

FINAL

**Program Environmental Impact Report for the
Lakeland Village Master Drainage Plan
State Clearinghouse No. 2011091017**

Prepared for:

**Riverside County Flood Control and
Water Conservation District**
1995 Market Street
Riverside, California 92501

Prepared by:

DUDEK

3685 Main Street, Suite 250
Riverside, California 92501
Contact: Stephanie Standerfer

DECEMBER 2014

TABLE OF CONTENTS

<u>Section</u>	<u>Page No.</u>
1.0 INTRODUCTION	1-1
1.1 Purpose	1-1
1.2 Process	1-2
2.0 COMMENTS RECEIVED AND RESPONSES TO COMMENTS	2-1
2.1 Introduction	2-1
2.2 Comments Received	2-1
2.3 Comments and Responses to Comments	2-1
3.0 ERRATA TO DRAFT PEIR.....	3-1
3.1 Introduction	3-1
3.2 Changes to the Draft PEIR	3-1
4.0 MITIGATION MONITORING AND REPORTING PROGRAM.....	4-1
4.1 Introduction	4-1
4.2 Project Overview.....	4-1
4.3 Monitoring and Reporting Procedures.....	4-2

Tables

2-1 Draft PEIR Commenters.....	2-1
3-1 Draft PEIR Revisions	3-3
4-1 Mitigation Monitoring and Reporting Program Summary	4-4

Errata Appendices

Executive Summary

Cultural Resources

Hydrology and Water Quality

INTENTIONALLY LEFT BLANK

I.0 INTRODUCTION

I.1 Purpose

The Riverside County Flood Control and Water Conservation District (District), as the lead agency under the California Environmental Quality Act (CEQA), has prepared this Final Program Environmental Impact Report (Final PEIR) for the proposed Lakeland Village Master Drainage Plan (MDP). The MDP is hereinafter referred to as the Project. This Final PEIR contains all of the required contents as outlined in Section 15132 of the CEQA Guidelines, including:

- The Draft PEIR or a revision to the draft;
- Comments and recommendations received on the Draft PEIR;
- A list of persons, organizations, and public agencies commenting on the draft PEIR;
- The responses of the lead agency to significant environmental points raised in the review and consultation process; and
- Any other information added by the lead agency.

This Final PEIR for the Project consists of comments and responses to comments and a mitigation monitoring plan for the Project. This Final PEIR is intended to be used along with the Draft PEIR, which is incorporated by reference and bound separately.

This Final PEIR assembles all the environmental data and analyses that have been prepared for the Project. It also includes public and agency comments on the Draft PEIR and responses by the District to those comments. The intent of the Final PEIR is to provide a forum to air and address comments pertaining to the analysis contained in the Draft PEIR and to provide an opportunity for clarification, corrections, or minor revisions to the Draft PEIR as needed.

The evaluation and response to comments is an important part of the CEQA process because it allows the following:

- The opportunity to review and comment on the methods of analysis contained in the Draft PEIR,
- The ability to detect any omissions that may have occurred during the preparation of the Draft PEIR,
- The ability to check for accuracy of the analysis contained within the Draft PEIR,
- The ability to share expertise, and
- The ability to discover public concerns.

1.2 Process

A Draft PEIR was prepared for the Project and circulated for public review from January 28, 2014, through March 14, 2014, through the Governor's Office of Planning and Research, the State Clearinghouse, and the Riverside County Clerk. Copies of the Draft PEIR and all documents referenced in the Draft PEIR were made available at the Riverside County Flood Control and Water Conservation District (1995 Market Street, Riverside, California 92501), as well as at the Mission Trail Library (34303 Mission Trail, Wildomar, California 92595) and the Lake Elsinore Library (600 W. Graham, Lake Elsinore, California 92530).

The District used several methods to elicit comments on the Draft PEIR. The notice of availability (NOA) was mailed to various agencies, local governments, organizations, and to individuals that had previously requested such notice. The Draft PEIR and Appendices was also posted on the Riverside County Flood Control and Water Conservation District website at <http://www.floodcontrol.co.riverside.ca.us/>.

Written comments were received during the public review period. Pursuant to Section 15088 of the CEQA Guidelines, the District, as the lead agency for the Project, has reviewed all comments received on the Draft PEIR. Responses to these comments are contained within Chapter 2, Comments Received and Responses to Comments, of this Final PEIR.

2.0 COMMENTS RECEIVED AND RESPONSES TO COMMENTS

2.1 Introduction

In accordance with Section 15088 of Title 14 of the California Code of Regulation (CEQA Guidelines), the Riverside County Flood Control and Water Conservation District (District) has evaluated the comments received on the Draft Program Environmental Impact Report (Draft PEIR) for the Lakeland Village Master Drainage Plan (MDP) and has prepared written responses to these comments. The MDP is hereinafter referred to as the Project. This chapter contains copies of the comments received during the public review process and provides an evaluation and written responses for each of these comments.

2.2 Comments Received

During the public review period from January 28, 2014, through March 14, 2014, the District received 7 comments from agencies, organizations, and individuals.

These commenters are listed in Table 2-1, along with a corresponding letter designation.

Table 2-1, Draft EIR Commenters

Comment Letter Designation	Commenter Agency/Name	Date Received
A	Department of Transportation	February 5, 2014
B	Department of Transportation	February 10, 2014
C	Rincon Band of Luiseño Indians	March 6, 2014
D	Linda and Martin Ridenour	March 12, 2014
E	Barbara Dye	March 13, 2014
F	California Department of Fish and Wildlife	March 13, 2014
G	Pechanga Tribe	March 14, 2014

2.3 Comments and Responses to Comments

This section includes all written comments on the Draft PEIR received by the District and the responses to those comments in accordance with Section 15088 of the CEQA Guidelines. In accordance with the CEQA Guidelines, responses are prepared for those comments that address the sufficiency of the environmental document regarding the adequate disclosure of environmental impacts and methods to avoid or mitigate those impacts. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the Draft PEIR. Additionally, it should be noted that comments by public agencies should be limited to those aspects of a project that are within its area

of expertise or which are required to be carried out or approved by the agency, and such comments must be supported by substantial evidence (CEQA Guidelines Section 15204).

Comment Letter A

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr. Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

RECEIVED
FEB 05 2014



Flex your power!
Be energy efficient!

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

February 4, 2014

Stuart McKibbin
Chief of Regulatory Division
Riverside County Flood Control and Water Conservation District
1995 Market Street
Riverside, Ca 92501

Notice of Preparation of Draft Environmental Impact Report for the Lakeland Village Master
Drainage Plan. Riv-74-PM Various

Mr. Diaz,

We have completed our review for the above noted NOP. This project is located at various
locations of State Route 74 (SR-74) within Lakeland Village in the City of Lake Elsinore. This
Master Drainage Plan (MDP) identifies the approximate location, size and type of MDP facilities
needed in order to alleviate and control flooding in the MDP Boundary.

A-1

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

A-2

A-3

Please refer to Caltrans letter sent September 21, 2011 for our comments I have attached a copy
of said letter for your conveyance.

A-4

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

A-5

Sincerely,

[Handwritten signature of Daniel Kopulsky]

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

"Caltrans improves mobility across California"

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300



*Flex your power!
Be energy efficient!*

September 21, 2011

Art Diaz
Senior Civil Engineer
Riverside County Flood Control and Water Conservation District
1995 Market Street
Riverside, Ca 92501

Notice of Preparation of Draft Environmental Impact Report for the Lakeland Village Master Drainage Plan, Riv-74-PM Various

Dear Mr. Diaz,

We have completed our review for the above noted NOP. This project is located at various locations of State Route 74 (SR-74) within Lakeland Village in the City of Lake Elsinore. This Master Drainage Plan (MDP) identifies the approximate location, size and type of MDP facilities needed in order to alleviate and control flooding in the MDP Boundary.

A-6

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

A-7

A-8

The following comments are for your consideration:

Encroachment Permit

- Any activities before, during, or after the construction of SR-74 within, under, or over the State Highway Right of Way, an Encroachment Permit is required.
- Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
- Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

A-9

"Caltrans improves mobility across California"

Mr. Diaz
September 20, 2011
Page 2

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

↑
A-9
Cont.

Construction Traffic Control Plan

- A Traffic Control Plan or construction traffic impact study may be required by the developer for approval by the lead agency and Caltrans prior to construction. The plans shall be prepared in accordance with Caltrans’s *Manual of Traffic Controls for Construction and Maintenance Work Zones*. Traffic restrictions and pedestrian / bicycle detours may also need to be addressed. All work proposed within the State Right of Way (R/W) requires lane and shoulder closure charts. All roadway features (e.g., signs, pavement delineation, roadway surface, etc.) within the State R/W must be protected, maintained in a temporary condition, and/or restored. For more information, contact the District Traffic Manager, Al Afaneh, at (909) 383-4917.

A-10

Drainage

- All existing tributary areas, area drainage patterns and runoff volumes having an impact to adjacent SR-74 drainage facilities must be identified and analyzed in a project hydrology study. With regard to the on-site detention area proposed, basin calculations should be included to verify that the basin volume is sufficient to detain necessary runoff flows.

A-11

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

A-12

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

“Caltrans improves mobility across California”

INTENTIONALLY LEFT BLANK

Response to Comment Letter A
California Department of Transportation
February 5, 2014

- A-1** The comment states that State Route (SR-74) traverses the Project boundary. The comment reiterates that the Master Drainage Plan (MDP) identifies the approximate location, size, and type of MDP facilities needed in order to alleviate and control flooding within the Project boundary. This comment does not change the significance determination found in the PEIR.
- A-2** The comment states that the California Department of Transportation (Caltrans) is the owner and operator of the State Highway System and is responsible to coordinate and consult with local jurisdictions when proposed development may impact the State Highway System (in this case, SR-74). The comment also states that the Caltrans is responsible to make recommendations to offset associated impacts with the Project. Please refer to Section 4.10, Transportation and Traffic, of the Draft PEIR, which notes that any street and lane closures during construction will be coordinated with the Riverside County Transportation Department and Caltrans to ensure that traffic flow is not adversely affected. Two facilities, Line A and the Ortega Channel would have potential impacts to SR-74; therefore, a Traffic Control Plan (refer to MM TRANS-1 in Section 4.10.6 of the Draft PEIR) and an encroachment permit (refer to MM TRANS-2 in Section 4.10.6 of the Draft PEIR), prepared in accordance with the Caltrans *Manual of Traffic controls for Construction and Maintenance Work Zones*, will be required and submitted to Caltrans when future MDP facilities are proposed that will require lane closures or significant rerouting of traffic. Additionally, prior to future encroachment permit issuance, street, grading and drainage construction plans will be submitted to Caltrans for review and approval to ensure that construction activities within SR-74 conform to current Caltrans design standards and construction practices (refer to MM TRANS-3 in Section 4.10.6 of the Draft PEIR). This comment does not change the significance determination found in the PEIR.
- A-3** The Project boundary is under the jurisdiction of the County of Riverside, City of Lake Elsinore, and City of Wildomar. Please refer to Response to Comment A-2. This comment does not change the significance determination found in the PEIR.
- A-4** Please refer to Response to Comments A-6 through A-12. This comment does not change the significance determination found in the PEIR.
- A-5** The District appreciates Caltrans' review and comments they have provided on the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- A-6** Please refer to Response to Comment A-1. This comment does not change the significance determination found in the PEIR.

- A-7** Please refer to Response to Comment A-2. This comment does not change the significance determination found in the PEIR.
- A-8** Please refer to Response to Comments A-2 through A-3. This comment does not change the significance determination found in the PEIR.
- A-9** The comment outlines when an encroachment permit is required from Caltrans. Please refer to Section 4.10, Transportation and Traffic, of the Draft PEIR, which addresses the need for an encroachment permit for improvements and construction along Line A and Ortega Channel within SR-74. The Project proponent shall also implement MM TRANS-2 and MM TRANS-3 in Section 4.10.6 of the Draft PEIR when future construction activities are along or within SR-74. With implementation of MM TRANS-2 and MM TRANS-3, the Project will not significantly impact a State Highway System. This comment does not change the significance determination found in the PEIR.
- A-10** The comment suggests that a Traffic Control Plan or construction traffic impact study may be required prior to construction. Please refer to Section 4.10, Transportation and Traffic, of the Draft PEIR, which discusses the need for a Traffic Control Plan when future MDP facilities are proposed that will require lane closures or significant rerouting of traffic. The Traffic Control Plan will outline and coordinate traffic movement including construction vehicles, and identify temporary street and lane closures that will be implemented during construction and maintenance activities as well as consider traffic restrictions and pedestrian/bicycle detours (refer to MM TRANS-1 in Section 4.10.6 of the Draft PEIR). The Traffic Control Plan submitted with Caltrans shall be prepared in accordance with the Caltrans *Manual of Traffic Controls for Construction and Maintenance Work Zones*. All work proposed within State right-of-way requires lane and shoulder closure charts and all roadway features such as signs, pavement delineation, roadway surface, etc. within the state right-of-way must be protected, maintained in a temporary condition, and/or restored. With implementation of MM TRANS-1, impacts associated with circulation system, congestion management program, and other alternate modes of transportation would be less than significant. This comment does not change the significance determination found in the PEIR.
- A-11** Please refer to Section 4.8, Hydrology and Water Quality, of the Draft PEIR. The Project is designed to respect and improve existing drainage patterns. Implementation of the MDP facilities will improve stormwater drainage within the Project boundary by safely collecting, conveying, and discharging flows within the Project boundary. Thus, the Project will not be a generator of runoff water that can exceed existing or planned stormwater drainage systems. Since the Project will not create or contribute runoff, and it will require the upsizing of existing facilities so that they can accommodate flows that will be conveyed through the new MDP facilities, a hydrology study was not deemed necessary for the Project. This comment does not change the significance determination found in the PEIR.

- A-12** The District appreciates Caltrans' review and comments provided on the Draft PEIR. This comment does not change the significance determination found in the PEIR.

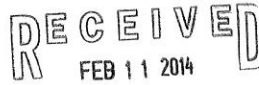
INTENTIONALLY LEFT BLANK

Comment Letter B

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300



Flex your power!
Be energy efficient!

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

February 10, 2014

Stuart McKibbin
Chief of Regulatory Division
Riverside County Flood Control and Water Conservation District
1995 Market Street
Riverside, Ca 92501

Notice of Preparation of Draft Environmental Impact Report for the Lakeland Village Master Drainage Plan. Riv-74-PM Various

Mr. McKibbin,

We have reviewed your Draft Program EIR for the Lakeland Village Master Drainage Plan received in this office January 28, 2014.

B-1

It has been acknowledge that our original comment letter sent September 21, 2011 received by your office. At this time we are unable to complete our review of this document Section 4:10 Transportation and Traffic at this time. We are unable to locate your response to Caltrans comments and therefore we cannot comment on this document at this time.

B-2

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

B-3

B-4

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

B-5

Sincerely,

[Handwritten signature of Daniel Kopulsky]

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

"Caltrans improves mobility across California"

INTENTIONALLY LEFT BLANK

Response to Comment Letter B
California Department of Transportation
February 11, 2014

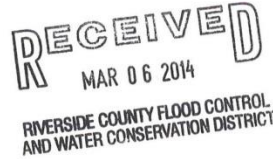
- B-1** The District appreciates the California Department of Transportation's (Caltrans') review of the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- B-2** Caltrans' submitted a comment letter that was received by the District on February 5, 2014 commenting on the Draft PEIR. Please refer to Section 4.10, Transportation and Traffic, of the Draft PEIR and Response to Comment Letter A addressing Caltrans' September 21, 2011 Notice of Preparation comment letter. This comment does not change the significance determination found in the PEIR.
- B-3** Please refer to Response to Comment A-2. This comment does not change the significance determination found in the PEIR.
- B-4** Please refer to Response to Comment A-3. This comment does not change the significance determination found in the PEIR.
- B-5** The District appreciates Caltrans' review and comments they have provided on the Draft PEIR. This comment does not change the significance determination found in the PEIR.

INTENTIONALLY LEFT BLANK

Comment Letter C

RINCON BAND OF LUISEÑO INDIANS
Culture Committee

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



February 20, 2014

Stuart McKibbin
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, CA 92501

Re: The Lakeland Village Master Drainage Plan

Dear Mr. McKibbin:

This letter is written on behalf of the Rincon Band of Luiseño Indians. Thank you for inviting us to submit comments on the Lakeland Village Master Drainage Plan. Rincon is submitting these comments concerning your project's potential impact on Luiseño cultural resources.

C-1

The Rincon Band has concerns for impacts to historic and cultural resources and findings of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is not within the Luiseño Aboriginal Territory. In fact, your project falls within Kumeyaay Aboriginal Territory. We recommend that you locate a Tribe within the project area to receive direction on how to handle any inadvertent findings according to their traditions and customs.

C-2

C-3

If you would like information on Tribes within your project area, please contact the Native American Heritage Commission and they will assist with a referral. If for some reason you are unable to locate an interested tribe please notify us and we will be happy to assist you in the matter.

C-4

We also request you update your contact information for Rincon and send any future letters and correspondence to the Rincon Tribal Chairman and the Tribal Historic Preservation Officer in the Cultural Resources Center, 1 West Tribal Road, Valley Center, CA, 92082.

C-5

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

Sincerely,

Rose Duro
Rincon Culture Committee Chairman

Bo Mazzetti
Tribal Chairman

Stephanie Spencer
Vice Chairwoman

Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member

Frank Mazzetti III
Council Member

INTENTIONALLY LEFT BLANK

Response to Comment Letter C
Rincon Band of Luiseño Indians
March 6, 2014

- C-1** The District appreciates the Rincon Band of Luiseño Indians' review and comments provided on the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- C-2** Comment noted. The comment states that the Project boundary is not located within the Luiseño Aboriginal Territory. This comment does not change the significance determination found in the PEIR.
- C-3** This comment notes that the Project boundary lies within the Kumeyaay Aboriginal Territory. Based on the review of the Kumeyaay boundary map, the Project boundary does not lie within the Kumeyaay Aboriginal Territory and thus no communication with the Kumeyaay Tribe is required. This comment does not change the significance determination found in the PEIR.
- C-4** The Native American Heritage Commission (NAHC) submitted a Notice of Preparation comment letter dated September 13, 2011 which included a list of Native American Contacts to contact related to the Project. The list of Native American Contacts that the NAHC provided were sent a copy of the Notice of Availability during the Draft PEIR public review period. This comment does not change the significance determination found in the PEIR.
- C-5** Comment noted. This comment does not change the significance determination found in the PEIR.

INTENTIONALLY LEFT BLANK

Comment Letter D

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

RECEIVED MAR 12 2014 RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Attention Stuart McKibbin:

Thank you for allowing me to participate in the Lakeland Village MDP Draft Program Environmental Impact Report. As you know I wrote a response to the initial study plan and notice of preparation. I had twenty-four questions which I addressed to Mr. Quinonez and Mr. Diaz. I did not receive a written response to this letter and many of my questions have not been addressed in this new report.

D-1

D-2

The Lakeland Village Master Drainage Plan is vital to our safety and economic future. Since Grand Avenue is our evacuation route, during an emergency it is imperative to keep this highway open. Keeping it open means that flooding must be controlled.

D-3

My home was built by my grandfather in 1948. My husband and I have lived here since 1997. We have worked diligently to see this plan completed. At the age of 71, it concerns me to read that this plan may take decades to complete. Will we see this plan completed?

D-4

In preparation to respond to this Report, my husband and I drove to the existing channels. There is abundant vegetation in many of them, thus the water will not flow as designed. People have encroached and even have built fences on your easement. We would be happy to drive you around to point out the maintenance faults.

D-5

I have been complaining about the flooding on Adelfa Street for may years. Since it was built by the county it should be maintained by the county. When I called Transportation a maintenance person was sent out to fix the problem. He called me and I was not home so he picked up some trash. Where Adelfa meets Grand Avenue only part of the run off goes into the drainage channel to the right. The rest of the water and all of the mud flows onto Grand Avenue. I hope the Plan will add culverts to Grand Avenue so that the accumulation of mud and debris will not impede the flow of traffic including emergency vehicles.

D-6

D-7

I have thoroughly read the report and 'am having difficulty locating the ten waste sites. Under existing hazardous sites, page 4.7-2, fifteen are listed with on open HZ5, the Circle K Store. However, on figure 4.7-1a there are many existing hazardous sites.

D-8

I would like help accessing Enviromapper Database. It is not listed in the table of contents.

D-9

In Section 2.3 I do not believe you have adequate information on our cultural resources. The Pechanenga Tribe has documented several sites within a half mile of my home on Brand Street. I am sure there are more in Lakeland Village.

D-10

Within Section 2.4 as well as 4.3 it was stated that (substantially degrade existing visual...) I cannot comment on the above quote when I do not know where this area is. I know you have not determined the route because your engineers are still taking measurements.

D-11

In Appendix A, I cannot find the Riverside County Oak Tree Management Guidelines. As you

D-12

know much of Lakeland Village is located within Oak Woodland.

↑ D-12
| Cont.

Traditionally when there is an emergency the public is evacuated to a school site. How will the open channel proposed around Lakeland Village Middle School (Line L, M, P) effect our evacuation plan.

| D-13

As a past Vice President of the Lake Elsinore Historical Society, I would like to comment on the mitigation measures. Also, I would like to be included in the Pre-construction Workshop. Table ES-3.

| D-14

On page 4.5-1 there is a nice summery of the faults including the Willard Fault. There does not appear to be a written statement describing this fault.

| D-15

In conclusion, I am so impressed with the photographs. It was easy to view the different Lines. Thank you for putting the name of my street on the photograph. I am looking forward to the public meeting.

| D-16

Linda and Martin Ridenour
33628 Brand Street
Lake Elsinore, CA 92530
951.678.2300

Mr. Quinonez and Mr. Diaz
1995 Market Street
Riverside, CA 92501

Mrs. Linda Ridenour
33628 Brand Street
Lake Elsinore, CA 92530



Re: Initial Study Plan and Notice of Preparation

I would like to thank Mr. Quinonez and Mr. Diaz for sending me the Initial Study Plan and the Notice of Preparation.

D-17

I would like my name placed on the list for the DEIR.

D-18

The following is a list of concerns that I would like addressed.

1. I carefully looked at all the maps provided. On map 6b, I could not find the street names. I think I am within Watershed H. I would suggest an additional map specific for the work being proposed for Lakeland Village. 6c
2. On page 2, I would like clarification of the statement, "but if adopted, can be used by the City of Wildomar and the City of Lake Elsinore as they review and approve new developments."
Can Lake Elsinore approve new developments in Lakeland Village?
3. It is my understanding that the Adelfa Channel is maintained by the Department of Transportation. If true, this maintained channel of the MDP needs to be re-written.
4. Where is Alternative 4?
5. Appendix A on page 55 does not have all the data listed. Many times the words refer to documents not listed.
6. On Adelfa there is a proposed Water Quality Basin. I want specifics on how this will look. It will be visible from Grand Ave.
7. Will these basins be landscaped?
8. Agricultural and Forest Resources: How will the Lakeland Village Channel Basin land be acquired? Have the property owners been notified?
9. When building the MDP facilities, I would like non-polluting trucks, etc to be used. Be sure maintenance has been done on these trucks. Place filters on the diesel-powered equipment.
10. I would like a copy of the California Natural Diversity Data Base and the California Native Plant Society Inventory.
11. All natural Drainage areas will effect riparian vegetation. All work should be mitigated.
12. Please explain item IVd. Source: Lakeland Village MDP?
13. Reference IVe/Va. Has the Pechanga Tribe been notified. There are at least 6 Indian sites in this area.

D-19

D-20

D-21

D-22

D-23

D-24

D-25

D-26

D-27

D-28

D-29

D-30

D-31

- | | |
|---|--------|
| 14. There is nothing titled the Division of Mines in the Appendix. Also, please enlarge the legends on all maps, especially Figure 3. | I D-32 |
| 15. Seismic and Geological Hazards Reviews are not in the Appendix. | I D-33 |
| 16. On page 31: There is no Figure 4.10.4 and 5. Please provide. | I D-34 |
| 17. What is the National Pollutant Discharge Elimination System? | I D-35 |
| 18. VId refers to Alluvial-fan deposits. There is no legend on Figure 2. | I D-36 |
| 19. What is SWPPP? | I D-37 |
| 20. Grand filtering is important to the ecosystem. Please address this in the PEIR. | I D-38 |
| 21. Please provide the map: Federal Flood Hazard Boundary of Flood Insurance Rate Map. | I D-39 |
| 22. Which debris basin is considered a dam? | I D-40 |
| 23. Will the pedestrian walk ways be covered? It is a hazard if some tripped and fell in to these open channels. | I D-41 |
| 24. Parks (48) this project will correct the drainage failure in Perret Park. | I D-42 |

Sincerely,

Mrs. Linda Ridenour
 33628 Brand Street
 Lake Elsinore, CA
 92530
 951.678.2300

Response to Comment Letter D**Linda and Martin Ridenour****March 12, 2014**

- D-1** The District appreciates Linda and Martin Ridenour’s review and comments provided on the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- D-2** The Notice of Preparation (NOP) comment letter that was submitted was included in Appendix A of the Draft PEIR. Only CEQA-related comments from the NOP were addressed in the Draft PEIR. Please refer to Response to Comments D-17 through D-42, below. This comment does not change the significance determination found in the PEIR.
- D-3** Comment noted. One of the objectives of the Project is to provide “all-weather” access along Grand Avenue by conveying 100-year tributary flood flows below the travelled way. This comment does not change the significance determination found in the PEIR.
- D-4** Comment noted. The Project is a master drainage plan that will be implemented when future funding is available or when future development is proposed requiring MDP facility improvements. This comment does not change the significance determination found in the PEIR.
- D-5** This is not a CEQA-related comment necessitating a response. However, the District has responded to this comment in the attached cover letter. Comment noted. This comment does not change the significance determination found in the PEIR.
- D-6** Comment noted. When fully implemented, the Project will reduce flooding and debris flows in the MDP area by providing adequately sized flood control facilities to convey flood waters and debris basins to capture sediment and debris. This comment does not change the significance determination found in the PEIR.
- D-7** Please refer to Table ES-2, Detailed Project Description, Figure ES-3a, Proposed MDP Facilities (Left), and Figure ES-3b, Proposed MDP Facilities (Right) of the DEIR for details and location of MDP facilities, including those traversing Grand Avenue, within the Project boundary. This comment does not change the significance determination found in the PEIR.
- D-8** As stated in Section 4.7 of the Draft PEIR, a review of the U.S. Environmental Protection Agency’s (EPA’s) Enviromapper database indicates that there are 10 listed waste sites within the MDP boundary. The 10 waste sites identified from EPA’s Enviromapper that are listed in Table 4.7-1 and Figure 4.7-1a, Existing Hazardous Sites (Left), and Figure 4.7-1b, Existing Hazardous Sites (Right), include businesses HZ3 - B&B Metrology Inc., HZ13 - United Satellite Network Inc. DBA United Satellite Svc, HZ15 - WH James Truck and Auto, HZ5 - Circle K Store #837, HZ14 - Village Cleaners, HZ1 - Academy Geotechnical Engineers, HZ2 - Associated Equip Co, HZ6 - Culhanes Racing Transm, HZ11 - Smooth Transport, and HZ7 - G and R Mufflers. Figure 4.7-1a, Existing Hazardous Sites (Left) and Figure 4.7-1b, Existing

Hazardous Sites (Right) depict the existing hazardous sites on Table 4.7-1 of the Draft PEIR. This comment does not change the significance determination found in the PEIR.

D-9 Please refer to Section 4.7.8, References, of the Draft PEIR for a link to the EnviroMapper site. This comment does not change the significance determination found in the PEIR.

D-10 Please refer to Section 4.4, Cultural Resources, of the Draft PEIR. Background information about the Pechanga Tribe and its potential for inhabitants in the project area is discussed in Section 4.4 of the Draft PEIR. Exact locations of known archaeological sites are not disclosed of in environmental documents in order to protect them from scavenging. The Draft PEIR identifies MDP facilities which based on the confidential archaeological records search, have the potential to affect known archaeological resources. The PEIR provides mitigation measures for how these MDP facilities will be assessed in the future, once specific location information is known about the MDP facility. This comment does not change the significance determination found in the PEIR.

D-11 Please refer to Section 4.1.4, Aesthetics of the Draft PEIR for discussion related to whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings. Additionally, please refer to Figures 4.1.-1 through 4.1-11 (Views 1-10) for location, existing, and simulated views of the basins described in Section 4.1.4 of the Draft PEIR. This comment does not change the significance determination found in the PEIR.

D-12 The commenter is directed to the Riverside County Oak Tree Management Guidelines on the County of Riverside Planning Department's website: <http://planning.rctlma.org/DevelopmentProcess/DesignGuidelines/OakTreeManagementGuidelines.aspx>. Page 4.3-23 the Draft PEIR addresses the project's compliance with the County's Oak Tree Management Guidelines. This comment does not change the significance determination found in the PEIR.

D-13 Please refer to Appendix A, Response VIIg in the Initial Study of the Draft PEIR. The Project would not be staged in ways that would prohibit access for emergency vehicles; therefore, no impacts are expected related to emergency access within Lakeland Village, portions of the City of Lake Elsinore, and portions of the City of Wildomar. No schools are proposed to be affected by the MDP which would then affect the ability to use the school for an evacuation site. This comment does not change the significance determination found in the PEIR.

D-14 Comment noted. Mitigation measures were provided in the Draft PEIR for public comment. No specific mitigation measure is cited in this comment. Commenter requested to be included in the pre-construction workshops. The pre-construction workshops are conducted by a qualified archaeologist who will provide crucial project-specific cultural resource information to the construction crews. While the District appreciates your willingness to provide input regarding potential impacts of future Lakeland Village MDP facilities on cultural resources, we believe that this information is better served early on

- when avoidance measures can be easily implemented. Therefore, the District feels that your participation in the pre-construction meeting is not necessary; however, all subsequent project-specific CEQA documents prepared for Lakeland Village MDP facilities will be forwarded to you for your review and comment. This comment does not change the significance determination found in the PEIR.
- D-15** Please refer to Section 4.5-1, Geology and Soils, of the Draft PEIR. The Willard Fault segment is part of the Elsinore Fault Zone. This comment does not change the significance determination found in the PEIR.
- D-16** Comment noted. This comment does not change the significance determination found in the PEIR.
- D-17** This comment is from the commenter's letter on the Notice of Preparation issued to the public on October 2011. The purpose of the NOP is to solicit input from the public or agencies on the content and extent of analysis to be included in a forthcoming EIR. The majority of this commenter's letter does not pertain to the content of the forthcoming EIR. This comment does not change the significance determination found in the PEIR.
- D-18** Commenter requested to be placed on the mailing list for the Draft PEIR. The District mailed a Notice of Availability and Notice of Completion to the commenter during the Draft PEIR public comment period. This comment does not change the significance determination found in the PEIR.
- D-19** Please refer to the updated figures located in Section 3.0 of the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- D-20** The commenter asks for clarification on the following statement: "but if adopted, can be used by the City of Wildomar and the City of Lake Elsinore as they review and approve new developments." This statement means that as individual development projects are considered in the City of Wildomar or City of Lake Elsinore, the cities of Lake Elsinore and Wildomar can use the Draft PEIR for the MDP as they review and approve new development for the drainage facilities needed for those new development projects. The City of Lake Elsinore only has land use authority within its city limits, or within its Sphere of Influence. This comment does not change the significance determination found in the PEIR.
- D-21** This is not a CEQA-related comment necessitating a response. However, the District is not aware of an Adelfa Channel. Culverts and drainage ditches are maintained by Caltrans, and are not part of the Project. This comment does not change the significance determination found in the PEIR.

- D-22** Alternative 4 was referred to in the Initial Study; see Figures 6a and 6b of the Initial Study which shows Alternative 4, which essentially became the Project which is analyzed in the PEIR. This comment does not change the significance determination found in the PEIR.
- D-23** It is not clear which Appendix or what document this comment is referring to. Appendix A of the Initial Study was the Geotechnical Analysis. The references for the Initial Study were also listed in the Appendix and so it is not clear if the commenter is referring to the references. This is not a CEQA-related comment related to the content and analysis in the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- D-24** No water quality basins are located on Adelfa Street; as shown on Figure 3.0-3b of the Draft PEIR. Please refer to Section 4.1, Aesthetics of the Draft PEIR, as well as Figures 4.1-1 through 4.1-11 (Views 1-10) for discussions related to representative water quality basin and debris basin within the Project boundary. This comment does not change the significance determination found in the PEIR.
- D-25** As stated in Section 4.1, Aesthetics, of the Draft PEIR, landscaping around each of the MDP facilities is not proposed as part of the Project, but will be addressed on a project level when each improvement goes forward. As such, landscaping is not addressed in this Draft PEIR, but will be addressed as needed on future project-level decisions. This comment does not change the significance determination found in the PEIR.
- D-26** The District has not identified how land will be acquired for the Lakeland Village Channel Basin at this point in time. Project-specific property acquisition analysis will be included in subsequent CEQA documents. This is not a CEQA-related comment related to the environmental analysis in the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- D-27** Air Quality is addressed in Section 4.2 of the Draft PEIR. Please refer to mitigation measures outlined in Section 4.2.6 of the Draft PEIR related to controlling air pollution. This comment does not change the significance determination found in the PEIR.
- D-28** The website to access the California Natural Diversity Database is: <https://www.dfg.ca.gov/biogeodata/cnddb/>. The California Native Plant Society Inventory is listed in on Page 4.3-46 of the Draft PEIR and can be found in a local library. This comment does not change the significance determination found in the PEIR.
- D-29** Please refer to Section 4.3, Biological Resources, of the Draft PEIR or a discussion of the analysis related to riparian resources. Mitigation measures related to the riparian vegetation also appear in Section 4.3.6 of the Draft PEIR. This comment does not change the significance determination found in the PEIR.

- D-30** This is not a CEQA-related comment necessitating a response. However, the Source: Lakeland Village MDP mentioned in Item IVd is to note that the information provided in the response to Item IVd is from Project features and design (Lakeland Village MDP). This comment does not change the significance determination found in the PEIR.
- D-31** Please refer to Response to Comment D-10 above. Cultural Resources were analyzed in Section 4.4 of the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- D-32** The Division of Mines is cited in the References of Appendix D of the Draft PEIR, Seismic and Geological Hazards Review report. This comment does not change the significance determination found in the PEIR.
- D-33** Please refer to Appendix D, Seismic and Geological Hazards Review, of the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- D-34** The Figure 4.10.4 and Figure 4.10.5 call outs in the Initial Study was related to the figures in the Riverside County General Plan Final Program EIR which was listed in the References section of the Initial Study. This comment does not change the significance determination found in the PEIR.
- D-35** Please refer to Section 4.3, Biological Resources, Section 4.8, Hydrology and Water Quality, Section 4.11, Utilities and Service Systems, and Section 7.0, Cumulative Impact Analysis, of the Draft PEIR mentioning the National Pollutant Discharge Elimination System (NPDES) permit. This comment does not change the significance determination found in the PEIR.
- D-36** Section IVd of the Initial Study mentions alluvial deposits being in the vicinity of the project site and references Figure 2 of the Seismic and Geological Hazards Review document found in Appendix D of the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- D-37** SWPPP stands for Stormwater Pollution Prevention Plan. This comment does not change the significance determination found in the PEIR.
- D-38** Section 4.8, Hydrology and Water Quality of the Draft PEIR addresses infiltration. This comment does not change the significance determination found in the Draft PEIR.
- D-39** Federal Flood Hazard Boundary of Flood Insurance Rate Maps can be found at: <https://msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=-1&content=productFIRM&title=NFIP%2520Flood%2520Maps&parent=productInfo&parentTitle=Product%2520Information>.

- D-40** Please refer to Section 4.8, Hydrology and Water Quality of the Draft PEIR for a discussion of which MDP debris basins are considered dams. This comment does not change the significance determination found in the PEIR.
- D-41** Please refer to Section 4.10.5, Transportation and Traffic, of the Draft PEIR. MDP facilities are located within existing road alignments or on open space areas. Per Mitigation Measure MM TRANS-I, a Traffic Control Plan will consider traffic restrictions and pedestrian/bicycle detours.
- D-42** Comment noted. This comment does not change the significance determination found in the PEIR.

Comment Letter E

From: Swenson, Jason <jdswenson@rcflood.org>
Sent: Monday, March 17, 2014 6:59 AM
To: Stephanie Tang; Stephanie Standerfer
Subject: FW: Draft Program EIR for the Lakeland Village MDP

Comment Letter from Barbara Dye.

From: McKibbin, Stuart
Sent: Saturday, March 15, 2014 1:02 PM
To: Swenson, Jason
Subject: FW: Draft Program EIR for the Lakeland Village MDP

From: Lakelandvil@aol.com [<mailto:Lakelandvil@aol.com>]
Sent: Thursday, March 13, 2014 6:34 PM
To: McKibbin, Stuart
Subject: Draft Program EIR for the Lakeland Village MDP

Stuart McKibbin,
Chief of Regulatory Division
1995 Market Street, Riverside, CA 92501

Re: Draft Program EIR for the Lakeland Village MDP

Mr. McKibbin,
I did receive a Draft EIR for the Lakeland Village MDP. Upon reviewing the plan there is no mention of the existing concrete culverts along the West side of Grand Ave. They start at one block South of Skylark at 19643 Grand Ave. They continue along the West side of Grand Ave. till one block before Corydon. The water from these culverts cross Grand Ave in the easterly direction and flow into the Palomar Channel. In the draft EIR this will be Line O 10 proposed storm drain.

There is also a existing concrete culvert just South of Ontario Street on the West side of Grand Ave. This culvert is not mentioned in the Draft EIR as existing. The proposed L O 20 will flow into this channel. The proposed Line O 20 starts on Borchard Street and turns North onto Grand Ave. and into this culvert.

If you have any questions regarding these existing culverts please feel free to contact me at the information below.

Thank you for the opportunity to comment on this Draft Program EIR for the Lakeland Village MDP.

Barbara Dye
33127 Dowman Street
Lake Elsinore, CA 92530
951-678-0256
lakelandvil@aol.com

E-1
E-2
E-3

INTENTIONALLY LEFT BLANK

Response to Comment Letter E

Barbara Dye

March 13, 2014

- E-1** The comment states that the existing concrete culverts along the west side of Grand Avenue, one block south of Skylark Drive is not mentioned in the Draft PEIR. Culverts and drainage ditches are maintained by Caltrans, and are not part of the Project; therefore, culverts are not discussed in the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- E-2** Refer to Response to Comment E-1 above. This comment does not change the significance determination found in the PEIR.
- E-3** The District appreciates Barbara Dye's review and comments provided on the Draft PEIR. This comment does not change the significance determination found in the PEIR.

INTENTIONALLY LEFT BLANK

Comment Letter F



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 484-0459
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



RECEIVED
MAR 13 2014

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

March 12, 2014

Mr. Stuart McKibbin
Riverside County Flood Control
& Water Conservation District
1995 Market Street
Riverside, CA 92501

Subject: Draft Program Environmental Impact Report for the
Lakeland Village Master Drainage Plan
State Clearinghouse Number 2011091017

Dear Mr. McKibbin:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Draft Program Environmental Impact Report (DPEIR) for the Lakeland Village Master Drainage Plan Project (Project). The Department is responding to the DPEIR as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act (CEQA) Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

F-1
F-2

Project Description and Geographic Location

The Project encompasses 13 square miles within the Santa Ana River watershed. The Project area is bounded by the City of Lake Elsinore to the north and east, the ridgeline of the Santa Ana Mountains to the south and west, Bryant Street and Sheila Lane to the east and Riverside Drive to the west. The Project involves 5 new open channels, 22 new storm drains, 9 new debris basins, 4 new water quality basins and 3 upsized facilities. The existing facilities include the Lime St. Channel, Ortega Channel Lateral A, A-1 and debris basin, and A-2, the Lakeland Village Channel, the Churchill St. Drainage Ditch, Stoneman St. Channel, Corydon Channel, Palomar Channel, Ontario Way Storm Drain, Trace 23111 drainage ditch, Sedco-Bryant St. Storm Drain Stage 1 and the Sedco-Bryant St. Storm Drain and Debris Basin. Also proposed is a future operations and maintenance plan that involves the removal of sediment, repair of eroded slopes, and the reduction of fire hazard by annual mowing and herbicides.

F-3

Conserving California's Wildlife Since 1870

Program Environmental Impact Report for the Lakeland Village Master Drainage Plan (MDP)
County of Riverside Flood Control and Water Conservation District
Page 2

Program Environmental Impact Report

As per Section 15168 of the CEQA Statute, the use of a PEIR for this project is appropriate. Subsection "c" of Section 15168 provides that activities subsequent to the PEIR must be examined to determine whether additional environmental documents must be prepared unless the PEIR contains the specific impact analysis and mitigation measures. In addition, Section 16168(c)(1) states that if a later project has effects that were not examined in the PEIR, a new initial study would have to be completed, leading to a negative declaration or environmental impact report.

F-4

An assessment of future actions and mitigation measures in this PEIR is problematic because of the nature and number of the project(s). It is important for the applicant to identify project components requiring future CEQA action and state this in the Final Program Environmental Impact Report (FPEIR). A crucial factor in the Department's permitting of the Project components is implementation of a monitoring program to track projects' impacts and mitigation to ensure that mitigation occurs on the project as a whole and not just on individual project components.

F-5

The PEIR states that the Project is necessary to provide flood control for existing development and for future development. A discussion of Section 15130(b)(1)(A)(B) is necessary for an adequate discussion of significant cumulative impacts. Subsection (A) calls for a list of past, present and probable future projecting producing related or cumulative impacts. Subsection (B) requires summary of projections contained in local planning documents.

F-6

Natural Community Conservation Program (NCCP)

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

F-7

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

F-8

The Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. In order to be considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement.

F-9

Program Environmental Impact Report for the Lakeland Village Master Drainage Plan (MDP)
County of Riverside Flood Control and Water Conservation District
Page 3

The Project site contains portions of Criteria Cells 5038, 5140, 5240 and 5342. These are located in the southwestern portion of the site. The Project site also includes Narrow Endemic Plants Survey Area and Criteria Area Species Survey Area and burrowing owl survey area. Maps of the Project area show riparian vegetation is located primarily within the urban areas. Stream channels impacted by the Project above the urban areas are not shown.

F-10

Biological Resources and Impacts

A general assessment of biological resources was conducted in January 2011. The majority of the watershed area contains chaparral, oak woodlands and Riversidean Sage Scrub. There is a strip of urban development along Lake Elsinore and south to the City of Wildomar. The biological assessment presents a generalized picture of the Project's resources. However, focused surveys for plants and animals were not conducted and surveys conducted in January limit detection of species. Therefore, site-specific focused surveys may need to be conducted for local flora and fauna.

F-11

Cumulative Impacts

The Project is proposed in a densely populated region of southern California. The regional scarcity of biological resources may increase the cumulative significance of Project activities. Cumulative effects analysis should be developed as described under CEQA Guidelines Section 15130. Please include all potential direct and indirect project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. Section 21100(b)(5) requires that an EIR consider the growth inducing impact of a proposed project.

F-12

The PEIR should include a methodology to track individual projects and mitigation to determine whether cumulative impacts are considered.

F-13

Alternatives Analysis

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

F-14

The Project does not include alternatives that minimize or avoid significant impacts on biological resources, primarily riparian and stream channels. Alternatives such as soft bottom channels, widening existing channels and conservation of the floodplain could be considered and still meet the project's objectives.

Program Environmental Impact Report for the Lakeland Village Master Drainage Plan (MDP)
 County of Riverside Flood Control and Water Conservation District
 Page 4

Lake and Streambed Alteration Agreement Program (LSAA)

The Department is concerned about continuing loss of jurisdictional waters of the State, the encroachment of development into floodplains, and the elimination of ephemeral, intermittent, and perennial streams, channelized streams, lakes, and their associated habitats. The Department has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether an LSAA is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting commitments. The Department recommends avoiding stream and riparian habitat to the greatest extent possible. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

Although the proposed Project is within the MSHCP, a Notification of Lake or Streambed Alteration may be required by the Department, should the site contain jurisdictional areas, and the Project proposes impacts to these areas. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools). Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site. Additional mitigation requirements through the Department's Lake and Streambed Alteration Agreement process may be required, depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

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

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

F-15

Program Environmental Impact Report for the Lakeland Village Master Drainage Plan (MDP)
 County of Riverside Flood Control and Water Conservation District
 Page 5

The Project is a flood control project that alters surface stream flows. It involves the construction of 9 new detention basins, the expansion of an existing detention basin, 4 new water quality basins, and placement of new storm drain pipes. All new storm drain pipes are proposed to be constructed sub-surface and all open channels will be concrete lined. Among the impacts of this Project are: removal of vegetation from proposed debris basins, removal of vegetation for proposed water quality basins, the replacement of surface waters with underground pipes, the loss of vegetation in existing surface streams, the loss of floodplain in 5 areas, the dewatering of existing streams by directing surface waters to underground pipes, the loss of surface water for wildlife, and the loss of vegetation from excavation for new underground pipes. Although final design plans have not been formulated, the alignments and placement of storm drain pipes, debris basins and water quality basins are known. Therefore, an estimate of Project impacts would be feasible, pending project-by-project on the ground Jurisdictional Delineations of State Waters (JDs). Along with an estimation of impacts, an estimate of mitigation measures could be prepared and mitigation sites could be located.

F-16

F-17

The hydrology section of the PEIR notes that for the years 1990 to 2001, the groundwater basin experienced an annual loss of 1,800 acre-feet-per-year and that water wells in the southern part of the basin dropped 200 feet during the same time period. The Governor has declared a State of Emergency due to drought conditions. The Department requests that the Final PEIR (FPEIR) for the project include a discussion of water conservation programs and drought measures. The Final PEIR should state how the Project can contribute to water conservation goals, particularly in reference to replenishing the groundwater table.

F-18

F-19

Department Recommendations

The PEIR states that future environmental documents will be prepared on a project-by-project basis. For this reason, the Department recommends that each new project be accompanied by a table, map and summary showing previous projects, their impacts and mitigation measures.

F-20

Each new Project component should include the following information:

F-21

1. A Habitat and Mitigation Monitoring Program that includes:

A. Terrestrial Resources

F-22

1. An analysis of the temporary and permanent impacts to Riversidean Sage Scrub, San Diegan Sage Scrub, oak woodlands, other terrestrial flora and fauna, and any mitigation measures to offset Project impacts;
2. Conduct habitat surveys in accordance with the Department's 2009 Guidance for Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The Guidance document can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf
3. A report of focused burrowing owl surveys conducted over all potential suitable habitat areas within the project site. The burrowing owl is protected under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13) and Sections 3503, 3503.5 and 3513 of the FGC, which prohibit take of all birds and their nests including raptors.

F-23

F-24

Program Environmental Impact Report for the Lakeland Village Master Drainage Plan (MDP)
 County of Riverside Flood Control and Water Conservation District
 Page 6

Therefore, it is the responsibility of the project proponent to ensure compliance with these laws for the entire project site. If suitable habitat is found onsite, burrowing owl surveys should be conducted during the breeding season of March 1 through August 31 in accordance with the MSHCP requirements.

B. Aquatic Resources

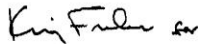
1. A Jurisdictional Delineation of State Waters with an analysis of the amount of temporary and permanent impacts to floodplain, stream channel, associated vegetation, and any mitigation measures to offset Project impacts;
2. Any on-site conservation measures to retain stream channels and floodplain;
3. An analysis of the impact of storm waters on the downstream terminus, Lake Elsinore, and any measures to reduce stormwater flow impacts;
4. A discussion of measures to increase water percolation into the groundwater; and
5. A discussion of avoidance and mitigation measures of impacts to riparian resources and floodplain.

2. Other Recommendations

- A. A discussion of the growth-inducing impacts of the project;
- B. Vegetation clearance or construction should not be undertaken unless and until the applicant complies with the recommendations in this section of the letter and obtains the necessary permits from the Department;
- C. The proposed location of any on-site or off-site mitigation lands;
- D. An analysis of the Project(s) consistency with MSHCP resource protection policies;
- E. Inclusion of any documents submitted to and approved by the Resource Conservation Agency of the MSHCP; and,
- F. A maintenance plan for the proposed facilities detailing the methods to be used, including the use of herbicides.

If you should have any questions pertaining to these comments, please contact Robin Maloney-Rames, Environmental Scientist at (909) 980-3818.

Sincerely,



Jeff Brandt
 Senior Environmental Scientist

↑
 F-24
 Cont.
 F-25
 F-26
 F-27
 F-28
 F-29
 I F-30
 F-31
 I F-32
 I F-33
 I F-34
 I F-35
 F-36



Department of Fish and Wildlife
Inland Deserts Region
3602 Inland Empire Blvd., Suite C220/200
Ontario, CA 91764
(909) 484-0459 – Public Information
(909) 481-2945 – FAX

FAX COVER SHEET

Date: 3-13-2014
To: Mr. McKibbin Pages: Cover & _____
Agency: RCFC Phone No. () _____
FAX No. () 951-788-9965
From: CDFW
Phone No. () _____
Comments: comment letter

INTENTIONALLY LEFT BLANK

Response to Comment Letter F
California Department of Fish and Wildlife
March 13, 2014

- F-1** The District appreciates the California Department Fish and Wildlife's (CDFW's) review and comments provided on the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- F-2** Comment noted. The comment states that CDFW is responding to the Draft PEIR as a Trustee Agency for fish and wildlife resources, and as a Responsible Agency to this discretionary action. This comment does not change the significance determination found in the PEIR.
- F-3** The comment describes the general location of the Project and summarizes the Project description. This comment does not change the significance determination found in the PEIR.
- F-4** Comment noted. The comment states that the PEIR for this Project is appropriate. The comment notes that future proposed MDP facilities must be assessed in order to determine whether additional environmental analysis must be prepared and if future MDP facilities have new impacts, that subsequent environmental documentation be prepared. This comment does not change the significance determination found in the PEIR.
- F-5** The basis for how future projects will be evaluated under CEQA using the PEIR is outlined in the Executive Summary of the PEIR. CEQA analysis of a Master Drainage Plan is more complex than the typical project because Master Drainage Plans have a variety of purposes that are implemented over a long period time; in fact, some parts of the plan could be implemented many years in the future or not at all, which makes the CEQA analysis conducive to using a PEIR. As stated in the PEIR, subsequent CEQA analysis would be required when specific MDP facilities are proposed for construction, but those future construction projects would be able to tier from the PEIR. Table 4-1 of the Mitigation Monitoring and Reporting Program (MMRP) document that will be included as part of the Final PEIR lists all the mitigation measures mentioned in the Draft PEIR and includes the timing and method of verification for each mitigation measure. CDFW, as a Trustee Agency and Responsible Agency, will receive notice of all future CEQA documents pertaining to the MDP. This comment does not change the significance determination found in the PEIR.
- F-6** Pursuant to CEQA Guidelines Section 15130(b)(1), this PEIR utilizes the summary of projections contained in an adopted general plan or related planning document approach in the cumulative analysis. Please refer to Section 7.0, Cumulative Impacts, in the Draft PEIR. This comment does not change the significance determination found in the PEIR.

- F-7** Comment noted. The comment states that CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources pursuant to the California Endangered Species Act, and administers the Natural Community Conservation Program (NCCP). The comment also notes that CDFW issued a NCCP Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), of which the District is a signatory to the Implementing Agreement of the MSHCP. Please refer to Section 4.3, Biological Resources, of the Draft PEIR, for discussion on the Project's relationship to the MSHCP, MSHCP analysis, and Project's compliance with the MSHCP with implementation of Mitigation Measures MM BIO-1 through MM BIO-8. When MDP facilities within a MSHCP Criteria Cell are proposed in the future, they will be required to submit a Joint Project Review (JPR) to the Western Riverside Regional Conservation Authority (RCA) for MSHCP Consistency compliance. Requirements for focused surveys to be included in a JPR submittal are outlined in Section 4.3.6, Mitigation Measures of the Draft PEIR. For all MDP facilities, regardless if they are in a Criteria Cell, the District or project proponent will be required to demonstrate MSHCP Compliance and be required to prepare a biological resources report, as outlined in Section 4.3.6, Mitigation Measures, of the Draft PEIR which could include focused surveys as well. This comment does not change the significance determination found in the PEIR.
- F-8** Refer to Response to Comment F-7 above. This comment does not change the significance determination found in the PEIR.
- F-9** Refer to Response to Comment F-7 above. This comment does not change the significance determination found in the PEIR.
- F-10** The comment reiterates that the Project lies within the MSHCP Plan Area Criteria Cells 5038, 5140, 5240, and 5342, and includes Narrow Endemic Plants Survey Area (NEPSSA) and Criteria Area Species Survey Area (CASSA), and burrowing owl survey area. Please refer to Section 4.3, Biological Resources, of the Draft PEIR for documentation on Project compliance with the MSHCP. Figure 4.3-7a, Vegetated Riparian Habitats (Left) and Figure 4.3-7b, Vegetated Riparian Habitats (Right) show the riparian vegetation within the Project boundary. This comment does not change the significance determination found in the PEIR.
- F-11** Since the Project is a Master Drainage Plan, focused surveys were not conducted at this time. Table 4.3-4, MDP Facilities Relationship to the MSHCP Requirements, notes which MDP facility lie within a NEPSSA, CASSA, and/or burrowing owl survey areas (also refer to Figures 4.3-4a, Figure 4.3-4b, Figure 4.3-5a, and Figure 4.3-5b of the Draft PEIR). Pursuant to Section 6.1.3 and 6.3.2 of the MSHCP, focused surveys within suitable NEPSSA/CASSA habitat areas will be required when specific projects are proposed for construction during the appropriate flowering season and focused surveys within suitable burrowing owl habitat will be required when specific projects are proposed for construction during the

appropriate breeding season. Additionally, based on conditions during initial habitat assessments conducted in 2010, those MDP facilities that contain suitable habitat for riparian birds that would need to have focused surveys include Palomar Channel, Line C-1, and the existing facility along Ortega Channel, which is adjacent to existing riparian habitat. Requirements for focused surveys to be included in a JPR submittal will be outlined in Section 4.3.6, Mitigation Measures, of the Draft PEIR. This comment does not change the significance determination found in the PEIR.

F-12 Please refer to Response to Comment F-6 above. Also, please refer to Section 7.3.3, Biological Resources, of the Draft PEIR. This comment does not change the significance determination found in the PEIR.

F-13 Please refer to Response to Comment F-5. Per Section 15130(d) of the CEQA Guidelines, the projects anticipated under the MDP fit within the program-level analysis in the PEIR, which includes analysis of cumulative impacts. Subsequent CEQA analysis would be required when specific MDP facilities are proposed for construction, including a discussion on cumulative impacts that would most likely be covered by the information in the PEIR. The MMRP for the Project will be in place through all phases of the Project, including design, construction, and operation. The District will be responsible for administering the MMRP and ensuring that all parties comply with its provisions. The applicable jurisdiction (District, County of Riverside, City of Lake Elsinore, or City of Wildomar) may delegate monitoring activities to staff, consultants, or contractors. The District will also ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems. This comment does not change the significance determination found in the PEIR.

F-14 A range of reasonable alternatives are discussed in Section 8.0 of the PEIR. With respect to the selection of alternatives to be considered in an EIR, Section 15126.6(b) of the CEQA Guidelines states "...the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." The PEIR did include Alternatives that minimized or avoided impacts to biological resources, such as riparian and stream channels; Alternative 1 is the No Project Alternative and Alternative 3 is the floodplain buyout alternative. Under Alternative 1, the existing soft bottom channels in the area would stay. Under Alternative 3, the floodplain would be purchased by Flood Control, thereby conserving the floodplain and resulting in less infrastructure to contain flows. This comment does not change the significance determination found in the PEIR.

F-15 Section 4.8, Hydrology and Water Quality of the Draft PEIR addressed the need for regulatory permits related to potential drainage impacts as a result of the MDP which will be generally located where drainages occur. As stated in the Draft PEIR, a Streambed Alteration Agreement may be required of the MDP facilities listed in Table 4.3-5 of the Draft PEIR. Additionally, Mitigation Measure MM HYDRO-4 and MM BIO-5 require the issuance of a Streambed Alternative Agreement for future MDP facilities if any activity modifies a river, stream or lake. CDFW's Lake or Streambed Alteration Notification Form requires the project proponent to include discussion on the delineation of lakes, streams, and associated habitat that would be impacted the project, a discussion of avoidance and minimization measures to reduce project impacts, and a discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. In order to address CDFW's comment regarding compliance with the Lake and Streambed Alteration Agreement Program (LSAA), the following underline text will be added to the Streambed Alteration Agreements regulations (Section 4.3.2, Related Regulations of the Draft PEIR) in the Errata for the PEIR located in Section 3.0 of this Final EIR.

Streambed Alteration Agreements

The CDFW is responsible for protecting, conserving and managing wildlife, fish and plant resources in the State of California. Under the Fish and Game Code, Section 1602, an entity is required to notify CDFW of any activity that may modify a river, stream or lake. Portions of the MDP facilities have traditional streambed indicators such as a defined bed and bank and may be associated with what was once a natural drainage channel. Those MDP facilities are therefore considered under the jurisdiction of the CDFW pursuant to Section 1602 of the California Fish and Game Code. A Streambed Alteration Agreement may be required of the MDP facilities listed in Table 4.3-5. If a Streambed Alteration Agreement with CDFW is needed, then CDFW will most likely require mitigation in the form of on-site, off-site, or in-lieu fee mitigation, or combination of all.

A Lake or Streambed Alteration Notification Form shall be submitted to CDFW for review and issuance of permit, including but not limited to the following information on the form:

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

This comment, and the additions to the Section 4.8.2 of the PEIR does not change the significance determination found in the PEIR.

- F-16** Comment noted. The comment summarizes the Project. This comment does not change the significance determination found in the PEIR.
- F-17** This comment states that the Project would result in the loss of vegetation, loss of surface waters, loss of floodplain areas, and dewatering of existing streams. As described in Section 4.8.5, Environmental Impacts Before Mitigation, in Section 4.8, Hydrology and Water Quality Section of the Draft PEIR, the proposed open, concrete channels will introduce approximately 2.5 acres of new impervious areas where the existing condition is mostly open, pervious lands. Also as stated in Section 4.8.5 of the PEIR, the debris basins will encompass a total of approximately 28 acres; most of this area is considered still permeable, as these areas will not be paved, and will be removed of sediment/silt as part of MDP maintenance. The water quality basins will introduce approximately 13 acres of still pervious surfaces, allowing for infiltration. Since the exact alignment and facilities specification is not known at this time and since some parts of the MDP could be implemented many years in the future or not at all, any MDP facilities that impact waters of the United States or waters of the state will be regulated by the Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act or the Porter-Cologne Act per Mitigation Measure MM HYDRO-3. Additionally, there may be altering and fill that may occur with MDP implementation to existing drainage features, as well as impacts associated with the transition of currently unlined ditches and open areas conveying stormwater to lined, concrete facilities which do not allow any infiltration or natural conditions to occur in the drainage systems. These impacts will be evaluated on a case by case basis, depending on the resources and conditions present when the specific MDP facility is proposed for regulatory permitting. Implementation of Mitigation Measure MM HYDRO-4 (same as MM BIO-5) would ensure that any modifications to natural drainages that are considered jurisdictional will be addressed and mitigated. This comment does not change the significance determination found in the PEIR.
- F-18** This comment reiterates the groundwater budget analysis of the Elsinore basins from 1990 to 2001 which appears in Section 4.8.1 of the PEIR. This comment does not change the significance determination found in the PEIR.
- F-19** This comment mentioned that Governor Brown declared a State of Emergency due to drought conditions and to include a discussion of water conservation programs and drought measures. In accordance with Section 15125(a) of the CEQA Guidelines, the environmental setting constitutes the baseline and physical conditions by which a lead agency determines whether an impact is significant at the time the Notice of Preparation is published. The Notice of Preparation for the Project was released in 2011 and at that time, the Governor did not issue a State of Emergency for drought conditions; therefore, the Project is not required to discuss how the Project affects the current drought conditions. However, it should be noted that the MDP is designed to collect and convey stormwater through the

- Project boundary and not intended to take water away going into Lake Elsinore, which is the concern during a drought. The Project incorporates channels, storm drains, and basins, which can serve to attenuate peak-flow rates and allow for infiltration of stormwater. Additional water quality control measures may be implemented at the time of construction in order to comply with Total Maximum Daily Load (TMDL) requirements established by the RWQCB within the watershed. The water quality basins will introduce approximately 13 acres of still pervious surfaces, allowing for infiltration. Since the 13 acres of proposed water quality basins are designed to allow water to infiltrate, it may offset the loss of 2.5 acres of recharge from proposed impervious concrete-lined facilities. This comment does not change the significance determination found in the PEIR.
- F-20** This comment reiterates that future environmental documents will be prepared on a project-by-project basis when specific MDP facilities are proposed. The commenter recommends that each new project be accompanied by a table, map, and summary showing previous project impacts and any applicable mitigation measures. The District will endeavor to keep a running tally of project-specific impacts in each subsequent environmental analysis when future MDP facilities are proposed, which may include but not be limited to the following: tables, maps, and summary of previous project impacts and mitigation measures. This comment addresses administrative logistics of MDP implementation and does not change the significance determination found in the PEIR.
- F-21** Please refer to Response to Comments F-22 through F-29 addressing which information would be applicable to the Project. This comment does not change the significance determination found in the PEIR.
- F-22** This comment indicates that a Habitat and Mitigation Monitoring Program (HMMP) should be prepared for future projects. Please refer to Mitigation Measure MM BIO-1 through MM BIO-8 in Section 4.3.6, Biological Resources Mitigation Measures, of the Draft PEIR for how future biological analysis will occur and what will be prepared. A HMMP is not necessary in every instance for every project. This comment does not change the significance determination found in the PEIR.
- F-23** As Permittees to the MSHCP, the District, City of Lake Elsinore, or City of Wildomar shall ensure that the construction of each future MDP facility shall comply with Sections 6.1.3 (Protection of NEPSSA) and 6.3.2 (Additional Survey Needs and Procedures including CASSA) of the MSHCP. Table 4.3-4, MDP Facilities Relationship to MSHCP Requirements, of the Draft PEIR lists which MDP facility is located within A Narrow Endemic Plant Species Survey Area (NEPSSA) Area (also refer to Figure 4.3-4a and Figure 4.3-4b) and Criteria Area Species Survey Area (CASSA) Area (also refer to Figure 4.3-5a and Figure 4.3-5b). However, the Lakeland Village MDP is a conceptual drainage plan and actual construction of the MDP facility is not part of this Project. Mitigation Measure MM BIO-1 through MM BIO-

- 3, MM BIO-6, and MM BIO-7 shall be implemented to ensure surveys are conducted during the appropriate season when specific MDP facilities are proposed for design and construction, and to ensure that MSHCP compliance, including any applicable mitigation, for Sections 6.1.3 and 6.3.2 is attained for future Project implementation. This comment does not change the significance determination found in the PEIR.
- F-24** As Permittees to the MSHCP, the District, City of Lake Elsinore, or City of Wildomar shall ensure that the construction of each future MDP facility shall comply with Section 6.3.2 (Additional Survey Needs and Procedures for Burrowing Owl) of the MSHCP. Table 4.3-4, MDP Facilities Relationship to MSHCP Requirements, of the Draft PEIR lists which MDP facility is located within a Burrowing Owl Survey Area (also refer to Figure 4.3-6a and Figure 4.3-6b). Most proposed water quality basins and some proposed debris basins are located within annual grasslands that contain suitable habitat for burrowing owl. Future habitat assessments and focused surveys (if suitable habitat/burrows are present) shall be required for MDP facilities located within the MSHCP Burrowing Owl Survey Area. Please refer to Mitigation Measure MM BIO-1 and MM BIO-3 in Section 4.3.6, Biological Resources Mitigation Measures. This comment does not change the significance determination found in the PEIR.
- F-25** MDP facilities with potentially jurisdictional features are listed in Table 4.3-5, MDP Facilities Requiring Jurisdictional Delineation, of the Draft PEIR. Since the Project is a long-term plan that will not be built out for several years, it is not reasonable to obtain regulatory permits for any impacts to jurisdictional features at this point in time. Once the District, City of Lake Elsinore, or City of Wildomar is ready to start preparing design drawings of a specific MDP facility, specific jurisdictional delineations will need to be conducted by a qualified biologist on the MDP facilities listed in Table 4.3-5 of the Draft PEIR, to determine whether features would be subject to the jurisdictions of the Army Corps of Engineers, RWQCB, and CDFW. If regulatory permits are needed for an MDP facility, mitigation may be required as determined by the various regulatory agencies. Please refer to Mitigation Measure MM BIO-5 to ensure that regulatory permits are obtained for any impacts to jurisdictional features. This comment does not change the significance determination found in the PEIR.
- F-26** If the MDP facilities mentioned above cannot avoid riparian/riverine habitat during the construction, the MDP facility would be required per Section 6.1.2 of the MSHCP to prepare a Determination of Biologically Equivalent or Superior Preservation (DBESP) (i.e., mitigation plan) including appropriate mitigation, i.e., on-site or off-site enhancement, restoration, establishment (creation), preservation, payment into habitat mitigation banks or in lieu fee programs, or a combination of one or more of these options, to offset the loss of functions and values as they pertain to the MSHCP covered species, as discussed in detail in Section 4.3 of the PEIR. Additionally, if a Streambed Alteration Agreement with CDFW is needed, then CDFW will most likely require mitigation in the form of on-site, off-site, or in-

- lieu fee mitigation, or combination of all. Please refer to Mitigation Measure MM BIO-4 through MM BIO-7 in Section 4.3.6, Biological Resources Mitigation Measures of the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- F-27** Please refer to Response to Comments F-17 and F-19. This comment does not change the significance determination found in the PEIR.
- F-28** The MDP is not a development project; it will not require an increase in the demands on groundwater supply. The MDP is designed to collect and convey stormwater through the Project boundary. The proposed open, concrete channels will introduce approximately 2.5 acres of new impervious areas where the existing condition is mostly open, pervious lands. The debris basins will encompass a total of approximately 28 acres; most of this area is considered still permeable, as these areas will not be paved, and will be removed of sediment/silt as part of MDP maintenance. The water quality basins will introduce approximately 13 acres of still pervious surfaces, allowing for infiltration. This comment does not change the significance determination found in the PEIR.
- F-29** See response to Comment F-26. Avoidance and mitigation measures related to riparian areas are addressed in Section 4.3 of the PEIR. Please refer to Mitigation Measure MM BIO-4 in Section 4.3.6, of the PEIR. This comment does not change the significance determination found in the PEIR.
- F-30** Each new MDP project does not need to address growth inducing impacts. Please refer to Section 9.0, Growth Inducing Impacts, of the Draft PEIR for this analysis. Growth inducing impacts on future MDP facilities would be covered under the PEIR since it is intended that subsequent environmental documents would tier off the PEIR. This comment does not change the significance determination found in the PEIR.
- F-31** Please refer to Mitigation Measure MM BIO-2 which addresses vegetation clearing requirements. This comment does not change the significance determination found in the PEIR.
- F-32** Future MDP facilities would need to be analyzed to determine that type of impacts (if any) would occur and include appropriate mitigation. Please refer to Mitigation Measure MM BIO-1 through MM BIO-8 in Section 4.3.6, Biological Resources Mitigation Measures, of the Draft PEIR. Specifics of whether biological mitigation requires on or off-site mitigation will be determined once specific projects are designed. This comment does not change the significance determination found in the PEIR.
- F-33** The Project's consistency with the MSHCP is addressed in Section 4.3 of the PEIR. Please refer to Mitigation Measure MM BIO-1 through MM BIO-8 in Section 4.3.6, Biological Resources Mitigation Measures, of the Draft PEIR. This comment does not change the significance determination found in the PEIR.

- F-34** Any documents submitted to the Western Riverside County Regional Conservation Authority would be included as part of the MSHCP Consistency Analysis for future environmental documentation for MDP facilities, as outlined in Section 4.3 of the PEIR. This comment does not change the significance determination found in the PEIR.
- F-35** The maintenance activities envisioned for the MDP are outlined in Section 3.0 of the PEIR. Maintenance activities for each MDP facilities would be consistent with the activities outlined in the existing Memorandum of Understanding with the California Department of Fish and Wildlife. This comment does not change the significance determination found in the PEIR.
- F-36** Comment noted. This comment does not change the significance determination found in the PEIR.

INTENTIONALLY LEFT BLANK

Comment Letter G



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

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

March 14, 2014

VIA E-MAIL and USPS

Mr. Stuart McKibbin
Chief of Regulatory Division
Riverside County Flood Control and
Water Conservation District
1955 Market Street
Riverside, CA 92501

**Re: Pechanga Tribe Comments on the Draft Environmental Impact Report for the
Lakeland Village Master Drainage Plan, SCH# 2011091017**

Dear Mr. McKibbin:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government in response to the Notice of Availability for the Draft Program Environmental Impact Report (DPEIR) for the above named Project. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archaeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the Riverside County Flood Control and Water Conservation District (District) with preparing an appropriate and adequate long-range guidance document for future Master Drainage Plan (MDP) facilities. The MDP area is very sensitive for cultural resources and is an important cultural landscape to not just the Pechanga, but to all Luiseño Peoples.

The Tribe has four primary concerns regarding the DPEIR. First, Section 4.4 Cultural Resources does not address that the Project lies within a Luiseño Traditional Cultural Property (TPC). Procedures for addressing and proper treatment of TPCs can be found in National Register Bulletin 38 – National Park Service. TPCs should be addressed in all types of

Chairperson:
Mary Bear Magee
Vice Chairperson:
Darlene Miranda
Committee Members:
Evie Gerber
Bridgett Barcello Maxwell
Richard B. Seearce, III
Director:
Gary DuBois
Coordinator:
Paul Macarro
Planning Specialist:
Tuba Ebru Ozdil
Cultural Analyst:
Anna Hoover

G-1

G-2

G-3

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

Pechanga Comment Letter to the Riverside County Flood Control
Re: Pechanga Tribe Comments on the DPEIR for Lakeland Village MDP
March 14, 2014
Page 2

environmental analysis, including CEQA and NEPA documents. The Tribe provided information to the District in January 2013 that this area was a TCP and thus, this information was available to the consultant for consideration when drafting the DPEIR. Second, the Tribe is concerned with the proposed Project basins. As the basin areas have not been archaeologically or culturally surveyed, the Tribe cautions the District to allow flexibility in placement and design of the basins so that cultural resources can be avoided and preserved in these areas if they are present. To this end, the Tribe's in-house Planning Specialist can coordinate and assist with design and planning suggestions should sensitive resources be identified during the appropriate surveys.

Third, the Tribe does not agree that only the MDP facilities outside of the existing roads and/or Right-of-Ways (ROWs) require archaeological and tribal evaluations. As stated above and in our prior comments to the District, the Tribe believes that sensitive and important cultural resources can be identified in areas that have had some disturbances. Because of the continued erosion, debris accumulation and sedimentation which were expounded upon in the DPEIR, the potential for cultural resources to be buried in these areas is extremely high. The Tribe would like to review the existing ROWs with the District and discuss this issue further.

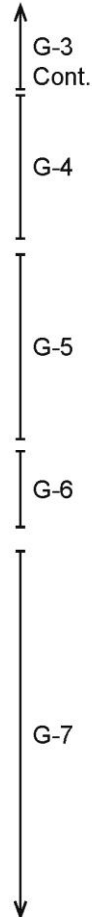
Finally, the Tribe is concerned with the proposed mitigation measures and believes that sensitive and important cultural resources could be impacted during any proposed impacts to existing facilities. Additional recommendations for the mitigation measures are below.

THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT MUST INCLUDE INVOLVEMENT OF AND CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL REVIEW PROCESS

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

¹See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.
²See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592
Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need*



Pechanga Comment Letter to the Riverside County Flood Control
Re: Pechanga Tribe Comments on the DPEIR for Lakeland Village MDP
March 14, 2014
Page 3

To date, the Tribe has had no direct consultation with the District and very minimal communications with the Project consultant, Dudek. As the Project lies within a Luiseño Traditional Cultural Property, the Tribe is concerned that no outreach has occurred. In our January 18, 2013 and February 8, 2013 comment letters, we specifically identified the area as a TCP and requested to consult directly with the District. Since no consultation has occurred, the comments below are based upon the information included within the DPEIR and have not benefitted from clarification from the District.

G-7
Cont.

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélvál* (rock art, pictographs, petroglyphs), a Traditional Cultural Property, two known villages and an extensive Luiseño artifact record within and around the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area as well as extensive history with projects in Riverside County, Lake Elsinore and Wildomar.

G-8

The Pechanga Tribe has a specific legal and cultural interest in this Project as the Tribe is culturally affiliated with the geographic area, which comprises the Project property. The Tribe is the only named Most Likely Descendent (Cal. Pub. Res. C. §5097.98) within the City of Lake Elsinore and the nearby vicinity of the proposed Project and has specific knowledge of cultural resources and sacred places near the proposed Project. The Tribe has submitted information regarding cultural affiliation to the District in previous comment letters for this Project.

G-9

The Tribe welcomes the opportunity to meet with the District to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction if so requested.

G-10

PROJECT IMPACTS TO CULTURAL RESOURCES

The proposed Project is located in a highly sensitive region of Luiseño territory and the Tribe believes that the possibility for recovering subsurface resources during ground-disturbing activities in the non-disturbed, existing roads and ROWs relating to the MDP facilities is high. The Tribe has over thirty-five (35) years of experience in working with various types of construction projects throughout its territory. The combination of this knowledge and experience, along with the knowledge of the culturally-sensitive areas and oral tradition, is what the Tribe relies on to make fairly accurate predictions regarding the likelihood of subsurface resources in a particular location.

G-11

The proposed Project is on land that is within the traditional territory of the Pechanga Band of Luiseño Indians. The Pechanga Band is not opposed to this Project; however, we are opposed to any direct, indirect and cumulative impacts this Project may have to traditional tribal

G-12

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

Program Environmental Impact Report for the Lakeland Village Master Drainage Plan (MDP)
County of Riverside Flood Control and Water Conservation District
Page 4

Lake and Streambed Alteration Agreement Program (LSAA)

The Department is concerned about continuing loss of jurisdictional waters of the State, the encroachment of development into floodplains, and the elimination of ephemeral, intermittent, and perennial streams, channelized streams, lakes, and their associated habitats. The Department has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether an LSAA is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting commitments. The Department recommends avoiding stream and riparian habitat to the greatest extent possible. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

Although the proposed Project is within the MSHCP, a Notification of Lake or Streambed Alteration may be required by the Department, should the site contain jurisdictional areas, and the Project proposes impacts to these areas. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools). Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site. Additional mitigation requirements through the Department's Lake and Streambed Alteration Agreement process may be required, depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

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

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

F-15

Program Environmental Impact Report for the Lakeland Village Master Drainage Plan (MDP)
 County of Riverside Flood Control and Water Conservation District
 Page 5

The Project is a flood control project that alters surface stream flows. It involves the construction of 9 new detention basins, the expansion of an existing detention basin, 4 new water quality basins, and placement of new storm drain pipes. All new storm drain pipes are proposed to be constructed sub-surface and all open channels will be concrete lined. Among the impacts of this Project are: removal of vegetation from proposed debris basins, removal of vegetation for proposed water quality basins, the replacement of surface waters with underground pipes, the loss of vegetation in existing surface streams, the loss of floodplain in 5 areas, the dewatering of existing streams by directing surface waters to underground pipes, the loss of surface water for wildlife, and the loss of vegetation from excavation for new underground pipes. Although final design plans have not been formulated, the alignments and placement of storm drain pipes, debris basins and water quality basins are known. Therefore, an estimate of Project impacts would be feasible, pending project-by-project on the ground Jurisdictional Delineations of State Waters (JDs). Along with an estimation of impacts, an estimate of mitigation measures could be prepared and mitigation sites could be located.

F-16

F-17

The hydrology section of the PEIR notes that for the years 1990 to 2001, the groundwater basin experienced an annual loss of 1,800 acre-feet-per-year and that water wells in the southern part of the basin dropped 200 feet during the same time period. The Governor has declared a State of Emergency due to drought conditions. The Department requests that the Final PEIR (FPEIR) for the project include a discussion of water conservation programs and drought measures. The Final PEIR should state how the Project can contribute to water conservation goals, particularly in reference to replenishing the groundwater table.

F-18

F-19

Department Recommendations

The PEIR states that future environmental documents will be prepared on a project-by-project basis. For this reason, the Department recommends that each new project be accompanied by a table, map and summary showing previous projects, their impacts and mitigation measures.

F-20

Each new Project component should include the following information:

F-21

1. A Habitat and Mitigation Monitoring Program that includes:

A. Terrestrial Resources

F-22

1. An analysis of the temporary and permanent impacts to Riversidean Sage Scrub, San Diegan Sage Scrub, oak woodlands, other terrestrial flora and fauna, and any mitigation measures to offset Project impacts;
2. Conduct habitat surveys in accordance with the Department's 2009 Guidance for Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The Guidance document can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf
3. A report of focused burrowing owl surveys conducted over all potential suitable habitat areas within the project site. The burrowing owl is protected under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13) and Sections 3503, 3503.5 and 3513 of the FGC, which prohibit take of all birds and their nests including raptors.

F-23

F-24

Pechanga Comment Letter to the Riverside County Flood Control
Re: Pechanga Tribe Comments on the DPEIR for Lakeland Village MDP
March 14, 2014
Page 6

thanks the District for the inclusion of the Pechanga Band in these measures and for the required consultation that will occur during the future MDP facilities (underlines are additions; strikeouts are deletions).

MM CUL-1 Prior to ~~final~~ design of flood control facilities, a cultural resources survey ~~not within an existing road rights-of-way~~ within all areas previously designated as archaeologically and culturally sensitive shall be completed by a qualified archaeologist with participation by the Pechanga Tribe. The survey shall include an updated site records search at the Eastern Information Center (EIC) to locate all previously recorded archaeological sites within the proposed construction area of Master Drainage Plan (MDP) facilities. The survey shall assess the direct and indirect impact of the MDP facility. Consultation with the Pechanga Band of Luiseño Indians (Pechanga Tribe) shall be initiated at the beginning of the survey to request additional site information and requested participation in the Project. If the record search indicates that the area has been surveyed and the study is not older than 5 years, a reconnaissance survey shall verify the condition and location of any previously recorded archaeological sites. If previously recorded sites are relocated during the survey, any changes in site condition shall be documented on appropriate State Department Parks and Recreation (DPR) forms, documented in the final technical study as described further in **MM CUL-3** and submitted to the EIC and the Pechanga Tribe. ~~(upon request)~~ Any prehistoric or historic sites identified during the survey shall be recorded on appropriate DPR forms, discussed and described in the technical study, and submitted to the EIC and the Pechanga Tribe ~~(upon request)~~.

MM CUL-2 If the cultural resources survey determines that construction of an MDP facility would potentially impact a prehistoric or historic archaeological site and consultation with the design engineers or other appropriate staff evidences that avoidance is not feasible, the Riverside County Flood Control and Water Conservation District (District), City of Lake Elsinore, or City of Wildomar shall have a qualified archaeologist develop a testing program which can includes the excavation of shovel test pits and/or test units, in consultation with the Pechanga Tribe. The testing program shall fully define the boundaries of surface and subsurface materials, evaluate the integrity and significance of the site and collect surface and subsurface artifacts. The program shall include mapping of all site features, artifacts, and excavation locations. Related laboratory work shall be conducted to treat the materials that are recovered from the archaeological investigations in consultation with the Tribe.

If construction of an MDP facility would potentially impact a historic architectural resource structure because the MDP facility cannot be moved to avoid the resource, a survey of the structure by a qualified architectural historian shall be required to assess the structure's significance. A review of primary and secondary

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need



Pechanga Comment Letter to the Riverside County Flood Control
Re: Pechanga Tribe Comments on the DPEIR for Lakeland Village MDP
March 14, 2014
Page 7

documentary sources, such as tax assessor records, historic fire insurance maps, city directories, aerial photographs, and local building permit files, shall be conducted. The assessment shall take into account any events with which the structure is associated, any persons who may have lived in the structure, distinctive architectural characteristics, methods of construction, or association with a notable architect/designer. The assessment by the architectural historian shall recommend to the District, the City of Lake Elsinore, or the City of Wildomar guidelines to assist in the maintenance, repair, and renovation of the resource, if applicable.

MM CUL-3 For MDP facilities ~~not within existing roads or road rights-of-way~~ that have prepared a cultural resources survey per **MM CUL-1** and **MM CUL-2** described above, a technical report shall be prepared that documents all of the information gathered from the survey, data gathered from the testing program of prehistoric or historic archaeological sites, and consultation efforts with the Pechanga Tribe. The report shall identify any significant cultural resources and evaluate the potential impacts to those resources, providing an analysis based upon a regional, landscape viewpoint. If any site evaluated would be impacted by construction of a proposed component, additional project-specific mitigation measures shall be required to reduce the level of impacts. These mitigation measures shall include one of the following or a combination thereof:

- a. Redesign of the proposed component to avoid the significant cultural resource, thereby avoiding significant impacts.
- b. A data recovery program to recover sufficient cultural materials to exhaust the research potential of the site such that construction shall no longer represent a significant impact.

MM CUL-4 A data recovery program shall be required whenever avoidance from construction of MDP facilities has been demonstrated to be infeasible. The data recovery program shall include the excavation of a sufficiently large percentage of a subsurface deposit such that the research potential of the deposit will be exhausted. Typically, a 5% sample of the deposit will be required; however, sample sizes in the data recovery program will be determined on a per site basis in consultation with the Pechanga Tribe. Laboratory analysis and research shall be conducted to catalog all recovered materials and interpret the data. Interpretation of the site and any proposed destructive testing methods shall take into account the traditional beliefs and customs of the Tribe.

MM CUL-5 Indirect impacts may be identified where construction of MDP facilities would occur adjacent to a significant resource. In cases where construction activities are planned adjacent to known cultural resources, temporary fencing shall be placed around the site boundary by the Project archaeologist and

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need



Pechanga Comment Letter to the Riverside County Flood Control
Re: Pechanga Tribe Comments on the DPEIR for Lakeland Village MDP
March 14, 2014
Page 8

the Pechanga Tribe prior to the start of construction activities to prevent access to the site. All temporary fencing shall be removed once the construction activities are completed.

G-27
Cont.

MM CUL-6 Ground disturbances associated with construction of proposed MDP facilities that contain recorded archaeological sites identified in the cultural records survey (**MM CUL-1** and **MM CUL-2**) and archaeological sites identified in the technical report (**MM CUL-3**), regardless of significance, shall be monitored by a qualified archaeologist. Monitoring of construction activities shall ensure that any materials uncovered during construction activities are identified and adequately recorded. If the site is prehistoric, a local Native American observer shall also be retained by the District, the City of Lake Elsinore, or the City of Wildomar to monitor construction activities. Retention of a Native American Monitor under this measure cannot conflict with this measure or any other mitigation measure contained in the PEIR or the Master Agreement between the District and the Pechanga Tribe.

G-28

Not all MDP facilities will be constructed by the District. For District-administered contracts, monitors from the Pechanga Tribe shall be allowed to monitor grading and ground disturbing activities pursuant to the executed Master Cultural Resources Treatment and Tribal Monitoring Agreement between the Pechanga Tribe and the District. Additionally, the hired contractor would use the District's plans and specifications, which would include all the mitigation measures outlined in this section.

For MDP facilities located in the cities of Lake Elsinore and Wildomar where those jurisdictions will have lead agency authority over the project constructing the MDP facility, the cities can utilize the mitigation measures outlined herein, or prepare its own California Environmental Quality Act (CEQA) document with mitigation measures and/or incorporation of conditions of approval in its project approval process that addresses monitoring activities within proximity to recorded archaeological sites. Any mitigation measures or conditions of approval adopted by the cities cannot conflict with the mitigation measures contained in the PEIR or the Master Agreement between the District and the Pechanga Tribe.

G-29

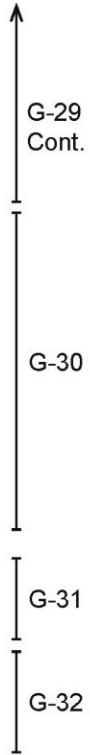
MM CUL-7 A pre-construction workshop shall be conducted by a qualified archaeologist for an MDP facility ~~not located within roads or roads right-of-way that has required additional cultural resources studies per MM CUL-1 and MM CUL-2 described above and further mitigation measures.~~ The workshop shall address the following: review the types of archaeological resources that may be uncovered; provide examples of common archaeological artifacts to examine using replicas whenever possible; describe why monitoring is required; identify monitoring procedures; describe what would temporarily stop construction and for

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

Pechanga Comment Letter to the Riverside County Flood Control
Re: Pechanga Tribe Comments on the DPEIR for Lakeland Village MDP
March 14, 2014
Page 9

how long; describe a reasonable worst-case resource discovery scenario (i.e., discovery of intact human remains or a substantial midden deposit); and describe reporting requirements and the responsibilities of the construction supervisor and crew. The workshop shall make attendees aware of prohibited activities, including unauthorized collecting of artifacts, which can result in impact on cultural resources and which further may violate state and federal law, as well as applicable mitigation measures and conditions of approval for this Project.



MM CUL-8 In the event cultural ~~remains~~ resources are encountered during construction of any MDP facilities, work shall stop immediately until a qualified archaeologist is retained to determine the potential significance of the find, if one is not already present. If the ~~remains~~ resources are prehistoric, the District, the City of Lake Elsinore, or the City of Wildomar shall contact the Pechanga Tribe and abide by the District and Pechanga Master Agreement related to treatment of resources unexpectedly uncovered. Measures per the Master Agreement between the District and the Pechanga Tribe shall include giving all cultural items, including ceremonial items and archaeological items to the Pechanga; waiving ownership of any items found in favor of the Pechanga; no photography shall be taken of any articles found; and no destructive testing shall occur on ceremonial and/or sacred objects and human remains unless permission is granted by the Pechanga Tribe.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts.

The Pechanga Tribe looks forward to working together with the District in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahoover@pechanga-nsn.gov once you have had a chance to review these comments so that we might address the issues outlined herein. Thank you.

Sincerely,

Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

INTENTIONALLY LEFT BLANK

Response to Comment Letter G
Pechanga Band of Luiseño Indians
March 14, 2014

- G-1** The District acknowledges that the Pechanga Band of Luiseño Indians is a federally recognized Indian Tribe and sovereign government. The District mailed the Pechanga Tribe a Notice of Availability and CD of the Draft PEIR during the public review period. The District will include the Pechanga Tribe in its mail out for public hearings and future subsequent environmental review necessitating a public review period. The comment letter is included as part of the Final PEIR. This comment does not change the significance determination found in the PEIR.
- G-2** Comment noted. The District appreciates the Pechanga Tribe's participation in the environmental review process and comments provided on the Draft PEIR. The District acknowledges that the Project boundary is very sensitive for cultural resources and is an important cultural landscape to the Pechanga Tribe and to all the Luiseño people. Mitigation measures have been incorporated into Section 4.4, Cultural Resources, of the Draft PEIR to ensure that cultural resources within the Project boundary are not adversely impacted. This comment does not change the significance determination found in the PEIR.
- G-3** Information from the Tribe was provided on the Project, and included in summary in the Draft PEIR. Based on this comment, the District will update Section 4.4.1, Cultural Resources Setting and Project Baseline of the Draft PEIR to address the Pechanga Tribe's concern acknowledging that the Project boundary lies within a Luiseño Traditional Cultural Property:

Specifically, the Pechanga Tribe asserts that the Project area is part of the Tribe's aboriginal territory, as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs, cupules), named villages and habitation areas, traditional landscapes, Traditional Cultural Properties, and tangible and intangible cultural resources within the Project boundary (Pechanga Tribe 2013a). Specifically, Lake Elsinore is considered a Traditional Cultural Property as designated by the Pechanga Tribe and figures prominently in the Tribe's Origin and Creation stories. Very important and significant events in the Tribe's history have occurred in and around Lake Elsinore (Pechanga Tribe 2013b). Lake Elsinore is known to the Tribe as *Páayaxchi*; this name is also the name of a village known to exist within the Project boundary.

This comment does not change the significance determination found in the PEIR.

- G-4** This comment documents the Tribe's concern over the proposed basins within the MDP since most of the locations proposed for the basins have not been the subject of

archaeological surveys. Mitigation Measures MM CUL-1 through MM CUL-3 in Section 4.4.6, Cultural Mitigation Measures, of the Draft PEIR address the potential issue of finding unknown archaeological resources within any MDP facility, including the basins. Currently, the proposed water quality and debris basins are preliminary in design and placement. Per MM CUL-1, prior to design of flood control facilities (including the proposed basins) within all areas previously designated as archaeologically and culturally sensitive, a cultural resources survey shall be completed by a qualified archaeologist with participation with the Pechanga Tribe. Consultation with the Pechanga Tribe shall be initiated at the beginning of the survey to request additional site information and requested participation in the Project. Per MM CUL-2, if the cultural resources survey determines that construction of an MDP facility would potentially impact a prehistoric or historic archaeological site and avoidance is not feasible, the District, City of Lake Elsinore, or City of Wildomar shall have a qualified archaeologist develop a testing program, in consultation with the Pechanga Tribe. Per MM CUL-3, a cultural technical report will be prepared for future proposed MDP facilities documenting the information from the survey, data gathered from the testing program of prehistoric or historic archaeological sites, and consultation efforts with the Pechanga Tribe. The Draft PEIR addressed the issue of unknown resources associated with the basins, as documented in MM CUL-1 through MM CUL-3. This comment does not change the significance determination found in the PEIR.

- G-5** This comment reflects the Tribe's concerns that even MDP facilities proposed with the roadways or existing rights-of-way may have the potential to have archaeological resources beneath them. The Tribe requests review of existing rights-of-way to review and discuss further. Shapefiles of the Project limits (including existing rights-of-way) were provided to the Pechanga Tribe on September 12, 2012 so that the Tribe could review the general alignment of the MDP facilities. Per the Pechanga Tribe's comments, Mitigation Measures MM CUL-1 and CUL-3 will be revised to state that a cultural resource survey for all MDP facilities shall be completed by a qualified archaeologist, and a cultural resource survey shall be prepared for all MDP facilities, respectively. The updated mitigation measures will be included in the Errata and MMRP for the Final PEIR. This comment does not change the significance determination found in the PEIR.

MM CUL-1 Prior to ~~final~~ design of flood control facilities, a cultural resources survey ~~not within an existing road rights-of-way~~ within all areas previously designated as archaeologically and culturally sensitive shall be completed by a qualified archaeologist with participation by the Pechanga Band of Luiseño Indians (Pechanga) Tribe. The survey shall include an updated site records search at the Eastern Information Center (EIC) to locate all previously recorded archaeological sites within the proposed construction area of Master Drainage Plan (MDP) facilities. The survey shall assess the direct and indirect impact of the MDP facility. Consultation with the ~~Pechanga Band of Luiseño Indians (Pechanga Tribe)~~ shall be

initiated at the beginning of the survey to request additional site information and requested participation in the Project. If the record search indicates that the area has been surveyed and the study is not older than 5 years, a reconnaissance survey shall verify the condition and location of any previously recorded archaeological sites. If previously recorded sites are relocated during the survey, any changes in site condition shall be documented on appropriate State Department Parks and Recreation (DPR) forms, documented in the final technical study as described further in **MM CUL-3** and submitted to the EIC and the Pechanga Tribe, ~~(upon request)~~. Any prehistoric or historic sites identified during the survey shall be recorded on appropriate DPR forms, discussed and described in the technical study, and submitted to the EIC and the Pechanga Tribe, ~~(upon request)~~.

MM CUL-3 For MDP facilities ~~not within existing roads or road rights-of-way~~ that have prepared a cultural resources survey per **MM CUL-1** and **MM CUL-2** described above, a technical report shall be prepared that documents all of the information gathered from the survey, data gathered from the testing program of prehistoric or historic archaeological sites, and consultation efforts with the Pechanga Tribe. The report shall identify any significant cultural resources and evaluate the potential impacts to those resources, providing an analysis based upon a regional, landscape viewpoint. If any site evaluated would be impacted by construction of a proposed component, additional project-specific mitigation measures shall be required to reduce the level of impacts. These mitigation measures shall include one of the following or a combination thereof:

- a. Redesign of the proposed component to avoid the significant cultural resource, thereby avoiding significant impacts.
- b. A data recovery program to recover sufficient cultural materials to exhaust the research potential of the site such that construction shall no longer represent a significant impact.

G-6 This comment requests revisions to some of the Project's mitigation measures given the Tribe's concern that important resources could be impacted by the Project. Please refer to Response to Comments G-23 through G-30. This comment does not change the significance determination found in the PEIR.

G-7 This comment relates to the Tribe's desire to consult with the District on the Project. The District, and Dudek, the District's consultant, met with the Pechanga Tribe on May 7, 2014 as a result of the Pechanga Tribe's March 14, 2014 letter and request for consultation to discuss the Pechanga Tribe's concerns related to Traditional Cultural Properties, the proposed basins, survey requirements for MDP facilities including those within existing roads and right-of-ways, and proposed mitigation measures. Further, the Draft PEIR includes

Mitigation Measure MM CUL-1 which requires consultation with the Pechanga Tribe at the beginning of the cultural resources survey to request additional site information and requested participation in the Project for any future MDP Facility. This comment does not change the significance determination found in the PEIR.

- G-8** Comment noted. This comment addresses information that is contained within Section 4.4.1, Setting and Project Baseline, of the Draft PEIR. This comment does not change the significance determination found in the PEIR.
- G-9** Comment noted. A summary of the information provided by the Pechanga Tribe has been included in Section 4.4, Cultural Resources, of the Draft PEIR. Also refer to Response to Comment G-3. This comment does not change the significance determination found in the PEIR.
- G-10** Comment noted. Please refer to Response to Comment G-7. This comment does not change the significance determination found in the PEIR.
- G-11** Comment noted. The cultural setting of the Project area, including discussion of the Luiseño is documented in Section 4.4.1, Cultural Resources Setting and Project Baseline, of the Draft PEIR. Mitigation measures have been incorporated to ensure that prior to design of the MDP facilities, a cultural resource survey, applicable testing programs in consultation with the Pechanga Tribe, and a cultural technical report shall be prepared. This comment does not change the significance determination found in the PEIR.
- G-12** The District acknowledges that the Pechanga Tribe is not opposed to the Project, but are opposed to any direct, indirect, and cumulative impacts the Project may have to traditional tribal cultural resources. Mitigation measures have been incorporated to ensure that prior to design of the MDP facilities, a cultural resource survey, applicable testing programs in consultation with the Pechanga Tribe, and cultural technical report shall be prepared (MM CUL-1). Consultation between the District and the Pechanga Tribe would ensure that cultural resources are not significantly impacted. Per Mitigation Measure MM CUL-3, possible future mitigation measures that could be imposed on an MDP facility includes redesign of the proposed component to void significant cultural resources and/or data recovery program to recover sufficient cultural materials to exhaust the research potential of the site. This comment does not change the significance determination found in the PEIR.
- G-13** Please refer to Response to Comment G-3. This comment does not change the significance determination found in the PEIR.
- G-14** Please refer to Response to Comment G-4. This comment does not change the significance determination found in the PEIR.

- G-15** Please refer to Response to Comment G-4. This comment does not change the significance determination found in the PEIR.
- G-16** Refer to Response to Comment G-4. Additionally, the District and the Pechanga Tribe will follow the necessary procedures as outlined in the existing Master Agreement between the Pechanga Tribe and District. Per MM CUL-1, consultation with the Pechanga Tribe shall be initiated at the beginning of the cultural resource survey to request additional site information and requested participation in the Project to ensure cultural resources are avoided and preserved or other agreed measures as well as possible design alternatives to the MDP facilities. Per Mitigation Measure MM CUL-3, possible future mitigation measures that could be imposed on an MDP facility includes redesign of the proposed component to void significant cultural resources and/or data recovery program to recover sufficient cultural materials to exhaust the research potential of the site. This comment does not change the significance determination found in the PEIR.
- G-17** Refer to Response to Comment G-5. This comment does not change the significance determination found in the PEIR.
- G-18** Comment noted. Please refer to Response to Comments G-23 through G-30. This comment does not change the significance determination found in the PEIR.
- G-19** Refer to Response to Comment G-5. This comment does not change the significance determination found in the PEIR.
- G-20** Please refer to Response to Comment G-3. This comment does not change the significance determination found in the PEIR.
- G-21** Refer to Response to Comments G-4 and G-16. This comment does not change the significance determination found in the PEIR.
- G-22** The District had a meeting with the Tribe on May 7, 2014 as a result of the Pechanga Tribe's March 14, 2014 letter and request for consultation and discussed the Tribe's concerns related to Traditional Cultural Properties, the proposed basins, survey requirements for MDP facilities including those within existing roads and right-of-ways, and the proposed mitigation measures. Please refer to Response to Comments G-23 through G-30, regarding the updated mitigation measures. This comment does not change the significance determination found in the PEIR.
- G-23** The Pechanga Tribe's edits to Mitigation Measures MM CUL-1 in their March 14, 2014 comment letter will be incorporated, which will be revised to include cultural resources survey for MDP facilities, including those within an existing road right-of way. The updated

MM CUL-1 is included in the Errata and MMRP for the Final PEIR. This comment does not change the significance determination found in the PEIR.

MM CUL-1 Prior to ~~final~~ design of flood control facilities, a cultural resources survey ~~not within an existing road rights-of-way~~ within all areas previously designated as archaeologically and culturally sensitive shall be completed by a qualified archaeologist with participation by the Pechanga Band of Luiseño Indians (Pechanga) Tribe. The survey shall include an updated site records search at the Eastern Information Center (EIC) to locate all previously recorded archaeological sites within the proposed construction area of Master Drainage Plan (MDP) facilities. The survey shall assess the direct and indirect impact of the MDP facility. Consultation with the ~~Pechanga Band of Luiseño Indians (Pechanga Tribe)~~ shall be initiated at the beginning of the survey to request additional site information and requested participation in the Project. If the record search indicates that the area has been surveyed and the study is not older than 5 years, a reconnaissance survey shall verify the condition and location of any previously recorded archaeological sites. If previously recorded sites are relocated during the survey, any changes in site condition shall be documented on appropriate State Department Parks and Recreation (DPR) forms, documented in the final technical study as described further in **MM CUL-3** and submitted to the EIC and the Pechanga Tribe, ~~(upon request).~~ Any prehistoric or historic sites identified during the survey shall be recorded on appropriate DPR forms, discussed and described in the technical study, and submitted to the EIC and the Pechanga Tribe, ~~(upon request).~~

G-24 The Pechanga Tribe's edits to Mitigation Measures MM CUL-2 in the March 14, 2014 comment letter will be incorporated, which includes consultation with design engineers or other appropriate staff from the Pechanga Tribe when determining whether the construction of an MDP facility would potentially impact a prehistoric or historic archaeological site. The updated MM CUL-2 is included in the Errata and MMRP for the Final PEIR. This comment does not change the significance determination found in the PEIR.

MM CUL-2 If the cultural resources survey determines that construction of an MDP facility would potentially impact a prehistoric or historic archaeological site and consultation with the design engineers or other appropriate staff evidences that avoidance is not feasible, the Riverside County Flood Control and Water Conservation District (District), City of Lake Elsinore, or City of Wildomar shall have a qualified archaeologist develop a testing program which can include the excavation of shovel test pits and/or test units, in consultation with the Pechanga Tribe. The testing program shall fully define the boundaries of surface and subsurface materials, evaluate the integrity and significance of the site and collect surface and subsurface artifacts. The program shall include mapping of all site features, artifacts, and excavation locations. Related

laboratory work shall be conducted to treat the materials that are recovered from the archaeological investigations in consultation with the Tribe.

If construction of an MDP facility would potentially impact a historic architectural resource structure because the MDP facility cannot be moved to avoid the resource, a survey of the structure by a qualified architectural historian shall be required to assess the structure's significance. A review of primary and secondary documentary sources, such as tax assessor records, historic fire insurance maps, city directories, aerial photographs, and local building permit files, shall be conducted. The assessment shall take into account any events with which the structure is associated, any persons who may have lived in the structure, distinctive architectural characteristics, methods of construction, or association with a notable architect/designer. The assessment by the architectural historian shall recommend to the District, the City of Lake Elsinore, or the City of Wildomar guidelines to assist in the maintenance, repair, and renovation of the resource, if applicable.

- G-25** The Pechanga Tribe's edits to Mitigation Measures MM CUL-3 in the March 14, 2014 comment letter will be incorporated, which includes preparation of a cultural technical report for MDP facilities that had a cultural resources survey. The updated MM CUL-3 is included in the Errata and MMRP for the Final PEIR. This comment does not change the significance determination found in the PEIR.

MM CUL-3 For MDP facilities ~~not within existing roads or road rights-of-way~~ that have prepared a cultural resources survey per **MM CUL-1** and **MM CUL-2** described above, a technical report shall be prepared that documents all of the information gathered from the survey, data gathered from the testing program of prehistoric or historic archaeological sites, and consultation efforts with the Pechanga Tribe. The report shall identify any significant cultural resources and evaluate the potential impacts to those resources, providing an analysis based upon a regional, landscape viewpoint. If any site evaluated would be impacted by construction of a proposed component, additional project-specific mitigation measures shall be required to reduce the level of impacts. These mitigation measures shall include one of the following or a combination thereof:

- a. Redesign of the proposed component to avoid the significant cultural resource, thereby avoiding significant impacts.
- b. A data recovery program to recover sufficient cultural materials to exhaust the research potential of the site such that construction shall no longer represent a significant impact.

- G-26** The Pechanga Tribe's edits to Mitigation Measures MM CUL-4 in the March 14, 2014 comment letter will be incorporated, which clarified that interpretation of the site and any

proposed destructive testing methods shall take into account the traditional beliefs and customs of the Pechanga Tribe. The updated MM CUL-4 is included in the Errata and MMRP for the Final PEIR. This comment does not change the significance determination found in the PEIR.

MM CUL-4 A data recovery program shall be required whenever avoidance from construction of MDP facilities has been demonstrated to be infeasible. The data recovery program shall include the excavation of a sufficiently large percentage of a subsurface deposit such that the research potential of the deposit will be exhausted. Typically, a 5% sample of the deposit will be required; however, sample sizes in the data recovery program will be determined on a per site basis in consultation with the Pechanga Tribe. Laboratory analysis and research shall be conducted to catalog all recovered materials and interpret the data. Interpretation of the site and any proposed destructive testing methods shall take into account the traditional beliefs and customs of the Tribe.

G-27 No changes to Mitigation Measure MM CUL-5 were proposed by the Pechanga Tribe. This comment does not change the significance determination found in the PEIR.

G-28 Per the May 7, 2014 meeting between the District, Dudek, and the Pechanga Tribe, it was clarified that the District would be able to abide by the existing Master Agreement between the District and the Tribe. However, the Master Agreement would not be applicable to the cities of Lake Elsinore and Wildomar. Therefore, the cities of Lake Elsinore and Wildomar when having discretionary action over any MDP facility in their jurisdiction, would abide by state laws and Mitigation Measure MM CUL-1 which includes language that consultation with the Pechanga Tribe shall be initiated at the beginning of the survey to request additional site information and requested participation in the Project. This comment does not change the significance determination found in the PEIR.

MM CUL-6 Ground disturbances associated with construction of proposed MDP facilities that contain recorded archaeological sites identified in the cultural records survey (**MM CUL-1** and **MM CUL-2**) and archaeological sites identified in the technical report (**MM CUL-3**), regardless of significance, shall be monitored by a qualified archaeologist. Monitoring of construction activities shall ensure that any materials uncovered during construction activities are identified and adequately recorded. If the site is prehistoric, a local Native American observer shall also be retained by the District, the City of Lake Elsinore, or the City of Wildomar to monitor construction activities.

Not all MDP facilities will be constructed by the District. For District-administered contracts, monitors from the Pechanga Tribe shall be allowed to monitor grading and ground-disturbing activities pursuant to the executed Master

Cultural Resources Treatment and Tribal Monitoring Agreement between the Pechanga Tribe and the District. Additionally, the hired contractor would use the District's plans and specifications, which would include all the mitigation measures outlined in this section.

For MDP facilities located in the cities of Lake Elsinore and Wildomar where those jurisdictions will have lead agency authority over the project constructing the MDP facility, the cities can utilize the mitigation measures outlined herein, or prepare its own California Environmental Quality Act (CEQA) document with mitigation measures and/or incorporation of conditions of approval in its project approval process that addresses monitoring activities within proximity to recorded archaeological sites.

- G-29** The Pechanga Tribe's edits to Mitigation Measures MM CUL-7 in the comment letter will be incorporated, which requires pre-construction workshop for MDP facilities that has required additional cultural resources studies per MM CUL-1 and MM CUL-2 above. The updated MM CUL-7 is included in the Errata and MMRP for the Final PEIR. This comment does not change the significance determination found in the PEIR.

MM CUL-7 A pre-construction workshop shall be conducted by a qualified archaeologist for an MDP facility that has required additional cultural resources studies per MM CUL-1 and MM CUL-2 described above and further mitigation measures not located within roads or roads right-of-way. The workshop shall address the following: review the types of archaeological resources that may be uncovered; provide examples of common archaeological artifacts to examine using replicas whenever possible; describe why monitoring is required; identify monitoring procedures; describe what would temporarily stop construction and for how long; describe a reasonable worst-case resource discovery scenario (i.e., discovery of intact human remains or a substantial midden deposit); and describe reporting requirements and the responsibilities of the construction supervisor and crew. The workshop shall make attendees aware of prohibited activities, including unauthorized collecting of artifacts, which can result in impact on cultural resources and which further may violate state and federal law, as well as applicable mitigation measures and conditions of approval for this Project.

- G-30** The Pechanga Tribe's edits to Mitigation Measures MM CUL-8 in the comment letter will be incorporated, and is included in the Errata and MMRP for the Final PEIR. This comment does not change the significance determination found in the PEIR.

MM CUL-8 In the event cultural ~~remains~~resources are encountered during construction of any MDP facilities, work shall stop immediately until a qualified archaeologist is retained to determine the potential significance of the find, if one is

not already present. If the ~~remains~~resources are prehistoric, the District, the City of Lake Elsinore, or the City of Wildomar shall contact the Pechanga Tribe and abide by the District and Pechanga Master Agreement related to treatment of resources unexpectedly uncovered. Measures per the Master Agreement between the District and the Pechanga Tribe shall include giving all cultural items, including ceremonial items and archaeological items to the Pechanga; waiving ownership of any items found in favor of the Pechanga; no photography shall be taken of any articles found; and no destructive testing shall occur on ceremonial and/or sacred objects and human remains unless permission is granted by the Pechanga Tribe.

- G-31** The District appreciates the Tribe's participation in the environmental review process and comments provided on the Draft PEIR. The Tribe is welcome to provide comments on the Project when specific MDP facilities are proposed. This comment does not change the significance determination found in the PEIR.
- G-32** The District appreciates working closely with the Tribe in protecting the cultural resources found in the Project area. This comment does not change the significance determination found in the PEIR.

3.0 ERRATA TO DRAFT PEIR

3.1 Introduction

As provided in Section 15088(c) of the California Environmental Quality Act (CEQA) Guidelines, responses to comments may take the form of a revision to a Draft Environmental Impact Report (EIR) or may be a separate section in the Final EIR. This section complies with the latter and provides changes to the Draft Program EIR (PEIR) presented in strikethrough text (i.e., ~~strikethrough~~) signifying deletions and underline (i.e., underline) signifying additions. These notations are meant to provide clarification, corrections, or minor revisions as needed as a result of public comments or because of changes in the project since the release of the Draft PEIR as required by Section 15132 of the CEQA Guidelines. None of the corrections and additions constitutes significant new information or substantial project changes requiring recirculation as defined by Section 15088.5 of the CEQA Guidelines.

3.2 Changes to the Draft PEIR

Changes to the Draft PEIR are summarized in Table 3-1. Page numbers correspond to the Draft PEIR. Revisions to the Draft PEIR (Executive Summary; 4.4, Cultural Resources; and 4.8, Hydrology and Water Quality) are included as an Appendix (Appendix A) to this section.

INTENTIONALLY LEFT BLANK

Table 3-1, Draft PEIR Revisions

Location: Section, Page	Revision			Summary
Executive Summary, Table ES-3 under Cultural Resources, Page ES-51 – ES-58	Threshold / Impact Before Mitigation	Mitigation Measures	Level of Significance After Mitigation	Mitigation measures have been revised and updated to include revisions the Pechanga Tribe made in the Notice of Availability response to comments and meeting with the Tribe on May 7, 2014. Table ES-1 has been updated per revisions to the mitigation measures in Section 4.4, Cultural Resources section of the Draft PEIR. The revision to this mitigation measure does not change the significance determinations or the analysis that was contained within the Draft PEIR.
	<i>Cultural Resources</i>			
	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. / Significant	<p>MM CUL-1: Prior to final design of flood control facilities, a cultural resources survey not within an existing road rights-of-way within all areas previously designated as archaeologically and culturally sensitive shall be completed by a qualified archaeologist <u>with participation by the Pechanga Band of Luiseño Indians (Pechanga) Tribe.</u> The survey shall include an updated site records search at the Eastern Information Center (EIC) to locate all previously recorded archaeological sites within the proposed construction area of Master Drainage Plan (MDP) facilities. The survey shall assess the direct and indirect impact of the MDP facility. Consultation with the Pechanga Band of Luiseño Indians (Pechanga Tribe) shall be initiated at the beginning of the survey to request additional site information and requested participation in the Project. If the record search indicates that the area has been surveyed and the study is not older than 5 years, a reconnaissance survey shall verify the condition and location of any previously recorded archaeological sites. If previously recorded sites are relocated during the survey, any changes in site condition shall be documented on appropriate State Department Parks and Recreation (DPR) forms, documented in the final technical study as described further in MM CUL-3 and submitted to the EIC and the Pechanga Tribe. (upon request). Any prehistoric or historic sites identified during the survey shall be recorded on appropriate DPR forms, discussed and described in the technical study, and submitted to the EIC and the Pechanga Tribe. (upon request).</p> <p>MM CUL-2: If the cultural resources survey determines that construction of an MDP facility would potentially impact a prehistoric or historic archaeological site and <u>consultation with the design engineers or other appropriate staff evidences that avoidance is not feasible</u>, the Riverside County Flood Control and Water Conservation District (District), City of Lake Elsinore, or City of Wildomar shall have a qualified archaeologist develop a testing program which <u>can</u> includes the excavation of shovel test pits and/or test units, in consultation</p>	Less than significant	

Table 3-1, Draft PEIR Revisions

Location: Section, Page	Revision		Summary
		<p>with the Pechanga Tribe. The testing program shall fully define the boundaries of surface and subsurface materials, evaluate the integrity and significance of the site and collect surface and subsurface artifacts. The program shall include mapping of all site features, artifacts, and excavation locations. Related laboratory work shall be conducted to treat the materials that are recovered from the archaeological investigations in consultation with the Tribe.</p> <p>If construction of an MDP facility would potentially impact a historic architectural resource structure because the MDP facility cannot be moved to avoid the resource, a survey of the structure by a qualified architectural historian shall be required to assess the structure's significance. A review of primary and secondary documentary sources, such as tax assessor records, historic fire insurance maps, city directories, aerial photographs, and local building permit files, shall be conducted. The assessment shall take into account any events with which the structure is associated, any persons who may have lived in the structure, distinctive architectural characteristics, methods of construction, or association with a notable architect/designer. The assessment by the architectural historian shall recommend to the District, the City of Lake Elsinore, or the City of Wildomar guidelines to assist in the maintenance, repair, and renovation of the resource, if applicable.</p> <p>MM CUL-3: For MDP facilities not within existing roads or road rights-of-way that have prepared a cultural resources survey per MM CUL-1 and MM CUL-2 described above, a technical report shall be prepared that documents all of the information gathered from the survey, data gathered from the testing program of prehistoric or historic archaeological sites, and consultation efforts with the Pechanga Tribe. The report shall identify any significant cultural resources and evaluate the potential impacts to those resources, providing an analysis based upon a regional, landscape viewpoint. If any site evaluated would be impacted by construction of a proposed component, additional project-specific mitigation measures shall be required to reduce the level of impacts. These mitigation measures shall include one of the following or a</p>	

Table 3-1, Draft PEIR Revisions

Location: Section, Page	Revision		Summary
		<p>combination thereof: a. Redesign of the proposed component to avoid the significant cultural resource, thereby avoiding significant impacts. b. A data recovery program to recover sufficient cultural materials to exhaust the research potential of the site such that construction shall no longer represent a significant impact.</p> <p>MM CUL-4: A data recovery program shall be required whenever avoidance from construction of MDP facilities has been demonstrated to be infeasible. The data recovery program shall include the excavation of a sufficiently large percentage of a subsurface deposit such that the research potential of the deposit will be exhausted. Typically, a 5% sample of the deposit will be required; however, sample sizes in the data recovery program will be determined on a per site basis in consultation with the Pechanga Tribe. Laboratory analysis and research shall be conducted to catalog all recovered materials and interpret the data. Interpretation of the site <u>and any proposed destructive testing methods</u> shall take into account the traditional beliefs and customs of the Tribe.</p> <p>MM CUL-6: Ground disturbances associated with construction of proposed MDP facilities that contain recorded archaeological sites identified in the cultural records survey (MM CUL-1 and MM CUL-2) and archaeological sites identified in the technical report (MM CUL-3), regardless of significance, shall be monitored by a qualified archaeologist. Monitoring of construction activities shall ensure that any materials uncovered during construction activities are identified and adequately recorded. If the site is prehistoric, a local Native American observer shall also be retained by the District, the City of Lake Elsinore, or the City of Wildomar to monitor construction activities.</p> <p>Not all MDP facilities will be constructed by the District. For District-administered contracts, monitors from the <u>Pechanga Tribe</u> shall be allowed to monitor grading and ground-disturbing activities pursuant to the executed Master Cultural Resources Treatment and Tribal Monitoring Agreement between the Pechanga</p>	

Table 3-1, Draft PEIR Revisions

Location: Section, Page	Revision		Summary
		<p>Tribe and the District. Additionally, the hired contractor would use the District's plans and specifications, which would include all the mitigation measures outlined in this section.</p> <p>For MDP facilities located in the cities of Lake Elsinore and Wildomar where those jurisdictions will have lead agency authority over the project constructing the MDP facility, the cities can utilize the mitigation measures outlined herein, or prepare its own California Environmental Quality Act (CEQA) document with mitigation measures and/or incorporation of conditions of approval in its project approval process that addresses monitoring activities within proximity to recorded archaeological sites.</p> <p>MM CUL-7: A pre-construction workshop shall be conducted by a qualified archaeologist for an MDP facility <u>that has required additional cultural resources studies per MM CUL-1 and MM CUI-2 described above and further mitigation measures not located within roads or roads right-of-way.</u> The workshop shall address the following: review the types of archaeological resources that may be uncovered; provide examples of common archaeological artifacts to examine <u>using replicas whenever possible;</u> describe why monitoring is required; identify monitoring procedures; describe what would temporarily stop construction and for how long; describe a reasonable worst-case resource discovery scenario (i.e., discovery of intact human remains or a substantial midden deposit); and describe reporting requirements and the responsibilities of the construction supervisor and crew. The workshop shall make attendees aware of prohibited activities, including unauthorized collecting of artifacts, which can result in impact on cultural resources <u>and which further may violate state and federal law, as well as applicable mitigation measures and conditions of approval for this Project.</u></p> <p>MM CUL-8: In the event cultural remainsresources are encountered during construction of any MDP facilities, work shall stop immediately until a qualified archaeologist is retained to determine the potential significance of the find, <u>if one is not already present.</u> If the remainsresources are prehistoric,</p>	

Table 3-1, Draft PEIR Revisions

Location: Section, Page	Revision		Summary
		<p>the District, the City of Lake Elsinore, or the City of Wildomar shall contact the Pechanga Tribe and abide by the District and Pechanga Master Agreement related to treatment of resources unexpectedly uncovered. Measures per the Master Agreement between the District and the Pechanga Tribe shall include giving all cultural items, including ceremonial items and archaeological items to the Pechanga; waiving ownership of any items found in favor of the Pechanga; no photography shall be taken of any articles found; and no destructive testing shall occur on ceremonial and/or sacred objects and human remains unless permission is granted by the Pechanga Tribe.</p>	
<p>Section 4.3, Biological Resources, Page 4.3-22</p>	<p>Streambed Alteration Agreements The CDFW is responsible for protecting, conserving and managing wildlife, fish and plant resources in the State of California. Under the Fish and Game Code, Section 1602, an entity is required to notify CDFW of any activity that may modify a river, stream or lake. Portions of the MDP facilities have traditional streambed indicators such as a defined bed and bank and may be associated with what was once a natural drainage channel. Those MDP facilities are therefore considered under the jurisdiction of the CDFW pursuant to Section 1602 of the California Fish and Game Code. A Streambed Alteration Agreement may be required of the MDP facilities listed in Table 4.3-5. If a Streambed Alteration Agreement with CDFW is needed, then CDFW will most likely require mitigation in the form of on-site, off-site, or in-lieu fee mitigation, or combination of all. A Lake or Streambed Alteration Notification Form shall be submitted to CDFW for review and issuance of permit, including but not limited to the following information on the form: 1) <u>Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);</u> 2) <u>Discussion of avoidance and minimization measures to reduce project impacts; and</u> <u>Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.</u></p>		<p>The underline text was added to the Streambed Alteration Agreements regulations in order to address the California Department of Fish and Wildlife’s comment regarding compliance with the Lake and Streambed Alteration Agreement Program. The additional text does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
<p>Section 4.4, Cultural Resources, Page 4.4-2</p>	<p>Specifically, the Pechanga Tribe asserts that the Project area is part of the Tribe’s aboriginal territory, as evidenced by the existence of Luiseño place names, <i>tóota yixé/val</i> (rock art, pictographs, petroglyphs, cupules), named villages and habitation areas, traditional landscapes, Traditional Cultural Properties, and tangible and intangible cultural resources within the Project boundary (Pechanga Tribe 2013a). <u>Specifically, Lake Elsinore is considered a Traditional Cultural Property as designated by the Pechanga Tribe and figures prominently in the Tribe’s Origin and Creation stories. Very important and significant events in the Tribe’s history have occurred in and around Lake Elsinore (Pechanga Tribe 2013b). Lake Elsinore is known to the Tribe as <i>Páayaxchi</i>; this name is also the name of a village known to exist within the Project boundary.</u></p>		<p>The underline text addresses the Pechanga Tribe’s concern acknowledging that the Project boundary lies within a Luiseño Traditional Cultural Property. The updated text does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
<p>Section 4.4, Cultural Resources, Page 4.4-14</p>	<p>MM CUL-1: Prior to final design of flood control facilities, a cultural resources survey not within an existing road rights-of-way within all areas <u>previously designated as archaeologically and culturally sensitive shall be completed by a qualified archaeologist with participation by the Pechanga Band of Luiseño Indians (Pechanga) Tribe.</u> The survey shall include an updated site records search at the Eastern Information Center (EIC) to locate all previously recorded archaeological sites within the proposed construction area of Master Drainage Plan (MDP) facilities. The survey shall assess the direct and indirect impact of the MDP facility. Consultation with the Pechanga Band of Luiseño Indians (Pechanga Tribe) shall be initiated at the beginning of the survey to request additional site information and requested participation in the Project. If the record search indicates that the area has been surveyed and the study is not older than 5 years, a reconnaissance survey shall verify the condition and location of any previously recorded archaeological sites. If previously recorded sites are relocated during the survey, any changes in site condition shall be documented on appropriate State Department Parks and Recreation (DPR) forms, documented in the final technical study as described further in MM CUL-3 and submitted to the EIC and the Pechanga Tribe, (upon request). Any prehistoric or historic sites identified during the survey shall be recorded on appropriate DPR forms, discussed and described in the technical study, and submitted to the EIC and the Pechanga Tribe, (upon request).</p>		<p>Per the Pechanga Tribe’s response to comments, Mitigation Measure MM CUL-1 has been revised to state that prior to final design of flood control facilities, a cultural resources survey within all areas previously designated as archaeologically and culturally sensitive shall be completed by a qualified archaeologist with participation by the Pechanga Tribe. The revision to this mitigation measure does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
<p>Section 4.4, Cultural Resources, Pages 4.4-14 – 4.4-15</p>	<p>MM CUL-2: If the cultural resources survey determines that construction of an MDP facility would potentially impact a prehistoric or historic archaeological site and <u>consultation with the design engineers or other appropriate staff evidences that avoidance is not feasible,</u></p>		<p>Per the Pechanga Tribe’s response to comments, Mitigation Measure MM CUL-2 has</p>

Table 3-1, Draft PEIR Revisions

Location: Section, Page	Revision	Summary
	<p>the Riverside County Flood Control and Water Conservation District (District), City of Lake Elsinore, or City of Wildomar shall have a qualified archaeologist develop a testing program which <u>can</u> includes the excavation of shovel test pits and/or test units, in consultation with the Pechanga Tribe. The testing program shall fully define the boundaries of surface and subsurface materials, evaluate the integrity and significance of the site and collect surface and subsurface artifacts. The program shall include mapping of all site features, artifacts, and excavation locations. Related laboratory work shall be conducted to treat the materials that are recovered from the archaeological investigations in consultation with the Tribe.</p> <p>If construction of an MDP facility would potentially impact a historic architectural resource structure because the MDP facility cannot be moved to avoid the resource, a survey of the structure by a qualified architectural historian shall be required to assess the structure's significance. A review of primary and secondary documentary sources, such as tax assessor records, historic fire insurance maps, city directories, aerial photographs, and local building permit files, shall be conducted. The assessment shall take into account any events with which the structure is associated, any persons who may have lived in the structure, distinctive architectural characteristics, methods of construction, or association with a notable architect/designer. The assessment by the architectural historian shall recommend to the District, the City of Lake Elsinore, or the City of Wildomar guidelines to assist in the maintenance, repair, and renovation of the resource, if applicable.</p>	<p>been revised to include consultation with design engineers or other appropriate staff from the Tribe. The revision to this mitigation measure does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
<p>Section 4.4, Cultural Resources, Page 4.4-15</p>	<p>MM CUL-3: For MDP facilities not within existing roads or road rights-of-way that have prepared a cultural resources survey per MM CUL-1 and MM CUL-2 described above, a technical report shall be prepared that documents all of the information gathered from the survey, data gathered from the testing program of prehistoric or historic archaeological sites, and consultation efforts with the Pechanga Tribe. The report shall identify any significant cultural resources and evaluate the potential impacts to those resources, providing an analysis based upon a regional, landscape viewpoint. If any site evaluated would be impacted by construction of a proposed component, additional project-specific mitigation measures shall be required to reduce the level of impacts. These mitigation measures shall include one of the following or a combination thereof:</p> <ol style="list-style-type: none"> a. Redesign of the proposed component to avoid the significant cultural resource, thereby avoiding significant impacts. b. A data recovery program to recover sufficient cultural materials to exhaust the research potential of the site such that construction shall no longer represent a significant impact. 	<p>Per the Pechanga Tribe's response to comments, Mitigation Measure MM CUL-3 has been revised to include preparation of a cultural technical report for MDP facilities that had a cultural resources survey. The revision to this mitigation measure does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
<p>Section 4.4, Cultural Resources, Page 4.4-15</p>	<p>MM CUL-4: A data recovery program shall be required whenever avoidance from construction of MDP facilities has been demonstrated to be infeasible. The data recovery program shall include the excavation of a sufficiently large percentage of a subsurface deposit such that the research potential of the deposit will be exhausted. Typically, a 5% sample of the deposit will be required; however, sample sizes in the data recovery program will be determined on a per site basis in consultation with the Pechanga Tribe. Laboratory analysis and research shall be conducted to catalog all recovered materials and interpret the data. Interpretation of the site <u>and any proposed destructive testing methods</u> shall take into account the traditional beliefs and customs of the Tribe.</p>	<p>Per the Pechanga Tribe's response to comments, Mitigation Measure MM CUL-4 has been revised to clarify that interpretation of the site and any proposed destructive testing methods shall take into account the traditional beliefs and customs of the Pechanga Tribe. The revision to this mitigation measure does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
<p>Section 4.4, Cultural Resources, Page 4.4-16</p>	<p>MM CUL-6: Ground disturbances associated with construction of proposed MDP facilities that contain recorded archaeological sites identified in the cultural records survey (MM CUL-1 and MM CUL-2) and archaeological sites identified in the technical report (MM CUL-3), regardless of significance, shall be monitored by a qualified archaeologist. Monitoring of construction activities shall ensure that any materials uncovered during construction activities are identified and adequately recorded. If the site is prehistoric, a local Native American observer shall also be retained by the District, the City of Lake Elsinore, or the City of Wildomar to monitor construction activities.</p> <p>Not all MDP facilities will be constructed by the District. For District-administered contracts, monitors from the <u>Pechanga</u> Tribe shall be allowed to monitor grading and ground-disturbing activities pursuant to the executed Master Cultural Resources Treatment and Tribal Monitoring Agreement between the Pechanga Tribe and the District. Additionally, the hired contractor would use the District's plans and specifications, which would include all the mitigation measures outlined in this section.</p> <p>For MDP facilities located in the cities of Lake Elsinore and Wildomar where those jurisdictions will have lead agency authority over the project constructing the MDP facility, the cities can utilize the mitigation measures outlined herein, or prepare its own California Environmental Quality Act (CEQA) document with mitigation measures and/or incorporation of conditions of approval in its project approval process that addresses monitoring activities within proximity to recorded archaeological sites.</p>	<p>Per the Pechanga Tribe's response to comments, Mitigation Measure MM CUL-6 has been updated to clarify that the Pechanga Tribe shall be allowed to monitor grading and ground-disturbing activities pursuant to the executed Master Cultural Resources Treatment and Tribal Monitoring Agreement between the Pechanga Tribe and the District. The revision to this mitigation measure does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
<p>Section 4.4, Cultural Resources, Pages 4.4-16 – 4.4-17</p>	<p>MM CUL-7: A pre-construction workshop shall be conducted by a qualified archaeologist for an MDP facility that has required additional cultural resources studies per MM CUL-1 and MM CUL-2 described above and further mitigation measures not located within roads or</p>	<p>Per the Pechanga Tribe's response to comments, Mitigation Measure MM CUL-7 has</p>

Table 3-1, Draft PEIR Revisions

Location: Section, Page	Revision	Summary
	<p>roads right-of-way. The workshop shall address the following: review the types of archaeological resources that may be uncovered; provide examples of common archaeological artifacts to examine <u>using replicas whenever possible</u>; describe why monitoring is required; identify monitoring procedures; describe what would temporarily stop construction and for how long; describe a reasonable worst-case resource discovery scenario (i.e., discovery of intact human remains or a substantial midden deposit); and describe reporting requirements and the responsibilities of the construction supervisor and crew. The workshop shall make attendees aware of prohibited activities, including unauthorized collecting of artifacts, which can result in impact on cultural resources <u>and which further may violate state and federal law, as well as applicable mitigation measures and conditions of approval for this Project.</u></p>	<p>been updated to include pre-construction workshop for MDP facilities that has required additional cultural resources studies per MM CUL-1 and MM CUL-2. The revision to this mitigation measure does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
Section 4.4, Cultural Resources, Page 4.4-17	<p>MM CUL-8: In the event cultural remains<u>resources</u> are encountered during construction of any MDP facilities, work shall stop immediately until a qualified archaeologist is retained to determine the potential significance of the find, <u>if one is not already present</u>. If the remains<u>resources</u> are prehistoric, the District, the City of Lake Elsinore, or the City of Wildomar shall contact the Pechanga Tribe and abide by the District and Pechanga Master Agreement related to treatment of resources unexpectedly uncovered. Measures per the Master Agreement between the District and the Pechanga Tribe shall include giving all cultural items, including ceremonial items and archaeological items to the Pechanga; waiving ownership of any items found in favor of the Pechanga; no photography shall be taken of any articles found; and no destructive testing shall occur on ceremonial and/or sacred objects and human remains unless permission is granted by the Pechanga Tribe.</p>	<p>Per the Pechanga Tribe's response to comments, Mitigation Measure MM CUL-8 has been updated to include cultural resources which also consist of cultural remains. The revision to this mitigation measure does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
Section 4.4, Cultural Resources, Pages 4.4-10 – 4.4-11	<p>As discussed in Section 4.4.1, Setting and Project Baseline, most of the MDP facilities are located in existing disturbed/developed areas, as most of the MDP facilities are located in road rights-of-way, and therefore, limited new disturbance will occur as a result of the Project. <u>However, there is still the potential for sensitive and important cultural resources in areas that have had previous disturbances. Therefore, future MDP facilities that are proposed within existing road rights-of-way would have a less than significant impact to historical resources since these areas have already been previously disturbed and no further studies/surveys would be required. Additionally, the</u> The proposed water quality and debris basins, however, are located in mainly undisturbed areas. <u>Since it is known that the Project area contains sensitive archaeological resources, future studies/surveys would be required for all MDP facilities.</u> Significant effects upon historic structures or features are evaluated by determining the presence or absence of historic status with respect to the MDP facility in question, and then determining the potential for Project implementation to affect the structure or feature if it possesses historic status.</p>	<p>In response to comments from the Pechanga Tribe, text has been revised to state that there is still potential for sensitive and important cultural resources in areas that had previous disturbances. The additional text does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
Section 4.4, Cultural Resources, Page 4.4-19	<p>Pechanga Tribe. 2013a. <i>Pechanga Tribe Ethnography of the Lake Elsinore Area – Páayaxchi and Its Surrounds</i>. February 8, 2013.</p>	<p>Reference has been updated. This does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
Section 4.4, Cultural Resources, Page 4.4-19	<p><u>Pechanga Tribe. 2013b. Pechanga Tribe Comments on the Proposed Mitigation Measures for the Programmatic Environmental Impact Report, Lakeland Village MDP. January 18, 2013.</u></p>	<p>Additional reference has been included in the Cultural Resource section. This does not change the significance determinations or the analysis that was contained within the Draft PEIR.</p>
4.8, Hydrology and Water Quality, Page 4.8-19	<p>With implementation of MM HYDRO-4 (same as MM BIO-65), potential impacts to federally-protected wetlands are reduced to less than significant levels.</p>	<p>Mitigation measure MM HYDRO-4 is the same as MM BIO-5. The revised text reflect the minor typo in the biological resources mitigation call out.</p>

INTENTIONALLY LEFT BLANK

APPENDIX A

Errata Appendices

EXECUTIVE SUMMARY

ES-1.1 Introduction

The Riverside County Flood Control and Water Conservation District (District) proposes to prepare a Program Environmental Impact Report (PEIR) for the implementation of the Lakeland Village Master Drainage Plan (MDP). Implementation of the MDP consists of three separate components: administration of the MDP, future construction of the MDP facilities, and future operations and maintenance of the MDP facilities. Implementation of the MDP is hereinafter referred to as the Project.

ES-1.2 Document Purpose

The Draft PEIR has been prepared by the District, as the lead agency, to inform decision makers and the public of the potential significant environmental effects associated with the Project. This Draft PEIR has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA; California Public Resources Code, Section 21000 et seq.) and the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) published by the Public Resources Agency of the State of California (14 CCR 15000 et seq.).

This Draft PEIR provides a programmatic level analysis for the Project as described in Section 3.0 of this Draft PEIR. Pursuant to Section 15168 of the CEQA Guidelines, a programmatic-level environmental analysis will enable the District to examine the overall effects of the Project and adopt the Project. Following this approach, when future individual MDP facilities are proposed, the District or any other jurisdiction having approval related to the MDP facility (i.e., County of Riverside, City of Lake Elsinore, or City of Wildomar) will be required to examine each facility on its own merits and prepare a facility-specific environmental document, such as an initial study (IS) leading to a negative declaration, mitigated negative declaration, supplemental environmental impact report (EIR), or subsequent EIR. Pursuant to Section 15168(c)(2) of the CEQA Guidelines, if the District or any other jurisdiction having approval related to the MDP facility finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the responsible agency can approve the activity as being within the scope of the Project covered by the PEIR, and no new environmental document would be required. Since many of the MDP facilities may be designed and/or constructed as part of private development projects processed by the County of Riverside, City of Lake Elsinore, or City of Wildomar, the facility-specific analysis may be included as part of the environmental documentation and CEQA process for a development project.

ES-1.3 Project Location

The Project is located within Lakeland Village, in the City of Lake Elsinore, City of Wildomar, and unincorporated Riverside County, California (see Figure ES-1, Regional Map). The Project area, which

encompasses approximately 13 square miles, is generally bounded by Lake Elsinore to the north, the ridgeline of the Santa Ana Mountains to the south, Bryant Street and Sheila Lane to the east, and Riverside Drive to the west (see Figure ES-2, Vicinity Map).

The Project study area encompasses 16 separate watersheds. These watersheds are characteristically steep with high debris production potential. Runoff originating from these watersheds generally flows northeasterly, across Grand Avenue (the community's principal thoroughfare) and into Lake Elsinore. Existing land use within the study area is predominantly residential or vacant open space. The majority of the existing developments are located within the northerly portion of the study area.

The Project may be found within Township 6 South, Ranges 4 and 5 West, Sections 10, 11, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, and 36 of the Alberhill, Elsinore, Sitton Peak, and Wildomar 7.5 Series U.S. Geological Survey (USGS) Topographic Quadrangle Maps.

ES-I.4 Project Description

Background

Since the 1980s, all flooding concerns and complaints received from Lakeland Village residents have been documented by District staff. Over the years, various concerns and complaints have been received from local residents through phone calls, letters to the District, community meetings, and the District's annual budget hearing process. The concerns discussed below are representative of those concerns expressed by the residents.

Most of the existing properties located in the Lakeland Village area were subdivided as far back as the early 1900s, long before the Subdivision Map Act granted local agencies the authority to regulate and control the design of subdivisions to protect public health and safety. Consequently, most subdivisions within the Lakeland Village community were developed without consideration of the area's significant flood hazards and without adequate flood protection and drainage infrastructure in place.

Within the Lakeland Village area, the Federal Emergency Management Agency (FEMA) has designated and mapped four separate Special Flood Hazard Areas (SFHAs). These SFHAs indicate areas that are especially prone to flood hazards (i.e., subject to a 1% annual chance of being flooded). The SFHAs are located in the general vicinity of Gregory Place, Baldwin Boulevard, Maiden Lane, and Santa Rosa Drive (located in watersheds D, H, L, and M, respectively). There are approximately 210 existing structures located within the SHFAs. These structures are subject to high flood hazards and are typically subject to mandatory purchase of flood insurance under the provisions of the National Flood Insurance Program.

Grand Avenue is the major thoroughfare into and out of the Lakeland Village community and provides access to the adjacent Cities of Lake Elsinore and Wildomar. Stormwater runoff from each of the 16 watersheds must cross Grand Avenue on its way to Lake Elsinore. In general, Grand Avenue lacks

adequate drainage improvements (road culverts) to convey significant stormwater flows. Therefore, vehicular travel along Grand Avenue during storm events is a major concern for the Lakeland Village residents. In a large storm event, Grand Avenue would likely become impassable, rendering the area inaccessible and isolated.

Project Baseline

Existing drainage facilities that currently provide some level of flood protection within the study area are as follows: Lime Street Channel, Ortega Channel Lateral A-1, Ortega Channel, Ortega Channel Lateral A, Ortega Channel Lateral A-1 Debris Basin, Ortega Channel Lateral A-2, Lakeland Village Channel, Churchill Street Drainage Ditch, Stoneman Street Channel, Corydon Channel, Palomar Channel, Ontario Way Storm Drain, Tract 23111 Drainage Ditch, Sedco–Bryant Street Storm Drain Stage 1, and Sedco–Bryant Street Storm Drain and Debris Basin. These facilities constitute the physical baseline condition of the Project area.

The watersheds in the Lakeland Village area are considered to have high debris production potential and the area has historically experienced excess debris deposition. When fires occur within the steep canyons, vegetation is destroyed, which leaves the soil more susceptible to erosion. During high intensity rainfall events, the debris originating from fires, along with eroded sediment, is swiftly carried downstream towards Lake Elsinore. This combination of debris and stormwater runoff is referred to as “bulked flow” and includes sand, silt, and vegetative debris from the Santa Ana Mountains. As the bulked flow drains to Lake Elsinore, debris is deposited in the flatter areas, causing severe property damage. Additionally, the excess debris and sediment that eventually flows into Lake Elsinore may contribute to water quality degradation of the lake.

Debris from the nearby Santa Ana Mountains also creates a major problem for the existing Ortega Channel/Storm Drain. A portion of this facility is constructed on a very mild slope in which the bulked flow moves slowly and sediment tends to settle out. As the sediment accumulates inside the storm drain, the blockage reduces the hydraulic capacity of the facility and makes it susceptible to overflow. To ensure adequate capacity of the channel at all times, frequent routine maintenance is required, which over time has become costly.

Lastly, Lake Elsinore is currently listed as a 303(d) impaired water body. The Santa Ana Regional Water Quality Control Board (RWQCB) has identified nutrients, specifically nitrogen and phosphorous, as the principal cause of impairment. Very few, if any, of the existing developments within the Lakeland Village area were required to implement water quality best management practices (BMPs) as a condition of their development. Thus, “first flush” events typically collect and carry trash, dirt, and other pollutants directly to the lake. Addressing the area’s urban runoff will help to improve the existing water quality of Lake Elsinore. For purposes of the analysis in the Draft PEIR, the existing drainage facilities and setting described above as they exist at the time of the release of the Notice of Preparation (NOP) is

considered part of the baseline physical condition by which the District determines whether an impact is considered to be significant (in accordance with Section 15125(a) of the CEQA Guidelines).

The CEQA analysis of a master drainage plan is more complex than the typical project because master drainage plans have a variety of purposes that are implemented over time; in fact, some parts of the plan could be implemented many years in the future or not at all, which makes the use of a PEIR for the CEQA analysis appropriate.

Administration of the MDP

The first component of the Project being analyzed in this Draft PEIR consists of the preparation of and, ultimately, the adoption of the Project and its use as a long-range planning document. The MDP will be a guide for the alignment, type, size, and cost of major existing and proposed facilities (MDP facilities) (see Tables ES-1 and ES-2) within the watershed to address the current and future drainage needs of Lakeland Village and the surrounding area. The drainage boundary of the Project is drawn to include all of the watershed area that contributes to the drainage problems in the community. The MDP facilities would contain the 100-year flood discharge.

The MDP has a variety of planning uses. The MDP will not only be relied upon by the County of Riverside as it reviews and approves existing and proposed development in the Lakeland Village area, but if adopted, it can be used by the Cities of Lake Elsinore and Wildomar as they review and approve new development. New development may be required to construct MDP facilities or set aside rights-of-way for the future construction of the facilities. The local jurisdictions can also use the MDP to identify MDP facilities and costs for inclusion in capital improvement programs. Finally, the local jurisdictions can use the MDP for long-range planning of other public infrastructure projects like roads or utility pipelines.

Future Construction of the MDP Facilities

The second component of the Project being analyzed in this Draft PEIR is the reasonably foreseeable impacts resulting from construction of the MDP facilities. The MDP identifies the approximate location, size, and type of MDP facilities needed to alleviate and control flooding within the Project boundary. The alignments and type of facility depicted in the MDP can change as more detailed information becomes available during the design process. For example, the locations of underground utilities, new development patterns, or the results of subsequent focused biological surveys may necessitate a shift in alignment or change in facility type (i.e., concrete channel to underground pipe). To add to that uncertainty, the construction of the MDP facilities will be accomplished in discrete phases over a number of decades.

Despite this future environment of uncertainty and change, the Draft PEIR still must identify the general types of construction activities anticipated and their associated impacts. Table ES-1 lists the types of

drainage improvements (i.e., new facilities and upgrades to existing ones) proposed in the MDP and Table ES-2 provides a detailed description of each of the individual MDP facilities.

Subsequent CEQA analysis would be required when specific MDP facilities are proposed for construction, but those future construction projects would be able to tier from the PEIR. Actual construction of the MDP facilities may occur as a result of conditions of approval on development projects or capital improvement projects undertaken by the County of Riverside, the City of Lake Elsinore, the City of Wildomar, or the District.

Future Operations and Maintenance of the MDP Facilities

The final component of the Project to be analyzed in this Draft PEIR is the reasonably foreseeable impact of future operation and maintenance activities. Once a facility is constructed, it will require maintenance in order to retain flood control capacity. It is expected that the District will operate and maintain all the MDP storm drains, channels, and basins.

Maintenance of storm drains and concrete channels typically consists of keeping these facilities and their side drains clear of debris and sediment, as well as repairing access roads and fences. On rare occasions, major repairs may be required following damaging storm events. Thus, major grading will not routinely occur while maintaining the underground storm drains and open concrete channels. To maintain the constructed MDP facilities, the District will occasionally use equipment similar to the types used to construct the proposed MDP facilities.

The routine maintenance of the channels and basins will likely require the following activities: the removal of deposition, repair of eroded slopes, and reduction of fire hazard by annual mowing and application of herbicides as well as the maintenance activities described in the previous paragraph. Vegetation must be removed or mowed annually (or as necessary) to provide the designed hydraulic capacity.

Development of the Project Alternatives

In 2010, the District conducted an Environmental Constraints Analysis (ECA; Appendix B to this PEIR) that studied five preliminary scenarios for the Project. The five preliminary scenarios (labeled as Alternatives 1–5) in the ECA explored the feasibility of debris removal, water quality mitigation, floodplain management, and environmental avoidance. The ECA was prepared to assist the District in identifying key environmental issues so that the District could refine the five preliminary scenarios into three CEQA alternatives for the environmental impact analysis, as discussed in Section 8.0 of this document. Based on the ECA, engineering feasibility, and other Project objectives, the District selected the proposed Project (see Figure ES-3a and Figure ES-3b, Proposed MDP Facilities, and Tables ES-1 and ES-2).

Table ES-1, Summary of MDP Facilities

Type of Improvement	Facility Name
Upsizing of the existing facilities	<ul style="list-style-type: none"> • Lakeland Village Channel • Ortega Channel Outlet • Lime Street Channel/Line A
New open channels	<ul style="list-style-type: none"> • Channel A • Line O-10 • Line M • Line L • Lakeland Village Channel
New storm drains	<ul style="list-style-type: none"> • Line O-10 • Line O-20 • Line N • Lateral N-1 • Line M • Line K • Line K-1 • Line J • Line I • Line I-1 • Lakeland Village Channel • Line H • Line H-1 • Line H-2 • Line G • Line F • Line F-1 • Line E • Line D • Line C • Line C-1 • Lime Street Channel/Line A
New debris basins	<ul style="list-style-type: none"> • Line O-10 • Line O-20 • Line N • Line K • Line I • Lakeland Village Channel • Line F • Line B/Ortega Channel • Line A
New water quality basins	<ul style="list-style-type: none"> • Line N • Line G • Ortega Outlet • Line A

Note: See Figure ES-3a and Figure ES-3b, Proposed MDP Facilities.

Table ES-2 provides a detailed description of the proposed and existing MDP facilities.

Table ES-2, Detailed Project Description

Proposed Lakeland Village MDP Facilities							
<i>Watershed</i>	<i>Proposed/ Existing</i>	<i>Facility Name</i>	<i>Facility Type</i>	<i>Facility Description</i>	<i>Facility Size</i>	<i>Approximate Facility Length (ft)</i>	<i>100-Year Q (cfs)</i>
A	Proposed	Line A Debris Basin	Debris basin	Line A Debris Basin is located at a point approximately 350 ft west of the intersection of Jamieson and Orange Street, just upstream of existing Lime Street Channel, and has a volume of 9.3 ac-ft. and an approximate ROW of 1.5 ac. The debris basin consists of a 36 in low-flow outlet pipe and a spillway structure.	Storage = 9.3 ac-ft Approx. ROW = 1.5 ac		690
		Line A and Lime Street Channel	Floodwalls	Floodwalls ranging in height from 1 to 2 ft would be added to the existing Lime Street Channel. The improved Lime Street Channel will ultimately have a uniform height ranging from 4.5 to 5.5 ft.	Depth = 1 ft	1,631	690
					Depth = 2 ft	773	900
			RCP	The upstream origin of Line A begins as a 72 in RCP at the downstream terminus of existing Lime Street Channel located at the	Diameter = 72 in	921	840

Table ES-2, Detailed Project Description

Proposed Lakeland Village MDP Facilities							
<i>Watershed</i>	<i>Proposed/ Existing</i>	<i>Facility Name</i>	<i>Facility Type</i>	<i>Facility Description</i>	<i>Facility Size</i>	<i>Approximate Facility Length (ft)</i>	<i>100-Year Q (cfs)</i>
				intersection of Hill Street and Laguna Avenue. From there, the 72 in RCP extends northerly in Hill Street until it connects to the existing Lime Street Channel. The 72 in RCP would replace the existing 42 in RCP.			
		Line A Water Quality Basin	Water Quality Basin	Located at the northwest corner of the intersection of Hill Street and Grand Avenue. The water quality basin would require a connection to the existing drainage system of the existing tract located at the southwest corner of the intersection of Grand Avenue and Hill Street. The water quality basin has a volume of 5.5 ac-ft and approximate ROW of 3.3 ac.	Storage = 5.5 ac-ft Approx. ROW = 3.3 ac		
	Existing	Line A and Lime Street Storm Drain	Trapezoidal channel	The construction of the Lime Street Channel was completed in 1963. The Lime Street Storm	Base width = 3 ft Sideslope = 1:1	2,995	Information not available

Table ES-2, Detailed Project Description

Proposed Lakeland Village MDP Facilities							
<i>Watershed</i>	<i>Proposed/ Existing</i>	<i>Facility Name</i>	<i>Facility Type</i>	<i>Facility Description</i>	<i>Facility Size</i>	<i>Approximate Facility Length (ft)</i>	<i>100-Year Q (cfs)</i>
				Drain is a concrete trapezoidal channel whose upstream origin is located at a point approximately 350 ft west of the intersection of Jamieson and Orange Street. The channel extends northeasterly toward Laguna Avenue, transitions into a 42 in RCP, then heads northerly toward Lake Elsinore. The channel has a base width of 3 ft, a sideslope of 1:1, and depths ranging from 3.5 ft to 4.5 ft.	Depth = 3.5 to 4.5 ft		
			RCP		Diameter = 42 in	750	Information not available
B	Proposed	Line B (Ortega Channel) Debris Basin	Debris basin	Ortega Channel Debris Basin is located at a point approximately 700 ft south of the intersection of Shoreline and Lighthouse Drive, just upstream of the existing Ortega Channel, and has a volume of 15.7 ac-ft and an approximate	Storage = 15.7 ac-ft Approx. ROW = 1.6 ac		836

Table ES-2, Detailed Project Description

Proposed Lakeland Village MDP Facilities							
<i>Watershed</i>	<i>Proposed/ Existing</i>	<i>Facility Name</i>	<i>Facility Type</i>	<i>Facility Description</i>	<i>Facility Size</i>	<i>Approximate Facility Length (ft)</i>	<i>100-Year Q (cfs)</i>
				ROW of 1.6 ac. The debris basin has a 36 in low-flow outlet pipe and a spillway structure.			
		Line B (Ortega Channel) Outlet	Floodwall	1 ft floodwalls would be added to the existing Ortega Channel outlet located on the north side of Grand Avenue.	Depth = 1 ft	727	1,400
		Line B Water Quality Basin	Water quality basin	The Line B Water Quality Basin is located at the southeast intersection of Serena Way and Grand Avenue and has an approximate volume of 5.0 ac-ft and an approximate area footprint of 3.2 ac.	Storage = 5.0 ac-ft Approx. ROW = 3.2 ac		
	Existing	Ortega Channel Debris Basin	Debris basin	The Ortega Channel Debris Basin is located south of the southernmost end of Welford Place and is located upstream of existing Ortega Channel Lateral A.	Storage = not available Approx. ROW = 1.4 ac		Information not available
		Ortega Channel	Trapezoidal channel	The construction of Ortega Channel was	Typical base width = 5 ft	1,678	870

Table ES-2, Detailed Project Description

Proposed Lakeland Village MDP Facilities							
<i>Watershed</i>	<i>Proposed/ Existing</i>	<i>Facility Name</i>	<i>Facility Type</i>	<i>Facility Description</i>	<i>Facility Size</i>	<i>Approximate Facility Length (ft)</i>	<i>100-Year Q (cfs)</i>
				completed in 1995. Ortega Channel is a concrete trapezoidal channel whose upstream origin is located at a point approximately 800 ft south of the intersection of Shoreline and Lighthouse Drive. The channel extends northerly towards Ortega Highway. At Ortega Highway, the channel transitions into an 84 in RCP and extends along Ortega Highway for approximately 815 ft. At this point, the 84 in RCP transitions into a 96 in RCP and extends into Lake Terrace Drive for approximately 280 ft. The 96 in RCP then transitions into a 102 in RCP and extends parallel to Lake Terrace Drive for approximately 430 ft. At Grand Avenue, the 102 in RCP	Typical top width = 17 ft Sideslope = 1.5:1 Depth = 4 ft		
			RCP		Diameter = 84 in	815	1,123
			RCP		Diameter = 96 in	280	1,123
			RCP		Diameter = 120 in	430	1,400
			RCB		Width = 10.5 ft Depth = 6 ft	100	1,400
			Trapezoidal Channel		Typical width = 2 ft Typical top width = 17 ft Typical depth = 5 ft Sideslope = 1.5:1	1,355	950

Table ES-2, Detailed Project Description

Proposed Lakeland Village MDP Facilities							
<i>Watershed</i>	<i>Proposed/ Existing</i>	<i>Facility Name</i>	<i>Facility Type</i>	<i>Facility Description</i>	<i>Facility Size</i>	<i>Approximate Facility Length (ft)</i>	<i>100-Year Q (cfs)</i>
				transitions into a 10.5 ft wide by 6 ft deep reinforced concrete box (RCB). From there, the concrete trapezoidal channel begins and extends parallel to Serena Way towards Lake Elsinore. The channel has a typical base width of 2 ft and sideslope of 1.5:1.			
	Existing	Ortega Channel Lateral A	RCP	The construction of Ortega Channel Lateral A was completed in 1992. Ortega Channel Lateral A is an RCP ranging in size from 54 in to 60 in in diameter. The upstream origin is at the existing Ortega Channel Debris Basin outlet and the RCP extends northerly in Welford Place toward Lake Ridge Road. At Lake Ridge Road, the RCP extends easterly in Lake Ridge Road toward Grandview Drive. At Grandview Drive, the RCP extends	Diameter = 54–60 in	1,858	604