



# Canyon Hills Estate Project

## CEQA Consistency Analysis

**Lead Agency:**

City of Lake Elsinore  
130 S. Main Street  
Lake Elsinore, CA 92530

**Project Applicant:**

Tri Pointe Homes  
1250 Corona Pointe Ct  
Corona, CA 92879

**CEQA Consultant:**

**E | P | D** SOLUTIONS, INC  
3333 Michelson Drive, Suite 500  
Irvine, CA 92612

January 2024

# 1. INTRODUCTION

## 1.1. PURPOSE

The purpose of this California Environmental Quality Act (CEQA) Consistency Analysis is to evaluate the consistency of proposed revisions to the previously approved Tentative Tract Map (TTM) No. 34249 within the Canyon Hills Estates Specific Plan (CHESP).

The Project Applicant (Tri Pointe Homes) is seeking revisions to TTM No. 34249 to develop a portion of the previously approved project, including: designate approximately 81.32 acres of the 246.41-acre approved CHESP site as the proposed Project site; to develop 133 single-family homes of the previously approved 302 single-family residential lots; and to dedicate approximately 42.39 acres of the previously approved 150 acres open space. Within the Project site, the Project would include development of the previously approved 5.4-acre public park, and access from Cottonwood Canyon Road. Only development of 133 units is proposed as part of this Project. The remaining vacant land would retain a development capacity of 169 single family units over the remaining 155.31 acres, consistent with the CHESP.

The City of Lake Elsinore, the Lead Agency, will utilize this document as evidence that the proposed Project qualifies for an exemption to further CEQA review pursuant to CEQA Guidelines Section 15182, *Projects Pursuant to a Specific Plan*, and Section 15162, *Subsequent EIRs and Negative Declarations*, as detailed below.

## 1.2. CEQA REQUIREMENTS

As described by Section 15162 of the CEQA Guidelines, a CEQA Exemption Study is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether a project would have a significant effect on the environment.

According to CEQA Guidelines Section 15182, development projects that are undertaken pursuant to a specific plan for which an EIR was previously prepared are exempt from further CEQA review if the projects are in conformity with that specific plan and the conditions described in CEQA Guidelines section 15162 (relating to the preparation of a supplemental EIR) are not present. (Gov. Code, § 65457, subd. (a); Guidelines, § 15182, subd. (c), § 15162, subd. (a)) CEQA Guidelines Section 15182(c) Residential Projects Implementing Specific Plans states that this includes, but not limited to, land subdivisions, zoning changes, and residential planned unit developments.

Pursuant to Section 15162 of the State CEQA Guidelines, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence, that one or more of the following conditions are met:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
  - a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration.

- b) Significant effects previously examined will be substantially more severe than identified in the previous EIR.
- c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives.
- d) Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

Under Section 15182, where if the agency finds that pursuant to Section 15162, no subsequent EIR or negative declaration would be required, the agency can approve the activity as being within the scope of the project covered by the previous CEQA documentation for the Specific Plan, and no additional CEQA document is required.

### 1.3. PRIOR CEQA DOCUMENTATION

The Project site was originally located in the City of Lake Elsinore's sphere of influence (SOI) and in 1997, the Riverside County Local Agency Formation Commission (LAFCO) removed the Project Site, including other areas from the City's SOI. Because the Project site was outside the City's corporate boundary, several planning actions were initiated in January 2006 and were approved by the City of Lake Elsinore in April 2006. On October 26, 2006, Riverside LAFCO approved LAFCO 2006-105-1&3, Sphere of Influence Amendment (addition) to the City of Lake Elsinore and Amendment to the Wildomar Unincorporated Community (removal).

On April 11, 2006, the City Council approved General Plan Amendment (GPA) No. 2005-08, Zone Change (Pre-Zone) No. 2005-09, Annexation No. 75, and Negative Declaration No. 2006-02. These approvals resulted in the following actions:

- GPA No. 2005-08 - Amended the City's General Plan Land Use Map to change the City's southern boundary (sphere of influence or SOI) to incorporate the Project Site;
- Zone Change (Pre-Zone) No. 2005-09 - Changed the zoning designation of the Project Site to SP Specific Plan subject to the completion/approval of Annexation No. 75 by the Riverside County LAFCO;
- Annexation No. 75 - Approved the commencement of proceedings for the SOI and annexation boundary change through LAFCO pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;
- Negative Declaration No. 2006-02 - Determined that the Negative Declaration was adequate and prepared in accordance with the CEQA for GPA No. 2005-08, Zone Change (Pre-Zone) No. 2005-09, and Annexation No. 75.

In 2007, an Environmental Impact Report (EIR) (SCH# 2006051073) was certified in connection with the approval of General Plan Amendment No. 2006-04, Specific Plan No. 2006-01 (Canyon Hills Estates Specific Plan (CHESP)), and Tentative Tract Map No. 34249.

These previous approvals established the development potential of approximately 246.41 acres and permitted the development of 302 residences on approximately 91.10 acres, approximately 5.4 acres for a neighborhood park, development of two water tanks, and approximately 150 acres of Open Space (Previously Approved Project; Approved Project). The previous approvals also included Tentative Tract Map No. 34249, which subdivided the subject property into 302 single-family detached residential lots, 12 lettered lots for open space, 2 lettered lots for water tank sites and one lettered lot for a public park.

As shown in Figure 2-1, the previous approvals permitted the development of 302 total residences, comprised of 238 Single Family Residential-1 (SF-1) homes and 64 Single Family Residential-2 (SF-2) homes, on approximately 91.1 acres, approximately 5.4 acres for a neighborhood park, and approximately 150

acres of open space. In addition, the CHESP area is divided into three basic land use categories: 1) Residential, 2) Public Park, and 3) Open Space.

#### 1.4. DETERMINATION

The Project Applicant is seeking revisions to TTM No. 34249 to include: designation of approximately 81.32 acres of the 246.41-acre approved CHESP site as the proposed Project site; develop 133 single-family homes of the previously approved 302 single-family residential lots; and dedicate approximately 42.39 acres of the previously approved 150 acres open space. Within the Project site, the Project would include development of the previously approved 5.4-acre public park, and access from Cottonwood Canyon Road.

The City of Lake Elsinore is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for carrying out or approving a project which may have significant effects upon the environment. The proposed Project has been determined to be consistent with the previously certified Canyon Hills Estates Specific Plan Draft EIR (certified EIR). Staff has determined that the proposed Project is in conformity with the Canyon Hills Estates Specific Plan and the previously certified EIR that analyzed the impacts of development of the proposed residential, park, utility, and open space land uses. Staff has reviewed the previously certified EIR and has determined that the proposed Project does not require the preparation of a subsequent Environmental Impact Report as none of the conditions described in Section 15162 of the CEQA Guidelines (14 Cal. Code Regs. 15162) exist. Specifically, there are no substantial changes proposed by the proposed Project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes have occurred with respect to the circumstances under which the proposed Project are undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, showing that:

- a) the proposed Project will have one or more significant effects not discussed in the certified EIR;
- b) there are significant effects previously examined that will be substantially more severe than shown in the certified EIR;
- c) there are mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project, but the City declines to adopt the mitigation measure or alternative; or
- d) mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the City declines to adopt the mitigation measure or alternative.

The City of Lake Elsinore has determined, based on this CEQA Consistency document, that the potential impacts are consistent with those previously identified that can be reduced to below the level of significance through the implementation of the previously adopted conditions of approval and mitigation measures for the approved Specific Plan; that the proposed Project qualifies for an exemption to further CEQA review pursuant to CEQA Guidelines Section 15182, *Projects Pursuant to a Specific Plan*, and Section 15162, *Subsequent EIRs and Negative Declarations*; and therefore, a CEQA Exemption is deemed the appropriate document to provide the necessary environmental clearance.

#### 1.5. INCORPORATION BY REFERENCE

A CEQA document may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR or Negative Declaration. (CEQA Guidelines Section 15150[a])

Incorporation by reference is a procedure for reducing the size of CEQA document and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with CEQA Guidelines Section 15150 as follows:

- Where part of another document is incorporated by reference, such other document shall be made available to the public for inspection at a public place or public building. The EIR or Negative Declaration shall state where the incorporated documents will be available for inspection. At a minimum, the incorporated document shall be made available to the public in an office of the Lead Agency. (CEQA Guidelines Section 15150[b])
- The incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The relationship between the incorporated part of the referenced document and the EIR shall be described. (CEQA Guidelines Section 15150[c])
- This document must include the State identification number of the incorporated document (CEQA Guidelines Section 15150[d]).

#### **Documents Incorporated by Reference/Technical Studies**

The following documents are hereby incorporated by reference:

- City of Lake Elsinore General Plan Update Final Recirculated Program Environmental Impact Report ("General Plan EIR") (SCH #2005121019), certified December 13, 2011. The General Plan EIR, from which this document is tiered, addresses the entire City of Lake Elsinore and provides background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- Canyon Hills Estates Draft Environmental Impact Report (Final EIR) (SCH No. 2006051073) was adopted by the City on January 27, 2007. The Specific Plan is intended to provide for the orderly and efficient development of the area. It provides the type, location, intensity and character of development, along with the infrastructure to support the planned land uses. The Project's compliance with the incorporated Specific Plan will be cited in the appropriate sections.

The above-listed documents and technical studies are available for review at:

City of Lake Elsinore  
Planning Division  
130 S. Main Street  
Lake Elsinore, California 92530

Hours: Mon-Thurs: 8 a.m. - 5 p.m.  
Friday: 8 a.m. - 4 p.m.  
Closed Holidays

## 2. ENVIRONMENTAL SETTING

### 2.1. PROJECT LOCATION

The approximately 81.32-acre proposed Project site is located within the northeast portion of the 246.41-acre CHESP area. The Project site is generally located within the southeast quadrant of the City of Lake Elsinore, south of Canyon Hills Road, east and west of Cottonwood Canyon Road. The Assessor Parcel Numbers (APNs) associated with the Project are APNs 365-230-005, 365-230-006, 365-230-009, 365-230-011, and 365-230-012.

### 2.2. EXISTING PROJECT SITE

Currently the site is vacant and disturbed open space with one residence on the easterly portion of the property near Cottonwood Canyon Road. Cottonwood Creek flows through the northeast corner of the site adjacent to Cottonwood Canyon Road. Additionally, there are numerous dirt roads and trails transecting the site in the north and western portions.

The site is primarily a north-facing hillside with a relatively flat area adjacent to the existing Canyon Hills development and north of the hill. Project site elevation ranges from approximately 1,525 feet above Mean Sea Level (MSL) in the relatively flat area to 2,012 feet above MSL for the hillside.

### 2.3. EXISTING GENERAL PLAN LAND USE AND ZONING DESIGNATIONS

The Project site has a General Plan land use designation of CHESP which establishes the zoning for the properties within the CHESP planning area. The CHESP area is divided into three basic land use categories: 1) Residential, 2) Public Park, and 3) Open Space. The residential land use designation is further broken into Single Family Residential-1 (SF-1) and Single Family Residential-2 (SF-2). The SF-1 designation is intended for single family detached homes on 7,200-square-foot minimum traditional lots. The SF-2 designation is intended for compact lot detached homes.

### 2.4. SURROUNDING LAND USES

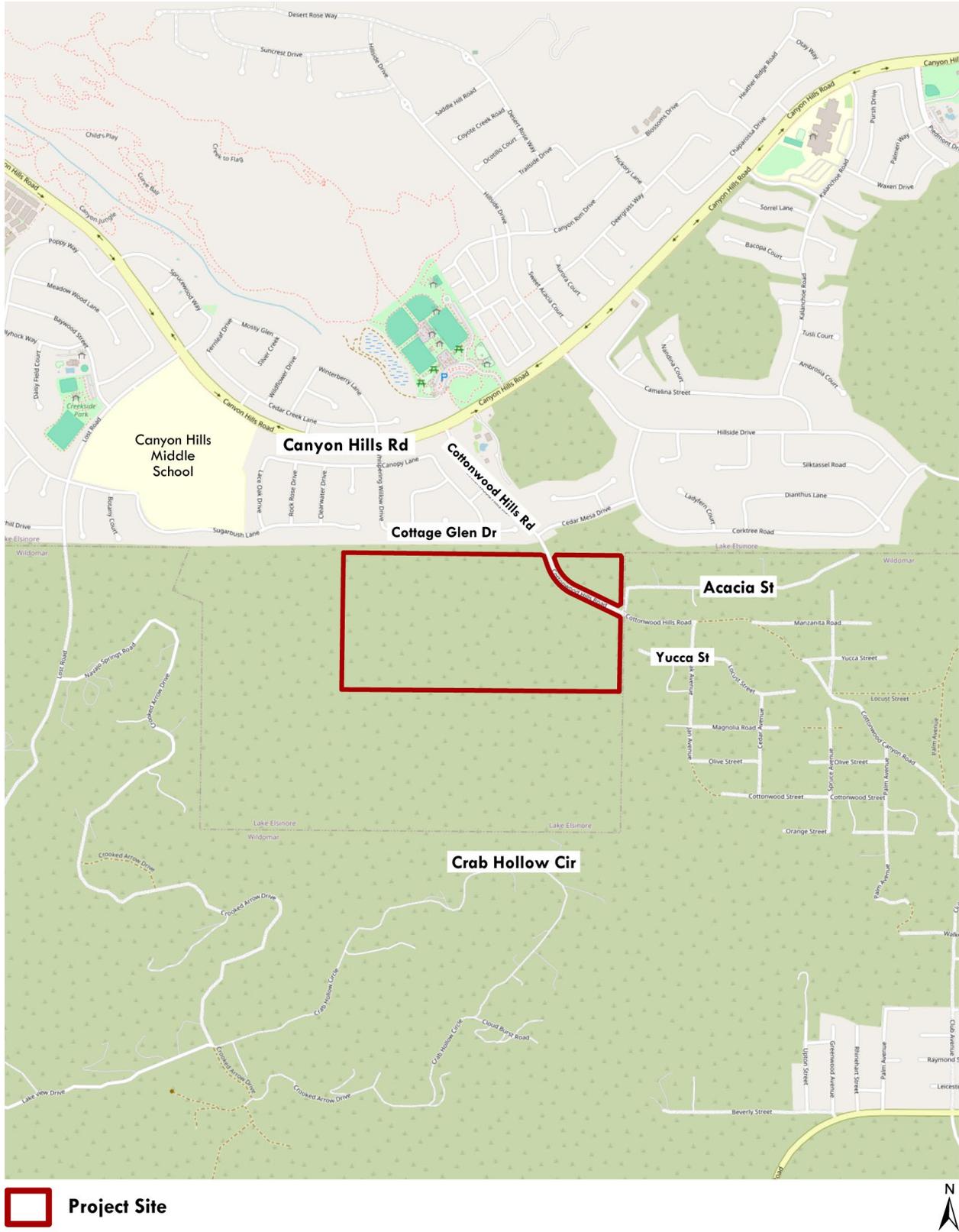
The Project site is surrounded to the north by residential uses, to the east by Cottonwood Canyon Road and residential uses, and to the south and west by vacant, undeveloped land and residential uses. The surrounding land uses are described below.

- **North:** Existing Canyon Hills Development.
- **West:** Existing very low density residential units along Crooked Arrow Drive and Navajo Springs Road.
- **South:** Sedco (Southern Elsinore Development Corporation) Hills and very low-density residential units along Crab Hollow Circle and Navajo Springs Road.
- **East:** Existing very low-density residential units with access from Pine Street east of Cottonwood Creek.

# Regional Location



# Project Vicinity



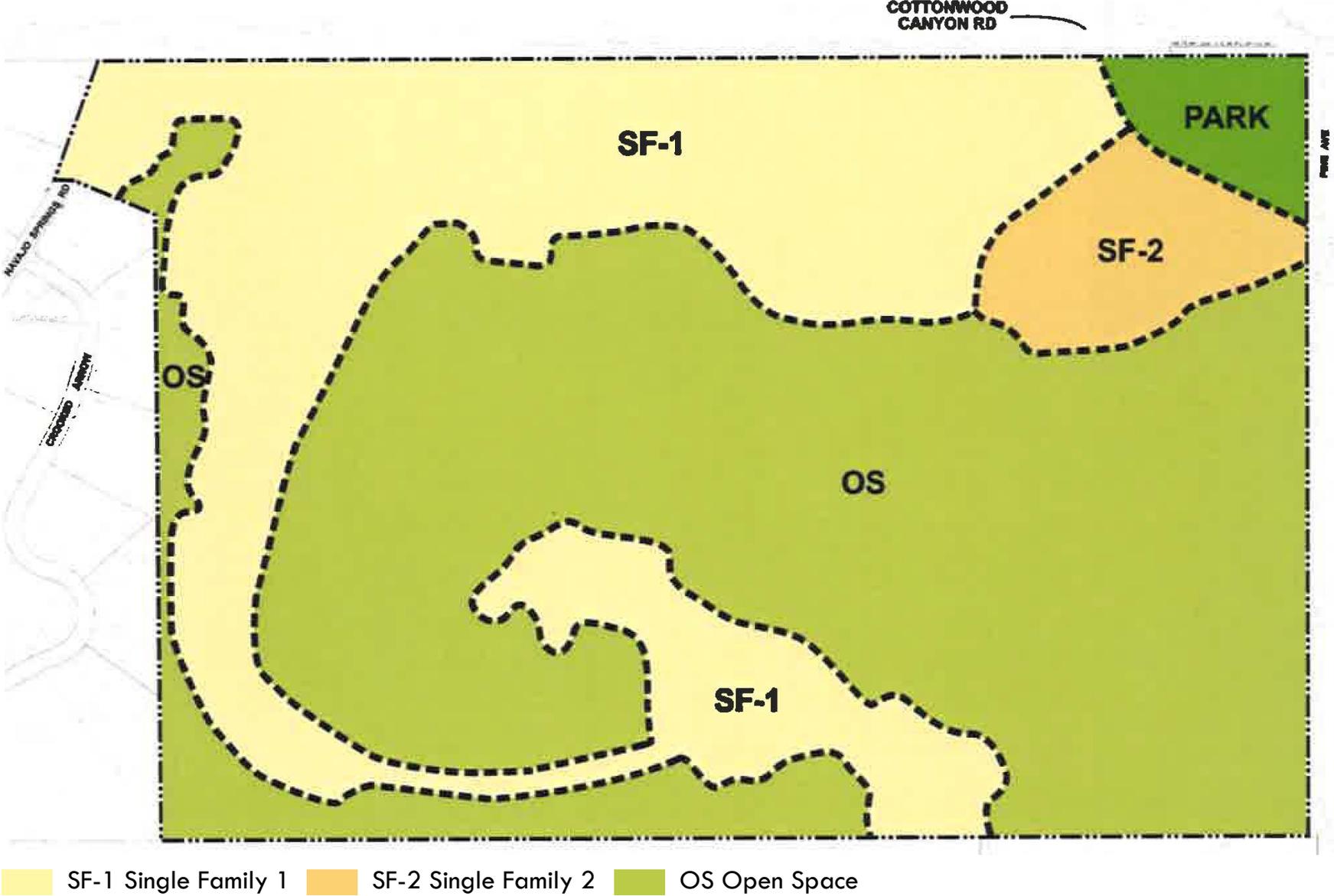
# Aerial View



 Project Site



# Existing CHESP Zoning



### 3. PROJECT DESCRIPTION

#### 3.1. APPROVED PROJECT OVERVIEW

The previous approvals established the development potential of approximately 246.41 acres and permitted the development of up to 302 residences on approximately 91.1 acres, approximately 5.4 acres for a neighborhood park, development of two water tanks, and approximately 150 acres of Open Space (Previously Approved Project). The previous approvals also included TTM No. 34249, which subdivided the subject property into 302 single-family detached residential lots, 12 lettered lots for open space, 2 lettered lots for water tank sites and one lettered lot for a public park.

As shown in Figure 2-1, the previous approvals permitted the development of 302 total residences, comprised of:

- 238 Single Family Residential-1 (SF-1) homes and 64 Single Family Residential-2 (SF-2) homes, on approximately 91.1 acres;
- dedication of approximately 5.4 acres for a neighborhood park; and
- and approximately 150 acres of open space.

#### 3.2. MODIFIED PROJECT FEATURES

##### Development Summary

The proposed Project requests revisions to TTM No. 34249 to include the designation of approximately 81.32-acre as the proposed Project site. The proposed Project includes the development of 133 single-family lots comprised of:

- 79 Single Family -1 (SF-1) homes on approximately 24.13 acres and 54 Single Family-2 (SF-2) homes on approximately 9.4 acres;
- construction of approximately 5.4 acres for a public neighborhood park;
- dedication of approximately 42.39 acres of open space, with access from Cottonwood Canyon Road.

The proposed Project is as shown below in Figure 3-1, *Proposed TTM Site Plan*.

Table 3-1 shown below illustrates consistency of the proposed Project's development compared to the Approved Project.

**Table 3-1: CHESP and Proposed Project Comparison**

Land Uses	Approved CHESP Project				Proposed Project		
	Acres	Density Range (du/ac) <sup>1</sup>	Target Density (du/ac)	Target Yield	Acres	Proposed Density (du/ac)	Target Yield <sup>2</sup>
<b>SF-1</b>	81.7	2-4	2.9	238	24.13	3.23	79
<b>SF-2</b>	9.4	6-12	6.8	64	9.4	5.75	54
<b>Public Park</b>	5.4 Acres				5.4 Acres		
<b>Open Space</b>	149.9				42.39		

Notes:

<sup>1</sup>Dwelling units per acre.

<sup>2</sup>DTP=CHESP Density Transfer Provisions allows for a 20% addition or reduction in number of units.

As shown, the development densities proposed are consistent with the development densities of the Approved Project. Only development of 133 units is proposed as part of this Project. The remaining land vacant land would retain a development capacity of 169 single family units over the remaining 155.31 acres as approved.

### **Circulation and Access**

Consistent with the Approved Project, vehicular access to the Project site would be provided by two, a 46-foot-wide and 40-foot-wide, direct connections to Cottonwood Canyon Road to the northeast. The Project site would be serviced by an internal street system, consisting of Private Local Streets, which would connect directly to Cottonwood Canyon Road. The Private Local Streets sections will have a design right-of-way of 46 feet to ensure safe and adequate mobility for community residents, visitors, and emergency personnel. The Project includes minor alignment modifications to Cottonwood Canyon Road in order to protect Cottonwood Creek. Access to the park would be made via a northerly driveway along Cottonwood Canyon Road.

Curb adjacent sidewalks will be provided throughout the Project site along the Private Local Streets. Sidewalks would also be provided along the Project frontage, the southern portion of Cottonwood Canyon Road. Linkage to the park would be provided by a striped crosswalk on Cottonwood Canyon Road.

In addition, Class 2 on-street bicycle lanes are proposed along Cottonwood Canyon Road which would provide connections to both the north and south.

### **Parking**

The proposed Project would provide garage, driveway, and open street parking. Each residence would have a two-car garage.

The Project would also provide approximately 8 public parking spaces for the park.

### **Landscaping and Fencing**

Consistent with the Approved Project, a native landscaping plan would be designed to enhance and preserve the existing Cottonwood Creek and native oak trees. The proposed landscaping would include drought-tolerant and a native plant palette consisting of ornamental trees, vines, shrubs, and groundcovers throughout the common areas of the development, such as along private local streets, common walls, site boundary, and the open space/recreation areas. Trees would be installed along the proposed sidewalks throughout the project site and along Cottonwood Canyon Road. The proposed Project's total landscaped area is approximately 634,335 square feet.

### **Open Space and Recreation**

The Project includes dedication of approximately 42.39 acres of open space comprised of undisturbed native area including the possible preservation of an existing oak tree within the northeastern SF-1 development. In addition, open space acreage includes a crushed gravel maintenance access from Cottonwood Canyon Road along the northerly border of the site.

The proposed Project includes the development of the 5.4-acre public neighborhood park consisting of a recreation center area, community park, and surrounding decomposed granite walking trail. The recreation center area is planned to be comprised of a restroom facility, a community pool and spa, multi-use open turf area, and a shade structure seating area with two barbecues. The community park is comprised of children's tot-lot, play equipment, and a shade structure with picnic table and seating.

## Infrastructure Improvements

### Water

Consistent with the Approved Project, domestic water to the proposed Project site, would be provided by the Elsinore Valley Municipal Water District (EVMWD) from existing infrastructure adjacent to the northeaster perimeter of the CHESP boundary within Cottonwood Canyon Road.

### Sewer

Consistent with the Approved Project, wastewater facilities to the proposed Project site, would be provided by the EVMWD from existing infrastructure adjacent to the northeaster perimeter of the CHESP boundary. An existing 15-inch pipeline within Cottonwood Canyon Road would convey wastewater generated by the Project.

### Drainage

Consistent with the Approved Project, drainage for the Project will consist of two systems; an on-site development area collection and conveyance drainage system and an open space existing natural flow drainage system. The on-site development area surface flows will be conveyed via curb-face flows along the internal streets into a storm drain piping system and conveyed to two water quality basins.

## Construction

Construction activities include excavation, grading, and re-compaction of soils; utility and infrastructure installation; building construction; roadway pavement; and architectural coatings. Although the grading footprint has been reduced compared to that of the Approved Project, excavation and grading would occur, consistent with the assumptions of the Approved Project.

Construction activities are anticipated to last 24-36 months dependent on economic conditions and would occur within the hours allowable by the City of Lake Elsinore Municipal Code Section 17.176.080, which prohibits construction activities between the hours of 7:00 p.m. and 7:00 a.m. or at any time on weekends or on holidays.

### 3.3. DISCRETIONARY ACTION

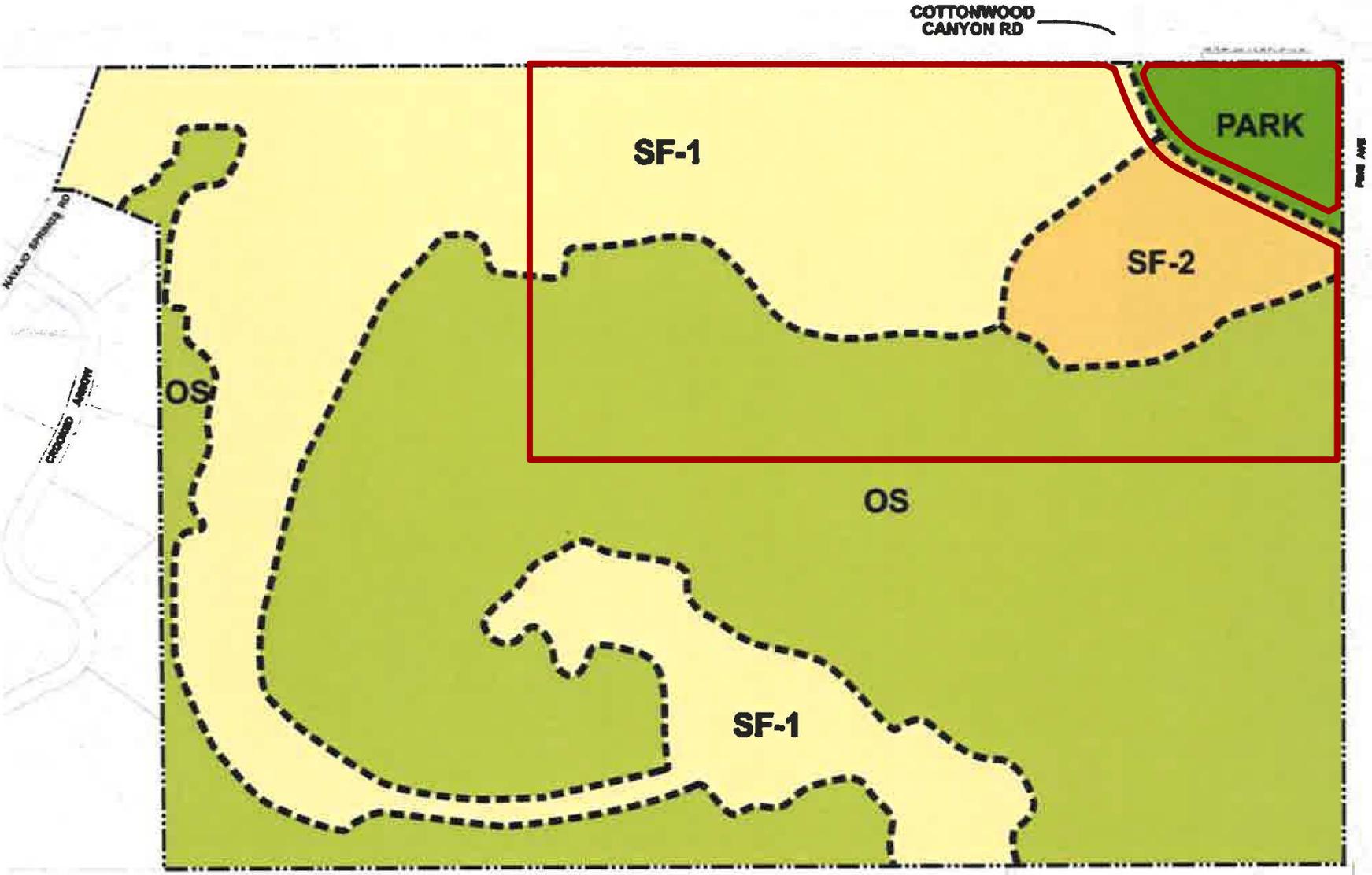
The following City of Lake Elsinore discretionary approvals and permits are anticipated to be necessary for implementation of the proposed Project:

- Revised Tentative Tract Map No. 34249
- Residential Design Review

# Proposed Site Plan/TTM



# Proposed Project Site within CHESP



Project Site SF-1 Single Family 1 SF-2 Single Family 2 OS Open Space



## 4. ENVIRONMENTAL CHECKLIST

### 4.1. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture/Forestry Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards/Hazardous Materials
<input type="checkbox"/>	Hydrology/Water Quality	<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities and Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significances

### 4.2. DETERMINATION

On the basis of this initial evaluation:

- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous approved ND or MND or certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or MND or previously certified EIR adequately discusses the potential impacts of the project without modification.
- This CEQA Consistency Analysis concludes that none of the conditions or circumstances that would require preparation of a subsequent or supplemental MND or EIR pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 exists in connection with the design of the Project. The project is consistent with the Canyon Hills Estates Specific Plan. No substantial changes have been proposed to the project described in the Canyon Hills Estates Specific Plan or EIR that require major revisions to the Final EIR or require preparation of an EIR. No new significant environmental effects or substantial increase in the severity of previously identified significant environmental effects would occur. The CEQA Consistency Analysis also indicates that there have not been any substantial changes with respect to the circumstances under which development of the project site, including the project, would be undertaken that would require major revisions to the Final EIR or require preparation of an EIR. The CEQA Exemption Study also concludes that no new information of substantial importance, which was not known and could not have been known at the time that the EIR was certified, shows that the project would cause or substantially worsen significant environmental impacts discussed in the EIR.

- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND, MND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, all new potentially significant environmental effects or substantial increases in the severity of previously identified significant effects are clearly reduced to below a level of significance through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a Subsequent EIR is required.
  
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, only minor changes or additions or changes would be necessary to make the previous EIR adequate for the project in the changed situation. Therefore, a Supplemental EIR is required.
  
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3) such as one or more significant effects not discussed in the previous EIR. Therefore, a Subsequent EIR is required.



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Signature

Damaris Abraham, Asst. Community Development Director

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Name and Title

February 15, 2024

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Date

City of Lake Elsinore

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Lead Agency

## 5. CEQA CONSISTENCY ANALYSIS

### 5.1. AESTHETICS

The certified EIR determined that the Approved Project had the potential to produce significant impacts from light and glare to nearby residents from nighttime street lighting. However, implementation of Mitigation Measure MM 3.10-1 required the use of high-pressure sodium lighting which minimizes nighttime light, glare and skyglow, thereby reducing impacts to less than significant. Furthermore, the certified EIR determined there were no significant impacts related to scenic vistas or scenic highways and impacts to visual character or quality as a result of development of the Approved Project.

According to the California Department of Transportation's (Caltrans) State Scenic Highway Mapping System the nearest officially designated scenic highway to the Project is State Route 74 (SR-74) located approximately 30 miles east. The nearest eligible scenic highway is Interstate 15 (I-15) located approximately 2.25 miles west. Neither the officially designated nor eligible scenic highway have a view of the Project area. As stated in the certified EIR, based on review of the County of Riverside and City of Lake Elsinore General Plans, the Project site is also not visible from any locally designated scenic highways, because no locally designated scenic highways are located within the Project site vicinity.

The proposed Project would lead to the development of 133 lots planned single-family residential uses, a 5.4-acre park, and 42.39 acres of dedicated Open Space, within the SF-1, SF-2, and Park zoned areas. Compared to the Approved Project, the proposed Project would reduce the grading footprint to limit impacts to surrounding foothills and modify the locations of the two required detention basins; however, there are no substantial changes to the physical condition of the site, and the scale and scope of the proposed development is consistent with that previously analyzed. Furthermore, the same location would be developed for single-family residential uses, and the views and character of the area would change into a neighborhood, as previously evaluated.

Additionally, the Project would not include additional sources of light and glare that were not identified in the Approved EIR as the buildout assumption of the Approved Project is the same as the Project. Implementation of Mitigation Measure MM 3.10-1 and established development review criteria for outdoor lighting and public street lighting would be sufficient to ensure minimization of light and glare at off-site properties, thereby reducing impacts to less than significant as discussed in the Certified EIR. Furthermore, similar to the Approved EIR, the proposed Project would be subject to the CHESP Design Guidelines, City of Lake Elsinore Municipal Code, and General Plan which would be verified by the City during the plan check process. As shown in Table 3-1 previously, the development densities proposed are consistent with the development densities of the Approved Project. Thus, the Project is consistent with the aesthetics determination in the certified EIR and is consistent with the CHESP.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those of the Approved Project and identified in the certified EIR.

#### **Applicable Mitigation Measures**

**MM 3.10-1:** The Project shall utilize downshielded high-pressure sodium street lighting (or similar standard low-glare lighting) to ensure minimization of light and glare at off-site properties.

#### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding aesthetics. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the

circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15168 and 15182 also do not require additional environmental review and the Project is within the scope of the CHESP.

## 5.2. AGRICULTURE AND FORESTRY RESOURCES

The certified EIR determined the Approved Project would not significantly impact agricultural or forest resources as no areas on the Project Site are designated Prime Farmland, Unique Farmland or Farmland of Statewide Importance. The Approved EIR stated areas at the northern portion of the Project site and land currently developed with residential and institutional uses in the Canyon Hills community to the north of the Project Site are designated as Farmlands of Local Importance and Grazing Land. The area designated Farmlands of Local Importance on the Project site encompasses 18 acres and the Project Site area designated Grazing Land totals 7 acres. The 18 acres of Farmlands of Local Importance on the Project site are part of a larger land area to the north of the Project site designated Farmlands of Local Importance that totals 454 acres. Similarly, the 7 acres of Grazing Land on the Project site are part of an 851-acre area to the north of the Project site. The areas designated Farmland of Local Importance and Grazing Land to the north of the Project site in the Canyon Hills Community has been converted to non-agricultural use or is planned for nonagricultural uses in the Canyon Hills Specific Plan. The Approved EIR also determined that the limited amount of land designated Farmland of Local Importance and Grazing Land on the Project site was not viable for agricultural uses due to the small isolated acreage and the proximity of adjacent residential uses. In addition, no agricultural activities have occurred since prior to 1938.

According to the California Department of Conservation's Important Farmland Finder, the approximately 246.41-acre site is classified as analyzed in Approved EIR. Additionally, the site is designated for residential development and is not designated as agricultural or forest land. The Project site is not currently being used for and is not intended to be used for agricultural or foresting purposes. Therefore, the Project is consistent with the agriculture and forest resources determination in the certified EIR and is consistent with the development envisioned in the CHESP a part of the Approved Project and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those of the Approved Project as identified in the certified EIR.

### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding agriculture and forestry resources. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

### 5.3. AIR QUALITY

The previously certified EIR determined impacts from localized thresholds for PM<sub>10</sub> and PM<sub>2.5</sub> during long-term operation of the Approved Project would be less than significant. However, short-term construction activities of the Approved Project would not be met, even with the application of mitigation measures during grading. Therefore, the localized particulate emissions resulting from grading and heavy equipment usage would remain significant and unavoidable after mitigation.

Additionally, as required for the proposed Project, the Approved Project was required to comply with feasible and applicable SCAQMD requirements and control measures for new developments, and must also comply with prohibitory rules, such as Rule 403 for the control of fugitive dust. The previously certified EIR determined by meeting these requirements, the Approved Project would be consistent with growth projections assumed in the emissions inventories for both the AQMP and will also be consistent with the goals and objectives of the AQMP. Therefore, the Project is consistent with the air quality plan consistency determination in the certified EIR and no new impacts would occur.

As previously stated, the proposed Project would not change or increase the overall density or unit count as previously approved. In addition, the proposed Project would develop 91.1 acres of the 246.41-acre to construct 133 of the previously approved 302 maximum allowed single-family residential lots; and dedicate approximately 42.39 acres of the previously approved 150 acres open space. Thereby, with development of proposed Project site, the proposed Project's construction and operational air quality impacts would be reduced as compared to those previously analyzed in the certified EIR. Furthermore, air quality has improved dramatically in the South Coast Air Basin (SCAB) since the certification of the EIR in 2007 as a result of increasingly stringent air quality standards. Thus, the emissions associated with projects that are built today are less than what they would have been at the time of the Approved Project and certified EIR. Therefore, the proposed Project is consistent with the air quality determination in the certified EIR and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those of the Approved Project, as identified in the certified EIR.

#### **Applicable Mitigation Measures**

**MM 3.5-1a:** The following procedures shall be implemented daily during all phases of site clearing, grading, and excavation in order to reduce construction-related emissions of PM<sub>10</sub> and PM<sub>2.5</sub>:

- Disturbed soil surfaces shall be watered three times per day;
- Construction equipment with low emission factors and high energy efficiency shall be used;
- All construction equipment shall be properly and routinely maintained as recommended by manufacturer manuals during all phases of construction;
- During all phases of construction, all contractors shall restrict idling time to five minutes or less in any given hour;

**MM 3.5-1b:** The following measures shall be implemented during all phases of construction, including paving and architectural coating applications, in order to reduce construction-related emissions of VOCs:

- Only Zero-VOC paints (assumes no more than 100 gram/ liter of VOC) shall be used for architectural coatings during initial construction; and
- No more than 18 homes per week shall be painted.

## Conclusion

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding air quality. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.4. BIOLOGICAL RESOURCES

As determined in the certified EIR, impacts associated with habitat and/or sensitivity of plant and wildlife species would be less than significant with implementation of project design features and mitigation measures. Overall, the certified EIR determined the creation of additional wetland/ southern willow scrub in the floodplain shall ensure that no net loss of wetlands will occur as a result of the Approved Project. Moreover, inclusive of project design features and mitigation measures, would mitigate all significant adverse impacts to; oak woodlands, Stephens' kangaroo rat, nesting birds, and jurisdictional features to less than significant.

As previously stated, the proposed Project is a smaller portion of the larger previously Approved CHESP area. The proposed development would occur as analyzed in the certified EIR, albeit to a lesser degree. The proposed Project is not expected to impact any jurisdictional waters and would comply with applicable mitigation measures below, if needed. In addition, the Project is proposing modifications to the grading plan to reduce grading impacts to the adjacent hillsides. Due to the proposed Project's development within the footprint of the Approved Project site, the proposed Project is also required to implement project design features and mitigation measures outlined in the certified EIR to reduce impacts to oak woodlands, Stephens' kangaroo rat, nesting birds, and jurisdictional features to less than significant. As a result, the proposed Project is consistent with the biological resource determinations in the certified EIR and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the certified EIR.

### Applicable Mitigation Measures

**MM 3.8-1:** All coast live oak trees to be removed during grading shall be Identified and tagged in the field by the project biologist and verified prior to final removal. The applicant shall mitigate the removed trees at a 4:1 replacement ratio using one 24-inch box container tree, two 15-gallon container trees, and one 5-gallon container tree. The replacement coast live oak shall be planted on-site as directed by the project biologist or Landscape Architect pursuant to the Tree Preservation Plan. The planting locations include the project neighborhood park, fuel modification areas, and along common area landscape buffer areas. All tree removal and mitigation requirements shall be reviewed and approved in writing by the project biologist or Landscape Architect prior to project acceptance.

**MM 3.8-2:** Potential impacts to migratory bird species shall be mitigated below a level of significance through one of the following two ways:

- Vegetation removal activities shall be scheduled outside the nesting season to avoid potential impacts to nesting birds. The nesting season is typically February 15 through August 15. This would insure that no active nests would be disturbed and that habitat removal could proceed rapidly.
- Prior to commencement of clearing or grading during the nesting season, all suitable habitat shall be thoroughly surveyed for the presence of nesting birds by a qualified biologist. To minimize impacts, if any active nests are detected, a buffer of at least 100 feet (300 feet for raptors) shall be delineated, flagged, and avoided until the nesting cycle is complete, as determined by the biological monitor.

**MM 3.8-3a:** The Applicant shall pay fees in accordance with the USFWS approved Habitat Conservation Plan (HCP) for Stephens' kangaroo rat.

**MM 3.8-3b:** The Applicant shall pay the required standard Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) developer Impact fees.

**MM 3.8-4:** The following measures shall reduce impacts to ACOE, RWQCB and CDFG jurisdictional areas to below a level of significance:

- On- and off-site replacement of ACOE and RWQCB jurisdictional waters and wetlands at a ratio no less than 2:1. Off-site replacement shall include the purchase of mitigation credits at an agency-approved off-site mitigation bank.
- On- and off-site replacement of CDFG jurisdictional streambed and associated riparian habitat at a ratio no less than 2:1. Off-site replacement shall include the purchase of mitigation credits at an agency-approved off-site mitigation bank.
- On-site mitigation includes 2.30 acres of riparian enhancement, restoration, and creation within ACOE/RWQCB and CDFG jurisdiction. This includes an approximately 50-foot-wide riparian buffer around Cottonwood Canyon Creek covering approximately 1.20 acres. Riparian enhancement shall include the removal of fill material that has encroached on the floodplain, eradication of non-native species, and seeding and staking of native plants. The riparian buffer shall be planted adjacent to the riparian areas and will include additional riparian habitat within CDFG jurisdiction.

## Conclusion

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding biological resources. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.5. CULTURAL RESOURCES

The certified EIR determined the Approved Project implement mitigation measures to reduce impacts to unknown cultural resources during ground-disturbance activities. Such resources as stated in the certified EIR included Native American resources (known to exist within the City), identified prehistoric resources on-site, and human remains. The Approved Project's mitigation measures consist of Native American and Archaeological monitoring, testing and recovery protocols, and timing and implementation responsibilities.

As previously stated, development of the proposed Project would be within a smaller portion of the larger previously Approved CHESP area. In addition, the Project includes a reduction to grading plan, thereby reducing the grading footprint and potential impacts specific to the adjacent hillsides. The proposed development would occur as analyzed in the certified EIR, albeit to a lesser degree. Due to the proposed Project's development within the footprint of the Approved Project site as analyzed, the proposed Project would also be required to implement mitigation measures as included in the certified EIR to reduce impacts to unknown cultural to less than significant. As a result, the proposed Project is consistent with the cultural resources determinations in the certified EIR, consistent with the Approved Project and CHESP, and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

### Applicable Mitigation Measures

**MM 3.11-1a:** Prior to the issuance of any grading permits, a preservation easement shall be established to restrict the use and development of Locus 3 of TS-01. A 10-meter buffer outside the locus area shall be established to protect the delineated site area and any associated subsurface components. Protective fencing during construction shall be provided to protect Locus 3. In addition, any surface and/or subsurface artifacts shall be collected, analyzed, and reported to avoid the Indirect impacts resulting from unauthorized collecting. These recovered artifacts shall be housed at a curatorial facility in compliance with 36 CFR 79.

**MM 3.11-1b:** Prior to the issuance of any grading permits, a Phase II cultural resources testing and evaluation program shall be conducted for TS-01 and TS-02. The Phase II evaluation plan shall contain a research design and field methodology designed to recover data amendable to testing the site's ability to yield answers to questions of interest to the public and/or scientific community. Testing shall include supplemental mapping, surface collections with spatial controls, subsurface excavations, recovery of special samples (e.g. carbon and/or soil samples), analysis, and report production presenting the results of the Phase II studies. If Phase II testing determines the presence of a "unique archaeological resource" under Public Resources Code Section 21083.2, the report shall include measures to avoid or mitigate Impacts to the sites. Where avoidance of significant resources is not feasible, Phase III investigations (data recovery) shall be completed.

All testing and evaluation shall be supervised by an Individual or individuals meeting the Secretary of the Interior's Professional Qualifications Standards as a qualified prehistoric archaeologist for Site TS-01 and as an historic archaeologist for Site TS-02 and/or a Registered Professional Archaeologist (RPA) with similar qualifications.

**MM 3.11-1c:** If the Phase II cultural resources evaluation program determines that a given resource is eligible for listing on the California Registry of Historic Resources (CRHR) and/or local listings and therefore meets the definition of an "historical resource," an impact determination shall be made prior to issuance of grading permits. If the impacts are determined to be significant, a treatment plan shall be implemented to mitigate impacts to below a level of significance. If preservation through easement is not feasible, a data recovery program shall be implemented. The data recovery program shall entail, at a minimum, the collection of surface materials and a sufficient sample of buried materials, analysis, and reporting of recovered materials, as well as curation of these materials at a curatorial facility in compliance with 36 CFR 79.

**MM 3.11-1d:** As required in the grading permit, archaeological monitoring shall be conducted as part of any ground disturbance including topsoil disturbances with special emphasis on the vicinity of TS-01 and TS-

02 in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation (see MM 3.11-1b and 3.11-1c).

**MM 3.11-1e:** Mitigation Measures 3.11-2a through 3.11-2c include provisions for Native American consultation and monitoring, and shall apply to all activities undertaken with respect to Site TS-01.

**MM 3.11-2a:** At least 30 days prior to seeking a grading permit, the project applicant shall contact the Pechanga Band of Luiseño Indians for the purpose of notifying the Tribe of the grading, excavation and monitoring program, and to coordinate with the City of Lake Elsinore and the Pechanga Band of Luiseño Indians to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the designation, responsibilities, and participation of Native American monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Lake Elsinore shall be the final arbiter of any disputes concerning the conditions Included in the Agreement.

**MM 3.11-2b:** Prior to issuance of any grading permit, the project archaeologist shall file a pregrading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the Agreement required in MM 3.11-2a, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Pechanga Band of Luiseño Indians in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors from the Pechanga Band of Luiseño Indians shall be allowed to monitor all grading, excavation and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

**MM 3.11-2c:** If human remains are encountered, State Health and Safety Code Section 7050.5 shall apply and no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097 .98. The Riverside County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Adherence to Health and Safety Code Section 7050.5 is required as a matter of course.

**MM 3.11-3a:** Prior to the issuance of any grading permits, a reconnaissance survey of the Pleistocene older fan deposits shall be required. This survey shall determine the paleontological sensitivity of these deposits through analysis of soil lithology.

**MM 3.11-3b:** As required in the grading permits, any paleontologically sensitive deposits shall require the preparation and implementation of a paleontological mitigation plan that may include full- or part-time monitoring by a qualified paleontologist, as well as protocols for recovery, identification, analysis, reporting and curation of significant resources should they occur. Deposits not considered likely to produce fossils may be graded without monitoring by a qualified paleontologist(s) with the caveat that work be halted in the area of fossil resource finds until such time as a qualified paleontologist can determine the nature of the find and makes appropriate recommendations (e.g., recovery and curation).

**MM 3.11-3c:** All excavation in areas likely to contain paleontological resources shall be monitored by a qualified vertebrate paleontological monitor. The monitor shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil vertebrates. This monitor will be empowered to halt construction activities as necessary to protect any resources uncovered. Recovered specimens will be identified and curated into a museum repository with retrievable storage. A report will be made of findings, including an itemized inventory. This

report will be submitted to the County of Riverside and the San Bernardino County Museum Department of Earth Sciences.

### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding cultural resources. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## **5.6. ENERGY**

The certified EIR analyzed energy impacts within the utilities section, consistent with the CEQA Guidelines at the time. The certified EIR determined the Approved Project will not result in the use of large amounts of energy or use energy in a wasteful manner, and impacts would be less than significant. As stated in the certified EIR, required fees and implementation of Standard Conditions (compliance with Title 24) and best management practices would further reduce any energy impacts from implementation of the Approved Project. Furthermore, the Approved Project would be adequately served without interruption by Southern California Edison (SCE) and the provision of energy services and facilities could be accomplished without significant environmental impacts.

As previously stated, development of the proposed Project would be within a smaller portion of the larger previously Approved CHESP area. As such, the proposed Project includes the development of 133 of the previously approved 302 maximum allowed single-family residential lots, within the allowable development densities and land use designations of the CHESP. Furthermore, The California Title 24 Building Energy Efficiency Standards are designed to ensure new and existing buildings achieve energy efficiency and preserve outdoor and indoor environmental quality. These measures (Title 24, Part 6) are listed in the California Code of Regulations. The California Energy Commission is responsible for adopting, implementing and updating building energy efficiency. Local city and county enforcement agencies have the authority to verify compliance with applicable building codes, including energy efficiency. All development is required to comply with the adopted California Energy Code (Code of Regulations, Title 24 Part 6), which is ensured through the City's development permitting process. Therefore, operation of the proposed Project would generate demand for electricity, natural gas, as well as gasoline for fuel tanks albeit to a lesser degree than the larger Approved Project development as analyzed. Thus, the proposed Project is consistent with the energy analysis in the certified EIR, consistent with the Approved Project and CHESP, and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

## Conclusion

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding energy. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.7. GEOLOGY AND SOILS

The certified EIR determined that the Project Site is suitable for Approved residential development provided that the recommendations in the Geotechnical Report prepared for the Approved Project are implemented. The certified EIR stated that based on the analysis and professional opinion expressed in the Geotechnical Report prepared for the Approved Project, potential geology, seismicity and soils impacts would remain less than significant and no mitigation measures would be required.

In addition, the certified EIR determined the Approved Project would use a variety of erosion control measures to minimize erosion during construction and operation of which included site design features, best management practices, and adherence to city standards for grading, drainage, and landscape cover. With proper implementation of these measures as analyzed in the certified EIR, the Approved Project was determined to have less than significant impact on erosion.

As previously stated, the proposed Project is a smaller portion of the larger previously Approved CHESP area. The proposed Project's development would occur as analyzed in the certified EIR, albeit to a lesser degree. Due to the proposed Project's development within the footprint of the Approved Project site, the proposed Project would also be required to implement similar geotechnical recommendations as included in the certified EIR to reduce potential geology, seismicity and soils impacts to less than significant. Thus, the proposed Project is consistent with the certified EIR, consistent with the Approved Project and CHESP, and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those of the Approved Project, as identified in the certified EIR.

## Conclusion

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding geology and soils. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the

severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.8. GREENHOUSE GAS EMISSIONS

The certified EIR did not evaluate impacts related to generation greenhouse gas emissions (GHG) or as the threshold was not included in CEQA Guidelines Appendix G at the time the certified EIR was written. While GHGs existed at the time of the certified EIR, CEQA thresholds went into effect March 2010. Because at the time the certified EIR was certified, GHG impacts were known or should have been known, adoption of the requirement to analyze GHG does not constitute significant new information, requiring preparation of a subsequent or supplemental EIR (*Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, 1320). In addition, the City of Lake Elsinore Climate Action Plan (CAP) was adopted in 2011, which is a long-range plan to reduce communitywide GHG emissions from activities within the City limits. The CAP includes a baseline inventory of community-wide and local government (municipal) emissions for the 2008 calendar year and a business-as-usual forecast for the years 2020 and 2030. As such, buildout of the Approved CHESP had been included as part of the CAP assumptions.

The Approved Project assumed development of 302 maximum allowed single-family residences within the entire 246.41-acre approved CHESP area at buildout. The proposed Project would develop 133 single-family residences on approximately 91.1 acres along with associated infrastructure, landscape, park area, and open space. Implementation of the Project would not change or increase the density of the residential units. Therefore, the Project would be within the overall buildout assumptions of the CHESP and there would be no change in the proposed density and total number of units. Thus, the Project impacts would be consistent with the CAP, the Approved Project and CHESP, and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding greenhouse gas emissions. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.9. HAZARDS AND HAZARDOUS MATERIALS

The certified EIR determined the Approved Project would not result in significant delays or decreases in roadway levels of service; therefore, would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and impacts would be less than significant. In addition, the Approved Project was determined that it would not emit hazardous emissions or involve the handling of hazardous materials, therefore no significant hazardous materials impacts would result within ¼ mile of Cottonwood Canyon Elementary School. Furthermore, the Approved Project is not located within two miles of a public airport, public use airport, or private airstrip, nor on a site which is included on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the certified EIR determined no significant impacts would result.

Due to the Approved Project's required demolition of the existing homes onsite, the regulations and programs noted in the following mitigation measures were required to be implemented as necessary to ensure that construction workers and the general public would not be exposed to any unusual or excessive risks related to hazardous materials during demolition activities. As such, the certified EIR determined impacts associated with the exposure of construction workers and the public to hazardous materials during demolition activities would be mitigated to a level that is less than significant.

As previously stated, the proposed Project is a smaller portion of the larger previously Approved CHESP area. The proposed development and demolition activities would occur as analyzed in the certified EIR, albeit to a lesser degree. Due to the proposed Project's development within the footprint of the Approved Project site, the proposed Project would also be required to implement project design features and mitigation measures as included in the certified EIR to reduce impacts associated with the exposure of construction workers and the public to hazardous materials during demolition activities to less than significant.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

### Applicable Mitigation Measures

**MM 3.9-1a:** Documentation of the ACM and LBP survey per SCAQMD and State regulations shall be submitted to the City of Lake Elsinore upon characterization of potentially hazardous materials. If one or both of these substances are found, appropriate remediation measures shall be undertaken pursuant to Mitigation Measures 3.9-1b and/ or 3.9-1c, as applicable.

**MM 3.9-1b:** If determined necessary as an outcome of the ACM survey, and as part of structural demolition activities, a State-licensed abatement contractor shall abate any material with asbestos content of one percent or greater by transportation under manifest and disposal at a State-licensed disposal facility consistent with SCAQMD Rule 1403. Documentation shall be submitted to the City of Lake Elsinore upon characterization of potentially hazardous materials and upon completion of abatement operations.

**MM 3.9-1c:** If determined necessary as an outcome of the LBP survey, and as part of structural demolition activities, a State-licensed abatement contractor shall abate any LBP materials by transportation under manifest and disposal at a State-licensed disposal facility. All other types of hazardous materials shall be characterized and quantified, with removal, transport and disposal methods specified for each waste type. Documentation shall be submitted to the City of Lake Elsinore upon characterization of potentially hazardous materials and upon completion of abatement operations.

### Conclusion

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding hazards and hazardous materials. There

have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.10. HYDROLOGY AND WATER QUALITY

The certified EIR determined all Approved Project-related hydrology and water quality impacts would be reduced to less than significant levels with implementation of the proposed storm drain and water quality improvements, standard regulatory conditions, and project-specific conditions of approval. As stated in the certified EIR, with implementation of the Approved Project SWPPP, WQMP, and Post-Construction Management Plan, construction and post-development stormwater discharge impacts would be reduced to less than significant. In addition, the certified EIR determined, with implementation and monitoring of the Project Specific WQMP, the Approved Project would not result in substantial water quality or sedimentation impacts to Cottonwood Creek, nor would it affect the identified beneficial uses, therefore the Approved Project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade water quality. Additionally, the certified EIR determined groundwater supplies will not be adversely impacted by the Approved development and no impact would occur.

In addition, the certified EIR determined the entire site is in Zone X, not a special flood hazard area (SFHA), which is the designation given to areas of 100-year flood with average depths of less than one foot or with drainage areas less than one square mile.

As previously stated, the proposed Project is a smaller portion of the larger previously Approved CHESP area. The proposed development would occur as analyzed in the certified EIR, albeit to a lesser degree. Similar to the Approved Project land use acreage calculations, approximately half of the proposed Project site (91.1 acres) will remain as open space (42.39 acres), and a majority of the streambeds and drainages will remain undisturbed. In addition, as stated previously, the grading footprint would be reduced to limit impacts to surrounding foothills and the Cottonwood Canyon Road alignment has been modified to protect Cottonwood Creek. Furthermore, the proposed Project would comply with updated standards for water quality, by having off-site flows separated from onsite flows and on-site flows of which will be treated within water quality basins located along northern edge of Project site as planned per the CHESP.

Similar to the Approved Project, the proposed Project does not propose construction of any groundwater wells since public water sources will be provided to the site via EVMWD transmission mains. Therefore, no impact to groundwater supplies or recharge areas would result.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those of the Approved Project, as identified in the certified EIR.

### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding hydrology and water quality. There have

not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

### 5.11. LAND USE AND PLANNING

The certified EIR determined that the Approved Project would result in no impacts to land use and planning. The Approved Project was designed as an extension of the adjacent Canyon Hills community to the north, and water, sewer, electricity, natural gas, waste, fire, police, institutional uses, and commercial facilities would be available from the City of Lake Elsinore through the community of Canyon Hills. Additionally, the Approved Project site is vacant and topographically oriented to the City of Lake Elsinore and the Canyon Hills community, the annexation to the City of Lake Elsinore was determined in the certified EIR would not divide an established community.

As previously stated, the proposed Project is a smaller portion of the larger previously Approved CHESP area. The proposed development would occur as analyzed in the certified EIR, albeit to a lesser degree. As stated in the Project Description, Table 3-1, the proposed Project would maintain the Approved Project's density, and the CHESP land use designations of SF-1, SF-2, Public Park, and Open Space. Additionally, the Project presents home types to support the goals and the ongoing build-out of the CHESP. Thus, the proposed Project would not divide an established community nor conflict with any applicable land use plan, policy adopted for the purpose of avoiding or mitigating an environmental impact, or conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project. Therefore, the Project is consistent with the conclusions in the certified EIR, and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

#### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding land use and planning. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts,

State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.12. MINERAL RESOURCES

The certified EIR determined that the Approved Project would result in no impacts to mineral resources. According to the City's General Plan EIR, the City, including the Project site, is within Mineral Resource Zone 3 (MRZ-3), which is defined as an area containing mineral deposits, the significance of which cannot be evaluated from available data. Consistent with the findings of the certified EIR, the Project site occurs within a portion of the Approved Project site which is located in an urban setting and is not designated for mineral resource extraction; therefore, the proposed Project would not result in the loss of availability of a mineral resource or a mineral resource recovery site.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding mineral resources. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.13. NOISE

The certified EIR determined that the Approved Project would not result in increases in existing noise levels. However, grading operations within 100 feet of an existing offsite residence and within 57 feet of existing offsite residences would have the potential to cause the Noise Ordinance standard to be exceeded. Therefore, the following mitigation measures would reduce potential impacts to a less than significant level.

As previously stated, the proposed Project is a smaller portion of the larger previously Approved CHESP area. The proposed development activities would occur as analyzed in the certified EIR, albeit to a lesser degree. Due to the proposed Project's development within the footprint of the Approved Project site, the proposed Project would also be required to implement mitigation measures as included in the certified EIR to reduce impacts associated with off-site construction related noise impacts to less than significant.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

### Applicable Mitigation Measures

**MM 3.4-1:** Project construction operations within 100 feet of any off-site residences shall be monitored by a qualified acoustical consultant to ensure that the construction noise level limit of the City of Lake Elsinore Noise Ordinance is not violated. At the recommendation of the acoustical consultant, the operation may utilize temporary noise control measures, such as limiting the duration of hourly construction activity, placement of temporary barriers, or equivalent measures, to ensure compliance with the City's Noise Ordinance.

**MM 3.4-2:** Project construction operations within 57 feet of any off-site residences shall utilize a smaller dozer for this portion of construction so that vibration impacts will be lessened to below the City of Lake Elsinore Noise Ordinance standard, or the dozer operations within 57 feet of the residence must be performed when the residence is temporarily unoccupied. Such work shall be monitored by a qualified acoustical consultant to ensure that the vibration standard of the Noise Ordinance is not violated.

### Conclusion

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding noise. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.14. POPULATION AND HOUSING

As stated in the certified EIR, the City's Housing Element is in compliance with State regulations and acknowledges that there is an increasing demand for housing in the Lake Elsinore region. The certified EIR determined that the Approved Project would result in less than significant impacts to population and housing.

As previously stated, the proposed Project would not change or increase the overall density or unit count as previously approved. In addition, the proposed Project would develop 91.1 acres of the 246.41-acre to construct 133 of the previously approved 302 maximum allowed single-family residential lots; and dedicate approximately 42.39 acres of the previously approved 150 acres open space. Therefore, the Project would be within the buildout assumption of the CHESP and the Approved Project. Thus, the proposed Project is consistent with what was analyzed in the certified EIR.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the certified EIR.

### Conclusion

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding population and housing. There have not

been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

### 5.15. PUBLIC SERVICES

The certified EIR determined that the Approved Project would result in a less than significant impact related to fire protection, police protection, schools, public facilities, or other governmental services. The previously certified EIR stated that the Approved Project would include substantial improvements to roads, parks, parkway landscaping, drainage facilities, all requiring ongoing and long-term maintenance. Additionally, the Approved Project included a requirement for the formation of a Homeowners Association with appropriate Conditions, Covenants and Restrictions (C.C.&R.'s), as necessary to partially offset the long-term public maintenance costs related to the Approved Project. The Project is consistent with the determination of the certified EIR. Implementation and development of the Project would not change the residential land use, the overall density, or the total amount of units of the Approved Project. Therefore, the Project is consistent with the conclusions in the certified EIR.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the certified EIR.

#### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding public services. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.16. RECREATION

The certified EIR analyzed potential recreational impacts within Public Services, consistent with the CEQA guidelines at the time. The certified EIR determined that the Approved Project would result in less than significant impacts to recreation. The Approved Project dedicated 5.4 acres of land for a park rather than paying the in-lieu fee and the certified EIR determined the provision of this public park would meet the City's performance standard.

As described above, the proposed Project would be consistent with the buildout assumptions and density of the Approved Project and there would be no increase in the residential buildout previously analyzed. Furthermore, buildout of the proposed Project includes the development of the approved park and open space. Thus, the proposed Project is consistent with what was analyzed in the certified EIR, and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

### Conclusion

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding recreation. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## 5.17. TRANSPORTATION

The certified EIR analyzed transportation impacts within Traffic and Circulation, consistent with the CEQA guidelines at the time. The certified EIR determined, with an approved construction traffic control plan, construction traffic impacts would be less than significant. Additionally, the Approved Project would comply with all applicable design requirements and the conditions of approval required that the Approved Project entrances be reviewed for conformity with sight distance standards in order to ensure safe vehicular turning movements and access. Thus, the Approved Project would not increase hazards due to a design feature nor result in inadequate emergency access.

The certified EIR stated, although the Approved Project would participate in the TIF and TUMF transportation improvement programs, the Approved Project's individual and cumulative traffic and circulation impacts for the Year 2010 and Year 2025 were considered potentially significant and unavoidable. The certified EIR determined, because the possibility existed that the Year 2010 improvements might not be constructed by 2010 and there were no improvement program available at the time the Approved Project was analyzed to mitigate the Approved Project's individual 2025 impacts, therefore impacts were determined to be significant and unavoidable.

As previously stated, the proposed Project is a smaller portion of the larger previously Approved CHESP area. The proposed Project would construct 133 of the previously approved 302 maximum allowed single-family residential lots. Thus, transportation impacts from the proposed Project would be reduced when compared to the previously analyzed buildout of the CHESP. In addition, the proposed Project would not change or alter the access or the circulation as previously approved for buildout of the CHESP. Therefore, the proposed Project is consistent with what was analyzed in the certified EIR. As a result, no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding transportation. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## **5.18. TRIBAL CULTURAL RESOURCES**

The certified EIR analyzed tribal cultural resources impacts within Cultural Resources section, consistent with the CEQA guidelines at the time. The certified EIR determined the Approved Project, with implementation of Native American monitoring during grading, excavation and other ground disturbance activities would reduce impacts to undiscovered cultural resources. The certified EIR stated, per the cultural resources assessment prepared for the Approved Project, since Luiseño/Pechanga resources are known to exist within the City of Lake Elsinore area, and the presence of known archaeological sites (two) and a prehistoric cultural resource on the Project site, grading activities would have the potential to impact sensitive resources. To reduce impacts to less than significant, the certified EIR implemented Mitigation Measure MM 3.11-2a and MM 3.11-2b requiring the presence of Native American and Archaeological monitoring during site grading and excavation, as well as during evaluation testing and any subsequent studies of the known archaeological sites. Additionally, the California Health and Safety Code, Section 7050.5 requires that if human remains are discovered in the Project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, they shall contact, by telephone within 24 hours, the Native American Heritage Commission.

As with the Approved Project, the proposed Project would require similar site preparation and grading activities to allow for development of the Project as previously analyzed. As a result, the proposed Project would also implement Mitigation Measure MM 3.11-2a and MM 3.11-2b requiring Native American and Archaeological monitoring. Therefore, the Project would not result in new significant impacts related to tribal cultural resources during all grading and testing activities. Therefore, the Project is consistent with the conclusions in the Approved EIR, the CHESP, and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the certified EIR.

### **Applicable Mitigation Measures**

**MM 3.11-2a.** Listed previously in Section 5.5, *Cultural Resources*.

**MM 3.11-2b.** Listed previously in Section 5.5, *Cultural Resources*

### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding tribal cultural resources. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## **5.19. UTILITIES AND SERVICE SYSTEMS**

The certified EIR determined that the Approved Project would result in less than significant impacts to utilities and service systems. The Approved Project was determined to require new on-site utility facilities and off-site connections to existing facilities, however construction of the facilities would not cause significant environmental effects. The certified EIR also determined the Approved Project would have sufficient water supplies to serve the Project from existing entitlements and resources, without new or expanded entitlements. However, because of the existing setting and topography of the Approved Project site, the Approved Project was required to extend off-site infrastructure and construct new water facilities under the authority of EVMWD to serve the site. These impacts were determined to be less than significant within the certified EIR.

Additionally, solid waste and energy impacts were determined to be less than significant and project-specific mitigation measures were not required.

As previously stated, the proposed Project is a smaller portion of the larger previously Approved CHESP area and development of the proposed Project includes 133 of the 302 allowed residential units. Therefore, the proposed development would result in fewer impacts related to utilities and service systems when compared to the maximum buildout of the CHESP as previously approved. In addition, the proposed Project site would only include the required extension of EMWD infrastructure for the proposed development. However, as previously analyzed in the certified EIR, the proposed Project would be adequately served by EMWD for potable water and sewer services and was accounted for the 2020 Urban Water Management Plan. In addition, the proposed Project would not require or result in the construction of new or expanded utility services and would have sufficient service from current utility and solid waste providers and connections along Cottonwood Canyon Road. As a result, impacts from the proposed Project would be consistent when compared to the previously analyzed design of the CHESP, albeit to a lesser degree. Therefore, the

proposed Project is consistent with what was analyzed in the certified EIR. As a result, no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

### **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding utilities and service systems. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.

## **5.20. WILDFIRE**

The certified EIR determined the Approved Project would result in less than significant impacts related to wildfire. The Approved EIR stated the Project Site is located at the wildland-urban interface and the site may be subject to wildland fires due to its proximity to large areas of natural open space and steep terrain on portions of the site that could contribute to a rapid spread of wildfire. The certified EIR determined the proposed Project would reduce wildfire impacts to less than significant due to the Approved Projects strict compliance with emergency preparedness and fire safety requirements; implementation of a fuel modification plan; and provision of improved access to the Project site interior and perimeter for fire equipment and personnel.

According to the CalFire Fire Hazard Severity Zones map, the Project site is not within a designated fire hazard severity zone (FHSZ) or within a State Responsibility Area (SRA). Additionally, the Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Although, the Project includes a modification to the Cottonwood Canyon Road alignment to protect Cottonwood Creek, access to the site will be made via Cottonwood Canyon Road per the Approved Project. In addition, the Project driveway and internal access would be required to meet the CHESP and City's design standards to ensure adequate emergency access and evacuation pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), as verified during the plan check process. Furthermore, the proposed Project does not include any characteristics (e.g., permanent road closures or long-term blocking of road access) that would substantially impair or otherwise conflict with an emergency response plan or emergency evacuation plan. Therefore, no new impacts related to wildfire would occur. Therefore, the Project is consistent with the conclusions in the Adopted EIR, and no new impacts would occur.

No new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Approved EIR.

## **Conclusion**

Based on the foregoing, none of the conditions identified in State CEQA Guidelines Section 15162 that would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts or mitigation measures exist regarding wildfire. There have not been 1) changes related to development of the Project site that involve new significant environmental effects or a substantial increase in the severity of previously identified effects; 2) substantial changes with respect to the circumstances under which development of the Project site is undertaken that require major revisions of the certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or 3) the availability of new information of substantial importance relating to significant effects or mitigation measures or alternatives that were not known and could not have been known when the certified EIR was certified as completed.

Because none of the conditions identified in State CEQA Guidelines Section 15162 would trigger the need to prepare a subsequent or supplemental EIR or other environmental document to evaluate Project impacts, State CEQA Guidelines 15182 also does not require additional environmental review and the Project is within the scope of the CHESP.