjacent through lanes, resulting in potential periodic spillback onto the I-15 mainline.

Because the City has no control over state facilities, and because the State facilities funded and planned to be developed under future traffic conditions are already anticipated to operate at LOS F even without the proposed project, there are no improvements that can be imposed upon the project to guarantee mitigation of its small cumulative contribution to significant impacts to the identified mainline segments and ramp junctions of I-15.

With the implementation of **Mitigation Measures 4.16.6.1A** and **4.16.6.1B** to improve intersection level of service, potential queuing issues under the General Plan Buildout (Post-2035) scenario would also be resolved. Although the cumulative effect of the project on freeway merge/diverge and mainline segment level of service is small, there is no feasible method to mitigate these impacts, as they are not under the control of the City and CalTrans has not established a program for new development to contribute toward needed improvements. Therefore, the project will have a significant and unavoidable impact on freeway facilities (DEIR pgs. 4.16-40 through 4.16-44).

e. Cumulative Transportation Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the project would have a cumulative significant impact to transportation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant and no feasible mitigation measures are available as impacts are outside the jurisdiction of the City of Wildomar and Caltrans has not adopted, and to the City's knowledge is not considering adopting, any program that would require new development to contribute its fair share toward freeway improvements necessary to accommodate increased traffic. Therefore, cumulative transportation impacts are considered significant and unavoidable.

Facts in Support of the Finding: Cumulative impacts refer to incremental effects of an individual project when viewed in connection with the effects of past projects, current projects, and probable future projects. Cumulative projects are identified in the DEIR Table 2.A and DEIR Figure 2.1. Cumulative impacts associated with traffic volumes are determined based on the addition of traffic volumes from approved and pending projects in the area and projected traffic growth to existing traffic volumes. With the project-specific mitigation previously identified, project-related short-term and long-term impacts to intersections will be reduced to less than significant levels for Existing with Project, Opening Year (2018), and General Plan Buildout (Post-2035) conditions. As stated in DEIR Section 4.16.6.4, cumulative impacts related to State highway facilities are cumulatively significant and unavoidable. Mitigation of the project's cumulative impacts to Caltrans facilities is infeasible because the City cannot require Caltrans to construct, or authorize the construction of, improvements to Caltrans facilities that would remedy the impacts. Furthermore, no one project can be held financially responsible for the

construction of improvements that are required to address cumulative increases in traffic. Thus, the only feasible method of mitigating cumulative traffic impacts is through the creation of an impact fee program where each project pays its fair share toward the necessary improvements. However, the City cannot create such a program for Caltrans or require Caltrans to establish an impact fee program. Therefore, mitigation of the project's cumulative impact to Caltrans facilities is infeasible (DEIR pg. 4.16-44).

.D. FINDINGS REGARDING PROJECT ALTERNATIVES

As identified above, the project as proposed results in a significant and unavoidable impact relating to freeways. Specifically, the project will result in an increase in traffic causing an exceedance of LOS standards, and cumulative traffic-related impacts cannot be reduced to less than significant levels because the City does not have authority or control over the I-15 freeway ramps for Baxter Avenue.

The EIR analyzed three alternatives to the project as proposed, and evaluated these alternatives for their ability to meet the project's objectives as described in Section II.B above, as well as the potential to reduce the proposed project's significant and avoidable impact. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the project. The No Project Existing General Plan Alternative assumes no General Plan Amendment or zone change would occur. A Reduced Intensity and Modified Mixed Use alternatives were also selected for analysis. CEQA requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the project." Thus, in order to develop a range of reasonable alternatives, the project objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project-Existing General Plan Alternative

Description: The No Project-Existing General Plan alternative assumes that development of the site will occur subject to current General Plan and zoning designations for the property (i.e., Mixed Use Planning Area and C-P-S with Mixed Use Overlay). This plan would result in 18 acres of multi-family housing with a density of 30 units per acre or 540 multi-family units. It should be noted that to achieve this density, the apartment units would likely have to be in 3-5

story buildings. This alternative would have 18 acres and 110,000 square feet of commercial space. This alternative would not include a single family component (DEIR, pg. 6-4).

Impacts: The No Project-Existing General Plan Alternative would result in greater impacts to aesthetics, population and housing, public services, transportation and traffic, and utilities and service systems compared to the proposed project. This alternative would also result in a new significant and unavoidable impact to air quality and greenhouse gas compared to the proposed project. The only impact that would be reduced compared to the proposed project is land use and planning because this alternative does not require a General Plan Amendment or zoning change. The rest of the impacts would be the same as the same intensity as the proposed project (DEIR pgs. 6-6 through 6-9).

Objectives: This alternative would meet the objectives of developing an appropriately sized commercial center and would incorporate a public gathering place. Depending on the the design this alternative would also meet the objectives of using architectural styles and design elements that reflect Wildomar’s heritage, have a circulation route that minimize traffic on White Street, create a walkable community, implement a trail system, and provide transition along White Street and the project edge. However, this alternative would not meet the main objectives of establishing a mixed-use community with a balance of land uses including commercial, single-family housing, and multi-family housing; and provide both rental and ownership housing opportunities (DEIR pg. 6-9).

Finding: The City Council rejects the No Project-Existing General Plan Alternative on the following ground, which provides a full justification for rejection of the alternative: (1) this alternative does not substantially reduce or eliminate the proposed project’s significant and unavoidable impacts to traffic; and (2) this alternative results in new significant and unavoidable impacts relating to air quality and greenhouse gas emissions.

2. Alternative 2 – Reduced Intensity Alternative

Description: Under this alternative, the site would be developed with a lesser amount of commercial development and fewer residential units to generate less traffic and traffic-related impacts on I-15. This alternative would have 5.6 acres or 50,000 square feet of commercial space, 8 acres of apartments at 18 units per acre or 144 apartment units, 3.3 acres of “other”

uses (roads, drainage, etc.), and 15.1 acres of single-family residential uses at 5 units per acre or 75 total units (DEIR, pg. 6-4).

Impacts: Under Alternative 2, impacts to aesthetics, agriculture, biological resources, cultural resources, geology, hazards, hydrology, land use, mineral resources, noise and recreation would be the same as the proposed project. Impacts to air quality, greenhouse gas, population and housing, public services, traffic, and utilities would be reduced. Also, while traffic impacts would be reduced, they would still be significant and unavoidable. All mitigation recommended for the proposed project would also be applicable to this alternative (DEIR pgs. 6-9 through 6-12).

Objectives: The Reduced Intensity Alternative would meet all of the project objectives depending on the design of the alternative (DEIR pg. 6-13). However, this alternative would meet these objectives to a lesser extent than the proposed project. Specifically, because this alternative reduces the commercial square footage and the residential dwelling units included in the project, it would provide housing opportunities and generate employment growth and sales tax to a lesser degree than the project as proposed.

Finding: The City Council hereby rejects Alternative 2 – Reduced Intensity Alternative, on the following grounds, each of which provides a full and independent justification for rejection of the alternative: (1) this alternative does not result in fewer significant and unavoidable impacts than the proposed project; (2) this alternative results in fewer project benefits than the proposed project, due to its reduced intensity; (3) although this project meets the project objectives, it would do so to a lesser degree than the proposed project.

3. Alternative 3 – Modified Mixed Use Alternative

Description: Under this alternative, the site would be developed with 180 multi-family residential units (16 units per acre) on two floors above 100,000 square feet of ground floor commercial uses on 11.3 acres. This type of “vertical” mixed uses is typically found in more urban settings rather than the proposed “horizontal” mix of uses as in the proposed project. This alternative would also have 3.3 acres of “other” uses (roads, drainage, etc.), and 21.4 acres of single-family residential uses at 5 units per acre or 107 total units (DEIR pg. 6-5).

Impacts: Under Alternative 3, impacts to agriculture, biological resources, cultural resources, geology, hazards, hydrology, land use, mineral resources, noise, and recreation would be the same as the proposed project. Impacts to air quality, greenhouse gas, population and housing, public services, traffic, and utilities would be increased. Also the increase in air quality and greenhouse gas would be two additional significant and unavoidable impacts compared to the proposed project. All mitigation recommended for the proposed project would also be applicable to this alternative (DEIR pgs. 6-13 through 6-17).

Objectives: Under this alternative, all of the project's objectives are met depending on the alternatives design (DEIR pg. 6-17).

Findings: The City Council rejects this alternative on the following grounds, each of which provides a full and independent justification for rejecting the alternative: (1) the alternative does not reduce the project's significant and unavoidable traffic impacts; and (2) the alternatives results in additional significant and unavoidable impacts to air quality and greenhouse gas emissions.

Environmental Superior Alternative. Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR.

None of the alternatives would eliminate the Project's significant and unavoidable impacts relating to traffic. (DEIR, p. 6-18.) However, Alternative 2 – Reduced Intensity Alternative does incrementally reduce these impacts, although not to a less than significant level. Therefore, Alternative 2 is identified as the environmentally superior alternative. (DEIR, p. 6-19.)

However, as determined above, the City Council rejects Alternative 2 – Reduced Intensity Alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) this alternative does not result in fewer significant and unavoidable impacts than the proposed project; (2) this alternative results in fewer project benefits than the proposed project, due to its reduced intensity; (3) although this project meets the project objectives, it would do so to a lesser degree than the proposed project.

The City Council hereby finds that although this alternative does not reduce any impact including the one significant and unavoidable impact to less than significant levels. This Alternative would meet all of the project's objectives depending on the alternative's design. The City Council rejects the Modified Mixed Use Alternative on the basis that it fails to avoid the significant and unavoidable impacts of the project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states that an EIR must describe the ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

Section 5.0 of the DEIR identifies that the proposed project would incrementally induce direct growth in the City by providing new housing and economic opportunities. As identified in DEIR Section 4.13 Population and Housing, the proposed 66 single-family homes and 204 apartments could directly grow the population of the City of Wildomar by approximately 653 people. The proposed commercial/retail space could also cause economic growth in the City by increasing the value of the site compared to the existing vacant land. The project would provide increase economic value through the creation of jobs and tax revenues. Compared to other projects in the City and region, the proposed project is relatively small and will only cause incremental growth in the population and economy.

The project does not include expansion of a utility facility or major roadway into undeveloped land that would remove an obstacle to population growth in the City. Based on the General Plan land use designations and zoning, the project provides the intended and planned for use of the project site. Although the project includes a General Plan Amendment and zone change to the site, the change from General Plan land use Mixed Use Planning Area (MUPA) to Very High Density Residential (VHDR), Medium High Density Residential (MHDR), and Commercial Retail (CR) and zone change from C-P-S (Scenic Highway Commercial) to R-3

(General Residential) and R-4 (Planned Residential Zone), and removal of the Mixed Use Overlay (MU) zone designation on the entire site is not a substantial change in land use.

As described in DEIR Section 4.14 Public Services and DEIR Section 4.17 Utilities and Service Systems, the project will not significantly increase the need for public services such as police, fire, and schools or require new or expanded water, wastewater, or solid waste facilities. The project will pay required development impact fees that will help fund new infrastructure and services within the City.

All impact analysis sections within DEIR Section 4.0 of the DEIR include discussion of the potential cumulative impacts of the project. This analysis has determined that the project would not encourage or facilitate any activities that would result in significant impacts to the environment (DEIR pgs. 5-3 and 5-4).

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126(c) of the CEQA Guidelines mandates that the EIR must address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented. An impact would fall into this category if it resulted in any of the following:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the project would generally commit future generations of people to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or
- The proposed consumption of resources is not justified (e.g., the project could waste energy).

Project construction and operation would include the use of non-renewable resources. Construction of the project would include the use of non-renewable fossil fuels and mineral aggregates for paving. Project operation would include the use of non-renewable resources such as natural gas and electricity (approximately 73.47 percent of electricity used in California is from non-renewable sources such as coal, natural gas, nuclear, and oil). However, the

proposed project would not require a large amount of non-renewables because it is considered a small development compared to other projects in the City and region.

The project site is planned for development according to the City's General Plan. This means whether the proposed project is developed or not, the City's General Plan designates the project site to be developed sometime in the future with residential and commercial land uses. For this reason, the project does not have primary or secondary impact that would commit future generations of people to similar uses.

As described in DEIR Section 4.8 Hazards, the project does not propose any hazardous uses that could result in irreversible damage the environment. Resources used and consumed by this project are appropriate and justified because it accommodates the growth planned for in the City as described in the City General Plan and Housing Element (DEIR pg. 5-2).

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Wildomar City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the project as addressed in the EIR.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency..." Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable."

The City Council hereby declares that, pursuant to State CEQA Guidelines section 15093, the City Council has balanced the benefits of the project against any unavoidable environmental impacts in determining whether to approve the project. Based upon all the information within the administrative record, and the analysis set forth in the EIR, implementation of the project will have significant and unavoidable impacts relating to an increase in freeway traffic that cannot be reduced to less than significant levels.

Having reduced the adverse significant environmental effects of the project to the extent feasible by adopting the mitigation measures contained in the EIR, the MMRP, and these Findings, having considered the entire administrative record on the project and having weighed the benefits of the project against its unavoidable significant impact after mitigation, the City Council has determined that each of the following social, economic and environmental benefits of the project separately and individually outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

1. The project implements City goals and policies, and therefore perpetuates the community's vision as articulated in the City's General Plan.

The General Plan expresses the City's vision of its long-term physical form and development through the establishment of goals and policies. When a development project is consistent with the goals and policies of the General Plan, it implements the community's vision. This project will provide new development that is consistent with General Plan goals and policies, municipal standards, codes and other City policies.

The DEIR determined that the project was consistent with the overarching goals and targets of the General Plan. (See DEIR, Tables 4.1.B, 4.3.E, 4.4.A, 4.5.A, 4.6.A, 4.7.C, 4.8.A-C, 4.9.D, 4.10.B, 4.12.C, 4.13.C, 4.14.B, 4.15.A.) This includes goals relating to aesthetics, land use, air quality and pollutant emissions reduction, biological resource protection, environmental justice, energy efficiency, transportation, and public safety. By demonstrating the project's consistency with these goals, the City determines that the project is the type of project that will aid the City in reaching its desired vision.

Although the project includes a general plan amendment to change the existing land use designation for the entire project site from Mixed Use Planning Area (MUPA) to Very High Density Residential, Medium High Density Residential, and Commercial Retail, the project

will nonetheless result in a horizontal mixed-use community, which will include commercial and a mix of residential types. Thus, the project is in keeping with the City's vision for the project site, as expressed through the General Plan Land Use Plan.

In addition, while the project will have potentially significant and unavoidable traffic impacts relating to an increase in traffic at the I-15 freeway ramps for Baxter Avenue, the project is nonetheless also consistent with the City's transportation-related goals and policies:

- **DEIR Section 4.11 Transportation – Consistency with General Plan Policies**
 - The project is consistent with planned Circulation System Policy C 1.7., because the project provides commercial uses in proximity to residential development and will install sidewalks along the project frontage. The project is consistent with Functional Classification and Standards Policies C 3.9, C 3.13, C 3.14, C 3.15, and C 3.24 because the commercial component of the project has been sited to provide area(s) adequate for on-site loading and vehicle maneuvering that do not face adjacent roadways or residential areas. Also, all roadway improvements, intersections, and site access features will be designed to address the applicable safety and emergency access requirements of the City. The design of all such improvements will be reviewed and approved by the City prior to the issuance of applicable permits. The project is consistent with Level of Service Policies C 2.1, C 2.2, C 2.3, C 2.4, and C 2.5 because the Traffic Impact Assessment (TIA) prepared for the project addressed potential traffic impacts resulting from site development under the Existing plus Project, Opening Year (2018) and General Plan Buildout (2035) condition. The project includes roadway and intersection improvements that will be installed as part of the project. Additionally, for affected intersections, mitigation has been identified that will reduce LOS impact to acceptable levels. The project is consistent with Circulation Policies C 4.1, C 4.2, C 4.3, C 4.4, and C 21.5 because the provision and design of pedestrian access features will meet applicable City and Americans with Disabilities Act (ADA) requirements. The design of all such improvements will be reviewed and approved by the City prior to the issuance of applicable permits. Also, all street, intersection, and access improvements will be designed and constructed per the applicable standard of the City or other relevant agency, be reviewed, and approved by the City prior to the issuance of applicable permits. The project is consistent with Land Use Policies LU 12.1 and LU 12.4 because the project will install sidewalks along street frontages and include a connection to the local trail system. Pedestrian Facilities Policies - the project is consistent with

Circulation Policies C 4.5, C 4.6, C 4.7, C4.9, and C 4.10. The project will install sidewalks along street frontages and will include a connection to the local trail system. The project is consistent with System Access Policy C 6.7 because the noise impact analysis prepared for the project concluded that no noise impact would be generated by on-site stationary noise sources during project operation. Off-site mobile noise impacts were determined to not exceed City standards, while on-site mobile noise impacts were reduced to below the City interior standard with the application of appropriate mitigation.

2. The project proposes a new safe and attractive community at a key and visible location within the City.

The project site is currently unimproved and predominately un-vegetated, however it is surrounded by residential development to the north, west, southwest, and south. In place of this vacant parcel, the project proposes an attractive, horizontal mixed use community in keeping with the surrounding community. (See DEIR, Figure 3.6.) Project elevations will be articulated with a variety of materials, elevations, balconies, and other character details. (See DEIR, Figures 3.7 and 3.8.) Landscape details will include buffers, and a mix of trees and shrubs. As discussed in the DEIR, the proposed project will be visually similar to others constructed recently within the City. (See DEIR pp. 4.1-19 and -20.) As such, the project will improve the appearance of the vacant parcels comprising the project site, in a way that is respectful and complimentary to the project vicinity and the City at large. Further, the project will improve upon the City's available high quality housing stock, in keeping with City goals relating to improving the condition of housing within the City (see General Plan Goal H-4).

3. The project proposes land uses and a design layout appropriate for a project site adjacent to I-15.

The project site is located adjacent to I-15, and proposes uses and a project site design that is appropriate for this location. The project proposes commercial uses, which may include retail shops, office uses, and restaurants. These are ideal uses for a project site located adjacent to I-15, and Central Avenue, as they will be easily accessible to passers-by as well as nearby residents.

4. The project stimulates the City's economy by providing a substantial number of short term and long term employment opportunities.

Based on employment factors in the City of Wildomar's General Plan Update EIR, the project would generate approximately 150 permanent full-time employee positions at buildout of the proposed commercial buildings. However, an economic impact analysis was completed for the project, which analyzed the potential for employment generation in more detail, and which analyzed both short term and permanent employment positions. (See Economic Impact Analysis for the Baxter Village Project, September 27, 2013.) This analysis determined that during construction, the project would directly generate approximately 465 jobs, indirectly generate an additional 89 jobs, and therefore result in approximately 554 new jobs.

The economic impact analysis also considered ongoing, permanent employment generated by the project and determined that the commercial component of the project would directly generate approximately 167 permanent on-site jobs, while the multi-family component of the project would generate approximately 18 permanent on-site jobs. The analysis also determined that indirectly, another 17 jobs would be created, and therefore operation of the project would result in a total of approximately 202 new jobs. These are net benefits to the City, given that the project site is currently vacant and undeveloped. The generation of jobs is in keeping with several City policies encouraging the provision of sufficient commercial development opportunities and placing an emphasis on job creation.

5. The project generates substantial local tax revenue for the City's general fund on an ongoing, annual basis.

A fiscal impact analysis was completed for the project. (See Baxter Village Project, City of Wildomar, CA Fiscal Impact Analysis, September 27, 2013.) This analysis determined that the project would generate a net annual surplus to the City's General Fund of approximately \$202,000 per year at buildout. This amount excludes broader economic benefits, such as those that stem from the creation of additional jobs, income created, and other indirect fiscal revenues. These are net benefits to the City, given that the project site is currently vacant and undeveloped.

6. By including both residential and commercial uses in a single project, the project will encourage residents to spend money within their local community.

The project proposes a horizontal mixed use community, which includes multi-family, single family, and commercial/office uses. By incorporating both residential and commercial into

a single project, the project will encourage both project residents, and surrounding residents to the north, west, and south, to consume goods and services from the project's commercial uses. By including commercial uses in such close proximity to residential (both the project's proposed residential, surrounding existing residential, and possible future residential developed in the area), this has the potential to keep revenues within the City and reduce car trips by residents.

7. By including a variety of housing types, the project ensures that current and future City residents have a variety of housing opportunities to choose from.

The project provides a variety of housing type options, including multi-family uses at a range of unit sizes, and single family homes. By incorporating both types of housing, the project fulfills several City goals relating to the accommodation of single and multi-family residential units (see General Plan Policy LU 22.1), the development of the City's fair share of housing needs (see General Plan Goal H-1), and the improvement of the condition of the City's housing stock (see General Plan Goal H-4).

8. The project eliminates an existing vacant "island" of undeveloped, unimproved, and primarily un-vegetated land within the midst of a growing residential community.

The project site is currently undeveloped, unimproved, and vacant, notwithstanding its key location along I-15 and Central Avenue. While residential uses are located to the north, west, and south, the project site itself forms a vacant "island" amongst existing residential communities. The proposed project would instead develop the project site with high quality, new residential and commercial uses, which would be consistent with the City's goals and vision, would be in keeping with the surrounding community, and which would provide myriad economic and fiscal benefits to the City.

9. The project provides myriad broader economic benefits to the City and region.

In addition to employment generation discussed above, the project's economic impact analysis determined that the project would provide other substantial broader economic benefits, including an approximately \$71.8 million in total industry output and \$30.2 million in local value added during project construction. During project operation, an ongoing, annual \$13.5 million in

total industry output and \$9.6 million in local value added is anticipated. (See Economic Impact Analysis for the Baxter Village Project, September 27, 2013.) These are net benefits to the City, given that the project site is currently vacant and undeveloped.

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the project outweigh the identified significant adverse environmental impacts of the project that cannot be mitigated. The City Council finds that each of the project benefits separately and individually outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Wildomar City Council, upon recommendation of the Planning Commission, finds that it has reviewed and considered the FEIR in evaluating the project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies, amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. Findings

1. CEQA Compliance

As the decision-making body for the project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the project as well as complete and accurate reporting of the unavoidable impacts and benefits of the project

as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations

The project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(C) of these Findings:

- *Transportation Impacts (Freeway impacts.)* increase in traffic causing an exceedance of LOS standards, and cumulative traffic-related impacts cannot be reduced to less than significant levels because the City does not have authority or control over the I-15 Freeway ramps for Baxter Avenue.

The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

- a. All potentially significant environmental impacts from implementation of the project have been identified in the EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(C) above.
- b. Other reasonable alternatives to the project that could feasibly achieve the basic objectives of the project have been considered and rejected in favor of the project.

- c. Environmental, economic, social and other considerations and benefits derived from the development of the project override and make infeasible any alternatives to the project or further mitigation measures beyond those incorporated into the project.
- d. The Final EIR has been completed in compliance with CEQA.
- e. The Final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the project.
- f. The Final EIR reflects the lead agency's independent judgement and analysis.

VII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the project, the Mitigation Monitoring and Reporting Plan (MMRP) set forth in Section 4.0 of the FEIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.