

Draft

# PA-13-0082 WESTPARK PROMENADE

Environmental Findings  
State Clearinghouse Number 2014021022

Prepared for  
City of Wildomar

September 2016



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# **WESTPARK PROMENADE EIR**

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## **Environmental Findings**

### **1. Background and Introduction**

#### **1.1 Project Overview**

The City of Wildomar has completed an Environmental Impact Report (EIR) (State Clearinghouse Number 2014021022) for the Westpark Promenade Project. The City of Wildomar (City) is the Lead Agency for the purposes of preparing and certifying the EIR pursuant to Sections 15050 and 15367 of the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.)

The purpose of the EIR is to evaluate the potential environmental impacts of the proposed Westpark Promenade Project. In compliance with Section 21002.1 of CEQA and Section 15002 of the State CEQA Guidelines, the City of Wildomar, as Lead Agency, has prepared the EIR in order to (1) inform the general public, the local community, responsible and interested public agencies and the City's decision-making bodies and other organizations, entities, and interested persons of the potential environmental effects of the proposed project, feasible measures to reduce potentially significant environmental effects, and alternatives that could reduce or avoid the significant effects of the proposed project, (2) enable the City to consider environmental consequences when deciding whether to approve the proposed project and (3) to satisfy the substantive and procedural requirements of CEQA.

#### **1.2 Public Involvement and EIR Scoping**

The EIR complies with the provisions of CEQA (California Public Resources Code, Sections 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.) and the City's Procedures for Implementing the State CEQA Guidelines. In compliance with CEQA, the City of Wildomar has solicited and considered comments from Responsible and Trustee Agencies, members of the public, and other interested parties during the proposed project's various environmental review processes:

- In accordance with CEQA Guidelines Sections 15063 and 15082, the City prepared and distributed a Notice of Preparation (NOP) of an EIR. The NOP was distributed on May 7, 2014. Subsequent to receipt of comments on the NOP, the project was revised by reducing some residential units and increasing the amount of commercial on the project site. A revised NOP was distributed on March 23, 2015 to governmental agencies, organizations, and persons who may be interested in the project.

- In compliance with Section 21083.9 of CEQA and Section 15082 (c)(1) of the State CEQA Guidelines, the City held a public scoping meeting on May 19, 2014, to receive public and agency comments. On April 13, 2015, the City held a second public scoping meeting due to revisions to the proposed project.
- Comments received from the public and agencies during the public review period for the NOP and the public scoping meeting were considered in the preparation of the EIR prepared for the proposed project.
- In May 2016, a draft EIR (DEIR) was prepared for the proposed project in accordance with then-current CEQA regulations and guidelines. The DEIR was circulated for a 45-day public review period on May 5, 2016. Notification was provided to the State Clearinghouse (SCH), to local, state, and federal agencies, and to all interested parties and jurisdictions pursuant to the requirements of Section 15087 of the State CEQA Guidelines. There were eight letters/correspondence received by the City during the 45-day review period. Comments within each letter/correspondence were evaluated and responded to in accordance with Section 15088 of the State CEQA Guidelines.

## 1.3 EIR Certification and Project Approval Process

### 1.3.1 Findings Required Under CEQA

The City Council (the decision-making body) of the City of Wildomar (the CEQA Lead Agency) will determine whether to certify the EIR for the project. The EIR, as required by State CEQA Guidelines Sections 15089 and 15132, consists of the Draft Environmental Impact Report (“DEIR”) (SCH No. 2014021022), the Response to Comments Document, and any other information added by the City. The Response to Comments Document includes comments received on the DEIR, a list of persons, organizations, and public agencies commenting on the DEIR, and the responses of the City of Wildomar as “Lead Agency” to significant environmental points raised in the review and consultation process. Because the DEIR identified potentially significant environmental impacts, the City Council must also make certain “findings” as part of its action to certify that the EIR has been completed in compliance with CEQA and to approve the proposed project. Pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, no public agency shall approve or carry out a project for which an environmental impact report has been certified, which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant effects, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, are:

- (1) Changes or alterations have been required in or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

### **1.3.2 Significant Effects and Mitigation Measures**

The DEIR identified several significant environmental effects (or “impacts”) resulting from implementation of the proposed project. Some of these significant effects can be fully avoided/mitigated through the adoption of feasible mitigation measures. For those significant impacts that cannot be mitigated to less than significant, the City Council is required to balance, as applicable, the economic, legal, social, technological, or other benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. The State CEQA Guidelines at Section 15093(a) provide that if specific economic, legal, social, technological, or other benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable” and the City Council may adopt a Statement of Overriding Considerations to that effect.

Four environmental topics that include a total of 15 project and cumulative environmental effects cannot be reduced to less than significant by the adoption of feasible mitigation measures. The potential project and cumulative significant and unavoidable impacts related to Air Quality, Greenhouse Gas, Noise, and Transportation/Traffic impacts have been identified as significant and unavoidable and require the preparation of a Statement of Overriding Considerations. Section 3.0, below, describes the project and cumulative effects and outlines the City’s findings with respect to each of these environmental effects of the proposed project.

### **1.3.3 Mitigation Monitoring and Reporting Program**

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared to monitor and report the implementation of the mitigation measures identified for the proposed project. The MMRP will be adopted by the City Council concurrently with these findings, and will be implemented by the City during the proposed project’s planning horizon; and through the project review, construction and post-construction periods of individual development projects. To the extent that these findings conclude that all mitigation measures outlined in the EIR are feasible and have not been modified, superseded, or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City Council formally approves the proposed project.

### **1.3.4 Certification of the EIR and Adoption of Findings**

The City Council will review and consider the information contained in the EIR, as well as submissions from public officials, public agencies and the general public. Prior to project approval, the City Council shall certify that the EIR reflects the City’s independent judgment and analysis. Having considered the foregoing information, as well as any and all other information in the record, the City Council shall make findings pursuant to CEQA Section 21081. In accordance with the provisions of CEQA and the State CEQA Guidelines, the City Council shall adopt the Findings as part of its certification of the EIR for the proposed project.

## 2. Project Summary

### 2.1 Project Location

The project site is located in the southern portion of the City of Wildomar, on the east side of I-15 freeway, south of Depasquale Road and north of Clinton Keith & Catt Road. The project site is bounded on the west by the I-15 freeway, the north by Depasquale Road and an existing single family residential neighborhood to the north of Depasquale Road, the east by an existing single-family residential neighborhood, and the south by a vacant lot and the USA gas station along Catt Road.

### 2.2 Project Description

The project applicant proposes to develop a one-phase mixed-use residential and commercial project. The project site consists of three parcels. The first parcel encompasses 14.12 acres and would be developed with two 8,000 sf restaurant pads, a 17,354 sf multiple tenant commercial retail building, an 85,000 sf major retail building, and 797 surface parking spaces. The second and third parcels would be developed with 191 multiple family attached townhomes totaling 13.48 acres with 487 residential and guest parking spaces and related site and landscape improvements.

The project is anticipated to generate a total of 13,574 daily vehicle trips that includes 1,110 daily vehicle trips from the townhome component, 2,034 daily vehicle trips from the restaurant components, and 10,430 daily vehicle trips from the retail/major retail component.

The restaurant and retail uses would be located on the westernmost 14.12-acre parcel. The heights of the restaurants would be 21'-8". The heights of the two commercial buildings would be a maximum of 38'-0". Preparation of the site would include land clearing, grading, and the installation of utilities, sewers, streets and sidewalks. The sewer, storm drain, gas, telephone, electric, and cable would be underground and extended from Catt Road and Depasquale Road to the project site.

In the eastern portion of the project site, the applicant is proposing the addition of two residential areas on 13.48-acres. The maximum height of these residential structures would be 38'-1". Preparation of the site would include land clearing, grading, and the installation of utilities, sewers, streets and sidewalks. Improvements would include creation of foundations and building pads for the proposed lots. The residential component would include some recreational facilities including a half basketball court and a tot-lot.

The proposed project includes native and drought-tolerant landscaping throughout the project site. Landscaping would consist of project entry theme trees (i.e., date palm or Mexican fan palm) at the northern and southern entrances along Westpark Street as well as selective entrances along Westpark Street. The project landscaping also includes evergreen perimeter trees (i.e., blackwood, majestic beauty Shamel ash, and Afgan pine) along the perimeter of the project site as well as portion of Westpark Street. The residential, retail, and recreational areas include

various types of trees, shrubs and groundcover. The project also includes enhanced stamped concrete as well as project monuments at project entries, 6-foot high masonry walls with pilasters along the northern, eastern and southern property lines. Along the western property line adjacent to the Caltrans I-15 right-of-way, 6-foot tubular steel fence with pilasters are proposed to allow motorist views of the project site.

The proposed project would include the construction of various drainage facilities throughout the project site. The project would extend an existing 54-inch storm drain located at the existing Murrieta Valley/Depasquale Road south along the proposed Westpark Street to convey the off-site flows to the northernmost concrete headwall located in the Caltrans I-15 right-of-way (ROW). The headwall is the entrance into an existing concrete culvert that extends under and to the west side of I-15. The project site would contain two other storm drains, one of which would tie-in to and accept drainage from the existing unnamed storm drain to the east of the project site and would run along a continuation of Copper Court and through the intersection of Copper Court and Westpark Street, eventually discharging to the existing second northernmost headwall within the Caltrans I-15 right-of-way. This second headwall is the entrance to a second concrete culvert that extends under and to the west side of I-15. The third storm drain line would collect stormwater from the southern portion of the project site and would cross Westpark Street, discharging to the southernmost concrete headwall within the Caltrans I-15 right-of-way. This southernmost headwall is the entrance to a third concrete culvert that extends under and to the west side of I-15. Construction of these new storm drains would be adequately sized to capture and convey the anticipated amount of run-on and runoff generated onsite compliant with City drainage control requirements.

The proposed drainage plan also includes structural best management practices (BMPs) to remove pollutants from stormwater. Catch basins are proposed on the project site and would be fitted with inserts designed to capture large floatables and debris, as well as providing some filtration of hydrocarbons. Additional BMPs include bio-retention, sand infiltration, and water quality trench facilities that are located adjacent to proposed storm drain lines. In addition, the project would include detention vault facilities to allow trash and pollutants to settle as well as reduce peak concentration storm flows from exiting the project site.

Primary vehicular access to the project site would be provided by the proposed entry drive located along the southern boundary of Catt Road (Westpark Street) and a northern entry at the intersection of Westpark Street and Depasquale Road. A secondary access to the residential parcels would be provided along Copper Court, which would connect to Westpark Street in an east/west manner. This street would also have a total 44-foot ROW. In addition, both internal and public sidewalks would be developed throughout the site. The public sidewalk system will be connected to the private sidewalk system within each residential area. All sidewalks would be connected beyond the project boundaries to help create a more walkable and connected pedestrian environment.

The project includes two offsite roadway improvements. The project would install a median along Arya Road to prohibit left turns into the existing USA gas station off of Arya Road. A left turn pocket off of Catt Road would also be constructed to allow vehicles to turn into the USA gas

station. These improvements will ensure adequate access into and out of the existing USA gas station.

Approximately 1,284 parking spaces would be provided as part of the project, which would be in compliance with the City's requirements for commercial office and multi-family residences. The proposed project would provide a total of approximately 797 spaces for the commercial retail center and restaurant parcel and 487 parking spaces for the larger high density residential parcel. The smaller high-density residential parcel would include 165 parking spaces.

Emergency vehicle access would be provided via Copper Court; however the access would be gated to limit vehicles at this point to emergency vehicles only. Pedestrian access would be encouraged at this location.

Development of the proposed project would include the provision of drainage, sewage disposal, water, solid waste, electricity, natural gas, and telecommunications on the project site. The infrastructure for the project would tie into the existing infrastructure lines that would be extended from Catt Road and Depasquale Road.

## 2.3 Project Objectives

Section 15124(b) of the CEQA Guidelines states that the project description shall contain "a statement of the objectives sought by the proposed project." Section 15124(b) further states that "the statement of objectives should include the underlying purpose of the project." The underlying purpose of the proposed project is to create an integrated mixed-use center within the Wildomar community by providing an array of shopping and dining choices and residential development, in order to enhance the City as a walkable community with options to live, work, and shop.

As set forth by the CEQA Guidelines, the list of objectives that the project applicant and the City of Wildomar seek to achieve for the proposed project is provided below. Several of the proposed project objectives would support many of the goals, objectives, and policies set forth in the General Plan which guide land use in the proposed project area.

The City of Wildomar and the project applicant have developed the following objectives of the proposed project:

- To provide a mixed-use project, emphasizing pedestrian accessibility between the very high density component and the commercial component.
- To provide very high density residential and commercial components will have elements that are both complimentary to each other as well as complimentary to existing development in the project area.
- Construct the project with high quality materials that minimize the carbon footprint of the project as much as possible.
- Provide affordable housing for the City of Wildomar's varied income groups.
- Create walkable community for visitors, employees and residents.

- Encourage sustainable development.
- Provide retail service for the City of Wildomar

## 2.4 Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOPs and all other public notices issued by the City in conjunction with the proposed project.
- The Response to Comments document for the proposed project which consists of the Response to Comments, Errata, and the Mitigation Monitoring and Reporting Program.
- The DEIR, and all appendices thereto.
- All written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All written and verbal public testimony presented during a noticed public hearing for the proposed project at which such testimony was taken.
- The Mitigation Monitoring and Reporting Program (MMRP).
- The documents, reports, and technical memoranda included or referenced in the technical appendices of the DEIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and Response to Comments.
- The Resolutions adopted by the City in connection with the proposed project, and all documents incorporated by reference therein.
- The City Staff Reports for the project.
- Any documents expressly cited in these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e) (excluding privileged materials).

## 2.5 Custodian and Location of Records

The documents and other materials that constitute the administrative record for the City's actions related to the project are located at the City of Wildomar, Planning Department, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595. The City is the custodian of the record of proceedings for the project. Copies of these documents, which constitute the record of proceedings, are, and at all relevant times, have been and will be available upon request at the City's office. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guideline Section 15091(e).

### 3. Environmental Findings

#### 3.1 Findings Regarding No Impact and Less than Significant Impacts Identified in the EIR

The EIR found that the proposed project would have no impacts or less than significant impacts without the imposition of mitigation on a number of environmental topic areas. The no impact or less than significant environmental impact determination was made for each of the following topic areas listed below, based on the more expansive discussions contained in the EIR.

##### 3.1.1 Project Impacts

###### 3.1.1.1 Aesthetics

- a. **Impact:** The project would have less than significant and less the cumulatively considerable effects on a scenic vista.

**Facts in Support of the Finding:** A scenic vista is usually a view of a valued resource, such as waterways, the ocean, hills, valleys, or mountains. The City has not identified any important scenic viewsheds in the project area or within direct sight from the proposed project.

There are some slight differences in ground elevation between I-15 and the project site. There is also a drainage that traverses the project site from the northeast corner to the southwest towards I-15. A majority of the site is covered with mostly disturbed grassland. There are a few trees in the northwest portion of the site, and there are also a few trees and some riparian vegetation along the eastern boundary associated with the drainage swale.

The I-15 from Corona south to the San Diego County line has been designated as an Eligible State Scenic Highway. While this portion of the I-15 is eligible to be designated as a state scenic highway, it has not yet been recognized as such (Caltrans, 2015).

The project site would be graded to elevations of about 1,315 feet to 1,338 feet. The commercial area would include elevations ranging from about 1,315 to 1,328 while the residential area would include elevations ranging from 1,320 to 1,338. The northwestern boundary of the project site would be about 18 feet lower in elevation than the adjacent residential lots. The eastern portion of the site would be about 10 to 12 feet lower in elevation compared to the adjacent residential lots. Overall, the elevation of the proposed surface on the project site would be lower than the elevation of the surface grade of the adjacent uses. This grade differential would maintain existing residential views of the Santa Ana Mountains to the west.

Development of the project would not substantially obstruct existing residential views of the Santa Ana Mountains due to the project's lower elevation compared to the adjacent

residential areas as well as the project's setbacks and orientation that would allow views of the mountains from adjacent residences. Therefore, development within the project area would result in less than significant impacts related to scenic vistas.

There are cumulative developments proposed on the west side of I-15 that could impact the motorists' view of the scenic Santa Ana Mountains; however, the majority of the cumulative development on the west side of I-15 consist of residential which would not substantially impede views of the Santa Ana Mountains. In addition, there are two non-residential developments (commercial/office and church) that are located about one or more miles from the I-15. The distance of these cumulative projects would not substantially affect views of the Santa Ana Mountains. Therefore, the implementation of the proposed project along with cumulative developments would result in a less than significant effect on scenic vistas.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that project impacts and the project's contribution to cumulative impacts upon scenic vistas would be less than significant.

- b. **Impact:** The project would have less than significant and less than cumulatively significant impacts related to damage of scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

**Facts in Support of the Finding:** The proposed project is not located within a designated scenic highway corridor. As stated in the Environmental Setting section above, SR-74 and SR-243 are designated as State Scenic Highways in Riverside County. The portions of these highways that are designated are located about 32 miles east of the project area and are not visible from within the project area or surrounding areas. The project is located adjacent to the I-15, which is designated by Caltrans as an Eligible State Scenic Highway; however, it is not officially designated as a State Scenic Highway by Caltrans. Public views of the distant mountains (Cleveland National Forest) from I-15 would not be obscured by development of the proposed project with commercial and residential buildings. Under the project, public views of the site would change from an undeveloped site with some scattered trees to include a built environment with residential and commercial buildings. Therefore, views of the project area for passengers along I-15 would not be substantially altered by the proposed project and impacts would be less than significant. Furthermore, the project's contribution to the damage of scenic resources within a state scenic highway would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that project impacts and the project's contribution to cumulative impacts upon scenic resources would be less than significant.

- c. **Impact:** The project would have less than significant and less than cumulatively considerable degradation or alterations to the existing visual character or quality of the site and its surroundings.

**Facts in Support of the Finding:** The project site is currently undeveloped and is covered with disturbed grassland communities and contains a few trees in the northwest portion of the site and a few trees along the eastern boundary in association with a drainage swale. There is also a large drainage feature that traverses the project site in a northeast to southwest manner.

Three visual simulations were created showing views of the project from the southeast, northwest, and southwest.

The existing visual character of the area would change as a result of the project. The project would introduce commercial and high density residential adjacent to single-family residential, but located near other commercial and high density residential land uses. However, the proposed project would utilize building materials and design in the Early California Mediterranean style, similar to the surrounding single-family residences and commercial uses in the project vicinity to blend in with the existing environment. Therefore, because the project aims to enhance rather than degrade the visual character of the area, impacts would be less than significant.

Similar to development of the proposed project, cumulative developments in the proposed project vicinity would be required to undergo a development review process to ensure that the proposals meet City design standards. Compliance with these design standards would result in less than significant cumulative alterations to the visual character of the project vicinity.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project impacts and the project's contribution to cumulative impacts on existing visual character or quality of the site and its surroundings would be less than significant.

- d. **Impact:** The project would create a new source of light or glare, but the increase in light and glare would result in a less than significant and less than cumulatively considerable adverse effect on day or nighttime views in the area.

**Facts in Support of the Finding:** Sources of new and increased nighttime lighting and illumination include, but are not limited to, new residential development, lighting from commercial uses, light associated with vehicular travel (e.g., car headlights), street lighting, parking lot lights, and security-related lighting. Light pollution is regulated by Chapter 8.64 of the Wildomar Municipal Code.

The City's Light Pollution Ordinance establishes limits on the types of fixtures and size of bulbs for aspects of the development. All outdoor luminaires must be located, adequately shielded and directed such that no direct light falls outside the parcel of origin

or onto the public right-of-way. Unshielded fixtures or lighting sources shall not exceed 3,000 lumens per luminaire. Further, the maximum permitted lumens per acre for residential parcels is 55,000 lumens per acre, with an 11,000-lumen limited on the unshielded component. Security lighting is permitted if only triggered by motion or sound and must include a cutoff shield to prevent light spill onto adjacent properties. Up to 5,000 lumens are exempt, with any additional security lighting subject to the provisions of the City's ordinance (City of Wildomar, 2013). Compliance with the ordinance will result in a less than significant impact on nighttime light pollution. The incorporation of ornamental landscaping throughout the proposed project would also provide additional shielding from spillover nighttime lighting. While it is not anticipated that the ornamental landscaping would include outdoor lighting, the City's ordinance states that all light fixtures are required to be shielded and installed in a manner such that the shielding is effective and permanent. The proposed project includes 797 parking spaces which would require nighttime illumination. According to the ordinance, all parking lot lighting shall have no light emitted above 90 degrees.

The proposed project would result in an increase in potential lighting sources associated with a new commercial-residential development, including lighting from vehicular traffic, street lighting, parking lot lighting and security lighting. The City's Light Pollution Ordinance would require residential and commercial luminaires to be full cutoff within 25 feet of adjacent residential property lines. Further, light fixtures on the residential side of commercial property adjacent to residential property shall be full cutoff and shall be installed not higher than 14 feet above grade at the property line, measured perpendicular to the lot. Although the project will increase lighting on the project site, compliance with the City's Light Pollution Ordinance would reduce potential lighting impacts to less than significant.

Further, the effect produced by indirect light sources is commonly referred to as "glare". Daytime glare is typically caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glare or reflective materials. Daytime glare generation is common in urban areas and is typically associated with mid- to high-rise buildings with exterior facades that are largely or entirely comprised of highly reflective glass or mirror-like materials from which the sun can reflect, particularly following sunrise and prior to sunset. Daytime glare generation is typically related to sun angles, although glare resulting from reflected sunlight can occur regularly at certain times of the year. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light-sensitive land use. The proposed project would include 191 multiple-family attached townhomes and 118,354 sf of commercial retail and restaurant uses. Based on visual simulations prepared for the proposed project, the proposed residential units and commercial retail uses would primarily use non-reflective building materials and building windows would be coated with tinting materials to reduce glare to minimize visibility of interior lighting. Consistent with the City of Wildomar Community Design Element of the Draft General Plan, the residential and commercial uses would follow the Mission and Spanish Colonial Revival Styles, which would utilize earth tones, clay-tile roofs, and mimic adobe to blend with the natural landscape and existing

developments within the vicinity of the project site. Implementation of this architectural style would reduce potential glare impacts associated with the project to less than significant.

Cumulative development in the vicinity of the project would also introduce new sources of light and glare in the area. Although the project and cumulative developments would increase light and glare in the project vicinity, the proposed project and cumulative developments would be required to adhere to the provisions of the City of Wildomar Light Pollution Ordinance (Section 8.64 of the Municipal Code) which provides requirements for total light output for new developments in order to preserve access to the night sky and prevent the “sky glow” condition at the Palomar Observatory. This compliance with the Light Pollution Ordinance would reduce potential light impacts to less than significant. In addition, the project, as well as cumulative developments, has the potential to increase glare in the project vicinity. Based on the nearest cumulative development which is proposed on the west side of I-15 and south of Clinton Keith Road, the proposed project would not add to the potential glare impacts associated with cumulative development. Therefore, the proposed project would result in less than cumulatively considerable glare impacts; thus less than cumulatively significant.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that project impacts and the project’s contribution to cumulative impacts from light and glare would be less than significant.

### **3.1.1.2 Agriculture and Forestry Resources**

- a. **Impact:** The project would have no impact and no contribution to cumulative impact on agriculture and forestry resources.

**Facts in Support of the Finding:** The project site is located in western Riverside County, on the eastern portion of the City of Wildomar. The project site is bounded by the I-15 to the west, Depasquale Road (single-family residential tracts) to the north, a single family residential tract to the east, and Catt Road to the south (beyond is an undeveloped lot). The project site is currently undeveloped and vacant, but has been disturbed by human activities for the past several decades. The landscape features at the project site consists of a down-slope linear shape, with two to eight percent slope. The main hazard on the project site is the risk of erosion unless close-growing plant cover is maintained.

There are four types of soil found on the project site, as identified by the U.S. Department of Agriculture Natural Resources Conservation Service, Web Soil Survey. The following soils have been classified on the project site: Greenfield sandy loam, Hanford coarse sandy loam, Monserate sandy loam, and Placentia fine sandy loam. Land capability classification for the project site ranges includes 2e and 4e classifications for irrigated land, and 3e, 4e, and 6e classifications for non-irrigated lands. The land is considered prime farmland if irrigated for the Greenfield sandy loam and the Hanford coarse sandy

loam. However, according to the California Department of Conservation's Farmland Mapping and Monitoring Program, the project site is classified as Farmland of Local Importance. Farmland of Local Importance is soil that would be classified as prime and statewide farmland but lacks available irrigation water (California Department of Conservation, 2010).

The project site is classified as Non-Enrolled Lands on California Department of Conservation Williamson Act maps (California Department of Conservation, 2008). As such, no lands under a Williamson Act contract are on or near the project site. Because no agricultural resources have been identified within the vicinity of the proposed project, no direct or indirect impacts on agricultural resources would occur from implementation of the proposed project.

The proposed project would not be located on land zoned by the City of Wildomar as forestland or timberland. As discussed, the proposed project has not been designated Farmland, and the proposed project does not conflict with an existing Williamson Act contract. As a result, no land within the project site would be converted to non-forest or nonagricultural use and no impact would occur.

Because the project would have no direct or indirect impact on agricultural or forestry resources, the proposed project would not contribute to potential cumulative impact to agriculture or forestry land.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that no project impacts and no project contribution to cumulative impacts to agricultural and forestry resources would occur.

### **3.1.1.3 Air Quality**

- a. **Impact:** The project construction would have a less than significant and less than cumulatively considerable impact to an air quality standard or contribution to an existing or projected air quality violation.

#### **Facts in Support of the Finding:**

##### **Construction Emissions**

Construction activities associated with the project would generate pollutant emissions from the following construction activities: (1) grading; (2) construction workers traveling to and from project site; (3) delivery and hauling of construction supplies to, and debris from, the project site; (4) fuel combustion by on-site construction equipment; (5) building construction; and paving. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants. The amount of emissions generated on a daily basis would vary, depending on the intensity and types of construction activities occurring simultaneously at the time.

It is mandatory for all construction projects in the SCAB to comply with SCAQMD Rule 403 for controlling fugitive dust. Incorporating Rule 403 into the project would reduce regional PM<sub>10</sub> and PM<sub>2.5</sub> emissions from construction activities. Specific Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the proposed project site, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12 inches, and maintaining effective cover over exposed areas. Compliance with Rule 403 was accounted for in the construction emissions modeling.

The maximum daily construction emissions generated by the project would not exceed an air quality standard or contribute substantially to an existing or projected air quality violation.

Because the proposed project's construction period impacts would be considered less than significant, the project would not result in a cumulatively considerable contribution, when considered with future development projections in the AQMP.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project construction impacts and the project's contribution to cumulative impacts would be less than significant because the project's emissions would not exceed an air quality standard or contribute substantially to an existing or projected air quality violation.

- b. **Impact:** The project would have less than significant and less than cumulatively considerable impact on the implementation of the South Coast Air Quality Management Plan (AQMP) because the project would not conflict with or obstruct implementation of the AQMP.

**Facts in Support of the Finding:** The project is located within the South Coast Air Basin, which is under the jurisdiction of the SCAQMD. As such, SCAQMD's 2012 AQMP is the applicable air quality plan for the project. Projects that are consistent with the regional population, housing, and employment forecasts identified by SCAG are considered to be consistent with the AQMP growth projections, since the forecast assumptions by SCAG forms the basis of the land use and transportation control portions of the AQMP. According to the SCAG's draft 2016 RTP/SCS, the population of Wildomar is expected to increase from 31,500 in 2008 to 42,100 in 2020 and finally to 53,700 by 2035 (SCAG, 2012). This is a 33.6% increase in population from 2008 to 2020, and a 70.4% increase in growth between 2008 and 2035. To keep on track to meet these numbers, the City's population would have to increase by approximately 2.5% per year. The California Department of Finance has projected the City's population to be 35,162 as of January 1, 2016. <http://dof.ca.gov/Forecasting/Demographics/Estimates/E-1/>. This is only an 11% increase in population from 2008, well below the 20% increase in population by 2016 projected in the AQMP.

The project would result in a net increase of approximately 630 new residents, which will not cause the City to exceed the population estimates in the AQMP. Consistency with the population growth projections would contribute to meeting the AQMP's strategies toward criteria pollutant attainment within the South Coast Air Basin.

In addition, the project would generate new employment populations in the area. The project is anticipated to introduce approximately 237 new employees to the area (as detailed in Section 3.11, Population and Housing). Development for Wildomar has been anticipated in the regional air quality plan and predicted a growth of 2,500 jobs in the City of Wildomar between 2008 and 2020 (Giroux and Associates, 2015). The SCAG anticipates a growth of 2,500 jobs within Wildomar between 2008 and 2020 (SCAG, 2012). The project accounts for approximately 10 percent of the projected job increase in Wildomar by 2020 according to both the AQMP and SCAG. Because the project's growth is within the current employment projections in the AQMP, the project is not anticipated to result in a population growth beyond what was already anticipated in the AQMP to accommodate the City's employment increases. Additionally, the current land use designation is commercial office. By reducing office employment and increasing retail, it is anticipated that the projected employment growth for the project would be less than was anticipated in the AQMP based on the commercial office land use designation. Therefore, the project would not result in a new population of employees that would result in growth inducement beyond that already projected for the City.

While the project would result in a general plan amendment to convert land uses to very high density residential and commercial retail, the project would remain consistent with the growth projections as identified by SCAG and the AQMP. Because the proposed project is anticipated to be consistent with SCAG's regional forecast projections it is, in turn, consistent with the growth projections accounted for in SCAQMD's AQMP. Therefore, the project would not conflict with, or obstruct, implementation of the AQMP, and this impact would be less than significant.

Future development within the South Coast Air Basin may or may not exceed growth projections; however, the proposed project would be consistent with the growth projections accounted for in the SCAQMD's AQMP. Therefore, the project would not contribute to a potential cumulative conflict with, or obstruct, implementation of the AQMP, and the project's impact would be less than cumulatively significant.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project impacts and the project's contribution to cumulative impacts to the implementation of the AQMP would be less than significant because the project would not conflict with or obstruct the implementation of the AQMP.

- c. **Impact:** The project would result in less than significant and less than cumulatively considerable pollutant concentrations on sensitive receptors.

**Facts in Support of the Finding:**

**Localized Construction Air Quality Impacts – CO Hotspots**

Twenty-two local intersections (including 4 project driveways) were analyzed as part of the traffic study that was prepared for the proposed project (Trames Solutions, Inc., 2015). Under the existing plus ambient plus project conditions, five intersections would operate at an LOS of F without the incorporation of traffic improvement measures. With the incorporation of traffic mitigation measures TRA-1 and TRA-2, the LOS for these intersections would be improved to LOS D or better. Mitigation measures TRA-1 and TRA-2 would reduce congestion on the roadways and at the intersections, thereby reducing the number of idling vehicles and the localized release of pollutants at these five intersections.

According to the SCAQMD methodology, projects that worsen traffic flow, by increasing average delay at intersections operating at level of service (LOS) E or F or causing an intersection that would operate at LOS D or better without the project, to operate at LOS E or F with the project could potentially result in a CO hotspot. Because all of the intersections are mitigated to a LOS D or better, the project specific traffic would not result in CO impacts to localized receptors. Therefore, no additional mitigation would be required, and the impact would be less than significant.

**Localized Construction Air Quality Impacts – Criteria Air Pollutants**

The daily on-site construction emissions generated by the project were evaluated against SCAQMD's localized significance thresholds (LSTs) which were interpolated between a 2- and 5-acre site to determine whether the emissions would cause or contribute to adverse localized air quality impacts. The nearest offsite sensitive receptors are the existing residences adjacent to the project site to the east and north. As discussed previously, because the mass rate look-up tables provided by SCAQMD only provides LSTs at receptor distances of 82, 164, 328, 656, and 1,640 feet, the LSTs for a receptor distance of 82 feet are used to evaluate the potential localized air quality impacts associated with the project's peak day construction emissions, as per SCAQMD methodology.

The daily unmitigated emissions generated onsite by the project construction activities would not exceed the applicable SCAQMD LSTs for a three-acre site in Source Receptor Area (SRA) 25 within the South Coast Air Basin. Therefore, localized air quality impacts associated with the project during construction would be less than significant.

Project construction would result in short-term emissions of diesel PM, a toxic air contaminant (TAC). Diesel PM poses a carcinogenic health risk that is measured using an exposure period of 70 years. The exhaust of off-road heavy-duty diesel equipment would

emit diesel PM during demolition, site preparation (e.g., clearing); site grading and excavation; paving; installation of utilities, materials transport and handling; building construction; and other miscellaneous activities. SCAQMD has not adopted a methodology for analyzing such impacts and has not recommended that health risk assessments be completed for construction-related emissions of TACs.

The dose to which receptors are exposed is the primary factor used to determine health risk (i.e., the potential exposure to TACs to be compared to applicable standards). Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the maximally exposed individual. Thus, the risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer period of time. Health risk analyses are typically assessed over a 9-, 30-, or 70-year timeframe and not over a temporary construction period due to the lack of health risk associated with short-term exposure. The effect of equipment exhaust exposure is further minimized by prevailing daytime winds which blow mainly north to south, generally parallel to the I-15. Dust or exhaust transport from the construction area is unlikely to affect homes to the north and east.

#### **Localized Operational Air Quality Impacts – Criteria Air Pollutants**

During project operations, the daily amount of localized pollutant emissions generated onsite by the project would not be substantial. The project's total operational-related emissions generated onsite would not exceed SCAQMD's screening operational LSTs. Thus, no dispersion modeling is required and localized air quality impacts during project operations would be less than significant.

Typical sources of acutely and chronically hazardous TACs include industrial manufacturing processes, automotive repair facilities, and dry cleaning facilities. The project would not include any of these potential sources, although minimal emissions may result from the use of consumer products. Additionally, it is not anticipated that an emergency back-up generator would be part of the project development. However, if a generator was implemented, it would typically only be used during emergencies and may be turned on periodically for maintenance and inspection purposes. Further, emergency back-up generators are subject to SCAQMD regulatory requirements which limit the allowable emissions to a level below that which would result in an impact. As such, the periodic operation of the backup generator at the project site would not expose surrounding sensitive receptors to substantial pollutant or TAC emissions.

A separate Health Risk Assessment Report was prepared and examines the potential health risk impacts to the residents and workers at the Westpark Promenade from exposures to emissions from the I-15 freeway (Appendix B-2). Specifically, the report examines TACs (i.e., diesel particulate matter) from vehicle traffic on the I-15 freeway, located approximately 300 feet west of the proposed project to the closest residences. The health risk assessment supports the following conclusions related to the health risk impacts of TAC emissions from the I-15 freeway. As shown, neither the cancer or non-

cancer risks for residents or workers would exceed the SCAQMD's thresholds, therefore the impacts would be less than significant.

In addition to potential TACs from vehicle traffic along I-15, the project includes a loading and unloading area for the Major Retail building proposed in the northern portion of the project site. The loading and unloading area includes four bays and will be periodically used. TAC emissions are anticipated to be generated; however, due to the low volume of loading and unloading activity compared to truck traffic travelling along I-15, the project would result in substantially less TACs than the SCAQMD cancer risk significance threshold which is 10 in one million for maximum incremental increase. This incremental increase is above the existing ambient level of TAC emissions which is estimated at 8.9 in one million.

### **Exposure of Sensitive Receptors to Cumulative Pollutant Concentrations**

Because the project construction and operational emissions would not generate a substantial amount of concentrated pollutants or toxic air contaminants, the project would not expose nearby sensitive receptors to substantial pollutant concentrations. Therefore, the project would result a less than cumulatively considerable contribution to pollution concentrations on sensitive receptors.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project impacts and the project's contribution to cumulative impacts would result in less than significant impacts related to the exposure of sensitive receptors to substantial emissions of carbon monoxide (CO) that form hotspots, criteria pollutants (i.e., CO, NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>), or toxic air contaminants (i.e., diesel particulate matter) during construction and operations.

- d. **Impact:** The project would have less than significant and less than cumulatively considerable objectionable odors affecting a substantial number of people.

**Facts in Support of the Finding:** Substantial odor-generating sources include land uses such as agricultural activities, feedlots, wastewater treatment facilities, landfills or various heavy industrial uses. The project does not propose any such uses or activities that would result in potentially significant operational source odor impacts. Potential sources of operational odors generated by the project would include restaurant food cooking, disposal of miscellaneous commercial refuse, and disposal of restaurant food wastes. Odors from restaurant grilling/charbroiling activities would be limited to the restaurant environs and would dissipate rapidly. Moreover, SCAQMD Rule 402 acts to prevent occurrences of odor nuisances. Consistent with City requirements, all project generated refuse would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations. Therefore, impacts would be less than significant.

Because the proposed project would not include uses that have substantial odor-generating sources and the project would be required to comply with SCAQMD Rule 402 to prevent occurrences of odor nuisances, the proposed project would not result in a cumulatively considerable contribution to potential odor impacts.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project impacts and the project's contribution to cumulative impacts of objectionable odors affecting a substantial number of people would be less than significant.

#### **3.1.1.4 Biological Resources**

- a. **Impact:** The project would have less than significant and less than cumulatively considerable adverse effects on special-status, sensitive, or candidate plant species.

**Facts in Support of the Finding:** According to the General Biological Resources Assessment, there are two special-status plant species that have a low potential to occur on the project site, and the remaining special-status plant species that occur in the vicinity of the project site do not have a potential to be located on the project site because suitable habitat is absent. The two special-status plant species include the round-leaved filaree and the smooth tarplant, and these species are classified as CRPR List 1B.1. These two plant species are covered species in the MSHCP. The City of Wildomar has a standard development condition that requires payment of the MSHCP Mitigation Fee. The payment of the fee would reduce the potential impact on these two plant species. In addition, because these species were not observed during the general field surveys conducted during the respective blooming period for each species, not observed during recent focused surveys (August 2016), and suitable habitat is marginal and fragmented by surrounding development, a substantial population of this species is not expected to occur on the project site, and any loss of individual plants of this species would not threaten to eliminate or reduce the viability of a population or restrict the range of the plant species. Therefore, less than significant impacts to special-status, sensitive, or candidate plant species would occur with project implementation.

Because the project would result in less than significant impacts, the project's contribution to potential cumulative impacts on the special-status plant species would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project impacts and the project's contribution to cumulative impacts to special-status, sensitive, or candidate plant species would be less than significant.

- b. **Impact:** The project would have no project impact and no contribution to cumulative impacts to critical habitat or sensitive natural communities.

**Facts in Support of the Finding:** Based on a review of the USFWS critical habitat areas, no critical habitat or sensitive habitats are present on the project site, and no evidence of vernal pools was identified during the biological field surveys. Therefore, no project impacts or no contribution to cumulative impacts to critical habitat or sensitive habitats, including vernal pools, would occur.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have no project impact and no contribution to cumulative impacts to critical habitat or sensitive natural communities.

- c. **Impact:** The project would have no project impact and no contribution to cumulative impacts on the interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

**Facts in Support of the Finding:** The project site is located in an area that was previously utilized for various agricultural activities. Based on the existing site conditions and the surrounding developed land uses, the proposed project is not expected to have an adverse effect on wildlife movements in the immediate area. The site is isolated from any other undisturbed habitat and no existing wildlife corridors or native wildlife nursery sites will be eliminated or impacted by the proposed development. Therefore, the proposed project would have no project impact and no contribution to cumulative impacts on the interference of the movement of migratory species, wildlife corridors, or native wildlife nursery sites.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have no project impact and no contribution to cumulative impacts on the interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

- d. **Impact:** The project would not conflict with a local tree policy or ordinance, and therefore, the project would have no project impact and would not contribute to cumulative impacts to a local tree policy or ordinance.

**Facts in Support of the Finding:** Based on a review of the City of Wildomar General Plan and discussions with City staff, the City of Wildomar does not have an ordinance that protects trees. Therefore, the proposed project would not conflict with or contribute to cumulative conflicts with any local policies or ordinances protecting trees. The project would result in no project impacts and would not contribute to cumulative impacts to a local tree policy or ordinance.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would not conflict with or contribute to cumulative conflicts with any local policies or ordinances protecting trees. The project would result in no project impacts and would not contribute to cumulative impacts to a local tree policy or ordinance.

### 3.1.1.5 Cultural Resources

- a. **Impact:** Implementation of the proposed project would have a less than significant and less than cumulatively considerable impact on human remains.

**Facts in Support of the Finding:** No known human remains exist within the project site. However, since the proposed project would involve ground-disturbing activities, it is possible, although unlikely, that such actions could unearth, expose, or disturb previously unknown human remains. As discussed in the Regulatory Framework section in Section 3.4 of the Draft EIR, the treatment of human remains is governed by PRC Section 5097.98 and Health and Safety Code Section 7050.5. Accordingly, the Riverside County Coroner must be notified in the event human remains are encountered. If the County Coroner determines that the remains are Native American, the NAHC will be notified in accordance with Health and Safety Code Section 7050.5, subdivision (c), and PRC Section 5097.98 (as amended by AB 2641). The NAHC will designate an MLD for the remains per PRC Section 5097.98. Impacts to human remains would be less than significant.

Though not necessary to reduce the impact, Mitigation Measure CUL-11, which reiterates the requirement of construction contractors to be consistent with the California Health and Safety Code Section 7050.5 as well as the Public Resources Code Section 5097.98(b), was added at the request of the Pechanga Tribe.

**CUL-11:** If human remains are encountered, consistent with California Health and Safety Code Section 7050.5, no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin of the remains. Further, consistent with California Public Resources Code Section 5097.98(b), human remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made.

If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within twenty-four (24) hours. The Native American Heritage Commission shall immediately identify the “most likely descendant(s)” and notify them of the discovery. The “most likely descendant(s)” shall make recommendations within forty-eight ( 48) hours, and engage in consultations with the landowner concerning the treatment of the remains, as provided in Public Resources Code Section 5097.98 and the Agreement described in CUL-2.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have a less than significant and less than cumulatively considerable impact on human remains. No mitigation is required; nevertheless the City has added a mitigation measure reiterating that compliance with PRC Section 5097.98 and HSC 7050.5 is required at the request of the Pechanga Tribe.

### 3.1.1.6 *Geology, Soils, and Seismicity*

- a. **Impact:** The project would have less than significant and less than cumulatively considerable potential to expose people or structures to 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 Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.

**Facts in Support of the Finding:** Surface fault rupture typically occurs along active fault traces, and development within an Alquist-Priolo Earthquake Fault Zone (AP Zone) requires site specific fault trenching studies to accurately identify the location of the fault trace. Although fault rupture is not necessarily confined to the boundaries of the AP Zone, the likelihood of rupture occurring outside of an existing plane of weakness is reduced. According to the California Geological Survey (CGS) data, the Elsinore Fault, which is identified as an AP Zone fault, is located 1.9 miles southwest of the project site (CGS, 1980). The Elsinore Fault consists of multiple strands and is recognized as active. Further, the fault is categorized as a right-lateral strike slip fault that runs in the north-south direction, and is divided into seven sections. The portions of the Elsinore Fault that runs through the City are known as the Wildomar and the Glen Ivy South Faults (SCEDC, 2015).

The Wildomar Fault of the larger Elsinore Fault, is considered part of the AP Zone, however, the project site is not located within this AP Zone. While the Wildomar Fault is considered a portion of the AP Zone, the Glen Ivy fault, which lies close to the northeastern corner of the project site is not considered an AP fault zone by the State. Prior to construction of the nearby development, numerous fault trenching studies were conducted to identify the precise location of this fault in order to establish an appropriate building setback in accordance with requirements of the Alquist-Priolo Earthquake Fault Zoning Act (Rasmussen, 2003). After review of these documents and a discussion with Earth-Strata, Inc., the preliminary geotechnical investigation for the proposed project determined that the Glen Ivy fault trace was sufficiently defined on these properties, and, according to Earth-Strata Inc., a structure setback of at least 50 feet from the fault trace would minimize the potential for a surface rupture impact on a structure proposed on the project site (Poole, 2014). The amount and location of surface displacement would depend on the magnitude and nature of the seismic event on the fault. However, no structure for human occupancy<sup>1</sup> under the proposed project would be located within 50

<sup>1</sup> Human occupancy is defined as any structure where there is at least 2,000 person-hours per year.

feet of the Glen Ivy fault trace, as verified by previous site specific fault trenching studies and would be about 120 to 125 feet from the fault trace. The minimum setback of 50 feet from a fault is consistent with requirements of the Alquist Priolo Earthquake Fault Zoning Act. As such, because the development of the proposed project includes structures for human occupancy that are proposed to exceed the 50-foot setback requirements of the Alquist Priolo Earthquake Fault Zoning Act, and the Glen Ivy fault is not classified as an AP fault, the potential for surface fault rupture to result in damage, destruction or injury to future development would be reduced to less than significant.

In addition, because the cumulative effect of fault rupture is defined by the project boundary and no additional related projects are within the project boundary, the project would have a less than cumulatively considerable impact from a fault rupture.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable potential to expose people or structures to potential 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 Earthquake Fault Zoning Map.

- b. Impact:** The project would have less than significant and less than cumulatively considerable potential to expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

**Facts in Support of the Finding:** The project site is located in a seismically active region with the active Elsinore Fault Zone located in the near vicinity of the project site (i.e., less than two miles). In 2007, estimates by the Working Group on Earthquake Probabilities indicated a 97 percent chance that a magnitude 6.7 or greater earthquake would occur in the southern California region over the following 30 years (USGS, 2008). The Elsinore Fault Zone is one of the faults considered capable of producing significant groundshaking. If not designed appropriately, a 6.7 or greater magnitude earthquake on the Elsinore Fault or one of the other regional active faults could produce significant groundshaking within the project area causing damage to structures.

Earthquakes are unavoidable hazards although the resultant damage can be minimized through appropriate seismic design and engineering. The City requires that all construction meet the latest standards of the California Building Code (CBC) for construction which considers proximity to potential seismic sources and the maximum anticipated groundshaking possible. The proposed construction associated with the project would be in accordance with applicable City ordinances and policies and consistent with the most recent version of the CBC, which requires structural design that can accommodate ground accelerations expected from known active faults. The CBC requires that seismic design coefficients are determined for the site based on the site class, anticipated groundshaking based on proximity to nearest active faults, and occupancy category. The resultant seismic design coefficients are then implemented into

the design of the proposed structures. For the proposed project, preliminary designs call for shallow foundation systems consisting of post tensioned slabs which have been identified as adequate to support the proposed structures (Earth-Strata, 2013).

In addition, the final design level geotechnical reports would be prepared by a California registered Geotechnical Engineer or Engineering Geologist and recommendations would include final design parameters for the walls, foundations, foundation slabs, and surrounding related improvements (utilities, roadways, parking lots and sidewalks). Compliance with these building safety design standards would reduce potential impacts associated with groundshaking to less than significant. Therefore, with implementation of the seismic design requirements into construction specification, the impacts associated with the effects associated with groundshaking would be reduced to less than significant.

Furthermore, because the cumulative effect of strong ground shaking and seismic-related ground failure is defined by the project boundary and no additional related projects are within the project boundary, the project would have a less than cumulatively considerable impact from strong ground shaking and seismic-related ground failure.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable potential to expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

- c. **Impact:** The project would have less than significant and less than cumulatively considerable soil erosion or the loss of topsoil.

**Facts in Support of the Finding:** Construction activities associated with new development would involve earthwork activities, including grading and stockpiling of soils. The project site would be graded to elevations approximately 1,332 through 1,345 feet throughout the site, with the parking lot and commercial retail portion slightly raised above the residential area. The site would be balanced, and as such, no import or export of soil would occur. Disturbance of existing soils formerly protected with vegetation or covered by asphalt or concrete can become exposed to winds and water flow that result in soil erosion or the loss of topsoil. As detailed in Section 3.6 Hydrology and Water Quality, project implementation would be required to implement the construction best management practices (BMPs), that would be detailed in the Storm Water Pollution Prevention Plan (SWPPP) as required by the Construction General Permit from the National Pollution Discharge Elimination System program for sites greater than one acre. Each individual development project would be required to prepare a Water Quality Management Plan (WQMP) as required by the City. These SWPPPs, BMPs, and WQMPs are developed on a project-specific basis, and the specific criteria that would be contained within them would vary from one project to another. However, at minimum, typical examples of construction BMPs could include installation of silt fences, hay bales

or application of soil stabilization measures on exposed areas that are designed to minimize the potential for erosion to occur.

Although the SWPPP and WQMP are intended to primarily prevent sedimentation from entering runoff from the site, they have proven effective in preventing soil erosion and loss of topsoil occurring at a construction site. Thus, with adherence to the required BMPs, potential construction-related erosion would be minimized. Following completion of construction activities, disturbed areas would be either revegetated or covered by impervious surfaces such as asphalt which limits the potential for erosion. Thus, operation of the project would not result in significant soil erosion impacts. For further discussion of soil erosion and sedimentation, see Section 3.6, Hydrology and Water Quality. With the implementation of the required SWPPP, the project would have less than significant and less than cumulatively considerable impacts associated with soil erosion.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project has less than significant and less than cumulatively considerable soil erosion or the loss of topsoil impacts.

- d. **Impact:** The project could be located in an area subject to subsidence or collapse, but would have less than significant and less than cumulatively considerable impacts after adherence to building code requirements.

**Facts in Support of the Finding:** If not designed appropriately, proposed improvements could become damaged through the effects of subsidence or collapse. As described earlier, development under the proposed project would be required to adhere to City building code requirements, which include the preparation of a geotechnical investigation by a state licensed geotechnical engineer. The required geotechnical report for any new development or redevelopment would determine the susceptibility of the subject site to settlement or collapse and prescribe appropriate engineering techniques for reducing its effects. The preliminary geotechnical investigation for the site has already determined a profile of the underlying materials and their suitability to support the proposed improvements. Where settlement and/or differential settlement is predicted, site preparation measures—such as use of engineered fill, surcharging, wick drains, compaction requirements, structural slabs, hinged slabs, flexible utility connections, and utility hangers—could be used. These measures would be evaluated and the most effective, feasible, and economical measures recommended in a geotechnical report would be incorporated into the site design in accordance with building code requirements. Final engineering recommendations included in the project engineering and design plans would be reviewed and approved by the City. Therefore, with adherence to building code requirements, the potential for unstable soils to adversely affect proposed improvements would be reduced to less than significant.

Because the cumulative effect is defined by the project boundary and no additional related projects are within the project boundary, the project would have less than cumulatively considerable subsidence or collapse impacts.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project improvements would have less than significant and less than cumulatively considerable subsidence or collapse impacts.

- e. **Impact:** The project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), or corrosive soils creating substantial risks to life or property, but the project would result in less than significant and less than cumulatively considerable risks associated with expansive or corrosive soils after adherence to building code requirements.

**Facts in Support of the Finding:** Expansive soils increase in volume when their moisture content becomes elevated. Structures built on expansive soils could experience foundation cracking as a result of the expanding and contracting soils. In addition, in areas susceptible to subsidence or settlement, facility foundations could be damaged. The project site contains soils that were found to have a low to very low potential for expansion based on laboratory testing taken during the geotechnical investigation (Earth-Strata, 2013). Despite the relatively low potential for expansion, standard geotechnical practices would assume conservative approaches to provide design measures to minimize the potential for expansion to adversely affect proposed improvements. Replacement of native soils with engineered fill or addition of soil amendments are effective means of mitigating expansive soils. As a requirement of the California Building Code, the applicant would be required to complete a final geotechnical investigation that includes site-specific recommendations to address potentially expansive soils.

Final geotechnical specifications would also include measures to prevent other geologic hazards such as corrosivity from causing significant damage. Geotechnical recommendations include preventing corrosive soils from coming in contact with vulnerable materials. Generally, industry standard practices minimize corrosivity through both the type of materials used for underground improvements and selective use of the engineering characteristics of backfill materials. The site-specific analysis of site foundation soils guides the recommended building foundation design, such that corrosion is minimized and reduced to levels that can be accommodated by the final design. Therefore, implementation of standard geotechnical engineering practices, which includes a geotechnical investigation containing recommendations that would be specific to the project site and adherence to building code requirements, would reduce potential impacts from expansive soils and other adverse soil properties to less than significant.

Because the cumulative effect is defined by the project boundary and no additional related projects are within the project boundary, the project would result in less than cumulatively considerable impacts associated with expansive or corrosive soils.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project improvements would result in less than significant and less than cumulatively considerable impacts associated with expansive or corrosive soils..

### **3.1.1.7 Hydrology and Water Quality**

- a. **Impact:** The proposed project would have less than significant and less than cumulatively considerable water quality impacts when compared to water quality standards or waste discharge requirements.

#### **Facts in Support of the Finding:**

##### **Construction**

The project site contains gently rolling hills, with elevations varying from 1,300 to 1,350 feet above mean sea level. In general, soil on slopes tends to be less stable and more susceptible to becoming entrained in stormwater runoff. The project would involve the introduction of structures on a currently undeveloped site. Construction activities such as vegetation removal, grubbing, grading and excavation associated with the proposed project would loosen soil structure and expose bare soil, making it potentially more easily eroded by wind and rain, especially on slopes. However, the project would maximize canopy interception and water conservation by preserving existing native trees and shrubs, thereby minimizing vegetation disturbance and associated erosion potential and sedimentation during construction.

Construction of the proposed structures within the project area would require the use of heavy equipment and construction-related chemicals, such as fuels, oils, grease, solvents and paints that would be stored in limited quantities on-site. In the absence of proper controls, these construction activities could result in accidental spills or disposal of potentially harmful materials used during construction that could wash into and pollute surface waters on-site and/or worsen water quality of downstream receiving waters. Materials that could potentially contaminate the construction area from a spill or leak include diesel fuel, gasoline, lubrication oil, hydraulic fluid, antifreeze, transmission fluid, lubricating grease, concrete, and other fluids.

As project construction would disturb more than one acre of soil, the project operator would be required to comply with the NPDES Construction General Permit. In compliance with this permit, a SWPPP would be prepared and implemented, which would require erosion control, sediment control, non-stormwater and waste and material management BMPs, such as routine inspection and maintenance of equipment, that would prevent construction chemicals used on-site from washing into local water bodies. Prior to issuance of a grading permit for construction, the developer would be required to submit a SWPPP to the City Public Works Department that specifies the BMPs that would be used to prevent construction pollutants from contacting stormwater, with the intent of keeping sedimentation or any other pollutants from moving offsite and into

receiving waters. The City Public Works Department would review the proposed BMPs within the SWPPP and determine if the BMPs are appropriate. After determining that the BMPs are appropriate, the City can issue a grading permit. BMPs could include the following:

- Limiting grading to the minimum area necessary for construction, operation and decommissioning of the project (erosion control);
- Limiting vegetation disturbance/removal to the maximum extent practicable (erosion control);
- Implementing fiber rolls and sand bags around drainage areas and the site disturbance perimeter (sediment control);
- Stockpiling and disposing of demolition debris, concrete, and soil properly (sediment control);
- Installation of a stabilized construction entrance/exit and stabilization of disturbed areas (sediment control);
- Proper protections for fueling and maintenance of equipment and vehicles (non-stormwater);
- Managing waste, aggressively controlling litter, and implementing sediment controls (non-stormwater); and
- Detention basins and associated directional swales (post-construction).

Implementation of these BMPs have proven effective in protecting water quality of receiving waters during construction and as a result, the project would have less than significant and less than cumulatively considerable water quality impacts during construction.

### **Operation**

Operation of the proposed project could also adversely impact water quality. Through the development of residential and commercial land uses on the existing undeveloped site, additional and/or new potential sources of pollutants would be introduced to the project area. Residential and commercial uses could become potential sources of pesticides, sediment, and nutrients (from landscaping), fuels and metals (from vehicles), and trash and debris. Residential uses can also be a source of bacteria (from pet wastes). There are existing impairments for metals (iron and copper), nutrients (nitrogen) and sediment in Murrieta Creek; both the Upper Santa Margarita River and Lower Santa Margarita River are impaired for nutrients (phosphorus and nitrogen) and bacteria. The Preliminary WQMP developed for the project lists nutrients, oxygen-demanding substances, bacteria and viruses, pesticides and metals as the primary pollutants of concern (PCLC, 2015). These pollutants associated with the proposed project could potentially become entrained in stormwater runoff and discharged offsite, resulting in a new or increased impairment of surface water quality downstream.

The project, however, would include several source control (structural and non-structural) and treatment control BMPs during its operation as required by the NPDES permit for the Municipal Separate Storm Sewer System (MS4) and City of Wildomar Municipal Code. Source control BMPs would prevent the pollution of stormwater runoff by preventing stormwater from coming into contact with potential pollutants such as sediment and chemicals. Structural source control BMPs would include, but would not be limited to, maximization of permeable areas, incorporation of landscaped areas between streets and sidewalks, planting of native/drought tolerant vegetation, storm drain signage, rain shutoff devices on irrigation, and appropriate design of trash receptacle areas. Non-structural source control BMPs would include resident and employee receiving water education, activity restrictions, and street sweeping. Treatment control BMPs would allow for the treatment of runoff that may contain pollutants prior to it exiting the site. Treatment control BMPs would include bio retention and sand infiltration facilities and underground retention facilities with underdrains that would filter runoff and catch basins with inserts that would allow runoff to settle out prior to leaving the site. These facilities would be regularly maintained. Together, these BMPs would achieve a medium to high efficiency pollutant filtration rate of runoff.

As specified in the MS4 NPDES permit and the City of Wildomar Municipal Code, the proposed project would be required to prepare a Final WQMP in accordance with Riverside County requirements that would finalize project-specific site design, source control, and treatment control BMPs, as well as a BMP operation and maintenance plan to ensure their continued efficiency throughout the project lifetime. These BMPs would be aimed at controlling post-development runoff rates and urban runoff pollution. The Final WQMP would demonstrate that BMPs will retain the incremental increase of runoff from a two-year storm event, ten -year storm event, or the BMP Design Volume, whichever is greater. The project operator would be required to include a BMP operation and maintenance plan to ensure continued efficiency of water quality control features throughout the project lifetime. The Final WQMP would be submitted to the City Public Works Department for review and approved prior to the beginning of construction. As a result of adherence to these BMP requirements, the project would have less than significant and less than cumulatively significant water quality impacts during operation.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less than significant and less than cumulatively considerable water quality impacts when compared to water quality standards or waste discharge requirements.

- b. Impact:** The project would have less than significant and less than cumulatively considerable impacts on groundwater supplies due to withdrawal or interference with groundwater recharge such that there would not be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

**Facts in Support of the Finding:** The main water supplier for the City of Wildomar is the Elsinore Valley Municipal Water District (EVMWD). The EVMWD receives its water from a connection to the Metropolitan Water District of Southern California (Metropolitan), local surface water from Canyon Lake, and local groundwater from Lake Elsinore (see Section 3.15, Utilities and Service Systems, for a more detailed discussion on this topic). Currently, supplies are sufficient to meet normal year demands and projected growth, but additional infrastructure such as pumping facilities and conveyance facilities will be required to meet peak demands under maximum day conditions (MDD) (EVMWD, 2011).

The project site is currently vacant, and thus providing the proposed project water would represent additional demand on the Elsinore groundwater basin water supplies. Based on the average generation of 400 gallons per multiple family residential unit, the proposed 191 units would generate a demand of approximately 76,400 gallons per day (gpd). Based on the average generation of 120 gallons per 1,000 square feet of commercial per day (gpd), the proposed 118,354 square feet of commercial uses (retail center and restaurants) would generate a water demand of approximately 14,202 gpd. Therefore, the project would generate a water demand of approximately 90,602 gpd. Based on a review of the EVMWD Urban Water Management Plan, groundwater makes up a small percentage (less than 10 percent) of the total water supply, and water supply projections show groundwater pumping within EVMWD would not exceed the Elsinore groundwater basin's annual recharge nor even increase beyond current levels out to the year 2035. In 2013, the EVMWD provided the project applicant a will-serve letter to provide future water service for the proposed project. Therefore, the proposed project would not contribute to an overpumping or substantial decrease in groundwater levels, and the project would not substantially deplete groundwater supplies. As a result, the project would have less than significant and less than cumulatively considerable impacts related to the withdrawal of groundwater supplies.

The proposed project would reduce the overall amount of pervious ground on-site by introducing impervious structures and groundcover to the site. Specifically, the proposed project would result in an overall reduction of pervious surfaces on-site (from an existing 27.6 acres to 6.05 acres). This would alter existing drainage patterns and reduce the ability of the project site to provide some percolation on the project site. Because the project soils were found to provide extremely slow infiltration rates during the infiltration analysis, retention basins cannot be designed for infiltration as part of the project. Therefore, underground detention vaults are proposed to reduce peak stormwater flows of the project site. The implementation of the proposed impervious surfaces on the project site would not substantially alter the infiltration of water on the project site, and therefore, the project would have less than significant and less than cumulatively considerable impacts related to the interference with groundwater recharge.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable impacts on

groundwater supplies due to withdrawal or interference with groundwater recharge such that there would not be a net deficit in aquifer volume or a lowering of the local groundwater table level.

- c. **Impact:** The project would have a less than significant and less than cumulatively considerable on- or off-site erosion or siltation impacts due to the proposed alteration of the existing drainage pattern of the site..

**Facts in Support of the Finding:** Construction and operation of the proposed project have the potential to alter the existing drainage pattern of the project site through disturbance of ground surface and placement of impervious structures on-site. Possible impacts of this include erosion, sedimentation and flooding; all of which are interconnected. Erosion is the washing away of soil by rain. Sedimentation is the accumulation of soil and other matter washed into waterways. Flooding is a general and temporary condition of partial or complete inundation of normally dry land area from unusual and rapid accumulation or runoff of surface waters. Flooding can often cause erosion and sedimentation that could occur simultaneously.

The project site contains two primary drainage channels and gently rolling hills; soil on slopes tends to be less stable. As a result, any alteration to the ground surface and corresponding alteration of the drainage pattern could exacerbate the potential for substantial erosion and siltation. Construction activities such as grading and excavation associated with the proposed project would temporarily alter the ground surface, thus changing the existing drainage pattern of the site. This construction activity would alter the ground surface topography and expose a large amount of bare soil. However, areas that are disturbed would be appropriately protected by silt fences, hay bales, or reseeded to ensure that exposed areas are not susceptible to erosion or siltation in accordance with NPDES Construction General Permit requirements.

Compliance with the NPDES Construction General Permit would involve the development of a SWPPP. The SWPPP would include erosion control BMPs, such as scheduling and preservation of existing vegetation, which would prevent the exposure of soil to water and reduce the threat of erosion. The SWPPP would also implement sediment control BMPs, such as sandbags and fiber rolls, to trap any sediment that mobilizes on-site. Impacts relating to alteration of drainage patterns and causation of erosion, siltation and flooding during project construction would be less than significant. Because the construction of each cumulative development is required to comply with the NPDES Construction General Permit and implement erosion control BMPs, cumulative development would have a less than significant cumulative impact associated with the alteration of drainage patterns causing erosion, siltation or flooding. Therefore, the project's contribution to the alteration of drainage patterns causing erosion, siltation or flooding impacts during construction would be less than cumulatively considerable.

Operation of the proposed project would permanently introduce impermeable surfaces and structures, including roads, houses, and sidewalks, to the previously undeveloped

permeable area. This would generate increased amount of runoff, thus changing the drainage pattern of the project site and potentially result in erosion, siltation and flooding. However, the project would implement operational source control BMPs that would prevent the creation of excess runoff, including testing of irrigation systems to detect and repair overspray and installation of rain shutoff devices preventing irrigation during and after precipitation events. Further, treatment control BMPs would include treatment of first flush flows in bio retention and sand infiltration facilities, underground detention facilities, and catch basins with filters for storm events, which would be regularly maintained. Together, these BMPs would achieve a medium to high efficiency pollutant filtration rate. The project would also be required to develop and implement of a Final WQMP in accordance with City of Wildomar requirements that would finalize project-specific source control, and treatment control BMPs, and would include a BMP operation and maintenance plan to ensure their continued efficiency throughout the project lifetime. The Final WQMP will demonstrate that BMPs will retain the incremental increase of runoff from a two-year storm event, ten-year storm event, or the BMP Design Volume, whichever is greater. Impacts relating to alteration of drainage patterns and causation of erosion, siltation and flooding during project operation would be less than significant. Because the operation of each cumulative development is required to comply with the NPDES MS4 Permit, cumulative development would have a less than significant cumulative impact associated with the alteration of drainage patterns causing erosion, siltation or flooding. Therefore, the project's contribution to the alteration of drainage patterns causing erosion, siltation or flooding impacts during operation would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have a less than significant and less than cumulatively considerable on- or off-site erosion or siltation impacts due to the proposed alteration of the existing drainage pattern of the site.

- d. **Impact:** The project would have less than significant and less than cumulatively considerable impacts on the capacity of existing or planned stormwater drainage systems or impacts due to the addition of polluted runoff sources.

**Facts in Support of the Finding:** The project would introduce residential and commercial uses on a currently undeveloped site, and would require the construction of storm drains onsite (see Figure 2-11 in Section 2, Project Description). The project would remove a portion of the existing Murrieta Valley/Depasquale Road storm drain to install a tie-in to extend the existing 54-inch storm drain on-site along Westpark Street through the middle of the project site, eventually discharging to the existing northernmost concrete headwall within the Caltrans I-15 right-of-way. The project site would contain two other storm drains, one of which would tie-in to and accept drainage from the existing unnamed storm drain to the east of the project site and would run along a continuation of Copper Court and through the intersection of Copper Court and Westpark Street, eventually discharging to the existing second northernmost headwall within the

Caltrans I-15 right-of-way. The third storm drain line would collect stormwater from the southern portion of the project site and would cross Westpark Street, discharging to the southernmost concrete headwall within the Caltrans I-15 right-of-way. Construction of these new storm drains would be adequately sized to capture and convey the anticipated amount of run-on and runoff generated onsite compliant with City drainage control requirements. Roof drains would be directed to landscape areas where practical. In areas where not practical, runoff would spill onto impervious surfaces and become part of the surface flows collected and treated in the proposed storm drain system. Based on the Preliminary WQMP, the implementation of the proposed drainage plan that includes bio-retention, sand infiltration, and underground detention facilities would reduce peak concentration flows exiting the project site. Therefore, the project would result in a less than significant impact on the existing capacities of the three existing culvers extending under the I-15 as well as the facilities downstream of the existing I-15 culverts. Because the flows exiting the project site include upstream flows and each cumulative project is required to reduce peak concentration flows exiting their sites, existing downstream drainage facilities would not experience greater flooding impacts with the development of cumulative projects. Therefore, because the project would reduce potential peak concentration storm flows exiting the project site to existing conditions or less, the proposed project's contribution to existing downstream drainage facility capacities would be less than cumulatively considerable.

As stated above, in accordance with the NPDES MS4 permit, the project would be required to develop a Final WQMP in accordance with Riverside County requirements that would include BMPs that detain stormwater runoff to the extent practical as that is most effective means of treating stormwater pollutants. These detention BMPs would reduce peak concentration flows discharged offsite and remove pollutants. These BMPs include bio-retention, sand infiltration, and underground detention facilities that would reduce pollutant runoff from the site so that potential water quality impacts from project implementation would be less than significant. In addition, each cumulative project is required to comply with the NPDES MS4 permit which would reduce operational water quality impacts. Because the project will comply with the NPDES MS4 permit, the proposed project's contribution of pollutants within the surface water runoff would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less than significant and less than cumulatively considerable impacts on the capacity of existing or planned stormwater drainage systems or impacts due to the addition of polluted runoff sources.

- e. **Impact:** The project would have less than significant and less than cumulatively considerable degradation of water quality.

**Facts in Support of the Finding:** The project has the potential to affect water quality during both construction and operation. Construction activities would loosen soil and

introduce chemicals onsite that could potentially mix with runoff and result in sedimentation and/or further impairment of downstream water quality. However, the proposed project would be required to comply with the requirements of the Construction General Permit as stated above, and develop a SWPPP for the project site that would include BMPs aimed at protecting water quality. During operation, the project would implement structural source control, non-structural control, and treatment control BMPs as part of the project design. These BMPs include bio-retention, sand infiltration, and underground detention facilities aimed at preventing degradation of water quality in accordance with a Final WQMP. The WQMP would define the operation and maintenance measures for each of the proposed BMPs to ensure continued efficiency of stormwater management. The proposed BMPs would reduce potential water quality impacts to less than significant.

The Final WQMP would demonstrate that finalized operational BMPs can retain the incremental increase of runoff from a two-year storm event, ten -year storm event, or the BMP Design Volume, whichever is greater. These potential causations of water quality degradation would be reduced to less than significant with implementation of the aforementioned BMPs and mitigation measures.

Based on groundwater measurements from the Preliminary Geotechnical Report, the project site contains some areas of high groundwater levels (i.e., 12 feet below the ground surface). Construction of the proposed detention facilities would extend to approximately six to eight feet below ground surface. Therefore, construction equipment is not expected to come into contact with groundwater. However, in the event that project construction equipment unexpectedly comes into contact with groundwater, BMPs that are part of the Stormwater Pollution Prevention Program as required by the Construction General Permit would be required to be implemented to protect groundwater from potential pollutants. In addition, BMPs would also reduce the degradation of surface water flows exiting the project site during construction activities. Impacts related to the degradation of surface water quality by the proposed project would be less than significant.

In addition, cumulative development within the project vicinity would also be required to comply with the NPDES Construction General Permit. Compliance with this permit would reduce water quality impacts during construction of cumulative development to less than significant. Because the proposed project would comply with the NPDES Construction General Permit, the project's contribution to surface water quality impacts during construction activities would be less than cumulatively considerable.

Cumulative development within the project vicinity would also be required to comply with the NPDES MS4 permit. Compliance with this permit would reduce surface water quality impacts during operations associated with cumulative development to less than significant. Because the proposed project would comply with the NPDES MS4 Permit, the project's contribution to surface water quality impacts during operational activities would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less than significant and less than cumulatively considerable degradation of water quality.

- f. **Impact:** The project would have less than significant and less than cumulatively considerable flooding impact on people or structures due to the failure of a levee or dam.

**Facts in Support of the Finding:** The project would introduce structures and people to a currently undeveloped area. However, as stated previously, the project is not located in a flood zone. There are no levees located within the vicinity of the project site. The project site is also not located in a dam failure inundation zone (Riverside County, 2014). Structures would not be located on nor affect the performance of any levees or dams. Therefore, impacts related to flooding as the result of levee or dam failure would be less than significant. Furthermore, because the project site is not located in a flood zone or a dam failure inundation zone, the project's contribution to exposing people or structures to potential flooding impacts would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less than significant and less than cumulatively considerable flooding impact on people or structures due to the failure of a levee or dam.

### 3.1.1.8 Hazards and Hazardous Materials

- a. **Impact:** The proposed project would have less than significant and less than cumulatively considerable hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials.

**Facts in Support of the Finding:**

#### Construction

The construction of the proposed developed of 191 multiple-family attached townhomes, and 118,354 sf commercial retail center would not result in the routine use, storage, transport, or disposal of large quantities of hazardous substances. The proposed project could involve the use of some hazardous and flammable substances during the construction phase. Construction activities would require the use of certain hazardous materials such as fuels, oils, solvents, and glues. Inadvertent release of large quantities of these materials into the environment could adversely impact soil, surface waters, or groundwater quality. However, the on-site storage and/or use of large quantities of materials capable of impacting soil and groundwater are not typically required for the construction of the proposed project. Additionally, for any site that would disturb more than one acre, a National Pollution Discharge Elimination System (NPDES) Permit for General Construction would be required which includes measures that cover the transport, use, and disposal of hazardous materials during construction. With adherence

to these existing regulations, the potential impact associated with routine transportation, use, and disposal of hazardous materials would be less than significant.

The project site is currently vacant and undeveloped. Therefore, no impact would occur with regard to the demolition of any existing structures where hazardous building materials, such as asbestos, lead-based paint, and polychlorinated biphenyls (PCBs) were commonly used in construction because there are no structures. Adherence to existing regulations would reduce the potential for hazardous building materials to impact the environment or the public. As already required by applicable regulations and laws, proposed redevelopment of older existing facilities would be required to adhere to appropriate identification and abatement procedures by certified contractors who employ practices that limit the exposure of hazardous building materials, where present. Therefore, this would be a less than significant impact.

Cumulative development would also use and dispose of hazardous materials during construction activities. Adherence to the requirements of the NPDES Construction General Permit is required to reduce potential impacts from the inadvertent release of large quantities of hazardous waste. Compliance with these requirements would reduce potential cumulative impacts to less than significant. Because the project is required to comply with the NPDES Construction General Permit, the project's contribution to hazardous materials impacts would be less than cumulatively considerable.

### **Operation**

The proposed project would develop 191 multiple-family attached townhomes and a 118,354 sf commercial retail center. The secondary activities that would occur at the residential units (e.g., building and landscape maintenance) would involve the use of limited quantities of hazardous materials. Cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in the regular maintenance of buildings and landscaping would be utilized by the proposed residential uses. These activities, however, would not result in the routine transport, use, or disposal of hazardous materials from the project site, and disposal of these materials would be required to comply with the City's Hazardous Waste Management Plan which includes a Households Hazardous Waste Element.

The proposed project would also expect to increase commercial land uses that could involve a range of increases in chemical products that are considered hazardous materials or hazardous waste, such as dry cleaners, restaurants and other similar commercial uses that use limited amounts of regulated chemical products. Exposure to hazardous chemicals through improper handling or through accidental upset conditions could cause acute or chronic health effects to the public and environment.

Handling and use of these hazardous materials and the disposal of the resulting hazardous wastes would be required to follow the applicable laws and regulations. The net result of compliance would be the reduction of risks and hazards to workers, the public, and the environment to levels that would be considered acceptable.

Hazardous materials would typically be stored in their original containers prior to use. As required by existing laws and regulations, the hazardous materials would be stored in each building, in locations according to compatibility and in storage enclosures (i.e., flammable material storage cabinets and biological safety cabinets) or in areas or rooms specially designed, protected, and contained for such storage, in accordance with applicable regulations. Hazardous materials would be handled and used in accordance with applicable regulations by personnel that have been trained in the handling and use of the material and that have received proper hazard-communication training. Hazardous materials reporting (i.e., California Hazardous Materials Business Planning, California Proposition 65 notification, and Emergency Planning and Community-Right-to-Know Act reporting) would be completed as required.

Existing regulatory requirements, such as RCRA “cradle to grave” requirements for hazardous materials and the County’s Hazardous Materials Management Plan, establish minimum standards for businesses handling hazardous materials. This regulatory framework requires that hazardous materials are stored, handled, and disposed of according to the Hazardous Materials and Waste Management Plan of Riverside County and restrictions on facilities handling large quantities of hazardous materials would be placed (however, it is important to note that the project does not include industrial or manufacturing uses that would qualify as large quantity users). Transportation routes for hazardous materials would be identified and regulated (Caltrans) to minimize the potential adverse effects from accidental upset conditions. Therefore, this would be a less than significant impact.

Cumulative development is also likely to transport, use and dispose of hazardous materials during operational activities. Because each cumulative project would be required to comply with state and local regulations regarding the transport, use and dispose of hazardous materials, cumulative projects would result in a less than significant impact. Because the project is required to implement these requirements, the project’s contribution to public hazard impacts during operational activities would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less than significant and less than cumulatively considerable hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials.

- b. Impact:** The proposed project would have less than significant and less than cumulatively considerable hazard impact to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

### **Facts in Support of the Finding:**

#### **Construction**

The proposed project could involve the use of some hazardous and flammable substances during the construction phase. These substances could include vehicle fuels and oils in the operation of heavy equipment for site grading and roadway construction.

Construction vehicles on-site may require routine or emergency maintenance that could result in the release of oil, diesel fuel, transmission fluid, or other materials. These materials would be transported along the roadways and temporarily stored on-site. Containment and spill cleanup is encompassed in the Storm Water Pollution Prevention Plan (SWPPP) discussed in Section 3.7, Hydrology and Water Quality, to prevent hazardous materials from spreading off the property. Hazardous materials being generated during construction would be disposed of in accordance with the required SWPPP. Therefore, as a condition of construction, compliance with existing regulations (NPDES) would address potential upsets and accidents limiting the potential impacts during construction to less than significant.

Cumulative development could also involve the use of some hazardous and flammable substances during construction phases. Each cumulative development would be required to comply with the NPDES Construction General Permit which would include measures to prevent accidental spills from spreading off the property. Because the proposed project includes a SWPPP which would include measures to contain hazardous materials from exiting the project site, the project's contribution to cumulative hazardous materials upset and accident conditions would be less than cumulatively considerable.

#### **Operation**

The proposed project includes the development of 191 multiple-family attached townhomes and 118,354 sf commercial retail land uses which would likely include the use of hazardous materials and waste common in other commercial/retail mixed-use residential settings. These chemicals could include familiar materials such as toners, paints, lubricants, and kitchen and restroom cleaners as well as relatively small quantities of fuels, oils, and other petroleum-based products. Any businesses that would store hazardous materials and/or waste at its business site would be required to submit a Hazardous Materials Management Plan in accordance with the Riverside County Hazardous Waste Management Plan (HWMP). Both the federal and State governments require all businesses that handle more than a specified amount of hazardous materials to submit an annual business plan to the local Certified Unified Program Agency (CUPA). The CUPA with responsibility for the City of Wildomar is the Riverside County Environmental Health Department (RCEHD). The RCEHD requires all new commercial and other users to follow applicable regulations and guidelines regarding storage and handling of hazardous waste in a manner such that accidental spills or releases are minimized and spill response supplies are readily available to quickly contain any spill that may occur. With adherence to these existing regulatory requirements, the potential to

adversely affect workers, residents, visitors, or the environment would be reduced to less than significant.

Cumulative development would include residential and new businesses. The long-term residential uses would include the use of household hazardous materials, but residential uses are not associated with public hazards from the upset or accidental release of hazardous materials. Businesses have the potential to result in the upset or accidental release of hazardous materials. Businesses associated with cumulative development would be required to submit a Hazardous Materials Management Plan. Adherence to the existing regulations would reduce cumulative impacts related to hazardous materials to less than significant. Because the project is required to implement these requirements, the project's contribution to public hazard impacts during operational activities would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project have less than significant and less than cumulatively considerable hazard impact to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

- c. **Impact:** The proposed project would have a less than significant and less than cumulatively considerable impact on an adopted emergency response plan or emergency evacuation plan.

**Facts in Support of the Finding:** The City of Wildomar Emergency Plan (Ordinance No. 44) objectives are to prepare for and facilitate coordinated and effective responses to emergencies in Wildomar and to provide adequate assistance to other jurisdictions as needed. The plan specifies actions for the coordination of operations, management, and resources during emergencies; governmental responsibilities during emergency events; and a plan for the organization of nongovernmental organizations providing support assistance. Because the project site is not identified as an Emergency Operations Center, the project would not have any direct impact on the operations and management during emergencies. In addition, the proposed project would provide improved access for emergency vehicles to the project site. Therefore, the project would have a less than significant impact.

Cumulative developments are not expected to impair the implementation of or interfere with the City's Emergency Plan because these projects are anticipated to provide greater access to sites that are currently undeveloped. The project's contribution to potential impairment of the City's Emergency Plan would be less than cumulatively significant and thus less than significant.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have a less than significant and less than cumulatively considerable impact on an adopted emergency response plan or emergency evacuation plan.

- d. **Impact:** The proposed project would have a less than significant and less than cumulatively considerable wildfire impact on people and structures due to the intermixing of urbanized areas with wildlands.

**Facts in Support of the Finding:** The project site does not fall within a fire hazard area under the Fire Hazard Severity Zones in a State Responsibility Area (SRA). A SRA is defined in Section 4102 of the Public Resources Code as: areas of the State in which financial responsibility of preventing and suppressing fires has been determined by the board pursuant to Public Resources Code Section 4125, to be primarily the responsibility of the State.

The project site falls within the Local Responsibility Area (LRA), City of Wildomar within Riverside County. According to the Very High Fire Hazard Severity (VHFHS) Zone LRA map, the project site is within a VHFHS zone under the authority of the City of Wildomar. The project site consists of vacant land and is susceptible to wildland fires. The project would include design features that will reduce the project's susceptibility to fire. The proposed project would be surrounded by roads on all four sides and would include hardscapes, and will include a landscape design plan in compliance with the fire department's safety design elements. The proposed project would be designed to comply with Fire Code and other legal requirements aimed at minimizing fire risks, including safety equipment standards, provide adequate emergency access, and provide sufficient fire hydrants and water flows. The proposed project would be required to pay its fair share contribution into the City's development impact fee program and annex into the City's CFD 2013-1, which funds fire protection and suppression services. Based on the project site's proximity to a fire station, design features, and the urban characteristics within the project area, the implementation of the project would not result in any significant exposure of people or structures to the threat of wildfires.

There are cumulative developments that could also be located within the LRA within Riverside County and within an area designated as a Very High Fire Hazard Severity (VHFHS) Zone. Each cumulative project is required to comply with the state and local fire regulations to reduce the exposure of people or structures to the threat of wildfires. In addition, many of these cumulative developments would remove the fuel load from the individual sites and reduce the potential for wildfires. Because the proposed project would comply with the state and local fire regulations and remove vegetative fuel from the project site, the project's contribution to increase impacts from wildland fires would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have a less than significant and less than cumulatively considerable wildfire impact on people and structures due to the intermixing of urbanized areas with wildlands. No mitigation is required; nonetheless the City has included a condition of approval that reiterates the need to comply with the Fire Code at the request of persons commenting on the Draft EIR.

### 3.1.1.9 Land Use and Planning

- a. **Impact:** The proposed project would have less than significant and less than cumulatively considerable environmental impacts associated with an applicable land use plan, policy, or regulation.

**Facts in Support of the Finding:** The proposed project is consistent with the policies of the Regional Comprehensive Plan and goals of the 2012 Regional Transportation Plan that are relevant to the project. The provision of the proposed 191 multiple family attached townhome units will assist the City in meeting their regional housing needs assessment (RHNA) allocation. Therefore, the proposed project would be consistent with the City's RHNA goals.

The proposed project is consistent with the City's applicable policies, including land use, in the General Plan.

The City's Zoning Ordinance is one of the main tools used to implement the General Plan. The project includes a zone change to replace the existing zoning from CPS (Scenic Highway Commercial) to R-3 (General Residential) for a 13.48 acre portion of the site. The zone change would result in the project's zoning being consistent with the General Plan land use designation, as amended by this project, for Parcels 2 and 3 on the project site.

The proposed project includes land uses that could be compatible with the surrounding land uses. Multiple-family townhouse uses are proposed along the eastern portion of the project site and would be compatible with the existing proposed single-family uses. The proposed townhomes would be located approximately 25 feet from the property line and the ground level would be approximately 10 to 12 feet lower in elevation than the single-family residential uses to the east. In addition, there is an existing 6-foot high masonry wall beginning at the elevation of the single-family residential lots. The setback and elevation differences between the multiple-family residential uses and the existing single-family residential uses would result in a compatible land use.

The proposed commercial uses in the northern portion of the project site would be adjacent to the existing single-family residential uses to the north. The commercial uses primarily include surface parking and the northern side of the major retail building. Based on a review of the project plans, the major retail building will be set back from the existing property line by at least 57 feet. In addition, the floor elevation of the major retail structure would be approximately 15 to 20 feet lower in elevation compared to the existing ground elevation of the residential property. The setback and elevation differences between the proposed major retail building and existing single-family residential uses would result in a compatible land use.

From a cumulatively perspective, land use conflicts associated with project developments are site-specific and do not result in cumulative impacts. Site-specific incompatibility issues are addressed and mitigated on a project-by-project basis through implementation

of the City's General Plan policies and zoning regulations, as well as through the environmental review process. Development of the project site, after the approval of the General Plan Amendment and Zone Code Change Amendment, is consistent with the City's expectations in this area. The proposed project would be consistent with the relevant regional goals and policies and consistent with the relevant General Plan policies of the City and would not result in land use conflicts. Therefore, the project would not contribute to potential cumulatively considerable land use goal and policy impacts.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less than significant and less than cumulatively considerable environmental impacts associated with an applicable land use plan, policy, or regulation.

### 3.1.1.10 Mineral Resources

- a. **Impact:** The proposed project would have no impact and no contribution to cumulative impacts on mineral resources.

**Facts in Support of the Finding:** The project site has been classified as MRZ-4 (California Department of Conservation, 1985). MRZ-4 is defined as areas where geologic information does not rule out either the presence or absence of mineral resources. MRZ-4 is commonly applied to areas of unknown mineral potential that occur within a broader favorable terrain known to host economic mineral deposits.

The following are the three general categories of general categories of geologic mineral resources that may be present in the project site:

1. Construction Mineral Materials: Sand, gravel, and crushed rock. The federal land management agencies, including the BLM, USFWS, and BOR, refer to these as "saleable mineral resources."
2. Metallic and Rare Minerals: Gold, silver, platinum, iron, copper, lead, zinc, gemstones, and semiprecious materials. The federal land management agencies refer to these as "locatable mineral resources."
3. Leasable Mineral Resources: Oil, coal, sodium, potassium, and geothermal resources. The federal land management agencies refer to these as "leasable mineral resources."

It is possible that any of the three resource categories listed above may be present on the project site classified as MRZ-4. The classification of MRZ-4 does not rule out either the presence or absence of mineral resources and the classification is also commonly applied to areas that occur within a broader favorable terrain known to host economic mineral deposits.

Although there is potential for some mineral resources to exist in and around the project site, the proposed project would not significantly reduce the availability of known mineral resources. There are no mining claims on or immediately adjacent to the project site (USGS, 2014). Thus, no impact would occur related to the loss of availability of a

known mineral resource, either of regional or local importance. Because the project would have no impact on mineral resources, the project would not contribute to cumulative impacts on mineral resources.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have no impact and no contribution to cumulative impacts on mineral resources.

### 3.1.1.11 Noise

- a. **Impact:** The project would have less than significant and less than cumulatively considerable impact on people exposed to, or the generation of, excessive groundborne vibration or groundborne noise levels.

**Facts in Support of the Finding:** Construction activities that would occur within the project site would include grading and excavation, which would have the potential to generate low levels of groundborne vibration resulting from heavy equipment traveling over unpaved surfaces or when heavy equipment is engaged in soil movement. As such, the existing residential uses located in the immediate vicinity of the project site to the north and east could be exposed to the generation of excessive groundborne vibration or groundborne noise levels related to construction activities. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to structural damage at the highest levels. Site ground vibrations from construction activities very rarely reach the levels that can damage structures, but they may be perceived in buildings very close to a construction site. No pile-driving activities are anticipated for construction of the proposed project.

The various PPV and RMS velocity (in VdB) levels for the types of construction equipment that would operate during the construction of the proposed project are identified in Table 3.10-13 of the DEIR. Based on the information presented in Table 3.10-13 of the DEIR, vibration velocities could reach as high as approximately 0.089 inch-per-second PPV at 25 feet from the source activity, depending on the type of construction equipment in use. This corresponds to a RMS velocity level (in VdB) of 87 VdB at 25 feet from the source activity.

According to Caltrans, the threshold for structural vibration damage for “new residential structures” such as the off-site residences from the project site are 0.5 in/sec for continuous/frequent intermittent sources of vibration, which include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment (refer to Table 3.10-7 of the DEIR). The corresponding damage threshold criterion for fragile buildings is 0.1 in/sec. To be conservative, for the purpose of this analysis, the 0.1 in/sec damage threshold for fragile buildings is used to assess the project’s potential groundborne vibration impacts during construction at the nearest off-site receptors since below this level there is virtually no risk of building damage.

The nearest off-site sensitive receptor to any proposed structural component on the project site is approximately 100 feet; however, the project's parking lots could be closer to the off-site residences with as little as a 50-foot separation distance (Giroux & Associates, 2015). At a distance of 50 feet the vibration levels generated by construction equipment could reach as high as 0.03 in/sec, which is below Caltrans' building damage threshold criteria of 0.1 in/sec for continuous/frequent intermittent sources of vibration. Thus, vibration impacts associated with building damage would be less than significant.

In terms of human perception, the 0.03 in/sec (78 VdB) vibration level forecasted to occur at the nearest off-site sensitive receptors would be less than "distinctly perceptible", according to Caltrans vibration annoyance criteria (refer to Table 3.10-8). Additionally, at 78 VdB, this vibration level would also not exceed the FTA's 80 VdB annoyance threshold from "infrequent" vibration events, which are defined as fewer than 30 events per day. In addition, it should be noted that over the course of a construction day, construction equipment would be operating throughout the project site at various locations. As such, equipment such as large bulldozers would not operate solely at the shared property line with the adjacent off-site residences for prolonged time periods. The vibration levels would be much lower as equipment move to a location further away within the project site. As such, this impact is would be less than significant.

Cumulative development in the City may result in the exposure of people to or the generation of excessive groundborne vibration. The nearest related projects to the proposed project are the proposed Wildomar Square Retail Center development, which is located beyond 1,000 feet southwest of the project site and across the I-15 Freeway, and the proposed Diversified Pacific Homes Development, which is located approximately 1,300 feet northeast of the project site and beyond numerous residential structures. Due to these distances, and the rapid attenuation of groundborne vibration, the proposed project and these two nearest related projects are not in close enough proximity to each other to affect the same sensitive receptors should construction for these two related projects occur at the same time as the proposed project. Only receptors located in the immediate vicinity of each construction site would be potentially impacted by each development. Construction activities associated with the proposed project and related projects would result in less than significant construction vibration impacts. Because the project does not include uses that would generate long-term operational groundborne vibrations, the project would result in no operational vibration impacts. Therefore, the project's contribution to cumulative construction vibration would be less than cumulatively considerable thus less than cumulatively significant.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable impact on people exposed to, or the generation of, excessive groundborne vibration or groundborne noise levels.

- b. **Impact:** Construction of the project would have a less than significant and less than cumulatively considerable temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

**Facts in Support of the Finding:** Construction equipment noise levels associated with construction of the closest proposed buildings or parking areas on the project site would range between 65 and 83 dBA  $L_{eq}$  at the closest residential receptors north and east of the project site. As stated previously, a significant construction noise impact would occur if noise levels exceed 85 dBA. Therefore, most of the construction equipment noise levels would be less than significant even if the ground elevation of the project site was the same as the adjacent residences. Although concrete saws could generate a noise level of 90 dBA  $L_{max}$  at 50 feet, the elevation difference between the nearest residence and the project site is at least 10 feet in height. This elevation difference as well as the nominal expected use, if any, of a concrete saw near the northern or eastern property boundaries, is expected to attenuate noise levels from concrete saws so that noise would not exceed 85 dBA. Concrete saws at 50 feet would result in a noise level of 83 dBA  $L_{eq}$  and this level does not take the elevation difference into account. Therefore, construction activities associated with the proposed project would result in a less than significant noise impact.

Construction noise is localized in nature and decreases substantially with distance. Consequently, in order to achieve a substantial cumulative increase in construction noise levels, more than one source emitting high levels of construction noise would need to be in close proximity to the proposed project. The nearest anticipated project to the project site is the proposed Wildomar Square Retail Center development, which consists of six buildings totaling 46,600 square feet on a 4.8-acre site located beyond 1,000 feet southwest of the project site and across from the I-15 Freeway. The next nearest related project would be the proposed Diversified Pacific Homes Development, which consist of the development of 51 single-family lots located approximately 1,300 feet northeast of the project site and beyond numerous existing intervening residential structures that are currently located west of George Avenue. Due to the distances of these two nearest related projects, and along with the intervening structures located between these two related projects sites and the project site (i.e., the I-15 Freeway and the numerous residential structures), a substantial increase in construction noise levels would not occur if construction for these two related projects occur at the same time as the proposed project. The proposed project would not result in a significant construction noise impact. Because the proposed project and related projects would not contribute to a substantial combined noise level, the project and related projects would result in a less than significant cumulative construction noise impact. Therefore, the project's contribution to cumulative construction noise would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that construction of the project would have a less than significant and less than cumulatively considerable

temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

### **3.1.1.12 Population and Housing**

- a. **Impact:** The proposed project would have less than significant and less than cumulatively considerable inducement of population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

**Facts in Support of the Finding:** According to the 2012 U.S. Census Statistical Summary, Wildomar's average household size is 3.3 persons per dwelling unit (SCAG, 2015). Assuming an average household of 3.3 people and the addition of 191 new multiple family residential dwelling units, the project would generate a net population increase of approximately 630 new residents. As shown in Table 3.11-1 of the DEIR, by the year 2035, the population of the city is expected to grow to 53,700 persons from 31,500 in 2008 and 42,100 in 2020. This is a 33.6% increase in population from 2008 to 2020, and a 70.4% increase in growth between 2008 and 2035. To keep on track to meet these numbers, the City's population would have to increase by approximately 2.5% per year. The California Department of Finance has projected the City's population to be 35,162 as of January 1, 2016. <http://dof.ca.gov/Forecasting/Demographics/Estimates/E-1/>. This is only an 11% increase in population from 2008, well below the 20% increase in population by 2016 projected by the Southern California Association of Governments (SCAG). The project would result in a net increase of approximately 630 new residents, which will not cause the City to exceed the population estimates by SCAG.

In addition, the project would generate new employment populations in the area, mostly in the retail, professional/business services, educational/health services, finance, and leisure/hospitality sectors. However, the new retail shopping center and restaurants that would be developed under the project would be accommodating demand for this type of commercial space that is projected to occur in the city and surrounding area. Assuming commercial space in Wildomar experiences a ratio of one employee per 500 square feet, and the project includes about 118,354 square feet of new retail and restaurants, the project would introduce approximately 237 new employees to the area (Institute of Transportation Engineers, 2012). Currently, 2.93 percent of Wildomar residents work where they live, while the remaining 97.07 percent commute to other places such as Temecula, Lake Elsinore, and even as far as San Diego and Los Angeles (SCAG, 2013). Because most of the retail and restaurant employees can be drawn from within a region's existing employment stock, and the project will generate a relatively small number of employees, it is not expected that new retail and restaurants would draw large numbers of new employees from outside of the region. Therefore, the project would not result in a new population of employees that would result in growth inducement beyond that already projected for the City.

The project would accommodate predicted growth, and would not result in a substantial increase in population. The project's residential units would help to meet housing

demands from projected population growth in the City and the region as well as job growth projected for the area. Therefore, the project would result in less than significant impacts related to population and housing.

Cumulative development is also projected to increase population and housing. The total number of units currently proposed, approved, under construction, or recently completed is about 3,066 residential units. The total number of commercial/retail/office space is about 650,000 square feet. Based on an average household of 3.3 people, the cumulative projects would result in about 10,118 residents. Based on a generalized factor of one employee per 500 square feet of commercial/retail/office, the cumulative projects would result in about 1,300 employees. Two schools are also proposed to accommodate 764 students. Assuming 20 students per classroom, there would be 38 teachers plus an additional 12 administrative staff. The total employees anticipated from the cumulative projects are about 1,350 employees. With the addition of the proposed project, the cumulative projects and the proposed project would result in 3,257 residential units (3,066 + 191), 10,748 residents (10,118 + 630) and 1,587 employees (1,350 + 237). Both the cumulative development and the proposed project within the City of Wildomar would result in substantial, direct population growth through the construction of new housing units and the creation of new employment opportunities. Additionally, such development could result in indirect growth through the extension of existing and the construction of new roadways and infrastructure. However, as discussed in Section 3.11, Population and Housing in the DEIR, the proposed project's potential to result in direct growth inducement is considered a less than significant impact on its own due to the inclusion of retail employment opportunities which are expected to be filled by the existing labor force, thus reducing the number of employees living within the City and be required to leave the City to find employment. The proposed project would not induce growth not already considered in the population forecasts for the City. Therefore, the project's contribution to potential environmental impacts from the inducement of population and housing growth would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds the project would have less than significant and less than cumulatively considerable inducement of population growth in an area, either directly or indirectly.

### **3.1.1.13 Public Services**

- a. **Impact:** The proposed project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered fire protection facilities.

**Facts in Support of the Finding:** The nearest fire station to the project site is Wildomar Fire Station #61, located at 32637 Gruwell Street in Wildomar, 1.62 miles west of the site. In addition to Fire Station #61, several other Riverside County fire stations in the surrounding area would be able to provide fire protection safety services to the project site, if needed. The 2012 RCFD annual report concluded that Station #61 responded to a

total of 1,820 incidents in 2012 (RCFD, 2012). Considering the population was 32,719 in 2012, there was one incident for 17.98 people in 2012.

The proposed project would result in an additional 630 residents in the area and approximately 237 new employees to the area. Considering the incident rate of one incident per 17.98 people in 2012, the proposed project would generate an estimated 35 annual incidents. An additional 35 incidents would represent an increase of 1.9 percent in the number of incidents in Wildomar.

The Wildomar General Plan Policy S-5.1 instructs the City to develop and enforce construction and design standards which ensure that proposed development incorporates fire prevention features through specified minimum standards and the inclusion of certain safety features. These standards and features would be required with the construction of the proposed residential and commercial structures on the project site.

In addition, the proposed project would be required to pay development impact fees related to fire protection to enable the expansion of fire protection facilities, the addition of fire protection personnel, and the acquisition of additional fire equipment, as needed to maintain their performance standards. The costs for future fire protection facilities are allocated to future development based on the amount of service population added by each type of development. Before the Certificate of Occupancy is issued, the applicant must pay an impact fee for fire protection to the City of Wildomar. The current fees, which are subject to change, are \$421.48 per multi-family residential dwelling unit as defined by the City of Wildomar in its Development Impact Fee schedule (City of Wildomar, 2015). As a standard condition of approval, the project applicant will be required to annex the project site into Community Facilities District (CFD) 2013-1. Prior to annexation, the project applicant would be required to provide development impact fees. The CFD would fund fire services for the project site.

Considering the estimated 1.9 percent increase in the number of incidents in Wildomar as a result of the proposed project, and the proposed project's required compliance with the Wildomar General Plan Policy S-5.1, as well as the payment of development impact fees, impacts would be less than significant.

Future City cumulative growth would increase demand on fire protection personnel or equipment. The fire department evaluates the adequacy of their staffing and equipment on a periodic basis to ensure appropriate service capacity is provided. All present and future development projects that would occur within the City would be required to participate in the City's development impact fee program for fire stations and any cumulative impacts resulting from increased need for fire protection services would be offset by development fees on a project specific basis. Based on the cumulative list provided in Table 4-1 of the DEIR, there are about 3,066 proposed, approved, not yet constructed, and recently constructed residential units within the City. Based on a persons-to-housing unit ratio of 3.3, the cumulative development could result in a population of about 10,118 people. Based on the 2012 Riverside Fire Department annual

report of 1,820 incidents within the City, there was one incident for each 17.68 people. Therefore, with a population increase of 10,118 people, cumulative development could generate an estimated 572 annual incidents. This increase in incidents could require the construction or expansion of existing fire stations to adequately serve cumulative development. The construction or expansion of fire stations could result in significant cumulative environmental impacts. Because the project would result in a demand of 35 annual incidents, this addition of incidents to the existing incidents as well as the overall cumulative incidents would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds the project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered fire protection facilities.

- b. **Impact:** The proposed project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered police protection facilities.

**Facts in Support of the Finding:** The completion of the proposed project would result in an increase of 630 residents in the City of Wildomar. Police protection services are provided by the Riverside County Sheriff's Department (RCSD). The nearest sheriff's station is the Lake Elsinore Station, located at 333 Limited Avenue in the City of Lake Elsinore, approximately six miles north of the project site. Traffic enforcement is provided for Riverside County in this area by the California Highway Patrol, with additional support from the RCSD.

The RCSD has established a recommended service ratio of 1 sworn law enforcement personnel for every 1,000 residents (RCSD, 2014). This service ratio takes into account the services to non-residential uses within the County. The proposed project would result in an estimated 630 people, thus requiring approximately 0.63 additional sworn law enforcement personnel to service the project area.

The proposed project would be located on a currently undeveloped site, but is surrounded by residential land uses to the east of the property. Because the proposed project is located in an area that already contains urban development, the RCSD will not be required to expand its service area to accommodate the proposed project upon completion.

The City of Wildomar has development impact fees to enable the expansion of police protection facilities, the addition of police personnel, and enables the City to obtain additional police equipment, as necessary. Thus, before construction begins, the applicant would pay an impact fee for police protection to the City. The current fee amount, which is subject to change, is \$160.45 per multifamily residential unit and \$151.80 per KSF for commercial land use designation (City of Wildomar, 2015). As a standard condition of approval, the project applicant will be required to annex the project site into Community Facilities District 2013-1. Prior to annexation, the project applicant would be required to

provide development impact fees. The CFD would fund police services for the project site. The payment of the development impact fees and the project requiring less than one new officer would reduce the project's impact on police services to less than significant. In addition, because the project would require less than one new officer, the project would not require the construction or expansion of existing police facilities. Therefore, the project would result in less than significant environmental impacts associated with the provision of new or physically altered police facilities.

Based on the cumulative list provided in Table 4-1 in the DEIR, there are about 3,066 proposed, approved, not yet constructed, and recently constructed residential units within the City. Based on a persons-to-housing unit ratio of 3.3, the cumulative development could result in a population of about 10,118 people. According to the RCSD's recommended service ratio of 1 sworn law enforcement personnel for every 1,000 residents, cumulative development could result in the need for an additional 10 sworn law enforcement personnel to service the City. The addition of commercial, retail, and office uses may also increase in the need for new police personnel.

The addition of 10 new sworn law enforcement personnel is not expected to result in the need for expanded or new sheriff building facilities; however, new patrol cars would be required. The payment of development impact fees would offset increased demands on the police department and would ensure that adequate police facilities and infrastructure (including new police personnel and equipment) as the need arises. The development projects within the City would be evaluated on a project-specific basis to determine appropriate safety features within each project to assist in reducing the potential demand for police services. Because the project would result in the need for less than one new officer and would provide developer impact fees, the project's contribution to cumulative impacts on police services would be less than cumulatively considerable

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds the project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered police protection facilities.

- c. **Impact:** The proposed project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered school facilities.

**Facts in Support of the Finding:** The proposed project would result in 630 new residents, which would generate an additional student population for the Lake Elsinore Unified School District (LEUSD). The project is anticipated to generate approximately 48 K-12 students.

Based on their existing capacity, LEUSD would be able to accommodate the 48 new students expected to be generated by the 191 multiple family attached townhouses that would be built as a result of the proposed project. Student enrollment within LEUSD is expected to gradually increase in the next few years (LEUSD, 2012). The district saw its

first decline in enrollment in 2008, as a result of the housing market decline, and experienced a decline in enrollment of -1.02 percent from 2008 to 2012. However, 2016 is anticipated to be the first year of increased enrollment, from 20,151 in 2015 to 20,315 in 2016, a percent increase of 0.81 percent.

The K-5, 6-8, and 9-12 schools would have available capacity to accommodate school children anticipated to be generated from the development of the 191 multiple family attached townhomes on the project site. Therefore, the LEUSD would not be required to construct new school to accommodate the anticipated students generated on the project site. The proposed project would result in a less than significant impact on LEUSD schools.

The project applicant would be required to pay a fee for the provision of school services pursuant to Senate Bill 50. In 2012, the fee for new residential development for LEUSD \$3.36 per square foot for new residential development and \$0.54 per square foot for new commercial development (LEUSD, 2014). All residential and non-residential implementing projects would be required to pay school impact fees in effect at the time of development.

Cumulative growth within the LEUSD will increase the student population. According to the LEUSD, there are nearly 29,000 units that have either been approved or in various planning stages within its boundary. Based on a worst-case student generation for the future residences which assumes the single family residential student generation ratios of 0.2865 for elementary, 0.1446 for middle school, and 0.1911 for high school, the addition of about 29,000 residential units within the school district could result in the generation of 8,309 elementary school students, 4,193 middle school students, and 5,542 high school students. With the potential to substantially increase the number of students within the LEUSD, cumulative development would result in the need for new and expanded school facilities. The construction and operation of new and expanded school facilities could result in cumulative environmental impacts. As cumulative development projects are issued building permits, each development would be required to pay a school fee for the provision of school services pursuant to Senate Bill 50. The fee would provide for school services and reduce the effect of cumulative development. Because the proposed project would result in the generation of 48 new elementary, middle, and high school students, and the project would pay the school impact fee, the proposed project's contribution to cumulative impacts on school services would be less than cumulatively considerable

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds the project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered school facilities.

- d. Impact:** The proposed project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered park facilities.

**Facts in Support of the Finding:** The proposed project would increase the population of the City of Wildomar by introducing residential units into the project area. The additional 630 residents would increase the use of city parks. The proposed project would provide some recreational space for its residents (i.e., recreational facilities, a half basketball court, a tot lot, and community pool and spa); however, this additional population would increase demand for City-owned park and recreational space.

The City of Wildomar requires applicants of residential development to dedicate 3 acres of parkland per 1,000 residents or in lieu of dedication, pay a fee, to mitigate the impacts of property development or improvements. The proposed project would add 630 new residents to the project area and would, therefore, be required to provide a minimum of 1.89 acres of dedicated parkland in order to meet the dedication requirement. In lieu of parkland dedication, the City of Wildomar allows developers to pay impact fees to distribute the costs of park expansion to new development. Thus, the applicant would pay impact fees for parkland acquisition and improvement to the City. The current Park Acquisition impact fee, which is subject to change, is \$421.48 per multifamily residential dwelling unit, as defined by the City of Wildomar Development Impact Fee study (City of Wildomar, 2015). In addition, the City also imposes a Park Improvement impact fee that the applicant must pay before construction begins. The current Park Improvement impact fee, which is subject to change, is \$470 per multifamily residential dwelling unit (City of Wildomar, 2014).

While the proposed project would result in an increase in demand for park facilities, payment of the impact fees would offset any increased deterioration of existing parks. Therefore, the proposed project would result in less than significant impacts related to park facilities.

The project in combination with other cumulative development in the Project area would increase the use of existing parks within the Project area. Based on the cumulative projects list provided in Table 4-1 in the DEIR, about 3,066 units resulting in about 10,118 residents could be constructed within the City. With the addition of 10,118 residents and based on a ratio of 3 acres of parkland per 1,000 residents, cumulative development could result in the demand for about 30 acres of parkland. The proposed project could result in the demand for about two parkland acres. As each future development is issued building permits, each development would be required to dedicate land for a park or pay a park fee as well as pay a park improvement fee to offset the potential impact on parks. The proposed project's contribution to potential cumulative impacts to park facilities would be less than cumulatively considerable

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered park facilities.

- e. **Impact:** The proposed project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered library facilities.

**Facts in Support of the Finding:** The project would incrementally increase the demand for library services. However, due to the small population increase of the proposed project (630 people), the impact on library services is anticipated to be minimal and would not affect the County's ability to provide library services.

The City of Wildomar had an approximate population of 32,719 in 2012. The proposed project would be serviced by the Riverside County Library Systems. The nearest branch, the Mission Trail Community Library, provides residents six-days-a week service, including access to a regional catalog system that allows sharing of resources among a large network of libraries that lend to each other (City of Wildomar, 2015). While there would be an increase of 630 additional residents as a result of the proposed project, the project would represent an increase of about 1.9 percent in population. In addition, the Mission Trail Library would utilize the Riverside County Regional catalog system to share resources among a greater collection. Because of the nominal increase in project population that would demand library services, the implementation of the proposed project would not require the construction or expansion of existing library services, and thus the project would result in a less than significant impact on the County's library services.

Development of the proposed project in combination with other future development projects in this service area of the Riverside County Library System would increase the need for library services. As development occurs within Riverside County, property and sales taxes would increase and a portion of these taxes would be allocated to the County of Riverside. The County would determine the appropriate funding needed to provide increased library services through the Riverside County Library System. This indirect funding is expected to provide adequate library services for cumulative development throughout the County. The proposed project would result in the demand for library services from 630 future residents. Due to the nominal increase in project population that would demand library services, the project's contribution to cumulative impacts on library services would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered library facilities.

- f. **Impact:** The proposed project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered hospital facilities.

**Facts in Support of the Finding:** The proposed project is within the proximity of four hospitals in southwest Riverside County. These hospitals provide a combined total of 488

beds and each have an emergency department. The proposed project will result in the generation of approximately 593 new residents and approximately 237 new employees. Residents and employees of the project site may result in an increased demand for medical services in the project vicinity. The recent addition of the Temecula Valley Hospital increased the number of beds in the project vicinity from 348 to 488, an approximately 29 percent increase. With the recent addition of the Temecula Valley Hospital, the project potential increase in demand for medical services would not require the provision of additional hospitals or expansions of existing hospitals in the project vicinity to serve the proposed project. Therefore, the proposed project would result in a less than significant impact on hospital services.

As cumulative growth occurs within the southwest portion of the County, additional demand on hospital services would occur. As demand increases, the County, as well as private corporations, would continue to evaluate the demand for hospital services. It would be speculative to determine where future hospital would be constructed and therefore, would be speculative to determine if the future construction of hospital could result in significant environmental effects. The proposed project would generate 630 new residents which could be considered nominal compared to the population of southwest Riverside County that includes about 276,000 people within the cities of Wildomar, Menifee, Temecula, Lake Elsinore, and Hemet alone and not including other areas within southwest Riverside County. Therefore, the project's contribution to potential cumulative effects on hospital services would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable physical impacts with the provision for, or the need for, new or physically altered hospital facilities.

#### **3.1.1.14 Recreation**

- a. **Impact:** The project would have less than significant and less than cumulatively considerable physical degradation of recreational facilities from the increased use of existing neighborhood and regional parks or other recreational facilities.

**Facts in Support of the Finding:** The proposed project would develop 191 new multiple family attached townhomes on an undeveloped lot surrounded by single family residential land uses in the City of Wildomar. The 191 new residential units would increase the population of the City by an estimated 630 residents. California Planning, Zoning, and Development Laws (Section 66477, Quimby Act) allow a jurisdiction to establish requirements for the dedication of local park acreage, in lieu fees, or a combination of both for residential developments. The City of Wildomar has adopted its own Development Impact Study, which includes parkland acquisition impact fees. The basic standard for determining the dedication or in-lieu fee requirement is 3.0 acres of park land per thousand residents. The proposed project would be required to pay an in-lieu fee of \$421.48 per multi-family residential dwelling unit, which would result in a total fee of \$80,502 in parkland acquisition fees.

The addition of 630 residents to the area is not a significant increase in population that could cause substantial physical deterioration of existing recreational facilities particularly since access to larger regional parks are within proximity of the project site. The project site is surrounded by existing single family residential land uses, thus the introduction of 630 new residents would not increase the use of existing regional and neighborhood parks substantially. Moreover, the close proximity of the project site to recreational amenities provided by the Cleveland National Forest and other nearby facilities is large enough to accommodate an increase of residents to the area. Moreover, the project site is also located within the Riverside County Regional Park and Open Space District, which includes a variety of recreational facilities (parks, riding and hiking trails, campgrounds, etc.) in close proximity to the City of Wildomar and the project site. The proposed project includes recreational amenities available for residents on the project site (i.e., two recreational facilities, a half basketball court and a tot lot) as well as a community pool and spa. Therefore, the proposed project would not result in an increase in the use of recreational facilities in a manner such that physical deterioration of recreational facilities would occur or be accelerated. As a result, impacts to recreation would be less than significant.

The project in combination with other cumulative development in the project area would increase the use of existing recreational amenities within the City as well as in areas in the vicinity of the City. However, this increase in use would be offset with the payment of the City's in-lieu fees for the acquisition of new park land. Although new park land could be acquired with the in-lieu fees, cumulative development could result in significant recreation impacts. The proposed project includes recreational uses to reduce the need for project residents to substantially increase the use of recreational amenities off of the project site. Because the proposed project would not substantially increase the use of offsite recreational facilities, the project's contribution to cumulative deterioration of recreational uses would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable physical degradation of recreational facilities from the increased use of existing neighborhood and regional parks or other recreational facilities.

- b. Impact:** The project would have less than significant and less than cumulatively considerable physical effect on the environment due to the need for the construction or expansion of recreational facilities.

**Facts in Support of the Finding:** The project site is located in close proximity to a network of existing trails, including the Santa Ana mountain range, located within in the Cleveland National Forest as well as existing parks that contain recreational amenities. The proposed project includes the construction of recreational uses; however, the proposed project's recreational uses would not result in an adverse physical effect on the environment. In addition, the proposed project would not require the expansion or

construction of new recreational facilities off of the project site. Therefore, the proposed project would result in less than significant recreational impacts.

The project in combination with other cumulative development in the project area would increase the use of existing recreational amenities within the City as well as in areas in the vicinity of the City. However, this increase in use would be offset with the payment of the City's in-lieu fees for the acquisition of new park land. Although new park land could be acquired with the in-lieu fees, cumulative development could result in significant impacts on the environment from the construction or expansion of recreation facilities. The proposed project includes recreational uses to reduce the need for project residents to substantially increase the use of recreational amenities off of the project site. Because the proposed project would not substantially increase the use of offsite recreational facilities or require the need to construct or expand existing recreational facilities that would result in adverse physical effects on the environment, the project's contribution to cumulative impacts on the environment from the construction or expansion of recreational facilities would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable physical effect on the environment due to the need for the construction or expansion of recreational facilities.

### **3.1.1.15 Transportation and Traffic**

- a. **Impact:** The project would have less than significant and less than cumulatively considerable circulation hazards due to a design feature or incompatible uses.

**Facts in Support of the Finding:** The City of Wildomar implements development standards designed to ensure standard engineering practices are used for all improvements. The proposed project would be checked for compliance with these standards as part of the review process conducted by the City. Improvements to the transportation and circulation system surrounding the project site would be implemented, and all such improvements would be designed and constructed to local, regional, and federal standards. As such, they would not introduce any hazardous design features. The proposed project would include four new driveway site access points along Westpark Street to connect Depasquale Road and Catt – Arya Road. Because the project site is currently undeveloped, construction of these driveways and street would not result in a roadway or traffic hazard. The proposed project would not include any dangerous design features, curves, or intersections. As such, project impacts related to hazardous roadway design features would be less than significant.

Because the project and future developments would be required to comply with the development standards designed to ensure standard engineering practices for all transportation and circulation improvements, no hazardous design features would occur.

Therefore, the project's contribution to cumulative roadway design hazards would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that project would have less than significant and less than cumulatively considerable circulation hazards due to a design feature or incompatible uses.

### **3.1.1.16 Utilities and Service Systems**

- a. **Impact:** The proposed project would have less than significant and less than cumulatively considerable impacts on applicable Regional Water Quality Control Board wastewater treatment requirements.

**Facts in Support of the Finding:** The proposed project would increase densities and intensities of land use within the project site for residential and commercial land uses, which would result in increases in the levels of wastewater. Currently, the project site is undeveloped, vacant land zoned for Commercial Office (CO). Wastewater generated from the proposed project would be treated by EVMWD's Regional WWTP. In 2005, EVMWD was issued a National Pollutant Discharge Elimination System (NPDES) permit from the San Diego Regional Water Quality Control Board (RWQCB) to discharge effluent into Lake Elsinore and Temescal Wash (EVMWD, 2011). The Waste discharge requirements for EVMWD are based on all applicable state and federal regulations, policies and guidance, and include limitations on effluent discharge and receiving water. In general, effluent discharge requirements include specifications for adequate disinfection treatment and limitations on radioactivity, pollutant concentrations, sediments, pH, temperature, and toxicity.

The proposed residential and commercial land uses within the project site are uses that do not typically discharge wastewater that contains harmful levels of toxins. All effluent would comply with the wastewater treatment standards of the San Diego RWQCB. In addition, wastewater generated by the proposed project would not exceed the existing capacity of the Regional WRF. Therefore, the proposed project would result in less than significant impacts related to the wastewater treatment requirements of the RWQCB.

Cumulative development could result in a significant increase in wastewater flow requiring wastewater treatment services. The Elsinore Valley Municipal Water District (EVMWD) has 2.0 million gallons per day of available treatment capacity. The proposed project would result in wastewater from residential and commercial uses, and the proposed uses would generate similar wastewater as the existing residential and commercial uses in the EVMWD service area. Because the project includes uses that would generate similar wastewater as existing residential and commercial uses, the project would not result in a cumulatively considerable increase in the exceedance of wastewater treatment requirements. Thus, the proposed project would result in a less than significant cumulative impact on wastewater requirements.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable impacts on applicable Regional Water Quality Control Board wastewater treatment requirements.

- b. **Impact:** The proposed project would have less than significant and less than cumulatively considerable environmental effects due to the construction of new water or wastewater treatment facilities or expansion of existing facilities.

**Facts in Support of the Finding:** The proposed project includes the construction of new water and wastewater facilities to serve the proposed commercial and residential uses. These facilities would connect to the existing facilities within Catt Road south of the project site and extend north within Westpark Street. The project would result in the demand of water of about 90,602 gallons of water per day. The project would generate about 89,850 gallons of wastewater per day.

The EVMWD has reviewed the project and has determined that existing water and sewer facilities are adequate to serve the project by providing a will-serve letter (EVMWD, 2013). Therefore, the implementation of the project would not require offsite water or sewer improvements; other than connections to existing lines. The proposed project would result in less than significant environmental impacts associated with offsite water and sewer improvements.

The Elsinore Valley Municipal Water District (EVMWD) provides water and sewer services to the City of Wildomar. The cumulative effect on these services would result from development that is projected within the EVMWD service area. EVMWD estimates that the total wastewater flow to the Regional WWTP will be about 16.74 mgd in 2030. The current treatment capacity of the Regional WWTP is 8 mgd and therefore cumulative development could result in a significant impact of wastewater treatment services. The proposed project would result in the generation of 89,850 gpd which represent 0.9 mgd. EVMWD currently has 2.0 mgd of available treatment capacity. Although the project would contribute to the cumulative impact on treatment services at the Regional WWTP, the project's contribution would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less than significant and less than cumulatively considerable environmental effects due to the construction of new water or wastewater treatment facilities or expansion of existing facilities.

- c. **Impact:** The proposed project would have sufficient water supplies available to serve the project from existing entitlements and resources, and would have less than significant and less than cumulatively considerable impact on water supplies

**Facts in Support of the Finding:** As previously discussed, the proposed project would be served by the EVMWD. Currently, the EVWMD obtains its potable water from a

connection to the Metropolitan Water District of Southern California, local surface water from Canyon Lake, and local groundwater from Lake Elsinore. As shown in Table 3.15-6, the estimate water demand for the proposed project is 90,603 gpd which represents 101 AF per year.

As shown in Table 3.15-1, the EVMWD had water supplies of 51,928 AF in 2010 and 69,165 AF in 2015 and a projected supply of 70,581 AF in 2035. As shown in Table 3.15-2, the average water demand within EVMWD was 34,182 AF in 2010, 46,206 AF in 2015 and a projected average water demand of 59,991 in 2035. In comparing water supply to water demand, EVMWD has an excess of water supply in 2010 (17,746 AF), 2015 (22,959 AF), and 2035 (10,590 AF).

With the implementation of the proposed residential and commercial uses as well as cumulative development, the project would result in a demand of 101 AF per year which could be accommodated by the EVMWD's water supply. Because the EVMWD's projected water demand is based on population projections within the EVMWD, the cumulative water demand of 70,581 AF in 2035 would include an excess water supply of 10,590 AF compared to the 2015 water supply of 69,165 AF. This excess water supply compared to projected growth could accommodate future cumulative growth. The project's water demand of 101 AF per year would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable impact on water supplies.

- d. **Impact:** The project would have less than significant and less than cumulatively considerable impact on wastewater treatment capacity based on EVMWD's existing commitments.

**Facts in Support of the Finding:** The project site is located within the Regional WWTP service area. As of 2010, the Regional WWTP had an existing average daily wastewater flow into the treatment plant of 6.0 mgd. The capacity of the treatment plant is 8 mgd and the remaining capacity is about 2 mgd. The project would result in the generation of 89,850 gpd which represent about 0.09 mgd. Therefore, the Regional WWTP has adequate remaining capacity to serve the anticipated wastewater generated by the proposed project.

EVMWD estimates that the total wastewater flow to the Regional WWTP will be about 16.74 mgd in 2030. The current treatment capacity of the Regional WWTP is 8 mgd and therefore cumulative development could result in a significant impact of wastewater treatment services. The proposed project would result in the generation of 0.9 mgd. EVMWD currently has 2.0 mgd of available treatment capacity. Although the project would contribute to the cumulative impact on treatment services at the Regional WWTP, the project's contribution would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable impact on wastewater treatment capacity based on EVMWD's existing commitments.

- e. **Impact:** The proposed project would have less than significant and less than cumulatively considerable solid waste disposal impacts on a landfill.

**Facts in Support of the Finding:**

**Construction**

During construction of the project, solid waste would be generated that may include a variety of building materials that can be recycled. Construction activities would generate solid waste consisting of cardboard and other paper products, metals, plastics and other building materials. Residential construction (multiple family attached townhomes) is expected to generate approximately 4.39 pounds per square foot (USEPA, 2003a). Non-residential (including commercial retail) is expected to generate approximately 3.86 pounds per square foot (USEPA, 2003b). Using the waste generation estimates for construction activities, the project would generate about 1,018 tons of solid waste.

Solid waste generated during construction activities would be disposed of at the El Sobrante Sanitary Landfill located at 10910 Dawson Canyon Road east of Interstate 15 in the Gavilan Hills. The California Integrated Waste Management Board (CIWMB) determined the remaining capacity of the landfill, as of 2013, was 109,000,000 tons with an estimated closure date of January 2045 (CalRecycle, 2009). The construction waste generated by the proposed project would represent 0.0009 percent of the remaining capacity at the landfill. Therefore, the existing capacity can accommodate the generation of solid waste from project construction.

**Operation**

The operational activities associated with the proposed residential and commercial uses would result in increased generation of solid waste. Based on the construction of 191 multiple family residential units and construction of the proposed commercial retail uses that would result in the generation of 237 employees, the proposed project would be expected to generate approximately 881 tons of solid waste per year. As discussed above, the existing remaining capacity of the El Sobrante Sanitary Landfill is 109,000,000 tons. The annual solid waste generated by the proposed project would represent 0.0009 percent of the remaining capacity. Over a 20-year period, the proposed project would generate about 17,620 tons of solid waste which would represent about 0.02 percent of the remaining capacity at the El Sobrante Sanitary Landfill. Therefore, the current landfill services would be adequate to serve the project proposed, and the project would result in a less than significant impact on existing landfill capacity.

According to the County of Riverside and based on growth estimates within the County of Riverside, it is anticipated that the landfill will be available to accept solid waste until

the year 2045. Therefore, growth anticipated to occur within the County could be accommodated by the El Sobrante Landfill Sanitary Landfill. Because the project would represent about 0.02 percent of the current landfill's remaining capacity over a 20-year period, the project's impact would be less than cumulatively considerable.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the project would have less than significant and less than cumulatively considerable solid waste disposal impacts on a landfill.

- f. **Impact:** The proposed project would have less than significant and less than cumulatively considerable energy impacts resulting from the inefficient, wasteful and unnecessary consumption of energy.

**Facts in Support of the Finding:** Implementation of the proposed project would result in the increased use of energy in the form of electricity, natural gas, and petroleum. Based on the CalEEMod printouts in Appendix B-1, the proposed project would result in the use of 10.1 million British thermal units (BTU) per year and 5.8 million kilowatt hours (kWH) per year. The CalEEMod printouts in Appendix B-1 also identified that the proposed project would result in 21,802,935 vehicle miles travelled. Assuming a conservative gas mileage of 15 miles per gallon, the proposed project would result in the use of about 1.45 million gallons of gasoline per year.

The proposed project includes various design features that would result in the decrease of natural gas and electricity use within the proposed residential and commercial structures. In addition, the project includes features that would reduce the vehicle miles travelled associated with the project and therefore would reduce the use of gasoline. These design features are identified as Greenhouse Gas Reduction Features. The incorporation of these design features would demonstrate that the proposed project would not result in the inefficient, wasteful and unnecessary consumption of energy. Therefore, the proposed project would result in a less than significant impact related to the consumption of energy.

The cumulative effect from the use of energy would occur from the implementation of future growth within California. As California grows, the demand for natural gas, electricity and petroleum will increase. State and federal regulations have contributed to the reduction of energy as development occurs. These regulations include automobile efficiencies related to the use of gasoline and Title 24 that reduces the use of energy within structures. The current state and federal regulations would reduce the inefficient, wasteful and unnecessary consumption of energy. As a result, cumulative development resulting from growth would result in a less than significant cumulative impact related to energy use. Because the proposed project includes the incorporation of energy reduction design features as described in Chapter 2 in the DEIR (i.e., Greenhouse Gas Reduction Design Features), the project would result in a less than cumulatively considerable use of energy.

**Finding:** Based upon the analysis presented in the EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project would have less than significant and less than cumulatively considerable energy impacts resulting from the inefficient, wasteful and unnecessary consumption of energy.

## 3.2 Findings Regarding Environmental Impacts which Can Be Mitigated to Less than Significant

Environmental impacts identified in the EIR as potentially significant but which the City finds can be mitigated to less than significant through the imposition of feasible mitigation measures identified in the EIR and set forth herein, are described in this section.

### 3.2.1 Project Impacts

#### 3.2.1.1 *Biological Resources*

- a. **Potentially Significant Impact:** The project has the potential to impact sensitive wildlife species.

**Facts in Support of the Finding:** The project could have adverse effects on special-status wildlife species if a protected species were to occupy suitable habitat prior to or during construction. Potential impacts could result in mortality of individuals or interference with reproductive success. As described in Table 3.3-2 of the DEIR, there are four special-status species with a moderate or high potential to occur on the project site –burrowing owl, Stephens’ kangaroo rat (SKR), San Diego black-tailed jackrabbit, and coast horned lizard. Direct and indirect impacts to the four above-mentioned wildlife species from project-level development activities (e.g., grading, vegetation removal, excavation and construction, temporary changes to the hydrology, and increased dust and noise levels during construction) could be significant.

Although no burrowing owls or owl signs were observed during the focused breeding surveys, there is still the potential for the burrowing owl to occur on the site before construction begins because there are suitable burrows on the project site. Potential impacts to this species could include loss of foraging, wintering and/or nesting (i.e., burrowing) habitat. Individual owls present during grading and other construction-related activities have the potential to be killed or displaced through burrow collapse and other impacts. Therefore, construction activities associated with the proposed project could result in a significant impact on burrowing owls. As identified in Section 3.3 in the DEIR, Mitigation Measures BIO-1 and BIO-2 are included to reduce the potential impact on burrowing owls to less than significant.

**BIO-1** Per the Burrowing Owl Survey Instructions for the MSHCP and MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl within suitable habitat areas of the project site, shall be conducted within 30 days prior to disturbance. Take of active nests shall be avoided. Passive relocation (use of one-way doors and collapse

of burrows) shall occur when owls are present outside the nesting season. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.

Surveys shall be completed for occupied burrowing owl burrows within all construction areas and within 500 feet (150 meters) of the project work areas (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo.

**BIO-2**

If burrowing owls are identified during the 30-day preconstruction survey, the applicant shall take the following actions to offset impacts prior to ground disturbance:

Active nests and paired owls exhibiting breeding activities within the areas scheduled for disturbance or degradation shall be avoided from February 1 through August 31, and a minimum 500-meter buffer shall be provided until fledging has occurred. Following fledging, owls may be passively relocated by a qualified biologist.

If impacts on occupied burrows in the non-nesting period are unavoidable, on-site passive relocation techniques may be used if approved by the CDFW to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season. A qualified biologist must verify through noninvasive methods that the burrow is no longer occupied.

If relocation of the owls is approved for the site by the CDFW, the applicant shall hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include all of the following:

- The location of the nest and owls proposed for relocation.
- The location of the proposed relocation site.
- The number of owls involved and the time of year when the relocation is proposed to take place.
- The name and credentials of the biologist who will be retained to supervise the relocation.
- The proposed method of capture and transport for the owls to the new site.
- A description of site preparation at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control).

The application of Mitigation Measures BIO-1 and BIO-2 will ensure that burrowing owls will not be significantly affected during construction activities by conducting preconstruction surveys, avoidance during breeding season, and relocation during the non-breeding season.

The project site supports annual and perennial species within the disturbed grassland habitat which provides potential foraging and nesting (i.e., burrowing) habitat for the SKR. Grading, vegetation removal, and other construction-related activities within the disturbed grassland habitat could result in potential indirect impacts to SKR. Therefore, the project could result in a substantial impact on the Stephen's kangaroo rat. The City of Wildomar includes a standard development condition for projects located within the SKR Mitigation Fee Area. Applicants are required to show proof of payment of the fee that is submitted to the Riverside County Habitat Conservation Agency. The payment of this mitigation fee would reduce the potential direct impact on the SKR habitat and indirect impact on the SKR to less than significant because the HCP fees are utilized to provide the establishment, expansion, and ongoing management of permanent SKR reserves.

Potential impacts to San Diego black-tailed jackrabbit and coast horned lizard include direct loss of potential habitat as a result of grading and vegetation removal activities. Suitable habitat for these species includes open areas of the disturbed grassland habitat and/or the vicinity of the two drainages of the project site. Therefore, construction activities associated with the project could result in significant impacts to these species.

As identified in Section 3.3 of the DEIR, Mitigation Measure BIO-3 is included to reduce potential impacts to the black-tailed jackrabbit and the coast horned lizard. Both the black-tailed jackrabbit and the coast horned lizard are covered species under the Riverside County Multiple Species Habitat Conservation Plan which allows incidental take of these species. Mitigation measure BIO-3 includes a preconstruction clearance.

**BIO-3** A qualified biologist shall conduct a preconstruction clearance (trap and release) survey throughout the project site, including a 500-foot buffer (where access is allowed) for coast horned lizard and San Diego black-tailed jackrabbit. If the species are found onsite during the survey, the animals shall be relocated by a qualified biologist. The relocation areas and survey methods shall be developed in consultation with CDFW.

The application of Mitigation Measure BIO-3 will ensure potential impacts to the coast horned lizard and San Diego black-tailed jackrabbit are reduced to less than significant during construction by conducting a preconstruction clearance survey and providing a buffer from construction activities.

In addition to the four special-status species identified above that have a moderate or high potential to occur on the project site, there are nine species of wildlife that have a low potential to occur on the site. These species include the northern harrier, San Diego desert woodrat, loggerhead shrike, Quino checkerspot butterfly, Los Angeles pocket mouse, Jacumba pocket mouse, western spadefoot toad, California red-legged frog, and southern

grasshopper mouse. The Quino checkerspot butterfly and the California red-legged frog are both federally-listed species. These species are not expected to be located on the site due to low quality habitat conditions. In addition, although focused surveys have not been conducted for either species, neither of these species were observed on the project site during biological reconnaissance surveys. Furthermore, both the Quino checkerspot butterfly and the California red-legged frog are covered species under the MSHCP and no surveys for these species are required on the project site. As stated previously, the City has a standard development condition that requires payment of the MSHCP Mitigation Fee which would reduce the potential impact on these two species because the fee is used for the assembly and management of a coordinated MSHCP Conservation Area for these species as well as other species covered in the MSHCP. Therefore, the project is would result in no impact on these species.

The remaining seven wildlife species that have a low potential to occur on the project site are not expected to be onsite because there is low quality habitat for these species, and they have not been observed on the site during the field surveys. Furthermore, the site is surrounded by existing development; therefore, a substantial population of any of these species is not expected to occur on the project site, and any loss of individual species would not cause the population of these species to drop below self-sustaining levels. Therefore, implementation of the proposed project would result in less than significant impacts to these special-status wildlife species.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- b. **Potentially Significant Impact:** The project has the potential to impact raptors and migratory birds during nesting activities.

**Facts in Support of the Finding:** Migratory birds and raptors protected under California Fish and Game Code and/or the MBTA have the potential to occur on or in the vicinity of the Project area based on the presence of suitable habitat and/or recorded historical observations discovered during the literature search. Potential impacts to raptors and migratory birds include direct loss of nesting habitat and potential foraging habitat. Most birds and raptors that may be found foraging and/or using the site as a stopover are not expected to be impacted by project-related construction activities, as they would be expected to move out of the way of workers and heavy machinery. In addition, other open space areas in the region would remain available for foraging and resting, such as Lake Elsinore and the Santa Ana Mountains. Therefore, construction impacts to avian species outside of the general avian nesting season would be less than significant.

Potential nesting habitat on-site includes mature trees and shrubs as well as grassland (in the case of ground-nesting birds such as northern harrier and mourning dove). It is possible that raptors and migratory birds would nest on-site due to the proximity to open

space and to the riverine system of Murrieta Creek. Construction activities associated with the proposed project could result in significant impacts to potential nesting habitat.

The following mitigation measure as identified in the EIR would reduce the potential impact on nesting habitat to less than significant.

**BIO-4** Impacts to raptors and migratory birds during nesting activities shall be avoided by implementation of one of the following measures:

- All construction, vegetation disturbance, and ground-disturbing activities shall take place outside of the general avian breeding season (February 1-August 30).

If construction, vegetation disturbance, or ground disturbing activities are necessary during the breeding season (February 1-August 30), a focused survey for active nests of raptors and migratory birds and sign of nesting behavior shall be conducted by a qualified, City-approved biologist. The survey shall occur no more than 3 days prior to any construction, vegetation disturbance or ground-disturbing activities. If active nest(s) (with eggs or fledglings) are identified within the project site, they shall not be disturbed until the young have hatched and fledged (matured to a state that they can leave the nest on their own), as determined by the City-approved biologist. A 500-foot construction setback from any active nesting location shall be adhered to in order to avoid disturbance of the nest until the young have fledged or the nest has failed, as determined by a qualified biologist. If no active nests are identified, construction may commence.

The application of Mitigation Measure BIO-4 will ensure that nesting activities associated with raptors and migratory birds will be avoided or reduced to less than significant by provided a setback of construction activities from any nesting locations.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- c. **Potentially Significant Impact:** The project has the potential to impact jurisdictional waters including wetlands and riparian habitat.

**Facts in Support of the Finding:** The project site includes two drainage channels and a small riparian habitat along the eastern boundary of the site that encompass about 16,000 square feet (0.36 acres) and are considered jurisdictional by the USACE, RWQCB, and CDFW. The project includes the removal of the two drainage channels and the riparian area and placement a 48-inch to 60-inch diameter storm drain pipe where Channel A and Channel B are currently located. The project includes an underground storm drain system

that would adequately convey storm water coming from the north and east of the project site to the existing culverts that cross under I-15. The grading of the two drainage channels and the small riparian habitat on the project site is considered a significant impact on jurisdictional areas.

During construction activities, the project has the potential to impact downstream jurisdictional waters; however, the project applicant will be required to comply with the National Pollutant Discharge Elimination Systems (NPDES) Construction General Permit to reduce impacts on the quality of runoff downstream during construction activities. Compliance with the NPDES Permit would reduce the project's potential impact on downstream jurisdictional waters to less than significant.

During operational activities, peak flow drainage conditions downstream of the project site are proposed to be the same as or less than the peak flow conditions under existing conditions as described in Section 3.7, Hydrology and Water Quality. In addition, the project includes several source control (structural and non-structural) and treatment control BMPs during its operation as required by the NPDES permit for the Municipal Separate Storm Sewer System (MS4) and City of Wildomar Municipal Code. Source control BMPs would prevent the pollution of stormwater runoff by preventing stormwater from coming into contact with potential pollutants such as sediment and chemicals. Structural source control BMPs would include, but would not be limited to, maximization of permeable areas, incorporation of landscaped areas between streets and sidewalks, planting of native/drought tolerant vegetation, storm drain signage, rain shutoff devices on irrigation, and appropriate design of trash receptacle areas. Non-structural source control BMPs would include resident and employee receiving water education, activity restrictions, and street sweeping. Treatment control BMPs would allow for the treatment of runoff that may contain pollutants prior to it exiting the site. Treatment control BMPs would include bio retention and sand infiltration facilities and underground retention facilities with underdrains that would filter runoff and catch basins with inserts that would allow runoff to settle out prior to leaving the site. These facilities would be regularly maintained. Together, these BMPs would reduce the conveyance of potential pollutants to downstream jurisdictional waters, and the potential impact on downstream jurisdictional waters would be less than significant.

The following mitigation measure as identified in the EIR would reduce the potential impact on jurisdictional waters.

- BIO-5** Prior to the issuance of a grading permit, the project applicant shall submit a detailed restoration plan that mitigates for the loss of approximately 0.36 acre of jurisdictional waters at a ratio acceptable and approved by the resource agencies (i.e., USACE, RWQCB and CDFW), but no less than 1:1 ratio. The restoration plan shall also be approved by the resource agencies prior to the issuance of a grading permit. The project applicant intends to restore and enhance riverine/riparian habitat on lands owned by the Elsinore Murrieta-Anza Resource Conservation

District (EMARCD) located along Clinton Keith Road in Riverside County, or on other lands owned by EMARCD or another conservation district within the watershed if the land along Clinton Keith Road is not available. The restoration and enhancement of habitat is proposed within drainages located on the EMARCD lands to ensure a net gain of riparian/riverine habitat acreage in the region.

A detailed restoration plan will be prepared that will provide a schedule for site preparation and planting. Performance standards will include: (a) increase the canopy cover of native riverine vegetation within the mitigation area by 25 percent with 80 percent survival of planted species after five years following installation, and (b) increase coverage of herbaceous vegetation within the mitigation areas by 25 percent after five years following installation. The restoration plan will also include a maintenance and monitoring schedule for the proposed mitigation.

The application of Mitigation Measure BIO-5 will ensure potential impacts to jurisdictional waters (riverine/riparian habitat) will be reduced to less than significant with the implementation of a resource-approved restoration plan to mitigate the loss of 0.36 acre of jurisdictional waters at no less than a 1:1 ratio.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- d. **Potentially Significant Impact:** The project could conflict with a habitat conservation plan.

**Facts in Support of the Finding:** The project site is located within the area of two habitat conservation plan areas: (1) MSHCP and (2) HCP for the Stephen's kangaroo rat. Implementation of the proposed project could result in impacts to the burrowing owl and riparian/riverine habitats, which are covered under the MSHCP and the Stephen's kangaroo rat by impacting its habitat, which is covered under the HCP. Impacts to these species and habitats could result in a conflict with both HCPs. To reduce potential conflicts with the MSHCP, the City of Wildomar has a standard development condition that requires payment of the MSHCP Mitigation Fee. However, the payment of the fee would not reduce the potential impact to less than significant, and therefore, the potential impact on the burrowing owl and riparian/riverine habitats would remain significant. The City of Wildomar also includes a standard development condition for projects located within the SKR Mitigation Fee Area. The payment of this mitigation fee would reduce the potential impact on the SKR habitat to less than significant.

The following mitigation measure as identified in the EIR would reduce the potential impact to off-site drainage channels and associated riparian/riverine habitats related to the MSHCP.

**BIO-6** Prior to the issuance of a grading plan, the project applicant shall provide a plan to the City of Wildomar to demonstrate compliance with the MSHCP Urban/Wildlands Interface Guidelines. This plan shall provide provisions to ensure that indirect impacts to off-site drainage channels and associated riparian/riverine habitats downstream be minimized to the satisfaction of the City of Wildomar.

The application of Mitigation Measure BIO-6 will ensure that the project is in compliance with the MSHCP Urban/Wildlife Interface Guidelines by providing provisions to reduce indirect impacts to off-site drainage channels and associated riparian/riverine habitats downstream of the project site.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

### **3.2.1.2 Cultural Resources**

- a. **Potentially Significant Impact:** The project may cause a substantial adverse change in the significance of a historical or archaeological resource, as defined in CEQA Guidelines Section 15064.5.

**Facts in Support of the Finding:** One resource (P-33-008173 – olive grove), was identified within the project site; however, this resource was previously found not eligible for the California Register, and therefore, it is not a historical resource under CEQA, nor does it qualify as a unique archaeological resource under CEQA. As such, the project would not impact known historical or unique archaeological resources. The cultural resources study prepared for the project indicates that the project area was used for agricultural purposes as early as 1892 and concluded that there is potential for subsurface historic-period archaeological deposits associated with these agricultural operations in the project area. As a result of the studies conducted by CRM Tech, the resource, P-33-008173, was identified within the project site. CRM Tech concluded that the resource is not considered a historical resource under CEQA, nor does it qualify as a unique archaeological resource under CEQA. Since the project includes ground disturbance that will range from four to 15 feet in depth, there is a potential that the project may impact unknown subsurface archaeological resources that could qualify as historical or unique archaeological resources. This potential impact to unknown archaeological resources is considered significant.

The following mitigation measures as identified in the EIR would reduce the potential impact to unknown archaeological resources.

**CUL-1** An archaeological monitor shall be present during all earthmoving activities within the project site. The monitor shall work under the direct supervision of a qualified archaeologist (defined as a cultural resources professional who meets the Secretary of the Interior's Professional

Qualifications Standards for archaeology [U.S. Department of the Interior, 2008]). The monitor shall be empowered to temporarily halt or redirect construction work in the vicinity of any find until the qualified archaeologist can evaluate it. In the event of a new find, excavation and treatment of the resource shall be in accordance with Mitigation Measures CUL-4 through CUL-6.

- CUL-2** At least 30 days prior to the issuance of a grading permit, the project applicant shall contact both the Pechanga to notify them of grading, excavation, and the monitoring program and to coordinate with the Pechanga to develop a Cultural Resources Treatment and Monitoring Agreement. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; project grading and development scheduling; terms of compensation for the monitors; treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional tribal monitors during all ground-disturbing activities. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.
- CUL-3:** Prior the 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. The archaeological monitor and a Pechanga Tribal monitor will have the authority to temporarily halt and redirect grading activities in order to evaluate the significance of any archaeological cultural resources discovered on the project site. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation and groundbreaking activities.
- CUL-4** If during grading or construction activities cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery and the resources shall be evaluated by a qualified archaeologist (retained by the applicant) and the Pechanga. Any unanticipated cultural resources that are discovered shall be evaluated and a final report prepared by the qualified archaeologist. The report shall include a list of the resources discovered, documentation of each site/locality, and interpretation of the resources identified, and the method of preservation and/or recovery for identified resources. In the event the significant resources are recovered and if the qualified archaeologist and/or the Pechanga determines the resources to be historical or unique, avoidance and/or mitigation shall be required pursuant to and consistent with CEQA Guidelines Section 15064.5 and 15126.4, Public Resources Code Section 21083.2, and the Cultural

Resources Treatment and Monitoring Agreement required by Mitigation Measure CUL-2.

**CUL-5** All cultural resources, with the exception of sacred items, burial goods, and human remains, which will be addressed in the Cultural Resources Treatment and Monitoring Agreement required by Mitigation Measure CUL-2, collected during the grading monitoring program and from any previous archaeological studies or excavations on the project site shall be curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to the Pechanga Tribe's curation facility that meets the standards set forth in 36 Code of Federal Regulations (CFR) Part 79 for federal repositories.

**CUL-6** If inadvertent discoveries of cultural or archaeological resources are made, the project applicant, project archaeologist, and Pechanga Tribe shall assess the significance of the resources and meet and confer regarding the appropriate treatment (i.e., preservation, avoidance, and/or mitigation for the resources). Cultural and archaeological resources are inadvertent discoveries when they were not anticipated to be found during the project's construction activities (e.g. grading, excavation). This may include previously unknown sacred sites and items, midden deposits, artifacts, hearths, bedrock outcrops, human remains, and other resources, etc.

Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for tribal cultural resources and archaeological resources. If the project applicant, project archaeologist, and Pechanga Tribe cannot agree on the significance of, avoidance of, or mitigation for such resources, then these issues shall be presented to the Planning Director for determination. The Planning Director shall make the determination based on the information submitted by the Pechanga Tribe, the religious beliefs, customs, and practices of the Pechanga Tribe, and the provisions of the California Environmental Quality Act regarding tribal cultural and archaeological resources. Notwithstanding any other rights available under law, the decision of the Planning Director shall be appealable to the Wildomar City Council. All sacred sites, should they be encountered within the project site, shall be avoided and preserved as the preferred mitigation, if feasible.

Application of Mitigation Measures CUL-1 through CUL-6 will ensure unknown subsurface archaeological resources will not be significantly impacted during construction activities through monitoring and if resources are discovered through evaluation and treatment procedures for the resource.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- b. **Potentially Significant Impact:** Implementation of the proposed project may adversely affect paleontological resources.

**Facts in Support of the Finding:** The records search conducted by NHM staff indicated that no fossil localities have been previously identified within the project site. However, there are surface exposures of the Pauba Formation on the project site, which is known to contain significant vertebrate fossils. The depth of ground disturbance within the project site is proposed to range between four feet and 15 feet in depth and has the potential to impact the Pauba Formation. This potential effect on the Pauba Formation could result in significant impacts to unknown paleontological resources.

The following mitigation measures as identified in the EIR would reduce the potential impact to unknown paleontological resources.

**CUL-7** The project applicant shall retain a qualified paleontologist (in accordance with the Society of Vertebrate Paleontologists) to monitor all initial ground-disturbing activities in native soils or sediments. If the paleontologist, upon observing initial earthwork, determines there is low potential for discovery, no further action shall be required and the paleontologist shall submit a memo to the City confirming findings of low potential.

If the qualified paleontologist, upon observing initial earthwork, determines there is a moderate to high potential for discovery, a qualified paleontologist or paleontological monitor (retained by the applicant) shall monitor all mass grading and excavation activities. Monitoring will be conducted in areas of grading or excavation in undisturbed formation sediments, as well as where over-excavation of surficial alluvial sediments will encounter these formations in the subsurface. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.

Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work within a 100-foot radius of the

discovery site shall be halted or diverted to other areas on the site and the City shall be immediately notified. The qualified paleontologist shall evaluate the finds and recommend appropriate next steps to ensure that the resource is not substantially adversely impacted, including but not limited to avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further, ground disturbance shall not resume within a 100-foot radius of the discovery site until an agreement has been reached between the project applicant, the qualified paleontologist, and the City as to the appropriate preservation or mitigation measures to ensure that the resource is not substantially adversely impacted.

**CUL 8** Any recovered paleontological specimens shall be identified to the lowest taxonomic level possible and prepared for permanent preservation. Screen-washing of sediments to recover small invertebrates and vertebrates shall occur if necessary.

**CUL 9** Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage shall occur at an institutional repository approved by the City of Wildomar. The paleontological program shall include a written repository agreement prior to the initiation of mitigation activities.

**CUL-10** A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location. The report, when submitted to an accepted by the City of Wildomar, shall signify satisfactory completion of the project program to mitigation impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.

The application of Mitigation Measures CUL-7 through CUL-10 ensures that unknown paleontological resources will not be significantly impacted during construction activities through monitoring and if resources are discovered through evaluation and treatment procedures for the resource.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

### 3.2.1.3 *Land Use and Planning*

- a. **Potentially Significant Impact:** The project could conflict with a habitat conservation plan.

**Facts in Support of the Finding:** As discussed in Section 3.3, Biological Resources, the project site is located within the area of two habitat conservation plan areas: (1) MSHCP and (2) HCP for the Stephen's kangaroo rat. Implementation of the proposed project could result in impacts to the burrowing owl and riparian/riverine habitats, which are covered under the MSHCP and the Stephen's kangaroo rat by impacting its habitat, which is covered under the HCP. Impacts to these species and habitats could result in a conflict with both HCPs. To reduce potential conflicts with the MSHCP, the City of Wildomar has a standard development condition that requires payment of the MSHCP Mitigation Fee. However, the payment of the fee alone would not reduce the potential impact to less than significant, and therefore, the potential impact on the burrowing owl and riparian/riverine habitats would remain significant. In order to reduce these impacts, mitigation measures have been identified to reduce impacts to the burrowing owl species through pre-construction surveys and relocation measures described in Mitigation Measures BIO-1 and BIO-2. Implementation of these measures together with the payment of fees would reduce impacts to less than significant. Impacts to riparian/riverine habitats would be mitigated to less than significant through implementation of Mitigation Measure BIO-6 which requires compliance with the MSHCP Urban/Wildlands Interface Guidelines to minimize impacts to off-site drainage channels. The City of Wildomar also includes a standard development condition for projects located within the SKR Mitigation Fee Area. The payment of this mitigation fee would reduce the potential impact on the SKR habitat to less than significant.

The following mitigation measures as identified in the EIR would reduce the potential impact on the burrowing owl and riparian/riverine habitats related to the MSHCP.

Implementation of Mitigation Measures BIO-1, BIO-2, and BIO-6 is required.

Application of Mitigation Measures BIO-1 and BIO-2 along with the payment of MSHCP fees would ensure no significant impacts to burrowing owls and the application of Mitigation Measure BIO-6 and payment of the MSHCP fee would ensure no significant impacts to riparian/riverine habitats. These mitigation measures would ensure consistency with the MSHCP.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

### 3.2.1.4 Noise

- a. **Potentially Significant Impact:** The project could result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

#### **Facts in Support of the Finding:**

##### **Operation**

Operational noise sources associated with the proposed project would primarily result from the commercial-related uses (i.e., restaurant and retail center developments) located at the project site. The primary noise concern for siting a commercial operation in proximity to residential uses is that the activities in support of the proposed commercial use may create a noise nuisance at the nearest sensitive receivers. Commercial support activities that would generate noise levels at the project site would include delivery/unloading of heavy goods; operation of heating, ventilating, and air conditioning (HVAC) equipment; maintenance activities such as refuse collection; and sweeping of the surface parking lots. Single noise events generated within the project site could include truck unloading operations, trucks maneuvering at low-speed and shifting gears, trash collection, etc. Early morning truck traffic for deliveries to the commercial uses could also be a nuisance. These noise sources associated with the proposed project operations could potentially adversely affect the nearest off-site sensitive receptors, which includes the existing residential uses to the north and east of the site.

##### **Loading Dock Noise**

Loading and unloading activities at the project's major retail building dock could exceed 45 dBA  $L_{eq}$  (10-minute) at the nearest off-site residences during nighttime hours. As such, noise impacts during nighttime at the nearest off-site residences from the project's major retail loading dock noise would be potentially significant.

##### **Mechanical HVAC Equipment Noise**

While the selection and placement of mechanical HVAC equipment for the project's commercial uses have not been finalized at this stage in the planning process, it is likely that rooftop parapets and/or shielding will be needed to break the line-of-sight between the project's rooftop HVAC equipment and the adjacent residential uses to reduce the noise levels at the residential uses to below 45 dBA  $L_{eq}$ . Thus, where rooftop mechanical equipment would not be fully screened, the resulting noise impacts at the nearest off-site residences would be potentially significant.

##### **Trash Pick-Up and Parking Lot Cleaning Noise**

Parking lot cleaning at the project site is anticipated to be accomplished by vacuums attached to light-weight pick-up trucks. The cleaning activities generally occur in the early morning or late evening hours when there are only a few cars in the parking lot. Any noise audibility during parking lot cleaning would only occur if the sweepers operated at night. As the timing of the parking lot cleaning activities have not been

determined at this stage, there is a potential for these activities to occur during nighttime hours that could result in a noise nuisance at nearby off-site residential uses.

Aside from parking lot cleaning, trash pick-up activities at the project site could also generate noise levels that would be disturbing from dumpsters banging and from high engine revolutions per minute (rpm) while hoisting the trash containers. Although distance separation and a rear perimeter wall at the closest residences would substantially abate this noise source, it may still disturb residents if it occurs during nighttime hours when residents are resting.

Overall, the noise impacts resulting from trash pick-up activities and parking lot sweeping at the project site during nighttime hours are considered to be potentially significant for the off-site residential uses.

### **Land Use/Noise Compatibility**

As discussed previously, noise levels at the project site are currently dominated by traffic noise levels on the I-15 Freeway. According to the City's General Plan Noise Element, an exterior noise level of 65 dBA CNEL in any usable outdoor recreational area and interior noise level of 45 dBA CNEL in any habitable residential indoor space are considered to be the appropriate compatibility standards for residential uses. Additionally, an exterior noise level of 70 dBA CNEL is considered to be the appropriate compatibility standard for commercial uses. As such, noise levels at the proposed residential and commercial use locations within the project site were evaluated to determine if current freeway traffic noise from the I-15 would result in an exceedance of these exterior and interior noise compatibility standards. Based on the project site plan, the proposed residential uses at the south end of the project site would be located closer to the I-15 than the proposed residential uses at the northern portion of the site.

Using traffic volumes obtained from Caltrans, it was determined that the maximum traffic volume on the portion of the I-15 in the project vicinity is 126,000 vehicles per day. Of the total traffic count, 8.7 percent of the vehicles are trucks, with 4 percent of the total traffic volume being comprised of medium-duty trucks and 4.7 percent of the total traffic count comprised of heavy-duty trucks (three or more axles). With an assumed travel speed of 60 miles per hour (mph), the associated noise level determined for this segment of the I-15 is 81 dBA CNEL at 50 feet from the centerline (Giroux & Associates, 2015).

The closest project commercial use would have a 260 foot setback and the closest residential use would have a 380 foot setback from the I-15 Freeway centerline. For these maximally exposed units there is a 10-foot elevation differential from the freeway. Accounting for the setback distances from the centerline of the freeway and the elevation differential, the resulting exterior noise levels at 10 feet within the property line of the nearest proposed commercial and residential uses to the freeway would be 74 dBA CNEL and 72 dBA CNEL, respectively.

The nearest proposed residential location that is located 380 feet from the centerline of the I-15 Freeway is located within Parcel 3 (see Figure 2-3 in Chapter 2 of the DEIR) and is currently exposed to 72 dBA CNEL, which exceeds the compatibility exterior noise standard of 65 dBA CNEL for residential uses. A community area is proposed within Parcel 3, and the exterior recreational use and patio associated with this area could be exposed to noise levels exceeding the threshold and therefore would represent a significant noise impact.

Compliance with the California Building Code (CBC) for energy conservation in new residential construction would require the use of dual-paned windows that would generally provide an exterior to interior noise level reduction of 30 dBA that would be sufficient to provide an interior noise environment of 45 dBA CNEL at the new residential uses in Parcel 3 of the project site. Therefore, potential noise impacts to the interiors of the proposed residences would be less than significant.

The remaining residential uses proposed within Parcel 2 on the project site would have a much greater setback from the I-15 Freeway and/or would be located behind intervening commercial use structures. As such, potential noise impacts at these residential uses would be less than significant.

With respect to the project's commercial uses, if the new restaurant spaces were to have dining patios built in proximity to the western edge of the site property, these areas could be exposed to exterior noise levels exceeding 70 dBA CNEL. Therefore, the project could result in significant noise impacts related to potential dining patios associated with the restaurant uses.

The following mitigation measures as identified in the EIR would reduce the potential operational noise levels associated with loading dock operations, mechanical HVAC Equipment operations, trash pick-up and parking lot cleaning activities, and noise increases on proposed residential and commercial uses from traffic volumes along the I-15 Freeway.

- NOI-1**            The operator of the northern major retail building shall not allow medium-box truck and semi-trucks to engage in unloading activities during nighttime hours of 10 PM through 7 AM.
- NOI-2**            Prior to the issuance of a building permit, the project applicant shall submit engineering drawings and acoustical specifications for the project's mechanical HVAC equipment to demonstrate that the equipment design combined with distance separation and parapets or screen walls would be sufficient to ensure that the applicable City of Wildomar's noise standards would not be exceeded at any adjacent off-site residential uses.

**NOI-3** The project applicant shall confine trash pick-up activities at the project site to the hours of 7:00 AM through 10:00 PM, while parking lot sweeping closest to residential uses shall be similarly confined to the hours of 7:00 AM through 10:00 PM.

**NOI-4** Prior to the issuance of a building permit for the residential uses within Parcel 3, the project applicant shall include, within building plans, that a 6.5-foot noise wall be constructed around the exterior recreational use patio associated with the community area proposed within Parcel 3.

**NOI-5** Prior to the issuance of a building permit, the project applicant shall demonstrate through the preparation of a supplemental acoustical analysis that the interior noise threshold of 45 dBA will be met within proposed residences in Parcels 2 and 3.

**NOI-6** If the project's restaurants propose an outdoor venue, the following design features shall be implemented to ensure compliance with the City of Wildomar noise/land use compatibility standards:

- Site outdoor eating areas at a setback distance of 350 feet or greater from the I-15 Freeway centerline to provide a 69 dBA CNEL outdoor noise exposure, or

If an outdoor venue were sited at a distance closer than 350 feet from the I-15 Freeway centerline the following measures would achieve necessary exterior noise mitigation:

- Orient patios on the east side of the restaurant away from the I-15 Freeway such that the restaurant structure itself would provide needed noise attenuation, or

Construct a five-foot Plexiglas wall to shield the patios from freeway traffic. The Plexiglas wall shall provide a minimum attenuation in noise levels of 5 dBA.

Application of Mitigation Measures NOI-1 through NOI-6 would ensure operational noise levels associated with loading dock operations, mechanical HVAC Equipment operations, trash pick-up and parking lot cleaning activities, and noise increases on proposed residential and commercial uses from traffic volumes along the I-15 Freeway would be reduced to less than significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- b. Potentially Significant Impact:** The project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

## **Facts in Support of the Finding:**

### **On-Site Noise Levels**

The on-site noise sources associated with operation of the proposed project would include loading dock activities, mechanical HVAC equipment, trash-pick up and parking lot cleaning activities, and parking lot activities. For a permanent increase in ambient noise levels in the project vicinity to result, a noise source involving continuous, long-term noise-generating activities would need to occur. Of the on-site noise sources identified above, only mechanical HVAC equipment and parking lot activities would generate continuous noise levels over the course of a day that could potentially result in a permanent increase in the ambient noise levels at receptors located in the project vicinity. Noise levels associated with loading docks would only occur periodically throughout the day, while trash pick-up and parking lot cleaning activities may only occur once a day or less. As such, because none of these activities would occur continuously over the course of a day, these on-site noise sources would not result in a substantial permanent increase in the surrounding noise environment.

The noise levels generated from parking lot activities at the project site would be barely perceptible at the nearest off-site residential uses due to the combination of distance and intervening structures between the parking lots and off-site residential uses. Additionally, while the operation of mechanical HVAC equipment could generate noise levels of 49 dBA without shielding at the nearest off-site residential uses, this noise level, if assumed to operate continuously from the hours of 7:00 A.M. to 10:00 P.M., would only translate to a 24-hour noise level of 51 dBA CNEL. As the nearest off-site residential uses from the project's major retail center are located directly north of the project site and adjacent to the I-15 Freeway to the west, which generates a noise level of 81 dBA CNEL at 50 feet from the centerline (Giroux & Associates, 2015), the current noise environment at these off-site residential uses resulting from their proximity to the freeway would be approximately 74 dBA CNEL. Thus, the 51 dBA CNEL generated from the project's mechanical HVAC equipment would be masked by the noise levels currently being generated from the freeway. However, the mechanical HVAC equipment could occur in the evenings when traffic volumes along I-15 are reduced. Because the design of the HVAC equipment has not been finalized, nighttime noise levels associated with the HVAC equipment could exceed the interior residential noise threshold of 45 dBA. Therefore, the HVAC equipment could result in significant off-site noise impacts.

The following mitigation measure as identified in the EIR would reduce the potential operational noise levels associated with the proposed mechanical HVAC equipment operations.

Implementation of Mitigation Measure NOI-2 is required.

Application of Mitigation Measure NOI-2 would ensure potential onsite noise levels associated with the onsite mechanical HVAC equipment would be reduced to less than significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

### **3.2.1.6 Transportation and Traffic**

- a. **Potentially Significant Impact:** The project would result in an increase in existing traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system.

**Facts in Support of the Finding:** The project will significantly increase traffic volumes at Catt Road-Arya Road/Clinton Keith Road and the Inland Valley Drive/Prielipp Road intersections. The levels of service at these intersections would degrade from acceptable to unacceptable.

The following mitigation measures as identified in the EIR would reduce the potential traffic impacts at Catt Road-Arya Road/Clinton Keith Road and the Inland Valley Drive/Prielipp Road intersections.

- TRA-1** The following improvements are required to reduce impacts under the existing plus project conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully fund the improvement, construct the improvement, pay the applicable City Development Fee (DIF) or pay a pro-rated share of the improvement, as identified below.

#### **Catt Road-Arya Road/Clinton Keith Road**

- The project applicant, as directed by the City Engineer, shall construct or provide a fair share prior to the approval of a final map for the modification of the northbound striping to provide a dedicated left turn lane and a shared through/right turn lane.
- The project applicant, as directed by the City Engineer, shall construct or provide a fair share prior to the approval of a final map for a separate southbound left turn lane.

#### **Inland Valley Drive/Prielipp Road**

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the installation of a traffic signal.
- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior

to issuance of a building permit for the modification of the westbound striping to provide one through lane and one right turn lane.

### **I-15 Southbound Ramps/Baxter Road**

- The project applicant shall provide its fair share toward the funding of the installation of an interim traffic signal. The fair share contribution shall be determined by the City of Wildomar City Engineer.
- The project applicant shall provide its fair share toward the funding of the addition of an interim separate eastbound right turn lane. The fair share contribution shall be determined by the City of Wildomar City Engineer.

The recommended improvements for the Catt Road-Arya Road/Clinton Keith Road and the Inland Valley Drive/Prielipp Road intersections would improve the levels of service at these two intersections to reduce impacts to less than significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- b. **Potentially Significant Impact:** Ambient growth and the project-generated trips would result in an increase in existing traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system.

**Facts in Support of the Finding:** The proposed project and ambient growth will also significantly increase traffic volumes at Catt Road-Arya Road/Clinton Keith Road, the Inland Valley Drive/Prielipp Road, and the Monte Vista Drive/Baxter Road intersections. The levels of service at these intersections would degrade from acceptable to unacceptable.

The following mitigation measures as identified in the EIR would reduce the potential traffic impacts at Catt Road-Arya Road/Clinton Keith Road, the Inland Valley Drive/Prielipp Road and the Monte Vista Drive/Baxter Road intersections.

- TRA-2** The following improvements are required to reduce impacts under the existing plus ambient plus project conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully fund the improvement, construct the improvement, pay the applicable City Development Impact Fee (DIF) or pay a pro-rated share of the improvement, as identified below.

### **Catt Road-Arya Road/Clinton Keith Road**

Implementation of Mitigation Measure TRA-1 is required.

### **Inland Valley Drive/Prielipp Road**

Implementation of Mitigation Measure TRA-1 is required.

### **Monte Vista Drive/Baxter Road**

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the installation of a traffic signal.

### **I-15 Northbound Ramps/Baxter Road**

- The project applicant shall provide its fair share toward the funding of the installation of an interim traffic signal. The fair share contribution shall be determined by the City of Wildomar City Engineer.
- The project applicant shall provide its fair share toward the funding of the addition of an interim separate eastbound right turn lane. The fair share contribution shall be determined by the City of Wildomar City Engineer.

### **I-15 Southbound Ramps/Baxter Road**

Implementation of Mitigation Measure TRA-1 is required.

The recommended improvements for the Catt Road-Arya Road/Clinton Keith Road, the Inland Valley Drive/Prielipp Road and the Monte Vista Drive/Baxter Road intersections would improve the levels of service at these three intersections to reduce impacts to less than significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- c. **Potentially Significant Impact:** The project could result in inadequate emergency access during project construction.

**Facts in Support of the Finding:** All the roadways proposed within the project meet the City's design standards for access. During construction of improvements associated with the project (such as the construction of a separate southbound left turn lane at Catt Road – Arya Road / Clinton Keith Road, or the provision of a second westbound through lane at

Inland Valley Drive / Clinton Keith Road), the roadways may be temporarily blocked or subject to detours and delays, which could temporarily affect emergency access. Therefore, the proposed project has a potential to result in significant impacts related to emergency access during construction.

The following mitigation measure as identified in the EIR would reduce emergency access impacts.

**Facts in Support of the Finding:** The significant environmental effect has been eliminated or substantially lessened to a level that is less than significant by virtue of the following mitigation measures as identified in the EIR and incorporated into the project.

**TRA-5** Prior to the issuance of a grading permit, the project applicant shall prepare and obtain City approval of a traffic management plan (TMP) to minimize potential impacts during construction. Included among the provisions, the project's contractor will coordinate with the City of Wildomar, Riverside County, and local police, fire, and emergency medical service providers regarding construction scheduling and any other practical measures to maintain adequate access to properties and response times. The TMP may also limit construction activity during typical weekday morning and evening peak traffic hours that would adversely affect traffic flow along Clinton Keith Road. The TMP shall include contact information for the general public who may have questions concerning the project and access of their property. Two-way traffic flow through the construction zone shall be maintained throughout the construction period.

Application of Mitigation Measure TRA-5 would ensure that potential emergency access impacts would be reduced to less than significant through the implementation of a traffic management plan that would be implemented for construction activities.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

## 3.2.2 Cumulative Impacts

### 3.2.2.1 Biological Resources

- a. **Potentially Significant Impact:** The project has the potential to result in a cumulatively considerable contribution to impacts on sensitive wildlife species.

**Facts in Support of the Finding:** The proposed project also has the potential to impact special-status wildlife species during construction. There are four special-status species with a moderate or high potential to occur on the project site. These species include burrowing owl, Stephens' kangaroo rat (SKR), San Diego black-tailed jackrabbit, and

coast horned lizard. Direct and indirect impacts these four wildlife species could be significant. These wildlife species also have the potential to be located in other undeveloped areas in the project vicinity and could be cumulatively impacted. The potential cumulative impacts on the SKR would be reduced to less than significant with the implementation of the standard SKR mitigation fee that would reduce the potential direct impact on the SKR habitat and indirect impact on the SKR to less than significant because the HCP fees are utilized to provide the establishment, expansion, and ongoing management of permanent SKR reserves. The remaining special-status species (burrowing owl, San Diego black-tailed jackrabbit, and coast horned lizard) could experience significant cumulative impacts. Because the proposed project could result in significant impacts to these special-status species, the project's contribution to potential impacts would be cumulatively considerable.

The following mitigation measures as identified in the EIR would reduce the project's contribution to potential cumulative impacts on burrowing owls, coast horned lizard and San Diego black-tailed jackrabbit.

Implementation of Mitigation Measures BIO-1 through BIO-3 is required.

The application of Mitigation Measures BIO-1 and BIO-2 will reduce the project's contribution to potential cumulative impacts on burrowing owls and ensure that burrowing owls will not be significantly affected during project construction activities by conducting preconstruction surveys, avoidance during breeding season, and relocation during the non-breeding season. The application of Mitigation Measure BIO-3 will ensure the project's contribution to potential cumulative impacts to the coast horned lizard and San Diego black-tailed jackrabbit are reduced to less than significant during construction by conducting a preconstruction clearance survey and providing a buffer from project construction activities.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- b. **Potentially Significant Impact:** The project has the potential to result in a cumulatively considerable contribution to impacts on raptors and migratory birds during nesting activities.

**Facts in Support of the Finding:** The project also has the potential to impact raptors and migratory birds during their nesting activities due to construction-related activities. Nesting of raptors and migratory birds is also a potential in other undeveloped areas in the project vicinity. Therefore, potential cumulative impacts on raptors and migratory birds during nesting activities could be significant. Because the project could result in significant impacts to raptors and migratory birds during nesting activities, the project's contribution to potential impacts would be cumulatively considerable.

The following mitigation measures as identified in the EIR would reduce the project's contribution to potential cumulative impacts on raptors and migratory birds during nesting activities.

Implementation of Mitigation Measure BIO-4 is required.

The application of Mitigation Measure BIO-4 will ensure that the project's contribution to cumulative impacts on nesting activities associated with raptors and migratory birds will be avoided or reduced to less than significant by providing a setback of construction activities from any nesting locations on the project site.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- c. **Potentially Significant Impact:** The project has the potential to result in a cumulatively considerable contribution to impact on jurisdictional waters including wetlands and riparian habitat.

**Facts in Support of the Finding:** Two drainage channels and a small riparian habitat are located on the project site and encompass about 16,000 square feet (0.36 acres) that are considered jurisdictional by the USACE, RWQCB, and CDFW. It is anticipated that other jurisdictional areas are also located in the vicinity of the project site, and these jurisdictional areas could be impacted by cumulative development. The implementation of the proposed project and cumulative development in the project vicinity could result in a significant cumulative impact on jurisdictional areas. Because the proposed project could result in significant impacts on jurisdictional areas, the project's contribution to potential impacts on jurisdictional areas would be cumulatively considerable.

The following mitigation measure as identified in the EIR would reduce the project's contribution to potential cumulative impacts on jurisdictional areas (i.e., riverine/riparian habitat).

Implementation of Mitigation Measure BIO-5 is required.

The application of Mitigation Measure BIO-5 will ensure the project's contribution to cumulative impacts to jurisdictional waters (riverine/riparian habitat) will be reduced to less than significant with the implementation of a resource-approved restoration plan for the project to mitigate the loss of 0.36 acre of jurisdictional waters at no less than a 1:1 ratio.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- d. **Potentially Significant Impact:** The project has the potential to result in a cumulatively considerable contribution to conflicts with a habitat conservation plan.

**Facts in Support of the Finding:** Cumulative development and the proposed project could result in impacts to habitat conservation plans including the MSHCP for burrowing owls and riverine/riparian habitat and the HCP for the SKR. Both plans require payment of a mitigation fee to reduce potential impacts, but impacts would remain cumulatively significant. Because the project site does not have occupied SKR, the payment of the mitigation fee for SKR would reduce the project's contribution to potential cumulative impacts on the SKR to less than cumulatively considerable. Although the payment of the mitigation fee for the MSHCP is required, the potential presence of the burrowing owl and presence of riparian/riverine habitat on the project site would still result in a potential significant impact. Therefore cumulative development could result in a significant cumulative impact on the burrowing owl and riparian/riverine habitat. Because the proposed project could result in a significant impact on the burrowing owl and riparian/riverine habitat, the project's contribution to cumulative impacts on the burrowing owl and riparian/riverine habitat would be cumulatively considerable.

The following mitigation measures as identified in the EIR would reduce the project's contribution to potential cumulative impacts on the MSHCP associated with the burrowing owl and riparian/riverine habitat.

Implementation of Mitigation Measures BIO-1, BIO-2 and BIO-6 is required.

The application of Mitigation Measures BIO-1 and BIO-2 will reduce the project's contribution to cumulative impacts on the MSHCP associated with the burrowing owl by conducting preconstruction surveys, avoidance during breeding season, and relocation during the non-breeding season. Mitigation Measure BIO-6 will ensure the project's contribution to cumulative impacts on the MSHCP associated with the MSHCP Urban/Wildlife Interface would be reduced by providing provisions to reduce indirect impacts to off-site drainage channels and associated riparian/riverine habitats downstream of the project site.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

### 3.2.2.2 Cultural Resources

- a. **Potentially Significant Impact:** The project could have the potential to result in a cumulatively considerable contribution to adverse changes in the significance of a historical or archaeological resource, as defined in CEQA Guidelines Section 15064.5.

**Facts in Support of the Finding:** The geographic scope for cumulative impacts to cultural resources includes the area east of the Santa Ana Mountains, in the geologic province known as the Peninsular Ranges. This geographic scope of analysis is

appropriate because the archaeological, historic-era built resources, and tribal resources within these areas are expected to be similar because of their proximity and shared historic and prehistoric context. In addition, similar environments, landforms, and hydrology would result in similar land-use—and thus, similar site types. Cumulative impacts to cultural resources in this area could occur if any other existing or proposed projects, in conjunction with the project, had or would have impacts on cultural resources that, when considered together, would be cumulatively significant. Because the proposed project would result in potential significant impacts to historical or archaeological resources, the project's contribution to potential cumulative impacts would be cumulatively considerable.

The following mitigation measures as identified in the EIR would reduce the project's contribution to potential cumulative impacts on unknown historical or archaeological resources.

Implementation of Mitigation Measures CUL-1 through CUL-6 is required.

Application of Mitigation Measures CUL-1 through CUL-6 will ensure the project's contribution to cumulative impacts on unknown subsurface historical and archaeological resources will not be significant during construction activities due to the proposed monitoring, and if resources are discovered, through evaluation and treatment procedures for the resource.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- b. Potentially Significant Impact:** Implementation of the proposed project may result in a cumulatively considerable contribution to adverse effects on paleontological resources.

**Facts in Support of the Finding:** The geographic scope for cumulative impacts to cultural resources includes the area east of the Santa Ana Mountains, in the geologic province known as the Peninsular Ranges. This geographic scope of analysis is appropriate because the archaeological, historic-era built resources, and tribal resources within these areas are expected to be similar because of their proximity and shared historic and prehistoric context. In addition, similar environments, landforms, and hydrology would result in similar land-use—and thus, similar site types. Cumulative impacts to cultural resources in this area could occur if any other existing or proposed projects, in conjunction with the project, had or would have impacts on cultural resources that, when considered together, would be cumulatively significant. Because the proposed project would result in potential significant impacts to paleontological resources, the project's contribution to potential cumulative impacts would be cumulatively considerable.

The following mitigation measures as identified in the EIR would reduce the project's contribution to potential cumulative impacts on unknown paleontological resources.

Implementation of Mitigation Measures CUL-7 through CUL-10 is required.

The application of Mitigation Measures CUL-7 through CUL-10 ensures the project's contribution to cumulative impacts on unknown paleontological resources will not be significant during construction activities by providing monitoring, and if resources are discovered, through evaluation and treatment procedures for the resource.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

### **3.2.2.3 Land Use and Planning**

- a. **Potentially Significant Impact:** The project has the potential to result in a cumulatively considerable contribution to conflicts with a habitat conservation plan.

**Facts in Support of the Finding:** As stated above under Biological Resources, cumulative development and the proposed project could result in impacts to habitat conservation plans including the MSHCP for burrowing owls and riverine/riparian habitat and the HCP for the SKR. Both plans require payment of a mitigation fee to reduce potential impacts. Because the project site does not have occupied SKR, the payment of the mitigation fee for SKR would reduce the project's contribution to potential cumulative impacts on the SKR to less than cumulatively considerable, and thus less than cumulatively significant. Although the payment of the mitigation fee for the MSHCP is required, the potential presence of the burrowing owl and presence of riparian/riverine habitat on the project site would still result in a potential significant impact. Therefore cumulative development could result in a significant cumulative impact on the burrowing owl and riparian/riverine habitat. Because the proposed project could result in a significant impact on the burrowing owl and riparian/riverine habitat, the project's contribution to cumulative impacts on the burrowing owl and riparian/riverine habitat would be cumulatively considerable.

The following mitigation measures as identified in the EIR would reduce the project's contribution to potential cumulative impacts on the MSHCP related to the burrowing owl and riparian/riverine habitat.

Implementation of Mitigation Measures BIO-1, BIO-2 and BIO-6 is required.

Application of Mitigation Measures BIO-1 and BIO-2 along with the payment of MSHCP fees would ensure the project's contribution to cumulative impacts to burrowing owls would be reduced to less than significant. Application of Mitigation Measure BIO-6 and payment of the MSHCP fee would ensure the project's contribution to cumulative impact to riparian/riverine habitats would be less than significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

#### **3.2.2.4 Noise**

- a. **Potentially Significant Impact:** The project has the potential to result in the cumulative exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

**Facts in Support of the Finding:** During operational activities, related projects would not substantially increase noise levels on or immediately adjacent to the project site due to the distances and intervening structures between the nearest related projects and the project site. Because the proposed project could result in significant operational noise impacts due to the night time loading dock activities, mechanical HVAC equipment, trash pick-up and parking lot cleaning activities, the project's contribution to cumulative operational noise impacts would be cumulatively considerable and thus cumulatively significant.

Cumulative development in combination with ambient growth and other development would increase noise levels along I-15 and onto the project site. The project's proposed location of exterior recreational space within Parcel 3 and commercial restaurant dining patios could experience significant cumulative noise impacts. The project's contribution to the cumulative noise impacts would be cumulatively considerable and thus cumulatively significant.

The following mitigation measures as identified in the EIR would reduce the project's contribution to potential cumulative operational noise impacts and traffic noise impacts.

Implementation of Mitigation Measures NOI-1 through NOI-6 is required.

Application of Mitigation Measures NOI-1 through NOI-6 would ensure the project's contribution to cumulative operational noise levels and traffic noise increases on proposed residential and commercial uses would be reduced to less than significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

#### **3.2.2.5 Transportation and Traffic**

- a. **Potentially Significant Impact:** Ambient growth, project-generated trips and cumulative projects would result in an increase in existing traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system.

**Facts in Support of the Finding:** The proposed project, ambient growth, and cumulative projects will also significantly increase traffic volumes at Hidden Springs Road/Clinton Keith Road, Catt Road-Arya Road/Clinton Keith Road, the Inland Valley Drive/Clinton Keith Road, Inland Valley Drive/Prielipp Road, and the Monte Vista Drive/Baxter Road intersections. The levels of service at these intersections would degrade from acceptable to unacceptable.

The following mitigation measure as identified in the EIR would reduce the project's contribution to potential cumulative impacts to five intersections.

**TRA-3** The following improvements are required to reduce impacts under the existing plus ambient plus project plus cumulative (2017) conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully the improvement, construct the improvement, pay the applicable City Development Impact Fee (DIF) or pay a pro-rated share of the improvement, as identified below.

**Hidden Springs Road/Clinton Keith Road**

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for a second southbound left turn lane.

**Catt Road-Arya Road/Clinton Keith Road**

Implementation of Mitigation Measure TRA 1 is required.

**Inland Valley Drive/Clinton Keith Road**

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) for a second westbound through lane.

**Inland Valley Drive/Prielipp Road**

Implementation of Mitigation Measure TRA 1 is required.

**Monte Vista Drive/Baxter Road**

Implementation of Mitigation Measure TRA 2 is required.

**I-15 Northbound Ramps/Baxter Road**

Implementation of Mitigation Measure TRA 2 is required.

### **I-15 Southbound Ramps/Baxter Road**

Implementation of Mitigation Measure TRA 1 is required.

### **Northbound I-15 south of Clinton Keith Road**

No feasible mitigation is available.

The recommended improvements for the Hidden Springs Road/Clinton Keith Road, Catt Road-Arya Road/Clinton Keith Road, the Inland Valley Drive/Clinton Keith Road, Inland Valley Drive/Prielipp Road, and the Monte Vista Drive/Baxter Road intersections would improve the levels of service at these five intersections to reduce impacts to less than significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- b. Potentially Significant Impact:** The project would result in an increase in Horizon Year (2035) traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system.

**Facts in Support of the Finding:** The proposed project would also result in a substantial increase in traffic volumes in the Horizon Year 2035. Traffic volumes would substantially increase at Palomar Street/Clinton Keith Road, Hidden Springs Road/Clinton Keith Road, Catt Road-Arya Road/Clinton Keith Road, the Inland Valley Drive/Clinton Keith Road, Inland Valley Drive/Prielipp Road, and the Monte Vista Drive/Baxter Road intersections. The levels of service at these intersections would degrade from acceptable to unacceptable.

The following mitigation measure as identified in the EIR would reduce the project's contribution to six intersections.

**TRA-4** The following improvements would mitigate the deficient intersections to operate at an acceptable level of service. The following improvements are required to reduce impacts under the Horizon Year (2035) with Project conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully fund the improvement, construct the improvement, pay the applicable City Development Fee (DIF) or pay a pro-rated share of the improvement, as identified below.

### **Palomar Street/Clinton Keith Road**

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for a second southbound left turn lane.
- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for a separate eastbound right turn lane.
- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for the modification to the traffic signal to provide a westbound right turn overlap phase.

### **Hidden Springs Road/Clinton Keith Road**

Implementation of Mitigation Measure TRA-3 is required.

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the modification of the traffic signal to provide a westbound right turn overlap phase.

### **Catt Road-Arya Road / Clinton Keith Road**

Implementation of Mitigation Measure TRA-1 is required.

### **Inland Valley Drive/Clinton Keith Road**

Implementation of Mitigation Measure TRA-3 is required.

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the modification of the northbound striping to provide one left turn lane and one shared left/right turn lane.

### **Inland Valley Drive/Prielipp Road**

Implementation of Mitigation Measure TRA-1 is required.

**Monte Vista Drive/Baxter Road**

Implementation of Mitigation Measure TRA-2 is required.

**I-15 Northbound Ramps/Baxter Road**

Implementation of Mitigation Measure TRA-1 is required.

**I-15 Southbound Ramps/Baxter Road**

Implementation of Mitigation Measure TRA-1 is required.

**Northbound and Southbound I-15 mainline north and south of  
Clinton Keith Road**

No feasible mitigation is available.

The recommended improvements for the Palomar Street/Clinton Keith Road, Hidden Springs Road/Clinton Keith Road, Catt Road-Arya Road/Clinton Keith Road, the Inland Valley Drive/Clinton Keith Road, Inland Valley Drive/Prielipp Road, and the Monte Vista Drive/Baxter Road intersections would improve the levels of service at these six intersections to reduce impacts to less than significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

- c. **Potentially Significant Impact:** The project could result in a cumulatively considerable impact on emergency access during project construction.

**Facts in Support of the Finding:** Construction activities associated with cumulative development and the proposed project could be temporarily blocked or subject to detours and delays, which could temporarily affect emergency access. The potential cumulative impact on emergency access could be significant. The project's contribution to emergency access would be cumulatively considerable and thus cumulatively significant.

The following mitigation measure as identified in the EIR would reduce the project's contribution to potential cumulative impacts on emergency access.

Implementation of Mitigation Measure TRA-5 is required.

Application of Mitigation Measure TRA-5 would ensure the project's contribution to cumulative impacts on emergency access would be reduce to less than significant through the implementation of a traffic management plan that would be implemented for project construction activities.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

### 3.3 Findings Regarding Environmental Impacts Not Fully Mitigated to Less Than Significant

Environmental impacts identified in the EIR as potentially significant but which the City finds cannot be fully mitigated to less than significant, despite the imposition of all feasible mitigation measures identified in the EIR and set forth herein, are described in this section. The significant and unavoidable impacts are associated with Air Quality, Greenhouse Gas Emissions and Climate Change, Noise, and Transportation and Traffic.

#### 3.3.1 Project Impacts

##### 3.3.1.1 Air Quality

- a. **Potentially Significant Impact:** The project would violate an air quality standard or contribute substantially to an existing or projected air quality violation.

**Facts in Support of the Finding:**

##### **Operational Emissions**

Implementation of the project would result in long-term regional emissions of criteria air pollutants and ozone precursors associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products, in addition to operational mobile emissions. According to the traffic impact analysis prepared for the project, development of the project would result in an increase in 13,574 vehicle trips per day during the week.

During operation, the project would result in long-term regional emissions of criteria pollutants that would exceed the SCAQMD's applicable thresholds for NOx. Vehicular travel related to project development could cause the SCAQMD's recommended NOx threshold levels to be exceeded by approximately 40%. Therefore, the project's operational emissions would constitute a significant impact.

The following mitigation measures as identified in the EIR would reduce the project's emissions of NOx.

**AQ-1** The applicant, in coordination with the City, shall cooperate with local transit agencies to determine bus routing in the project area that can accommodate bus stop(s) at the project access points. The project shall provide bus passenger benches and shelters at any approved locations.

**AQ-2** The project applicant shall provide preferred parking for low-emitting and fuel efficient vehicles. The number and location of preferred parking

spaces must be identified by the project proponent and be approved by the City of Wildomar prior to issuance of building permits.

- AQ-3** The project applicant shall provide secure bicycle racks. The number and location of bicycle racks must be identified by the project proponent and be approved by the City of Wildomar prior to issuance of building permits.

The application of Mitigation Measures AQ-1 through AQ-3 would reduce air emissions; however, the reductions cannot be quantified. Therefore, emissions will remain the same as under the unmitigated scenario. NOx emissions would remain at 77.3 pounds per day which would exceed the 55 pounds per day regional significance threshold. Because 96 percent of the NOx emissions would be produced from mobile sources (i.e., 74.5 pounds per day of NOx of the total 77.3 pounds per day of NOx), a substantial reduction in mobile NOx emissions (i.e., approximately 22 pounds per day which represents a 42 percent reduction in mobile NOx emissions) would be required to achieve the regional significance threshold of 55 pounds per day. To achieve this reduction, approximately 42 percent (approximately 5,700 daily trips) of the total project daily volumes of 13,574 trips would need to be reduced. A reduction of these trips to achieve emissions of less than 55 pounds of NOx per day would require a substantial change in the proposed project, resulting in not meeting the basic objectives of the project. These objectives include not meeting the provision of Very High density housing to increase the diversity of the available housing stock in the City and the provision of a mix of retail uses. Therefore, a substantial reduction in project trips to reduce NOx emissions is not feasible.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

- a. Potentially Significant Impact:** The project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

**Facts in Support of the Finding:** The proposed project is located within the SCAB, which is considered the cumulative study area for air quality. Because the SCAB is currently classified as a state nonattainment area for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>, cumulative development consisting of the proposed project along with other reasonably foreseeable future projects in the SCAB as a whole could violate an air quality standard or contribute to an existing or projected air quality violation.

The SCAQMD recommends how to address cumulative impacts from air pollution in the *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (SCAQMD, 2003b). In this report the SCAQMD states (Page D-3):

*“the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is  $HI > 1.0$  while the cumulative (facility-wide) is  $HI > 3.0$ . It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.*

*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.”*

Operational emissions associated with the proposed project, as shown in Tables 3.2-8 and 3.2-9 in the DEIR would exceed the SCAQMD’s thresholds of significance for NOx. The proposed project would result in a cumulatively considerable net increase in nonattainment pollutants during operations, specifically for the ozone precursor NOx. Therefore, the project’s contribution of NOx emissions would be cumulatively considerable.

The following mitigation measures as identified in the EIR would reduce the project’s emissions of NOx.

Implementation of Mitigation Measures AQ-1 through AQ-3 is required.

The application of Mitigation Measures AQ-1 through AQ-3 would reduce air emissions; however, the reductions cannot be quantified. Therefore, emissions will remain the same as under the unmitigated scenario. NOx emissions would remain at 77.3 pounds per day which would exceed the 55 pounds per day regional significance threshold. Because 96 percent of the NOx emissions would be produced from mobile sources (i.e., 74.5 pounds per day of NOx of the total 77.3 pounds per day of NOx), a substantial reduction in mobile NOx emissions (i.e., approximately 22 pounds per day which represents a 42 percent reduction in mobile NOx emissions) would be required to achieve the regional significance threshold of 55 pounds per day. To achieve this reduction, approximately 42 percent (approximately 5,700 daily trips) of the total project daily volumes of 13,574 trips would need to be reduced. A reduction of these trips to achieve emissions of less than 55 pounds of NOx per day would require a substantial change in the proposed project, resulting in not meeting the basic objectives of the project. These objectives include not meeting the provision of Very High density housing to increase the diversity

of the available housing stock in the City and the provision of a mix of retail uses. Therefore, a substantial reduction in project trips to reduce NOx emissions is not feasible.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

### 3.3.1.2 Greenhouse Gas Emissions and Climate Change

- a. **Potentially Significant Impact:** The project would generate GHG emissions, directly or indirectly, that may have a significant impact on the environment.

**Facts in Support of the Finding:** The project would generate GHG emissions from a variety of sources. First, GHG emissions would be generated during construction of the project. Once fully operational, the project's operations would generate GHG emissions from both area sources and mobile sources. Indirect source emissions generated by the project include electrical consumption, water and wastewater usage (transportation), and solid waste disposal. Mobile (direct) sources of air pollutants associated with the project would consist of motor vehicles trips generated by employees and consumers of the proposed development. The total greenhouse gas emissions associated with the proposed project is 11,639.1 metric tons (MT) of CO<sub>2</sub>e annually which exceeds the guideline threshold of 3,000 metric tons of CO<sub>2</sub>e annually. With the implementation of the design features, greenhouse gas emissions reduce from 11,639.1 MT CO<sub>2</sub>e annually to 10,994.8 MT CO<sub>2</sub>e annually. Of the 10,994.8 MT CO<sub>2</sub>e annually, there are 8,343.1 MT CO<sub>2</sub>e annually (75.9 percent) generated from mobile emissions and 2,651.7 MT CO<sub>2</sub>e annually (24.1 percent) generated from stationary sources. Greenhouse gas emissions would continue to exceed the guideline threshold of 3,000 MT CO<sub>2</sub>e annually.

To reduce the project's GHG emissions of approximately 10,994 MT CO<sub>2</sub>e to less than the 3,000 MT CO<sub>2</sub>e annually, substantial reductions (approximately 77 percent) in energy and mobile emissions would be required. Substantial reduction in mobile emissions are achieved through reduce vehicle trips or reducing vehicle emissions. A substantial reduction of vehicle trips (i.e., 77 percent reduction of the total 13,574 trips) is not feasible because the project objectives of providing the mixed use project could not occur. Also, the project applicant and the City do not have ability to reduce mobile emissions from vehicles because these reductions are provided through federal laws. In addition, the applicant and the City do not have the ability to substantially reduce project energy emissions (i.e., electricity and natural gas emissions) beyond the reductions provided by the Greenhouse Gas Reduction Features that are part of the proposed project. Greenhouse gas emissions would continue to exceed the guideline threshold of 3,000 MT CO<sub>2</sub>e annually. Therefore, a substantial reduction in project trips to reduce MT CO<sub>2</sub>e emissions is not feasible.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment

opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

- b. **Potentially Significant Impact:** The project could conflict with an applicable plan, policy or regulation adopted to reduce GHG emissions.

**Facts in Support of the Finding:**

**Consistency with CARB Scoping Plan**

Out of the Recommended Actions contained in CARB's Scoping Plan, the actions that are most applicable to the project would be Actions E-1 (increased Utility Energy efficiency programs including more stringent building and appliance standards), GB-1 (Green building), and W-1 (Increased water use efficiency). CARB Scoping Plan Action E-1, together with Action GB-1 (Green Building), aims to reduce electricity demand by increased efficiency of Utility Energy Programs and adoption of more stringent building and appliance standards, while Action W-1 aims to promote water use efficiency. The proposed project would be designed to comply with the CALGreen Code to ensure that the new commercial development would use resources (energy, water, etc.) efficiently and reduce pollution and waste. The proposed greenhouse gas reduction features identified in Section 2, Project Description would increase compliance with the CALGreen Code. However, because the project with the design features would substantially exceed the SCAQMD guideline threshold of 3,000 MT CO<sub>2</sub>e annually, the project would not be consistent with the CARB Scoping Plan.

**Consistency with Western Riverside Council of Governments Subregional Climate Action Plan**

The City of Wildomar is a member agency of the Western Riverside Council of Governments (WRCOG), which coordinated a subregional CAP process on behalf of its member agencies. The City of Wildomar has not adopted the subregional CAP. The WRCOG's (2014) Subregional CAP establishes a communitywide emissions reduction target of 15 percent below 2010, following guidance from CARB and the Governor's Office of Planning and Research. CARB and the California Attorney General have determined this approach to be consistent with the statewide AB 32 goal of reducing emissions to 1990 levels by the year 2020. Progress toward achieving the 2020 emissions reduction target will be monitored over time through preparation of an annual memorandum documenting program implementation and performance. Following each annual report, WRCOG and the participating jurisdictions may adjust or otherwise modify the strategies to achieve the reductions needed to reach the target. Such adjustments could include more prescriptive measures, reallocation of funding to more successful programs, and modifications to the 2020 BAU emissions projection and reduction target based on revised population, housing, and employment growth estimates. Additionally, there will be a comprehensive inventory update prior to 2020 to track overall progress toward meeting the GHG reduction target.

To meet emissions reduction targets, the CAP considers existing programs and policies in the subregion that achieve GHG emissions reductions in addition to new GHG reduction measures. Several measures apply to participating jurisdictions in western Riverside County uniformly, because they respond to adoption of a state law (e.g., the Low Carbon Fuel Standard) or result from programs administered at the discretion of a utility serving multiple jurisdictions (e.g., utility rebates). For other more discretionary measures, participating jurisdictions, including the City of Wildomar, have voluntarily committed to a participation level that could be implemented in their communities.

Although the City has not adopted the WRCOG CAP, this analysis assumes that the project's exceedance of the SCAQMD guideline threshold of 3,000 MT CO<sub>2</sub>e annually to result in an inconsistency with the WRCOG CAP. Furthermore, this conservative evaluation assumes that the project's inconsistency with the WRCOG CAP would represent a significant impact.

To reduce the project's GHG emissions of approximately 10,994 MT CO<sub>2</sub>e to less than the 3,000 MT CO<sub>2</sub>e annually, substantial reductions (approximately 77 percent) in energy and mobile emissions would be required. Substantial reduction in mobile emissions are achieved through reduce vehicle trips or reducing vehicle emissions. A substantial reduction of vehicle trips is not feasible because the project objectives of providing the mixed use project could not occur. Also, the project applicant and the City do not have ability to reduce mobile emissions from vehicles because these reductions are provided through federal laws. In addition, the applicant and the City do not have the ability to substantially reduce project energy emissions (i.e., electricity and natural gas emissions) beyond the reductions provided by the Greenhouse Gas Reduction Features that are part of the proposed project. Greenhouse gas emissions would continue to exceed the guideline threshold of 3,000 metric tons of CO<sub>2</sub>e annually, and therefore, the project would be considered not consistent with the CARB Scoping Plan and the WRCOG CAP. No measures beyond the reasonable and feasible greenhouse gas reduction design features are available, and therefore, impacts would remain significant and unavoidable.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

### 3.3.1.3 *Noise*

- a. **Potentially Significant Impact:** The project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

### **Facts in Support of the Finding:**

#### **Off-Site Roadway Noise Levels**

The increase in traffic resulting from implementation of the proposed project would increase the ambient noise levels at sensitive uses located in proximity to the project area. Based on the traffic impact assessment prepared for the proposed project in combination with an analysis of the surrounding land uses, roadway noise levels were forecasted using the FHWA Model with Calveno noise emission levels to determine if the project's vehicular traffic would result in a significant impact at noise-sensitive receptor locations located in proximity to the project area. Off-site locations in the project vicinity would experience a slight increase in noise resulting from the additional traffic generated by the proposed project. The proposed project would cause one roadway segment to experience an increase in traffic-related noise levels that exceed the noise threshold. This exceedance occurs from a noise increase of 5.3 dBA CNEL on Catt Road, northwest of Clinton Keith Road at 50 feet from roadway centerline. There are four residences along the north side of Catt Road that could be impacted by this noise increase. The homes are two stories with an intervening noise wall providing sound protection for ground level uses. It should be noted that the anticipated "with project" traffic noise level on this segment of Catt Road would be 64 dBA CNEL, which is less than the City's 65 dBA CNEL residential noise compatibility guideline (refer to Table 3.10-5). As such, the traffic noise increase on this segment of Catt Road due to project implementation is considered substantial but the impact would still result in exposure of sensitive receptors to acceptable noise levels. However, the roadway segment of Catt Road located northwest of Clinton Keith Road would nonetheless exceed the 5 dBA CNEL threshold for roadway segments that currently result in noise levels of less than 60 dBA at sensitive noise receptors. Therefore, the proposed project would result in a significant noise impact at the residences along the north side of Catt Road.

To reduce the noise level increase to 5.0 dBA CNEL or less, one additional foot of block on top of the existing wall that extends along the backyards of the four existing residential properties would be required to be added to the existing block wall along the north side of Catt Road. The existing block wall was designed and constructed for its current height with re-bar extending from the base of the wall to the top of the wall. The addition of new blocks to the existing wall would not allow the new blocks to be structurally connected to the base of the wall with re-bar. It is not feasible to drill multiple vertical holes from the top of the wall to its base along the length of the existing wall to install rebar because the drilling of the existing slump stone wall could cause the existing wall to lose stability and cracks on either side of the wall could occur during the drilling thus further reducing the wall's structural integrity. An alternative is to remove the existing wall that extends along the backyards of the four existing residential properties and construct a wall that is one foot higher. The construction of a new wall is not considered reasonable.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

### 3.3.1.4 *Transportation and Traffic*

- a. **Potentially Significant Impact:** The project would result in an increase in existing traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system.

**Facts in Support of the Finding:** The proposed project will significantly increase traffic volumes at the I-15 Southbound Ramps/Baxter Road intersection. The existing level of service during the PM peak hour would degrade to LOS E from LOS C. The existing level of service during the PM peak hour would continue to operate at the existing LOS F; however, the project would add more than 5.0 seconds to the delay at the intersections.

The following mitigation measure as identified in the EIR would reduce the project's impact on the level of service of the I-15 Southbound Ramps/Baxter Road intersection.

**TRA-1** The following improvements are required to reduce impacts under the existing plus project conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully fund the improvement, construct the improvement, pay the applicable City Development Fee (DIF) or pay a pro-rated share of the improvement, as identified below.

#### **Catt Road-Arya Road/Clinton Keith Road**

- The project applicant, as directed by the City Engineer, shall construct or provide a fair share prior to the approval of a final map for the modification of the northbound striping to provide a dedicated left turn lane and a shared through/right turn lane.
- The project applicant, as directed by the City Engineer, shall construct or provide a fair share prior to the approval of a final map for a separate southbound left turn lane.

#### **Inland Valley Drive/Prielipp Road**

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the installation of a traffic signal.

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay a fair share prior to issuance of a building permit for the modification of the westbound striping to provide one through lane and one right turn lane.

#### **I-15 Southbound Ramps/Baxter Road**

- The project applicant shall provide its fair share toward the funding of the installation of an interim traffic signal. The fair share contribution shall be determined by the City of Wildomar City Engineer.
- The project applicant shall provide its fair share toward the funding of the addition of an interim separate eastbound right turn lane. The fair share contribution shall be determined by the City of Wildomar City Engineer.

The project applicant would provide the project's fair share toward the interim improvements required at I-15 Southbound Ramps/Baxter Road interchange. The I-15 Southbound Ramps/Baxter Road interchange is anticipated to be improved in the future through the TUMF Program. However, the traffic signal and eastbound right turn lane improvements are not included in the TUMF improvements. Therefore, these improvements are considered to be interim improvements until the ultimate TUMF improvements are constructed. These interim improvements are not currently funded. Because funding for the interim improvements is uncertain, the City cannot guarantee that the proposed improvements would be constructed as proposed above. Therefore, impacts at the I-15 Southbound Ramps/Baxter Road interchange would remain significant and unavoidable.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

- b. Potentially Significant Impact:** Ambient growth and the project-generated trips would result in an increase in existing traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system.

**Facts in Support of the Finding:** The proposed project and ambient growth will significantly increase traffic volumes at the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections.

The following mitigation measure as identified in the EIR would reduce the project's impact on the level of service of the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections.

**TRA-2** The following improvements are required to reduce impacts under the existing plus ambient plus project conditions on the study area intersections. For each improvement, the project applicant, as directed by the City Engineer, shall either fully fund the improvement, construct the improvement, pay the applicable City Development Impact Fee (DIF) or pay a pro-rated share of the improvement, as identified below.

**Catt Road-Arya Road/Clinton Keith Road**

Implementation of Mitigation Measure TRA 1 is required.

**Inland Valley Drive/Prielipp Road**

Implementation of Mitigation Measure TRA 1 is required.

**Monte Vista Drive/Baxter Road**

- The project applicant, as directed by the City Engineer, shall construct prior to the approval of a final map or pay the applicable City Development Impact Fee (DIF) prior to issuance of a building permit for the installation of a traffic signal.

**I-15 Northbound Ramps/Baxter Road**

- The project applicant shall provide its fair share toward the funding of the installation of an interim traffic signal. The fair share contribution shall be determined by the City of Wildomar City Engineer.
- The project applicant shall provide its fair share toward the funding of the addition of an interim separate eastbound right turn lane. The fair share contribution shall be determined by the City of Wildomar City Engineer.

**I-15 Southbound Ramps/Baxter Road**

Implementation of Mitigation Measure TRA-1 is required.

The project applicant would provide the project's fair share toward the interim improvements required at I-15 Northbound and Southbound Ramps/Baxter Road interchange. These interchanges are anticipated to be improved in the future through the TUMF Program. However, the traffic signals and eastbound right turn lane improvements are not included in the TUMF improvements. Therefore, these improvements are

considered to be interim improvements until the ultimate improvements are constructed. These interim improvements are not currently funded. Because funding for the interim improvements is uncertain, the City cannot guarantee that the proposed improvements would be constructed as proposed above. Therefore, impacts at the I-15 Northbound Ramps/Baxter Road interchange would remain significant and unavoidable.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

- c. **Potentially Significant Impact:** The project would result in an increase in existing traffic that could conflict with an applicable congestion management program, including level of service standards established by the county congestion management agency for designated roads or highways.

**Facts in Support of the Finding:** The focus of the CMP is the development of an Enhanced Traffic Monitoring System in which real-time traffic count data can be accessed by Riverside County Transportation Commission (RCTC) to evaluate the condition of the Congestion Management System (CMS) as well as meet other monitoring requirements at the State and federal levels. Per the adopted level of service target of LOS E, a deficiency plan is required when a CMS segment falls to LOS F. Preparation of a deficiency plan is the responsibility of the local agency where the deficiency is located. Other agencies identified as contributors to the deficiency also will be required to coordinate with the development of the plan. The plan must contain mitigation measures, including Transportation Demand Management (TDM) strategies and transit alternatives, and a schedule of mitigating the deficiency. To ensure that the CMS is appropriately monitored to reduce the occurrence of CMP deficiencies, it is the responsibility of local agencies, when reviewing and approving development proposals, to consider the traffic impacts on the CMS. The main CMP facility within Southwestern Riverside County is I-15; there are no CMP arterials or roadway segments within the project area. As described under Impacts 3.14-1, 3.14-2, 3.14-3, and 3.14-4, the project would cause (or contribute to, with ambient growth and cumulative projects) LOS F conditions at the intersections of I-15 Northbound and Southbound Ramps at Baxter Road, and on I-15 ramps and mainline segments at the Clinton Keith Road interchange. The project's contribution to cumulative traffic at the Northbound and Southbound I-15 Ramps at Baxter Road intersections and the I-15 ramps and mainline segments at the Clinton Keith Road interchange would be cumulatively considerable and thus cumulatively significant.

The project applicant would provide the project's fair share toward the improvements required at I-15 Northbound and Southbound Ramps/Baxter Road interchange. However, the traffic signals and eastbound right turn lane improvements are considered to be interim. These improvements would be provided as part of the ultimate interchange improvement, but the interim improvements are not currently funded. Because funding

for the interim improvements is uncertain, the City cannot guarantee that the proposed improvements would be constructed as proposed above. Therefore, impacts at the I-15 Northbound and Southbound Ramps/Baxter Road interchange would remain significant and unavoidable.

To reduce potential impacts on the Northbound and Southbound I-15, north and south of Clinton Keith Road, a fourth and fifth freeway mainline lane is required. The widening of I-15 is considered infeasible because this improvement is under the jurisdiction of the Federal Highway Administration and widening of the I-15 has not been funded. There is no mechanism for a project applicant to provide a fair share contribution toward the future widening of I-15. Therefore, the City cannot ensure that widening would occur to reduce the impact, and the impact would be significant and unavoidable.

The following mitigation measures as identified in the EIR would reduce the project's impact on the level of service of the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections.

Implementation of Mitigation Measures TRA 1, TRA 2, TRA-3 and TRA 4 is required.

The project applicant would provide the project's fair share toward the improvements required at I-15 Northbound and Southbound Ramps/Baxter Road interchange. However, the traffic signals and eastbound right turn lane improvements are considered to be interim. These improvements would be provided as part of the ultimate interchange improvement, but the interim improvements are not currently funded. Because funding for the interim improvements is uncertain, the City cannot guarantee that the proposed improvements would be constructed as proposed above. Therefore, impacts at the I-15 Northbound and Southbound Ramps/Baxter Road interchange would remain significant and unavoidable.

To reduce potential impacts on the Northbound and Southbound I-15, north and south of Clinton Keith Road, a fourth and fifth freeway mainline lane is required. The widening of I-15 is considered infeasible because this improvement is under the jurisdiction of the Federal Highway Administration and widening of the I-15 has not been funded. There is no mechanism for a project applicant to provide a fair share contribution toward the future widening of I-15. Therefore, the City cannot ensure that widening would occur to reduce the impact, and the impact would be significant and unavoidable.

### 3.3.2 Cumulative Impacts

#### 3.3.2.1 Air Quality

- a. **Potentially Significant Impact:** The project would result in a cumulatively considerable contribution to a violation of an air quality standard.

**Facts in Support of the Finding:** The proposed project is located within the South Coast Air Basin (SCAB), and is classified as a State non-attainment area for ozone, PM10 and PM2.5. Cumulative development consisting of the proposed project along with other reasonably foreseeable future projects in the SCAB and considered in the AQMP as a whole could violate an air quality standard or contribute to an existing or projected air quality violation. This is considered to be a significant cumulative impact. To determine the significance of the project's contribution to regional emissions, the South Coast Air Quality Management District (SCAQMD) uses the same significance thresholds for project specific and cumulative impacts for air quality emissions. Projects that exceed the project specific significance thresholds are considered by the SCAQMD to be cumulatively considerable.

Operational emissions associated with the proposed project would exceed the SCAQMD's thresholds of significance for NOx, even with the implementation of mitigation measures. Therefore, the proposed project would result in a cumulatively considerable net increase in non-attainment pollutants during operations, specifically for the ozone precursor NOx. Therefore, the project's long-term air emissions when considered with emissions based upon projections in the AQMP would be considered cumulatively significant.

The following mitigation measures as identified in the EIR would reduce the project's emissions of NOx and thus reduce the project's contribution to cumulative NOx emissions.

Implementation of Mitigation Measures AQ-1 through AQ-3 is required.

The application of Mitigation Measures AQ-1 through AQ-3 would reduce air emissions; however, the reductions cannot be quantified. Therefore, emissions will remain the same as under the unmitigated scenario. NOx emissions would remain at 77.3 pounds per day which would exceed the 55 pounds per day regional significance threshold. Because 96 percent of the NOx emissions would be produced from mobile sources (i.e., 74.5 pounds per day of NOx of the total 77.3 pounds per day of NOx), a substantial reduction in mobile NOx emissions (i.e., approximately 22 pounds per day which represents a 42 percent reduction in mobile NOx emissions) would be required to achieve the regional significance threshold of 55 pounds per day. To achieve this reduction, approximately 42 percent (approximately 5,700 daily trips) of the total project daily volumes of 13,574 trips would need to be reduced. A reduction of these trips to achieve emissions of less than 55 pounds of NOx per day would require a substantial change in the proposed project, resulting in not meeting the basic objectives of the project. These objectives

include not meeting the provision of Very High density housing to increase the diversity of the available housing stock in the City and the provision of a mix of retail uses. Therefore, a substantial reduction in project trips to reduce NOx emissions is not feasible, and these emissions would continue to be significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

- b. **Potentially Significant Impact:** The project would result in a cumulatively considerable contribution to a net increase in criteria pollutants.

**Facts in Support of the Finding:** The proposed project is located with the South Coast Air Basin (SCAB), and is classified as a State non-attainment area for ozone, PM<sub>10</sub> and PM<sub>2.5</sub>. Cumulative development consisting of the proposed project along with other reasonably foreseeable future projects in the SCAB and considered in the AQMP as a whole could violate an air quality standard or contribute to an existing or projected air quality violation. This is considered to be a significant cumulative impact. To determine the significance of the project's contribution to regional emissions, the South Coast Air Quality Management District (SCAQMD) uses the same significance thresholds for project specific and cumulative impacts for air quality emissions. Projects that exceed the project specific significance thresholds are considered by the SCAQMD to be cumulatively considerable.

Operational emissions associated with the proposed project would exceed the SCAQMD's thresholds of significance for NOx. Therefore, the proposed project would result in a cumulatively considerable net increase in non-attainment pollutants during operations, specifically for the ozone precursor NOx. Therefore, the project's long-term air emissions when considered with emissions based upon projections in the AQMP would be considered cumulatively significant.

The following mitigation measures as identified in the EIR would reduce the project's contribution to cumulative emissions of NOx.

Implementation of Mitigation Measures AQ-1 through AQ-3 is required.

The application of Mitigation Measures AQ-1 through AQ-3 would reduce air emissions; however, the reductions cannot be quantified. Therefore, emissions will remain the same as under the unmitigated scenario. NOx emissions would remain at 77.3 pounds per day which would exceed the 55 pounds per day regional significance threshold. Because 96 percent of the NOx emissions would be produced from mobile sources (i.e., 74.5 pounds per day of NOx of the total 77.3 pounds per day of NOx), a substantial reduction in mobile NOx emissions (i.e., approximately 22 pounds per day which represents a 42 percent reduction in mobile NOx emissions) would be required to achieve the regional significance threshold of 55 pounds per day. To achieve this reduction, approximately 42

percent (approximately 5,700 daily trips) of the total project daily volumes of 13,574 trips would need to be reduced. A reduction of these trips to achieve emissions of less than 55 pounds of NO<sub>x</sub> per day would require a substantial change in the proposed project, resulting in not meeting the basic objectives of the project. These objectives include not meeting the provision of Very High density housing to increase the diversity of the available housing stock in the City and the provision of a mix of retail uses. Therefore, a substantial reduction in project trips to reduce NO<sub>x</sub> emissions is not feasible.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

### 3.3.2.2 Greenhouse Gas Emissions and Climate Change

- a. **Potentially Significant Impact:** The project would have a cumulatively considerable contribution to the generate GHG emissions and would have a significant impact on the environment.

**Facts in Support of the Finding:** Global climate change is a change in the average weather on Earth that can be measured by wind patterns, storms, precipitation, and temperature. Therefore, the geographic scope for the analysis of cumulative construction and operational related impacts resulting from the emissions of GHG is worldwide. Construction and operation of the proposed project would incrementally contribute to GHG emissions along with past, present, and future activities, and the CEQA Guidelines acknowledge this is a cumulative impact. As such, impacts of GHG emissions analyzed under the project level impacts of this EIR also represent the cumulative analysis. Annual emissions of GHGs from project implementation would generate GHG emissions that exceed the SCAQMD guideline threshold of 3,000 MT CO<sub>2</sub>e annually. Therefore, the proposed project's contribution to cumulative greenhouse gas emissions and conflicts with applicable plans is considered cumulatively significant.

The project includes a number of project design features that would reduce greenhouse gas emissions. These features are provided in Section 2, Project Description of the DEIR and are considered reasonable and feasible.

To reduce the project's GHG emissions of approximately 10,994 MT CO<sub>2</sub>e to less than the 3,000 MT CO<sub>2</sub>e annually, substantial reductions (approximately 77 percent) in energy and mobile emissions would be required. Substantial reduction in mobile emissions are achieved through reduce vehicle trips or reducing vehicle emissions. A substantial reduction of vehicle trips (i.e., 77 percent reduction of the total 13,574 trips) is not feasible because the project objectives of providing the mixed use project could not occur. Also, the project applicant and the City do not have ability to reduce mobile emissions from vehicles because these reductions are provided through federal laws. In addition, the applicant and the City do not have the ability to substantially reduce project energy emissions (i.e., electricity and natural gas emissions) beyond the reductions provided by the Greenhouse

Gas Reduction Features that are part of the proposed project. Greenhouse gas emissions would continue to exceed the guideline threshold of 3,000 MT CO<sub>2</sub>e annually. Therefore, a substantial reduction in project trips to reduce MT CO<sub>2</sub>e emissions is not feasible.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

- b. Potentially Significant Impact:** The project would have a cumulatively considerable contribution to conflicts with an applicable plan, policy or regulation adopted to reduce GHG emissions.

**Facts in Support of the Finding:** Global climate change is a change in the average weather on Earth that can be measured by wind patterns, storms, precipitation, and temperature. Therefore, the geographic scope for the analysis of cumulative construction and operational related impacts resulting from the emissions of GHG is worldwide. Construction and operation of the proposed project would incrementally contribute to GHG emissions along with past, present, and future activities, and the CEQA Guidelines acknowledge this is a cumulative impact. As such, impacts of GHG emissions analyzed under the project level impacts of this EIR also represent the cumulative analysis. Annual emissions of GHGs from project implementation would generate GHG emissions that exceed the SCAQMD guideline threshold of 3,000 MT CO<sub>2</sub>e annually, could conflict with the applicable Scoping Plan and Western Riverside Council of Governments Climate Action Plan, and is considered a significant impact. Therefore, the proposed project's contribution to cumulative greenhouse gas emissions and conflicts with applicable plans is considered cumulatively significant. The project includes a number of project design features that would reduce greenhouse gas emissions. These features are provided in Section 2, Project Description and are considered reasonable and feasible.

To reduce the project's GHG emissions of approximately 10,994 MT CO<sub>2</sub>e to less than the 3,000 MT CO<sub>2</sub>e annually, substantial reductions (approximately 77 percent) in energy and mobile emissions would be required. Substantial reduction in mobile emissions are achieved through reduce vehicle trips or reducing vehicle emissions. A substantial reduction of vehicle trips (i.e., 77 percent reduction of the total 13,574 trips) is not feasible because the project objectives of providing the mixed use project could not occur. Also, the project applicant and the City do not have ability to reduce mobile emissions from vehicles because these reductions are provided through federal laws. In addition, the applicant and the City do not have the ability to substantially reduce project energy emissions (i.e., electricity and natural gas emissions) beyond the reductions provided by the Greenhouse Gas Reduction Features that are part of the proposed project. Greenhouse gas emissions would continue to exceed the guideline threshold of 3,000 MT CO<sub>2</sub>e annually. Therefore, a substantial reduction in project trips to reduce MT CO<sub>2</sub>e emissions is not feasible and the project's contribution to potential cumulative conflicts with the applicable Scoping

Plan and Western Riverside Council of Governments Climate Action Plan would remain significant.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

### 3.3.2.3 Noise

- a. **Potentially Significant Impact:** The project would result in a cumulatively considerable contribution to a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

**Facts in Support of the Finding:** Cumulative mobile source noise impacts would occur primarily as a result of increased traffic on local roadways due to implementation of the proposed project, ambient growth, and other developments in the City. Therefore, cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed project to the future cumulative base traffic volumes on the roadway segments located within and in proximity to the project area.

Cumulative development under build-out conditions with the proposed project would cumulatively increase noise levels that would exceed the noise increase criteria for 14 roadway segments. Therefore, the cumulative noise levels along the 14 roadway segments would be significant. To determine the project's contribution to these cumulative noise levels, an evaluation of build-out traffic noise levels without and with the project was conducted. There is one roadway segment that exceeds the noise level increase criteria. This segment is along Catt Road, north of Clinton Keith Road, and there are existing residences located along the north side of this segment. Therefore, the project's contribution to the roadway noise levels would be cumulatively considerable and thus cumulatively significant. The cumulative noise increase is projected to be 5.9 dBA CNEL which would exceed the noise increase standard of 5.0. It is noted that the anticipated cumulative traffic noise level along Catt Road, north of Clinton-Keith Road would be 64.8 dBA CNEL which is less than the City's 65 dBA CNEL residential noise compatibility guideline.

To reduce the noise level increase to 5.0 dBA CNEL or less, additional feet of block on top of the existing wall that extends along the backyards of the four existing residential properties would be required to be added to the existing block wall along the north side of Catt Road. The existing block wall was designed and constructed for its current height with re-bar extending from the base of the wall to the top of the wall. The addition of new blocks to the existing wall would not allow the new blocks to be structurally connected to the base of the wall with re-bar. It is not feasible to drill multiple vertical holes from the top of the wall to its base along the length of the existing wall to install rebar because the drilling of the existing slump stone wall could cause the existing wall to lose stability and cracks on either side of the wall could occur during the drilling thus further reducing

the wall's structural integrity. An alternative is to remove the existing wall that extends along the backyards of the four existing residential properties and construct a wall that is higher. The construction of a new wall is not considered reasonable.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

#### **3.3.2.4 Transportation and Traffic**

- a. **Potentially Significant Impact:** The project would result in a cumulatively considerable increase in traffic under the ambient growth plus project plus cumulative (2017) conditions that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system.

**Facts in Support of the Finding:** Future year traffic forecasts were based on three years of background (ambient) growth at 2 percent per year for 2017 traffic conditions. The total ambient growth is 6 percent for 2017 conditions. This ambient growth rate is added to existing traffic volumes on surrounding roadways, in addition to traffic generated by the development of future projects that have been approved but not yet built and/or for which development applications have been filed and are under consideration by governing agencies. The proposed project, ambient growth, and cumulative projects will significantly increase traffic volumes at the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections. In addition, cumulative traffic volumes will significantly increase on the I-15 freeway segment, south of Clinton Keith Road. These intersections and segment are projected to operate at an unacceptable LOS E during the PM peak hour. The project's contribution to cumulative traffic impacts for 2017 conditions is considered cumulatively considerable and thus cumulatively significant.

The following mitigation measure as identified in the EIR would reduce the project's impact on the level of service of the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections.

Implementation of Mitigation Measure TRA-3 is required.

The project applicant would provide the project's fair share toward the interim improvements required at I-15 Northbound Ramps/Baxter Road interchange and the I-15 Southbound Ramps/Baxter Road interchange. These interchanges are anticipated to be improved in the future through the TUMF Program. However, the traffic signals and eastbound right turn lane improvements are not included in the TUMF improvements. Therefore, these improvements are considered to be interim improvements until the ultimate improvements are constructed. These interim improvements are not currently funded. Because funding for the interim improvements is uncertain, the City cannot

guarantee that the proposed improvements would be constructed as proposed above. Therefore, impacts at the I-15 Northbound Ramps/Baxter Road interchange and I-15 Southbound Ramps/Baxter Road interchange would remain significant and unavoidable.

To reduce potential impacts on the Northbound I-15 south of Clinton Keith Road to less than significant, a fourth northbound lane is required. The widening of I-15 is considered infeasible because this improvement is under the jurisdiction of the Federal Highway Administration and widening of the I-15 has not been funded. There is no mechanism for a project applicant to provide a fair share contribution toward the future widening of I-15. Therefore, the City cannot ensure that widening would occur to reduce the impact, and the impact would be significant and unavoidable.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

- b. **Potentially Significant Impact:** The project would result in a cumulatively considerable increase in traffic under the Horizon Year (2035) traffic condition that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system.

**Facts in Support of the Finding:** The Horizon Year (2035) traffic condition scenarios analyzed in Section 3.14, Transportation and Traffic, relies on the Riverside County Travel Demand Model (RIVTAM) to forecast traffic condition factors in the project area with and without build-out of the proposed project. The RIVTAM model builds in regional growth projections as well as estimates of future development, and therefore, these analyses are inherently cumulative.

The proposed project would result in a substantial increase in traffic volumes in the Horizon Year 2035 at the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections. In addition, traffic volumes will significantly increase on the Northbound and Southbound I-15 freeway segment, north and south of Clinton Keith Road. These intersections and segment are projected to operate at an unacceptable LOS F during the AM and PM peak hours.

The following mitigation measure as identified in the EIR would reduce the project's impact on the level of service of the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections.

Implementation of Mitigation Measure TRA-4 is required.

The project applicant would provide the project's fair share toward the interim improvements required at I-15 Northbound Ramps/Baxter Road interchange and the I-15 Southbound Ramps/Baxter Road interchange. These interchanges are anticipated to be improved in the future through the TUMF Program. However, the traffic signals and

eastbound right turn lane improvements are not included in the TUMF improvements. Therefore, these improvements are considered to be interim improvements until the ultimate improvements are constructed. These interim improvements are not currently funded. Because funding for the interim improvements is uncertain, the City cannot guarantee that the proposed improvements would be constructed as proposed above. Therefore, impacts at the I-15 Northbound Ramps/Baxter Road interchange and I-15 Southbound Ramps/Baxter Road interchange would remain significant and unavoidable.

To reduce potential impacts on the Northbound and Southbound I-15, north and south of Clinton Keith Road, a fourth and fifth freeway mainline lane is required. The widening of I-15 is considered infeasible because this improvement is under the jurisdiction of the Federal Highway Administration and widening of the I-15 has not been funded. There is no mechanism for a project applicant to provide a fair share contribution toward the future widening of I-15. Therefore, the City cannot ensure that widening would occur to reduce the impact, and the impact would be significant and unavoidable.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

- c. **Potentially Significant Impact:** The project would result in a cumulatively considerable increase in existing traffic that could conflict with an applicable congestion management program, including level of service standards established by the county congestion management agency for designated roads or highways.

**Facts in Support of the Finding:** As cumulative development and the proposed project are implemented, levels of service on the I-15 intersections, ramps, and mainline segments, CMP roadway facilities, would degrade to unacceptable levels and result in significant impacts. The project's contribution to impacts on I-15 intersections, ramps, and mainline segments would be cumulatively considerable and thus cumulatively significant.

The following mitigation measure as identified in the EIR would reduce the project's impact on the level of service of the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections.

Implementation of Mitigation Measures TRA 1, TRA 2, TRA-3 and TRA-4 is required.

The project applicant would provide the project's fair share toward the improvements required at I-15 Northbound and Southbound Ramps/Baxter Road interchange. However, the traffic signals and eastbound right turn lane improvements are considered to be interim. These improvements would be provided as part of the ultimate interchange improvement, but the interim improvements are not currently funded. Because funding for the interim improvements is uncertain, the City cannot guarantee that the proposed

improvements would be constructed as proposed above. Therefore, impacts at the I-15 Northbound and Southbound Ramps/Baxter Road interchange would remain significant and unavoidable.

To reduce potential impacts on the Northbound and Southbound I-15, north and south of Clinton Keith Road, a fourth and fifth freeway mainline lane is required. The widening of I-15 is considered infeasible because this improvement is under the jurisdiction of the Federal Highway Administration and widening of the I-15 has not been funded. There is no mechanism for a project applicant to provide a fair share contribution toward the future widening of I-15. Therefore, the City cannot ensure that widening would occur to reduce the impact, and the impact would be significant and unavoidable.

**Finding:** Pursuant to CEQA Guidelines Section 15091 (a)(3), specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

## 4. Feasibility of Alternatives

CEQA requires that an EIR include an analysis of a reasonable range of feasible alternatives to a proposed project capable of avoiding or substantially lessening any significant adverse environmental impact associated with the project. The discussion of alternatives is required to include the “No Project” alternative. CEQA requires further that the City of Wildomar identify an environmentally superior alternative. If the “No Project” alternative is the environmentally superior alternative, an environmentally superior alternative must be identified from among the other alternatives. (CEQA Guidelines, section 15126.6.)

As set forth in these Findings, the implementation of the proposed project will result in significant impacts that are considered unavoidable. Following are the alternatives to the project that were considered and evaluated.

### 4.1 Alternative 1: No Project/Existing General Plan Land Use Designation Alternative

#### 4.1.1 Description

CEQA Guidelines Section 15126.6(e) requires that an EIR evaluate a “no project” alternative so that decision-makers can compare the impacts of the proposed project with the impacts of not approving the proposed project. There are two options for proceeding with a “no project” alternative analysis. The “no project” analysis can be a consideration of maintaining the project site in its current (undeveloped) condition. Where, such as in the current situation, the project site has been designated for a particular land use under the General Plan and zoning, and it is reasonably foreseeable that based on the current General Plan land use designation, a future proposal could be submitted to the City consistent with the current land uses designated for the site, CEQA Guidelines Section 15126.6(e)(3) also allows the “no project” analysis to be what would reasonably be expected to occur on the project site under current land use designations.

The No Project/Existing General Plan Land Use Alternative would develop the site according to the current general plan land use designations for the site. The site is comprised of 27.6 acres of Commercial Office (CO) under the existing General Plan land use designation. Under the No Project Existing General Plan Land Use Alternative, the site could be developed with a variety of office uses and support services, with floor area ratios range from 0.35 to 1.0. However, this alternative assumes the construction of commercial office uses at a floor area ratio of 0.35 which would result in the site accommodating 420,790 square feet. The lowest floor area ratio was assumed to reflect the lowest square footage that could be developed on the project site and still be consistent with the CO designation. The lowest square footage could represent the least amount of environmental effects because less traffic, noise, air quality, and greenhouse gas emissions would occur compared to commercial office uses with a higher floor area ratio.

## **4.1.2 Impact Analysis**

### **4.1.2.1 Aesthetics**

Under the No Project/Existing General Plan Land Use Designations Alternative, the project site would be developed according to the current General Plan land use designation, Commercial Office (CO). The site would be developed with 420,790 sf of commercial offices throughout the entire project site. It is anticipated that the commercial office uses would be located within one and two story buildings similar to the architectural style and design features proposed under the project. The landscaping proposed under this alternative would also be similar to the project. Unlike the proposed project, the entire site would be developed with commercial structures which would not provide the transition to the single family residential neighborhoods on the northern and eastern boundaries of the project site that the residential uses proposed by the project would provide. The implementation of Alternative 1 would result in similar less than significant impacts to scenic vistas, scenic resources, visual character, and light and glare as the proposed project.

### **4.1.2.2 Air Quality**

Under the No Project/Existing General Plan Land Use Designation Alternative, the site would be developed with 420,790 sf of commercial office uses. Assuming that the automobile trip rate is similar to the commercial component of the proposed project, and this alternative would result in about 350 percent more commercial building square footage compared to the project, this alternative would generate about 44,000 average daily trips (12,464 [commercial trips] x 3.50). The proposed project would generate about 13,574 average daily trips and would result in significant long-term emissions of NO<sub>x</sub>. Mitigation measures would be implemented with the proposed project, but the emissions of NO<sub>x</sub> would remain significant and unavoidable. With the implementation of Alternative 1, long term emissions of NO<sub>x</sub> would also be significant and would be greater than the proposed project. The project mitigation measures could be implemented; however, the emissions would remain significant and unavoidable. Because there would be a greater amount of vehicle trips associated with Alternative 1 compared to the proposed project, there would be a greater amount of NO<sub>x</sub> emissions with Alternative 1 and, therefore, a greater impact on air quality.

### **4.1.2.3 Biological Resources**

Under the No Project/Existing General Plan Land Use Designation Alternative, the entire project site would be graded similar as under the proposed project. Therefore, the implementation of Alternative 1 would result in similar potential impacts to burrowing owl, coast horned lizard, and San Diego black-tailed jackrabbit as the proposed project. Alternative 1 would also result in a similar impact on jurisdictional areas. Implementation of the project mitigation measures would reduce impacts to biological resources to less than significant similar to the proposed project.

### **4.1.2.4 Cultural Resources**

Under Alternative 1, the entire site would be graded similar to the proposed project. Therefore, the implementation of Alternative 1 would result in similar impacts to potential historical, archaeological, and paleontological resources as the proposed project. Implementation of the

project mitigation measures would reduce impacts to cultural resources to less than significant similar to the proposed project.

#### **4.1.2.5 Geology and Soils**

The implementation of Alternative 1 would result in the development of structures throughout the project site and assuming adherence to the setback from the trace fault northeast of the project site. Similar to the proposed project, the buildings associated with Alternative 1 would result in similar less than significant impacts related to geotechnical hazards issues such as fault zone, seismic shaking, soil erosion, subsidence, collapse, and expansive soils.

#### **4.1.2.6 Greenhouse Gas Emissions**

This alternative would result in the generation of greenhouse gas emissions. These emissions would result from area sources, energy utilization, mobile sources, solid waste generation, and water consumption. The primary source of greenhouse gas emissions would occur from mobile sources. Because this alternative would result in about 350 percent more commercial building square footage compared to the project, this alternative would generate about 44,000 average daily trips (12,464 [commercial trips] x 3.50). The proposed project would generate about 13,574 average daily trips. Therefore, Alternative 1 would result in about 30,426 more average daily trips as compared to the proposed project. With a greater number of average daily trips, Alternative 1 would result in a greater amount of greenhouse gas emissions as compared to the proposed project. Because the proposed project would result in significant and unavoidable adverse impacts associated with the generation of greenhouse gas emissions, Alternative 1 would also result in significant and unavoidable adverse impacts, and its impacts would be greater than the proposed project.

#### **4.1.2.7 Hydrology and Water Quality**

Under Alternative 1, the entire site would be graded similar to the proposed project. The increase in impervious surfaces on the project site under this alternative is anticipated to be similar to the proposed project, and therefore a similar amount of surface water flow would be anticipated. The project includes various drainage improvements to address water quality and reduce offsite storm flows during peak concentrations. These improvements could also be implemented with Alternative 1 to reduce the degradation of surface water flows and reduce downstream storm water flow impacts.

Alternative 1 is anticipated to result in similar less than significant impacts on groundwater supplies because currently the EVMWD restricts the extraction of groundwater for potable use within the District to the amount of recharge per year, and the project site contains extremely slow infiltration rates. Therefore similar to the proposed project, Alternative 1 would result in a less than significant impact on groundwater supplies by converting the current pervious site to a primarily impervious site, similar to the proposed project.

#### **4.1.2.8 Hazards and Hazardous Materials**

Development under Alternative 1 would result in grading the entire project site similar to the proposed project. Construction activities associated with Alternative 1 would result in the same less than significant impacts associated with hazardous materials and substances from construction equipment as the proposed project. Due to the existing state and local regulations associated with hazardous materials, the implementation of commercial office uses under Alternative 1 is anticipated to result in similar less than significant impacts as the proposed project.

#### **4.1.2.9 Land Use and Planning**

Implementation of Alternative 1 would result in commercial office uses which are consistent with the land uses designated for the project site within the City of Wildomar General Plan. It is anticipated that the operation activities associated with Alternative 1 would not cause any impacts on land use policies and plans, similar to the proposed project. Both Alternative 1 and the proposed project have a similar potential to impact burrowing owl and riparian/riverine habitat, both of which are protected by applicable habitat conservation plans. Implementation of the project mitigation measures would reduce the potential impact from implementation of Alternative 1 to less than significant, similar to the proposed project.

#### **4.1.2.10 Noise**

Construction and operation activities associated with Alternative 1 would increase noise levels on and adjacent to the project site. Construction activities associated with Alternative 1 are anticipated to result in similar less than significant noise levels as the proposed project. Operational activities associated with the project could result in significant noise levels related to loading dock activities, mechanical HVAC equipment, trash pick-up and parking lot cleaning. These operational activities could be similar to activities associated with commercial office uses. Therefore, similar to the proposed project, Alternative 1 could result in significant noise level increase; however, with the implementation of project mitigation measures, potential noise impacts could be reduced to less than significant.

Alternative 1 would result in more structural development compared to the proposed project. There is a potential for greater vibration impacts compared to the proposed project; however, the potential vibration impacts would be less than significant under both Alternative 1 and the proposed project.

Similar to the proposed project, Alternative 1 would result in traffic noise levels off of the project site. Because Alternative 1 would result in substantially more traffic volumes, noise levels along the segment of Catt Road northwest of Clinton Keith Road would exceed the noise level increase threshold. Both this alternative and the proposed project would result in significant and unavoidable noise impacts; however, Alternative 1 is anticipated to result in a greater noise increase than the proposed project.

#### **4.1.2.11 Population and Housing**

Implementation of Alternative 1 would result in the development of 420,790 square feet of commercial office uses. Assuming an employment rate of one employee per 500 square feet, Alternative 1 could generate about 842 employment opportunities. This increase in employment opportunities could induce population growth in the City of Wildomar. This inducement of growth could be considered substantial; however, potential environmental effects associated with this inducement would be considered less than significant due to the ability of the City to meet housing needs as a result of the projected residential projects currently approved or proposed within the City of Wildomar (see Table 4-2, Cumulative List). Alternative 1 would result in less than significant impacts related to the inducement of population similar to the proposed project.

#### **4.1.2.12 Public Services**

Implementation of Alternative 1 would result in the development of 420,790 square feet of commercial office uses and about 842 employees. Alternative 1 may result in a decrease demand for fire and police services, schools, parks, libraries and hospitals compared to the proposed project because the project would result in about 630 residents and 237 employees on the project site which is slightly more than the number of people anticipated under Alternative 1. Similar to the proposed project, Alternative 1 would result in a less than significant impact on public services.

#### **4.1.2.13 Recreation**

Alternative 1 would not result in the generation of residential uses; however, the generation of employees on the project site could result in a slight increase in the use of existing recreational facilities, but this increase would be less than the proposed project. This increase in the use of recreational facilities in the project area would result in a less than significant impact similar to the proposed project.

#### **4.1.2.14 Transportation and Traffic**

Under the No Project/Existing General Plan Land Use Designation Alternative, the site would be developed with 420,790 sf of commercial office uses. Assuming that the automobile trip rate is similar to the commercial component of the proposed project, and this alternative would result in about 350 percent more commercial building square footage compared to the project, this alternative would generate about 44,000 average daily trips (12,464 [commercial trips] x 3.50). The proposed project would generate about 13,574 average daily trips. Therefore, Alternative 1 would result in about 30,426 more average daily trips compared to the proposed project. The increased trips under Alternative 1 compared to the proposed project would result in increased impacts at study area intersections, freeway ramps, and freeway mainline segments. The implementation of the project's mitigation measure would reduce the potential traffic impacts associated with Alternative 1. However, similar to the proposed project, Alternative 1 would result in significant and unavoidable impacts at the I-15 Northbound and Southbound Ramps/Baxter Road interchange intersections and ramps as well as the I-15 freeway mainline north and south of Clinton Keith Road.

#### **4.1.2.15 Utilities**

Implementation of Alternative 1 would result in the development of commercial office uses on the project site. Although the amount of development would be greater under Alternative 1, the impacts on the existing water, sewer, wastewater treatment, and landfill would be less than significant similar to the proposed project. In addition, Alternative 1 could incorporate the greenhouse gas reduction design features that are part of the commercial uses associated with the proposed project. The incorporation of these design features would reduce the energy consumption that would occur with Alternative 1. The operation of the commercial uses associated with Alternative 1 would result in a similar less than significant effect on the consumption of energy.

#### **4.1.3 Findings for Alternative 1: No Project/Existing General Plan Land Use Designation Alternative**

The No Project/Existing General Plan Land Use Designation Alternative would result in similar impacts to the proposed project related to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and land use and planning. Alternative 1 would result in less impacts than the proposed project related to public services, recreation, and utilities and greater impacts than the proposed project related to air quality, greenhouse gas emissions, noise, and transportation/traffic. The purpose of the alternatives analysis is to determine if there are alternatives that would reduce or avoid the significant impacts of the project. This alternative, by resulting in more severe unavoidable impacts as compared to the proposed project, would not meet this criteria. Overall, Alternative 1 would result in greater environmental effects as compared to the proposed project. The implementation of this alternative would not meet the basic objectives of the proposed project. The basic objectives of the project are to construct a mixed use community that provides linkages between home and retail. Alternative 1 does not propose a mixed use development; only commercial office uses. Moreover, Alternative 1 would not provide the type of higher density housing that the project provides which serves to increase the variety of housing types in the City as envisioned by the Housing Element. Finally, the commercial office uses would not generate the potential for additional revenues flowing to the City as compared with developing the site with retail uses which is a project objective. Since Alternative 1 would result in greater environmental impacts and would not achieve most the project objectives, this alternative is rejected in favor of the proposed project.

### **4.2 Alternative 2: Reduced Project Alternative**

#### **4.2.1 Description**

The Reduced Project Alternative would develop the project, but it would be reduced in density. Under this alternative, commercial and residential uses would each be reduced by 25 percent from that of the proposed project so that the potential significant unavoidable traffic noise impact on three existing residences along Catt Road could be reduced to less than significant. Therefore, there would be 143 multiple family attached townhomes and 88,765 square feet of commercial retail uses.

## **4.2.2 Impact Analysis**

### **4.2.2.1 Aesthetics**

Under the Reduced Project Alternative, the project site would be developed with 144 multiple family units and 88,756 sf of commercial office uses for a 25 percent reduction. It is anticipated that the commercial and residential uses under this alternative would include similar architectural style and design features as proposed under the project. The landscaping proposed under this alternative would also be similar to the project. The implementation of Alternative 2 would result in similar less than significant impacts to scenic vistas, scenic resources, visual character, and light and glare as the proposed project.

### **4.2.2.2 Air Quality**

Under this Alternative, the site would be developed with 25 percent less development and result in 25 percent less average daily trips. The reduced average daily trips would result in less air emissions under this Alternative compared to the proposed project. Although less emissions would occur under this Alternative, long-term emissions of NO<sub>x</sub> are still expected to be significant. The project mitigation measures could be implemented; however, the emissions are expected to remain significant and unavoidable. Because there would be a lesser amount of vehicle trips associated with Alternative 2 compared to the proposed project, there would be a lesser amount of NO<sub>x</sub> emissions with Alternative 2 as compared to the project, but it would not avoid or reduce to less than significant this air quality impact.

### **4.2.2.3 Biological Resources**

Under Alternative 2, the entire project site is assumed to be graded similar to the proposed project. Therefore, the implementation of Alternative 2 would result in similar potential impacts to burrowing owl, coast horned lizard, and San Diego black-tailed jackrabbit as the proposed project. Alternative 2 would also result in a similar impact on jurisdictional areas. Implementation of the project mitigation measures would reduce impacts to biological resources to less than significant similar to the proposed project.

### **4.2.2.4 Cultural Resources**

Under Alternative 2, the entire site would be graded similar to the proposed project. Therefore, the implementation of Alternative 2 would result in similar impacts to potential historical, archaeological, and paleontological resources as the proposed project. Implementation of the project mitigation measures would reduce impacts to cultural resources to less than significant similar to the proposed project.

### **4.2.2.5 Geology and Soils**

The implementation of Alternative 2 would result in the development of structures throughout the project site and assuming adherence to the setback from the trace fault northeast of the project site. Similar to the proposed project, the buildings associated with Alternative 2 would result in similar less than significant impacts related to geotechnical hazards issues such as fault zone, seismic shaking, soil erosion, subsidence, collapse, and expansive soils.

#### **4.2.2.6 Greenhouse Gas Emissions**

This alternative would result in the generation of greenhouse gas emissions. These emissions would result from area sources, energy utilization, mobile sources, solid waste generation, and water consumption. The primary source of greenhouse gas emissions would occur from mobile sources. Because this alternative would result in 25 percent less average daily trips, this alternative would result in less greenhouse gas emissions as compared to the proposed project. Although 25 percent less emissions would occur under this alternative, this alternative would still result in similar significant and unavoidable adverse impacts associated with the generation of greenhouse gas emissions compared to the proposed project. Although this impact would be slightly reduced, implementation of Alternative 2 would not substantially lessen this significant impact or avoid it altogether.

#### **4.2.2.7 Hydrology and Water Quality**

Under Alternative 2, the entire site would be graded similar to the proposed project. This alternative is expected to result in a similar amount of impervious surfaces as the proposed project, and therefore a similar amount of surface water flow would be anticipated. The project includes various drainage improvements to address water quality and reduce offsite storm flows during peak concentrations. These improvements could also be implemented with Alternative 2 to reduce the degradation of surface water flows and reduce downstream storm water flow impacts.

#### **4.2.2.8 Hazards and Hazardous Materials**

Development under Alternative 2 would result in grading the entire project site similar to the proposed project. Construction activities associated with Alternative 2 would result in the same less than significant impacts associated with hazardous materials and substances from construction equipment as the proposed project. Due to the existing state and local regulations associated with hazardous materials, the implementation of the commercial and residential uses under Alternative 2 are anticipated to result in similar less than significant impacts as the proposed project.

#### **4.2.2.9 Land Use and Planning**

Implementation of Alternative 2 would not cause any impacts related to land use policies and plans, similar to the proposed project. It should be noted, however, that with a 25 percent reduction in the proposed commercial square footage, this alternative would not be able to provide the variety of retail uses as compared to the public. First, the reduced square footage would not allow the construction of the major supermarket contemplated for the site together with the mix of commercial that could be provided by the project. Based upon current development trends and characteristics, a major retail tenant requires at least 80-85,000 sf. Under this alternative, the only commercial use that might be built would be the major retail building with very limited supporting retail, if any.

In addition to the changes to the nature of the commercial uses, Alternative 2 would also reduce the density of residential uses on the site. The project proposes to provide housing at 14 du/acre that would be considered Very High Density residential under the City's General Plan and would

increase the diversity of housing stock in the City. Under Alternative 2, the density of residential development would be 11 du/acre and would no longer be considered Very High Density residential.

Both Alternative 2 and the proposed project have a similar potential to impact burrowing owl and riparian/riverine habitat, both of which are protected by applicable habitat conservation plans. Implementation of the project mitigation measures would reduce the potential impact from implementation of Alternative 2 to less than significant, and the impacts of implementing this alternative would be the same as for the proposed project.

#### **4.2.2.10 Noise**

Construction and operation activities associated with Alternative 2 would increase noise levels on and adjacent to the project site. Construction activities associated with Alternative 2 are anticipated to result in similar less than significant noise levels as the proposed project. Operational activities associated with the project could result in significant noise levels related to loading dock activities, mechanical HVAC equipment, trash pick-up and parking lot cleaning. These operational activities could result in less noise levels under Alternative 2 compared to the proposed project, but these impacts would be fairly similar to the proposed project. With the implementation of the project mitigation measures, operational noise levels associated with Alternative 2 would be reduced to less than significant similar to the proposed project.

Alternative 2 could result in a reduction of traffic noise levels along Catt Road during the Existing + Project and Buildout with Project Scenarios. Based on the reduction in traffic for Alternative 2, Existing + Project traffic noise levels would increase by 4.1 dBA CNEL which is less than the noise increase threshold of 5.0 dBA CNEL. This reduction could result in a less than significant traffic noise impact on the three existing residences along Catt Road. Under the Buildout with Project scenario, the project's contribution to cumulative noise levels would increase along Catt Road by 5 dBA CNEL which is considered a significant noise increase. Therefore, Alternative 2 would result in a substantial reduction in project traffic noise impacts along Catt Road under the Existing + Project Scenario compared to the proposed project and would result in a similar significant cumulative contribution to traffic noise levels along Catt Road.

Alternative 2 would result in less structural development compared to the proposed project. There is a potential for less vibration impacts compared to the proposed project; however, the potential vibration impacts would be less than significant under both Alternative 2 and the proposed project.

#### **4.2.2.11 Population and Housing**

Implementation of Alternative 2 would result in 25 percent less residents and employees on the project site. This decrease in development would reduce the potential inducement of population growth in the City of Wildomar. However, as stated in Section 3.11, Population and Housing, the project would result in a less than significant impact on population inducement. Implementation

of Alternative 2 would result in a similar less than significant impact on the inducement of population growth.

#### **4.2.2.12 Public Services**

Implementation of Alternative 2 would result in 25 percent less residents and employees on the project site. This reduction in population would reduce the demand for fire and police services, schools, parks, libraries and hospitals compared to the proposed project. Similar to the proposed project, Alternative 2 would result in a less than significant impact on public services.

#### **4.2.2.13 Recreation**

Implementation of Alternative 2 would result in 25 percent less residents and employees on the project site. This reduction in population would reduce the demand for recreational facilities compared to the proposed project. Similar to the proposed project, Alternative 2 would result in a less than significant impact on recreational facilities.

#### **4.2.2.14 Transportation and Traffic**

Under Alternative 2, 25 percent less average daily trips would be generated compared to the proposed project. Alternative 2 would result in less impacts at study area intersections, freeway ramps, and freeway mainline segments. The implementation of the project's mitigation measure would reduce the potential traffic impacts associated with Alternative 2. However, similar to the proposed project, Alternative 2 would result in significant and unavoidable impacts at the I-15 Northbound and Southbound Ramps/Baxter Road interchange intersections and ramps as well as the I-15 freeway mainline north and south of Clinton Keith Road. Therefore, while this alternative would generate less trips overall, it would still result in the same unavoidable impacts as the proposed project.

#### **4.2.2.15 Utilities**

Implementation of Alternative 2 would result in the development of commercial and residential uses on the project site. Although the amount of development would be less under Alternative 2, there will still be impacts on the existing water, sewer, wastewater treatment, and landfill; however, these impacts would be less than significant similar to the proposed project. In addition, Alternative 2 could incorporate the greenhouse gas reduction design features that are part of the commercial and residential uses associated with the proposed project. The incorporation of these design features would reduce the energy consumption that would occur with Alternative 2. The operation of the commercial and residential uses associated with Alternative 2 would result in a similar less than significant effect on the consumption of energy.

### **4.2.3 Findings for Alternative 2: Reduced Project Alternative**

The Reduced Project Alternative would result in similar impacts to the proposed project related to aesthetics, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and land use and planning. Alternative 2 would result in substantially reducing the noise impact related to permanent traffic noise increase along Catt

Road. Alternative 2 would also result in less impacts than the proposed project related to air quality, greenhouse gas emissions, population and housing, public services, noise, recreation, transportation/traffic, and utilities. Overall, Alternative 2 would result in less environmental effects compared to the proposed project although it would still result in significant and unavoidable air quality, greenhouse gas, and traffic project and cumulative impacts and cumulative noise impacts. Noise levels at Catt Road, which are significant and unavoidable under the project, would be less than significant under the Existing + Project Scenario for this Alternative. The implementation of this alternative could meet most, but not all of the basic objectives of the proposed project. Some of the project objectives that would not be met by this alternative would be the provision of Very High density housing to increase the diversity of the available housing stock in the City and the provision of a mix of retail uses.

### 4.3 Environmentally Superior Alternative

As required by CEQA Guidelines Section 15126.6, one of the alternatives must be identified as an Environmentally Superior Alternative. The Environmentally Superior Alternative is the one that would result in the fewest or least significant impacts. If the Environmentally Superior Alternative is the No Project Alternative, then an Environmentally Superior Alternative must be selected from the remaining alternatives.

The Reduced Project Alternative would result in less environmental effects compared to Alternative 1. While this alternative would lessen the project's environmental impacts in areas such as air quality, greenhouse gas emissions and traffic, it would eliminate the significant unavoidable traffic noise impacts along Catt Road in the Existing + Project scenario. Because the impacts would be incrementally reduced as compared to the proposed project, the Reduced Project Alternative would be the environmental superior alternative. However, while the Reduced Project Alternative would lessen and reduce traffic noise levels along Catt Road to less than significant, it would not achieve several of the key project objectives that would be provided by the project, including Very High density residential development and an improved mix of retail uses.

## **5. Statement of Overriding Considerations**

The California Environmental Quality Act (CEQA) requires the lead agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. The City of Wildomar proposes to approve the Westpark Promenade Project although significant and unavoidable impacts have been identified in the EIR. Specifically, the significant and unavoidable project and cumulative impacts are described below.

### **5.1 Significant and Unavoidable Impacts**

#### **5.1.1 Air Quality**

**Air Quality Standard/Violation:** The project would violate an air quality standard or contribute substantially to an existing or projected air quality violation. The project's increase in NOx emission would exceed the South Coast Air Quality Management District threshold. This impact is both a project and cumulative significant unavoidable impact.

**Criteria Pollutants:** The project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). Since NOx is a criteria pollutant, the project's increase in NOx emissions would result in a cumulatively considerable net increase in a region that is in non-attainment. This is a project and cumulative significant unavoidable impact.

#### **5.1.2 Greenhouse Gas Emissions and Climate Change**

**GHG Emissions:** The project would generate GHG emissions, directly or indirectly, that may have a significant impact on the environment. The total greenhouse gas emissions associated with the proposed project is would substantially exceeds the guideline threshold of 3,000 metric tons of CO<sub>2</sub>e annually. This is a project and cumulative significant unavoidable impact.

**Conflict with Applicable Plan:** The project could conflict with an applicable plan, policy or regulation adopted to reduce GHG emissions. Because the project would substantially exceed the guideline threshold for annual greenhouse gas emissions, the project would not be considered consistent with the CARB Scoping Plan and the WRCOG CAP. This is a project and cumulative significant unavoidable impact.

#### **5.1.3 Noise**

**Permanent Noise Increase:** The project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. The project would result in the generation of traffic noise that would exceed the 5 dBA CNEL noise increase threshold on a segment of Catt Road; however, the traffic noise level on this segment of Catt Road would still be less than the City's 65 dBA CNEL residential noise compatibility guideline. This is a project and cumulative significant unavoidable impact.

#### **5.1.4 Transportation and Traffic**

**Project Traffic:** The project would result in an increase in existing traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system. The proposed project will significantly increase traffic volumes at the I-15 Southbound Ramps/Baxter Road intersection. This is a project and cumulative significant unavoidable impact.

**Project and Ambient Growth Traffic:** Ambient growth and the project-generated trips would result in an increase in existing traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system. The proposed project and ambient growth will significantly increase traffic volumes at the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections. This is a project and cumulative significant unavoidable impact.

**Project, Ambient Growth, and Cumulative Traffic:** Ambient growth, project-generated trips and cumulative projects would result in an increase in existing traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system. The proposed project, ambient growth, and cumulative projects will significantly increase traffic volumes at the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections. In addition, traffic volumes will significantly increase on the I-15 freeway segment, south of Clinton Keith Road. These intersections and segment are projected to operate at an unacceptable LOS E during the PM peak hour. This is a cumulative significant unavoidable impact.

**Project and Horizon Year 2035 Traffic:** The project would result in an increase in Horizon Year (2035) traffic that would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness (i.e., level of service standards) for the performance of the circulation system. The proposed project would result in a substantial increase in traffic volumes in the Horizon Year 2035 at the I-15 Northbound Ramps/Baxter Road and the I-15 Southbound Ramps/Baxter Road intersections. In addition, traffic volumes will significantly increase on the Northbound and Southbound I-15 freeway segment, north and south of Clinton Keith Road. These intersections and segment are projected to operate at an unacceptable LOS F during the AM and PM peak hours. This is a cumulative significant unavoidable impact.

**Conflict with Congestion Management Program:** The project would result in an increase in existing traffic that could conflict with an applicable congestion management program, including level of service standards established by the county congestion management agency for designated roads or highways. The project's contribution of traffic on the I-15 intersections, ramps, and mainline segments would degrade the levels of service to unacceptable levels. This is a project and cumulative significant unavoidable impact.

### 5.1.4 Project Benefits

The City of Wildomar has balanced the proposed project's benefits against the proposed project's significant and unavoidable impacts. The City of Wildomar finds that each of the following benefits supports the overriding of the significant impacts identified above and in the EIR.

- The project will provide a mixed-use project that emphasizes pedestrian accessibility between the very high density residential component and the commercial component. This mixed use and pedestrian-friendly design of the project provides health and quality of life benefits to residents of the project who will have easy access to retail shopping, including grocery shopping, without needing to drive.
- The project will provide Very High density housing to increase the diversity of housing stock in the City consistent with the City's Land Use Element and Housing Element. Housing in Wildomar is predominantly low-density residential, and the City is in need of higher density housing for individuals who prefer to live in high density communities, or who cannot afford the costs associated with lower density housing. Therefore, the project provides quality of life and economic benefits to residents.
- The project will increase the variety of retail services in the City of Wildomar, including major retail and new restaurant uses. Wildomar's residents frequently must leave the City to access retail shopping opportunities that are not currently present in the City. This project will increase the availability of retail in the City, which is an economic benefit to the City and a quality of life benefit to its residents.
- The project will provide development that helps diversify and increase employment opportunities within the City. As noted above, Wildomar is in need of increased commercial retail to serve its residents. As a corollary to this, the project will increase the availability of commercial retail jobs available to residents. This project will provide opportunities for residents currently employed outside of the City to seek employment closer to home, and will provide retail and construction job opportunities for those who are unemployed or underemployed.